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EXECUTIVE PROCEEDINGS

OF THE

SENATE

OF THE

UNITED STATES OF AMERICA

FROM DECEMBER 1, 1845, TO AUGUST 14, 1848, INCLUSIVE.

VOL. VII.

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WASHINGTON:
GOVERNMENT PRINTING OFFICE.
1887.

IN EXECUTIVE SESSION, SENATE OF THE UNITED STATES,

June 28, 1886.

Resolved, That the entire Executive Journal of the Senate, from the 23d February, 1829, the date to which the said proceedings have already been printed and published by order of the Senate, be printed, to the end of the last session of the Fortieth Congress, under the direction of the Secretary of the Senate, with a copious and comprehensive index to each volume, and that one hundred copies thereof be printed.

Resolved, That until the further order of the Senate the said print shall not be made public.

Attest:

ANSON G. McCOOK,

Secretary.

EXECUTIVE JOURNAL OF THE SENATE OF THE UNITED STATES.

[First session of the Twenty-ninth Congress.]

THURSDAY, DECEMBER 18, 1845.

The following messages were received from the President of the United States, by Mr. Walker, his secretary:

To the Senate of the United States:

I nominate the persons named in the accompanying list of promotions and appointments in the Army of the United States, to the several grades annexed to their names, as proposed by the Secretary of War.

JAMES K. POLK.

WASHINGTON, *December* 16, 1845.

WAR DEPARTMENT, *December* 12, 1845.

SIR: I have the honor respectfully to propose for your approbation the annexed list of officers for regular promotion and persons for appointment in the Army of the United States.

I am, sir, with great respect, your obedient servant,

W. L. MARCY.

To the PRESIDENT OF THE UNITED STATES.

ADJUTANT-GENERAL'S OFFICE,
Washington, December 12, 1845.

SIR: I respectfully submit the accompanying list of regular promotions and appointments to fill vacancies in the Army, which are known to have happened since the adjournment of Congress in March last.

It may be proper to repeat the remark that there are (now) five vacancies in the Quartermaster's Department, one of the rank of major, since July 22, 1842, and four of captain; which vacancies it is understood, after due consideration, it was decided that the wants of the public service did not require to be filled.

I am, sir, very respectfully, your obed't serv't,

R. JONES,
Adj't Gen'l.

Hon. W. L. MARCY,
Secretary of War.

PROMOTIONS AND APPOINTMENTS IN THE ARMY OF THE UNITED STATES.

PROMOTIONS.

First Regiment of Dragoons.

First Lieutenant William Eustis to be captain, March 17, 1845, vice Terrett, deceased.

Second Lieutenant Andrew J. Smith to be first lieutenant, March 4, 1845, vice Schaumburg, whose appointment ceased on that day.

Second Lieutenant James H. Carleton to be first lieutenant, March 17, 1845, vice Eustis, promoted.

Second Lieutenant Richard S. Ewell to be first lieutenant, September 18, 1845, vice McCrate, deceased.

Brevet Second Lieutenant Thomas C. Hammond to be second lieutenant, March 4, 1845, vice Smith, promoted.

Brevet Second Lieutenant Rufus Ingalls, of the Second Regiment of Dragoons, to be second lieutenant, March 17, 1845, vice Carleton, promoted.

Brevet Second Lieutenant Cave J. Couts, of the Second Regiment of Dragoons, to be second lieutenant, March 31, 1845, vice Rust, resigned.

Brevet Second Lieutenant Joseph H. Whittlesey, of the Second Regiment of Dragoons, to be second lieutenant, September 18, 1845, vice Ewell, promoted.

Second Regiment of Dragoons.

Brevet Second Lieutenant Alfred Pleasonton, of the First Regiment of Dragoons, to be second lieutenant, November 3, 1845, to fill a vacancy occasioned by the dismissal of First Lieutenant Ransom.

Third Regiment of Artillery.

Lieutenant-Colonel William Gates to be colonel, October 13, 1845, vice Armistead, deceased.

Major Francis S. Belton, of the Fourth Regiment of Artillery, to be lieutenant-colonel, October 13, 1845, vice Gates, promoted.

Brevet Second Lieutenant Lucien Loeser, of the Second Regiment of Artillery, to be second lieutenant, May 31, 1845, vice A. P. Stewart, resigned.

Fourth Regiment of Artillery.

Brevet Major John L. Gardner, captain of the Fourth Regiment of Artillery, to be major, October 13, 1845, vice Belton, promoted.

First Lieutenant Raphael C. Smead to be captain, October 13, 1845, vice Gardner, promoted.

Second Lieutenant Francis N. Clarke to be first lieutenant, October 13, 1845, vice Smead, promoted.

Second Lieutenant George W. Getty to be first lieutenant, October 31, 1845, vice Soley, deceased.

Brevet Second Lieutenant Daniel H. Hill, of the Third Regiment of Artillery, to be second lieutenant, October 13, 1845, vice Clarke, promoted.

Brevet Second Lieutenant John H. Greland, of the First Regiment of Artillery, to be second lieutenant, October 31, 1845, vice Getty, promoted.

Third Regiment of Infantry.

First Lieutenant Joseph L. Coburn to be captain, November 3, 1845, vice Colton, resigned.

Second Lieutenant Oliver L. Shepherd to be first lieutenant, November 3, 1845, vice Coburn, promoted.

Brevet Second Lieutenant Robert Hazlitt, of the Fourth Regiment of Infantry, to be second lieutenant, November 3, 1845, vice Shepherd, promoted.

Fourth Regiment of Infantry.

Lieutenant-Colonel William Whistler, of the Seventh Regiment of Infantry, to be colonel, July 15, 1845, vice Vose, deceased.

Brevet Second Lieutenant Christopher C. Augur, of the Second Regiment of Infantry, to be second lieutenant, September 12, 1845, vice Higgins, deceased.

Brevet Second Lieutenant Ulysses S. Grant* to be second lieutenant, September 30, 1845.

Fifth Regiment of Infantry,

First Lieutenant William Chapman to be captain, June 8, 1845, vice Johnston, deceased.

Second Lieutenant John A. Whitall to be first lieutenant, June 8, 1845, vice Chapman, promoted.

Second Lieutenant George Deas to be first lieutenant, November 17, 1845, vice Reid, deceased.

Brevet Second Lieutenant Mortimer Rosecrants to be second lieutenant, June 8, 1845, vice Whitall, promoted.

Brevet Second Lieutenant Lafayette B. Wood, of the Eighth Regiment of Infantry, to be second lieutenant, November 17, 1845, vice Deas, promoted.

Sixth Regiment of Infantry.

Captain Benjamin L. E. Bonneville, of the Seventh Regiment of Infantry, to be major, July 15, 1845, vice Hoffman, promoted.

First Lieutenant William H. T. Walker to be captain, November 7, 1845, vice Searight, resigned.

Second Lieutenant Edward H. Fitzgerald to be first lieutenant, November 7, 1845, vice Walker, promoted.

Brevet Second Lieutenant Edwin Howe, of the Fifth Regiment of Infantry, to be second lieutenant, November 7, 1845, vice Fitzgerald, promoted.

Seventh Regiment of Infantry.

Major William Hoffman, of the Sixth Regiment of Infantry, to be lieutenant-colonel, July 15, 1845, vice Whistler, promoted.

First Lieutenant Daniel P. Whiting to be captain, April 18, 1845, vice Davis, dismissed.

First Lieutenant Roger S. Dix to be captain, July 15, 1845, vice Bonneville, promoted.

First Lieutenant Richard C. Gatlin to be captain, September 30, 1845, vice Dix, appointed paymaster.

Second Lieutenant Henry Little to be first lieutenant, April 18, 1845, vice Whiting, promoted.

Second Lieutenant James R. Scott to be first lieutenant, July 15, 1845, vice Dix, promoted.

Second Lieutenant Charles H. Humber to be first lieutenant, September 30, 1845, vice Gatlin, promoted.

Brevet Second Lieutenant John M. Jones, of the Fifth Regiment of Infantry, to be second lieutenant, April 18, 1845, vice Little, promoted.

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* Lieutenant Grant was promoted in the 7th Regiment of Infantry, vice Humber, promoted, and exchanged into his present regiment (the 4th) with Lieutenant F. Gardner.

Brevet Second Lieutenant Franklin Gardner to be second lieutenant, September 12, 1845.*

Brevet Second Lieutenant Joseph H. Potter, of the First Regiment of Infantry, to be second lieutenant, October 21, 1845, vice Quimby, resigned.

Eighth Regiment of Infantry.

Second Lieutenant Calvin Hetzel to be first lieutenant, May 30, 1845, vice Johnson, cashiered.

Brevet Second Lieutenant Jacob I. Booker, of the First Regiment of Infantry, to be second lieutenant, June 1, 1845, vice Hanson, resigned.

Brevet Second Lieutenant Theodore L. Chadbourne, of the Second Regiment of Infantry, to be second lieutenant, September 10, 1845, vice Dame, resigned.

Brevet Second Lieutenant Edmunds B. Holloway, of the Fourth Regiment of Infantry, to be second lieutenant, September 26, 1845, vice Handy, deceased.

APPOINTMENTS.

Quartermaster's Department.

First Lieutenant Morris S. Miller, of the Third Regiment of Artillery, to be assistant quartermaster, with the rank of captain, September 13, 1845.

Pay Department.

Benjamin F. Larned, paymaster, reappointed, to take effect November 24, 1845, when his former commission expired.

Thomas I. Leslie, paymaster, reappointed, to take effect November 27, 1845, when his former commission expired.

St. Clair Denny, paymaster, reappointed, to take effect October 15, 1845, when his former commission expired.

Roger S. Dix, late captain of the Seventh Regiment of Infantry, to be paymaster September 30, 1845, vice Davies, resigned.

Corps of Engineers.

Cadet William H. C. Whiting to be second lieutenant, July 1, 1845.

Ordnance Department.

Stevens T. Mason, of Virginia, to be military storekeeper, May 15, 1845.

Graduates of the Military Academy attached to the Army as brevet second lieutenants, in conformity with the fourth section of the act of April 29, 1812, to take rank respectively from July 1, 1845.

Brevet second lieutenants attached to the Corps of Engineers.

Cadet Edward B. Hunt, of New York.
Cadet Louis Hébert, of Louisiana.

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*Lieutenant Gardner was promoted in the 4th Regiment of Infantry, vice Berry, deceased, and exchanged into his present Regiment (the 7th) with Lieutenant Ulysses S. Grant.

Brevet second lieutenants attached to the Corps of Topographical Engineers.

Cadet William F. Smith, of Vermont.
Cadet Thomas I. Wood, of Kentucky.

Brevet second lieutenants attached to the Ordnance Department.

Cadet Thomas G. Rhett, of South Carolina.
Cadet Charles P. Stone, of Massachusetts.

Brevet second lieutenants attached to the Dragoon Arm.

Cadet Bezaleel W. Armstrong, of Ohio.
Cadet William T. Allen, of Virginia.
Cadet John W. Davidson, of Virginia.
Cadet James M. Hawes, of Kentucky.
Cadet Newton C. Givens, of Kentucky.
Cadet Richard C. W. Radford, of Virginia.
Cadet Delos B. Sacket, of New York.
Cadet Joseph McElvain, of Indiana.

Brevet second lieutenants attached to the Artillery Arm.

Cadet Fitz John Porter, of New Hampshire.
Cadet Josiah H. Carlisle, of Maine.
Cadet George Edwards, of England.
Cadet Henry Coppée, of Georgia.
Cadet Francis Collins, of New York.
Cadet Joseph F. Farry, of Pennsylvania.
Cadet Louis D. Welch, of Connecticut.
Cadet George P. Andrews, of Connecticut.
Cadet Thomas B. I. Weld, of Maine.

Brevet second lieutenants attached to the Infantry Arm.

Cadet John P. Hatch, of New York.
Cadet John A. Richey, of Ohio.
Cadet Patrick A. Farrelly, of Pennsylvania.
Cadet Abram B. Lincoln, of New York.
Cadet James G S. Snelling, of Iowa.
Cadet Edmund K. Smith, of Florida.
Cadet Thomas I. Montgomery, of Maine.
Cadet James N. Ward, of Kentucky.
Cadet Barnard E. Bee, of South Carolina.
Cadet William Rhea, of Virginia.
Cadet Gordon Granger, of New York.
Cadet Henry B. Clitz, of New York.
Cadet William H. Wood, of Massachusetts.
Cadet David A. Russell, of New York.
Cadet Thomas G. Pitcher. of Indiana.
Cadet William L. Crittenden, of Kentucky.

To the Senate of the United States :

I nominate to the Senate, Thomas McGuire, of Ohio, to be consul for the port of Rio Grande, in Brazil, in the place of John C. Pedrick, resigned.

JAMES K. POLK.

WASHINGTON, 18*th December*, 1845.

To the Senate of the United States:

I nominate to the Senate the persons herein named for the offices to which they have been appointed during the last recess of the Senate, viz:

William H. Robertson, of Louisiana, to be consul for the port of Bremen, in the place of A. D. Mann, recalled.

Gorham Parks, of Maine, to be consul for the port of Rio de Janeiro, in the place of George W. Gordon, recalled.

James H. Tate, of Mississippi, to be consul for the port of Buenos Ayres, in the place of Joseph Graham, recalled.

William A. Sparks, of South Carolina, to be consul for the port of Venice, in the place of Albert Dabadie, recalled.

Simeon M. Johnson, of Michigan, to be consul for the port of Matanzas, in the place of Thomas M. Rodney, recalled.

Thomas N. Carr, of New York, to be consul for the Empire of Morocco, in the place of John F. Mullowny, recalled.

Nicholas B. Boyle, of Washington, to be consul for Port Mahon, in the Island of Minorca, in the place of Obadiah Rich, resigned.

John F. Bacon, of New York, to be consul for the port of Nassau, in the Island of New Providence, in the place of Timothy Darling, recalled.

John I. Peavey, of Maine, to be consul for the port of Pictou, in Nova Scotia, in the place of James Primrose, recalled.

John W. Holding, of Maryland, to be consul for the port of Sant Iago de Cuba, in the place of James I. Wright, deceased.

Ramon L. Sanchez, of Florida, to be consul for the port of Cartagena, in New Grenada, in the place of Samuel C. Kneass, resigned.

William Nelson, to be consul for the port of Panama, in New Granada, in the place of Jeremiah A. Townsend, recalled.

George H. Goundie, of Pennsylvania, to be consul for the city of Bazel, in Switzerland, in the place of Seth T. Otis, recalled.

Thomas W. Gilpin, of Pennsylvania, to be consul for the port of Belfast, in Ireland, in the place of James Shaw, recalled.

Joseph Cowdin, of New York, to be consul for the port of Glasgow, in Scotland, in the place of Thomas McGuire, recalled.

Thomas B. Abrams, of Pennsylvania, to be consul for the port of Mayaguez, in the Island of Puerto Rico, in the place of Gurdon Bradley, recalled.

Charles Ward, of Maine, to be consul for the Island of Zanzibar, in the dominions of the Sultan of Muscat, in the place of Richard P. Waters, recalled.

Samuel D. Heap, of Pennsylvania, to be consul for the city and Kingdom of Tunis, in the place of John H. Payne, recalled.

Nicholas Browne, of New York, to be consul for the city of Rome, in the place of George W. Greene, recalled.

Joel Turrill, of New York, to be consul for the Sandwich Islands, in the place of Alexander Abell, recalled.

Samuel Haight, of New York, to be consul for the Azores, or Western Islands, in the place of C. W. Dabney, recalled.

George P. Manouvrier, of Louisiana, to be consul for the port of Pernambuco, in the place of G. T. Snow, recalled.

Stewart Steel, of Pennsylvania, to be consul for the port of Dundee, in Scotland, in the place of Edward Baxter, recalled.

John T. Pickett, of Kentucky, to be consul for Turk's Island, in the place of Abraham Morrell, recalled, who was appointed during the last recess of the Senate, in the place of John Arthur, recalled.

William Crosby, of Ohio, to be consul for the port of Talcahuano, in Chili, in the place of Paul H. Delano, recalled.

Charles Sherwood, of New York, to be consul for the port of Messina, in Sicily, in the place of John L. Payson, recalled.

Henry G. Hubbard, of New York, to be consul for the port of St. John's, in the Island of Puerto Rico, in place of O. S. Morse, recalled.

Edward Warrens, of Missouri, to be consul for the port of Trieste, in the place of A. D. Mann, resigned, who was appointed, during the last recess of the Senate, in the place of George Moore, recalled.

Robert L. Loughead, of Pennsylvania, to be consul for the port of Londonderry, in Ireland, in the place of James McDowell, declined, who was appointed during the last recess of the Senate, in the place of James McHenry, deceased.

Frederick B. Wells, of New Hampshire, to be consul for the Island of Bermuda, in the place of Alexander I. Bergen, resigned, who was appointed during the last recess of the Senate, in the place of William T. Tucker, recalled.

JAMES K. POLK.

WASHINGTON, 18*th December*, 1845.

[Confidential.]

To the Senate of the United States:

I herewith communicate to the Senate, for its consideration, a convention signed on the 14th May, of the present year, by the minister of the United States at Berlin, with the minister of Saxony at the same court, for the mutual abolition of the *droit d'aubaine*, *droit de détraction*, and taxes on emigration, between the United States and Saxony. And I communicate with the convention an explanatory dispatch of the minister of the United States, dated on the 14th May, 1845, and numbered 267.

JAMES K. POLK.

WASHINGTON, *December* 15*th*, 1845.

[Confidential.]

To the Senate of the United States:

I herewith communicate to the Senate, for its consideration, a convention concluded and signed at Berlin on the 29th day of January, 1845, between the United States and Prussia, together with certain other German states, for the mutual extradition of fugitives from justice in certain cases; and I communicate with the convention the correspondence necessary to explain it.

In submitting this convention to the Senate, I deem it proper to call their attention to the third article, by which it is stipulated that "none of the contracting parties shall be bound to deliver up its own citizens or subjects under the stipulations of this convention."

No such reservation is to be found in our treaties of extradition with Great Britain and France, the only two nations with whom we have concluded such treaties. These provide for the surrender of all persons who are fugitives from justice without regard to the country to which they may belong. Under this article if German subjects of any of the parties to the convention should commit crimes within the United States and fly back to their native country from justice they would not be surrendered. This is clear in regard to all such Germans as shall not have

been naturalized under our laws. But even after naturalization difficult and embarrassing questions might arise between the parties. These German powers, holding the doctrine of perpetual allegiance, might refuse to surrender German naturalized citizens, whilst we must ever maintain the principle that the rights and duties of such citizens are the same as if they had been born in the United States.

I would also observe that the 4th article of the treaty submitted contains a provision not to be found in our conventions with Great Britain and France.

JAMES K. POLK.

WASHINGTON, *December* 16, 1845.

The messages were read.

Ordered, That the nominations for promotion and appointment in the Army be referred to the Committee on Military Affairs.

Ordered, That the nominations of consuls be referred to the Committee on Commerce.

The convention for the mutual abolition of the droit d'aubaine, droit de détraction, and taxes on emigration between the United States of America and the Kingdom of Saxony, concluded at Berlin on the 14th of May, 1845, was read the first and second times, by unanimous consent.

Ordered, That the convention, with the message and document, be referred to the Committee on Foreign Relations and printed in confidence for the use of the Senate.

The convention for the mutual delivery of criminals fugitive from justice in certain cases, concluded between the United States on the one part and Prussia and the other states of the Germanic Confederation on the other part, at Berlin the 29th January, 1845, was read the first and second times, by unanimous consent.

Ordered, That the convention, with the message and documents, be referred to the Committee on Foreign Relations and printed in confidence for the use of the Senate.

MONDAY, DECEMBER 22, 1845.

The following messages were received from the President of the United States, by Mr. Walker, his secretary:

To the Senate of the United States:

I nominate to the Senate the persons herein named for the offices to which they have [been] appointed during the last recess of the Senate, viz:

Justices of the peace in the District of Columbia, in the county of Washington.

David Saunders, of Washington, his former commission having expired.

Robert White, of Georgetown, his former commission having expired.

Benjamin B. French, of Washington, his former commission having expired.

Robert H. Clements, of Washington, his former commission having expired.

Henry Reaver, of Georgetown.

JAMES K. POLK.

WASHINGTON, 22*d December*, 1845.

To the Senate of the United States:

I nominate to the Senate the persons herein named to be justices of the peace for the county of Washington, in the District of Columbia, viz:

Benjamin K. Morsell, of Washington, from the 24th inst., when his present commission will expire.

Nicholas B. Vanzandt, of Washington, from the 28th inst., when his present commission will expire.

Nathaniel Brady, of Washington, from the 28th inst., when his present commission will expire.

Reuben Burdine, of Washington, in place of William Thompson, whose commission will expire on the 24th inst.

James Callaghan, of Washington, in place of Thomas R. Hampton, dec'd.

JAMES K. POLK.

WASHINGTON, 22*d December*, 1845.

To the Senate of the United States:

I nominate to the Senate the persons herein named for the offices to which they have been appointed during the last recess of the Senate, viz:

Louis McLane, of Maryland, to be envoy extraordinary and minister plenipotentiary at the court of the United Kingdom of Great Britain and Ireland, in the place of Edward Everett, recalled.

Gansevoort Melville, of New York, to be secretary of the legation of the United States near Her Britannic Majesty, in the place of Francis R. Rives, resigned.

John Slidell, of Louisiana, to be envoy extraordinary and minister plenipotentiary to the Mexican Republic.

William S. Parrott, of Washington, to be secretary of the legation of the United States to the Mexican Republic.

Auguste Davezac, of New York, to be chargé d'affaires at the court of His Majesty the King of the Netherlands, in the place of Christopher Hughes, recalled.

William H. Stiles, of Georgia, to be chargé d'affaires to the court of His Majesty the Emperor of Austria, in the place of Daniel Jenifer, envoy extraordinary and minister plenipotentiary to that court.

Henry W. Ellsworth, of Indiana, to be chargé d'affaires at the court of Sweden, in the place of George W. Lay, recalled.

Benjamin A. Bidlack, of Pennsylvania, to be chargé d'affaires to the Republic of New Granada, in the place of William M. Blackford, recalled.

Anthony Ten Eyck, of Michigan, to be commissioner to the Sandwich Islands, in the place of George W. Brown, at his own request recalled.

JAMES K. POLK.

WASHINGTON, 22*d December*, 1845.

The messages were read.

Ordered, That the nominations of justices of the peace be referred to the Committee on the District of Columbia.

Ordered, That the nominations of Louis McLane, Gansevoort Melville, John Slidell, William S. Parrott, Auguste Davezac, William H. Stiles, Henry W. Ellsworth, Benjamin A. Bidlack, and Anthony Ten Eyck be referred to the Committee on Foreign Relations.

TUESDAY, DECEMBER 23, 1845.

The following message was received from the President of the United States, by Mr. Walker, his secretary:

To the Senate of the United States:

I nominate to the Senate the persons herein named for the offices to which they have been appointed during the last recess of the Senate, viz:

Levi Woodbury, of New Hampshire, associate justice of the Supreme Court of the United States, in the place of Joseph Story, deceased.

James Dunlop, of the District of Columbia, assistant judge of the circuit court of the United States for the District of Columbia, in the place of Buckner Thruston, deceased.

Thomas Hartley Crawford, of the District of Columbia, judge of the criminal court for the District of Columbia, in the place of James Dunlop, resigned.

Henry Dodge, governor of Wisconsin, in the place of Nathaniel P. Tallmadge, removed.

James Clarke, of Iowa, governor of Iowa, in the place of John Chambers, removed.

Jesse Williams, of Iowa, secretary of Iowa, in the place of Samuel I. Burr, removed.

Robert Coltman, of Washington, D. C., warden of the penitentiary in the District of Columbia, in the place of John B. Dade, resigned.

James Hoban, of the District of Columbia, attorney of the United States for the District of Columbia, in the place of Philip R. Fendall, whose commission had expired.

I also nominate to the Senate George W. Woodward, of Pennsylvania, to be associate justice of the Supreme Court of the United States in the place of Henry Baldwin, deceased.

John W. Brockenbrough, of Virginia, to be judge of the district court of the United States for the western district of Virginia, in the place of Isaac S. Pennybacker, resigned.

JAMES K. POLK.

WASHINGTON, *23d December*, 1845.

The message was read.

Ordered, That the nominations contained therein be referred to the Committee on the Judiciary.

Mr. Allen, from the Committee on Foreign Relations, to whom was referred on the 22d instant the nomination of Louis McLane, reported.

Whereupon

Resolved, That the Senate advise and consent to his appointment, agreeably to the nomination.

SATURDAY, DECEMBER 27, 1845.

Mr. Haywood presented the petition of sundry citizens of Alexandria, in the District of Columbia, adverse to the appointment of James Dunlop to be assistant judge of the circuit court of the United States for the District of Columbia; which was referred to the Committee on the Judiciary.

MONDAY, DECEMBER 29, 1845.

The following messages were received from the President of the United States, by Mr. Walker, his secretary;

To the Senate of the United States:

I nominate to the Senate the persons herein named for the offices to which they have been appointed during the last recess of the Senate, viz:

Marcus Morton to be collector of the customs for the district of Boston and Charlestown, in the State of Massachusetts, vice Lemuel Williams, removed.

John McNiel to be surveyor for the district of Boston and Charlestown, and inspector of the revenue for the port of Boston, in the State of Massachusetts, vice Joseph Grafton, removed.

Augustus Jenkins to be collector of the customs for the district of Portsmouth, in the State of New Hampshire, vice Lory Odell, removed.

Daniel Vaughan to be naval officer for the district of Portsmouth, in the State of New Hampshire, vice John McClintock, removed.

William H. Cole, jr. to be surveyor and inspector of the revenue for the port of Baltimore, in the State of Maryland, vice Thomas Lloyd, removed.

Joseph P. Junkins to be collector of the customs for the district and inspector of the revenue for the port of York, in the State of Maine, vice Jeremiah Brooks, removed.

James Taylor to be collector of the customs for the district and inspector of the revenue for the port of Wiscassett, in the State of Maine, vice Moses Shaw, removed.

William B. Bullock to be collector of the customs for the district of Savannah, in the State of Georgia, vice Edward Hardin, removed.

Hezekiah Willard to be collector of the customs for the district of Providence, in the State of Rhode Island, vice Thomas F. Carpenter, who declines the appointment.

Rowland H. Bridgham to be collector of the customs for the district of Penobscot and inspector of the revenue for the port of Castine, in the State of Maine, vice Charles J. Abbott, removed.

Micajah Hawkes to be surveyor and inspector of the revenue for the port of Eastport, in the State of Maine, vice Shilowith S. Whipple, resigned.

Joseph H. Jordan to be collector of customs for the district and inspector of the revenue for the port of Frenchman's Bay, in the State of Maine, vice Henry S. Jones, appointed in the recess of the Senate, in the place of Jno. M. Hale, removed.

William Brown to be collector of customs for the district and inspector of the revenue for the port of Machias, in the State of Maine, vice William B. Smith, removed.

James Polk to be naval officer for the district of Baltimore, in the State of Maryland, vice Sam'l J. K. Handy, removed.

Michael McBlair to be appraiser of merchandise for the port of Baltimore, in the State of Maryland, vice John Lester, removed.

Nathaniel M. Lowney to be collector of customs for the district and inspector of the revenue for the port of Belfast, in the State of Maine, vice Benjamin Wiggin, removed

Edward Green to be collector of the customs for the district of Alexandria, in the District of Columbia, vice George Brent, deceased.

James R. Thompson to be surveyor and inspector of the revenue for

the port of Town Creek, in the State of Maryland, vice Lewis Stone, deceased.

Henry W. Rogers to be collector of customs for the district of Buffalo Creek and inspector of the revenue for the port of Buffalo, in the State of New York, vice Jedediah H. Lathrop, removed.

Smith Inglehart to be collector of the customs for the district of Cuyahoga, and inspector of the revenue for the port of Cleveland, in the State of Ohio, vice William Milford, removed.

Silas Weaver surveyor and inspector of the revenue for the port of East Greenwich, in the State of Rhode Island, vice Joseph I. Tillinghast, removed.

Reuben H. Boughton to be collector of the customs for the district of Niagara and inspector of the revenue for the port of Lewiston, in the State New York, vice Amos S. Tryon, removed.

Michael Hoffman to be naval officer for the district of New York, in the State of New York, vice Jeremiah Towle, removed.

Edwin Wilbur to be collector of the customs for the district of Newport, in the State of Rhode Island, vice William Ennis, removed.

Phineas W. Leland to be collector of the customs for the district and inspector of the revenue for the port of Fall River, in the State of Massachusetts, vice Charles D. Holmes, removed.

Otis N. Cole to be collector of the customs for the district and inspector of the revenue for the port of Sackett's Harbor, in the State of New York, vice John O. Dickey, removed.

Cornelius W. Lawrence to be collector of the customs for the district of New York, in the State of New York, vice Cornelius P. Van Ness, resigned.

Isaac H. Hedges to be surveyor and inspector of the revenue for the port of St. Louis, in the State of Missouri, vice Oliver Harris, removed.

Sam'l W. Spencer to be collector of the customs for the district and inspector of the revenue for the port of Apalachicola, in the State of Florida, vice Hiram Nourse, resigned.

Ezra Chesebro to be collector of the customs for the district and inspector of the revenue for the port of Stonington, in the State of Connecticut, vice Giles R. Hallam, removed.

Rizop Rawls to be collector of the customs for the district and inspector of the revenue for the port of Edenton, in the State of North Carolina, vice Thomas I. Charleton, whose commission expired.

Alcee La Branche to be naval officer for the district of New Orleans, in the State of Louisiana, vice Martin Duralde, whose commission, expired.

Murray Whallon to be collector of the customs for the district and inspector of the revenue for the port of Presque Isle, in the State of Pennsylvania, vice Charles W. Kelso, whose commission expired.

Charles N. Lawson to be surveyor and inspector of the revenue for the port of Carter's Creek, in the State of Virginia, vice Robert Edmonds, whose commission expired.

Henry Hicks to be collector of the customs for the district and inspector of the revenue for the port of Wilmington, in the State of Delaware, vice Arnold Naudain, whose commission expired.

Nathan Bardin to be surveyor and inspector of the revenue for the port of Bristol, in the State of Rhode Island, vice Elkanah French, whose commission expired.

John B. Guthrie to be surveyor and inspector of the revenue for the port of Pittsburg, in the State of Pennsylvania, vice William B. Murray, removed.

Robert B. Merchants to be surveyor and inspector of the revenue for the port of Dumfries, in the State of Virginia, vice George H. Cockrell, whose commission expired.

Michael Edwards, jr., to be surveyor and inspector of the revenue at the port of Wheeling, in the State of Virginia, vice Sam'l Atkinson, whose commission expired.

Robert White to be collector of the customs for the district and inspector of the revenue for the port of Georgetown, in the District of Columbia, vice Henry Addison, whose commission expired.

James Fisher to be surveyor and inspector of the revenue for the port of Pawtuxet, in the State of Rhode Island, vice Peleg Aborn, whose commission expired.

William Nichols to be collector of the customs for the district of Newburyport, in the State of Massachusetts, vice Henry W. Kinsman, whose commission expired.

Enoch Fowler to be naval officer for the district of Newburyport, in the State of Massachusetts, vice Thomas M. Clark, whose commission expired.

Stephen R. Mallory to be collector of the customs for the district and inspector of the revenue for the port of Key West, in the State of Florida, vice Adam Gordon, removed.

George Center to be collector of the customs for the district and inspector of the revenue for the port of St. Augustine, in the State of Florida, vice Augustus W. Walker, removed.

Peter Dixey to be collector of the customs for the district of Marblehead, in the State of Massachusetts, vice James Gregory, removed.

Joseph T. Pease to be collector of the customs for the district and inspector of the revenue for the port of Edgartown, in the State of Massachusetts, vice Leavitt Thaxter, removed.

William I. Grayson to be collector of the customs for the district of Charleston, in the State of South Carolina, to take effect when his former commission expired.

Rufus O. Pray to be collector of the customs for the district of Pearl River and inspector of the revenue for the port of Shieldsborough, in the State of Mississippi, vice William H. Arnold, whose commission expired.

William J. Miller to be collector of the customs for the district of Bristol and Warren, in the State of Rhode Island, vice John Howe, removed.

Henry Horn to be collector of customs for the district of Philadelphia, in the State of Pennsylvania, vice Calvin Blythe, removed.

Henry Welch to be naval officer for the district of Philadelphia, in the State of Pennsylvania, vice Joel B. Sutherland, removed.

James A. Nichols to be collector of the customs for the district and inspector of the revenue for the port of Perth Amboy, in the State of New Jersey, vice Solomon Andrews, removed.

J. Travis Rosser to be collector of the customs for the district of Petersburg, in the State of Virginia, vice Hugh Nelson, removed.

John Duncan to be appraiser of merchandise for the port of New Orleans, in the State of Louisiana, vice Robert M. Wellman, removed.

Charles G. Hammond to be collector of the customs for the district and inspector of the revenue for the port of Detroit, in the State of Michigan, vice Edward Brooks, resigned.

Samuel C. White to be surveyor and inspector of the revenue for the port of Accomack Court-House, in the State of Virginia, vice William Wallston, removed.

George W. Pomeroy to be appraiser of merchandise for the port of New York, in the State of New York, vice Mathias B. Edgar, removed.

Samuel Jones Willis to be appraiser of merchandise for the port of New York, in the State of New York, vice Amos Palmer, removed.

Benjamin E. Carpenter to be appraiser of merchandise for the port of Philadelphia, in the State of Pennsylvania, vice Sam'l Spackman, removed.

James K. Hatton to be collector of the customs for the district and inspector of the revenue for the port of Washington, in the State of North Carolina, vice Thomas H. Blount, resigned.

Patrick Collins to be surveyor and inspector of the revenue for the port of Cincinnati, in the State of Ohio, vice Isaiah Wing, removed.

William D. Pritchard to be collector of the customs for the district of Camden and inspector of the revenue for the port of Elizabeth City, in the State of North Carolina, vice George W. Charles, removed.

Charles Parker to be surveyor and inspector of the revenue for the port of Snow Hill, in the State of Maryland, vice George Hudson, removed.

Nathaniel W. Walker to be collector of the customs for the district and inspector of revenue for the port of Saint Marks, in the State of Florida, vice William H. Ware, whose commission expired.

Benjamin M. Bosworth to be surveyor and inspector of the revenue for the ports of Warren and Barrington, in the State of Rhode Island, vice William B. Snell, removed.

Silas A. Comstock to be naval officer for the district of Providence, in the State of Rhode Island, vice Moses Richardson, removed.

Seth Belden to be surveyor and inspector of the revenue for the port of Hartford, in the State of Connecticut, vice Penfield B. Godsell, removed.

James T. Miller to be naval officer in the district of Wilmington, State of North Carolina, vice James Owen, removed.

Denis Prieur to be collector of the customs for the district of New Orleans, in the State of Louisiana, vice Thomas Barrett, removed.

Dillon Jordan to be collector of the customs for the district and inspector of the revenue for the port of Pensacola, in the State of Florida, vice Robert Mitchell, removed.

Russell G. Hopkinson to be collector of the customs for the district of Vermont and inspector of the revenue for the port of Alburg, in the State of Vermont, vice Archibald W. Hyde, resigned.

James E. Saunders to be collector of the customs for the district and inspector of the revenue for the port of Mobile, in the State of Alabama, vice Collier H. Minge, removed.

I also nominate Charles W. Rand to be collector of the customs for the district and inspector of the revenue for the port of Nantucket, in the State of Massachusetts, vice William R. Easton, whose commission will expire on the 1st of January, 1846.

Thomas L. Shaw to be collector of the customs for the district and inspector of the revenue for the port of Georgetown, in the State of South Carolina, from the 3d of January, 1846, when his present commission will expire.

Thomas H. Jervey to be surveyor and inspector of the revenue for the port of Charleston, in the State of South Carolina, from the 12th of January, 1846, when his present commission will expire.

JAMES K. POLK.

WASHINGTON, *December* 29, 1846.

To the Senate of the United States:

I nominate to the Senate the following-named persons to be deputy postmasters at the places respectively designated, they having been appointed durir g the last recess of the Senate, viz:

Nehemiah Mose-, Portsmouth, N. Hampshire, in place of Samuel Gookin, removed.

Welcome B. Sayles, Providence, Rhode Island, in place of E. I. Mallett, resigned.

Charles K. Gardner, Washington City, D. C., in place of William Jones, removed.

William White, Raleigh, No. Carolina, in place of Thomas G. Scott, resigned.

Nathan L. Woodbury, Portland, Maine, in place of S. R. Lyman, removed.

John S. Bagg, Detroit, Michigan, in place of Thomas Rowland, removed.

James M. Buchanan, Baltimore, Maryland, in place of Thomas Finley, removed.

Joseph W. McCorkle, Dayton, Ohio, in place of Thomas Blair, removed.

Hart L. Stewart, Chicago, Illinois, in place of William Stuart, removed.

Paul Dean Carrique, Hudson, New York, in place of Justus McKinstry, removed.

Robert H. Morris, New York, N. Y., in place of John L. Graham, removed.

George F. Lehman, Philadelphia, Penna., in place of James Hoy, jr., removed.

Henry C. Conklin, Brooklyn, New York, in place of George Hall, removed.

Harvey Chapin, Springfield, Mass., in place of Galen Ames, removed.

Edward W. Green, New Bedford, Mass., in place of Simeon Bailey, removed.

John M. Wimer, St. Louis, Missouri, in place of Samuel B. Churchill, removed.

Stanley G. Trott, New London, Connecticut, in place of James H. Turner, whose commission expired.

George M. Horton, Geneva, New York, in place of James Rees, whose commission expired.

Richard H. Stanton, Maysville, Kentucky, in place of James W. Coburn, whose commission expired.

Benjamin F. Rawls, Columbia, South Carolina, in place of A. H. Gladden, whose commission expired.

William N. Friend, Petersburg, Virginia, in place of John Minge, removed.

Joseph M. Doty, Odensburg, New York, in place of P. B. Fairchild, whose commission expired.

William G. Smith, Macon, Georgia, in place of K. Tyner, whose commission expired.

Chambers McKibbin, Pittsburg, Penna., in place of Robert M. Riddle, whose commission expired.

George Crawford, Cincinnati, Ohio, in place of W. H. H. Taylor, whose commission expired.

Jacob Medary, Columbus, Ohio, in place of John G. Miller, whose commission expired.

Henry F. Baker, Winchester, Virginia, in place of John Wall, whose commission expired.

Truman C. Everts, Toledo, Ohio, in place of Andrew Palmer, resigned.

Benjamin F. Johnson, Frankfort, Kentucky, in place of William Hardin, resigned.

William L. Hommedieu, Norwich, Connt., in place of John H. Townsend, removed.

Pearson Mundy, Watertown, New York, in place of John F. Hutchinson, resigned.

George Sanderson, Carlisle, Penna., in place of William M. Porter, removed.

Thomas B. Hahn, Canandaigua, New York, in place of J. M. Wheeler, whose commission expired.

John Forsyth, Columbus, Georgia, in place of G. W. E. Bedell, whose commission expired.

David P. Brewster, Oswego, New York, in place of James Cochran, removed.

Amos S. Rathbun, Auburn, New York, in place of Wm. C. Beardsley, removed.

William W. Teal, Syracuse, New York, in place of Henry Raynor, removed.

Thomas J. Read, Louisville, Kentucky, in place of L. H. Mosby, removed.

Elihu Stout, Vincennes, Indiana, in place of Jas. W. Greenhow, removed.

Livingston Dunlap, Indianapolis, Indiana, in place of Samuel Henderson, removed.

John C. Slaymaker, Galena, Illinois, in place of Robert W. Carson, removed.

Joseph S. May, Apalachicola, Florida, in place of George F. Baltzell, resigned.

Allen May, Middleton, Connecticut, in place of Eli Wilcox, resigned.

John K. Wright, Reading, Penna., in place of Charles Troxell, whose commission expired.

Whiteacre Oneal, Steubenville, Ohio, in place of William Collins, whose commission expired.

George F. Worth, Nantucket, Massachusetts, in place of S. H. Jenks, whose commission expired.

Thomas Shepherd, Northampton, Massachusetts, in place of Amos H. Bullen, removed.

Philo F. Barnum, Bridgeport, Connecticut, in place of Isaac Sherman, jr., removed.

Wilson Knott, Newark, N. Jersey, in place of John I Plume, removed.

Jeremiah Cherry, Columbia, Tennessee, in place of Hillary Langtry, resigned.

I also nominate to the Senate the following-named persons to be deputy postmasters at the places respectively designated, viz:

William S. Hill, Greensboro', North Carolina, in place of I. J. M. Lindsay, removed.

John McClintock, Chambersburg, Penna., in place of David C. Durborrow, removed.

Jacob Fechtig, Cumberland, Maryland, in place of William Lynn, removed.

Stephen Isley, Newburyport, Massachusetts, to take effect on the 4th January, 1846, in place of Benjamin W. Hale, whose commission will expire on that day.

JAMES K. POLK.

WASHINGTON, *December* 29, 1845.

To the Senate of the United States:

I nominate to the Senate the persons herein named for the offices to which they have been appointed during the last recess of the Senate, viz:

Franklin Pierce to be attorney of the United States for the district of New Hampshire, in the place of Joel Eastman, removed.

Robert Rantoul, jr., to be attorney of the United States for the district of Massachusetts, in the place of Franklin Dexter, removed.

Thomas W. Bartley to be attorney of the United States for the district of Ohio, in the place of Charles Anthony, removed.

William F. Allen to be attorney of the United States for the northern district of New York in the place of Joshua A. Spencer, removed.

Walter S. Burges to be attorney of the United States for the district of Rhode Island, in the place of Richard W. Greene, removed.

William S. Marshall to be attorney of the United States for the district of Maryland, in the place of Z. Collins Lee, removed.

Augustine Haines to be attorney of the United States for the district of Maine, in the place of Gorham Parks, resigned.

Solomon W. Downs to be attorney of the United States for the district of Louisiana, in the place of Balie Peyton, removed.

Thomas M. Pettit to be attorney of the United States for the eastern district of Pennsylvania, in the place of Henry M. Watts, removed.

John Norvell to be attorney of the United States for the district of Michigan, in the place of George C. Bates, resigned.

Edward Johnston to be attorney of the United States for the district of Iowa, in the place of John G. Deshler, removed.

Thomas T. Gantt to be attorney of the United States for the district of Missouri, in the place of William M. McPherson, removed.

Charles Linsley to be attorney of the United States for the district of Vermont, in the place of Charles Davis, whose commission had expired.

William P. Lynde to be attorney of the United States for the district of Wisconsin, in the place of Thomas W. Sutherland, whose commission had expired.

John L. Dawson to be attorney of the United States for the western district of Pennsylvania, in the place of William O'Hara Robinson, removed.

Charles C. Yonge to be attorney of the United States for the western district of Florida, in the place of Walker Anderson, resigned.

Stinson H. Anderson to be marshal of the United States for the district of Illinois, in the place of Thomas M. Hope, removed.

Thomas Fletcher to be marshal of the United States for the southern district of Mississippi, in the place of Anderson Miller, removed.

Daniel A. Robertson to be marshal of the United States for the district of Ohio, in the place of John McElvain, removed.

Burrington Anthony to be marshal of the United States for the district of Rhode Island, in the place of Sylvester Hartshorne, removed.

Ely Moore to be marshal of the United States for the southern district of New York, in the place of Silas M. Stilwell, removed.

William F. Wagner to be marshal of the United States for the district of Louisiana, in the place of Algernon S. Robertson, removed.

Elias Rector to be marshal of the United States for the district of Arkansas, in the place of Henry M. Rector, removed.

Gideon S. Bailey to be marshal of the United States for the district of Iowa, in the place of Isaac Leffler, removed.

Joseph B. Browne to be marshal of the United States for the southern district of Florida, he having resigned in May last, and been reappointed.

Cyrus Barton to be marshal of the United States for the district of New Hampshire, in the place of Israel W. Kelley, whose commission had expired.

Arthur R. Crozier to be marshal of the United States for the eastern district of Tennessee, in the place of Richard M. Woods, deceased.

Abel C. Pepper to be marshal of the United States for the district of Indiana, in the place of Robert Hanna, whose commission had expired.

Alexander Porter to be marshal of the United States for the district of Delaware, in the place of John McClung, resigned.

James G. Lyon to be marshal of the United States for the southern district of Alabama, in the place of William Armistead, removed.

JAMES K. POLK.

WASHINGTON, *December* 29, 1845.

To the Senate of the United States:

I nominate to the Senate Cornelius Vanalstine and Albert G. Clary to be lieutenants in the Navy from the 11th day of April, 1845, at which time they were promoted to fill vacancies occasioned by the deaths of Lieutenants Geo. M. Hooe and James M. Lockert.

Henry L. Chipman to be a lieutenant in the Navy from the 13th day of April, 1845, at which time he was promoted to fill a vacancy created by the dismission of Lieutenant William D. Hurst.

George W. Doty to be a lieutenant in the Navy from the 13th day of May, 1845, at which time he was promoted to fill a vacancy created by the resignation of Lieutenant William A. Jones.

Washington Sherman to be an assistant surgeon in the Navy from the 25th day of April, 1845, to fill a vacancy occasioned by the death of Assistant Surgeon William Pitt Canning.

Felix Grundy Mayson to be a second lieutenant in the Marine Corps from the 14th day of November, 1845, at which time he was appointed to fill a vacancy occasioned by the death of Lieut. Robert D. Taylor.

David Harlan, now a passed assistant surgeon, to be a surgeon in the Navy from the 6th day of December, 1845, to fill a vacancy created by the resignation of Surgeon John Haslett.

Henry O. Mayo and John Rudenstein to be assistant surgeons in the Navy, to fill vacancies occasioned by the promotion of David Harlan and the resignation of Assistant Surgeon Joshua Huntington.

I also nominate the following-named persons for the offices to which they were respectively appointed during the recess of the Senate:

John Y. Mason, jr., to be a purser in the Navy to fill a vacancy occasioned by the death of Purser Robert S. Moore.

J. George Harris to be a purser in the Navy to fill a vacancy occasioned by the death of Purser Edward N. Cox.

John F. Steele to be a purser in the Navy to fill a vacancy occasioned by the resignation of Purser Thomas E. Norris.

Edward C. Doran to be a purser in the Navy to fill a vacancy occasioned by the resignation of Purser Philo White.

William B. Hartwell to be a purser in the Navy to fill a vacancy occasioned by the dismission of Purser John N. Todd.

Isaac H. Wright to be Navy agent for the port of Boston, in the State of Massachusetts, in place of J. Vincent Browne, removed.

Samuel Cushman to be Navy agent for the port of Portsmouth, in the State of New Hampshire, in place of Timothy Upham, resigned.

Joseph White to be Navy agent for the port of Baltimore, in the State of Maryland, in the place of Samuel McClellan, removed.

Walker Anderson to be Navy agent for the port of Pensacola, in the State of Florida, in place of Jackson Morton, whose commission has expired.

JAMES K. POLK.

WASHINGTON, 29*th December*, 1845.

To the Senate of the United States:

I nominate to the Senate the persons herein named for the offices to which they have been appointed during the last recess of the Senate, viz:

Thomas I. Winship to be register of the land office for the district of lands subject to sale at Chillicothe, in the State of Ohio, vice Thomas Scott, removed.

John Hough to be receiver of public moneys for the district of lands subject to sale at Chillicothe, in the State of Ohio, vice William Y. Strong, removed.

Robert McKelly to be register of the land office for the district of lands subject to sale at Upper Sandusky, in the State of Ohio, vice Abner Root, removed.

Christian Huber to be receiver of public moneys for the district of lands subject to sale at Upper Sandusky, in the State of Ohio, vice Moses H. Kirby, removed.

John F. Read to be register of the land office for the district of lands subject to sale at Jeffersonville, in the State of Indiana, vice James Scott, whose commission expired.

Philip E. Engle to be receiver of public moneys for the district of lands subject to sale at Crawfordsville, in the State of Indiana, vice John Beard, whose commission expired.

Amzi L. Wheeler to be receiver of public moneys for the district of lands subject to sale at Winamac, in the State of Indiana, vice Jeremiah Grover, whose commission expired.

John A. Langlois to be receiver of public moneys for the district of lands subject to sale at Kaskaskia, in the State of Illinois, vice Richard B. Servant, removed.

Braxton Parish to be receiver of public moneys for the district of lands subject to sale at Shawneetown, in the State of Illinois, vice Stephen R. Rowan, removed.

Harman Alexander to be register of the land office for the district of lands subject to sale at Palestine, in the State of Illinois, vice James M. McLean, removed.

William E. Russell to be register of the land office for the district of lands subject to sale at Danville, in the State of Illinois, vice John W. Vance, whose commission expired.

John Dement to be receiver of public moneys for the district of lands subject to sale at Dixon, in the State of Illinois, vice James Swan, removed.

Thomas Dyer to be receiver of public moneys for the district of lands subject to sale at Chicago, in the State of Illinois, vice George L. Ward, removed.

Jonathan Kearsley to be receiver of public moneys for the district of lands subject to sale at Detroit, in the State of Michigan, vice Sylvester W. Higgins, resigned.

Benjamin Sherman to be register of the land office for the district of lands subject to sale at Ionia, in the State of Michigan, vice Ira Porter, whose commission expired.

Frederick Hall to be receiver of public moneys for the district of lands subject to sale at Ionia, in the State of Michigan, vice Thomas Fitzgerald, resigned.

Thomas Watson to be register of the land office for the district of lands subject to sale at Saint Louis, in the State of Missouri, vice William S. Allen, removed.

William McNair to be register of the land office for the district of lands subject to sale at Fayette, in the State of Missouri, vice John B. Clark, resigned.

Alfred W. Morrison to be receiver of public moneys for the district of lands subject to sale at Fayette, in the State of Missouri, vice I. W. S. Mitchell, resigned.

Franklin Cannon to be register of the land office for the district of lands subject to sale at Jackson, in the State of Missouri, vice Greer W. Davis, removed.

Aaron Snyder to be receiver of public moneys for the district of lands subject to sale at Jackson, in the State of Missouri, vice Ralph Guild, whose commission expired.

Benjamin Davies to be register of the land office for the district of lands subject to sale at Palmyra, in the State of Missouri, vice Cyril C. Cady, removed.

James H. McBride to be register of the land office for the district of lands subject to sale at Springfield, in the State of Missouri, vice Joel H. Haden, removed.

Nicholas R. Smith to be receiver of public moneys for the district of lands subject to sale at Springfield, in the State of Missouri, vice George R. Smith, removed.

William Monroe to be register of the land office for the district of lands subject to sale at Clinton, in the State of Missouri, vice Abraham B. Morton, removed.

Ephraim D. Dickson to be register of the land office for the district of lands subject to sale at Fayetteville, in the State of Arkansas, vice James H. Stirman, removed.

Benjamin P. Jett to be register of the land office for the district of lands subject to sale at Washington, in the State of Arkansas, vice Samuel C. Wheat, removed.

John Bruton to be register of the land office for the district of lands subject to sale at Johnson C. H., in the State of Arkansas, vice James Woodson Bates, removed.

William Adams to be receiver of public moneys for the district of lands subject to sale at Johnson C. H., in the State of Arkansas, vice Alfred Henderson, removed.

Daniel B. Richardson to be register of the land office for the district of lands subject to sale at Ouachita, in the State of Louisiana, vice Henry O. McEnery, removed.

Hardy Holmes reappointed receiver of public moneys for the district of lands subject to sale at Ouachita, in the State of Louisiana, his former commission having expired.

David C. Glenn to be receiver of public moneys for the district of lands subject to sale at Jackson, in the State of Mississippi, vice Isaac McFarran, resigned.

William S. Taylor to be receiver of public moneys for the district of lands subject to sale at Pontotoc, in the State of Mississippi, vice John F. Wray, removed.

Hugh P. Caperton to be register of the land office for the district of lands subject to sale at Lebanon, in the State of Alabama, vice Jacob T. Bradford, removed.

John G. Winston to be receiver of public moneys for the district of lands subject to sale at Lebanon, in the State of Alabama, vice Levi W. Lawler, whose commission expired.

George H. Walker to be register of the land office for the district of lands subject to sale at Milwaukee, in the Territory of Wisconsin, vice Paraclete Potter, whose commission expired.

Alexander I. Irwin to be receiver of public moneys for the district of lands subject to sale at Green Bay, in the Territory of Wisconsin, vice Stoddard Judd, whose commission expired.

Paschal Bequette to be receiver of public moneys for the district of lands subject to sale at Mineral Point, in the Territory of Wisconsin, vice Robert W. Lansing, removed.

Bernhart Herin to be register of the land office for the district of lands subject to sale at Fairfield, in the Territory of Wisconsin, vice Arthur Bridgman, removed.

Ver Planck Van Antwert to be receiver of public moneys for the district of lands subject to sale at Fairfield, in the Territory of Iowa, vice Samuel J. Bayard, removed.

Warner Lewis to be register of the land office for the district of lands subject to sale at Dubuque, in the Territory of Iowa, vice William H. Scott, removed.

Stephen Langworthy to be receiver of public moneys for the district of lands subject to sale at Dubuque, in the Territory of Iowa, vice Thomas McKnight, removed.

I also nominate for reappointment Armstead D. Cary as receiver of public moneys for the district of lands subject to sale at Sparta, Alabama, from the 1st of January, 1846, when his present commission will expire.

Samuel Cruse to be receiver of public moneys for the district of lands subject to sale at Huntsville, Alabama, from the 4th of January, 1846, when his present commission will expire.

JAMES K. POLK.

WASHINGTON, *December 29th*, 1845.

To the Senate of the United States:

I nominate to the Senate the persons herein named for the offices to which they have been appointed during the last recess of the Senate, viz:

Edmund Burke, of New Hampshire, to be Commissioner of Patents, in the place of Henry L. Ellsworth, resigned.

James Shields, of Illinois, to be Commissioner of the General Land Office, in the place of Thomas H. Blake, removed.

Seth Barton, of Louisiana, to be Solicitor of the Treasury, in the place of Charles B. Penrose, removed.

Ransom H. Gillet, of New York, to be Register of the Treasury, in the place of Thomas L. Smith, removed.

William Medill, of Ohio, to be Commissioner of Indian Affairs, in the place of Thomas H. Crawford, resigned.

John M. McCalla, of Kentucky, to be Second Auditor in the Treasury Department, in the place of William B. Lewis, removed.

Peter G. Washington, of Washington, to be Auditor of the Treasury for the Post Office Department, in the place of Matthew St. Clair Clarke, removed.

JAMES K. POLK.

WASHINGTON, *December 29th*, 1845.

The messages were read.

Ordered, That the nominations of officers of the customs be referred to the Committee on Commerce.

Ordered, That the nominations of deputy postmasters be referred to the Committee on the Post-Office and Post-Roads.

Ordered, That the nominations of district attorneys and marshals be referred to the Committee on the Judiciary.

Ordered, That the nominations of officers in the Navy be referred to the Committee on Naval Affairs.

Ordered, That the nominations of registers and receivers of land offices be referred to the Committee on Public Lands.

Ordered, That the nomination of Edmund Burke be referred to the Committee on Patents and the Patent Office.

Ordered, That the nomination of James Shields be referred to the Committee on Public Lands.

Ordered, That the nomination of Seth Barton be referred to the Committee on the Judiciary.

Ordered, That the nominations of Ransom H. Gillet and John M. McCalla be referred to the Committee on Finance.

Ordered, That the nomination of William Medill be referred to the Committee on Indian Affairs.

Ordered, That the nomination of Peter G. Washington be referred to the Committee on the Post-Office and Post-Roads.

SATURDAY, JANUARY 3, 1816.

The following messages were received from the President of the United States, by Mr. Walker, his secretary:

To the Senate of the United States:

I nominate to the Senate the persons herein named, for the offices to which they have been appointed during the last recess of the Senate:

William A. Richmond, of Michigan, to be Indian agent for the agency of Michilimackinac, in the place of Robert Stuart, removed.

Jonathan L. Bean, of Missouri, to be Indian agent for the agency of Council Bluffs, in the place of Daniel Miller, removed.

James McKis-ick, of Arkansas, to be Indian agent for the Cherokee Agency, in the place of P. M. Butler, whose commission had expired.

JAMES K. POLK.

WASHINGTON, *January* 3, 1846.

To the Senate of the United States:

I nominate to the Senate George H. Lee to be attorney of the United States for the western district of Virginia, in the place of Moses C. Good, removed.

William S. Pomeroy, to be collector of the port for the district of Fairfield, in the State of Connecticut, in the place of Stephen Lownsberry, who was appointed in the last recess of the Senate in the place of Joseph Thompson, removed.

JAMES K. POLK.

WASHINGTON, *January* 3, 1846.

To the Senate of the United States:

I nominate to the Senate James H. Cocke to be collector of the customs for the district of Texas and inspector of the revenue for the port of Galveston, in the State of Texas.

Robert S. Herndon to be surveyor and inspector of the revenue for the port of Velasco, in the State of Texas.

Alexander Somerville to be surveyor and inspector of the revenue for the port of Cavallo, in the State of Texas.

Galen Hodges to be surveyor and inspector of the revenue for the port of Matagorda, in the State of Texas.

W. C. V. Dashiel to be surveyor and inspector of the revenue for the port of Sabine, in the State of Texas.

George M. Collensworth to be surveyor and inspector of the revenue for the port of Corpus Christi, in the State of Texas.

A. G. W. Davis to be surveyor and inspector of the revenue for the port of La Vaca, in the State of Texas.

JAMES K. POLK.

WASHINGTON, *January* 3, 1846.

To the Senate of the United States:

I nominate Robert K. McLaughlin to be reappointed register of the land office for the district of lands, subject to sale at Vandalia, in the State of Illinois, his late commission having expired.

Also, Daniel Gregory to be receiver of public moneys for the district of lands, subject to sale at Vandalia, in the State of Illinois, in the place of Henry Smith, to take effect on the 31st of January, 1846, when the commission of the said Henry Smith will expire.

JAMES K. POLK.

WASHINGTON, *January* 3, 1846.

To the Senate of the United States:

I nominate to the Senate the persons herein named, for the offices to which they have been appointed during the last recess of the Senate, viz:

Charles A. Bradford, of Mississippi, to be surveyor general of public lands for the district south of Tennessee, in the place of Alexander Downing, removed.

George W. Jones, of Wisconsin, to be surveyor-general of the public lands for the Territories of Wisconsin and Iowa, in the place of James Wilson, removed.

Pierre T. Landry, of Louisiana, to be surveyor-general of the public lands in the State of Louisiana, in the place of Francis D. Newcomb, removed.

William Pelham, of Arkansas, to be surveyor general for the State of Arkansas, his former commission having expired.

Lucius Lyon, of Michigan, to be surveyor general of Ohio, Indiana, and Michigan, in the place of William Johnston, resigned.

Robert Butler, of Florida, to be surveyor-general of the public lands in the Territory of Florida, in the place of Valentine Y. Conway, resigned.

Frederick R. Conway, of Missouri, to be surveyor-general of the public lands in Illinois and Missouri, in the place of Silas Reed, removed.

Loren Spencer, of Missouri, to be recorder of land titles in Missouri, in the place of Frederick R. Conway, appointed surveyor-general for Illinois and Missouri.

John B. Macmurdo, of Louisiana, to be treasurer of the branch mint of the United States at New Orleans, in the place of Horace C. Cammack, removed.

John Dougherty to be chief engineer in the U. S. Revenue Service, he having been appointed to that office during the late recess of the Senate, in place of Thomas W. Farron, resigned.

JAMES K. POLK.

WASHINGTON, *January* 3*d*, 1846.

The messages were read.

Ordered, That the nominations of William A. Richmond, Jonathan L. Bean, and James McKissic be referred to the Committee on Indian Affairs.

Ordered, That the nomination of George H. Lee be referred to the Committee on the Judiciary.

Ordered, That the nominations of William S. Pomeroy, James H. Cocke, Robert S. Herndon, Alexander Somerville, Galen Hodges, W. C. V. Dashiel, George M. Collensworth, and A. G. W. Davis be referred to the Committee on Commerce.

Ordered, That the nominations of Robert K. McLaughlin, Daniel Gregory, Charles A. Bradford, George W. Jones, Pierre T. Landry, William Pelham, Lucius Lyon, Robert Butler, Frederick R. Conway, and Loren Spencer be referred to the Committee on Public Lands.

Ordered, That the nomination of John R. Macmurdo be referred to the Committee on Finance.

Ordered, That the nomination of John Dougherty be referred to the Committee on Commerce.

Mr. Cameron submitted the following resolution for consideration:

Resolved, That the President of the United States be requested to transmit to the Senate the recommendations and other papers connected with the nomination of Henry Horn as collector of the port of Philadelphia, particularly the letter of the Pennsylvania delegation in Congress praying for its withdrawal.

Mr. Ashley, from the Committee on the Judiciary, to whom was referred, on the 23d December, the nomination of Levi Woodbury, reported.

Whereupon

Resolved, That the Senate advise and consent to his appointment, agreeably to the nomination.

Mr. Breese, from the Committee on Public Lands, to whom was referred, on the 29th December, the nomination of James Shields, reported.

Whereupon

Resolved, That the Senate advise and consent to his appointment, agreeably to the nomination.

Mr. Haywood, from the Committee on Commerce, to whom were referred, on the 29th December, the nominations of Michael McBlair and J. Travis Rosser, reported.

Mr. Haywood, from the Committee on Commerce, to whom was referred, on the 29th December, the nominations of James K. Hatton, Rizop Rawls, Alcée La Branche, Charles N. Lawson, Henry Hicks, Robert Merchants, Michael Edwards, jr., William J. Grayson, Rufus O. Pray, Nathaniel W. Walker, Thomas L. Shaw, and Thomas H. Jervey, reported.

Whereupon

Resolved, That the Senate advise and consent to the appointment of the said persons, agreeably to their nominations respectively.

Mr. Sevier, from the Committee on Indian Affairs, to whom was referred, on the 29th December, the nomination of William Medill, reported.

Whereupon
Resolved, That the Senate advise and consent to his appointment, agreeably to the nomination.

TUESDAY, JANUARY 6, 1846.

Mr. Breese, from the Committee on Public Lands, to whom were referred, on the 3d instant, the nominations of Charles A. Bradford, George W. Jones, William Pelham, Lucius Lyon, Robert Butler, Frederick R. Conway, and Loren Spencer, reported.

Whereupon
Resolved, That the Senate advise and consent to the appointment of the said persons, agreeably to their nominations respectively.

Mr. Breese, from the Committee on Public Lands, to whom was referred, on the 3d instant, the nomination of Pierre T. Landry, reported.

Mr. Allen, from the Committee on Foreign Relations, to whom were referred, on the 22d December, the nominations of Gansevoort Melville, William H. Stiles, Henry W. Ellsworth, Benjamin A. Bidlack, and Anthony Ten Eyck, reported.

Mr. Cameron, from the Committee on Patents and the Patent Office, to whom was referred, on the 29th December, the nomination of Edmund Burke, reported.

Mr. Breese, from the Committee on Public Lands, to whom were referred, on the 29th December, the nominations of John A. Langlois, Braxton Parish, Harman Alexander, William E. Russell, John Dement, Thomas Dyer, Jonathan Kearsley, Benjamin Sherman, Frederick Hall, Thomas Watson, William McNair, Alfred W. Morrison, Franklin Cannon, Aaron Snyder, Benjamin Davies, James H. McBride, Nicholas R. Smith, William Monroe, Benjamin P. Jett, John Bruton, David C. Glenn, and William S. Taylor, reported.

Mr. Niles, from the Committee on the Post-Office and Post-Roads, to whom were referred, on the 29th December, the nominations of James M. Buchanan, Paul Dean Carrique, Robert H. Morris, George F. Lehman, Henry C. Conklin, George Sanderson, and Stephen Isley, reported.

Mr. Sturgeon presented the memorial of certain practicing attorneys and officers of the several courts in the county of Centre, in the State of Pennsylvania, praying that the nomination of George W. Woodward may be confirmed; which was referred to the Committee on the Judiciary.

Mr. Dix presented the memorial of John H. Prentiss, praying that the injunction of secrecy may be removed from the action of the Senate upon his nomination.

Mr. Dix submitted the following resolution for consideration:

Resolved, That the injunction of secrecy be so far removed from the action of the Senate on the nomination of John H. Prentiss for the office of marshal of the northern district of the State of New York as to allow the said Prentiss to receive a copy of a paper presented to the Senate by Edward Curtis while said nomination was under consideration.

On motion by Mr. Cameron,

Ordered, That leave be granted to withdraw the resolution submitted by him the 3d instant.

WEDNESDAY, FEBRUARY 7, 1846.

The Vice-President presented a memorial, signed "J. B. Douglass and Jacob Keck," adverse to the appointment of Benjamin E. Carpenter; which was referred to the Committee on Commerce.

The following message was received from the President of the United States, by Mr. Walker, his secretary:

To the Senate of the United States:

I withdraw from the Senate the nomination of James H. Cocke as collector of the customs for the district of Texas and inspector of the revenue for the port of Galveston, in the State of Texas, made on the 3d day of January, 1846, and I nominate to the Senate for that office Hiram G. Reynolds, of Texas.

JAMES K. POLK.

WASHINGTON, *January* 7, 1846.

The message was read.

Ordered, That the nomination of Hiram G. Reynolds be referred to the Committee on Commerce.

Mr. Breese, from the Committee on Public Lands, to whom were referred, on the 29th December, the nominations of Thomas I. Winship, John Hough, Robert McKelly, Christian Huber, John F. Read, Philip E. Engle, Hugh P. Caperton, John G. Winston, George H. Walker, Paschal Bequette, Bernhart Henn, Ver Planck Van Antwert, Warner Lewis, and Stephen Langworthy, reported.

The Senate proceeded to consider the nominations of Michael McBlair, J. Travis Rosser, Gansevoort Melville, William H. Stiles, Benjamin A. Bidlack, Anthony Ten Eyck, Edmund Burke, John A. Langlois, Braxton Parish, Harmon Alexander, William E. Russell, John Dement, Thomas Dyer, Jonathan Kearsley, Benjamin Sherman, Frederick Hall, Thomas Watson, William McNair, Alfred W. Morrison, Franklin Cannon, Aaron Snyder, Benjamin Davies, James H. McBride, Nicholas R. Smith, William Monroe, Benjamin P. Jett, John Bruton, David C. Glenn, William S. Taylor, James M. Buchanan, Paul Dean Carrique, Robert H. Morris, George F. Lehman, Henry C. Conklin, George Sanderson, and Stephen Isley; and

Resolved, That the Senate advise and consent to the appointment of the said persons, agreeably to their nominations respectively.

THURSDAY, JANUARY 8, 1846.

Mr. Haywood, from the Committee on Commerce, to whom was referred, on the 6th instant, the nomination of Hiram G. Reynolds, reported.

Whereupon

Resolved, That the Senate advise and consent to his appointment, agreeably to the nomination.

Mr. Haywood, from the Committee on the District of Columbia, to whom were referred, on the 22d December, the nominations of David Saunders, Robert White, Benjamin B. French, Robert H. Clements, Benjamin K. Morsell, Nicholas B. Van Zandt, Nathaniel Brady, and James Callaghan, reported.

Whereupon

Resolved, That the Senate advise and consent to the appointment of the said persons, agreeably to their nominations respectively.

Mr. Breese, from the Committee on Public Lands, to whom, was referred, on the 29th December, the nominations of Armstead D. Cary and Samuel Cruse, reported.

Whereupon

Resolved, That the Senate advise and consent to the appointment of the said persons, agreeably to their nominations respectively.

Mr. Breese, from the Committee on Public Lands, to whom was referred, on the 3d instant, the nominations of Robert McLaughlin and Daniel Gregory, reported.

Mr. Allen, from the Committee on Foreign Relations, to whom was referred, on the 22d December, the nomination of William S. Parrott, reported.

On motion by Mr. Allen,

The Senate proceeded to consider the nomination of Henry W. Ellsworth; and

After debate,

On motion by Mr. Lewis,

Ordered, That it be postponed to and made the order of the day for Tuesday next.

Mr. Niles, from the Committee on the Post-Office and Post Roads, to whom were referred, on 29th December, the nominations of Chambers McKibbon and Pearson Munday, reported.

MONDAY, JANUARY 12, 1846.

The following messages were received from the President of the United States, by Mr. Walker, his secretary:

To the Senate of the United States:

On the 7th instant I nominated to the Senate Hiram G. Reynolds as collector of the customs for the district of Texas and inspector of the revenue for the port of Galveston, in the State of Texas and on the 8th instant the Senate advised and consented to his appointment agreeably to the nomination. It has since been discovered that a mistake occurred in the spelling of the name. The true name is Hiram G. Runnels. To correct the error I nominate to the Senate Hiram G. Runnels for the said office.

JAMES K. POLK.

WASHINGTON, *January* 12, 1846.

To the Senate of the United States:

I nominate to the Senate Jonas J. Bell to be deputy postmaster at at Tuscumbia, in the State of Alabama.

JAMES K. POLK.

WASHINGTON, *January* 12, 1846.

To the Senate of the United States:

I nominate to the Senate Francis V. Clark, of Pennsylvania, to be consul of the United States for the port of San Juan be Nicaragua, in the Republic of Guatemala.

JAMES K. POLK.

WASHINGTON, 12*th January*, 1846.

To the Senate of the United States:

I nominate the persons named in the accompanying list of promotions and appointments in the Army of the United States to the several grades annexed to their names, as proposed by the Secretary of War.

JAMES K. POLK,

WASHINGTON, *January* 12, 1846.

WAR DEPARTMENT, *January* 8, 1846.

To the President of the United States:

SIR: I have the honor, respectfully, to propose for your approbation the annexed list of officers for promotion, and persons for appointment in the Army of the United States.

I am, sir, with great respect, your ob'd't serv't.

W. L. MARCY.

ADJUTANT-GENERAL'S OFFICE,
Washington, January 8, 1846.

SIR: I respectfully submit the accompanying list of promotions and appointments to fill the vacancies in the Army, which are known to have happened since the date of the last list, December 12th, 1845. The promotions are all regular, except that of Captain Martin Scott, 5th Infantry, whose name, agreeably to the decision of the President and your instructions, is submitted to fill the vacancy of major in the 1st Regiment of Infantry (vice Dearborn promoted), over the two senior captains of infantry, Captain John B. Clark, of the 3d Regiment, and Brevet Major Thomas Noel, of the 6th. The reasons for this departure from the ordinary course (as in other like cases of disability) are set forth in the Adjutant-General's report of the 27th ultimo, and the General-in-Chief's indorsement thereon, of which copies are herewith respectfully annexed, marked A.

I am, sir, with great respect, your obed't serv't.

R. JONES,
Adj't-Gen'l.

HON. W. L. MARCY,
Secretary of War.

A.

ADJUTANT-GENERAL'S OFFICE,
Washington, December 27, 1845.

SIR: The death of Lieut.-Colonel Hoffman, 7th Infantry, on the 26th ult'o, having caused a vacancy in the grade of major, to which, under the rule, Capt. J. B. Clark, 3d Infantry, would be entitled to succeed, I deem it proper to submit the following statement extracted from the official returns of his regiment, touching his physical capacity for the performance of military duty.

In May, 1836, Capt. Clark went on the recruiting service, where he remained till October 4, 1838, when he was granted a three-months' leave. He joined his company at Fort Towson, in May, 1839, and continued with it from that time till March, 1841, accompanying it meanwhile (Oct., 1840) to Florida. He obtained a three-months' leave on surgeon's certificate of ill health March 23d. 1841, but did not rejoin till February 16th, 1842. In the interim he was placed on duty for a short time as a member of a general court-martial, which happened to be convened at St. Louis, where he was then staying. He remained with his company from February to November, 1842, when he again received a

leave for the benefit of his health, and did not return to duty till April 26, 1843 (after his regiment had been ordered to Florida), when he rejoined it at Jefferson Barracks. He continued with it (with the exception of one short leave) from April, 1843, till June, 1845, but the returns show him to have been frequently on the sick report during that period. On the 2d of June, 1845, his company being then encamped near Fort Jessup, in expectation of orders for Texas, he again procured a leave on account of his health, and has not since been able to rejoin, reporting monthly that his health unfitted him for the performance of duty. The signature of his last report (not written by himself), of November 30th (herewith), would seem to indicate great physical derangement or decrepitude, approaching, perhaps, to paralysis.

From the foregoing it appears that during the last seven years (since Oct., 1838) Capt. Clark has been off duty two years and four months, the greater part of the time on account of sickness, and that even when present with his company his health is so much impaired that very often he is unable to perform the ordinary garrison duties.

Under these circumstances it is respectfully submitted, for the consideration of the proper authority, whether the senior captain of infantry should not be passed over, and (as Brevet Major Noel *, the next in rank, is utterly disqualified) Captain Martin Scott, of the 5th Infantry, promoted to the vacant majority.

It is proper to state that Capt. Clark has always been regarded as a perfect gentleman, and as such, as far as I know, is equal to any officer in the Army.

I am, sir, most respectfully, your ob'd't serv't,

(Signed) R. JONES,
Adj't-General.

Major-General WINFIELD SCOTT,
Commanding the Army.

Remarks indorsed on the foregoing report by the General-in-Chief:

"This report presents grave points for consideration. It is highly improbable that the captain will ever be fit for the active duties of his profession. The question, therefore, seems to be whether he shall be a pensioner on full pay as captain or as major, for he has long been, not in name, but in fact, a pensioner on full pay. We have no half pay in the Army to relieve marching regiments of crippled and superannuated officers. We have many such. Col. Maury, of the 3d Infantry (superannuated), and Majors Cobb and McClintock (5th Infantry and 3d Artillery), crippled. Many others are fast becoming superanuated. The three named are on indefinite leaves of absence, and so are Majors Searle and Noel, permanent cripples from wounds. Gen'l Cass' resolution of yesterday refers simply to age. A half pay or retired list with half pay would be much better. There are some twenty officers who ought, at once, to be placed on such list and their places filled by promotion.

"Upon the whole, I think it best that Capt. M. Scott should be promoted, vice Dearborn, vice Lieut. Col. Hoffman.

"Respectfully submitted to the Secretary of War.

"(Signed) "WINFIELD SCOTT.

"DEC. 30, '45."

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* In 1839 Brevet Major Noel, 6th Infantry, was severely wounded (serving in the Florida war at the time) by the accidental discharge of his own pistol. He left his company Feb. 16, 1839, and has ever since been absent from his regiment, the state of his wound and great suffering rendering him utterly incapable of performing any kind of duty whatever, nor is there any reason to hope he will ever be able to resume his duties.

(Signed) R. JONES, *A. G.*

"It appearing from the within statements of the commanding general and the adjutant-general that the two officers proposed to be passed over are physically unable to perform the duties of major, and their inability is not temporary, I recommend that Capt. Martin Scott be promoted to the vacant majority 3d Jan'y, '46.

"(Signed) "W. L. MARCY."

True copies from the originals.

R. JONES,
Adj't-Gen'l.

JANUARY 8, 1846.

WAR DEPARTMENT, *January* 8, 1846.

PROMOTIONS AND APPOINTMENTS IN THE ARMY OF THE UNITED STATES.

PROMOTIONS.

Corps of Engineers.

Second Lieutenant Jeremy F. Gilmer to be first lieutenant, December 29, 1845, vice W. H. Wright, deceased.

Brevet Second Lieutenant Edward B. Hunt to be first lieutenant, December 29, 1845, vice Gilmer promoted.

Second Regiment of Dragoons.

Second Lieutenant Reuben P. Campbell to be first lieutenant, November 3, 1845, vice Ransom, dismissed.

Third Regiment of Artillery.

Second Lieutenant George W. Ayers to be first lieutenant, December 20, 1845, vice Rankin, deceased.

Brevet Second Lieutenant Isaac F. Quimby, of the Second Regiment of Artillery, to be second lieutenant, December 20, 1845, vice Ayres, promoted.

First Regiment of Infantry.

Captain Martin Scott, of the Fifth Regiment of Infantry, to be major, November 26, 1845, vice Dearborn, promoted.

Fifth Regiment of Infantry.

First Lieutenant Randolph B. Marcy to be captain, November 26, 1845, vice Scott, promoted.

Second Lieutenant Sterne H. Fowler to be first lieutenant, November 26, 1845, vice Marcy, promoted.

Brevet Second Lieutenant Charles S. Hamilton, of the Second Regiment of Infantry, to be second lieutenant, November 17, 1845, vice Deas,* promoted.

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*NOTE.—In the list now before the Senate, Brevet 2d Lieutenant Lafayette B. Wood, of the 8th Infantry, is nominated for promotion in the 5th Infantry, vice Deas, promoted, but in a letter dated November 30th, just received, he begs to decline promotion out of his present regiment, the 8th.

Brevet Second Lieutenant William K. Van Bokkelen, of the Seventh Regiment of Infantry, to second lieutenant, November 26, 1845, vice Fowler promoted.

Seventh Regiment of Infantry.

Major Greenleaf Dearborn, of the First Regiment of Infantry, to be lieutenant-colonel, November 26, 1845, vice Hoffman, deceased.

Eighth Regiment of Infantry.

Second Lieutenant Robert B. Maclay to be first lieutenant, Decem- 31, 1845, vice Browne, resigned.

Second Lieutenant John G. Burbank to be first lieutenant, December 31, 1845 vice Hetzel, resigned.

Brevet Second Lieutenant Lafayette B. Wood to be second lieutenant, December 31, 1845, vice Maclay, promoted.*

Brevet Second Lieutenant Alfred Crozet, of the Seventh Regiment of Infantry, to be second lieutenant, December 31, 1845, vice Burbank, promoted.

APPOINTMENTS.

Medical Department.

William Roberts, of Georgia, to be assistant surgeon, December 31, 1845, vice Van Buren, resigned. Grayson M. Prevost, of Pennsylvania, to be assistant surgeon, December 31, 1845, vice Buist, resigned.

W. L. MARCY.

The messages were read.

On motion by Mr. Speight,

The Senate, by unanimous consent, proceeded to consider the nomination of Hiram G. Runnels; and

Resolved, That the Senate advise and consent to his appointment, agreeably to the nomination.

Ordered, That the nomination of Jonas J. Bell be referred to the Committe on the Post-Office and Post-Roads.

Ordered, That the nomination of Francis V. Clark be referred to the Committee on Commerce.

Ordered, That the nomination of officers for promotion and appointment in the Army be referred to the Committee on Military Affairs.

Mr. Haywood, from the Committee on Commerce, to whom were referred, on the 18 December, the nominations of William H. Robertson, James H. Tate, William A. Sparks, Simon M. Johnson, Thomas N. Carr, Nicholas B. Boyle, John F. Bacon, John W. Holding, Ramon L. Sanchez, Joseph Cowdin, Nicholas Browne, Joel Turrill, George P. Manouvrier, William Crosby, Charles Sherwood, Henry G. Hubbard, and Thomas McGuire, reported.

Mr. Haywood, from the Committee on Commerce, to whom was referred, on the 18th December, the nomination of Edward Warrens, reported.

Whereupon

Resolved, That the Senate advise and consent to his appointment, agreeably to the nomination.

Mr. Haywood, from the Committee on Commerce, to whom were referred, on the 29th December, the nominations of Marcus Morton, John

* See the foregoing note.

McNeil, William H. Cole, jr., William B. Bullock, James Polk, Edward Green, James R. Thompson, Smith Inglehart, Reuben H. Boughton, Michael Hoffman, Phineas W. Leland, Otis N. Cole, James A. Nichols, John Duncan, Charles G. Hammond, Samuel C. White, George W. Pomeroy, Samuel Jones Willis, Charles Parker, Cornelius W. Lawrence, Samuel W. Spencer, Ezra Chesebro, Robert White, William Nichols, Enoch Fowler, Stephen R. Mallory, George Center, Peter Dixey, Joseph F. Pease, James F. Miller, Denis Prieur, Dillon Jordan, James E. Saunders, and Charles W. Rand, reported.

Mr. Haywood, from the Committee on Commerce, to whom were referred, on the 3d January, the nominations of Robert S. Herndon, Alexander Somerville, Galen Hodges, W. C. V. Dashiel, George W. Collensworth, and A. G. W. Davis, reported.

Mr. Fairchild, from the Committee on Naval Affairs, to whom were referred, on the 29th December, the nominations of Isaac H Wright, Samuel Cushman, Joseph White, and Walker Anderson, reported.

Mr. Niles, from the Committee on the Post-Office and Post-Roads, to whom were referred, on the 29th December, the nominations of John S. Bragg, Hart L. Stewart, John M. Wimer, George M. Horton, Joseph M. Doty, Thomas B. Hahn, David P. Brewster, Amos S. Rathbun, William W. Teal, John L. Slaymaker, John K. Wright, and John McClintock, reported.

Mr. Breese, from the Committee on Public Lands, to whom were referred, on the 29th December, the nominations of Daniel B. Richardson, Hardy Holmes, and Alexander J. Irwin, reported.

The Senate proceeded to consider the nomination of Pierre T. Landry; and,

On motion by Mr. Johnson, of Louisiana,

Ordered, That it be postponed to and made the order of the day for Thursday next.

The Senate proceeded to consider the nominations of Thomas I. Winship, John Hough, Robert McKelly, Christian Huber, John F. Read, Philip E. Engle, Hugh P. Caperton, John G. Winston, George H. Walker, Paschal Bequette, Bernhart Heim, Ver Planck Van Antwert, Warner Lewis, Stephen Langworthy, Robert K. McLaughlin, Daniel Gregory, William S. Parrott, Chambers McKibbon, and Pearson Mundy; and

Resolved, That the Senate advise and consent to the appointment of the said persons, agreeably to their nominations respectively.

TUESDAY, JANUARY 13, 1846.

The following messages were received from the President of the United States, by Mr. Walker, his secretary:

To the Senate of the United States:

I nominate to the Senate the following persons to the offices to which they were appointed during the last recess of the Senate:

Henry Campbell to be deputy postmaster at Rochester, in the State of New York, in the place of S. J. Andrews, removed.

Robert Cochran to be deputy postmaster at Erie, in the State of Pennsylvania, in the place of Andrew Scott, removed.

Stephen S. Seavy to be deputy postmaster at Lowell, in the State of Massachusetts, in the place of Jacob Robin, removed.

Parker McCobb, jr. to be collector of the customs for the district and inspector of the revenue for the port of Waldoborough, in the State of Maine, in the place of George Allen, removed.

JAMES K. POLK.

WASHINGTON, *January* 13, 1846.

To the Senate of the United States:

I transmit to the Senate a report of the Secretary of War, with accompanying papers, showing the measures which have been adopted in relation to the transfer of certain stocks between the Chickasaw and Choctaw Indians, under the treaty between those tribes of the 24th March, 1837. The claim presented by the "Choctaw general council," if deemed to be founded in equity, cannot be adjusted without the previous advice and consent of the Senate.

JAMES K. POLK.

WASHINGTON, *January* 13, 1846.

The messages were read.

Ordered, That the nominations of Henry Campbell, Robert Cochran, and Stephen S. Seavy be referred to the Committee on the Post-Office and Post-Roads.

Ordered, That the nomination of Parker McCobb, jr. be referred to the Committee on Commerce.

Ordered, That the message relating to the transfer of certain stocks between the Chickasaw and Choctaw Indians be referred to the Committee on Indian Affairs.

Mr. Allen, from the Committee on Foreign Relations, to whom were referred, on the 22d December, the nominations of John Slidell and Auguste Davezac, reported.

Mr. Ashley, from the Committee on the Judiciary, to whom were referred, on the 23d December, the nominations of James Dunlop, Henry Dodge, James Clarke, Jesse Williams, John W. Brockenbrough; on the 29th December those of Franklin Pierce, Robert Rantoul, jr., Thomas W. Bartley, William F. Allen, William L. Marshall, Augustine Haines, Solomon W. Downs, Thomas M. Pettit, Thomas T. Gantt, Charles Linsley, John L. Dawson, and Stinson H. Anderson, and on the 3d instant that of George H. Lee, reported.

On motion by Mr. Ashley,

Ordered, That the Committee on the Judiciary be discharged from the consideration of the nomination of Robert Coltman, and that it be referred to the Committee on the District of Columbia.

Mr. Haywood, from the Committee on Commerce, to whom was referred, on the 29th December, the nomination of Henry W. Rogers, reported.

On motion by Mr. Haywood,

The Senate proceeded to consider the nomination of James H. Tate; and,

After debate,

Mr. Wescott submitted the following resolution:

Resolved, That the nomination be recommitted to the Committee on Commerce, and the committee be instructed to transmit the communication of the honorable Jacob Thompson respecting the nominee to the Secretary of the Treasury, in order to afford that officer an opportunity to answer or explain such parts of the same as he may be desirous to do.

On motion by Mr. Johnson, of Maryland,

The Senate adjourned.

WEDNESDAY, JANUARY 14, 1846.

The following messages were received from the President of the United States, by Mr. Walker, his secretary:

To the Senate of the United States:

I nominate Sylvester Churchill, late inspector-general, to be inspector-general in the Army, with the rank of colonel, to take rank from June 25, 1841, the date of his former commission.

JAMES K. POLK.

WASHINGTON, *January* 14, 1846.

To the Senate of the United States:

I withdraw from the Senate the name of William S. Pomeroy, who was nominated to the Senate on the 3d inst. to be collector of the customs for the district and inspector of the revenue for the port of Fairfield, in the State of Connecticut.

JAMES K. POLK.

WASHINGTON, *January* 14, 1846.

The messages were read.

Ordered, That the nomination of Sylvester Churchill be referred to the Committee on Military Affairs.

On motion by Mr. Pennybacker,

The Senate proceeded to consider the nominations of John W. Brockenbrough and George H. Lee; and

Resolved, That the Senate advise and consent to the appointment of the said persons, agreeably to their nominations respectively.

On motion by Mr. Allen,

The Senate proceeded to consider the nomination of John Slidell; and

After debate,

On motion by Mr. John M. Clayton,

The Senate adjourned.

THURSDAY, JANUARY 15, 1846.

The Vice-President presented the memorial of J. W. Gibbs, jr. and others in favor of the confirmation of Henry Horn; which was referred to the Committee on Commerce.

The following messages were received from the President of the United States, by Mr. Walker, his secretary:

To the Senate of the United States:

I nominate Luther Leonard, of Illinois, to be a military storekeeper in the Ordnance Department, to take effect from December 31, 1845, vice Ragan, deceased.

JAMES K. POLK.

WASHINGTON, *January* 15, 1846.

To the Senate of the United States:

I nominate to the Senate Amos Nourse to be collector of the customs for the district and inspector of the revenue for the port of Bath, in the State of Maine, in the place of Alfred I. Stone, removed, said Nourse having been appointed during the last recess of the Senate.

JAMES K. POLK.

WASHINGTON, *January* 15, 1846.

To the Senate of the United States:

I withdraw the nomination of James H. Tate as consul at Buenos Ayres, which I made to the Senate on the —— day of December, 1845.

JAMES K. POLK.

WASHINGTON, *January* 15, 1846.

The messages were read.

Ordered, That the nomination of Luther Leonard be referred to the Committee on Military Affairs.

Ordered, That the nomination of Amos Nourse be referred to the Committee on Commerce.

On motion by Mr. Haywood,

The Senate proceeded to consider the nominations of Robert S. Herndon, Alexander Somerville, Galen Hodges, V. C. V. Dashiel, George M. Collensworth, and A. G. W. Davis; and

Resolved, That the Senate advise and consent to the appointment of the said persons. agreeably to their nominations respectively.

Mr. Fairfield, from the Committee on Naval Affairs, to whom were referred, on the 29th December, the nominations of Cornelius Vanalstine, Henry L. Chipman, George W. Doty, Washington Sherman, Felix Grundy Mayson, David Harlan, Henry O. Mayo, and John Rudenstein, reported.

Mr. Niles, from the Committee on the Post-Office and Post-Roads, to whom was referred, on the 29th December, the nominations of Joseph W. McCorkle, Richard H. Stanton, Benjamin F. Rawls, William G. Smith, George Crawford, Jacob Medary, Truman C. Everts, Benjamin F. Johnson, John Forsyth, Thomas I. Read, Whiteacre Oneal, and on the 13th instant that of Henry Campbell, reported.

On motion by Mr. Breese,

The Senate proceeded to consider the nomination of Pierre T. Landry; and

Resolved, That the Senate advise and consent to the appointment, agreeably to the nomination.

On motion by Mr. Johnson, of Maryland,

The Senate proceeded to consider the nominations of William H Cole, jr., and James Polk; and

Resolved, That the Senate advise and consent to the appointment of the said persons, agreeably to their nominations respectively.

The Senate resumed the consideration of the nomination of John Slidell; and

After debate,

On motion by Mr. Hannegan that the Senate do now adjourn,

It was determined in the affirmative, { Yeas 26
Nays..... 24

On motion by Mr. Allen,

The yeas and nays being desired by one-fifth of the Senators present,

Those who voted in the affirmative are,

Messrs. Benton, Berrien, Breese, Calhoun, Cameron, Thomas Clayton, John M. Clayton, Corwin, Crittenden, Davis, Evans, Fairfield, Greene, Hannegan, Huntington, Johnson of Maryland, McDuffie, Mangum, Miller, Pearce, Phelps, Simmons, Speight, Upham, Webster, Woodbridge.

Those who voted in the negative are,

Messrs. Allen, Ashley, Atchison, Atherton, Bagby, Barrow, Bright, Cass, Chalmers, Colquitt, Dickinson, Dix, Haywood, Jarnagin, Jen-

ness, Johnson of Louisiana, Lewis, Niles, Pennybacker, Semple, Sevier, Sturgeon, Turney, Yulee.

So the Senate adjourned.

TUESDAY, JANUARY 20, 1846.

Mr. Upham presented affidavits of Thomas Baldwin and Joseph W. Mitchell, adverse to the confirmation of the nomination of Russell G. Hopkinson; which were referred to the Committee on Commerce.

Mr. Ashley, from the Committee on the Judiciary, to whom was referred, on the 23d December the nomination of George W. Woodward, and on the 29th December that of Seth Barton, reported.

On motion by Mr. Haywood,

The Senate proceed to consider the nomination of Charles W. Rand; and

Resolved, That the Senate advise and consent to his appointment, agreeably to the nomination.

Mr. Dix, from the Committee on Military Affairs, to whom was referred, on the 14th instant, the nomination of Sylvester Churchill, reported.

Whereupon

Resolved, That the Senate advise and consent to his appointment, agreeably to the nomination.

The Senate resumed the consideration of the nomination of John Slidell; and,

After debate,

On the question, Will the Senate advise and consent to the appointment of John Slidell?

It was determined in the affirmative, { Yeas ..... 27 / Nays 21

On motion by Mr. Mangum.

The yeas and nays being desired by one-fifth of the Senators present,

Those who voted in the affirmative are,

Messrs. Allen, Ashley, Atchison, Atherton, Bagby, Breese, Bright, Calhoun, Cameron, Cass, Chalmers, Colquitt, Dickinson, Dix, Fairfield, Hannegan, Haywood, Jenness, Lewis, Niles, Pennybacker, Sevier, Speight, Sturgeon, Turney, Westcott, Yulee.

Those who voted in the negative are,

Messrs. Archer, Barrow, Berrien, John M. Clayton, Corwin, Crittenden, Dayton, Evans, Green, Huntington, Jarnagin, Johnson of Maryland, Johnson of Louisiana, Mangum, Miller, Pearce, Phelps, Simmons, Upham, Webster, Woodbridge.

So it was

Resolved, That the Senate advise and consent to the appointment of John Slidell, agreeably to the nomination.

Mr. Westcott presented a communication from Orris A. Browne relative to the nomination of Stephen R. Mallory; and

On motion by Mr. Westcott,

Ordered, That the nomination of Stephen R. Mallory be recommitted, and the said communication referred to the Committee on Commerce.

The following message was received from the President of the United States, by Mr. Walker, his secretary:

To the Senate of the United States:

On the 15th of January, 1846, I withdrew the nomination of James H. Tate, of Mississippi, as consul at Buenos Ayres. The withdrawal

was made upon the receipt on that day of a letter addressed to me by the Senators from the State of Mississippi, advising it. I transmit their letter herewith to the Senate. At that time I had not been furnished with a copy of the Executive Journal of the Senate, and had no knowledge of the pendency of the resolution before that body in executive session in relation to this nomination. Having since been furnished by the Secretary of the Senate with a copy of the Executive Journal containing the resolution referred to, I deem it proper and due to the Senate to reinstate the nomination in the condition in which it was before it was withdrawn. And with that view I nominate James H. Tate, of Mississippi, to be consul at Buenos Ayres.

JAMES K. POLK.

WASHINGTON, *January* 20, 1846.

The message was read.

On motion by Mr. Johnson, of Maryland,

Ordered, That this message, and the resolution submitted by Mr. Westcott on the 13th instant, be referred to the Committee on Commerce.

WEDNESDAY, JANUARY 21, 1846.

Mr. Niles, from the Committee on the Post-Office and Post-Roads, to whom were referred, on the 29th December, the nominations of William White, Elihu Stout, Livingston Dunlap, Joseph S. May, Jeremiah Cherry, William S. Hill, and on the 12th instant that of Jonas J. Bell, reported.

On motion by Mr. Cameron,

The Senate proceeded to consider the nomination of George W. Woodward; and

After debate,

On motion by Mr. Dickinson,

The Senate adjourned.

THURSDAY, JANUARY 22, 1846.

The following message was received from the President of the United States, by Mr. Walker, his secretary:

To the Senate of the United States:

I nominate to the Senate James K. Gibson to be deputy postmaster at Abingdon, in the State of Virginia, his former commission having expired on the 4th January, 1846.

I also nominate to the Senate Philip Barton Key to be attorney of the United States for the District of Columbia, in the place of James Hoban, deceased.

JAMES K. POLK.

WASHINGTON, *Jan.* 22, 1846.

The message was read.

Ordered, That the nomination of James K. Gibson be referred to the Committee on the Post-Office and Post-Roads.

Ordered, That the nomination of Philip Barton Key be referred to Committee on the Judiciary.

The Senate resumed the consideration of the nomination of George W. Woodward; and

After debate,

On motion by Mr. Sturgeon that the further consideration of the nomination of George W. Woodward be postponed until next Monday week, the 2d of February,

It was determined in the negative, { Yeas ..... 21 / Nays 28

On motion by Mr. Speight,

The yeas and nays being desired by one-fifth of the Senators present,

Those who voted in the affirmative are,

Messrs. Allen, Atchison, Atherton, Bagby, Breese, Bright, Calhoun, Cass, Chalmers, Colquitt, Dickinson, Dix, Fairfield, Hannegan, Jenness, Niles, Pennybacker, Speight, Sturgeon, Turney, Woodbridge.

Those who voted in the negative are,

Messrs. Archer, Ashley, Barrow, Benton, Berrien, Cameron, Thomas Clayton, John W. Clayton, Corwin, Crittenden, Davis, Dayton, Evans, Greene, Huntington, Jarnagin, Johnson of Maryland, Johnson of Louisiana, Lewis, Mangum, Miller, Pearce, Phelps, Sevier, Upham, Webster, Westcott, Yulee.

After debate on the question, Will the Senate advise and consent to the appointment of George W. Woodward?

It was determined in the negative, { Yeas ..... 20 / Nays 29

On motion by Mr. Sturgeon,

The yeas and nays being desired by one-fifth of the Senators present,

Those who voted in the affirmative are,

Messrs. Allen, Atchison, Atherton, Bagby, Breese, Bright, Calhoun, Cass, Chalmers, Colquitt, Dickinson, Dix, Fairfield, Jenness, Lewis, Niles, Pennybacker, Speight, Sturgeon, Turney.

Those who voted in the negative are,

Messrs. Archer, Ashley, Barrow, Benton, Berrier, Cameron, Thomas Clayton, John M. Clayton, Corwin, Crittenden, Davis, Dayton, Evans, Greene, Huntington, Jarnagin, Johnson of Maryland, Johnson of Louisiana, Mangum, Miller, Pearce, Phelps, Sevier, Simmons, Upham, Webster, Westcott, Woodbridge, Yulee.

So it was

Resolved, That the Senate do not advise and consent to the appointment of George W. Woodward, of Pennsylvania, to be associate justice of the Supreme Court of the United States in the place of Henry Baldwin, deceased.

Mr. Sturgeon submitted the following resolution:

Resolved, That the injunction of secrecy be removed from the executive proceedings of the Senate in the case of George W. Woodward so far as to publish the votes on the same.

TUESDAY, JANUARY 27, 1846.

Mr. Ashley, from the Committee on the Judiciary, to whom was referred, on the 22d instant, the nomination of Philip Barton Key, reported.

Whereupon

Resolved, That the Senate advise and consent to his appointment, agreeably to the nomination.

Mr. Niles, from the Committee on the Post-Office and Post-Roads, to whom were referred, on the 29th December, the nominations of Stanley G. Trott and Philo F. Barnum, and on the 24th instant that of Robert Cochran, reported.

WEDNESDAY, JANUARY 28, 1846.

The following messages were received from the President of the United States, by Mr. Walker, his secretary:

To the Senate of the United States:

I nominate to the Senate Timothy P. Spencer to be deputy postmaster at Cleveland, in the State of Ohio, he having been appointed during the last recess of the Senate in the place of B. Andrews, removed.

JAMES K. POLK.

WASHINGTON, *January* 28, 1846.

To the Senate of the United States:

I herewith communicate to the Senate, for its consideration, with regard to its ratification, a treaty of commerce and navigation between the United States and the Kingdom of the Two Sicilies, concluded and signed on the 1st day of December last at Naples, by the chargé d'affaires of the United States with the plenipotentiaries of His Majesty the King of the Kingdom of the Two Sicilies.

And I communicate, at the same time, portions of the correspondence (so far as it has been received) in explanation of the treaty.

JAMES K. POLK.

WASHINGTON, *January* 28, 1846.

The messages were read.

Ordered, That the nomination of Timothy P. Spencer be referred to the Committee on the Post-Office and Post-Roads.

The treaty of commerce and navigation between the United States of America and the King of the Kingdom of the Two Sicilies, concluded at Naples, the 1st day of December, eighteen hundred and forty-five, was read the first and second times, by unanimous consent.

On motion by Mr. Allen,

Ordered, That the treaty, with the message and documents, be referred to the Committee on Foreign Relations, and printed in confidence for the use of the Senate.

Mr. Niles, from the Committee on the Post-Office and Post-Roads, to whom was referred, on the 29th December, the nomination of Welcome B. Sayles, reported.

Mr. Sevier, from the Committee on Indian Affairs, to whom was referred, on the 3d instant, the nomination of James McKissick, reported.

Mr. Dix, from the Committee on Commerce, to whom were referred, on the 29th December, the nominations of Joseph P. Jenkins, Rowland H. Bridgham, William Brown, and Henry Welsh, reported.

On motion by Mr. Allen,

The Senate resumed the consideration of the nomination of Henry W. Ellsworth; and

After debate,

On the question, Will the Senate advise and consent to the appointment of Henry W. Ellsworth?

It was determined in the affirmative, { Yeas ..... 32 / Nays ..... 5 }

On motion by Mr. Niles,

The yeas and nays being desired by one-fifth of the Senators present,

Those who voted in the affirmative are,

Messrs. Allen, Ashley, Atchison, Atherton, Bagby, Benton, Berrien, Breese, Bright, Cameron, Cass, Chalmers, Thomas Clayton, Colquitt,

Corwin, Dickinson, Dix, Fairfield, Greene, Hannegan, Johnson of Louisiana, Lewis, Mangum, Pennybacker, Semple, Sevier, Simmons, Speight, Sturgeon, Turney, Westcott, Woodbridge.

Those who voted in the negative are,

Messrs. Archer, Barrow, Davis, Jarnagin, Niles.

So it was

Resolved, That the Senate advise and consent to the appointment of Henry W. Ellsworth, agreeably to the nomination.

MONDAY, FEBRUARY 2, 1846.

Mr. Sevier, from the Committee on Indian Affairs, to whom was referred, on the 3d of January, the nomination of William A. Richmond, reported.

TUESDAY, FEBRUARY 3, 1846.

Mr. Fairfield, from the Committee on Naval Affairs, to whom were referred, on the 29th December, the nominations of John Y. Mason, John F. Steele, Edward C. Doran, and William B. Hartwell, reported.

Mr. Fairfield, from the Committee on Naval affairs, to whom was referred, on the 29th December, the nomination of Albert G. Clary, reported.

Mr. Ashley, from the Committee on the Judiciary, to whom were referred, on the 29th December, the nominations of Edward Johnston, Thomas Fletcher, Daniel A. Robertson, William F. Wagner, Gideon S. Bailey, Cyrus Barton, Arthur R. Crozier, Abel C. Pepper, and James G. Lyon, reported.

Mr. Ashley, from the Committee on the Judiciary, to whom were referred, on the 29th of December, the nominations of Elias Rector and Alexander Porter, reported.

Mr. Archer, from the Committee on Foreign Relations, to whom was referred, on the 18th December, the convention for the mutual abolition of the droit d'aubaine, droit de detraction and taxes on emigration between the United States of America and the Kingdom of Saxony, concluded at Berlin on the 14th of May, 1845, reported it without amendment.

On motion by Mr. Allen,

Ordered, That the convention between the United States and Prussia, and the other states of the Germanic association of customs and commerce, together with the several messages and other documents communicated to the Senate, and the reports of the Committee on Foreign Relations upon the subject, be referred to the Committee on Foreign Relations.

On motion by Mr. Allen,

Ordered, That the treaty of peace, friendship, navigation, and commerce between the United States of America and the Republic of New Granada, with the message and documents received therewith on the 26th February last, be referred to the Committee on Foreign Relations.

The Senate proceeded to consider the resolution submitted by Mr. Dix on the 6th January; and,

On motion by Mr. Dix,

Ordered, That it lie on the table.

The Senate proceeded to consider the resolution submitted by Mr. Sturgeon on the 22d January

On motion by Mr. Yulee to amend the resolution by striking out after the word "Resolved" and inserting, *That in all cases in which nomina-*

tions made by the Executive are rejected by the Senate, the injunction of secrecy be considered removed as to the vote and proceedings upon such nominations, unless otherwise ordered by the Senate,

On motion by Mr. Yulee,

Ordered, That the further consideration of the resolution be postponed until to-morrow.

On motion by Mr. Allen,

The Senate proceeded to consider the nomination of Auguste Davezac; and

Resolved, That the Senate advise and consent to his appointment, agreeably to the nomination.

On motion by Mr. Westcott,

The Senate proceeded to consider the nomination of Dillon Jordan; and

Resolved, That the Senate advise and consent to his appointment, agreeably to the nomination.

The Senate proceeded to consider the nominations of William H. Robertson, William A. Sparks, Simeon M. Johnson, Isaac H. Wright, Samuel Cushman, Joseph White, Walker Anderson, Hart L. Stewart, John M. Wimer, George M. Horton, Joseph M. Doty, Thomas B. Hahn, David P. Brewster, Amos S. Rathbun, William W. Teal, John L. Slaymaker, John K. Wright, John McClintock, Daniel B. Richardson, Hardy Holmes, Alexander I. Irwin, Franklin Pierce, Robert Rantoul, jr., Thomas W. Bartley, William F. Allen, William L. Marshal, Augustine Haines, Solomon W. Downs, Thomas M. Pettit, Thomas T. Gantt, Charles Linsley, John L. Dawson, Stinson H. Anderson, James Dunlop, Henry Dodge, James Clarke, Jesse Williams, Cornelius Vanalstine, George W. Doty, Washington Sherman, Felix Grundy Mayson, David Harlan, Joseph W. McCorkle, Benjamin F. Rawls, William G. Smith, George Crawford, Jacob Medary, Truman C. Evarts, Benjamin F. Johnson, John Forsyth, Thomas I. Reed, Whiteacre Oneal, and Henry Campbell; and

Resolved, That the Senate advise and consent to the appointment of the said persons, agreeably to their nominations, respectively.

The Senate proceeded to consider the nomination of Richard M. Stanton; and,

After debate,

On motion by Mr. Westcott,

Ordered, That it be postponed to and made the order of the day for Thursday next, the 5th instant.

The following messages were received from the President of the United States, by Mr. Walker, his secretary:

To the Senate of the United States:

I nominate to the Senate John M. Fontane to be receiver of public moneys for the district of lands subject to sale at Saint Augustine, in the State of Florida, in the place of George W. Cole, deceased.

Robert C. Nicholas to be attorney of the United States for the eastern district of Virginia, to take effect from the 15th of February, 1846, when his present commission expires.

John Catlin to be secretary of the Territory of Wisconsin, in the place of George R. C. Floyd, removed.

John S. Shepperd to be surveyor and inspector of the revenue for the port of Windsor, in the State of North Carolina, in the place of Marcus C. Ryan, deceased.

Thomas Addison to be surveyor and inspector of the revenue for the port of Madisonville, in the State of Louisiana, in the place of Mathew Dicks, whose commission has expired.

JAMES K. POLK.

WASHINGTON, *February* 3*d*, 1846.

To the Senate of the United States:

I nominate William A. Harris to be chargé d'affaires of the United States to the Argentine Confederation, in the place of William Brent, jr., recalled.

JAMES K. POLK.

WASHINGTON, 3*d February*, 1846.

To the Senate of the United States:

I herewith communicate to the Senate, for its consideration, in reference to its ratification, a treaty of commerce and navigation between the United States and Belgium, concluded and signed on the 10th November last, at Brussels, by the chargé d'affaires of the United States with the minister of foreign affairs of His Majesty the King of the Belgians.

And I communicate at the same time the correspondence and other papers in explanation of the treaty.

JAMES K. POLK.

WASHINGTON, *February* 3, 1846.

The messages were read.

Ordered, That the nomination of John M. Fontane be referred to the Committee on Public Lands.

Ordered, That the nomination of Robert C. Nicholas be referred to the Committee on the Judiciary.

Ordered, That the nomination of John Catlin be referred to the Committee on Territories.

Ordered, That the nominations of John S. Shepperd and Thomas Addison be referred to the Committee on Commerce.

Ordered, That the nomination of William A. Harris be referred to the Committee on Foreign Relations.

The treaty of commerce and navigation between the United States of America and His Majesty the King of the Belgians, concluded at Brussels the 10th November, 1845, was read the first and second times, by unanimous consent.

On motion by Mr. Allen,

Ordered, That the treaty, with the message and documents, be referred to the Committee on Foreign Relations and printed in confidence for the use of the Senate.

WEDNESDAY, FEBRUARY 4, 1846.

Mr. Benton, from the Committee on Military Affairs, to whom was referred, on the 15th January, the nomination of Luther Leonard, reported.

Whereupon

Resolved, That the Senate advise and consent to his appointment, agreeably to the nomination.

Mr. Dix, from the Committee on Commerce, to whom was referred, on the 12th January, the nomination of Francis V. Clark, on the 13th Jan-

uary that of Parker McCobb, and to whom was recommitted on the 20th January that of Stephen R. Mallory, reported.

Mr. Lewis submitted the following resolution; which was considered, by unanimous consent, and agreed to.

Resolved, That the President be requested to return to the Senate for their further action the resolution advising and consenting to the appointment of Isaac H. Wright as navy agent at Boston.

On motion by Mr. Sevier,

The Senate proceeded to consider the nomination of Elias Rector; and

On motion by Mr. Evans,

The Senate adjourned.

THURSDAY, FEBRUARY 5, 1846.

On motion by Mr. Sevier,

The Senate resumed the consideration of the nomination of Elias Rector; and

Resolved, That the Senate advise and consent to his appointment, agreeably to the nomination.

Mr. Breese, from the Committee on Public Lands, to whom was referred, on the 4th instant, the nomination of John M. Fontaine, reported.

Whereupon

Resolved, That the Senate advise and consent to his appointment, agreeably to the nomination.

Mr. Breese, from the Committee on the Judiciary, to whom was referred, on the 4th instant, the nomination of Robert C. Nicholas, reported.

Mr. Benton, from the Committee on Military Affairs, to whom were referred, on the 18th December, the nominations of William Eustis and others for promotion and appointment in the Army of the United States, as set forth in the President's message received that day, reported.

Whereupon

Resolved, That the Senate advise and consent to the promotion and appointment of the said persons, agreeably to their nominations respectively.

On motion by Mr. Cass,

The Senate proceeded to consider the nomination of John S. Bagg; and

Resolved, That the Senate advise and consent to his appointment, agreeably to the nomination.

The following messages were received from the President of the United States, by Mr. Walker, his secretary:

To the Senate of the United States:

I nominate Thomas Mussey to be collector of the customs for the district of New London, in the State of Connecticut, vice Charles F. Lester, (appointed during the last recess of the Senate, in the place of Gerard Carpenter, resigned), deceased.

Also, William S. Pomeroy to be collector of the customs for the district and inspector of the revenue for the port of Fairfield, in the State of Connecticut, vice Stephen Lounsberry, appointed during the last recess of the Senate, in the place of Joseph Thompson, removed.

Also, Charles S. A. Davis to be surveyor for the district and inspector of the revenue for the port of New Haven, in the State of Connecticut, vice Charles A. Judson, removed.

Also, William Willard to be surveyor and inspector of the revenue for the port of Saybrook, in the State of Connecticut, from the 12th day of March, 1846, when his present commission will expire.

JAMES K. POLK.

WASHINGTON, *February* 5, 1846.

To the Senate of the United States:

I nominate Daniel Hunter for reappointment as paymaster in the Army, to take effect from the 14th of March next, when his present appointment will expire, as proposed by the Secretary of War.

JAMES K. POLK.

WASHINGTON, *February* 5, 1846.

WAR DEPARTMENT, *February* 4, 1846.

To the President of the United States:

I have the honor to submit for your approbation the name of Daniel Hunter for reappointment as paymaster in the Army, to take effect March 14, 1846, when his present appointment will expire.

I am, sir, with great respect, your obed't serv't,

W. L. MARCY.

To the Senate of the United States:

In pursuance with the request of the Senate in their resolution of the 4th instant, I "return" herewith "for their further action the resolution advising and consenting to the appointment of Isaac H. Wright as navy agent at Boston." It will be observed that the resolution of the Senate herewith returned contains the advice and consent of that body to the appointment of several other persons to other offices not embraced in their resolution of the 4th instant, and it being impossible to comply with the request of the Senate without communicating to them the whole resolution, I respectfully request that so far as it relates to the other cases than that of Mr. Wright it may be returned to me.

JAMES K. POLK.

WASHINGTON, *February* 5, 1846.

The messages were read.

Ordered, That the nominations of Thomas Mussey, William S. Pomeroy, Charles S. A. Davis, and William Willard be referred to the Committee on Commerce.

Ordered, That the nomination of Daniel Hunter be referred to the Committee on Military Affairs.

Mr. Allen submitted the following resolution; which was considered, by unanimous consent, and agreed to:

Resolved, That the resolution of the 3d instant, advising and consenting to the appointment of Isaac H. Wright and others, be returned to the President of the United States, in compliance with his message of this day's date, except so much thereof as relates to Isaac H. Wright.

Mr. Yulee submitted the following resolution; which was considered, by unanimous consent, and agreed to:

Resolved, That the President of the United States be requested to return to the Senate for its further action thereon, the resolution of the Senate advising and consenting to the appointment of Felix Grundy Mayson to be a second lieutenant in the Marine Corps.

The Vice-President presented a letter from Edmund L. Dubarry, requesting to be permitted to obtain a copy of a letter on the executive

files of the Senate, written by him to the Secretary of the Navy, and dated the 27th October, 1829.

On motion by Mr. Lewis to reconsider so much of the resolution of the 3d instant as advised and consented to the appointment of Isaac H. Wright,

It was determined in the affirmative.

On motion by Mr. Lewis,

Ordered, That the nomination of Isaac H. Wright be recommitted to the Committee on Naval Affairs.

THURSDAY, FEBRUARY 12, 1846.

The following messages were received from the President of the United States, by Mr. Walker, his secretary:

To the Senate of the United States:

I nominate Nathaniel Bolton to be register of the land office for the district of lands subject to sale at Indianapolis, in the State of Indiana, from and after the 1st of March, 1846, in the place of David V. Cully, whose term of office will then expire.

Henry B. Humphrey, of Massachusetts, to be consul of the United States for the port of Alexandria, in Egypt, in the place of Alexander Todd, recalled.

JAMES K. POLK.

WASHINGTON, *February* 9, 1846.

To the Senate of the United States:

I nominate to the Senate Richard I. McCulloh to be melter and refiner of the mint of the United States at Philadelphia, in the place of Jonas R. McClintock, resigned.

JAMES K. POLK.

WASHINGTON, *February* 11*th*, 1846.

To the Senate of the United States:

I nominate Gideon Welles, of Connecticut, to be chief of the Bureau of Provisions and Clothing attached to the Navy Department, in place of Commodore William B. Shubrick, resigned.

JAMES K. POLK.

WASHINGTON, *February* 12*th*, 1846.

To the Senate of the United States:

I communicate herewith a statement from the Adjutant-General's Office, setting forth certain errors in the spelling of names in the list of the officers of the Army, confirmed by the Senate on the 5th instant, which errors I respectfully request may be corrected

JAMES K. POLK.

WASHINGTON, *February* 9, 1846.

To the Senate of the United States:

In compliance with the request of the Senate, in their resolution of the 5th instant, I herewith return "the resolution of the Senate advising and consenting to the appointment of F. G. Mayson to be a second lieutenant in the Marine Corps." As the same resolution which contains the advice and consent of the Senate to the appointment of Mr. Mayson contains also the advice and consent of that body to the ap-

pointment of several other persons to other offices, to whom commissions have been since issued, I respectfully request that the resolution, so far as it relates to the persons other than Mr. Mayson, may be returned to me.

JAMES K. POLK.

WASHINGTON, *February 9th*, 1816.

To the Senate of the United States:

I transmit herewith, for the consideration and advice of the Senate, with regard to its ratification, a treaty concluded on the 14th day of January last by Thomas H. Harvey and Richard W. Cummins, commissioners on the part of the United States, and the chiefs and headmen of the Kansas tribe of Indians, together with a report of the Commissioner of Indian Affairs, and other papers explanatory of the same.

JAMES K. POLK.

WASHINGTON, *February* 12, 1846.

The messages were read.

Ordered, That the nomination of Nathaniel Bolton be referred to the Committee on Public Lands.

Ordered, That the nomination of Henry B. Humphrey be referred to the Committee on Commerce.

Ordered, That the nomination of Richard I. McCulloh be referred to the Committee on Finance.

Ordered, That the nomination of Gideon Welles be referred to the Committee on Naval Affairs.

On motion by Mr. Evans,

Ordered, That the Secretary make the corrections requested in the message of the President of this day, as indicated in the accompanying letter of the Assistant Adjutant-General, dated the 6th instant.

On motion by Mr. Pearce, to reconsider so much of the resolution of the 3d instant as advised and consented to the appointment of Felix Grundy Mayson,

It was determined in the affirmative.

On motion by Mr. Evans,

Ordered, That the nomination of Felix Grundy Mayson be recommitted to the Committee on Naval Affairs.

Mr. Fairfield submitted the following resolution; which was considered, by unanimous consent, and agreed to:

Resolved, That the resolution of the 3d instant, advising and consenting to the appointment of Felix Grundy Mayson and others, be returned to the President of the United States in compliance with his message of this day, except so much thereof as relates to Felix Grundy Mayson.

The articles of a treaty made and concluded at the Methodist Mission, in the Kansas country, between Thomas H. Harvey and Richard W. Cummins, commissioners of the United States, and the Kansas tribe of Indians, on the 14th of January, 1846, was read the first and second times, by unanimous consent.

On motion by Mr. Sevier,

Ordered, That the treaty, with the message and documents, be referred to the Committee on Indian Affairs and printed in confidence for the use of the Senate.

Mr. Allen, from the Committee on Foreign Relations, to whom was referred, on the 3d instant, the nomination of William A. Harris, reported.

Mr. Niles, from the Committee on the Post-Office and Post-Roads, to whom was referred, on the 29th December, the nominations of Nehemiah Moses, Henry F. Baker, and Jacob Fechtig, and on the 28th January that of Timothy P. Spencer, reported.

Mr. Niles, from the Committee on the Post-Office and Post-Roads, to whom was referred, on the 29th December, the nomination of Peter G. Washington, reported.

Mr. Benton, from the Committee on Military Affairs, to whom was referred, on the 5th instant, the nomination of Daniel Hunter, reported.

Mr. Westcott, from the Committee on Territories, to whom was referred, on the 3d instant, the nomination of John Catlin, reported.

Mr. Ashley, from the Committee on the Judiciary, to whom were referred, on the 29th December, the nomination of Walter S. Burges, John Norvell, and Ely Moore, reported.

Mr. Ashley, from the Committee on the Judiciary, to whom was referred, on the 23d December, the nomination of Thomas Hartley Crawford, reported.

On motion by Mr. Sevier,

Ordered, That the Secretary of War be furnished with a copy, printed in confidence, of the report from the Committee on Indian Affairs of the 26th February, 1845, with the resolution adopted on the 5th March, 1845, the message of the President of the 14th February, 1844, and the documents communicated therewith, relating to an informal agreement between the Delaware and Wyandot Indians.

THURSDAY, FEBRUARY 19, 1846.

The following messages were received from the President of the United States, by Mr. Walker, his secretary:

To the Senate of the United States:

I nominate to the Senate M. Hollander to be consul of the United States for the port of Sedan, in France, in the place of Thomas Hulme, jr., deceased.

JAMES K. POLK.

WASHINGTON, 16*th February*, 1846.

To the Senate of the United States:

I nominate to the Senate Austin E. Wing to be marshal of the United States for the district of Michigan, in the place of L. S. Humphrey, resigned.

JAMES K. POLK.

WASHINGTON, 16*th February*, 1846.

To the Senate of the United States:

I nominate Joseph Sibley to be collector of the customs for the district of Genesee and inspector of the revenue for the port of Rochester, in the State of New York, vice Lyman B. Langworthy, removed.

JAMES K. POLK.

WASHINGTON, *February* 16, 1846.

To the Senate of the United States:

I nominate James L. Edwards to be Commissioner of Pensions, to take effect from and after the 3d of March next, when his present commission will expire.

JAMES K. POLK.

WASHINGTON, *February* 18, 1846.

To the Senate of the United States:

I withdraw from the Senate the nomination of Jonathan L. Bean as Indian agent at the Council Bluff's Agency, and I nominate John Miller, of Cooper County, Missouri, for that office.

JAMES K. POLK.

WASHINGTON, *February* 18, 1846.

To the Senate of the United States:

I nominate David Hunter for reappointment as paymaster in the Army, to take effect from the 14th of March next, when his present appointment will expire, as proposed by the Secretary of War. This is the same person nominated the 5th instant, for the same office, whose name was incorrectly written *Daniel* Hunter.

JAMES K. POLK.

WASHINGTON, *February* 18*th*, 1846.

The messages were read.

Ordered, That the nominations of M. Hollander and Joseph Sibley be referred to the Committee on Commerce.

Ordered, That the nomination of Austin E. Wing be referred to the Committee on the Judiciary.

Ordered. That the nomination of James L. Edwards be referred to the Committee on Pensions.

Ordered, That the nomination of John Miller be referred to th · Committee on Indian Affairs.

On motion by Mr. Sevier,

The Senate, by unanimous consent, proceeded to consider the nomination of David Hunter; and

Resolved, That the Senate advise and consent to his appointment, agreeably to the nomination.

On motion by Mr. Allen,

The Senate proceeded to consider the nomination of William A. Harris; and

Resolved, That the Senate advise and consent to his appointment, agreeably to the nomination.

On motion by Mr. Ashley,

Ordered, That the nomination of Thomas Hartley Crawford be recommitted to the Committee on the Judiciary.

Mr. Ashley, from the Committee on the Judiciary, to whom was referred, on the 29th De ember, the nomination of Burrington Anthony, reported.

Mr. Breese, from the Committee on Public Lands, to whom was referred, on the 29th December, the nomination of Amzi L. Wheeler, and, on the 12th instant, that of Nathaniel Bolton, reported.

Mr. Fairfield, from the Committee on Naval Affairs, to whom was referred, on the 12th instant, the nomination of Gideon Wellés, reported.

TUESDAY, FEBRUARY 24, 1846.

The following messages were received from the President of the United States, by Mr. Walker, his secretary:

To the Senate of the United States:

I nominate Alexander Hunter to be marshal of the United States for the District of Columbia, from the 9th of March, 1846, when his present commission will expire.

James H. Weakly to be surveyor-general of the public lands in the State of Alabama, from the 1st of April, 1846, when his present commission will expire.

Joseph M. Fearson to be a justice of the peace for the county of Washington, in the District of Columbia, from the 27th of February, 1846, when his present commission will expire.

William F. Purcell to be a justice of the peace for the county of Washington, in the District of Columbia.

JAMES K. POLK.

WASHINGTON, *February* 23*d*, 1846.

To the Senate of the United States:

I nominate Romulus M. Saunders, of North Carolina, to be envoy extraordinary and minister plenipotentiary of the United States at the court of Her Catholic Majesty, in the place of Washington Irving, at his own request recalled.

JAMES K. POLK.

WASHINGTON, 24*th February*, 1846.

To the Senate of the United States:

I nominate the following persons for the offices respectively annexed to their names, viz:

William Gray to be surveyor and inspector of the revenue for the port of Port Royal, in the State of Virginia, from the 29th of January, 1846, when his late commission expires.

William Patterson to be collector of the customs for the district and inspector of the revenue for the port of Sandusky, in the State of Ohio, from the 15th of March, 1846, vice Elias H. Haines, whose commission will on that day expire.

James E. Gibble to be collector of the customs for the district and inspector of the revenue for the port of Beaufort, in the State of North Carolina, from the 23d of March, 1846, when his present commission will expire.

William Nelson to be collector of the customs for the district and inspector of the revenue for the port of Yorktown, in the State of Virginia, from the 3d of April, 1846, when his present commission will expire.

Conway Whittle to be collector of the customs for the district of Norfolk and Portsmouth, in the State of Virginia, from the 19th of March, 1846, when his present commission will expire.

James C. Sloo to be register of the land office for the district of lands subject to sale at Shawneetown, in the State of Illinois, from the 25th of March, 1846, when his present commission will expire.

Wyatt I. Draughn to be receiver of public moneys for the district of lands subject to sale at Augusta, in the State of Mississippi, from the 21st of April, 1846, when his present commission will expire.

Allen McLane to be register of the land office for the district of lands subject to sale at Plattsburg, in the State of Missouri, from the 31st of March, 1846, vice James H. Birch, whose resignation will take effect on that day.

Edmund Wilson to be collector of the customs for the district and inspector of the revenue for the port of Waldoborough, in the State of Maine, in the place of Parker McCobb, jr., deceased, whose nomination is now pending before the Senate.

Also, Alexander Newman to be deputy postmaster at Wheeling, in the State Virginia, from the 1st of April, 1846, vice J. B. B. Hale, who was appointed during the last recess of the Senate, and who has resigned to take effect on said 1st of April, 1846.

JAMES K. POLK.

WASHINGTON, *February* 24, 1846.

The messages were read.

Ordered, That the nomination of Alexander Hunter be referred to the Committee on the Judiciary.

Ordered, That the nominations of James H. Weakley, James C. Sloo, Wyatt I. Draughn, and Allen McLane be referred to the Committee on Public Lands.

Ordered, That the nominations of Joseph M. Fearson and William F. Purcell be referred to the Committee on the District of Columbia.

Ordered, That the nomination of Romulus M. Saunders be referred to the Committee on Foreign Relations.

Ordered, That the nominations of William Gray, William Patterson, James E. Gibble, William Nelson, Conway Whittle, and Edmund Wilson be referred to the Committee on Commerce.

Ordered, That the nomination of Alexander Newman be referred to the Committee on the Post-Office and Post-Roads.

Mr. Johnson, of Louisiana, from the Committee on Pensions, to whom was referred, on the 19th instant, the nomination of James L. Edwards, reported.

Whereupon

Resolved, That the Senate advise and consent to his appointment, agreeably to the nomination.

Mr. Ashley, from the Committee on the Judiciary, to whom was referred, on the 19th instant, the nomination of Austin E. Wing, reported.

Whereupon

Resolved, That the Senate advise and consent to his appointment, agreeably to the nomination.

Mr. Ashley, from the Committee on the Judiciary, to whom was recommitted, on the 19th instant, the nomination of Thomas Hartley Crawford, reported.

Mr. Fairfield, from the Committee on Naval Affairs, to whom was referred, on the 29th December, the nomination of J. George Harris, and to whom was recommitted, on the 12th instant, the nomination of Felix Grundy Mayson, reported.

The Senate proceeded to consider the resolution submitted by Mr. Sturgeon on the 22d January; and,

On motion by Mr. Breese,

Ordered, That it lie on the table.

The Senate proceeded to consider the nominations of John McNeil, William B. Bullock, Edward Green, James F. Thompson, Smith Inglehart, Reuben H. Boughton, Phineas W. Leland, John Duncan, Charles G. Hammond, Samuel C. White, Samuel Jones Willis, Charles Parker, Cornelius W. Lawrence, Samuel W. Spencer, Ezra Chesebro, Robert White, William Nichols, Enoch Fowler, George Center, Peter Dixey, Joseph T. Pease, James T. Miller, Denis Prieur, James E. Saunders, Joseph P. Junkins, Rowland H. Bridgham, William Brown, Henry Welsh, Thomas N. Carr, Nicholas B. Boyle, John F. Bacon, John W. Holding, Ramon L. Sanchez, Joseph Cowdin, Nicholas Browne, Joel Turrill, George P. Manouvrier, William Crosby, Charles Sherwood,

Henry G. Hubbard, Thomas McGuire, Henry L. Chipman, Henry O. Mayo, John Rudenstein, William White, Elihu Stout, Livingston Dunlap, Joseph S. May, Jeremiah Cherry, William S. Hill, Stanly G. Trott, Philo F. Barnum, Nehemiah Moses, Henry F. Baker, Jacob Fechtig, Robert Cochran, Edward Johnston, Thomas Fletcher, Daniel A. Robertson, William F. Wagner, Gideon S. Bailey, Cyrus Barton, Arthur R. Crozier, Abel C. Pepper, Alexander Porter, James G. Lyon, Walter S. Burges, John Norvell, Ely Moore, Jonas J. Bell, William A. Richmond, Francis V. Clark, Robert C. Nicholas, John Catlin, Amzi L. Wheeler, and Nathaniel Bolton; and

Resolved, That the Senate advise and consent to the appointment of the said persons, agreeably to their nominations respectively.

On motion by Mr. Haywood,

Ordered, That the nominations of Otis N. Cole, James A. Nichols, and Henry W. Rogers be recommitted to the Committee on Commerce.

WEDNESDAY, FEBRUARY 25, 1846.

Mr. Allen, from the Committee on Foreign Relations, to whom was referred, on the 24th instant, the nomination of Romulus M. Saunders, reported.

Whereupon

Resolved, That the Senate advise and consent to his appointment, agreeably to the nomination.

Mr. Niles from the Committee on the Post-Office and Post-Roads, to whom were referred, on the 23th December, the nominations of Nathan L. Woodbury, Harvey Chapin, Edward W. Green, George F. North, and Thomas Shepherd, reported.

Mr. Breese, from the Committee on Public Lands, to whom were referred, on the 24th instant, the nominations of James H. Weakley, James C. Sloo, Wyatt I. Draughn, and Allen McLane, reported.

TUESDAY, MARCH 10, 1846.

The following messages were received from the President of the United States, by Mr. Walker, his secretary:

To the Senate of the United States:

I nominate William Minor to be a justice of the peace for the county of Alexandria, in the District of Columbia, in the place of John W. Minor, who has removed from said district.

James Carson to be a justice of the peace for the county of Alexandria, in the District of Columbia, in the place of Tench Ringold, deceased.

John M. Thayer and John W. Williams to be justices of the peace for the county of Washington and District of Columbia.

Philip Poultney to be appraiser of merchandise for the port of Baltimore, in the State of Maryland, from and after the 1st of May, 1846, in the place of William Dickinson, who has resigned to take effect on that day.

JAMES K. POLK.

WASHINGTON, *March 2d*, 1846.

To the Senate of the United States:

I nominate George Wells, now a passed midshipman, to be a lieutenant in the Navy from the 20th day of September 1845, to fill a vacancy occasioned by the death of Lieutenant Stephen Dod.

JAMES K. POLK.

WASHINGTON, *March 2d*, 1846.

To the Senate of the United States:

I nominate Andrew J. Donelson to be envoy extraordinary and minister plenipotentiary of the United States at the court of His Majesty the King of Prussia, in the place of Henry Wheaton, who has asked to be recalled.

JAMES K. POLK.

WASHINGTON, *4th March*, 1846.

To the Senate of the United States:

I nominate Alexander B. Meek to be attorney of the United States for the southern district of Alabama, from and after the 8th March, 1846, in the place of George I. S. Walker, whose commission will then expire.

Samuel I. Masters, of New York, to be consul of the United States for the port of Demerara, in British Guiana, in the place of Moses Benjamin, deceased.

Ezra Daggett to be deputy postmaster at Milledgeville, in the State of Georgia, from the 2d of February, 1846, his former commission having then expired.

JAMES K. POLK.

WASHINGTON, *March* 5, 1846.

To the Senate of the United States:

I nominate Luther Brackett, of Maine, to be consnl of the United States for the port of Pictou, in Nova Scotia, in the place of John I. Peavey, deceased.

Quentin Busbee, of North Carolina, to be a purser in the Navy to fill a vacancy occasioned by the death of Purser C. C. Rice.

JAMES K. POLK.

WASHINGTON, *9th March*, 1846.

The messages were read.

Ordered, That the nominations of William Minor, James Carson, John M. Thayer, and John W. Williams be referred to the Committee on the District of Columbia.

Ordered, That the nominations of Philip Poultney, Samuel J. Masters, and Luther Brackett be referred to the Committee on Commerce.

Ordered, That the nominations of George Wells and Quentin Busbee be referred to the Committee on Naval Affairs.

Ordered, That the nomination of Andrew J. Donelson be referred to the Committee on Foreign Relations.

Ordered, That the nomination of Alexander B. Meek be referred to the Committee on the Judiciary.

Ordered, That the nomination of Ezra Daggett be referred to the Committee on the Post Office and Post-Roads.

Mr. Ashley, from the Committee on the Judiciary, to whom was referred, on the 24th February, the nomination of Alexander Hunter, reported.

Whereupon

Resolved, That the Senate advise and consent to his appointment, agreeably to the nomination.

Mr. Fairfield, from the Committee on Naval Affairs, to whom was recommitted, on the 5th February, the nomination of Isaac H. Wright, reported.

Mr. Dayton presented a remonstrance from William Plume and others, of Newark, in the State of New Jersey, against the confirmation of the nomination of Wilson Knott; which was referred to the Committee on the Post-Office and Post Roads.

On motion by Mr. Sevier,

The Senate proceeded to consider the nomination of James McKissick; and

Resolved, That the Senate advise and consent to his appointment, agreeably to the nomination.

On motion by Mr. Ashley,

The Senate proceeded to consider the nomination ot Burrington Anthony; and

After debate,

On motion by Mr. Greene,

The Senate adjourned.

WEDNESDAY, MARCH 11, 1846.

The Senate resumed the consideration of the nomination of Burrington Anthony; and

After debate,

Resolved, That the Senate advise and consent to his appointment, agreeably to the nomination.

On motion by Mr. Breese,

The Senate proceeded to consider the nomination of Allen McLane; and

Resolved, That the Senate advise and consent to his appointment, agreeably to the nomination.

Mr. Dix, from the Committee on Commerce, to whom was referred, on the 10th instant, the nomination of Samuel J. Masters, reported.

Whereupon

Resolved, That the Senate advise and consent to his appointment, agreeably to the nomination.

WEDNESDAY, MARCH 18, 1846.

The following message was received from the President of the United States, by Mr. Walker, his secretary:

To the Senate of the United States:

I nominate Thomas Gadsden to be surveyor and inspector of the revenue for the port of Charleston, in the State of South Carolina, vice Thomas H. Jervey, deceased.

James McGuire to be surveyor and inspector of the revenue for the part of Alexandria, in the District of Columbia, to take effect on the 23d of March, 1846, vice Benjamin T. Fendall, whose commission will expire on that day.

Nathaniel Hawthorne to be surveyor of the district of Salem and Beverly and inspector of the revenue for the port of Salem, in the State of Massachusetts, vice Nehemiah Brown, removed.

John D. Howard to be naval officer for the district of Salem and Beverly, in the State of Massachusetts, to take effect on the 12th day of April, 1846, vice Abraham True, whose commission will expire on that day.

Christopher R. Dickson to be deputy postmaster at Jackson, in the State of Mississippi, vice Howell Hobbs, removed.

JAMES K. POLK.

WASHINGTON, *March* 17, 1846.

The message was read.

Ordered, That the nominations of Thomas Gadsden, James McGuire, Nathaniel Hawthorne, and John D. Howard be referred to the Committee on Commerce.

Ordered, That the nomination of Christoper R. Dickson be referred to the Committee on the Post Office and Post-Roads.

Mr. Allen, from the Committee on Foreign Relations to whom was referred, on the 10th instant, the nomination of Andrew J. Donelson, reported.

Whereupon

Resolved, That the Senate advise and consent to his appointment, agreeably to the nomination.

Mr. Breese, from the Committee on the District of Columbia, to whom were referred, on the 24th February, the nominations of Joseph M. Fearson and William F. Purcell, and on the 10th instant those of William Minor, James Carson, John M. Thayer, and John W. Williams, reported.

Whereupon

Resolved, That the Senate advise and consent to the appointment of the said persons, agreeably to their nominations respectively.

Mr. Dix, from the Committee on Commerce, to whom were recommitted, on the 24th February, the nominations of Otis N. Cole and Henry W. Rogers, reported.

Whereupon

Resolved, That the Senate advise and consent to the appointment of the said persons, agreeably to their nominations respectively.

Mr. Niles, from the Committee on the Post-Office and Post-Roads, to whom were referred, on the 29th December, the nominations of William N. Friend and Wilson Knott, on the 22d January that of James K. Gibson, and on the 24th February that of Alexander Newman, reported.

Mr. Ashley, from the Committee on the Judiciary, to whom was referred, on the 10th instant, the nomination of Alexander B. Meek, reported.

Mr. Benton, from the Committee on Military Affairs, to whom were referred, on the 12th January, the nominations for promotion and appointment in the Army of the United States, made the following report:

The Committee on Military Affairs, to whom was referred the President's message of January 12th, report the same to the Senate, with the recommendation that all the nominations to promotions and appointment in the said message be confirmed, except that of Captain Scott, nominated for promotion to major, and those of the lieutenants of the 5th Infantry, dependent upon the promotion of Captain Scott, and except Lieutenant Lafayette B. Wood, already confirmed as a lieutenant in said regiment, and except also Lieutenant Charles S. Hamilton, nominated in place of Deas, promoted, and whose place was already filled by promotion of Lieutenant Wood.

Whereupon

Resolved, That the Senate advise and consent to the promotion of Jeremy F. Gilmer, Edward B. Hunt, Reuben P. Campbell, George W. Ayers, Isaac F. Quinby, Greenleaf Dearborn, Robert P. Maclay, John G. Burbank, and Alfred Crozet, and to the appointment of William Roberts and Grayson M. Prevost, agreeably to their nominations respectively.

The Senate proceeded to consider the nominations of Richard H. Stanton, Nathan L. Woodbury, Harvey Chapin, Edward W. Green, George F. Worth, Thomas Shepherd, Michael Hoffman, George W. Pomeroy, Stephen R. Mallory, James H. Weakly, James C. Sloo, and Wyatt I. Draughn; and

Resolved, That the Senate advise and consent to the appointment of the said persons, agreeably to the nominations respectively.

Mr. Breese, from the Committee on Public Lands, to whom was referred, on the 29th December, the nomination of Ephraim D. Dickson, reported.

Whereupon

Resolved, That the Senate advise and consent to his appointment, agreeably to the nomination.

The Senate proceeded to consider the nomination of Parker McCobb; and,

On motion by Mr. Sevier,

Ordered, That it lie on the table.

THURSDAY, MARCH 19, 1846.

Mr. Fairfield, from the Committee on Naval Affairs, to whom was referred, on the 10th instant, the nomination of George Wells, reported.

Mr. Dix, from the Committee on Commerce, to whom were referred, on the 29th December, the nominations of Joseph H. Jordan and Henry Horn, and on the 15th January that of Amos Nourse, reported.

Mr. Dickinson submitted the following resolution for consideration:

Resolved, That whenever the Senate shall consent and agree to any nomination by the President, the resolution of such consent shall not be transmitted to the President until after the next executive session, unless otherwise specially ordered by the Senate.

MONDAY, MARCH 23, 1846.

Mr. Allen, from the Committee on Foreign Relations, to whom was referred, on the 3d February, the treaty of commerce and navigation between the United States of America and His Majesty the King of the Belgians, reported the same with an amendment; which was read.

On motion by Mr. Allen,

The Senate proceeded, as in Committee of the Whole, to consider the treaty; and no amendment having been made thereto, it was reported to the Senate.

Mr. Allen submitted the following resolution:

Resolved (*two-thirds of the Senators present concurring*), That the Senate advise and consent to the ratification of the treaty of commerce and navigation between the United States of America and His Majesty the King of the Belgians, concluded at Brussels the 10th of November, 1845, with the following amendment:

In the concluding paragraph of the treaty strike out the word "forty-nine" and insert the word *forty-five*.

After debate,

On motion by Mr. Allen,

Ordered, That the treaty be postponed to and made the order of the day for Thursday next, the 26th instant.

The following message was received from the President of the United States, by Mr. Walker, his secretary:

To the Senate of the United States:

I nominate Thomas P. Moore, of Kentucky, as Indian agent for the Indian tribes on the Upper Missouri, in the place of Andrew Dripps, removed.

JAMES K. POLK.

WASHINGTON, *March* 23, 1846.

The message was read.

Ordered, That the nomination of Thomas P. Moore be referred to the Committee on Indian Affairs.

Mr. Dix, from the Committee on Commerce, to whom were referred, on the 5th February, the nominations of Thomas Mussey and Charles S. A. Davis, reported.

Whereupon

Resolved, That the Senate advise and consent to the appointment of the said persons, agreeably to their nominations respectively.

Mr. Niles, from the Committee on the Post-Office and Post-Roads, to whom was referred, on the 29th December, the nomination of William L' Hommedieu, reported.

Mr. Niles, from the Committee on the Post-Office and Post-Roads, to whom was referred, on the 18th instant, the nomination of Christopher R. Dickson, reported.

Whereupon

Resolved, That the Senate advise and consent to his appointment, agreeably to the nomination.

Mr. Fairfield, from the Committee on Naval Affairs, to whom was referred, on the 10th instant, the nomination of George Wells, reported.

Whereupon

Resolved, That the Senate advise and consent to his appointment, agreeably to the nomination.

Mr. Haywood, from the Committee on Commerce, to whom was referred, on the 29th December, the nomination of William D. Pritchard, reported.

Whereupon

Resolved, That the Senate advise and consent to his appointment, agreeably to the nomination.

On motion by Mr. Niles,

The Senate proceeded to consider the nomination of Peter G. Washington; and,

After debate,

On motion by Mr. Berrien,

Ordered, That it be postponed until to-morrow.

On motion by Mr Bagby,

The Senate proceeded to consider the nomination of Alexander B. Meek; and

Resolved, That the Senate advise and consent to his appointment, agreeably to the nomination.

TUESDAY, MARCH 24, 1846.

On motion by Mr. Niles,
The Senate proceeded to consider the nomination of Peter G. Washington; and
Resolved, That the Senate advise and consent to his appointment, agreeably to the nomination.
On motion by Mr. Niles,
The Senate proceeded to consider the nomination of Gideon Welles; and,
After debate,
On motion by Mr. Phelps,
The Senate adjourned.

THURSDAY, MARCH 26, 1846.

Mr. Sevier, from the Committee on Indian Affairs, to whom was referred, on the 23d instant, the nomination of Thomas P. Moore, reported.
Mr. Lewis, from the Committee on Finance, to whom were referred, on the 29th December, the nominations of Ransom H. Gillet and John M. McCalla, on the 3d January that of John R. Macmurdo, and, on the 12th February that of Richard I. McCulloh, reported.
Mr. Haywood, from the Committee on Commerce, to whom was referred, on the 20th January, the nomination of James H. Tate, reported.
The Senate resumed the consideration of the treaty of commerce and navigation between the United States of America and His Majesty the King of the Belgians; and the resolution submitted for advising and consenting to its ratification having been modified, by unanimous consent,
On the question to agree thereto,

It was determined in the affirmative,	Yeas	36
	Nays	1

Those who voted in the affirmative are,
Messrs. Allen, Archer, Ashley, Atchison, Bagby, Barrow, Benton, Berrien, Breese, Bright, Calhoun, Cameron, Cass, Chalmers, Corwin, Crittenden, Dickinson, Dix, Fairfield, Hannegan, Haywood, Jenness, Johnson of Maryland, Johnson of Louisiana, Lewis, McDuffie, Miller, Morehead, Niles, Pearce, Pennybacker, Rusk, Sevier, Speight, Turney, Upham.
Mr. John M. Clayton voted in the negative.
So it was
Resolved (*two-thirds of the Senators present concurring*), That the Senate advise and consent to the ratification of the treaty of commerce and navigation between the United States of America and His Majesty the King of the Belgians, concluded at Brussels the 10th of November, eighteen hundred and forty-five.
Ordered, That the Secretary lay the said resolution before the President of the United States.

TUESDAY, MARCH 31, 1846.

On motion by Mr. Sevier,
The Senate proceeded to consider the nomination of Thomas P. Moore; and
Resolved, That the Senate advise and consent to his appointment, agreeably to the nomination.

WEDNESDAY, APRIL 1, 1846.

On motion by Mr. Lewis,

The Senate proceeded to consider the nominations of John R. Macmurdo, John M. McCalla, and Richard I. McCulloh; and

Resolved, That the Senate advise and consent to the appointment of the said persons, agreeably to their nominations respectively.

On motion by Mr. Turney,

The Senate proceeded to consider the nomination of Felix Grundy Mayson; and

Resolved, That the Senate advise and consent to his appointment, agreeably to the nomination.

On motion by Mr. Evans,

Ordered, That the nominations of Joseph H. Jordan and Amos Nourse be recommitted to the Committee on Commerce.

Mr. Miller, from the Committee on the District of Columbia, to whom were referred, on the 22d December, the nominations of Reuben Burdine and Henry Reaver, reported.

Whereupon

Resolved, That the Senate advise and consent to the appointment of the said persons, agreeably to their nominations respectively.

The Senate resumed the consideration of the nomination of Gideon Welles; and,

After debate,

On motion by Mr. Turney,

Ordered, That it be postponed until to-morrow.

On motion by Mr. Chalmers,

The Senate proceeded to consider the nomination of James H. Tate; and

After debate,

On motion by Mr. Webster,

The Senate adjourned.

THURSDAY, APRIL 2, 1846.

Mr. Haywood, from the Committee on Commerce, to whom were referred, on the 18th December, the nominations of William Nelson, Samuel Haight, John T. Pickett, and Frederick B. Wells; on the 29th December, those of James A. Nichols and Patrick Collins; on the 3d January, that of John Dougherty; on the 4th February, those of John S. Shepperd and Thomas Addison; on the 12th February, that of Henry B. Humphrey; on the 19th February, those of M. Hollander and Joseph Sibley; on the 24th February, those of William Gray, William Patterson, James E. Gibble, and William Nelson; on the 10th March, that of Philip Poultney; and on the 18th March, those of Thomas Gadsden, James McGuire, Nathaniel Hawthorne, and John D. Howard, reported.

Whereupon

Resolved, That the Senate advise and consent to the appointment of the said persons, agreeably to their nominations respectively.

Mr. Haywood, from the Committee on Commerce, to whom were referred, on the 29th December, the nominations of Augustus Jenkins and Daniel Vaughn, reported.

On motion by Mr. Ashley,

The Senate proceeded to consider the nomination of Thomas Hartley Crawford; and,

After debate,

On motion by Mr. Sevier,

Ordered, That it be recommitted to the Committee on the Judiciary.

Mr. Jarnagin submitted several papers relating to the nominee; which were referred to the Committee on the Judiciary.

On motion by Mr. Pennybacker,

The Senate proceeded to consider the nomination of Alexander Newman; and

Resolved, That the Senate advise and consent to his appointment, agreeably to the nomination.

THURSDAY, APRIL 9, 1846.

The following messages were received from the President of the United States, by Mr. Walker, his secretary:

To the Senate of the United States:

I nominate Benjamin Patteson to be marshal of the United States for the northern district of Alabama, from and after the 8th of May, 1846, when his present commission will expire.

Robert Cawthon to be deputy postmaster at Lynchburg, in the State of Virginia, from and after the 9th of May, 1846, in the place of Lilburn H. Trigg, whose commission will on that day expire.

Robert Howard to be naval officer for the district of Charleston, in the State of South Carolina, from and after the 12th of May, 1846, when his present commission will expire.

Robert Gale to be surveyor and inspector of the revenue for the port of Havre de Grace, in the State of Maryland, from and after the 10th of May, 1846, in the place of John Chew, whose commission will then expire.

Richard G. Banks to be surveyor and inspector of the revenue for the port of Hampton, in the State of Virginia, from and after the 31st of May, 1846, when his present commission will expire.

Thomas S. Wayne to be surveyor for the district and inspector of the revenue for the port of Savannah, in the State of Georgia, from and after the 31st of May, 1846, when his present commission will expire.

Archer G. Herndon to be receiver of public moneys for the district of lands subject to sale at Springfield, in the State of Illinois, from and after the 14th of May, 1846, when his present commission will expire.

Myer Jacobs to be surveyor for the district and inspector of the revenue for the port of Charleston, in the State of South Carolina, in the place of Thomas Gadsden, who declines to accept the office.

Benton H. Crockett to be collector of the customs for the district and inspector of the revenue for the port of Vienna, in the State of Maryland, his former commission having expired.

Jordan Bennett to be coiner of the United States branch mint at Charlotte, in the State of North Carolina, in the place of I. R. Bolton, deceased.

JAMES K. POLK.

WASHINGTON, *April* 6, 1846.

To the Senate of the United States:

I nominate Andrew I. Isaacs to be receiver of public moneys for the district of lands subject to sale at Natchitoches, in the State of Louisiana, in the place of John Tucker, resigned.

JAMES K. POLK.

WASHINGTON, *April* 7, 1846.

To the Senate of the United States:

I withdraw the nominations of the following officers for promotion in the Army, whose names will be found in the list contained in my message dated January 8th, now before the Senate:

Captain Martin Scott, 5th Regiment of Infantry.

First Lieutenant R. B. Marcy, 5th Regiment of Infantry.

Second Lieutenant Sterne H. Fowler, 5th Regiment of Infantry.

Brevet Second Lieutenant W. K. Van Bokkelin, 7th Regiment of Infantry.

I nominate—

First Regiment of Infantry.

Captain John B. Clark, of the 3d Regiment of Infantry, to be major, November 26, 1845, vice Dearborn, promoted.

Third Regiment of Infantry.

First Lieutenant Philip N. Barbour to be captain, November 26th, 1845, vice Clark, promoted.

Second Lieutenant William B. Johns to be first lieutenant, November 26, 1845, vice Barbour, promoted.

Brevet Second Lieutenant William K. Van Bokkelin, of the Seventh Regiment of Infantry, to be second lieutenant, November 26, 1846, vice Johns promoted.

JAMES K. POLK.

WASHINGTON, *April* 8, 1846.

To the Senate of the United States:

I nominate Archibald Clark to be collector of the customs for the district and inspector of the revenue for the port of St. Mary's, in the State of Georgia, from and after the 6th of May, 1846, when his present commission will expire.

JAMES K. POLK.

WASHINGTON, *April* 8, 1846.

The messages were read.

Ordered, That the nomination of Benjamin Patteson be referred to the Committee on the Judiciary.

Ordered, That the nomination of Robert Cawthon be referred to the Committee on the Post-Office and Post-Roads.

Ordered, That the nominations of Archer G. Herndon and Andrew J. Isaacs be referred to the Committee on Public Lands.

Ordered, That the nomination of Jordan Bennett be referred to the Committee on Finance.

Ordered, That the nominations of Robert Howard, Robert Gale, Richard G. Banks, Thomas S. Wayne, Myer Jacobs, Benton H. Crockett, and Archibald Clark, be referred to the Committee on Commerce.

On motion by Mr. Benton,

The Senate, by unanimous consent, proceeded to consider the nominations of John B. Clark, Philip N. Barbour, William B. Johns, and William K. Van Bokkelin; and

Resolved, That the Senate advise and consent to the appointment of the said persons, agreeably to their nominations respectively.

Mr. Allen, from the Committee on Foreign Relations, to whom was referred, on the 28th January, the treaty of commerce and navigation

between the United States of America and the King of the Kingdom of the Two Sicilies, reported it without amendment.

Mr. Fairfield, from the Committee on Naval Affairs, to whom was referred, on the 10th March, the nomination of Quentin Busbee, reported.

Mr. Haywood, from the Committee on Commerce, to whom were referred, on the 18th December, the nominations of Gorham Parks, George H. Goundie, Thomas W. Gilpin, Thomas B. Adams, Charles Ward, Samuel D. Heap, Stewart Steel, and Robert L. Loughead; on the 29th December those of James Taylor, Silas Weaver, Edwin Wilbur, Murray Whallon, John B. Guthrie, and James Fisher, and on the 10th March that of Luther Brackett, reported.

Whereupon

Resolved, That the Senate advise and consent to the appointment of the said persons, agreeably to their nominations respectively.

Mr. Haywood, from the Committee on Commerce, to whom were referred, on the 29th December, the nominations of Hezekiah Willard, Micajah Hawks, Nathan Bardin, William I. Miller, Benjamin M. Bosworth, Silas A. Comstock, and Russell G. Hopkinson, and to whom were recommitted, on the 1st instant, the nominations of Joseph H. Jordan and Amos Nourse, reported.

Mr. Breese, from the Committee on Public Lands, to whom was referred, on the 29th December, the nomination of William Adams, reported.

On motion by Mr. Cameron,

The Senate proceeded to consider the nomination of Albert G. Clary; and

Resolved, That the Senate advise and consent to his appointment, agreeably to the nomination.

On motion by Mr. Allen,

The Senate proceeded to consider the nomination of Timothy P. Spencer; and

Resolved, That the Senate advise and consent to his appointment, agreeably to the nomination.

On motion by Mr. Pennybacker,

The Senate proceeded to consider the nomination of James K. Gibson; and

Resolved, That the Senate advise and consent to his appointment, agreeably to the nomination.

SATURDAY, APRIL 11, 1846.

Mr. Breese, from the Committee on Public Lands, to whom was referred, on the 9th instant, the nominations of Archer G. Herndon and Andrew I. Isaacks, reported.

Whereupon

Resolved, That the Senate advise and consent to the appointment of said persons, agreeably to their nominations respectively.

On motion by Mr. Allen,

The Senate, as in Committee of the Whole, proceeded to consider the treaty of commerce and navigation between the United States of America and the King of the Kingdom of the Two Sicilies; and no amendment being made, it was reported to the Senate.

Mr. Allen submitted the following resolution:

Resolved (*two-thirds of the Senators concurring*), That the Senate advise and consent to the ratification of the treaty of commerce and navigation between the United States of America and the King of the King-

dom of the Two Sicilies, concluded at Naples the 1st day of December, 1845.

The Senate proceeded, by unanimous consent, to consider the said resolution; and

On the question to agree thereto,

It was determined in the affirmative, { Yeas..... 37 / Nays,..... 2

Those who voted in the affirmative are,

Messrs. Allen, Ashley, Atchison, Atherton, Bagby, Barrow, Benton, Berrien, Breese, Bright, Calhoun, Chalmers, John M. Clayton, Corwin, Crittenden, Dayton, Dickinson, Dix, Fairfield, Greene, Haywood, Houston, Jarnagin, Jenness, Johnson of Louisiana, Lewis, McDuffie, Mangum, Miller, Morehead, Niles, Pennybacker, Rusk, Sevier, Sturgeon, Turney, Westcott.

Those who voted in the negative are,

Messrs. Thomas Clayton, Davis.

So the resolution was agreed to.

Ordered, That the Secretary lay the said resolution before the President of the United States.

The Senate resumed the consideration of the nomination of James H. Tate; and,

After debate,

Resolved, That the Senate advise and consent to his appointment, agreeably to the nomination.

MONDAY, APRIL 13, 1846.

Mr. Sevier, from the Committee on Indian Affairs, to whom was referred, on the 12th February, the treaty with the Kansas tribe of Indians, reported it without amendment.

The Senate, as in Committee of the Whole, proceeded to consider the said treaty; and no amendment being made thereto, it was reported to the Senate.

Mr. Sevier submitted the following resolution:

Resolved (*two-thirds of the Senators present concurring*), That the Senate advise and consent to the ratification of the articles of a treaty made and concluded at the Methodist Mission, in the Kansas country, between Thomas H. Harvey and Richard W. Cummins, Commissioners of the United States, and the Kansas tribe of Indians, on the 14th of January, 1846.

The Senate proceeded, by unanimous consent, to consider the said resolution; and

On the question to agree thereto,

It was determined in the affirmative, { Yeas..... 33 / Nays 1

Those who voted in the affirmative are,

Messrs. Allen, Archer, Ashley, Atchison, Atherton, Bagby, Benton, Breese, Chalmers, Corwin, Dickinson, Dix, Fairfield, Greene, Haywood, Houston, Jarnagin, Jenness, Johnson of Maryland, Johnson of Louisiana, Lewis, Mangum, Morehead, Niles, Pennybacker, Phelps, Rusk, Sevier, Simmons, Speight, Turney, Webster, Westcott.

And Mr. Hannegan voted in the negative.

So the resolution was agreed to.

Ordered, That the Secretary lay the said resolution before the President of the United States.

On motion by Mr. Pennybacker,
The Senate proceeded to consider the nomination of William N. Friend; and
Resolved, That the Senate advise and consent to his appointment, agreeably to the nomination.

TUESDAY, APRIL 14, 1846.

On motion by Mr. Niles,
That the Senate proceed to the consideration of the nomination of Gideon Welles,

The votes being equal, { Yeas ..... 20 / Nays 20

The Vice-President determined the question in the affirmative.
On motion by Mr. Niles,
The yeas and nays being desired by one-fifth of the Senators present,
Those who voted in the affirmative are,
Messrs. Allen, Ashley, Atchison, Atherton, Bagby, Benton, Breese, Bright, Cameron, Dickinson, Dix, Fairfield, Hannegan, Houston, Jenness, Niles, Pennybacker, Semple, Sturgeon, Turney.
Those who voted in the negative are,
Messrs. Archer, Calhoun, Chalmers, Crittenden, Dayton, Evans, Greene, Haywood, Huntington, Jarnagin, Johnson of Louisiana, Lewis, McDuffie, Miller, Phelps, Rusk, Speight, Webster, Westcott, Woodbridge.
So the Senate proceeded to consider the nomination of Gideon Welles; and
After debate,
On motion by Mr. Cameron, that the Senate adjourn,

It was determined in the affirmative, { Yeas .. .. 26 / Nays 18

On motion by Mr. Niles,
The yeas and nays being desired by one-fifth of the Senators present,
Those who voted in the affirmative, are,
Messrs. Archer, Barrow, Benton, Bright, Calhoun, Cameron, Chalmers, Thomas Clayton, John M. Clayton, Crittenden, Dayton, Evans, Greene, Haywood, Huntington, Jarnagin, Johnson of Louisiana, Lewis, McDuffie, Miller, Phelps, Simmons, Speight, Webster, Westcott, Woodbridge.
Those who voted in the negative are,
Messrs. Allen, Ashley, Atchison, Atherton, Bagby, Breese, Dickinson, Dix, Fairfield, Hannegan, Houston, Jenness, Niles, Pennybacker, Rusk, Semple, Sturgeon, Turney.
Whereupon
The Senate adjourned.

WEDNESDAY, APRIL 15, 1846.

The following message was received from the President of the United States, by Mr. Walker, his secretary:

To the Senate of the United States:

I nominate James H. Piper, of Virginia, to be principal clerk of public lands in the General Land Office, in place of John M. Moore, removed.

JAMES K. POLK.

WASHINGTON, 14*th April*, 1846.

The message was read.

Ordered, That the nomination of James H. Piper be referred to the Committee on Public Lands.

On motion by Mr. Archer,

The Senate, as in Committee of the Whole, proceeded to consider the convention for the mutual abolition of the droit d'aubaine, droit de detraction, and taxes on emigration, between the United States of America and the Kingdom of Saxony; and an amendment having been made, by unanimous consent, it was reported to the Senate and the amendment was unanimously concurred in.

Mr. Archer submitted the following resolution:

Resolved (two-thirds of the Senators present concurring), That the Senate advise and consent to the ratification of the convention for the mutual abolition of the droit d'aubaine, droit de detraction, and taxes on emigration between the United States of America and the Kingdom of Saxony, concluded at Berlin, on the fourteenth of May, eighteen hundred and forty-five, with the following amendment:

Strike out from Article 7 the word "twelve," and insert *eighteen* in lieu thereof.

The Senate proceeded, by unanimous consent, to consider the said resolution; and

On the question to agree thereto,

It was determined in the affirmative, yeas 43.

Those who voted are,

Messrs. Allen, Archer, Ashley, Atchison, Atherton, Bagby, Barrow, Berrien, Breese, Cameron, Cass, Chalmers, Thomas Clayton, John M. Clayton, Corwin, Dix, Evans, Fairfield, Greene, Hannegan, Haywood, Houston, Huntington, Jarnagin, Johnson of Louisiana, Lewis, McDuffie, Mangum, Miller, Morehead, Niles, Pearce, Pennybacker, Phelps, Rusk, Simmons, Speight, Sturgeon, Turney, Upham, Webster, Westcott, Woodbridge.

So the resolution was agreed to.

Ordered, That the Secretary lay the said resolution before the President of the United States.

The Senate resumed the consideration of the nomination of Gideon Welles; and,

After debate,

On the question, Will the Senate advise and consent to the appointment of Gideon Wells?

The votes being equal, { Yeas 24
Nays 24

The vice-President determined the question in the affirmative.

On motion by Mr. Fairfield,

The yeas and nays being desired by one-fifth of the Senators present,

Those who voted in the affirmative are,

Messrs. Allen, Ashley, Atchison, Bagby, Breese, Cameron, Cass, Chalmers, Dickinson, Dix, Fairfield, Hannegan, Haywood, Houston, Jenness, Lewis, Niles, Pennybacker, Rusk, Semple, Speight, Sturgeon, Turney, Westcott.

Those who voted it the negative are,

Messrs. Archer, Barrow, Benton, Berrien, Calhoun, Thomas Clayton, John M. Clayton, Corwin, Crittenden, Davis, Dayton, Evans, Greene, Huntington, Jarnagin, Johnson of Louisiana, McDuffie, Mangum, Miller, Pearce, Phelps, Upham, Webster, Woodbridge.

So it was

Resolved, That the Senate advise and consent to the appointment of Gideon Welles, agreeably to the nomination.

TUESDAY, APRIL 21, 1846.

Mr. Ashley, from the Committee on the Judiciary, to whom was recommitted, on the 2d instant, the nomination of Thomas Hartly Crawford, reported.

Mr. Niles, from the Committee on the Post-Office and Post-Roads, to whom was referred, on the 9th instant, the nomination of Robert Cawthon, reported.

Mr. Breese, from the Committee on Public Lands, to whom was referred, on the 15th instant, the nomination of James H. Piper, reported.

Whereupon

Resolved, That the Senate advise and consent to his appointment, agreeably to the nomination.

Mr. Haywood, from the Committee on Commerce, to whom was referred, on the 29th December, the nomination of Benjamin E. Carpenter, reported.

Mr. Haywood, from the Committee on the District of Columbia, to whom was referred, on the 3d January, the nomination of Robert Coltman, reported.

Whereupon

Resolved, That the Senate advise and consent to his appointment, agreeably to the nomination.

On motion by Mr. Fairfield,

The Senate proceeded to consider the nomination of Amos Nourse; and,

After debate,

On the question, Will the Senate advise and consent to the appointment of Amos Nourse?

It was determined in the negative, { Yeas ..... 20 / Nays 26

On motion by Mr. Evans,

The yeas and nays being desired by one-fifth of the Senators present,

Those who voted in the affirmative are,

Messrs. Allen, Ashley, Atherton, Bagby, Benton, Breese, Bright, Cass, Dickinson, Dix, Fairfield, Haywood, Houston, Jenness, McDuffie, Niles, Pennybacker, Semple, Sevier, Speight.

Those who voted in the negative are,

Messrs. Archer, Atchison, Barrow, Berrier, Calhoun, Cameron, Thomas Clayton, Colquitt, Corwin, Crittenden, Davis, Evans, Greene, Huntington, Jarnagin, Johnson of Maryland, Johnson of Louisiana, Lewis, Mangum, Miller, Morehead, Pearce, Phelps, Upham, Webster, Westcott.

So it was

Resolved, That the Senate do not advise and consent to the appointment of Amos Nourse to be collector of the customs for the district and inspector of the revenue for the port of Bath, in the State of Maine, in the place of Alfred I. Stone, removed.

On motion by Mr. Haywood,

The Senate proceeded to consider the nomination of Micajah Hawks; and,

After debate,

Resolved, That the Senate do not advise and consent to the appointment of Micajah Hawks to be surveyor and inspector of the revenue for the port of Eastport, in the State of Maine, vice Shilowith S. Whipple, resigned.

The following message was received from the President of the United States, by Mr. Walker, his secretary:

To the Senate of the United States:

I nominate Charles Graebe, of New York, to be consul of the United States for Westphalia and the Prussian provinces of the Rhine, in the place of Louis Mark, who was recalled in 1844.

JAMES K. POLK.

WASHINGTON, *April* 20, 1846.

The message was read.

Ordered, That the nomination of Charles Graebe be referred to the Committee on Commerce.

THURSDAY, APRIL 23, 1846.

The following messages were received from the President of the United States, by Mr. Walker, his secretary:

To the Senate of the United States:

I nominate Benjamin B. Leavitt to be surveyor and inspector of the revenue for the port of Eastport, in the State of Maine, vice Micajah Hawks, rejected.

JAMES K. POLK.

WASHINGTON, *April* 23*d*, 1846.

To the Senate of the United States:

I nominate the persons named in the accompanying list of promotions and appointments in the Army of the United States to the several grades annexed to their names, as proposed by the Secretary of War.

JAMES K. POLK.

WASHINGTON, *April* 23*d*, 1846.

WAR DEPARTMENT, *April* 22, 1846.

To the President of the United States:

SIR: I have the honor respectfully to propose for your approbation the annexed list of officers for promotion and appointment in the Army of the United States.

I am, sir, with great respect, your obed't serv't,

W. L. MARCY.

WAR DEPARTMENT, *April* 23, 1846.

PROMOTIONS AND APPOINTMENTS IN THE ARMY OF THE UNITED STATES.

PROMOTIONS.

Quartermaster's Department.

Captain Daniel D. Tompkins, assistant quartermaster, to be quartermaster, with the rank of major, to date from April 21, 1846.

Corps of Engineers.

First Lieutenant George L. Welcker to be captain, April 25, 1846, vice Bigelow, resigned.

Second Lieutenant Henry L. Smith to be first lieutenant, April 25, 1846, vice Welcker, promoted.

Second Regiment of Dragoons.

First Lieutenant Hamilton W. Merrill to be captain, March 31, 1846, vice Fulton, resigned.*

Brevet Second Lieutenant John Y. Bicknell to be second lieutenant, March 31, 1846.

First Regiment of Artillery.

First Lieutenant Miner Knowlton to be captain, April 21, 1846, vice Tompkins, promoted quartermaster.

Second Lieutenant James B. Ricketts to be first lieutenant, April 21, 1836, vice Knowlton, promoted.

Brevet Second Lieutenant John P. Johnstone, of the Fourth Regiment of Artillery, to be second lieutenant, April 21, 1846, vice Ricketts, promoted.

Second Regiment of Artillery.

First Lieutenant James Duncan to be captain, April 16, 1846, vice Drane, deceased.

Second Lieutenant Leslie Chase to be first lieutenant, April 16, 1846, vice Duncan, promoted.

Brevet Second Lieutenant Roswell S. Ripley, of the Third Regiment of Artillery, to be second lieutenant, March 26, 1846, vice L. H. Allen, resigned.

Brevet Second Lieutenant John J. Peck to be second lieutenant, April 16, 1846, vice Chase, promoted.

Second Regiment of Infantry.

Second Lieutenant Delozier Davidson to be first lieutenant, March 11, 1846, vice Long, deceased

Second Lieutenant George C. Westcott to be first lieutenant, March 15, 1846, vice Burnett, deceased.

Brevet Second Lieutenant Charles E. Jarvis, of the Third Regiment of Infantry, to be second lieutenant, March 11, 1846, vice Davidson, promoted.

Brevet Second Lieutenant Frederick Steele to be second lieutenant, March 15, 1846, vice Westcott, promoted.

Fifth Regiment of Infantry.

Brevet Second Lieutenant Henry R. Selden, of the First Regiment of Infantry, to be second lieutenant, March 25, 1846, vice Whiting, resigned.

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*NOTE.—No second lieutenant is nominated for promotion to *first* lieutenant, vice Merrill, as the colonel of the 2d Dragoons has reported his intention of selecting his *adjutant* from the *second* lieutenants, which he would be prevented from doing should this vacancy of a first lieutenant be now filled, the promotion of 1st Lieut. Merrill to be captain still leaving *ten* first lieutenants in the regiment.

Brevet Second Lieutenant Frederick T. Dent, of the Sixth Regiment of Infantry, to be second lieutenant, March 30, 1846, vice Geisse, resigned.

Seventh Regiment of Infantry.

First Lieutenant Gabriel R. Paul to be captain, April 19, 1846, vice Moore, resigned.

Second Lieutenant Richard S. Smith to be first lieutenant, April 19, 1846, vice Paul, promoted.

Brevet Second Lieutenant John C. McFerran, of the Third Regiment of Infantry, to be second lieutenant, April 19, 1846, vice Smith, promoted.

APPOINTMENTS.

Quartermaster's Department.

First Lieutenant Alexander Montgomery, of the Seventh Regiment of Infantry, to be assistant quartermaster with the rank of captain.

First Lieutenant Robert Allen, of the Second Regiment of Artillery, to be assistant quartermaster with the rank of captain.

First Lieutenant William W. Chapman, of the Second Regiment of Artillery, to be assistant quartermaster with the rank of captain.

Brevet Captain Ripley A. Arnold, first lieutenant of the Second Regiment of Dragoons, to be assistant quartermaster with the rank of captain.

First Lieutenant Robert H. Chilton, of the First Regiment of Dragoons, to be assistant quartermaster with the rank of captain.

First Lieutentant Henry C. Wayne, of the First Regiment of Artillery, to be assistant quartermaster with the rank of captain.

REAPPOINTMENTS.

Pay Department.

Nathan Towson, paymaster-general, reappointed, to take effect May 8, 1846, when his present appointment will expire.

David S. Townsend, paymaster, reappointed, to take effect April 29, 1846, when his present appointment will expire.

Timothy P. Andrews, paymaster, reappointed, to take effect May 22, 1846, when his present appointment will expire.

First Regiment of Dragoons.

Philip Kearny, jr., of New York, late first lieutentant in the First Regiment of Dragoons, to be first lieutenant, to take effect July 22, 1839, the date of his former commission, which he resigned the 6th instant and now desires to recall.

W. L. MARCY.

The messages were read.

Ordered, That the nomination of Benjamin B. Leavitt be referred to the Committee on Commerce.

Ordered, That the nominations for promotion and appointment in the Army be referred to the Committee on Military Affairs.

On motion by Mr. Atchison,

To reconsider the vote of the Senate of the 21st instant rejecting the nomination of Amos Nourse,

On motion by Mr. Haywood,
Ordered, That said motion lie on the table.
On motion by Mr. Sevier,
The Senate proceeded to consider the nomination of William Adams; and
Resolved, That the Senate advise and consent to his appointment, agreeably to the nomination.
On motion by Mr. Ashley,
The Senate proceeded to consider the nomination of Thomas Hartley Crawford; and
Resolved, That the Senate advise and consent to his appointment, agreeably to the nomination.

MONDAY, APRIL 27, 1846.

The following message was received from the President of the United States, by Mr. Walker, his secretary:

To the Senate of the United States:

I nominate Gershom J. Van Brunt, now a lieutenant, to be a commander in the Navy to fill a vacancy occasioned by the death of Commander Richard A. Jones.

William D. Hurst to be a lieutenant in the Navy from the 8th day of September, 1841, to take rank next after Lieutenant George M. Totten, there being a vacancy occasioned by the death of Lieutenant Oliver Tod.

Peter U. Murphey and John B. Randolph, now passed midshipmen, to be lieutenants in the Navy to fill vacancies occasioned by the death of Lieutenant John C. Henry and the promotion of Lieutenant Gershom J. Van Brunt.

JAMES K. POLK.

WASHINGTON, *April* 27, 1846.

The message was read.
Ordered, That the nominations contained therein be referred to the Committee on Naval Affairs.
Mr. Ashley, from the Committee on the Judiciary, to whom was referred, on the 9th instant, the nomination of Benjamin Patteson, reported.
Whereupon
Resolved, That the Senate advise and consent to his appointment, agreeably to the nomination.
On motion by Mr. Fairfield,
The Senate proceeded to consider the motion submitted by Mr. Atchison on the 23d instant, to reconsider the vote of the Senate of the 21st instant rejecting the nomination of Amos Nourse; and
On the question to agree thereto,

It was determined in the negative, { Yeas ..... 17 / Nays 24

On motion by Mr. Mangum,
The yeas and nays being desired by one-fifth of the Senators present,
Those who voted in the affirmative are.
Messrs. Allen, Ashley, Atchison, Atherton, Benton, Breese, Bright, Cass, Dix, Fairfield, Haywood, Houston, Jenness, Niles, Semple, Sevier, Turney.

Those who voted in the negative are,

Messrs. Archer, Barrow, Berrien, Calhoun, Cameron, Thomas Clayton, John M. Clayton, Corwin, Crittenden, Davis, Evans, Huntington, Jarnagin, Johnson of Louisiana, Lewis, Mangum, Miller, Morehead, Pearce, Rusk, Speight, Upham, Westcott, Yulee.

So the motion to reconsider the vote of the Senate rejecting the nomination of Amos Nourse was rejected.

On motion by Mr. Miller,

The Senate proceeded to consider the nomination of Wilson Knott; and

Resolved, That the Senate advise and consent to his appointment, agreeably to the nomination.

The Senate proceeded to consider the nomination of Seth Barton; and,

On motion by Mr. Johnson, of Louisiana,

Ordered, That it be postponed until to-morrow.

The Senate proceeded to consider the nominations of John Y. Mason, jr., John F. Steele, Edward C. Doran, William B. Hartwell, and Quentin Busbee; and

Resolved, That the Senate advise and consent to the appointment of the said persons, agreeably to their nominations respectively.

The Senate proceeded to consider the nomination of J. George Harris; and,

After debate,

On motion by Mr. Fairfield,

Ordered, That it lie on the table.

THURSDAY, MAY 7, 1846.

The following messages were received from the President of the United States, by Mr. Walker, his secretary:

To the Senate of the United States:

I nominate Edward B. Marache, of Pennsylvania, to be consul of the United States for the Island of Trinidad, in the place of William Macomb, deceased.

George W. Sneed to be deputy postmaster at Florence, in the State Alabama, in the place of Joshua D. Coffee, removed.

Wilkins Watson to be register of the land office for the district of lands subject to sale at Clinton, in the State of Missouri, vice William Monroe, deceased.

JAMES K. POLK.

WASHINGTON, *April* 30, 1846.

To the Senate of the United States:

I nominate Isaac H. Bronson to be judge of the district court of the United States for the district of Florida.

Chandler C. Yonge to be attorney of the United States for the district of Florida; and

Joseph B. Browne to be marshal of the United States for the district of Florida.

JAMES K. POLK.

WASHINGTON, 5*th May*, 1846.

To the Senate of the United States:

I nominate Johnston Blakeley Carter, now a passed midshipman, to be a lieutenant in the Navy, to fill a vacancy occasioned by the death of Lieutenant L. G. Keith.

JAMES K. POLK.

WASHINGTON, *May* 5, 1846.

To the Senate of the United States:

I nominate Charles R. Belt to be a justice of the peace for the county of Washington, in the District of Columbia.

JAMES K. POLK.

WASHINGTON, *May* 5, 1846.

The messages were read.

Ordered, That the nomination of Edward B. Marache be referred to the Committee on Commerce.

Ordered, That the nomination of George W. Sneed be referred to the Committee on the Post-Office and Post-Roads.

Ordered, That the nomination of Wilkins Watson be referred to the Committee on Public Lands.

Ordered, That the nominations of Isaac H. Bronson, Chandler C. Yonge, and Joseph B. Browne be referred to the Committee on the Judiciary.

Ordered, That the nomination of Johnston Blakeley Carter, be referred to the Committee on Naval Affairs.

Ordered, That the nomination of Charles R. Belt be referred to the Committee on the District of Columbia.

Mr. Haywood, from the Committee on Commerce, to whom were referred, on the 5th February, the nomination of William S. Pomeroy, on the 24th February that of Conway Whittle, and on the 9th April those of Robert Howard, Robert Gale, Richard G. Banks, Thomas S. Wayne, Myer Jacobs, Benton H. Crockett, and Archibalk Clark, reported.

Whereupon

Resolved, That the Senate advise and consent to the appointment of the said persons, agreeably to their nominations respectively.

Mr. Haywood, from the Committee on Commerce, to whom was referred, on the 29th December, the nomination of Isaac H. Hedges, reported.

Mr. Yulee, from the Committee on Naval Affairs, to whom were referred, on the 27th April, the nominations of Gershom J. Van Brunt, William D. Hurst, Peter U. Murphey, and John B. Randolph, reported.

On motion by Mr. Yulee,

The Senate proceeded to consider the nomination of William D. Hurst; and

Resolved, that the Senate advise and consent to his appointment, agreeably to the nomination.

MONDAY, MAY 11, 1846.

Mr. Benton, from the Committee on Military Affairs, to whom were referred, on the 23d April, the nominations for promotion and appointment in the Army of the United States, contained in the message of that day, reported.

Whereupon

Resolved, That the Senate advise and consent to said promotions and appointments, agreeably to the nominations respectively.

Mr. Breese, from the Committee on Public Lands, to whom was referred, on the 7th instant, the nomination of Wilkins Watson, reported.

Whereupon

Resolved, That the Senate advise and consent to his appointment, agreeably to the nomination.

Mr. Ashley, from the Committee on the Judiciary, to whom was referred, on the 29th December, the nomination of William P. Lynde, reported.

Whereupon

Resolved, That the Senate advise and consent to his appointment, agreeably to the nomination.

On motion by Mr. Pennybacker,

The Senate proceeded to consider the nomination of Robert Cawthon; and

Resolved, That the Senate advise and consent to his appointment, agreeably to the nomination.

On motion by Mr. Niles,

The Senate proceeded to consider the nomination of William L'Hommedieu; and

Resolved, That the Senate advise and consent to his appointment, agreeably to the nomination.

On motion by Mr. Atchinson,

The Senate proceeded to consider the nomination of Isaac H. Hedges; and

Resolved, That the Senate do not advise and consent to the appointment of Isaac H. Hedges to be surveyor and inspector of revenue for port of St. Louis, in the State of Missouri, vice Oliver Harris, removed.

On motion by Mr. Cameron,

The Senate proceeded to consider the nomination of Gershom J. Van Brunt; and,

On motion by Mr. Westcott,

Ordered, That it lie on the table.

On motion by Mr. Cameron,

The Senate proceeded to consider the nomination of Peter U. Murphey; and,

On motion by Mr. Huntington,

Ordered, That it lie on the table.

WEDNESDAY, MAY 13, 1846.

The following message was received from the President of the United States, by Mr. Walker, his secretary:

To the Senate of the United States:

I nominate Thomas C. Reynolds to be secretary of the legation of the United States at Madrid, in the place of Jasper H. Livingston, resigned.

JAMES K. POLK.

WASHINGTON, *May* 12, 1846.

The message was read.

On motion by Mr. Allen,

The Senate, by unanimous consent, proceeded to consider the nomination of Thomas C. Reynolds; and

Resolved, That the Senate advise and consent to his appointment, agreeably to the nomination.

MONDAY, MAY 18, 1846.

The following messages were received from the President of the United States, by Mr. Walker, his secretary:

To the Senate of the United States:

I nominate Charles W. Dabney, of Massachusetts, to be consul of the United States for the Azores,or Western Islands, in the place of Samuel Haight, resigned.

JAMES K. POLK.

WASHINGTON, *May* 18, 1846.

To the Senate of the United States:

I nominate John C. Humphreys to be collector of customs for the district and inspector of the revenue for the port of Bath, in the State of Maine, in the place of Amos Nourse, rejected by the Senate.

JAMES K. POLK.

WASHINGTON, *May* 18, 1846.

The messages were read.

Ordered, That the nominations of Charles W. Dabney and John C. Humphreys be referred to the Committee on Commerce.

On motion by Mr. Archer,

The Senate proceeded to consider the nomination of John be Randolph; and

Resolved, That the Senate advise and consent to his appointment, agreeably to the nomination.

On motion by Mr. Haywood,

The Senate proceeded to consider the nominations of Gershom J. Van Brunt and Peter U. Murphey; and

Resloved, That they be recommitted to the Committee on Naval Affairs.

On motion by Mr. Archer, that the vote on confirming the nomination of John B. Randolph be reconsidered, it was determined in the affirmative.

On motion by Mr. John M. Clayton,

Ordered, That the nomination of John B. Randolph be recommitted to the Committee on Naval Affairs.

Mr. Dix, from the Committee on Commerce, to whom was referred, on the 7th instant, the nomination of Edward B. Marache, reported.

On motion by Mr. Sturgeon,

The Senate proceeded to consider the nomination of Benjamin E. Carpenter; and

Ordered, That it be recommitted to the Committee on Commerce.

Mr. Sturgeon presented a recommendation from sundry importing and shipping merchants of Philadelphia in favor of the appointment of Benjamin E. Carpenter; which was referred to the Committee on Commerce.

Mr. Niles, from the Committee on the Post-Office and Post-Roads, to whom was referred, on the 7th instant, the nomination of George W. Sneed, reported.

Whereupon

Resolved, That the Senate advise and consent to his appointment, agreeably to the nomination.

The Senate proceeded to consider the nomination of Seth Barton; and

Resolved, That the Senate advise and consent to his appointment, agreeably to the nomination.

WEDNESDAY, MAY 20, 1846.

The following message was received from the President of the United States, by Mr. Walker, his secretary:

To the Senate of the United States:

I nominate Lewis Warrington, a captain in the Navy, to be Chief of the Bureau of Ordnance and Hydrography, in place of Captain Wm. M. Crane, deceased.

Joseph Smith, a captain in the Navy, to be Chief of the Bureau of Navy Yards and Docks, in place of Captain Lewis Warrington, nominated to the Bureau of Ordnance and Hydrography.

JAMES K. POLK.

WASHINGTON, 19*th May*, 1846.

The message was read.

Ordered, That the nominations of Lewis Warrington and Joseph Smith be referred to the Committee on Naval Affairs.

Mr. Haywood submitted the following resolution; which was considered, by unanimous consent, and agreed to:

Resolved, That the injunction of secrecy be removed from the message of the President of the United States of the 13th December, 1824, communicating to the Senate the convention between the United States of America and Russia, concluded at St. Petersburg the $\frac{5}{17}$ April, 1824, together with the documents appertaining to the negotiation of the same which accompanied the said message.

MONDAY, MAY 25, 1846.

The following messages were received from the President of the United States, by Mr. Walker, his secretary:

To the Senate of the United States:

I nominate James G. Sturgeon to be military storekeeper, vice Richard B. Butler removed.

JAMES K. POLK.

WASHINGTON CITY, *May 22d*, 1846.

To the Senate of the United States:

I nominate the following persons for appointments in the Army of the United States in the regiment of Mounted Riflemen, or Third Regiment of Dragoons, as authorized by the act approved May 19, 1846:

Persifor F. Smith to be colonel.
John C. Fremont to be lieutenant-colonel.
George S. Burbridge to be major.
William H. Loring to be captain.
Winslow F. Sanderson to be captain.
Samuel H. Walker to be captain.
Henry C. Pope to be captain.
George B. Crittenden to be captain.
Stephens T. Mason to be captain.

John S. Simonson to be captain.
John B. Backenstoss to be captain.
Bela M. Hughes to be captain.
Stephen S. Sucker to be captain
Benjamin S. Roberts to be first lieutenant.
Thomas Ewell to be first lieutenant.
Andrew Porter to be first lieutenant.
Michael E. Van Buren to be first lieutenant.
Llewellen Jones to be first lieutenant.
Noah Newton to be first lieutenant.
Thomas Duncan to be first lieutenant.
William W. Taylor to be first lieutenant.
Andrew J. Lindsay to be first lieutenant.
John G. Walker to be first lieutenant.
Spear S. Tipton to be first lieutenant.
Thomas Claiborne, jr. to be second lieutenant.
Thomas G. Rhett to be second lieutenant.
Charles L. Denman to be second lieutenant.
Washington L. Elliott to be second lieutenant.
Thomas Davis to be second lieutenant.
George McLane to be second lieutenant.
Murray Morris to be second lieutenant.
Llewellen Rague to be second lieutenant.
Francis F. K. Russell to be second lieutenant.
Julian May to be second lieutenant.

JAMES K. POLK.

WASHINGTON, *May* 25, 1846.

The messages were read.

Ordered, That the nominations contained therein be referred to the Committee on Military Affairs.

The Vice-President communicated the memorial of James W. Schaumburg, applying for a reconsideration of the proceedings of the Senate in relation to his case at the session of March, eighteen hundred and forty-five.

Mr. Fairfield, from the Committee on Naval Affairs, to whom were referred, on the 20th instant, the nominations of Lewis Warrington and Joseph Smith, reported.

Whereupon

Resolved, That the Senate advise and consent to the appointment of the said persons, agreeably to their nominations respectively.

On motion by Mr. Cameron,

The Senate proceeded to consider the nomination of Henry Horn; and,

After debate,

On the question, Will the Senate advise and consent to the appointment of Henry Horn?

It was determined in the negative, { Yeas ..... 21 / Nays 25

On motion by Mr. John M. Clayton,

The yeas and nays being desired by one-fifth of the Senators present,

Those who voted in the affirmative are,

Messrs. Allen, Ashley, Atherton, Bagby, Benton, Breese, Cass, Chalmers, Dickinson, Dix, Fairfield, Haywood, Houston, Jenness, McDuffie, Niles, Pennybacker, Rusk, Semple, Sturgeon, Turney.

Those who voted in the negative are,

Messrs. Archer, Barrow, Berrien, Calhoun, Cameron, Thomas Clayton, John M. Clayton, Corwin, Crittenden, Davis, Dayton, Greene, Huntington, Jarnagin, Johnson, of Maryland, Johnson, of Louisiana, Mangum, Miller, Morehead, Pearce, Simmons, Upham, Webster, Westcott, Woodbridge.

So it was

Resolved, That the Senate do not advise and consent to the appointment of Henry Horn to be collector of the customs for the district of Philadelphia, in the State of Pennsylvania, vice Calvin Blythe, removed.

TUESDAY, MAY 26, 1846.

The following messages were received from the President of the United States, by Mr. Walker, his secretary:

To the Senate of the United States:

In my message of the 25th instant I nominated Francis F. K. Russell to be a second lieutenant in the regiment of Mounted Riflemen. It should have been Francis S. K. Russell, whom I now nominate in the place of Francis F. K. Russell, withdrawn.

JAMES K. POLK.

WASHINGTON, *May* 26, 1846.

To the Senate of the United States:

I nominate for the rank of major-general, by brevet, in the Army of the United States, Zachary Taylor, now a brevet brigadier-general, for his gallant conduct and distinguished services in the successful victories over superior Mexican forces at Palo Alto and Resaca de la Palma, on the 8th and 9th days of May, 1846, to take rank as such from the last-mentioned day.

JAMES K. POLK.

WASHINGTON, *May* 26, 1846.

To the Senate of the United States:

A convention was concluded at Lima, on the 17th March, 1841, between the United States and the Republic of Peru, for the adjustment of claims of our citizens upon that Republic. It was stipulated by the seventh article of this convention that "it shall be ratified by the contracting parties, and the ratifications shall be exchanged within two years from its date, or sooner, if possible, after having been approved by the President and Senate of the United States, and by the Congress of Peru."

This convention was transmitted by the President to the Senate for their consideration during the extra session of 1841, but it did not receive their approbation until the 5th January, 1843. This delay rendered it impracticable that the convention should reach Lima before the 17th March, 1843, the last day when the ratifications could be exchanged under the terms of its seventh article. The Senate, therefore, extended the time for this purpose until the 20th December, 1843.

In the mean time, previous to the 17th March, 1843, General Menendez, the constitutional President of Peru, had ratified the convention, declaring, however, in the act of ratification itself (which is without date), that "the present convention and ratification are to be submitted within the time stipulated in the seventh article for the final ap-

probation of the National Congress" This was, however, rendered impossible from the fact that no Peruvian Congress assembled from the date of the convention until the year 1845.

When the convention arrived at Lima, General Menendez had been deposed by a revolution, and General Vivanco had placed himself at the head of the Government. On the 16th July, 843, the convention was ratified by him in absolute terms, without the reference to Congress which the constitution of Peru requires, because, as the ratification states, "under existing circumstances the Government exercises the legislative powers demanded by the necessities of the state." The ratifications were accordingly exchanged at Lima on the 22d Jul., 1843, and the convention itself was proclaimed at Washington by the President on the 21st day of February, 1844.

In the mean time General Vivanco was deposed, and on the 12th Octobr, 1843, the Government then in existence published a decree declaring all his administrative acts to be null and void; and, notwithstanding the earnest and able remonstrances of Mr. Pickett, our chargé d'affaires at Lima, the Peruvian Government have still persisted in declaring that the ratification of the convention by Vivanco was invalid.

After the meeting of the Peruvian Congress in 1845, the convention was submitted to that body, by which it was approved on the 21st October last, "with the condition, however, that the first installment of thirty thousand dollars on account of the principal of the debt thereby recognized, and to which the 2d article relates, should begin from the first day of January, 1846, and the interest on this annual sum, according to article 3d, should be calculated and paid from the first day of January, 1842, following in all other respects besides this modification the terms of the convention."

I am not in possession of the act of the Congress of Peru containing this provision, but the information is communicated through a note under date of the 15th November, 1845, from the minister of foreign affairs of Peru to the chargé d'affaires of the United States at Lima. A copy of this note has been transmitted to the Department of State both by our chargé d'affaires at Lima and by the Peruvian minister of foreign affairs, and a copy of the same is herewith transmitted.

Under these circumstances, I submit to the Senate for their consideration the amendment to the convention thus proposed by the Congress of Peru, with a view to its ratification. It would have been more satisfactory to have submitted the act itself of the Peruvian Congress, but, on account of the great distance, if I should wait until its arrival another year might be consumed, whilst the American claimants have already been too long delayed in receiving the money justly due to them. Several of the largest of these claimants would, I am informed, be satisfied with the modification of the convention adopted by the Peruvian Congress.

A difficulty may arise in regard to the form of any proceeding which the Senate might think proper to adopt, from the fact that the original convention approved by them was sent to Peru, and was exchanged for the other original, ratified by General Vivanco, which is now in the Department of State. In order to obviate this difficulty as far as may be in my power, I transmit a copy of the convention, under the seal of the United States, on which the Senate might found any action they may deem advisable.

I would suggest that should the Senate advise the adoption of the amendment proposed by the Peruvian Congress, the time for exchang-

ing the ratifications of the amended convention ought to be extended for a considerable period, so as to provide against all accidents in its transmission to Lima.

JAMES K. POLK.

WASHINGTON, *May* 26, 1846.

The messages were read.

On motion by Mr. Crittenden,

The Senate, by unanimous consent, proceeded to consider the nomination of Zachary Taylor; and

On the question, Will the Senate advise and consent to the appointment of Zachary Taylor?

It was determined in the affirmative, yeas 51.

On motion by Mr. Allen,

The yeas and nays being desired by one-fifth of the Senators present,

Those who voted are,

Messrs. Allen, Archer, Ashley, Atchison, Atherton, Bagby, Barrow, Benton, Berrien, Breese, Bright, Calhoun, Cameron, Cass, Chalmers, Thomas Clayton, John M. Clayton, Colquitt, Corwin, Crittenden, Davis, Dayton, Dickinson, Dix, Fairfield, Greene, Hannegan, Haywood, Houston, Huntington, Jarnagin, Jenness, Johnson of Maryland, Johnson of Louisiana, Lewis, McDuffie, Maugum, Miller, Morehead, Niles, Pearce, Pennybacker, Rusk, Semple, Simmons, Sturgeon, Turney, Upham, Webster, Westcott, Yulee.

So it was

Resolved, That the Senate advise and consent to the appointment of Zachary Taylor, a brevet brigadier-general, to be a brevet major-general in the Army of the United States, for his gallant conduct and distinguished services in the successive victories over superior Mexican forces at Palo Alto and Resaca de la Palma, on the 8th and 9th days of May, 1846, to take rank as such from the last-mentioned day, agreeably to the nomination.

On motion by Mr. Huntington,

Ordered, That the injunction of secrecy be removed from the proceedings of the Senate on the nomination of Zachary Taylor.

On motion by Mr. Allen,

Ordered, That the message communicating an amendment proposed by the Government of the Republic of Peru to the "convention between the United States of America and the Republic of Peru concluded at Lima the 17th March, 1841," and the documents accompanying the same, be referred to the Committee on Foreign Relations and printed in confidence for the use of the Senate.

Mr. Benton, from the Committee on Military Affairs, to whom were referred, on the 25th instant, the nominations of Persifor F. Smith and others contained in the same message, reported.

WEDNESDAY, MAY 27, 1846.

The following messages were received from the President of the United States, by Mr. Walker, his secretary:

To the Senate of the United States:

I nominate James Fiora, of New York, to be consul of the United States for the city of Manchester, in England.

JAMES K. POLK.

WASHINGTON, 27*th May*, 1846.

To the Senate of the United States:

I nominate John C. Watrous to be judge of the district court of the United States for the district of Texas.

George W. Brown to be attorney of the United States for the district of Texas.

John M. Allen to be marshal of the United States for the district of Texas.

JAMES K. POLK.

WASHINGTON, 27*th May*, 1846.

The messages were read.

Ordered, That the nomination of James Fiora be referred to the Committee on Commerce.

Ordered, That the nominations of John C. Watrous, George W. Brown, and John M. Allen be referred to the Committee on the Judiciary.

On motion by Mr. Benton,

The Senate proceeded to consider the nominations of officers in the regiment of mounted riflemen, contained in the message of the 25th instant; and,

After debate,

Resolved, That the Senate advise and consent to the appointment of the said persons, agreeably to their nominations respectively.

Mr. Dix, from the Committee on Military Affairs, to whom was referred, on the 25th instant, the nomination of James G. Sturgeon, reported.

Resolved, That the Senate advise and consent to his appointment, agreeably to the nomination.

THURSDAY, MAY 28, 1846.

The following messages were received from the President of the United States, by Mr. Walker, his secretary:

To the Senate of the United States:

I nominate George T. Nichols to be surveyor and inspector of the revenue for the port of North Kingston, in the State of Rhode Island, in the place of William Halloway, removed.

JAMES K. POLK.

WASHINGTON, *May* 28, 1846.

To the Senate of the United States:

I withdraw the nomination of Isaac H. Wright to be Navy agent for the port of Boston, Massachusetts; and

I nominate Joseph Hall, of Boston, to be Navy agent in his stead.

JAMES K. POLK.

WASHINGTON, *May* 28, 1846.

To the Senate of the United States:

In my message of the 25th instant I nominated William *H.* Loring to be a captain in the regiment of mounted riflemen. The true name is William *W.* Loring. I also nominated John B. Backenstoss to be a captain in the same regiment. The true name is Jacob B. Backenstoss.

I therefore nominate William W. Loring and Jacob B. Backenstoss to be captains in the regiment of mounted riflemen, to take rank from May 27, 1846, the date of the confirmation by the Senate under the erroneous names.

JAMES K. POLK.

WASHINGTON, *May* 28, 1846.

The messages were read.

Ordered, That the nomination of George T. Nichols be referred to the Committee on Commerce.

Ordered, That the nomination of Joseph Hall be referred to the Committee on Naval Affairs.

On motion by Mr. Yulee,

The Senate, by unanimous consent, proceeeded to consider the nominations of William W. Loring and Jacob B. Backenstoss; and

Resolved, That the Senate advise and consent to the appointment of William W. Loring and Jacob B. Backenstoss to be captains in the regiment of mounted riflemen, to take rank from May 27, 1846, the date of the confirmation by the Senate under the erroneous names, agreeably to the nomination.

Mr. Breese, from the Committee on the District of Columbia, to whom was referred, on the 7th instant, the nomination of Charles R. Belt, reported.

The Senate proceeded to consider the nomination of Marcus Morton; and

On the question, Will the Senate advise and consent to the appointment of Marcus Morton?

It was determined in the affirmative, { Yeas ..... 28 / Nays 11

On motion by Mr. Haywood,

The yeas and nays being desired by one-fifth of the Senators present,

Those who voted in the affirmative are,

Messrs. Allen, Ashley, Atchison, Atherton, Bagby, Benton, Breese, Bright, Thomas Clayton, Davis, Dickinson, Dix, Fairfield, Haywood, Houston, Jenness, Johnson of Maryland, Miller, Niles, Pennybacker, Rusk, Semple, Sevier, Speight, Sturgeon, Webster, Woodbridge, Yulee.

Those who voted in the negative are,

Messrs. Berrien, Chalmers, John M. Clayton, Colquitt, Crittenden, Greene, Jarnagin, Lewis, Maugum, Turney, Wescott.

So it was

Resolved, That the Senate advise and consent to the appointment of Marcus Morton, agreeably to the nomination.

FRIDAY, MAY 29, 1846.

The following message was received from the President of the United States, by Mr. Walker, his secretary:

To the Senate of the United States:

I nominate Henry Horn to be collector of the customs for the district of Philadelphia, in the State of Pennsylvania.

JAMES K. POLK.

WASHINGTON, *May* 29, 1846.

The message was read.

Ordered, That the nomination of Henry Horn be referred to the Committee on Commerce.

Mr. Allen, from the Committee on Foreign Relations, to whom was referred, on the 26th instant, the message from the President relating to the convention with the Republic of Peru, reported the following preamble and resolution:

Whereas the seventh article of the convention between the United States of America and the Republic of Peru concluded at Lima the 17th March, 1841, require that the ratifications by the contracting parties should be exchanged within two years from its date, which provision was not observed by the said parties, owing to delays in the ratification rendering such exchange impracticable within the time stipulated; and whereas it appears by the message of the President of the United States of the 26th instant, and by a communication from the minister of foreign affairs of the Republic of Peru of the 15th November, 1845, that the duly constituted authorities of that Republic did, on the 21st of October, 1845, by law approve "in all respects the said convention, with the condition, however, that the first annual instalment of thirty thousand dollars on account of the principal of the debt recognized thereby, and to which the second article relates, should begin from the 1st of January, 1846, and the interest on this annual sum, according to article third, should be calculated and paid from the 1st of January, 1842, following in all other respects besides this modification the terms of the convention": Therefore,

Resolved (*two-thirds of the Senators present concurring*), That the Senate advise and consent that the first annual instalment of thirty thousand dollars shall begin on the 1st January, 1846, instead of 1st January, 1844, as required by the second article of the convention between the United States of America and the Republic of Peru concluded at Lima the 17th March, 1841, and that an instalment of thirty thousand dollars be paid on the first day of each succeeding January until the whole sum of three hundred thousand dollars shall be paid, with interest on each instalment as stipulated in the third article of the said convention; and that the ratification and exchange of ratifications of the said convention, and of the modification to which the advice and consent of the Senate are hereby given, shall be valid if made at any time within two years from this day.

The Senate, by unanimous consent, proceeded to consider the said preamble and resolution; and

On the question to agree thereto,

It was determined in the affirmative, yeas 45.

Those who voted are,

Messrs. Allen, Ashley, Atchison, Atherton, Bagby, Barrow, Berrien, Breese, B ight, Calhoun, Cass, Chalmers, Thomas Clayton, Crittenden, Davis, Dayton, Dickinson, Dix, Fairfield, Greene, Hannegan, Haywood, Houston, Huntington, Jenness, Johnson of Louisiana, Lewis, McDuffie, Maugum, Miller, Morehead, Niles, Pearce, Pennybacker, Rusk, Semple, Sevier, Simmons, Speight, Turney, Upham, Webster, Westcott, Woodbridge, Yulee.

So the preamble and resolution were agreed to.

Ordered, That the Secretary lay the said preamble and resolution before the President of the United States.

Mr. Fairfield, from the Committee on Naval Affairs, to whom were recommitted, on the 18th instant, the nominations of Gershom J. Van Brunt, Peter U. Murphey, and John B. Randolph, reported.

Mr. Fairfield also submitted a report on the subject of the said nominations; which was read.

On motion by Mr. Fairfield,

The Senate proceeded to consider the nominations of Gershom J. Van Brunt, Peter U. Murphey, and John B. Randolph; and,

After debate,

Resolved, That the Senate advise and consent to the appointment of the said persons, agreeably to their nominations respectively.

Mr. Ashley, from the Committee on the Judiciary, to whom were referred, on the 27th instant, the nominations of John C. Watrous, George W. Brown, and John M. Allen, reported.

Whereupon

Resolved, That the Senate advise and consent to the appointment of the said persons, agreeably to their nominations respectively.

TUESDAY, JUNE 2, 1846.

The following messages were received from the President of the United States, by Mr. Walker, his secretary:

To the Senate of the United States:

I nominate Richard W. Cummins, of Missouri, to be Indian agent for the Fort Leavenworth Agency for the term of four years from the third day of July next, when his present commission will expire.

JAMES K. POLK.

WASHINGTON, *June* 1*st*, 1846.

To the Senate of the United States:

I nominate Joel W. Jones, of the District of Columbia, to be military storekeeper, vice Stephens T. Mason, appointed captain in the regiment of mounted riflemen.

JAMES K. POLK.

WASHINGTON, *June* 1*st*, 1846.

To the Senate of the United States:

I propose, for the reason stated in the accompanying communication of the Secretary of War, that the confirmation of Brevet Second Lieutenant L. B. Wood by the Senate, on the 5th of February, as a second lieutenant in the Fifth Regiment of Infantry, be canceled; and I nominate the officers named in the same communication for regular promotion in the Army.

JAMES K. POLK.

WASHINGTON, *June* 1, 1846.

WAR DEPARTMENT, *May* 15, 1846.

To the President of the United States:

SIR: On the 12th of December last a list of promotions and appointments of officers of the Army was submitted to the Senate for confirmation, in which list Brevet 2d Lieut. L. B. Wood, of the 8th Infantry, was nominated to the grade of second lieutenant in the 5th Regiment of Infantry, vice 2d Lieut. Deas, promoted. He was entitled to this vacancy by *seniority;* but in a letter dated November 30, 1845, and received at the Adjutant-General's Office December 30, 1845 (eighteen days *after* the list referred to above had been sent to the Senate), he says, "I respectfully beg leave to be permitted to decline promotion in any other regiment, and to fill the first vacancy which may happen in the 8th." This request was acceded to, and accordingly on the first subsequent list

submitted to the Senate, dated January 8th, 1846, Brevet 2d Lieut. Charles S. Hamilton, of the 2d Infantry (the next below Lieut. Wood), was nominated to fill the vacancy in the *Fifth* Regiment, and Lieut. Wood to a vacancy which has occurred meanwhile (December 31st) in the *Eighth*.

The foregoing circumstances were explained in a note to the nomination list of January 8, but it is probable the explanation escaped observation in the Senate, as on the 5th of February Lieut. Wood was confirmed in the 5th Infantry, agreeably to the first nomination, while no action appears to have been taken on his nomination or that of Lieut. Hamilton on the subsequent list of January 8, 1846.

As no commissions have yet been issued to these officers, and as Lieut. Wood has renewed his application to be continued in the 8th Infantry, I respectfully suggest that the Senate be requested to cancel their confirmation, on the 5th of February, of his promotion as a second lieutenant in the Fifth Regiment of Infantry; and I have the honor to propose the renomination of the lieutenants whose names are annexed for regular promotion, to wit:

Fifth Regiment of Infantry.

Brevet Second Lieutenant Charles S. Hamilton, of the Second Regiment of Infantry, to be second lieutenant, November 17, 1846, vice Deas, promoted.

Eighth Regiment of Infantry.

Brevet Second Lieutenant Lafayette B. Wood to be second lieutenant, December 31, 1846, vice Maclay, promoted.

I am, sir, with great respect, your obedient servant,

W. L. MARCY.

To the Senate of the United States:

I nominate Henry Wilson, of Ohio, to be a purser in the Navy, to fill a vacancy occasioned by the death of John C. Spencer, jr.

JAMES K. POLK.

WASHINGTON, *June 2d*, 1846.

To the Senate of the United States:

I nominate Robert Murray Morris, of the District of Columbia, and Llewellen Raguet, of Ohio, to be second lieutenants in the regiment of Mounted Riflemen, to take rank from May 27, 1846, the date of their confirmation by the Senate under erroneous names.

JAMES K. POLK.

WASHINGTON, *June 2d*, 1846.

The messages were read.

Ordered, That the nomination of Richard W. Cummins be referred to the Committee on Indian Affairs.

Ordered, That the nominations of Joel W. Jones, Charles S. Hamilton, and Lafayette B. Wood be referred to the Committee on Indian Affairs.

Ordered, That the nomination of Henry Wilson be referred to the Committee on Naval Affairs.

On motion by Mr. Mangum,

The Senate, by unanimous consent, proceeded to consider the nominations of Robert Murray Morris and Llewellen Raguet; and

Resolved, That the Senate advise and consent to the appointment of Robert Murray Morris, of the District of Columbia, and Llewellen Raguet, of Ohio, to be second lieutenants in the regiment of Mounted Riflemen, to take rank from May 27, 1846, the date of their confirmation by the Senate under erroneous names, agreeably to their nominations respectively.

Mr. Fairfield, from the Committee on Naval Affairs, to whom was referred, on the 7th May, the nomination of Johnston Blakely Carter, reported.

On motion by Mr. Fairfield,

Ordered, That the report from the Committee on Naval Affairs of the 29th May, on the nominations of Gershom J. Van Brunt, Peter U. Murphey, and John B. Randolph, be recommitted to that committee.

On motion by Mr. Barrow,

Ordered, That the memorial of James W. Schaumburg, communicated on the 25th May, be referred to the Committee on Military Affairs.

Mr. Atchison, from the Committee on Indian Affairs, to whom was this day referred the nomination of Richard W. Cummins, reported.

The Senate proceeded to consider the nomination of Welcome B. Sayles; and,

After debate,

On motion by Mr. Morehead,

The Senate adjourned.

WEDNESDAY, JUNE 10, 1846.

The following message was received from the President of the United States, by Mr. Walker, his Secretary:

To the Senate of the United States:

I lay before the Senate a proposal in the form of a convention, presented to the Secretary of State on the sixth instant, by the envoy extraordinary and minister plenipotentiary of Her Britannic Majesty, for the adjustment of the Oregon question, together with a protocol of this proceeding. I submit this proposal to the consideration of the Senate and request their advice as to the action which in their judgment it may be proper to take in reference to it.

In the early periods of the Government the opinion and advice of the Senate were often taken in advance upon important questions of our foreign policy. General Washington repeatedly consulted the Senate and asked their previous advice upon pending negotiations with foreign powers; and the Senate in every instance responded to his call by giving their advice, to which he always conformed his action. This practice, though rarely resorted to in later times, was in my judgment eminently wise, and may on occasions of great importance be properly revived. The Senate are a branch of the treaty-making power, and by consulting them in advance of his own action, upon important measures of foreign policy which may ultimately come before them for their consideration, the President secures harmony of action between that body and himself. The Senate are, moreover, a branch of the war-making power, and it may be eminently proper for the Executive to take the opinion and advice of that body in advance, upon any great question which may involve in its decision the issue of peace or war. On the present occasion the magnitude of the subject would induce me under any circumstances to desire the previous advice of the Senate, and that desire is increased by the recent debates and proceedings in

Congress, which render it, in my judgment, not only respectful to the Senate, but necessary and proper, if not indispensable to insure harmonious action between that body and the Executive. In conferring on the Executive the authority to give the notice for the abrogation of the convention of 1827, the Senate acted publicly so large a part that a decision on the proposal now made by the British Government, without a definite knowledge of the views of that body in reference to it, might render the question still more complicated and difficult of adjustment. For these reasons I invite the consideration of the Senate to the proposal of the British Government for the settlement of the Oregon question, and ask their advice on the subject.

My opinions and my action on the Oregon question were fully made known to Congress in my annual message of the second of December last, and the opinions therein expressed remain unchanged.

Should the Senate, by the constitutional majority required for the ratification of treaties, advise the acceptance of this proposition or advise it with such modifications as they may upon full deliberation deem proper, I shall conform my action to their advice. Should the Senate, however, decline by such constitutional majority to give such advice, or to express an opinion on the subject, I shall consider it my duty to reject the offer.

I also communicate herewith an extract from a dispatch of the Secretary of State to the minister of the United States at London, under date of the 28th of April last, directing him, in accordance with the joint resolution of Congress "concerning the Oregon Territory," to deliver the notice to the British Government for the abrogation of the convention of the 6th of August, 1827, and also a copy of the notice transmitted to him for that purpose, together with extracts from a dispatch of that minister to the Secretary of State, bearing date on the 18th day of May last.

JAMES K. POLK.

WASHINGTON, *June* 10, 1846.

The message was read.

On motion by Mr. Allen, that the message and documents communicated therewith be referred to the Committee on Foreign Relations and printed in confidence for the use of the Senate, a division of the question was called for by Mr. McDuffie, and on the question, that the message and documents communicated therewith be referred to the Committee on Foreign Relations,

It was determined in the negative, { Yeas .. .. 9 / Nays 37

On motion by Mr. Hannegan,

The yeas and nays being desired by one-fifth of the Senators present,

Those who voted in the affirmative are,

Messrs. Allen, Ashley, Atherton, Breese, Cass, Dickinson, Fairfield, Hannegan, Turney.

Those who voted in the negative are,

Messrs. Archer, Bagby, Benton, Berrien, Calhoun, Chalmers, Thomas Clayton, John M. Clayton, Colquitt, Corwin, Davis, Dayton, Dix, Greene, Haywood, Houston, Huntington, Jarnagin, Johnson of Maryland, Johnson of Louisiana, Lewis McDuffie, Mangum, Miller, Morehead, Niles, Pearce, Pennybacker, Phelps, Rusk, Simmons, Speight, Upham, Webster, Wescott, Woodbridge, Yulee.

So the motion to refer was rejected.

On the question to agree to the second clause of the motion,

On motion by Mr. Turney that it lie on the table,

It was determined in the affirmative, { Yeas ..... 27 / Nays 21

On motion by Mr. Hannegan,

The yeas and nays being desired by one-fifth of the Senators present,

Those who voted in the affirmative are,

Messrs. Archer, Benton, Berrien, Calhoun, Chalmers, John M. Clayton, Colquitt, Davis, Dayton, Greene, Haywood, Houston, Huntington, Johnson of Maryland, Johnson of Louisiana, Lewis, McDuffie, Mangum, Miller, Morehead, Pearce, Pennybaker, Phelps, Rusk, Speight, Turney, Upham.

Those who voted in the negative are,

Messrs. Allen, Ashley, Atherton, Bagby, Breese, Cass, Corwin, Dickinson, Dix, Fairfield, Hannegan, Jarnagin, Jenness, Niles, Semple, Sevier, Simmons, Webster, Westcott, Woodbridge, Yulee.

On motion by Mr. Hannegan that the further consideration of the message and accompanying documents be postponed until Monday next, the 15th instant.

It was determined in the negative, { Yeas ..... 13 / Nays 35

On motion by Mr. Hannegan,

The yeas and nays being desired by one-fifth of the Senators present,

Those who voted in the affirmative are,

Messrs. Allen, Atherton, Breese, Cass, Colquitt, Dickinson, Fairfield, Hannegan, Jarnagin, Jenness, Rusk, Semple, Westcott.

Those who voted in the negative are,

Messrs. Archer, Ashley, Bagby, Benton, Berrien, Calhoun, Chalmers, John M. Clayton, Corwin, Davis, Dayton, Dix, Greene, Haywood, Houston, Huntington, Johnson of Maryland, Johnson of Louisiana, Lewis, McDuffie, Mangum, Miller, Morehead, Niles, Pearce, Pennybacker, Phelps, Sevier, Simmons, Speight, Turney, Upham, Webster, Woodbridge, Yulee.

So the motion to postpone was rejected.

THURSDAY, JUNE 11, 1846.

The following messages were received from the President of the United States, by Mr. Walker, his secretary:

To the Senate of the United States:

I nominate Aristides Welch, of Missouri, to be a purser in the Navy to fill a vacancy occasioned by the resignation of Charles O. Handy,

JAMES K. POLK.

WASHINGTON, *June* 5, 1846.

To the Senate of the United States:

I nominate the following persons for the offices respectively annexed to their names:

Peter T. Crutchfield to be receiver of public moneys for the district of lands subject to sale at Little Rock, in the State of Arkansas, to take effect on the 16th June, 1846, when the term of service of the present incumbent will expire.

John K. Kane, of Pennsylvania, to be judge of the district court of the United States for the eastern district of Pennsylvania, in the place of Archibald Randall, deceased.

Narino de Mattey to be consul of the United States for the Island of Cyprus.

Charles Obermeyer to be consul of the United States for the City of Augsburg, in the Kingdom of Bavaria.

Philip Geisse, of Pennsylvania, to be consul of the United States for the City of Nuremburg, in the Kingdom of Bavaria.

Robert Beale to be a justice of the peace for the county of Washington, District of Columbia.

John D. Clark to be a justice of the peace for the county of Washington, in the District of Columbia, to take effect on the 10th of July next, when his present commission will expire.

Edgar Snowden and George W. P. Custis to be justices of the peace for the county of Alexandria, in the District of Columbia, to take effect on the 10th day of July next, when their present commissions will expire.

JAMES K. POLK.

WASHINGTON, *June* 11, 1846.

To the Senate of the United States:

I herewith communicate to the Senate for its consideration a convention signed on the 2d day of May, 1846, by the minister of the United States at Berlin, with the plenipotentiary of Hesse-Cassel, for the mutual abolition of the droit d'aubaine and duties on emigration between that German state and the United States. And I communicate, with the convention, an explanatory dispatch of the minister of the United States, dated on the same day of the present year, and numbered 284.

JAMES K. POLK.

WASHINGTON, *June* 6, 1846.

The messages were read.

Ordered, That the nomination of Aristides Welch be referred to the Committee on Naval Affairs.

Ordered, That the nomination of Peter T. Crutchfield be referred to the Committee on Public Lands.

Ordered, That the nomination of John K. Kane be referred to the Committee on the Judiciary.

Ordered, That the nominations of Narino de Mattey, Charles Obermeyer and Philip Geisse be referred to the Committee on Commerce.

Ordered, That the nominations of Robert Beale, John D. Clark, Edgar Snowden, and George W. P. Custis be referred to the Committee on the District of Columbia.

The convention for the mutual abolition of the droit d'aubaine and duties on emigration between the United States of America and His Royal Highness the Prince Electoral Co-Regent of Hesse, concluded at Berlin the 2d of May, 1846, was read for a first time.

On motion by Mr. Allen,

Ordered, That the convention, with the message and document communicated therewith, be referred to the Committee on Foreign Relations and printed in confidence for the use of the Senate.

Mr. Dix, from the Committee on Commerce, to whom was referred, on the 27th May, the nomination of James Fiora, reported.

Whereupon

Resolved, That the Senate advise and consent to his appointment, agreeably to the nomination.

Mr. Fairfield, from the Committee on Naval Affairs, to whom was referred, on the 28th May, the nomination of Joseph Hall, and on the 2d instant that of Henry Wilson, reported.

On motion by Mr. Mangum,

The Senate proceeded to consider the message of the President of the United States of the 10th instant, communicating a proposal for the adjustment of the Oregon question; and,

After debate,

Mr. Haywood submitted the following resolution for consideration:

Resolved (two thirds of the Senators present concurring), That the President of the United States be, and he is hereby, advised to accept the proposal of the British Government accompanying his message to the Senate dated 10th June, 1846, for a convention to settle boundaries, &c., between the United States and Great Britain west of the Rocky or Stony Mountains.

The Senate, by unanimous consent, proceeded to consider said resolution.

On motion by Mr. Niles that it be amended by adding thereto the following: *With the following proviso at the end of the article of the proposed convention, to wit: Provided, That the right of navigation secured to British subjects by this article be limited to the year A. D.* 1859, *when they shall cease and determine*,

After debate,

On motion by Mr. Benton,

The Senate adjourned.

FRIDAY, JUNE 12, 1846.

Mr. Pearce submitted the following resolution for consideration:

Resolved, That the 42d rule of the Senate be amended as follows:

After the word "Senate," in the third line of the forty-second rule, insert *omitting the yeas and nays.*

After the word "occur," in the sixth line, insert *but no such transcript shall be furnished and no such nomination shall be returned until after the next executive session, except by special order.*

In the same line strike out "but" and insert *and.*

The following message was received from the President of the United States, by Mr. Walker, his secretary:

To the Senate of the United States:

I nominate the following persons for the offices respectively annexed to their names:

James MacHenry Boyd, of Maryland, to be secretary of the legation of the United States near Her Britannic Majesty, in the place of Gausevoort Melville, deceased.

Jacob De la Motta, of Georgia, to be naval officer for the port of Savannah, Georgia, to take effect on the 9th of July next, when the commission of the present incumbent will expire.

Thomas Gray to be surveyor and inspector of the revenue for the port of St. Louis, Missouri, in place of Isaac H. Hedges, who was rejected by the Senate.

JAMES K. POLK.

WASHINGTON, *June* 12, 1846.

The message was read.

Ordered, That the nomination of James MacHenry Boyd be referred to the Committee on Foreign Relations.

Ordered, That the nominations of Jacob De la Motta and Thomas Gray be referred to the Committee on Commerce.

Mr. Breese, from the Committee on Public Lands, to whom was referred, on the 11th instant, the nomination of Peter T. Crutchfield, reported.

Whereupon

Resolved, That the Senate advise and consent to his appointment, agreeably to the nomination.

The Senate proceeded to consider the resolution submitted by Mr. Haywood on the 11th instant, together with the amendment proposed thereto by Mr. Niles; and,

After debate,

Mr. Niles, by unanimous consent, modified his proposed amendment to read as follows:

With the following proviso at the end of the second article of the proposed convention, to wit: Provided, That the right of navigating the Columbia River secured to the Hudson's Bay Company and to all British subjects trading with the same be limited to the year A. D. 1863, *when it shall cease and determine.*

On the question to agree thereto,

It was determined in the negative, { Yeas ..... 10 / Nays 31

On motion by Mr. Niles,

The yeas and nays being desired by one fifth of the Senators prosent,

Those who voted in the affirmative are,

Messrs. Ashley, Atherton, Bagby, Dix, Fairfield, Houston, Jenness, Niles, Simmons, Woodbridge.

Those who voted in the negative are,

Messrs. Archer, Benton, Berrien, Calhoun, Chalmers, Thomas Clayton, John M. Clayton, Colquitt, Davis, Dayton, Evans, Greene, Haywood. Huntington, Johnson of Maryland, Johnson of Louisiana, Lewis, McDuffie, Mangum, Miller, Morehead, Pearce, Pennybacker, Phelps, Rusk, Sevier, Speight, Turney, Upham, Webster, Yulee.

So the proposed amendment was rejected.

On the question to agree to the resolution,

It was determined in the affirmative, { Yeas ..... 38 / Nays 12

Those who voted in the affirmative are,

Messrs. Archer, Ashley, Bagby, Benton, Berrien, Calhoun, Chalmers, Thomas Clayton, John M. Clayton, Colquitt, Davis, Dayton, Dix, Evans, Greene, Haywood, Houston, Huntington, Johnson of Maryland, Johnson of Louisiana, Lewis, McDuffie, Mangum, Miller, Morehead, Niles, Pearce, Pennybacker, Phelps, Rusk, Sevier, Simmons, Speight, Turney, Upham, Webster, Woodbridge, Yulee.

Those who voted in the negative are,

Messrs. Allen, Atherton, Breese, Cameron, Cass, Dickinson, Fairfield, Hannegan, Jarnagin, Jenness, Semple, Sturgeon.

So it was

Resolved (*two-thirds of the Senators present concurring*), That the President of the United States be, and he is hereby, advised to accept the proposal of the British Government, accompanying his message to the Senate dated 10th June, 1846, for a convention to settle boundaries, &c., between the United States and Great Britain west of the Rocky or Stony Mountains.

Ordered, That the Secretary lay the said resolution before the President of the United States.

TUESDAY, JUNE 16, 1846.

The following messages were received from the President of the United States, by Mr. Walker, his secretary:

To the Senate of the United States:

I nominate Thomas J. Durant to be attorney of the United States for the district of Louisiana from and after the 30th of June, 1846, in the place of Solomon W. Downs, resigned.

JAMES K. POLK.

WASHINGTON, *June* 16, 1846.

To the Senate of the United States:

In accordance with the resolution of the Senate of the 12th instant, that "the President of the United States be, and he is hereby, advised to accept the proposal of the British Government, accompanying his message to the Senate dated 10th June, 1846, for a convention to settle boundaries, &c., between the United States and Great Britain west of the Rocky or Stony Mountains." a convention was concluded and signed on the 15th instant by the Secretary of State, on the part of the United States, and the envoy extraordinary and minister plenipotentiary of Her Britannic Majesty, on the part of Great Britain.

This convention I now lay before the Senate for their consideration, with a view to its ratification.

JAMES K. POLK.

WASHINGTON, *June* 16, 1846.

The messages were read.

Ordered, That the nomination of Thomas J. Durant be referred to the Committee on the Judiciary.

The convention between the United States of America and Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, concluded at Washington the 15th day of June, 1846, was read a first time.

On motion by Mr. Allen that the convention and the message communicating the convention, together with the message of the 10th instant communicating a proposal for the adjustment of the Oregon question, and the documents accompanying the same, be printed in confidence for the use of the Senate,

On motion by Mr. McDuffie to amend the said motion by adding, after the word "same," the words *except the communication from Mr. McLane to Mr. Buchanan*,

A debate ensued; and

On motion,

Ordered, That the further consideration of said motion be postponed until to-morrow.

Mr. Hannegan submitted the following resolution for consideration:

Resolved, That the President be requested to communicate to the Senate a copy of all the correspondence which has taken place between this Government and that of Great Britain relative to the Oregon treaty, together with the dispatches and instructions forwarded to our minister, Mr. McLane, and a full and complete copy of his dispatches and communications to this Government on the same subject.

Mr. Ashley, from the Committee on the Judiciary, to whom was referred, on the 11th instant, the nomination of John K. Kane, reported.

WEDNESDAY, JUNE 17, 1846.

The following message was received from the President of the United States, by Mr. Walker, his secretary:

To the Senate of the United States:

I nominate Jesse B. Clements to be marshal of the United States for the middle district of Tennessee, to take effect from and after the 6th day of August, 1846, when the commissicn of Benjamin H. Sheppard expires.

Louis St. Martin to be register of the land office for the district of lands subject to sale at New Orleans, in the State of Louisiana, to take effect from and after the 23d of August, 1846, when the commission of Peter Laidlaw expires.

James Hewson to be collector of the customs for the district and inspector of the revenue for the port of Newark, in the State of New Jersey, from and after the 30th June, 1846, when the commission of Archer Gifford expires.

JAMES K. POLK.

WASHINGTON, *June* 17, 1846.

The message was read.

Ordered, That the nomination of Jesse B. Clements be referred to the Committee on the Judiciary.

Ordered, That the nomination of Louis St. Martin be referred to the Committee on Public Lands.

Ordered, That the nomination of James Hewson be referred to the Committee on Commerce.

Mr. Fairfield, from the Committee on Naval Affairs, to whom was referred, on the 11th instant, the nomination of Aristides Welch, reported.

On motion by Mr. Fairfield,

The Senate proceeded to consider the nomination of Henry Wilson; and

Resolved, That the Senate advise and consent to his appointment, agreeably to the nomination.

The Senate proceeded to consider the resolution submitted by Mr. Hannegan on the 16th instant which was modified and agreed to; as follows:

Resolved, That the President be requested to communicate to the Senate a copy of all the correspondence which has taken place between this Government and that of Great Britain relative to the Oregon treaty, together with the dispatches and instructions forwarded to our minister, Mr. McLane, and a full and complete copy of his dispatches and communications to this Government on the same subject not heretofore communicated to the Senate.

Mr. Atchison submitted the following resolution for consideration:

Resolved, That the President be requested to furnish the Senate with all the information in his possession in relation to the kind and extent of claims to farms and lands of the Puget Sound Agricultural Company in the Territory of Oregon.

On motion by Mr. Ashley that the Senate proceed to consider the nomination of John K. Kane,

It was determined in the affirmative, { Yeas ..... 28 / Nays 23

On motion by Mr. Ashley,

The yeas and nays being desired by one fifth of the Senators present,

Those who voted in the affirmative are,

Messrs. Allen, Ashley, Atchison, Atherton, Bagby, Benton, Breese, Bright, Cass, Chalmers, Colquitt, Dickinson, Dix, Fairfield, Hannegan, Haywood, Houston, Jenness, Johnson of Maryland, Lewis, Niles, Pennybacker, Rusk, Sevier, Speight, Sturgeon, Turney, Yulee.

Those who voted in the negative are,

Messrs. Archer, Barrow, Berrien, Cameron, Thomas Clayton, Corwin, Crittenden, Dayton, Evans, Greene, Huntington, Jarnagin, Johnson of Louisiana, McDuffie, Mangum, Miller, Morehead, Pearce, Semple, Upham, Webster, Westcott, Woodbridge.

Whereupon

The Senate proceeded to consider the nomination of John K. Kane; and

On the question, Will the Senate advise and consent to the appointment of John K. Kane?

It was determined in the affirmative, { Yeas ..... 35 / Nays 2

On motion by Mr. Cameron,

The yeas and nays being desired by one-fifth of the Senators present,

Those who voted in the affirmative are,

Messrs. Allen, Ashley, Atchison, Atherton, Bagby, Benton, Breese, Bright, Calhoun, Cameron, Cass, Chalmers, Colquitt, Dickinson, Dix, Fairfield, Hannegan, Haywood, Houston, Jarnagin, Jenness, Johnson of Maryland, Johnson of Louisiana, Lewis, McDuffie, Niles, Pennybacker, Rusk, Semple, Sevier, Speight, Sturgeon, Turney, Westcott, Yulee.

Those who voted in the negative are,

Messrs. Barrow and Corwin.

So it was

Resolved, That the Senate advise and consent to the appointment of John K. Kane, agreeably to the nomination.

On motion by Mr. Allen,

The Senate proceeded to consider the motion of the 16th instant, to print the convention with Great Britain and the messages and documents relating thereto; and,

On motion by Mr. Haywood,

Ordered, That it lie on the table.

On motion by Mr. Benton, that the convention with Great Britain be referred to a select committee of five members to consider and report thereon,

On motion by Mr. Allen,

Ordered, That said motion lie on the table.

On motion by Mr. Allen,

The Senate proceeded to consider the motion of the 16th instant, to print the convention with Great Britain and the message and documents relating thereto; and

On the question to agree to the amendment proposed to the motion by Mr. McDuffie,

It was determined in the negative, { Yeas ..... 21 / Nays 31

On motion by Mr. Allen,

The yeas and nays being desired by one-fifth of the Senators present,

Those who voted in the affirmative are,

Messrs. Archer, Benton, Berrien, Calhoun, Chalmers, Colquitt, Cor-

win, Davis, Dayton, Haywood, Houston. Johnson of Louisiana, Lewis, McDuffie, Miller, Morehead, Pearce, Pennybacker, Rusk, Speight, Yulee.

Those who voted in the negative are,

Messrs. Allen, Ashley, Atchison, Atherton, Bagby, Barrow, Breese, Bright, Cameron, Cass, Thomas Clayton, Crittenden, Dickinson, Dix, Evans, Fairfield, Greene, Hannegan, Jarnagin, Jenness, Johnson of Maryland. Mangum, Niles, Semple, Sevier, Simmons, Sturgeon, Turney, Upham, Webster, Westcott.

So the amendment was rejected.

On the question to agree to the motion to print,

It was determined in the affirmative.

So it was

Ordered, That the convention and the message communicating the convention, together with the message of the 10th instant communicating a proposal for the adjustment of the Oregon question, and the documents accompanying the same, be printed in confidence for the use of the Senate.

THURSDAY, JUNE 18, 1846.

Mr. Breese, from the Committee on Public Lands, to whom was referred, on the 17th instant, the nomination of Louis St. Martin, reported.

On motion by Mr. Houston,

Ordered, That the Committee on Military Affairs be discharged from the further consideration of the memorial of James W. Schaumburg.

The Senate proceeded to consider the resolution submitted by Mr. Atchison the 17th instant, which was modified by adding thereto the following words:

And that he be requested to communicate to the Senate a copy of the act incorporating the Puget Sound Agricultural Company, or of the original instrument constituting that company.

On motion by Mr. Allen to amend the said resolution, so modified, by adding thereto the following:

And that the President be requested to lay before the Senate any information in his possession relative to the kind, character, number, and extent of the possessory rights of the Hudson's Bay Company, and of all British subjects who may be already in the occupation of land or other property in the Oregon Territory south of the 49th parallel of north latitude; also the number of such British subjects, including the members, agents, and servants of said company; also the location, number and extent of the forts, stations, and settlements of said company south of said parallel; also the means of attack and defense in the possession of said company within said limits,

After debate,

It was determined in the affirmative, { Yeas ..... 36 / Nays 15

On motion by Mr. Allen,

The yeas and nays being desired by one-fifth of the Senators present,

Those who voted in the affirmative are,

Messrs. Allen, Ashley, Atchison, Atherton, Breese, Bright, Calhoun, Cameron, Cass, Chalmers, Colquitt, Corwin, Crittenden, Davis, Dayton, Dickinson, Dix, Fairfield, Hannegan, Houston, Jarnagin, Jenness, Johnson of Maryland, Johnson of Louisiana, McDuffie, Mangum, Miller, Niles, Pennybacker, Semple, Sevier, Simmons, Sturgeon, Westcott, Woodbridge, Yulee.

Those who voted in the negative are,

Messrs. Archer, Bagby, Berrien, Thomas Clayton, John M. Clayton, Evans, Greene, Haywood, Lewis, Morehead, Phelps, Rusk, Speight, Turney, Webster.

So the amendment was agreed to.

The resolution, as amended, was then agreed to, as follows:

Resolved, That the President be requested to furnish the Senate with all the information in his possession in relation to the kind and extent of claims to farms and lands of the Puget's Sound Agricultural Company in the Territory of Oregon; and that he be requested to communicate to the Senate a copy of the act incorporating the Puget's Sound Agricultural Company, or of the original instrument constituting that company; and that the President be requested to lay before the Senate any information in his possession relative to the kind, character, number, and extent of the possessory rights of the Hudson's Bay Company, and of all British subjects who may be already in the occupation of land or other property in the Oregon Territory south of the forty-ninth parallel of north latitude; also the number of such British subjects, including the members, agents, and servants of said company; also the location, number, and extent of the forts, stations, and settlements of said company south of said parallel; also the means of attack and defense in the possession of said company within said limits.

Ordered, That the Secretary lay the said resolution before the President of the United States.

The Senate proceeded, as in Committee of the Whole, to consider the treaty between the United States of America and Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, concluded at Washington the 15th day of June, 1846; and no amendment being made thereto, it was reported to the Senate.

Mr. McDuffie submitted the following resolution for consideration:

Resolved (two-thirds of the Senators present concurring), That the Senate advise and consent to the ratification of the treaty between the United States of America and Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, concluded at Washington the 15th day of June, eighteen hundred and forty-six.

The Senate, by unanimous consent, proceeded to consider the said resolution.

On motion by Mr. Hannegan to amend the said resolution by striking out all after the word "Resolved," and inserting the following in lieu thereof:

That the President of the United States be, and he is hereby advised, by the Senate to offer to the Government of Great Britain, as a just, fair and equitable compromise of the conflicting claims of the two Governments connected with the country lying along between the Rocky Mountains and the Pacific Ocean, extending from the parallel of forty-two degrees to fifty-four degrees and forty minutes north latitude, and including the islands embraced within said parallels of latitude adjacent to the coast, the following, as the fundamental provisions for a treaty between the two Governments:

First. The Government of Great Britain shall acknowledge the right of soil and the sovereignty to exist and be with the United States to the whole territory above described, and shall abandon to the United States all claim which shall in any manner conflict with the permanent jurisdiction of the United States therein.

Second. The United States shall guarantee to the Hudson Bay Company for twenty years from the date of such treaty the most perfect security in all their possessions, and the right to pursue their business of hunting and

trapping, with all the immunities which pertain thereto, and to trade during that period with the natives, and the use during that time of the ports, rivers, and harbors within said territory without charge or hindrance.

Third. Within twelve months from the date of said treaty commissioners shall be selected by and on behalf of the respective Governments, whose duty it shall be to assess at just and liberal prices the value of the property of the Hudson's Bay Company within said territory, which amount, when ascertained, shall be paid by the United States to said company, in such manner and at such time as shall be agreed upon between the United States and Great Britain,

It was determined in the negative, { Yeas ..... 5 / Nays 42

On motion by Mr. Sevier,

The yeas and nays being desired by one-fifth of the Senators present,

Those who voted in the affirmative are,

Messrs. Atchison, Cameron, Hannegan, Semple, Sturgeon.

Those who voted in the negative are,

Messrs. Archer, Ashley, Atherton, Bagby, Barrow, Benton, Berrien, Calhoun, Chalmers, Thomas Clayton, John M. Clayton, Colquitt, Corwin, Crittenden, Davis, Dayton, Dix, Evans, Greene, Haywood, Houston, Huntington, Johnson of Maryland, Johnson of Louisiana, Lewis, McDuffie, Mangum, Miller, Morehead, Niles, Pearce, Pennybacker, Phelps, Rusk, Sevier, Simmons, Speight, Turney, Upham, Webster, Woodbridge, Yulee.

So the proposed amendment was rejected.

On the question to agree to the resolution,

It was determined in the affirmative, { Yeas ..... 41 / Nays 14

Those who voted in the affirmative are,

Messrs. Archer, Ashley, Bagby, Barrow, Benton, Berrien, Calhoun, Chalmers, Thomas Clayton, John M. Clayton, Colquitt, Corwin, Crittenden, Davis, Dayton, Dix, Evans, Greene, Haywood, Houston, Huntington, Johnson of Maryland, Johnson of Louisiana, Lewis, McDuffie, Mangum, Miller, Morehead, Niles, Pearce, Pennybacker, Phelps, Rusk, Sevier, Simmons, Speight, Turney, Upham, Webster, Woodbridge, Yulee.

Those who voted in the negative are,

Messrs. Allen, Atchison, Atherton, Breese, Bright, Cameron, Cass, Dickinson, Fairfield, Hannegan, Jenness, Semple, Sturgeon, Westcott.

So it was

Resolved (*two-thirds of the Senate present concurring*), That the Senate advise and consent to the ratification of the treaty between the United States of America and Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, concluded at Washington the 15th day June, eighteen hundred and forty-six.

Ordered, That the Secretary lay the said resolution before the President of the United States.

FRIDAY, JUNE 19, 1846.

The following messages were received from the President of the United States, by Mr. Walker, his secretary:

To the Senate of the United States:

I nominate William C. Bettencourt to be deputy postmaster at Wilmington, in the State of North Carolina, to take effect from and after the 19th of July, 1846, when his present commission expires.

Benjamin R. Cowherd to be register of the land office for the district of lands subject to sale at Jackson, in the State of Mississippi, to take effect from and after the 15th of July next, when his present commission expires.

Samuel Russell to be register of the land office for the district of lands subject to sale at Newnansville, in the State of Florida, to take effect from and after the 31st of August, 1846, when his present commission will expire.

John Parsons to be receiver of public moneys for the district of lands subject to sale at Newnansville, in the State of Florida, to take effect from and after the 31st of August, 1846, when his present commission will expire.

JAMES K. POLK.

WASHINGTON, 18 *June*, 1846.

To the Senate of the United States:

I nominate the officers named in the accompanying list of promotions and appointments in the Army of the United States to the several grades annexed to their names, as proposed by the Secretary of War.

JAMES K. POLK.

WASHINGTON, *June* 18*th*, 1846.

WAR DEPARTMENT, *June* 15, 1846.

To the PRESIDENT OF THE UNITED STATES:

SIR: I have the honor respectfully to propose for your approbation the annexed list of officers for promotion and appointment in the Army of the United States.

I am, sir, with great respect, your obedient servant,

W. L. MARCY.

WAR DEPARTMENT, *June* 15, 1846.

PROMOTIONS AND APPOINTMENTS IN THE ARMY OF THE UNITED STATES.

PROMOTIONS.

Quartermaster's Department.

Lieutenant-Colonel Henry Whiting, deputy quartermaster-general, to be assistant quartermaster general with the rank of colonel, April 21, 1846, vice Cross, deceased.

Major Æneas Mackey, quartermaster, to be deputy quartermaster-general with the rank of lieutenant-colonel, April 21, 1846, vice Whiting, promoted.

Captain Thomas Swords, assistant quartermaster, to be quartermaster with the rank of major, April 31, 1846, vice Mackay, promoted.

Corps of Topographical Engineers.

Second Lieutenant John W. Gunnison to be first lieutenant, May 9, 1846, vice Blake, deceased.

Brevet Second Lieutenant John Pope to be second lieutenant, May 9, 1846, vice Gunnison, promoted.

Brevet Second Lieutenant James W. Abert to be second lieutenant, May 27, 1846, vice Fremont, appointed lieutenant-colonel in the regiment of Mounted Riflemen.

First Regiment of Dragoons.

First Lieutenant Henry S. Turner to be captain, April 21, 1846, vice Swords, promoted quartermaster.

Second Lieutenant John W. T. Gardiner to be first lieutenant, April 21, 1846, vice Turner, promoted.

Brevet Second Lieutenant John W. Davidson to be second lieutenant, April 21, 1846, vice Gardiner, promoted.

Second Regiment of Dragoons.

Second Lieutenant William Steele to be first lieutenant, May 9, 1846, vice Inge, killed in battle.

Brevet Second Lieutenant Berzaleel W. Armstrong, of the First Regiment of Dragoons, to be second lieutenant, April 1, 1846, the date of Second Lieutenant McDonald's appointment as adjutant of the regiment.

Brevet Second Lieutenant James M. Hawes to be second lieutenant, April 25, 1846, vice Mason, killed in action.

Brevet Second Lieutenant Newton C. Givens, of the First Regiment of Dragoons, to be second lieutenant, May 9, 1846, vice Steele, promoted.

Brevet Second Lieutenant Richard C. W. Radford, of the First Regiment of Dragoons, to be second lieutenant, May 18, 1846, vice Stevens, deceased.

Third Regiment of Artillery.

First Lieutenant Morris S. Miller to be captain, May 11, 1846, vice Ringgold, deceased (mortally wounded in battle).

First Lieutenant Thomas W. Sherman to be captain, May 28, 1846, vice Thomas, resigned.

Second Lieutenant Sewall L. Fremont to be first lieutenant, May 11, 1846, vice Miller, promoted.

Second Lieutenant Richard P. Hammond to be first lieutenant, May 28, 1846, vice T. W. Sherman, promoted.

Brevet Second Lieutenant Joseph J. Reynolds, of the Fourth Regiment of Artillery, to be second lieutenant, May 11, 1846, vice S. L. Fremont, promoted.

Brevet Second Lieutenant James A. Hardie, of the First Regiment of Artillery, to be second lieutenant, May 28, 1846, vice Hammond, promoted.

Third Regiment of Infantry.

First Lieutenant William S. Henry to be captain, May 18, 1846, vice Coburn, resigned.

Second Lieutenant Douglass S. Irwin to be first lieutenant, May 18, 1846, vice Henry, promoted.

Brevet Second Lieutenant John Trevitt, of the Second Regiment of Infantry, to be second lieutenant, May 18, 1846, vice Irwin, promoted.

Fourth Regiment of Infantry.

Second Lieutenant Sidney Smith to be first lieutenant, May 9, 1846, vice Cochrane, killed in battle.

Brevet Second Lieutenant Henry M. Judah, of the Eighth Regiment of Infantry, to be second lieutenant, April 19, 1846, vice Porter, killed in action.

Brevet Second Lieutenant Norman Elting, of the Sixth Regiment of Infantry, to be second lieutenant, May 9, 1846, vice Smith, promoted.

Fifth Regiment of Infantry.

First Lieutenant Randolph B. Marcy to be captain, May 9, 1846, vice Scott, promoted to the Seventh Regiment of Infantry.

First Lieutenant Daniel Ruggles to be captain, May 18, 1846, vice Thompson, resigned.

Second Lieutenant Sterne H. Fowler to be first lieutenant, May 9, 1846, vice Marcy, promoted.

Second Lieutenant Spencer Norvell to be first lieutenant, May 18, 1846, vice Ruggles, promoted.

Second Lieutenant John C. Robinson to be first lieutenant, May 18, 1846, vice Root, resigned.

Brevet Second Lieutenant Charles S. Hamilton, of the Second Regiment of Infantry, to be second lieutenant, November 17, 1845, vice Deas, promoted.

Brevet Second Lieutenant Simon B. Buckner, of the Second Regiment of Infantry, to be second lieutenant, May 9, 1846, vice Fowler, promoted.

Brevet Second Lieutenant Erastus B. Strong, of the Seventh Regiment of Infantry, to be second lieutenant, May 18, 1846, vice Brooke, resigned.

Brevet Second Lieutenant William T. Burwell, of the Sixth Regiment of Infantry, to be second lieutenant, May 18, 1846, vice Nowell, promoted.

Brevet Second Lieutenant William Read, of the Sixth Regiment of Infantry, to be second lieutenant, May 18, 1846, vice Robinson, promoted.

Seventh Regiment of Infantry.

Captain Martin Scott, of the Fifth Regiment of Infantry, to be major, May 9, 1846, vice Brown, deceased (mortally wounded in action).

Eighth Regiment of Infantry.

Brevet Second Lieutenant Lafayette B. Wood, to be second lieutenant, December 31, 1845, vice Maclay, promoted.

Brevet Second Lieutenant Charles G. Merchant, to be second lieutenant, May 9, 1846, vice Chadbourne, killed in battle.

APPOINTMENTS.

Quartermaster's Department.

First Lieutenant Simon H. Drum, of the Fourth Regiment of Artillery, to be assistant quartermaster with the rank of captain.

Pay Department.

Daniel Randall, paymaster, reappointed, to take effect July 21, 1846, when his present commission will expire.

Remarks.

1. First Lieutenant Northrop, of the First Dragoons, who stands first on the list of first lieutenants in his regiment, left his company October 6, 1839, in consequence of a severe wound occasioned by the accidental discharge of his pistol while on detached service in the Cherokee country, and has not since performed military duty, except from October 7, 1842, to March, 1843, when he acted as an assistant commissary in the Subsistence Department. December 6, 1843, he addressed a letter to the Adjutant-General, expressing his unwillingness to remain a burden on the service, and, under a nice sense of professional honor, stated that it was his intention to pursue another profession. For this purpose, he asked for three years to qualify himself for the medical profession, at the termination of which, if not then able to resume his military duties, he said he would leave the Army. His request was acceded to, and Lieut. Northrop is now absent and cannot perform the duties of a lieutenant, as will be seen from his last report to the Adjutant-General, dated Charleston. S. C., April 1, 1846, to wit:

"I hereby certify that I am unfit to perform my regimental duty in consequence of the crippled condition of my right knee in which the ball is still lodged; impairing its usefulness and keeping it irritable and unfit for motion (either quick or continued). The tissues around the joint are thickened, the circulation is affected, and by motion or a pendant position the limb soon becomes turgid and heavy, with a variable degree of pain.

(Signed) "L. B. NORTHROP,
"*1st. Lt. 1st. Reg't, U. S. D.*"

For the foregoing reasons, therefore, it is now proposed to promote Lieut. Turner over Lieut. Northrop, who cannot perform the duties of a captain of Dragoons.

2. Captain Thomas Noel, 6th Infantry, who stands first on the list of captains of infantry in Florida, February 16, 1839, in consequence of a severe wound received while on duty by the accidental discharge of his own pistol, and has ever since been absent from his regiment. The state of his wound and great suffering render him incapable of performing any kind of duty whatever; nor is there reason to hope that he will ever be able either to march or ride on horseback. Being now totally disabled for more than seven years, the promotion necessarily falls upon the captain next in rank, to wit, Martin Scott, now serving with the Army in Mexico, and where his services as a field officer are indispensable, in the place of the gallant Major Brown, since whose death the regiment has been commanded by a captain.

W. L. MARCY.

The messages were read.

Ordered, That the nomination of William C. Bettencourt be referred to the Committee on the Post-Office and Post-Roads.

Ordered, That the nominations of Benjamin R. Cowherd, Samuel Russell, and John Parsons be referred to the Committee on Public Lands.

Ordered, That the nominations of persons for promotion and appointment in the Army of the United States be referred to the Committee on Military Affairs.

Mr. Ashley, from the Committee on the Judiciary, to whom was referred, on the 16th instant, the nomination of Thomas J. Durant, reported.

Whereupon

Resolved, That the Senate advise and consent to his appointment, agreeably to the nomination.

Mr. Ashley, from the Committee on the Judiciary, to whom was referred, on the 17th instant, the nomination of Jesse B. Clements, reported.

Mr. McDuffie, from the Committee on Foreign Relations, to whom was referred, on the 12th instant, the nomination of James MacHenry Boyd, reported.

Whereupon

Resolved, That the Senate advise and consent to his appointment, agreeably to the nomination.

Mr. Benton, from the Committee on Military Affairs, to whom was referred, on the 2d instant, the nomination of Joel W. Jones, reported.

Whereupon

Resolved, That the Senate advise and consent to his appointment, agreeably to the nomination.

Mr. Johnston, of Maryland, from the Committee on Commerce, to whom was referred, on the 29th May, the nomination of Henry Horn, reported.

On motion by Mr. Atchison,

The Senate proceeded to consider the nomination of Richard W. Cummins; and

Resolved, That the Senate advise and consent to his appointment, aggreably to the nomination.

On motion by Mr. Fairfield,

The Senate proceeded to consider the nomination of Joseph Hall; and

Resolved, That the Senate advise and consent to his appointment; agreeably to the nomination.

Mr. Allen submitted the following resolution for consideration:

Resolved, That the injunction of secrecy be removed from the message of the President of the 10th instant, communicating a proposal for the adjustment of the Oregon question, and the documents accompanying the same; also, from the message of the 16th instant and the treaty comunicated therewith, and from the proceedings of the Senate upon and relating to the subject.

Mr. Fairfield submitted the following resolution for consideration:

Resolved, That the injunction of secrecy be removed from the proceedings of the Senate on the nomination of Amos Nourse.

WEDNESDAY, JUNE 24, 1846.

The following messages were received from the President of the United States, by Mr. Walker, his secretary:

To the Senate of the United States:

I herewith communicate to the Senate, for its consideration a convention concluded by the minister of the United States at Berlin, with the Duchy of Nassau, dated on the 27th May, 1846, for the mutual abolition of the droit d'aubaine and taxes on emigration, between that State of the Germanic Confederation and the United States of America; and, also, a dispatch from the minister explanatory of the convention.

JAMES K. POLK.

WASHINGTON, *June 23d*, 1846.

To the Senate of the United States:

I nominate the persons named in the accompanying list for appointment to the offices set opposite their respective names, in the Quartermaster and Commissary Departments, in accordance with the provisions of the act approved June 18, 1846, entitled "An act supplemental to an act to provide for the prosecution of the existing war between the United States and the Republic of Mexico," and for other purposes.

JAMES K. POLK.

WASHINGTON, *June* 24, 1846.

Appointments in the Quartermaster's and Commissary's Departments, under the act approved June 18, 1846.

In the Quartermaster's Department.

John S. Love, of Ohio, to be quartermaster with the rank of major.

Samuel P. Mooney, of Indiana, to be quartermaster with the rank of major.

Alexander Dunlap, of Illinois, to be quartermaster with the rank of major.

George A. Caldwell, of Kentucky, to be quartermaster with the rank of major.

Levin H. Coe, of Tennessee, to be quartermaster with the rank of major.

Sacfield Maclin, of Arkansas, to be quartermaster with the rank of major.

Thomas B. Eastland, of Louisiana, to be quartermaster with the rank of major.

T. S. Gilbert, of Ohio, to be assistant quartermaster with the rank of captain.

S. H. Webb, of Ohio, to be assistant quartermaster with the rank of captain.

Thomas H. Wilkins, of Ohio, to be assistant quartermaster with the rank of captain.

Robert Mitchell, of Indiana, to be assistant quartermaster with the rank of captain.

John Neff, of Indiana, to be assistant quartermaster with the rank of captain.

Elanson W. Enos, of Indiana, to be assistant quartermaster with the rank of captain.

James H. Ralston, of Illinois, to be assistant quartermaster with the rank of captain.

Henry Scott, jr., of Illinois, to be assistant quartermaster with the rank of captain.

Joseph Naper, of Illinois, to be assistant quartermaster with the rank of captain.

Henry M. Vandeven, of Illinois, to be assistant quartermaster with the rank of captain.

Theodore O. Harra, of Kentucky, to be assistant quartermaster with the rank of captain.

George P. Smith, of Kentucky, to be assistant quartermaster with the rank of captain.

Benjamin F. Graham, of Kentucky, to be assistant quartermaster with the rank of captain.

Robert B. Reynolds, of Tennessee, to be assistant quartermaster with the rank of captain.

Jonas E. Thomas, of Tennessee, to be assistant quartermaster with the rank of captain.

Philip B. Glenn, of Tennessee, to be assistant quartermaster with the rank of captain.

Samuel M. Rutherford, of Arkansas, to be assistant quartermaster with the rank of captain.

Franklin E. Smith, of Mississippi, to be assistant quartermaster with the rank of captain.

Henry Toulman, of Alabama, to be assistant quartermaster with the rank of captain.

Robert R. Howard, of Georgia, to be assistant quartermaster with the rank of captain.

George W. Miller, of Missouri, to be assistant quartermaster with the rank of captain.

George Kennerly, of Missouri, to be assistant quartermaster with the rank of captain.

Joseph Daniels, of Texas, to be assistant quartermaster with the rank of captain.

In the Commissary's Department.

William F. Johnson, of Ohio, to be commissary with the rank of major.

Alexander F. Monesson, of Indiana, to be commissary with the rank of major.

James C. Sloo, of Illinois, to be commissary with the rank of major.

Alfred Boyd, of Kentucky, to be commissary with the rank of major.

Julius W. Blackwell, of Tennessee, to be commissary with the rank of major.

William Bobbitt, of Mississippi, to be commissary with the rank of major.

William C. McCauslin, of Ohio, to be assistant commissary with the rank of captain.

Jesse B. Stephens, of Ohio, to be assistant commissary with the rank of captain.

John Caldwell, of Ohio, to be assistant commissary with the rank of captain.

Delaney R. Eckels, of Indiana, to be assistant commissary with the rank of captain.

Christopher C. Graham, of Indiana, to be assistant commissary with the rank of captain.

Newton Hill, of Indiana. to be assistant commissary with the rank of captain.

J. S. Post, of Illinois, to be assistant commissary with the rank of captain.

James M. Campbell, of Illinois, to be assistant commissary with the rank of captain.

William Walters, of Illinois, to be assistant commissary with the rank of captain,

Samuel Hackelton, of Illinois, to be assistant commissary with the rank of captain.

Richard Gho'ston, of Kentucky, to be assistant commissary with the rank of captain.

Thomas J. Turpen, of Kentucky, to be assistant commissary with the rank of captain.

William Garrard, of Kentucky, to be assistant commissary with the rank of captain.

Robert W. Powel, of Tennessee, to be assistant commissary with the rank of captain.

James R. Copeland, of Tennessee, to be assistant commissary with the rank of captain.

William B. Cherry, of Tennessee, to be assistant commissary with the rank of captain

William Fields, of Arkansas, to be assistant commissary with the rank of captain.

Robert Fenner, of Alabama, to be assistant commissary with the rank of captain.

Kemp S. Holland, of Mississippi, to be assistant commissary with the rank of captain.

Thomas P. Randle, of Georgia, to be assistant commissary with the rank of captain.

William Shields, of Missouri, to be assistant commissary with the rank of captain.

Amos F. Garrison, of Missouri, to be assistant commissary with the rank of captain.

Stephen Z. Hoyle, of Texas, to be assistant commissary with the rank of captain.

To the Senate of the United States :

I nominate First Lieutenant Christopher Q. Tompkins to be captain in the Third Regiment of Artillery, from June 18, 1846, vice David H. Vinton, assistant quartermaster, who, under the seventh section of the act approved June 18, 1846, elects to vacate his regimental commission.

JAMES K. POLK.

WASHINGTON, *June* 24, 1846.

To the Senate of the United States :

I nominate Abram Van Buren, of New York, Robert H. Hammond, of Pennsylvania, and Robert A. Forsyth, of Michigan, to be paymasters in the Army of the United States, as authorized by the act of Congress approved June 17, 1846.

JAMES K. POLK.

WASHINGTON, *June* 24, 1846.

The messages were read.

The convention for the mutual abolition of the droit d'aubaine and taxes on emigration, between the United States of America and His Royal Highness the Duke of Nassau, concluded at Berlin the 27th day of May, 1846, was read a first time.

On motion by Mr. McDuffie,

Ordered, That the convention, with the message and communication therein mentioned, be referred to the Committee on Foreign Relations and printed in confidence for the use of the Senate.

Ordered, That the nominations of officers in the Quartermaster and Commissary Departments, of Paymasters, and of Christopher Q. Tompkins be referred to the Committee on Military Affairs.

Mr Breese, from the Committee on Public Lands, to whom were referred, on the 19th instant, the nominations of Benjamin R. Cowherd, Samuel Russell, and John Parsons, reported.

Mr. McDuffie, from the Committee on Foreign Relations, to whom was referred, on the 3d February last, the treaty of peace, friendship, navigation, and commerce, with the Republic of New Grenada, reported it without amendment.

Mr. McDuffie, from the Committee on Foreign Relations, to whom was referred, on the 11th instant, the convention for the mutual abolition of the droit d'aubaine and taxes on emigration between the United States and His Royal Highness the Prince Electoral Co-Regent of Hesse, reported.

On motion by Mr. Fairfield,

The Senate proceeded to consider the nomination of J. George Harris; and

Resolved, That the Senate advise and consent to his appointment, agreeably to the nomination.

On motion by Mr. Haywood,

The Senate proceeded to consider the nomination of Henry Horn; and,

After debate,

On the question, Will the Senate advise and consent to the appointment of Henry Horn?

It was determined in the negative, { Yeas.....21 / Nays.....28

On motion by Mr. Sturgeon.

The yeas and nays being desired by one-fifth of the Senators present,

Those who voted in the affirmative are,

Messrs. Allen, Ashley, Atherton, Breese, Bright, Cass, Chalmers, Colquitt, Dickinson, Dix, Fairfield, Haywood, Houston, Lewis, McDuffie, Rusk, Sevier, Speight. Sturgeon, Turney, Yulee.

Those who voted in the negative are,

Messrs. Archer, Atchison, Bagby, Barrow, Berrien, Calhoun, Cameron, Cilley, Thomas Clayton, Corwin, Crittenden, Davis, Dayton, Evans, Greene, Huntington, Jarnagin, Miller, Morehead, Pearce, Phelps, Semple, Simmons, Upham, Webster, Westcott, Woodbridge.

So it was

Resolved, That the Senate do not advise and consent to the appointment of Henry Horn to be collector of the customs for the district of Philadelphia, in the State of Pennsylvania.

FRIDAY, JUNE 26, 1846.

The following messages were received from the President of the United States, by Mr. Walker, his secretary:

To the Senate of the United States:

I nominate Charles Mason to be chief justice of the supreme court of the Territory of Iowa from and after the 27th of July next, when his present commission will expire; and

T. S. Wilson and Joseph Wilson to be associate judges of said court from and after said date, when their present commissions will expire.

JAMES K. POLK.

WASHINGTON, *June* 25, 1846.

To the Senate of the United States:

I nominate James Page to be collector of the customs for the district of Philadelphia, in the place of Henry Horn, rejected by the Senate.

JAMES K. POLK.

WASHINGTON, *June* 25, 1846.

To the Senate of the United States:

I nominate Joseph Ramsey to be collector of the customs for the district and inspector of the revenue for the port of Plymouth, in the State of North Carolina, to take effect from and after the 29th of August, 1846, when his present commission expires;

Hardy Hendren to be collector of the customs for the district and inspector of the revenue for the port of Vicksburg, in the State of Mississippi, to take effect from and after the 29th of August, 1846, when the commission of the present incumbent expires;

Robert H. Webb to be surveyor and inspector of the revenue for the port of Suffolk, in the State of Virginia, to take effect from and after the 29th of August, 1846, when his present commission will expire; and

Murdock McIntyre to be register of the land office for the district of lands subject to sale at Opelousas, in the State of Louisiana, to take effect from and after the 12th of July, 1846, when the commission of the present incumbent expires.

JAMES K. POLK.

WASHINGTON, *June* 25, 1846.

The message were read.

Ordered, That the nominations of Charles Mason, T. S. Wilson, and Joseph Williams be referred to the Committee on the Judiciary.

Ordered, That the nominations of James Page, Joseph Ramsey, Hardy Hendren, and Robert H. Webb be referred to the Committee on Commerce.

Ordered, That the nomination of Murdoch McIntyre be referred to the Committee on Public Lands.

Mr. Haywood, from the Committee on the District of Columbia, to whom were referred, on the 11th instant, the nominations of John D. Clark, Edgar Snowden, and George W. P. Custis, reported.

Whereupon

Resolved, That the Senate advise and consent to the appointment of the said persons, agreeably to their nominations respectively.

Mr. Haywood, from the Committee on the District of Columbia, to whom was referred, on the 11th instant, the nomination of Robert Beale, reported.

On motion by Mr. Benton,

Ordered, That it lie on the table.

Mr. Haywood, from the Committee on Commerce, to whom was referred, on the 11th instant, the nomination of Charles Obermeyer, and on the 12th instant that of Thomas Gray, reported.

Whereupon

Resolved, That the Senate advise and consent to the appointment of the said persons, agreeably to the nominations respectively.

Mr. Haywood, from the Committee on Commerce, to whom were referred, on the 11th instant, the nominations of Narino de Mattey and Philip Geisse, and on the 12th instant that of Jacob de la Motta, reported.

Mr. Benton, from the Committee on Military Affairs, to whom were referred, on the 24th instant, the nominations for appointment in the Quartermaster's and Commissary's Departments, reported.

Whereupon

Resolved, That the Senate advise and consent to the appointment of John S. Love, Samuel P. Mooney, Alexander Dunlap, George A. Caldwell, Levin H. Coe, Thomas B. Eastland, T. S. Gilbert, S. H. Webb, Thomas H. Wilkins, Robert Mitchell, John Neff, Elanson W. Enos,

James H. Ralston, Henry Scott, jr., Joseph Naper, Henry M. Vandeven, Theodore O. Harra, George P. Smith, Benjamin F. Graham, Robert B. Reynolds, Jonas E. Thomas, Philip B. Glenn, Samuel M. Rutherford, Franklin E. Smith, Harry Toulmin, Robert R. Howard, George W. Miller, George Kennerly, Joseph Daniels, William F. Johnson, James C. Sloo, Alfred Boyd, Julius W. Blackwell, William Bobbitt, William C. McCauslin, Jesse B. Stephens, John Caldwell, Delany R. Eckels, Christopher C. Graham, Newton Hill, J. S. Post, James M. Campbell, William Walters, Samuel Hackelton, Richard Gholston, Thomas J. Turpin, William Garrard, James R. Copeland, William B. Cherry, William Fields, Robert Fenner, Kemp S. Holland, Thomas P. Randle, William Shields, Amos F. Garrison, and Stephen Z. Hoyle, agreeably to their nominations respectively.

Mr. Benton, from the Committee on Military Affairs, to whom were referred, on the 24th instant, the nominations of Abram Van Buren and Christopher Q. Tompkins, reported.

Whereupon

Resolved, That the Senate advise and consent to the appointment of the said persons, agreeably to their nominations respectively.

Mr. Benton, from the Committee on Military Affairs, to whom was referred, on the 24th instant, the nomination of Robert H. Hammond, reported.

SATURDAY, JUNE 27, 1846.

The following messages were received from the President of the United States, by Mr. Walker, his secretary:

To the Senate of the United States:

I nominate Zachary Taylor to be a major-general in the Army of the United States, in pursuance of the provisions of the act approved June 18, 1846, entitled "An act supplemental to an act entitled 'An act providing for the prosecution of the existing war between the United States and the Republic of Mexico,' and for other purposes."

William O. Butler, of Kentucky, to be a major-general in the military service of the United States, in pursuance of the provisions of the act approved June 26, 1846, entitled "An act to provide for the organization of the volunteer forces brought into the service of the United States into brigades and divisions, and for the appointment of the necessary number of general officers to command the same."

JAMES K. POLK.

WASHINGTON, *June* 27, 1846.

To the Senate of the United States:

I nominate Doctor Robert Murray, of Maryland, to be assistant surgeon in the Army, vice Assistant Surgeon Henry E. Cruttenden, resigned.

JAMES K. POLK.

WASHINGTON, *June* 27, 1846.

To the Senate of the United States:

In my message of June 25 I nominated Henry Scott, jr., of Illinois, to be assistant quartermaster. The true name is Henry Scott whom I now nominate to be assistant quartermaster, with the rank of captain, in the place of Henry Scott, jr.

JAMES K. POLK.

WASHINGTON, *June* 27, 1846.

The messages were read.

Ordered, That the nominations of Zachary Taylor, William O. Butler, and Robert Murray be referred to the Committee on Military Affairs.

On motion by Mr. Breese,

The Senate, by unanimous consent, proceeded to consider the nomination of Henry Scott; and

Resolved, That the Senate advise and consent to his appointment, agreeably to the nomination.

MONDAY, JUNE 29, 1846.

The following messages were received from the President of the United States, by Mr. Walker, his secretary:

To the Senate of the United States:

I nominate Colonel Stephen W. Kearny and Colonel David E. Twiggs, of the Army of the United States, to be brigadier-generals in the Army of the United States, in accordance with the provisions of the act approved June 18, 1846, entitled "An act supplemental to an act entitled 'An act providing for the prosecution of the existing war between the United States and the Republic of Mexico,' and for other purposes."

I also nominate Robert Patterson, of Pennsylvania, to be a major-general, and Thomas L. Hamer, of Ohio, Joseph Lane, of Indiana, James Shields, of Illinois, Thomas Marshall, of Kentucky, Gideon J. Pillow, of Tennessee, and John A. Quitman, of Mississippi, to be brigadier-generals in the military service of the United States, in accordance with the provisions of the act approved June 26, 1846, entitled "An act to provide for the organization of the volunteer forces brought into the service of the United States into brigades and divisions, and for the appointment of the necessary number of general officers to command the same."

I also nominate Charles Ruff, of Missouri, to be captain in the regiment of mounted riflemen, or Third Dragoons, in the place of Bela M. Hughes, who declines to accept the same.

JAMES K. POLK.

To the Senate of the United States:

I nominate the persons named in the accompanying list for appointment to the offices set opposite their respective names, in the Adjutant-General's Department, in accordance with the act approved June 18, 1846, entitled "An act supplemental to an act entitled 'An act providing for the prosecution of the existing war between the United States and the Republic of Mexico,' and for other purposes."

JAMES K. POLK.

WASHINGTON, *June* 29, 1846.

APPOINTMENTS IN THE ADJUTANT-GENERAL'S DEPARTMENT.

Captain George A. McCall, of the 4th Regiment of Infantry, to be assistant adjutant-general with the brevet rank of major.

Brevet Captain William W. S. Bliss, assistant adjutant-general, to be assistant adjutant-general with the brevet rank of major.

First Lieutenant Randolph Ridgely, of the 3d Regiment of Artillery, to be assistant adjutant-general with the brevet rank of captain.

First Lieutenant George Lincoln, of the 8th Regiment of Infantry, to be assistant-adjutant general with the brevet rank of captain.

First Lieutenant Oscar F. Winship, of the 2d Regiment of Dragoons, to be assistant adjutant-general with the brevet rank of captain, in place of Wm. W. S. Bliss, promoted.

To the Senate of the United States:

In my message of June 25, 1846, I nominated Newton Hill, of Indiana, to be assistant commissary. The true name is Newton Hayden, of Indiana, whom I now nominate to be assistant commissary with the rank of captain, in the place of Newton Hill.

JAMES K. POLK.

WASHINGTON, *June* 29, 1846.

The messages were read.

Ordered, That the several nominations contained therein be referred to the Committee on Military Affairs.

Mr. Benton, from the Committee on Military Affairs, to whom were referred, on the 19th instant, the nominations of Henry Whiting, Æneas Mackay, Thomas Swords, John W. Gunnison, John Pope, James W. Abert, Henry S. Turner, John W. T. Gardiner, John W. Davidson, William Steele, Bezaleel W. Armstrong, James M. Hawes, Newton C Givens, Richard C. W. Radford, Morris S. Miller, Thomas W. Sherman, Sewall L. Fremont, Richard P. Hammond, Joseph J. Reynolds, James A. Hardie, William S. Henry, Douglass S. Irwin, John Trevitt, Sidney Smith, Henry M. Judah, Norman Elting, Daniel Ruggles, Spencer Norvell, John C. Robinson, Charles S. Hamilton, Erastus B. Strong, William T. Burwell, William Read, Lafayette B. Wood, Charles J. Merchant, Simon H. Drum, and Daniel Randall, reported.

Whereupon

Resolved, That the Senate advise and consent to the promotion and appointment of the said persons, agreeably to their nominations respectively.

Mr. Benton, from the Committee on Military Affairs, to whom were referred, on the 19th instant, the nominations of Martin Scott, Randolph B. Marcy, Sterne M. Fowler, and Simon B. Buckner, reported; and,

After debate,

Resolved, That the Senate do not advise and consent to the promotion of the said persons, as stated in their nominations.

Mr. Breese, from the Committee on Public Lands, to whom was referred, on the 26th instant, the nomination of Murdock McIntyre, reported.

Mr. Benton, from the Committee on Military Affairs, to whom was referred, on the 27th instant, the nomination of Zachary Taylor, reported.

The Senate proceeded to consider the said nomination; and

On the question, Will the Senate advise and consent to the appointment of Zachary Taylor?

It was determined in the affirmative, yeas 46.

On motion by Mr. Mangum,

The yeas and nays being desired by one-fifth of the Senators present,

Those who voted are,

Messrs. Allen, Archer, Ashley, Atchison, Atherton, Bagby, Benton, Breese, Bright, Calhoun, Cass, Chalmers, Cilley, Thomas Clayton, John M. Clayton, Colquitt, Corwin, Crittenden, Davis, Dayton, Dickinson, Dix, Evans, Fairfield, Greene, Hannegan, Haywood, Houston, Huntington, Jarnagin, Johnson of Maryland, Johnson of Louisiana, McDuffie,

Mangum, Miller, Morehead, Pearce, Pennybacker, Phelps, Rusk, Sevier, Simmons, Sturgeon, Turney, Upham, Yulee.

So it was

Resolved, That the Senate advise and consent to the appointment of Zachary Taylor to be a major general in the Army of the United States, agreeably to the nomination.

Mr. Benton, from the Committee on Military Affairs, to whom was referred, on the 27th instant, the nomination of William O. Butler, reported.

The Senate proceeded to consider the said nomination; and

On the question, Will the Senate advise and consent to the appointment of William O. Butler?

It was determined in the affirmative, yeas 44.

On motion by Mr. Sevier,

The yeas and nays being desired by one-fifth of the Senators present,

Those who voted are,

Messrs. Allen, Archer, Ashley, Atchison, Atherton, Bagby, Benton, Breese, Bright, Calhoun, Cass, Chalmers, Cilley, Thomas Clayton, John M. Clayton, Colquitt, Corwin, Crittenden, Davis, Dayton, Dickinson, Dix, Evans, Fairfield, Greene, Haunegan, Haywood, Houston, Huntington, Jarnagin, Johnson of Maryland, Johnson of Louisiana, McDuffie, Mangum, Miller, Morehead, Pennybacker, Rusk, Sevier, Simmons, Sturgeon, Turney, Upham, Yulee.

So it was

Resolved, That the Senate advise and consent to the appointment of William O. Butler to be a major-general in the military service of the United States, agreeably to the nomination.

Mr. Upham presented two memorials from citizens of Grand Isle County, in the State of Vermont, praying that the advice and consent of the Senate may not be given to the appointment of Russell G. Hopkinson.

Mr. Benton, from the Committee on Military Affairs, to whom was this day referred the nomination of Newton Hayden, reported.

Whereupon

The Senate, by unanimous consent, proceeded to consider the said nomination; and

Resolved, That the Senate advise and consent to the appointment of Newton Hayden, agreeably to the nomination.

On motion by Mr. Benton,

The Senate proceeded to consider the nomination of Robert H. Hammond; and

Resolved, That the Senate advise and consent to his appointment, agreeably to the nomination.

On motion by Mr. Fairfield,

The Senate proceeded to consider the nomination of Aristides Welch; and

Resolved, That the Senate advise and consent to his appointment, agreeably to the nomination.

On motion by Mr. Cass,

The Senate proceeded to reconsider the vote confirming the nominations of Erastus B. Strong, William T. Burwell, and William Read.

On motion,

The Senate adjourned.

TUESDAY, JUNE 30, 1846.

The following message was received from the President of the United States, by Mr. Walker, his secretary:

To the Senate of the United States:

I nominate the persons named in the accompanying list for appointment to the offices set opposite their respective names, in the Medical Department, in accordance with the act approved June 18, 1846, entitled "An act supplemental to an act entitled 'An act providing for the prosecution of the existing war between the United States and the Republic of Mexico,' and for other purposes."

JAMES K. POLK.

WASHINGTON, *June* 30, 1846.

Appointments in the Medical Department.

William Trevitt, of Ohio, to be surgeon.
Benjamin Stone, of Ohio, to be surgeon.
Edward B. Price, of Illinois, to be surgeon.
James Mahan, of Illinois, to be surgeon.
Robert F. Richardson, of Illinois, to be surgeon.
William M. Quinn, of Illinois, to be surgeon.
Seymour Halsey, of Mississippi, to be surgeon.
Paul F. Ere, of Georgia, to be surgeon.
Robert McNeal, of Ohio, to be assistant surgeon.
P. H. Mulvaney, of Ohio, to be assistant surgeon.
William B. Herrick, of Illinois, to be assistant surgeon.
Daniel Turney, of Illinois, to be assistant surgeon.
Washington J. Gibbs, of Illinois, to be assistant surgeon.
Henry Bragg, of Illinois, to be assistant surgeon.
John Thompson, of Mississippi, to be assistant surgeon.

The message was read.

Ordered, That the nominations contained therein be referred to the Committee on Military Affairs.

Mr. Benton, from the Committee on Military Affairs, to whom were referred, on the 29th instant, the nominations of Stephen W. Kearney, David E. Twiggs, Robert Patterson, Thomas L. Hamer, Joseph Lane, James Shields, Thomas Marshall, Gideon J. Pillow, John A. Quitman, and Charles Ruff, reported.

On motion by Mr. Benton,

The Senate proceeded to consider the said nominations; and,

After debate,

On motion by Mr. Benton,

Resolved, That the Senate advise and consent to the appointment of Stephen W. Kearney and David E. Twiggs, agreeably to their nominations respectively.

WEDNESDAY, JULY 1, 1846.

On motion by Mr. Benton,

The Senate proceeded to consider the nominations of Thomas L. Hamer, Joseph Lane, James Shields, Thomas Marshall, Gideon J. Pillow, and John A. Quitman; and,

After debate,

Resolved, That the Senate advise and consent to the appointment of the said persons, agreeably to their nominations respectively.

The Senate proceeded to consider the nomination of Welcome B. Sayles; and,

After debate,

On motion,

The Senate adjourned.

THURSDAY, JULY 2, 1846.

Mr. Benton, from the Committee on Military Affairs, to whom was referred, on the 24th June, the nomination of Robert A. Forsyth, reported.

Mr. Hannegan submitted the following resolution for consideration:

Resolved, That the President be requested to inform the Senate as to the division of troops now in the field which he designs to assign to the command of General Patterson.

The Senate proceeded to consider the nomination of Welcome B. Sayles; and,

After debate,

On the question, Will the Senate advise and consent to the appointment of Welcome B. Sayles?

It was determined in the affirmative, { Yeas ..... 19 / Nays 11

On motion by Mr. Greene,

The yeas and nays being desired by one-fifth of the Senators present,

Those who voted in the affirmative are,

Messrs. Allen, Ashley, Atchison, Bagby, Benton, Bright, Chalmers, Colquitt, Dickinson, Fairfield, Hannegan, Haywood, Houston, Niles, Pennybacker, Simmons, Sturgeon, Turney, Yulee.

Those who voted in the negative, are,

Messrs. Archer, Calhoun, Cilley, Thomas Clayton, Davis, Evans, Greene, Johnson of Louisiana, Mangum, Pearce, Phelps.

So it was

Resolved, That the Senate advise and consent to the appointment of Welcome B. Sayles, agreeably to the nomination.

TUESDAY, JULY 7, 1846.

The following messages were received from the President of the United States, by Mr. Walker, his secretary:

To the Senate of the United States:

I nominate the officers named in the accompanying list for regular promotion in the Army of the United States to the several grades annexed to their names, as proposed by the Secretary of War.

JAMES K. POLK.

WASHINGTON, *July* 6, 1846.

WAR DEPARTMENT, *July* 2, 1846.

SIR: I have the honor respectfully to propose for your approbation the annexed list of officers for regular promotion in the Army of the United States.

I am, sir, with great respect, your obed't serv't,

W. L. MARCY.

To the PRESIDENT OF THE UNITED STATES.

WAR DEPARTMENT, *July* 2, 1846.

REGULAR PROMOTIONS IN THE ARMY OF THE UNITED STATES.

First Regiment of Infantry.

First Lieutenant Randolph B. Marcy to be captain, May 18, 1846, vice Thompson, resigned.

Second Lieutenant Sterne H. Fowler to be first lieutenant, May 18, 1846, vice Marcy, promoted.

Second Lieutenant Spencer Norvell to be first lieutenant, May 18, 1846, vice Root, resigned.

Brevet Second Lieutenant Erastus B. Strong, of the 7th Regiment of Infantry, to be second lieutenant, May 18, 1846, vice Fowler, promoted.

Brevet Second Lieutenant William T. Burwell, of the Sixth Regiment of Infantry, to be second lieutenant, May 18, 1846, vice Brooke, resigned.

Brevet Second Lieutenant William Read, of the Sixth Regiment of Infantry, to be second lieutenant, May 18, 1846, vice Norvell, promoted.

Sixth Regiment of Infantry.

First Lieutenant James Monroe, jr. to be captain, May 9, 1846 vice Noel, promoted to Seventh Regiment of Infantry.

Second Lieutenant Leonidas Wetmore to be first lieutenant, May 9, 1846, vice Monroe, promoted.

Brevet Second Lieutenant Simon B. Buckner, of the Second Regiment of Infantry, to be second lieutenant, May 9, 1846, vice Wetmore, promoted.

Seventh Regiment of Infantry.

Captain Thomas Noel, of the Sixth Regiment of Infantry, to be major, May 9, 1846, vice Brown, deceased (mortally wounded in battle).

The foregoing promotions are intended as a substitute for those contained in the nomination list of the 15th ultimo, under the headings Fifth and Seventh Regiments of Infantry, which now become necessary by the refusal of the Senate, on the 29th ultimo, to advise and consent to the promotion of Lieutenants Marcy, Fowler, and Buckner, in the 5th and Captain Martin Scott in the 7th Regiment of Infantry, according to their nominations. Captain Scott, by his non-confirmation as major, being thus compelled to resume his place as captain in the 5th Infantry, the other officers of that regiment whose promotions were dependent upon his advancement fall back also into their original positions; but they are entitled to the first subsequent vacancy, and hence not to overlook their claims by promoting their *juniors*, the resolution of the Senate of the 29th ultimo confirming the promotions of Lieutenants Ruggles, Norvell, and Robinson in the 5th Infantry, agreeably to their nominations in the list of June 15, ought to be rescinded. Lieut. C. S. Hamilton's promotion having no connection with the contingency stated, it should stand as confirmed the 29th ultimo.

To the Senate of the United States:

I nominate the cadets named in the accompanying list for appointment in the Army of the United States, as proposed by the Secretary of War.

JAMES K. POLK.

WASHINGTON, *July* 6, 1846.

WAR DEPARTMENT, *July* 6, 1846.

SIR: I have the honor respectfully to propose for your approbation the annexed list of graduates of the Military Academy for appointment in the Army of the United States, in conformity with the 4th section of the act of April 29, 1812.

I am, sir, with great respect, your obedient servant,

W. L. MARCY.

To the PRESIDENT OF THE UNITED STATES.

WAR DEPARTMENT, *July* 6, 1846.

APPOINTMENTS IN THE ARMY OF THE UNITED STATES.

Corps of Engineers.

Cadet Charles S. Stewart, of New Jersey, to be second lieutenant, July 1, 1846.

Graduates of the Military Academy attached to the Army as brevet second lieutenants, in conformity with the 4th section of the act approved April 29, 1812, to take rank, respectively, from July 1, 1846.

Brevet second lieutenants attached to the Corps of Engineers.

Cadet George B. McClellan, of Pennsylvania.
Cadet Charles E. Blunt, of New York.
Cadet John G. Foster, of New Hampshire.

Brevet second lieutenants attached to the Corps of Topographical Engineers.

Cadet Edmund L. T. Hardcastle, of Maryland.
Cadet Thomas T. Bryan, of North Carolina.

Brevet second lieutenants attached to the Ordnance Department.

Cadet George H. Derby, of Massachusetts.
Cadet Jesse L. Reno, of Pennsylvania.

Brevet second lieutenants attached to the Dragoon arm.

Cadet Clarenden I. L. Wilson, of Virginia.
Cadet John Adams, of Tennessee.
Cadet Thomas F. Caster, of Pennsylvania.
Cadet Orren Chapman, of New York.
Cadet Oliver H. P. Taylor, of Rhode Island.
Cadet Samuel D. Sturgis, of Pennsylvania.
Cadet George Stoneman, jr., of New York.
Cadet James Oaks, of Pennsylvania.
Cadet William D. Smith, of Georgia.
Cadet George F. Evans, of Maine.

Brevet second lieutenants attached to the Artillery arm.

Cadet Thomas M. Whedbee, of North Carolina.
Cadet Edmund Hayes, of Pennsylvania.
Cadet Edward C. Boynton, of Vermont.
Cadet Darius N. Couch, of New York.
Cadet Henry B. Sears, of Massachusetts.

Cadet William Dutton, of New York.
Cadet John A. Brown, of Maryland.
Cadet Thomas J. Jackson, of Virginia.
Cadet Albert L. Magilton, of Pennsylvania.
Cadet Truman Seymour, of Vermont.
Cadet Colville I. Minor, of the District of Columbia.
Cadet Marcus D. L. Simpson, of New York.
Cadet Rufus I. Bacon, of Maine.
Cadet Hamilton L. Shields, of Virginia.
Cadet Richard H. Rush, of Pennsylvania.
Cadet Henry H. Ehninger, of New York.

Brevet second lieutenants attached to the Infantry arm.

Cadet Charles C. Gilbert, of Ohio.
Cadet Alexander P. Rodgers, of Connecticut.
Codet Parmenus T. Turnley, of Tennessee.
Cadet David R. Jones, of Georgia.
Cadet Frederick Myers, of Connecticut.
Cadet Delaney F. Jones, of New York.
Cadet John D. Wilkins, of Pennsylvania.
Cadet Joseph N. G. Whistler.
Cadet Thomas Easley, of Virginia.
Cadet Nelson H. Davis, of Massachusetts.
Cadet Thomas R. McConnell, of Georgia.
Cadet Matthew R. Stevenson, of New York.
Cadet George S. Humphreys, of Maryland.
Cadet William H. Tyler, of Virginia.
Cadet Cadmus M. Wilcox, of Tennessee.
Cadet William M. Gardner, of Georgia.
Cadet Edmund Russell, of Pennsylvania.
Cadet Archibald B. Botts, of Virginia.
Cadet Samuel B. Maxey, of Kentucky.
Cadet George E. Picket, of Illinois.

Brevet second lieutenants attached to the reg't of Mounted Riflemen.

Cadet Dabney H. Maurey, of Virginia.
Cadet Innis M. Palmer, of New York.
Cadet James Stuart, of South Carolina.
Cadet Alfred Gibbs, of New York.
Cadet George H. Gordon, of Massachusetts.

To the Senate of the United States:

I withdraw the name of Sackfield Maclin, of Arkansas, nominated in my message of 24th of June to be a quartermaster with the rank of major, and I nominate in his place Benjamin McCullough, of Texas, to be quartermaster with the rank of major.

I nominate Jesse Thomas to be surveyor and inspector of the revenue for the port of Nashville, in the State of Tennessee, in the place of Joeseph Litton, deceased.

Robert N. McMillan to be collector of the customs for the district of Teche and inspector of the revenue for the port of Franklin, in the State of Louisiana, in the place of Robert Royster, deceased.

JAMES K. POLK.

WASHINGTON, *July* 6, 1846.

To the Senate of the United States :

I herewith communicate to the Senate, for its consideration, a treaty of commerce and navigation between the United States and the Kingdom of Hanover, concluded and signed at Hanover on the 10th ultimo, by the respective plenipotentiaries.

And I communicate at the same time extracts of a dispatch from the agent of the United States explanatory of the treaty.

JAMES K. POLK.

WASHINGTON, *July* 7, 1846.

The messages were read.

Ordered, That the nominations contained therein for promotion and appointment in the Army be referred to the Committee on Military Affairs.

Ordered, That the nomination of Jesse Thomas be referred to the Committee on Commerce.

The treaty of commerce and navigation between the United States of America and the Kingdom of Hanover, was read a first time.

On motion by Mr. Crittenden,

Ordered, That the treaty, with the message and documents communicated therewith, be referred to the Committee on Foreign Relations and printed in confidence for the use of the Senate.

The Senate, by unanimous consent, proceeded to consider the nomination of Robert N. McMillan ; and

Resolved, That the Senate advise and consent to his appointment, agreeably to the nomination.

Mr. Niles, from the Committee on the Post-Office and Post-Roads, to whom was referred, on the 29th December last, the nomination of Charles K. Gardner, reported.

Whereupon

Resolved, That the Senate advise and consent to his appointment, agreeably to the nomination

Mr. Benton, from the Committee on Military Affairs, to whom were referred, on the 30th June, the nominations of surgeons and assistant surgeons in the Medical Department.

Whereupon

Resolved, That the Senate advise and consent to the appointment of the said persons, agreeably to their nominations respectively.

Mr. Benton, from the Committee on Military Affairs, to whom were referred, on the 29th June, the nominations of George A. McCall, William W. S. Bliss, Randolph Ridgely, George Lincoln, and Oscar F. Winship, reported.

Whereupon

Resolved, That the Senate advise and consent to the appointment of the said persons, agreeably to their nominations respectively.

Mr. Ashley, from the Committee on the Judiciary, to whom were referred, on the 26th June, the nominations of Charles Mason and T. S. Wilson, reported.

Whereupon

Resolved, That the Senate advise and consent to the appointment of the said persons, agreeably to their nominations respectively.

On motion by Mr. Benton,

The Senate proceeded to consider the nomination of Charles Ruff; and

Resolved, That the Senate advise and consent to his appointment, agreeably to the nomination.

On motion by Mr. Benton,

The Senate proceeded to consider the nomination of Robert Patterson; and,

After debate,

On motion by Mr. Semple, that it lie on the table,

It was determined in the negative, { Yeas ..... 11 / Nays 28

On motion by Mr. Breese,

The yeas and nays being desired by one-fifth of the Senators present,

Those who voted in the affirmative are,

Messrs. Allen, Atchison, Cilley, Davis, Evans, Hannegan, Jarnagin, Phelps, Semple, Simmons, Turney.

Those who voted in the negative are,

Messrs. Archer, Ashley, Atherton, Bagby, Barrow, Benton, Breese, Chalmers, Thomas Clayton, John M. Clayton, Colquitt, Dayton, Dickinson, Dix, Fairfield, Greene, Houston, Johnson of Maryland, Johnson of Louisiana, Lewis, Niles, Pennybacker, Rusk, Sevier, Sturgeon, Westcott, Woodbridge, Yulee.

So it was

Resolved, That the Senate advise and consent to the appointment of Robert Patterson, agreeably to the nomination.

So it was

Resolved, That the Senate advise and consent to the appointment of of Robert Patterson, agreeably to the nomination.

FRIDAY, JULY 10, 1846.

The following messages were received from the President of the United States, by Mr. Walker, his secretary:

To the Senate of the United States:

I nominate the persons named in the accompanying list for appointment in the Medical Department in accordance with the act approved June 18, 1846, entitled "An act supplemental to an act entitled 'An act providing for the prosecution of the existing war between the United States and the Republic of Mexico,' and for other purposes."

JAMES K. POLK.

WASHINGTON, *July* 9, 1846.

APPOINTMENTS IN THE MEDICAL DEPARTMENT, UNDER THE ACT APPROVED JUNE 18, 1846.

Alexander Hensley, of Kentucky, to be surgeon.
Thomas L. Caldwell, of Kentucky, to be surgeon.
Robert P. Hunt, of Kentucky, to be surgeon.
Caleb V. Jones, of Indiana, to be surgeon.
Daniel S. Lane, of Indiana, to be surgeon.
James S. Athon, of Indiana, to be surgeon.
E. K. Chamberlain, of Ohio, to be surgeon.
Alexander Blanton, of Kentucky, to be assistant surgeon.
John J. Mathews, of Kentucky, to be assistant surgeon.
James B. Snail, of Kentucky to be assistant surgeon.
William Fosdick, of Indiana, to be assistant surgeon.
John T. Walker, of Indiana, to be assistant surgeon.

John G. Dunn, of Indiana, to be assistant surgeon.
A. E. Heighway, of Ohio, to be assistant surgeon.
John J. B. Hoxey, of Georgia, to be assistant surgeon.

To the Senate of the United States:

In accordance with the provisions of the act approved June 18, 1846, entitled "An act supplemental to an act entitled 'An act to provide for the prosecution of the existing war between the United States and the Republic of Mexico,' and for other purposes," I nominate John T. Arthur, of Ohio, to be quartermaster with the rank of major, in the place of John S. Love, who declines to accept the appointment.

JAMES K. POLK.

WASHINGTON, *July* 10, 1846.

To the Senate of the United States:

I transmit herewith, for the consideration and advice of the Senate, with regard to its ratification, a treaty concluded on the fifth and seventeenth days of June last by T. P. Andrews, Thomas A. Harvey, and Gideon C. Matlock, commissioners on the part of the United States and the various bands of the Pottawatomies, Chippewa, and Ottawa Indians, together with a report of the Commissioner of Indian Affairs, and other papers explanatory of the same.

JAMES K. POLK.

WASHINGTON, *July* 9, 1846.

The messages were read; and
Ordered, That the nominations contained therein, of surgeons, assistant surgeon, and quartermaster be referred to the Committee on Military Affairs.

The articles of a treaty between the United States and the various bands of the Pottawatomie, Chippewa and Ottawa Indians, were read a first time.

On motion by Mr. Sevier,
Ordered, That the treaty, with the message and documents communicated therewith, be referred to the Committee on Indian Affairs and printed in confidence for the use of the Senate.

Mr. Benton submitted the following resolution; which was considered, by unanimous consent, and agreed to:

Resolved, That the injunction of secrecy be removed from the proceedings of the Senate in executive session upon the reference to the Senate to fix the compensation to be paid to the Cherokee Nation for their country east of the Mississippi preliminary to the treaty of the 29th December, 1835, and the subsequent proceedings of the Senate upon said treaty.

Mr. Hannegan submitted the following resolution for consideration:
Resolved, That the injunction of secrecy be forthwith removed from the treaty with Great Britain relative to the Oregon Territory and the correspondence which accompanied it, and all the proceedings thereon, including the speeches and remarks of Senators.

Mr. Dix, from the Committee on Commerce, to whom was referred, on the 26th June, the nomination of James Page, reported.

Mr. Niles, from the Committee on the Post-Office and Post-Roads, to whom was referred, on the 13th January, the nomination of Stephen S. Seavy, reported.

TUESDAY, JULY 14, 1886.

The following messages were received from the President of the United States, by Mr. Walker, his secretary:

To the Senate of the United States:

I nominate Benjamin H. Brewster, of Pennsylvania, and Edward Harden, of Georgia, to be commissioners to examine claims under the treaty with the Cherokees of 1835–'36, in pursuance of the provisions of the act approved June 27, 1846, entitled "An act making appropriations for the current and contingent expenses of the Indian Department, and for fulfilling treaty stipulations with the various Indian tribes, for the year ending the 30th June, 1847."

JAMES K. POLK.

WASHINGTON, *July* 11, 1846.

To the Senate of the United States:

I nominate John W. Moore, of Alabama, to be surgeon, and C. J. Clark, of Alabama, to be assistant surgeon in the Medical Department, in accordance with the act approved June 18, 1846, entitled "An act supplemental to an act entitled 'An act providing for the prosecution of the existing war between the United States and the Republic of Mexico,' and for other purposes."

JAMES K. POLK.

WASHINGTON, *July* 11, 1846.

To the Senate of the United States:

I nominate George W. Ellis, of Massachusetts, to be consul of the United States for the port of Bombay, in the place of Q. C. Alexander, resigned.

JAMES K. POLK.

WASHINGTON, 14*th July*, 1846.

The messages were read; and

Ordered, That the nominations of Benjamin H. Brewster and Edward Harden be referred to the Committee on Indian Affairs.

Ordered, That the nominations of John W. Moore and C. J. Clark be referred to the Committee on Military Affairs.

Ordered, That the nomination of George W. Ellis be referred to the Committee on Commerce.

Mr. McDuffie, from the Committee on Foreign Relations, to whom was referred, on the 7th instant, the treaty of navigation and commerce between the United States of America and the King of Hanover, reported it without amendment.

On motion by Mr. McDuffie,

The Senate proceeded, as in Committee of the Whole, to consider the said treaty; and,

After debate,

On motion by Mr. Webster,

Ordered, That it be postponed until to-morrow.

Mr. Benton, from the Committee on Military Affairs, to whom were referred, on the 10th instant, the nominations of surgeons and assistant surgeons in the Medical Department, reported.

Whereupon

Resolved, That the Senate advise and consent to the appointment of the said persons, agreeably to their nominations respectively.

On motion by Mr. Benton,

The Senate proceeded to consider the nomination of Robert W. Powell; and

Resolved, That the Senate advise and consent to his appointment, agreeably to his nomination.

On motion by Mr. Hannegan,

The Senate proceeded to consider the nomination of Alexander F. Morrison; and,

After debate,

On the question, Will the Senate advise and consent to the appointment of Alexander F. Morrison?

It was determined in the affirmative, { Yeas ..... 22 / Nays 20

On motion by Mr. Hannegan,

The yeas and nays being desired by one-fifth of the Senators present,

Those who voted in the affirmative are,

Messrs. Allen, Ashley, Atchison, Atherton, Breese, Bright, Cass, Chalmers, Colquitt, Dickinson, Dix, Fairfield, Hannegan, Haywood, Houston, Pennybacker, Rusk, Semple, Speight, Sturgeon, Turney, Yulee.

Those who voted in the negative are,

Messrs. Archer, Bagby, Barrow, Berrien, Cameron, Cilley, John M. Clayton, Corwin, Dayton, Greene, Jarnagin, Johnson of Maryland, Johnson of Louisiana, Lewis, Mangum, Miller, Morehead, Niles, Phelps, Upham, Woodbridge.

So it was

Resolved, That the Senate advise and consent to the appointment of Alexander F. Morrison, agreeably to the nomination.

THURSDAY, JULY 16, 1846.

The following messages were received from the President of the United States, by Mr. Walker, his secretary:

To the Senate of the United States:

In my message of June 29th I nominated Newton Hayden, of Indiana, to be assistant commissary. The true name is *Nehemiah Hayden*, whom I now nominate to be assistant commissary with the rank of captain, in the place of Newton Hill.

JAMES K. POLK.

WASHINGTON, *July* 16, 1846.

To the Senate of the United States:

I withdraw the nomination of Jordan Bennet for the office of coiner of the branch mint of the United States at Charlotte, in the State of North Carolina, and nominate Emmor Graham for said office, in the place of I. R. Bolton, deceased.

JAMES K. POLK.

WASHINGTON, *July* 15, 1846.

To the Senate of the United States:

I nominate the persons named in the accompanying list for appointment in the Medical Department, in accordance with the act approved June 18, 1846, entitled "An act supplemental to an act entitled 'An act providing for the prosecution of the existing war between the United States and the Republic of Mexico,' and for other purposes."

JAMES K. POLK.

WASHINGTON, *July* 16, 1846.

APPOINTMENTS IN THE MEDICAL DEPARTMENT UNDER THE ACT APPROVED JUNE 18, 1846.

Daniel McPhail, of Tennessee, to be surgeon.
George Penn, of Missouri, to be surgeon.
George Johnson, of Missouri, to be surgeon.
William D. Dorris, of Tennessee, to be assistant surgeon.
Thomas M. Morton, of Missouri, to be assistant surgeon.
Richard H. Stevens, of Missouri, to be assistant surgeon.

To the Senate of the United States:

I transmit herewith, for the consideration of the Senate, a treaty concluded on the 15th day of May last with the Comanche and other tribes or bands of Indians of Texas and the southwestern prairies. I also inclose a communication from the Secretary of War and a report from the Commissioner of Indian Affairs, with accompanying documents, which contain full explanations of the considerations which led to the negotiation of the treaty and the general objects sought to be accomplished by it.

JAMES K. POLK.

WASHINGTON, *July* 15, 1846.

The messages were read; and

Ordered, That the nomination of Emmor Graham be referred to the Committee on Finance.

Ordered, That the nominations of surgeons and assistant surgeons be referred to the Committee on Military Affairs.

The articles of a treaty between the United States and the Comanche, I-on-i, Ana-da-ca, Codoe, Lepan, Long Wha, Keechy, Tah Wah, Carro, Wichita, and Wacoe tribes of Indians and their associate bands, were read a first time.

On motion by Mr. Sevier,

Ordered, That the treaty, with the message and documents communicated therewith, be referred to the Committee on Indian Affairs and printed in confidence for the use of the Senate.

On motion by Mr. Bright,

The Senate, by unanimous consent, proceeded to consider the nomination of Nehemiah Hayden; and

Resolved, That the Senate advise and consent to his appointment, agreeably to the nomination.

Mr. Benton, from the Committee on Military Affairs, to whom were referred, on the 7th instant, the nominations of Randolph B. Marcy, Sterne H. Fowler, Spencer Norvell, Erastus B. Strong, William T. Burwell, William Read, James Monroe, jr., Leonidas Wetmore, Simon B. Buckner, Thomas Noel, and Benjamin McCullough, reported.

Whereupon

Resolved, That the Senate advise and consent to the appointment of the said persons, agreeably to their nominations respectively.

Mr. Benton, from the Committee on Military Affairs, to whom were referred, on the 7th instant, the nominations of cadets for appointments in the Army, reported.

Whereupon

Resolved, That the Senate advise and consent to the appointment of the said persons, agreeably to their nominations respectively.

Mr. Benton, from the Committee on Military Affairs, to whom was referred, on the 10th instant, the nomination of John T. Arthur, and, on the 14th instant, those of John W. Moore and C. J. Clark, reported.

Whereupon

Resolved, That the Senate advise and consent to the appointment of the said persons, agreeably to their nominations respectively.

Mr. Jarnagin, from the Committee on Indian Affairs, to whom were referred, on the 14th instant, the nominations of Benjamin H. Brewster and Edward Harden, reported.

On motion by Mr. Turney,

The Senate proceeded to consider the nomination of Jesse B. Clements; and

Resolved, That the Senate advise and consent to his appointment, agreeably to the nomination.

Mr. Hannegan submitted the following resolution for consideration:

Resolved, That the President be requested to inform the Senate if it is his intention to comply with two resolutions of the Senate passed on the 17th ultimo, in relation to the correspondence attending the Oregon treaty and the origin of the Puget's Sound Agricultural Company, with the nature and extent of the company's claims and possessions in Oregon.

FRIDAY, JULY 17, 1846.

The Senate proceeded to consider the nomination of Ransom H. Gillet; and,

After debate,

On the question, Will the Senate advise and consent to the appointment of Ransom H. Gillet?

It was determined in the affirmative, { Yeas ..... 28 / Nays 23

On motion by Mr. Jarnagin,

The yeas and nays being desired by one-fifth of the Senators present,

Those who voted in the affirmative are,

Messrs. Allen, Ashley, Atchison, Atherton, Bagby, Benton, Breese, Bright, Cass, Chalmers, Dickinson, Dix, Fairfield, Hannegan, Haywood, Houston, Johnson of Louisiana, Lewis, McDuffie, Niles, Pennybacker, Rusk, Semple, Sevier, Speight, Sturgeon, Turney, Yulee.

Those who voted in the negative are,

Messrs. Archer, Barrow, Berrien, Cameron, Ciiley, John M. Clayton, Corwin, Crittenden, Davis, Dayton, Greene, Huntington, Jarnagin, Johnson of Maryland, Mangum, Miller, Morehead, Pearce, Phelps, Upham, Webster, Woodbridge.

So it was

Resolved, That the Senate advise and consent to the appointment of Ransom H. Gillet, agreeably to the nomination.

The Senate proceeded to consider the nomination of Augustus Jenkins; and

On the question, Will the Senate advise and consent to the appointment of Augustus Jenkins?

It was determined in the affirmative, { Yeas ..... 29 / Nays 6

On motion by Mr. Lewis,

The yeas and nays being desired by one-fifth of the Senators present,

Those who voted in the affirmative are,

Messrs. Allen, Ashley, Atchison, Atherton, Bagby, Benton, Breese, Bright, Cass, Chalmers, Dickinson, Dix, Fairfield, Hannegan, Hay-

wood, Houston, Jarnagin, Johnson of Maryland, McDuffie, Niles, Pennybacker, Rusk, Semple, Sevier, Speight, Sturgeon, Turney, Webster, Yulee.

Those who voted in the negative are,

Messrs Archer, Calhoun, Cameron, Cilley, Corwin, Evans, Lewis.

So it was

Resolved, That the Senate advise and consent to the appointment of Augustus Jenkins, agreeably to the nomination.

The Senate proceeded to consider the nomination of Daniel Vaughn; and

Resolved, That the Senate advise and consent to his appointment, agreeably to the nomination.

The Senate proceeded to consider the nomination of Hezekiah Willard; and

On the question, Will the Senate advise and consent to the appointment of Hezekiah Willard?

It was determined in the affirmative, { Yeas ..... 30 / Nays 17

On motion by Mr. Greene,

The yeas and nays being desired by one-fifth of the Senators present,

Those who voted in the affirmative are,

Messrs. Allen, Ashley, Atchison, Atherton, Bagby, Benton, Breese, Bright, Cameron, Cass, Chalmers, Dickinson, Dix, Fairfield, Hannegan, Haywood, Houston, McDuffie, Morehead, Niles, Pennybacker, Rusk, Semple, Sevier, Simmons, Speight, Sturgeon, Turney, Woodbridge, Yulee.

Those who voted in the negative are,

Messrs. Archer, Barrow, Berrien, Cilley, Corwin, Crittenden, Davis, Evans, Greene, Huntington, Johnson of Maryland, Johnson of Louisiana, Mangum, Miller, Pearce, Phelps, Webster.

So it was

Resolved, That the Senate advise and consent to the appointment of Hezekiah Willard, agreeably to the nomination.

On motion by Mr. Lewis that the vote of the Senate on confirming the nomination of Ransom H. Gillet be reconsidered,

It was determined in the affirmative, { Yeas ..... 29 / Nays 23

On motion by Mr. Evans,

The yeas and nays being desired by one-fifth of the Senators present,

Those who voted in the affirmative are,

Messrs. Archer, Atchison, Barrow, Berrien, Calhoun, Cameron, Cilley, John M. Clayton, Corwin, Crittenden, Davis, Dayton, Evans, Greene, Huntington, Jarnagin, Johnson of Maryland, Johnson of Louisiana, Lewis, Mangum, Miller, Morehead, Pennybacker, Phelps, Simmons, Upham, Webster, Wescott, Woodbridge.

Those who voted in the negative are,

Messrs. Allen, Ashley, Atherton, Bagby, Breese, Bright, Cass, Chalmers, Dickinson, Dix, Fairfield, Hannegan, Haywood, Houston, McDuffie, Niles, Rusk, Semple, Sevier, Speight, Sturgeon, Turney, Yulee.

On motion by Mr. Jarnagin that the vote of the Senate on confirming the nomination of Augustus Jenkins be reconsidered,

On motion,

The Senate adjourned.

TUESDAY, JULY 21, 1846.

The following messages were received from the President of the United States, by Mr. Walker, his secretary:

To the Senate of the United States:

I herewith transmit, in compliance with the request of the Senate in their resolution of the 17th of June, 1846, a report of the Secretary of State. together with a copy of all "the dispatches and instructions" "relative to the Oregon treaty" "forwarded to our minister, Mr. McLane," "not heretofore communicated to the Senate," including a statement of the propositions for the adjustment of the Oregon question previously made and rejected by the respective Governments. This statement was furnished to Mr. McLane before his departure from the country, and is dated on the 12th July, 1845, the day on which the note was addressed by the Secretary of State to Mr. Pakenham offering to settle the controversy by the 49th parallel of latitude, which was rejected by that minister on the 29th July following.

The Senate will perceive that extracts from but two of Mr. McLane's "dispatches and communications to this Government" are transmitted, and these only because they were necessary to explain the answers given to them by the Secretary of State.

These dispatches are both numerous and voluminous, and, from their confidential character, their publication, it is believed, would be highly prejudicial to the public interests.

Public considerations alone have induced me to withhold the dispatches of Mr. McLane addressed to the Secretary of State. I concur with the Secretary of State in the views presented in his report, herewith transmitted, against the publication of these dispatches.

Mr. McLane has performed his whole duty to his country, and I am not only willing but anxious that every Senator who may desire it shall have an opportunity of perusing these dispatches at the Department of State. The Secretary of State has been instructed to afford every facility for this purpose.

JAMES K. POLK.

WASHINGTON, 21*st July*, 1846.

To the Senate of the United States:

I communicate herewith a report from the Secretary of State in answer to the resolution of the Senate of the 18th of June, 1846, calling for certain information in relation to the Oregon Territory.

JAMES K. POLK.

WASHINGTON, *July* 21, 1846.

To the Senate of the United States:

I nominate Norman Lyman to be deputy postmaster at Hartford, in the State of Connecticut, vice Joseph Pratt, removed.

JAMES K. POLK.

WASHINGTON, 18, 1846.

To the Senate of the United States:

I nominate A. Parker, of Texas, to be surgeon, and E. Tucker and Richard P. Ashe, of Texas, to be assistant surgeons, in accordance with the act approved June 18, 1846, entitled "An act supplemental to an

act entitled 'An act providing for the prosecution of the existing war between the United States and the Republic of Mexico,' and for other purposes."

JAMES K. POLK.

WASHINGTON, *July* 21, 1846.

The messages were read.

On motion by Mr. Allen,

Ordered, That the message relating to the Puget's Sound Agricultural Company and the Hudson's Bay Company, and the report of the Secretary of State communicated therewith, be printed in confidence for the use of the Senate.

On motion by Mr. Allen,

Ordered, That the message communicating certain correspondence relative to the Territory of Oregon be printed in confidence for the use of the Senate.

Ordered, That the nomination of Norman Lyman be referred to the Committee on the Post-Office and Post-Roads.

Ordered, That the nominations of A. Parker, E. Tucker, and Richard P. Ashe be referred to the Committee on Military Affairs.

Mr. Sevier, from the Committee on Indian Affairs, to whom were referred, on the 10th instant, the articles of a treaty with the Pottawatomie, Chippewa, and Ottawa Indians, reported it without amendment.

On motion by Mr. Sevier,

The Senate, as in Committee of the Whole, proceeded to consider the said treaty; and no amendment being made thereto, it was reported to the Senate.

Mr. Sevier submitted the following resolution:

Resolved (*two-thirds of the Senators present concurring*), That the Senate advise and consent to the ratification of the articles of a treaty made and concluded at the agency on the Missouri River, near Council Bluffs, on the 5th day of June, and at Pottawatomie Creek, near the Osage River, south and west of the State of Missouri, on the 17th day of the same month, in the year of our Lord 1846, between T. P. Andrews, Thomas H. Harvey, and Gideon C. Matlock, commissioners on the part of the United States, on the one part, and the various bands of the Pottawatomie, Chippewa, and Ottawa Indians, on the other part.

The Senate, by unanimous consent, proceeded to consider the said resolution; and,

After debate,

On the question to agree thereto,

It was determined in the negative, { Yeas ..... 23 / Nays ..... 16 }

Those who voted in the affirmative are

Messrs. Allen, Ashley, Atchison, Atherton, Bagby, Barrow, Benton, Cameron, Cass, Chalmers, Dickinson, Dix, Fairfield, Houston, Jarnagin, Johnson of Louisiana, McDuffie, Niles, Pennybacker Sevier, Sturgeon, Turney, Yulee.

Those who voted in the negative are

Messrs. Archer, Berrien, Cilley, Corwin, Davis, Dayton, Evans, Greene, Haywood, Mangum, Miller, Pearce, Semple, Simmons, Upham, Westcott.

So it was

Resolved, That the Senate do not advise and consent to the ratification of the articles of a treaty made and concluded at the agency on the Missouri River, near Council Bluffs, on the 5th day of June, and at

Pottawatomie Creek, near the Osage River, south and west of the State of Missouri, on the 17th day of the same month, in the year of our Lord 1846, between T. P. Andrews, Thomas H. Harvey, and Gideon C. Matlock, commissioners on the part of the United States, on the one part, and the various bands of the Pottawatomie, Chippewa, and Ottawa Indians, on the other part.

Mr. McDuffie, from the Committee on Foreign Relations, to whom was referred, on the 24th June, the convention between the United States and His Royal Highness the Duke of Nassau, reported it without amendment.

On motion by Mr. McDuffie,

The Senate, as in Committee of the Whole, proceeded to consider the said treaty; and no amendment being made thereto, it was reported to the Senate.

Mr. McDuffie submitted the following resolution:

Resolved (*two-thirds of the Senators present concurring*), That the Senate advise and consent to the ratification of the convention for the mutual abolition of the droit d'aubaine and taxes on emigration between the United States of America and His Royal Highness the Duke of Nassau, concluded at Berlin the 27th day of May, 1846.

The Senate, by unanimous consent, proceeded to consider the said resolution; and

On the question to agree thereto,

It was determined in the affirmative, { Yeas ..... 33 / Nays 3

Those who voted in the affirmative are,

Messrs. Allen, Archer, Ashley, Atchison, Atherton, Berrien, Calhoun, Cass, Chalmers, Davis, Doyton, Dickinson, Dix, Evans, Fairfield, Greene, Haywood, Houston, Jarnagin, Johnson of Maryland, Johnson of Louisiana, Lewis, McDuffie, Miller, Niles, Pearce, Pennybaker, Sevier, Simmons, Sturgeon, Turney, Upham, Yulee.

Those who voted in the negative are,

Messrs. Cameron, Cilley, Semple.

So it was

Resolved (*two-thirds of the Senators present concurring*), That the Senate advise and consent to the ratification of the convention for the mutual abolition of the droit d'aubaine and taxes on emigration between the United States of America and His Royal Highness the Duke of Nassau, concluded at Berlin the 27th day of May, 1846.

Ordered, That the Secretary lay the said resolution before the President of the United States.

On motion by Mr. Pearce that the vote of the Senate on rejecting the treaty between the United States and the Pottawatomie, Chippewa, and Ottawa Indians be reconsidered,

On motion,

The Senate adjourned.

WEDNESDAY, JULY 22, 1846.

The following message was received from the President of the United States, by Mr. Walker, his secretary:

To the Senate of the United States:

I nominate Zebulon C. Bishop, of Missouri, to be assistant quartermaster with the rank of captain, in accordance with the provisions of an act approved June 18, 1846, entitled "An act supplemental to an

act entitled 'An act providing for the prosecution of the existing war between the United States and the Republic of Mexico,' and for other purposes."

JAMES K. POLK.

WASHINGTON, *July* 22, 1846.

The message was read.

Ordered, That the nomination of Zebulon C. Bishop be referred to the Committee on Military Affairs.

Mr. Atchison, from the Committee on Indian Affairs, to whom was referred, on the 19th February, the nomination of John Miller, reported.

Whereupon

Resolved, That the Senate advise and consent to his appointment, agreeably to the nomination.

On motion by Mr. Jarnagin,

Ordered, That he have leave to withdraw his motion of the 17th instant, "that the vote of the Senate on confirming the nomination of Augustus Jenkins be reconsidered."

Mr. Niles, from the Committee on the Post-Office and Post-Roads, to whom was referred, on the 19th June, the nomination of William C. Bettencourt, reported.

Whereupon

Resolved, That the Senate advise and consent to his appointment agreeably to the nomination.

Mr. Niles, from the Committee on the Post-Office and Post-Roads, to whom was referred, on the 21st instant, the nomination of Norman Lyman, reported.

Mr. Benton, from the Committee on Military Affairs, to whom were referred, on the 16th instant, the nominations of Daniel McPhail, George Penn, George Johnson, William D. Dorris, Thomas M. Morton, and Richard H. Stevens, and, on the 21st instant, those of A. Parker, E. Tucker, and Richard P. Ashe, reported.

Whereupon

Resolved, That the Senate advise and consent to the appointment of the said persons, agreeably to their nominations respectively.

On motion by Mr. Sevier,

The Senate preceeded to consider the motion submitted by Mr. Pearce on the 21st instant, "that the vote of the Senate on rejecting the treaty between the United States and the Pottawatomie, Chippewa, and Ottawa Indians be reconsidered," and agreed thereto.

On the question to agree to the resolution of ratification submitted on the 21st instant by Mr. Sevier,

It was determined in the affirmative, { Yeas ..... 36 / Nays 8

Those who voted in the affirmative are,

Messrs. Allen, Archer, Ashley, Atchison, Atherton, Bagby, Barrow, Benton, Breese, Bright, Calhoun Cameron, Cass, Chalmers, Corwin, Crittenden, Dickinson, Dix, Fairfield, Hannegan, Houston, Jarnagin, Johnson of Maryland, Johnson of Louisiana, Lewis, Niles, Pennybacker, Rusk, Sevier, Simmons, Speight, Sturgeon, Turney, Webster, Woodbridge, Yulee.

Those who voted in the negative are,

Messrs. Berrien, Cilley, Evans, Haywood, Mangum, Pearce, Semple, Westcott.

So it was

Resolved (*two-thirds of the Senators present concurring*), That the Senate advise and consent to the ratification of the articles of a treaty made

and concluded at the agency on the Missouri River, near Council Bluffs, on the 5th day of June, and at Pottawatomie Creek, near the Osage River, south and west of the State of Missouri, on the 17th day of the same month, in the year of our Lord one thousand eight hundred and forty-six, between T. P. Andrews, Thomas H. Harvey, and Gideon C. Matlock, commissioners on the part of the United States, on the one part, and the various bands of the Pottawatomie, Chippewa, and Ottawa Indians, on the other part.

Ordered, That the Secretary lay the said resolution before the President of the United States.

On motion by Mr. Breese that the Senate proceed to consider the resolution submitted by Mr. Allen on the 19th June, to remove the injunction of secrecy from the treaty, documents, and proceedings relating to Oregon,

It was determined in the negative, { Yeas ..... 22 / Nays 30

On motion by Mr. Allen,

The yeas and nays being desired by one-fifth of the Senators present,

Those who voted in the affirmative are,

Messrs. Allen, Atchison, Atherton, Barrow, Breese, Bright, Cameron, Cass, Chalmers, John M. Clayton, Crittenden, Dickinson, Fairfield, Hannegan, Jarnagin, Mangum, Rusk, Semple, Simmons, Sturgeon, Turney, Wescott.

Those who voted in the negative are,

Messrs. Archer, Ashley, Bagby, Benton, Berrien, Calhoun, Cilley, Corwin, Dayton, Dix, Evans, Greene, Haywood, Houston, Huntington, Johnson of Maryland, Johnson of Louisiana, Lewis, Miller, Morehead, Niles, Pearce, Pennybacker, Phelps, Sevier, Speight, Upham, Webster, Woodbridge, Yulee.

On motion by Mr. Sturgeon,

The Senate proceeded to consider the nomination of James Page; and,

On motion by Mr. Westcott,

Ordered, That it be recommitted to the Committee on Commerce.

Mr. Lewis, from the Committee on Finance, to whom was referred, on the 16th instant, the nomination of Emmor Graham, reported.

The Senate proceeded to consider the nomination of Joseph H. Jordan; and,

After debate,

On the question, Will the Senate advise and consent to the appointment of Joseph H. Jordan?

It was determined in the affirmative, { Yeas ..... 25 / Nays 22

On motion by Mr. Fairfield,

The yeas and nays being desired by one-fifth of the Senators present,

Those who voted in the affirmative are,

Messrs. Allen, Ashley, Atchison, Atherton, Bagby, Benton, Breese, Bright, Cameron, Cass, Chalmers, Dickinson, Dix, Fairfield, Hannegan, Haywood, Houston, Niles, Pennybacker, Rusk, Semple, Speight, Sturgeon, Turney, Yulee.

Those who voted in the negative are,

Messrs. Archer, Barrow, Berrien, Cilley, John M. Clayton, Corwin, Crittenden, Dayton, Evans, Greene, Huntington, Jarnagin, Johnson of Maryland, Johnson of Louisiana, Mangum, Miller, Morehead, Pearce, Phelps, Sevier, Upham, Webster.

So it was

Resolved, That the Senate advise and consent to the appointment of Joseph H. Jordan, agreeably to the nomination.

The Senate proceeded to consider the nominations of Nathan Bardin, William J. Miller, Benjamin M. Bosworth, Russell G. Hopkinson, Edward B. Marache, Charles R. Belt, Johnston Blakeley Carter, Benjamin R. Cowherd, Samuel Russell, John Parsons, Jacob De la Motta, Narino de Mattey, Philip Geisse, and Murdoch McIntire; and

Resolved, That the Senate advise and consent to the appointment of the said persons, agreeably to their nominations respectively.

FRIDAY, JULY 24, 1846.

The following messages were received from the President of the United States, by Mr. Walker, his secretary:

To the Senate of the United States:

In accordance with the provisions of the act approved June 18, 1846, entitled "An act supplemental to an act entitled 'An act providing for the prosecution of the existing war between the United States and the Republic of Mexico,' and for other purposes," I nominate Nathaniel Anderson, of Tennessee, to be a quartermaster with the rank of major, in the place of Levin H. Coe, who declines to accept the appointment.

William Allen, of Tennessee, to be an assistant quartermaster with the rank of captain, in the place of Jonas E. Thomas, who declines to accept the appointment.

JAMES K. POLK.

WASHINGTON, *July* 23*d*, 1846.

To the Senate of the United States:

In pursuance of the provisions of the act approved June 18, 1846, entitled "An act supplemental to an act entitled 'An act providing for the prosecution of the existing war between the United States and the Republic of Mexico,' and for other purposes," I nominate Richard Roman, of Texas, to be a commissary with the rank of major; Nathan Adams, of Tennessee, to be an assistant quartermaster with the rank of captain, in the place of Philip B. Glenn, who declines to accept the appointment.

JAMES K. POLK.

WASHINGTON, *July* 24, 1846.

To the Senate of the United States:

I nominate Jonathan L. Bean, of Missouri, to be "Agent of the Indian tribes residing upon the waters of the Upper Platte and Upper Arkansas Rivers," in accordance with the act approved June 27, 1846, making appropriations for the current and contingent expenses of the Indian Department, &c.

JAMES K. POLK.

WASHINGTON, *July* 24, 1846.

The messages were read.

Ordered, That the nominations of Nathaniel Anderson, William Allen, Richard Roman, and Nathan Adams be referred to the Committee on Military Affairs.

Ordered, That the nomination of Jonathan L. Bean be referred to the Committee on Indian Affairs.

Mr. Lewis submitted the following resolution; which was considered, by unanimous consent, and agreed to:

Resolved, That a committee of five members be appointed to inquire into the means by which the proceedings and documents of the Senate in secret session have of late become public, particularly the late treaty with Great Britain and the proceedings of the Senate thereon, and that said committee have power to send for persons and papers.

Ordered, That the Vice-President appoint the said committee; and

Mr. Yulee, Mr. Mangum, Mr. Atherton, Mr. Webster, and Mr. Bright were appointed accordingly.

Mr. Haywood, from the Committee on Commerce, to whom was referred, on the 29th December last, the nomination of Nathaniel M. Lowney, reported.

Mr. Haywood, from the Committee on Commerce, to whom was referred, on the 24th February last, the nomination of Edmund Wilson, and on the 18th May that of John C. Humphreys, reported.

Whereupon

Resolved, That the Senate advise and consent to the appointment of the said persons, agreeably to their nominations respectively.

On motion by Mr. Haywood,

The Senate proceeded to consider the nominations of Benjamin H. Brewster and Edward Harden; and

Resolved, That the Senate advise and consent to the appointment of the said persons, agreeably to their nominations respectively.

MONDAY, AUGUST 3, 1846.

The following messages were received from the President of the United States, by Mr. Walker, his secretary:

To the Senate of the United States:

I nominate the persons named in the accompanying list for appointment in the Medical Department, in accordance with the act approved June 18, 1846, entitled "An act supplemental to an act entitled 'An act providing for the prosecution of the existing war between the United States and the Republic of Mexico,' and for other purposes."

JAMES K. POLK.

WASHINGTON, *July 27th*, 1846.

APPOINTMENTS IN THE MEDICAL DEPARTMENT UNDER THE ACT APPROVED JUNE 18, 1846.

Gideon M. Alsup, of Tennessee, to be surgeon.
John W. Stout, of Tennessee, to be assistant surgeon.
J. M. Dove, of the District of Columbia, to be assistant surgeon.

To the Senate of the United States:

I nominate William B. Snowhook to be collector of the customs for the district and inspector of the revenue for the port of Chicago, in the State of Illinois.

Egbert B. Killey to be deputy postmaster at Poughkeepsie, in the State of New York, in the place of J. Van Benthuysen, deceased.

JAMES K. POLK.

WASHINGTON, *July* 28, 1846.

To the Senate of the United States:

I nominate Henry P. Robertson and Isaac N. Brown, now passed midshipmen, to be lieutenants in the Navy, to fill vacancies occasioned by the death of Lieutenant John Graham and the resignation of Lieutenant R. C. Cogdell.

JAMES K. POLK.

WASHINGTON, *July* 28, 1846.

To the Senate of the United States:

I withdraw the name of Jonathan L. Bean, of Missouri, nominated in my message of July 26 to be Indian agent for the tribe of Indians residing upon the waters of the Upper Platte and Upper Arkansas, and nominate in his place Thomas Fitzpatrick, of Missouri.

JAMES K. POLK.

WASHINGTON, *July* 30, 1846.

To the Senate of the United States:

I nominate Dr. John F. Head, of Massachusetts, for the appointment of assistant surgeon in the Army, as proposed in the accompanying communication from the Secretary of War.

JAMES K. POLK.

WASHINGTON, *July* 31, 1846.

WAR DEPARTMENT, *July* 30, 1846.

SIR: I have the honor respectfully to propose for your approbation the name of Dr. John F. Head, of Massachusetts, for the appointment of assistant surgeon in the Army, to fill a vacancy occasioned by the resignation of Assistant Surgeon C. E. Isaacs.

I am, sir, with great respect, your obedient servant,

W. L. MARCY.

To the PRESIDENT OF THE UNITED STATES.

To the Senate of the United States:

In my message of June 24, 1846, I nominated Henry M. Vanderen, of Illinois, to be assistant quartermaster with the rank of captain, who has been since confirmed by the Senate. The true name is Horatio M. Vandever, whom I now nominate to be assistant quartermaster with the rank of captain, in the place of Henry M. Vandever.

JAMES K. POLK.

WASHINGTON, 1*st August*, 1846.

To the Senate of the United States:

I nominate Robert C. Grier, of Pennsylvania, to be one of the associate justices of the Supreme Court of the United States, in the place of Henry Baldwin, deceased.

JAMES K. POLK.

WASHINGTON, *August* 3, 1846.

The messages were read.

Ordered, That the nominations of Gideon M. Alsup, John W. Stout, J. M. Dove, and John F. Head be referred to the Committee on Military Affairs.

Ordered, That the nomination of William B. Snowhook be referred to the Committee on Commerce.

Ordered, That the nomination of Egbert B. Killey be referred to the Committee on the Post-Office and Post-Roads.

Ordered, That the nominations of Henry B. Robertson and Isaac N. Brown be referred to the Committee on Naval Affairs.

Ordered, That the nomination of Robert C. Grier be referred to the Committee on the Judiciary.

On motion by Mr. Sevier,

The Senate, by unanimous consent, proceeded to consider the nomination of Thomas Fitzpatrick; and

Resolved, That the Senate advise and consent to his appointment, agreeably to the nomination.

On motion by Mr. Breese,

The Senate, by unanimous consent, proceeded to consider the nomination of Horatio M. Vandever; and

Resolved, That the Senate advise and consent to his appointment, agreeably to the nomination.

Mr. Dix, from the Committee on Commerce, to whom was referred, on the 29th December last, the nomination of Seth Belden, on the 5th February that of William Willard, on the 19th February that of M. Hollander, on the 21st April that of Charles Graebe, on the 23d April that of Benjamin B. Leavitt, on the 18th May that of Charles W. Dabney, on the 28th May that of George T. Nichols, on the 17th June that of James Hewson, on the 26th June those of Joseph Ramsey, Hardy Hendren, and Robert H. Webb, on the 7th July that of Jesse Thomas, and on the 14th July that of George W. Ellis, and to whom was recommitted, on the 18th May, the nomination of Benjamin E. Carpenter, and on the 22d July that of James Page, reported.

TUESDAY, AUGUST 4, 1846.

The following messages were received from the President of the United States, by Mr. Walker, his secretary:

To the Senate of the United States:

I nominate James H. Cocke to be collector of the customs for the port of Galveston, in the State of Texas, in the place of Hiram G. Runnells, removed.

JAMES K. POLK.

WASHINGTON, *August* 4, 1846.

To the Senate of the United States:

In accordance with the provisions of the act approved June 18, 1846, entitled "An act supplemental to an act entitled 'An act to provide for the prosecution of the existing war between the United States and the Republic of Mexico,' and for other purposes," I nominate William G. Marcy, of New York, to be an assistant commissary with the rank of captain

JAMES K. POLK.

WASHINGTON, *August* 4, 1846.

To the Senate of the United States:

In accordance with the provisions of the act approved June 18, 1846, entitled "An act supplemental to an act entitled 'An act to provide for the prosecution of the existing war between the United States and the Republic of Mexico,' and for other purposes," I nominate Brookyns

Campbell to be a commissary with the rank of major, in the place of Julius W. Blackwell, who declines to accept the appointment.

John J. Clendenin to be an assistant commissary with the rank of captain, in the place of William Fields, who declines to accept the appointment.

James H. Walker to be an assistant quartermaster with the rank of captain, in the place of Samuel M. Rutherford, who declines to accept the appointment.

Ewing H. Roane to be a surgeon.

John W. Glen to be an assistant surgeon.

JAMES K. POLK.

WASHINGTON, *August* 4, 1846.

To the Senate of the United States:

I nominate Henry W. Ogden, Thomas A. Conover, and John C. Long, now commanders, to be captains in the Navy to fill vacancies occasioned by the deaths of Commodores Jesse D. Elliott, William M. Crane, and James Renshaw.

Henry Pinkney, William M. Glendy, and George P. Upshur, now lieutenants, to be commanders in the Navy to fill vacancies occasioned by the promotions of Henry W. Ogden, Thomas A. Conover, and John C. Long.

R. Delancey Izard, Napoleon Collins, and John L. Worden, now passed midshipmen, to be lieutenants in the Navy to fill the vacancies occasioned by the promotions of Henry Pinkney, William M. Glendy, and George P. Upshur.

I also nominate—

James C. Williamson to be lieutenant in the Navy from the 25th of November, 1844.

This is made to correct a clerical error which occurred in the original nomination of that officer assigning him rank as a lieutenant from the 12th of October, 1844, instead of the date above, which is the proper one.

JAMES K. POLK.

WASHINGTON, *August* 4, 1846.

To the Senate of the United States:

I herewith communicate to the Senate the copy of a letter, under date of the 27th ultimo, from the Secretary of State of the United States to the minister of foreign relations of the Mexican Republic, again proposing to open negotiations and conclude a treaty of peace which shall adjust all the questions in dispute between the two Republics. Considering the relative power of the two countries, the glorious events which have already signalized our arms, and the distracted condition of Mexico, I did not conceive that any point of national honor could exist which ought to prevent me from making this overture. Equally anxious to terminate by a peace honorable for both parties, as I was, originally, to avoid the existing war, I have deemed it my duty again to extend the olive branch to Mexico. Should the Government of that Republic accept the offer in the same friendly spirit by which it was dictated, negotiations will speedily commence for the conclusion of a treaty.

The chief difficulty to be anticipated in the negotiation is the adjustment of the boundary between the parties by a line which shall at once be satisfactory to both, and such as neither will hereafter be in-

clined to disturb. This is the best mode of securing perpetual peace and good neighborhood between the two Republics. Should the Mexican Government in order to accomplish these objects be willing to cede any portion of their territory to the United States, we ought to pay them a fair equivalent—a just and honorable peace, and not conquest, being our purpose in the prosecution of the war.

Under these circumstances and considering the exhausted and distracted condition of the Mexican Republic, it might become necessary in order to restore peace that I should have it in my power to advance a portion of the consideration money for any cession of territory which may be made. The Mexican Government might not be willing to wait for the payment of the whole until the treaty could be ratified by the Senate and an appropriation to carry it into effect be made by Congress; and the necessity for such a delay might defeat the object altogether. I would therefore suggest whether it might not be wise for Congress to appropriate a sum such as they might consider adequate for this purpose, to be paid, if necessary, immediately upon the ratification of the treaty by Mexico. This disbursement would of course be accounted for at the Treasury, not as secret-service money, but like other expenditures.

Two precedents for such a proceeding exist in our past history, during the administration of Mr. Jefferson, to which I would call your attention. On the 26th February, 1803, Congress passed an act appropriating two millions of dollars "for the purpose of defraying any extraordinary expenses which may be incurred in the intercourse between the United States and foreign nations," "to be applied under the direction of the President of the United States, who shall cause an account of the expenditure thereof to be laid before Congress as soon as may be;" and on the 13th February, 1806, an appropriation was made of the same amount and in the same terms. The object in the first case was to enable the President to obtain the cession of Louisiana, and in the second that of the Florida. In neither case was the money actually drawn from the Treasury, and I should hope that the result might be similar in this respect on the present occasion, though the appropriation is deemed expedient as a precautionary measure.

I refer the whole subject to the Senate in executive session. If they should concur in opinion with me, then I recommend the passage of a law appropriating such a sum as Congress may deem adequate, to be used by the Executive, if necessary, for the purpose which I have indicated.

In the two cases to which I have referred the special purpose of the appropriation did not appear on the face of the law, as this might have defeated the object; neither, for the same reason, in my opinion, ought it now to be stated.

I also communicate to the Senate the copy of a letter from the Secretary of State to Commodore Conner, of the 29th ultimo, which was transmitted to him on the day it bears date.

JAMES K. POLK.

WASHINGTON, 4th *Aug't*, 1846.

The messages were read.

Ordered, That the nomination of James H. Cocke be referred to the Committee on Commerce.

Ordered, That the nomination of William G. Marcy be referred to the Committee on Military Affairs.

Ordered, That the nominations of officers in the Navy be referred to the Committee on Naval Affairs.

On motion by Mr. McDuffie,

Ordered, That the message, with the documents communicated therewith, relating to affairs with the Republic of Mexico, be referred to the Committee on Foreign Relations.

Mr. Sevier, from the Committee on Indian Affairs, made the following report:

The Committee on Indian Affairs, to whom was referred, the 13th of January, the message from the President in relation to the measures which have been adopted as to the transfer of certain stocks between the Chickasaw and Choctaw Indians, have had the subject under consideration, and report:

That this transaction between the Chickasaws and Choctaws was founded upon a convention and agreement made on the 17th day of January, 1837, by which the Chickasaws obtained the possession of a district of country from the Choctaws, for which they engaged to pay the sum of $530,000; $30,000 of which to be paid, "and the remaining $500,000 to be invested in some safe and secure stocks, under the direction of the Government of the United States, redeemable within a period of not less than twenty years; and the Government of the United States shall cause the interest arising therefrom to be paid annually to the Choctaws."

By the thirteenth article of the treaty of the 24th May, 1834, with the Chickasaw tribe of Indians, it was provided "that if the Chickasaws shall be so fortunate as to procure a home within the limits of the United States, it is agreed that, with the consent of the President and Senate, so much of their invested stocks as may be necessary to the purchase of a country for them to settle in shall be permitted to them to be sold."

The arrangement between those tribes having been concluded by their agreement of the 17th January, 1837, as above stated, and submitted to the Senate for their consideration and consent, if approved, that consent was given in the following terms:

"*Be it resolved*, That the consent of the Senate of the United States be, and the same is hereby, given to the transfer of the Chickasaws' stock, not exceeding $500,000, standing on the books of the Treasury to their credit, to the Secretary of War for the time being, to be held to and for the use of the Choctaws, according to the terms and in execution of the compact aforesaid of 17th January, 1837."

It will be seen from the premises that the Senate has by its action fully corresponded with the terms of the convention and agreement between the United States and the Chickasaws concluded on the 24th May, 1834, and accorded its consent, as invoked, to the agreement between the Chickasaws and Choctaws of the 17th January, 1837, so far as it was requisite to authorize the application of the stock of the Chickasaws to the payment of the Choctaws.

The execution of the intentions of the Senate, as expressed in their resolutions, belonged to the Executive department of the Government; and as those intentions were fully expressed, and the necessary power fully conferred, the committee might close this report by the remark that should the arrangement not have been completed, then this power has not been expended, but may still be employed to its consummation.

But it appears by the documents communicated to the Senate by the President that since the transfer of the stock belonging to the Chickasaws to the Choctaws, and the acceptance by the latter, in February, 1841, "in full discharge of this obligation," the authorities of the Choctaws have discovered that this stock received by them at $500,000 had

cost the Chickasaws but $495,000; and upon this idea they base a claim against the Chickasaws for the difference of "$5,000, with interest from the date of transfer," and this claim is brought forward without any proof of the intrinsic value of the stock at the time of transfer; while the committee believe that in this transaction between two Indian tribes, the one conveying and the other receiving a consideration in discharge of an obligation, even should proof have been exhibited of the deficiency in value of the consideration, it would be irregular, if not unwarrantable, without a full understanding between the parties and the consent of the Chickasaws, to make any further appropriation of their stock in the hands of the Government, acting as their trustee.

The inexpediency, if not impropriety, of any interference with the rights of the Chickasaws in this matter will be still more apparent when it is considered that so far from the stock conveyed to the Choctaws being under the value of $500,000, it appears from the report of the Secretary of War of the 14th January, 1843, to the House of Representatives (Doc. No. 65, page 65), that there was paid from the Chickasaw fund for the same number of bonds of Alabama 5 per cent. stock, on the 29th May, 1838, the sum of $520,000, including a premium of $20,000.

As regards the rate of interest to be realized by the Choctaws from the stock transferred to them, no reference whatever is made to it in the agreements presented for the consideration of the Senate, and it therefore requires no remark on the part of the committee.

Under all the circumstances of the case, the committee can perceive no good for any further action of the Senate on the subject, and therefore ask to be discharged from its further consideration.

Mr. Archer submitted the following resolution for consideration:

Resolved, That the President be requested to lay before the Senate, in executive session, the report of the board of naval officers recently in session in this city, including the orders under which it was convened and the evidence which may have been laid before it.

Mr. Ashley, from the Committee on the Judiciary, to whom was referred, on the 3d instant, the nomination of Robert C. Grier, reported.

Whereupon

Resolved, That the Senate advise and consent to his appointment, agreeably to the nomination.

On motion by Mr. Cameron,

The Senate proceeded to consider the nomination of James Page; and,

After debate,

On the question, Will the Senate advise and consent to the appointment of James Page?

It was determined in the affirmative, { Yeas ..... 24 / Nays 12

On motion by Mr Miller,

The yeas and nays being desired by one-fifth of the Senators present,

Those who voted in the affirmative are,

Messrs. Allen, Ashley, Atchison, Atherton, Bagby, Barrow, Breese, Bright, Cameron, Cass, Chalmers, Dickinson, Dix, Fairfield, Hannegan, Houston, Johnson of Maryland, Lewis, Niles, Sevier, Speight, Sturgeon, Turney, Yulee.

Those who voted in the negative are,

Messrs. Corwin, Dayton, Evans, Huntington, Jarnagin, Johnson of Louisiana, Miller, Morehead, Pearce, Phelps, Upham, Woodbridge.

So it was

Resolved, That the Senate advise and consent to the appointment of James Page, agreeably to the nomination.

On motion by Mr. Sevier,

The Senate, by unanimous consent, proceeded to consider the nominations of Brookyns Campbell, John J. Clendenin, James H. Walker, Ewing H. Roane, and John W. Glenn; and

Resolved, That the Senate advise and consent to the appointment of the said persons, agreeably to their nominations respectively.

Mr. Dix, from the Committee on Commerce, to whom was referred, on the 3d instant the nomination of William B. Snowhook, reported.

Whereupon

Resolved, That the Senate advise and consent to his appointment, agreeably to the nomination.

WEDNESDAY, AUGUST 5, 1846.

Mr. McDuffie, from the Committee on Foreign Relations, to whom were referred, on the 4th instant, the message and documents relating to affairs with the Republic of Mexico, reported the following resolutions:

Resolved, That the course adopted and proposed by the President, as indicated in his message of the 4th instant, for the speedy termination of the war with Mexico, receives the approbation of the Senate.

Resolved, That in the opinion of the Senate it is expedient to place two millions of dollars at the disposal of the President, to be used at his discretion, in the event of a treaty of peace with Mexico, satisfactorily adjusting the boundaries of the two countries; and that the Committee on Foreign Relations be instructed to report to the Senate, in open session, a bill for that purpose, in conformity to the provisions of similar acts passed in 1803 and 1806.

The Senate, by unanimous consent, proceeded to consider the said resolutions; and,

After debate,

On motion by Mr. McDuffie,

The second resolution was modified to read as follows:

Resolved, That in the opinion of the Senate it is expedient to place a sum of money at the disposal of the President, to be used at his discretion, in the event of a treaty of peace with Mexico, satisfactorily adjusting the boundaries of the two countries.

Mr. Hannegan submitted the following as an amendment to the said resolutions:

To strike out all after the word "Resolved," in the first resolution, to the end of the second resolution, and insert:

That the Senate heartily unite with the President in his expressed desire for a speedy and honorable peace with Mexico, but as at present informed they have no further advice to give in the premises.

On motion by Mr. Crittenden,

Ordered, That the resolutions reported by the committee, as modified, be recommitted to the Committee on Foreign Relations.

THURSDAY, AUGUST 6, 1846.

The following message was received from the President of the United States, by Mr. Walker, his secretary:

To the Senate of the United States:

In accordance with the provisions of the act approved June 18, 1846, entitled "An act supplemental to an act entitled 'An act to provide for

the prosecution of the existing war between the United States and the Republic of Mexico,' and for other purposes," I nominate Abram S. Hill, of Georgia, to be surgeon, in the place of Paul F. Eve, who declines to accept the appointment.

JAMES K. POLK.

WASHINGTON, *August* 5, 1846.

The message was read.

Ordered, That the nomination of Abram S. Hill be referred to the Committee on Military Affairs.

On motion by Mr. Hannegan,

The Senate proceeded to consider the resolution submitted by him on the 10th July last, to remove the injunction of secrecy from the treaty with Great Britain relative to the Oregon Territory, and the correspondence which accompanied it, and all the proceedings thereon, including the speeches and remarks of Senators, and agreed thereto.

Mr. McDuffie, from the Committee on Foreign Relations, to whom were recommitted, on the 5th instant, the resolutions reported on that day, reported the following resolutions:

1st. *Resolved*, That the Senate entertain a strong desire that the existing war with Mexico should be terminated by a treaty of peace just and honorable to both nations, and that the President be advised to adopt all proper measures for the attainment of that object.

2d. *Resolved farther*, That the Senate deem it advisable that Congress should appropriate a sum of money to enable the President to conclude a treaty of peace, limits, and boundaries with the Republic of Mexico, and to be used by him in the event that such treaty should call for the expenditure of the money so appropriated, or any part thereof.

The Senate, by unanimous consent, proceeded to consider the said resolutions; and

On the question to agree to the first resolution,

It was determined in the affirmative, { Yeas..... 43 / Nays..... 2

On motion by Mr. Breese,

The yeas and nays being desired by one-fifth of the Senators present,

Those who voted in the affirmative are,

Messrs. Archer, Ashley, Atherton, Bagby, Barrow, Benton, Berrien, Bright, Calhoun, Cass, Chalmers, Cilley, Thomas Clayton, John M. Clayton, Corwin, Crittenden, Davis, Dickinson, Dix, Evans, Fairfield, Greene, Houston, Huntington, Jarnagin, Johnson of Maryland, Johnson of Louisiana, McDuffie, Mangum, Miller, Morehead, Niles, Pearce, Phelps, Sevier, Simmons, Speight, Sturgeon, Turney, Upham, Westcott, Woodbridge, Yulee.

Those who voted in the negative are,

Messrs. Atchison and Rusk.

So the first resolution was agreed to.

On motion by Mr. McDuffie,

Ordered, That the Secretary of the Senate be directed to retain the bill from the House of Representatives (H. R. 50) "making appropriations for the civil and diplomatic expenses of Government for the year ending the thirtieth day of June, eighteen hundred and forty-seven, and for other purposes," which passed the Senate with amendments on the 5th instant, and not communicate the same to the House of Representatives until the further order of the Senate.

On motion by Mr. Sevier,

Ordered, That the vote on the adoption of the said order be reconsidered.

On motion by Mr. Atchison to amend the second resolution by inserting, after the word "Mexico," the followingwords: *And for the purchase of the whole or a part of Upper California*,

It was determined in the negative, { Yeas ..... 11 / Nays 34

On motion by Mr. Atchison,

The yeas and nays being desired by one-fifth of the Senators present,

Those who voted in the affirmative are,

Messrs. Allen, Atchison, Benton, Breese, Bright, Cass, Dix, Pearce, Sevier, Sturgeon, Woodbridge.

Those who voted in the negative are,

Messrs. Archer, Ashley, Atherton, Bagby, Barrow, Berrien, Chalmers, Cilley, Thomas Clayton, Corwin, Crittenden, Davis, Evans, Greene, Hannegan, Houston, Huntington, Jarnagin, Johnson of Maryland, Johnson of Louisiana, Lewis, McDuffie, Mangum, Miller, Morehead, Niles, Phelps, Semple, Simmons, Speight, Turney, Upham, Westcott, Yulee.

On motion by Mr. Pearce to amend the second resolution by adding thereto the following proviso: *Provided, That no part of the said sum of money shall be applied to the purchase of any part of California*,

On motion by Mr. Semple,

To amend this proposed amendment by adding thereto the words: *Until after the conclusion of a peace with Mexico*,

It was determined in the negative.

On the question to agree to the amendment proposed by Mr. Pearce,

It was determined in the negative, { Yeas ..... 7 / Nays 32

On motion by Mr. Sevier,

The yeas and nays being desired by one-fifth of the Senators present,

Those who voted in the affirmative are,

Messrs. Cilley, Thomas Clayton, Miller, Pearce, Phelps, Semple, Upham.

Those who voted in the negative are,

Messrs. Allen, Archer, Ashley, Atchison, Atherton, Bagby, Barrow, Benton, Bright, Calhoun, Cameron, Cass, Chalmers, Corwin, Dickinson, Dix, Fairfield, Hannegan, Houston, Johnson of Louisiana, Lewis, McDuffie, Mangum, Nile, Rusk, Sevier, Speight, Sturgeon, Turney, Westcott, Woodbridge, Yulee.

On motion by Mr. Berrien too amend the second resolution reported by the Committee on Foreign Relation, by striking out after the word "Resolved" to the end thereof, and inserting the following:

That in the opinion of the Senate it would be proper to place at the disposal of the President of the United States a sum of money adequate to the attainment of peace with Mexico, by negotiating a treaty for the restoration of peace and defining and establishing the limits and boundaries between the United States and Mexico, and that to accomplish this object it would be advisable that a proposition to this effect should be submitted to the two Houses of Congress in such mode as the President may deem proper.

It was determined in the negative, { Yeas ..... 10 / Nays 34

On motion by Mr. Rusk,

The yeas and nays being desired by one-fifth of the Senators present,

Those who voted in the affirmative are,

Messrs. Berrien, Corwin, Crittenden, Mangum, Miller, Morehead, Semple, Webster, Westcott, Woodbridge.

Those who voted in the negative are,

Messrs. Allen, Archer, Ashley, Atchison, Atherton, Bagby, Barrow, Benton, Bright, Calhoun, Cameron, Cass, Chalmers, Cilley, John M. Clayton, Davis, Dickinson, Dix, Evans, Fairfield, Greene, Houston, Johnson of Maryland, Johnson of Louisiana, Lewis, McDuffie, Niles, Rusk, Sevier, Speight, Sturgeon, Turney, Upham, Yulee.

On motion by Mr. Morehead to amend the second resolution by adding thereto the following:

Provided, That, before the appropriation is made, the President of the United States shall inform the two Houses of Congress, in confidence, of the object or objects to which the money shall be applied,

It was determined in the negative, { Yeas ..... 18 / Nays 26

On motion by Mr. Morehead,

The yeas and nays being desired by one-fifth of the Senators present,

Those who voted in the affirmative are,

Messrs. Atchison, Barrow, Berrien, Cilley, Thomas Clayton, John M. Clayton, Corwin, Greene, Hannegan, Jarnagin, Mangum, Miller, Morehead, Pearce, Semple, Simmons, Upham, Woodbridge.

Those who voted in the negative are,

Messrs. Archer, Ashley, Atherton, Bagby, Benton, Breese, Bright, Calhoun, Cameron, Cass, Chalmers, Dickinson, Dix, Fairfield, Houston, Johnson of Maryland, Johnson of Louisiana, Lewis, McDuffie, Niles, Rusk, Sevier, Speight, Sturgeon, Turney, Yulee.

On the question to agree to the second resolution reported this day from the Committee on Foreign Relations,

It was determined in the affirmative, { Yeas ..... 33 / Nays 19

On motion by Mr. Cass,

The yeas and nays being desired by one-fifth of the Senators present,

Those who voted in the affirmative are,

Messrs. Allen, Archer, Ashley, Atherton, Bagby, Benton, Breese, Bright, Calhoun, Cameron, Cass, Chalmers, Corwin, Critten- en, Dickinson, Dix, Evans, Fairfield, Houston, Johnson of Maryland, Johnson of Louisiana, Lewis, McDuffie, Mangum, Niles, Rusk, Sevier, Speight, Sturgeon, Turney, Webster, Westcott, Yulee.

Those who voted in the negative are.

Messrs. Atchison, Barrow, Berrien, Cilley, Thomas Clayton, John M. Clayton, Davis, Greene, Hannegan, Huntington, Jarnagin, Miller, Morehead, Pearce, Phelps, Semple, Simmons, Upham, Woodbridge.

So the second resolution was agreed to.

Ordered, That the Secretary lay the said resolutions before the President of the United States.

Mr. Niles, from the Committee on the Post-Office and Post-Roads, to whom was referred, on the 3d instant, the nomination of Egbert B. Killey, reported.

Whereupon

Resolved, That the Senate advise and consent to his appointment, agreeably to the nomination.

Mr. Benton, from the Committee on Military Affairs, to whom were referred, on the 22d July, the nomination of Zebulon C. Bishop; on the 24th July, those of Nathaniel Anderson, William Allen, Richard Rowan, and Nathan Adams; on the 3d instant, those of Gideon M. Alsup, John W. Stout, J. M. Dove, and John F. Head; and, on the 4th instant, that of William G. Marcy, reported.

Whereupon

Resolved, That the Senate advise and consent to the appointment of the said persons, agreeably to their nominations respectively.

Mr. Ashley, from the Committee on the Judiciary, to whom was referred, on the 26th June, the nomination of Joseph Williams, reported.

Mr. Dix, from the Committee on Commerce, to whom was referred, on the 4th instant, the nomination of James H. Cocke, reported.

On motion by Mr. Archer,

The Senate proceeded to consider the resolution submitted by him on the 4th instant, relative to the report of the Board of Naval Officers, and agreed thereto.

The Senate proceeded to consider the nominations of Louis St. Martin, Norman Lyman, Emmor Graham, Seth Belden, William Willard, M. Hollander, Charles Graebe, Charles W. Dabney, George T. Nichols, Joseph Ramsey, Hardy Hendren, Robert H. Webb, Jesse Thomas, and Benjamin E. Carpenter; and

Resolved, That the Senate advise and consent to the appointment of the said persons, agreeably to their nominations respectively.

FRIDAY, AUGUST 7, 1846.

The following messages were received from the President of the United States, by Mr. Walker, his secretary:

To the Senate of the United States:

I nominate John W. Mulligan, of New York, to be consul of the United States for the city of Athens, in the place of Grogory A. Perdicaris, resigned.

Iorgen A. Flood to be consul of the United States for the port of Porsgrund, in Norway, in the place of Iorgen Flood, resigned.

Francis W. Cragin, of New Hampshire, to be consul of the United States for the port of Paramaribo, in the place of Levi Bixby, resigned.

William Carrol to be consul of the United States for the Isle of France, in the place of Robert P. De Silver, resigned.

JAMES K. POLK.

WASHINGTON, 6*th August*, 1846.

To the Senate of the United States:

In accordance with the provisions of the act approved June 18, 1846, entitled "An act supplemental to an act entitled 'An act to provide for the prosecution of the existing war between the United States and the Republic of Mexico,' and for other purposes," I nominate Charles W. Davis to be an assistant quartermaster with the rank of captain.

JAMES K. POLK.

WASHINGTON, *August* 6, 1846.

To the Senate of the United States:

I nominate William C. Bouck, of New York, to be assistant treasurer of the United States at the city of New York.

Henry Hubbard, of New Hampshire, to be assistant treasurer of the United States at the city of Boston, in the State of Massachusetts.

William Laval, of So. Carolina, to be assistant treasurer of the United States at the city of Charleston, in the State of South Carolina.

George Penn, of Missouri, to be assistant treasurer of the United States at St. Louis, in the State of Missouri.

JAMES K. POLK.

WASHINGTON, 7*th August*, 1846.

To the Senate of the United States:

I accordance with the provisions of the act approved June 18, 1846, entitled "An act supplemental to an act entitled 'An act providing for the prosecution of the existing war between the United States and the Republic of Mexico,' and for other purposes," I nominate Pleasant L. Ward, of Illinois, to be a commissary with the rank of major, in the place of James C. Sloo, who declines to accept the appointment.

John M. Leech, of Illinois, to be an assistant surgean, in the place of Daniel Turney, who declines to accept the appointment.

JAMES K. POLK.

WASHINGTON, *August* 7, 1846.

To the Senate of the United States:

I nominate William L. G. Smith to be deputy postmaster at Buffalo, in the State of New York, in the place of Philip Dorsheimer, appointed during the last recess of the Senate, vice Charles C. Haddock, removed.

JAMES K. POLK.

WASHINGTON, *August* 7, 1846.

To the Senate of the United States:

I communicate herewith a report from the Secretary of the Navy, with the accompaning documents, in answer to the resolution of the Senate of August 6, 1846, calling for the "Report of the board of naval officers, recently in session in this city, including the orders under which it was convened, and the evidence which may have been laid before it.

JAMES K. POLK.

WASHINGTON, *August 7th*, 1846.

To the Senate of the United States:

I transmit herewith, for the consideration and constitutional action of the Senate, articles of a treaty which has been concluded, by the commissioners appointed for the purpose, with the different parties into which the Cherokee tribe of Indians has been divided, through their delegates now in Washington. The same commissioners had previously been appointed to investigate the subject of the difficulties, which have for years existed among the Cherokees, and which have kept them in a state of constant excitement and almost entirely interrupted all prog ress on their part in civilization and improvement in agriculture and the mechanic arts, and have led to many unfortunate acts of domestic strife, against which the Government is bound by the treaty of 1835 to protect them. Their unfortunate internal dissensions had attracted the notice and excited the sympathies of the whole country, and it became evident, that if something was not done to heal them they would terminate in a sanguinary war, in which other tribes of Indians might become involved and the lives and property of our own citizens on the frontier endangered. I recommended in my message to Congress, on the 13th of Apri last, such measures as I then thought it expedient should be adopted to restore peace and good order among the Cherokees, one of which was a division of the country which they occupy and separation of the tribe. This recommendation was made under the belief that the different factions could not be reconciled and live together in harmony—a belief based, in a great degree, upon the representations of the delegates of the two divisions of the tribe. Since then, however, there appears to have been a change of opinion on this subject on the part of these divisions of the tribe, and on representations being made

to me that by the appointment of commissioners to hear and investigate the causes of grievance of the parties against each other, and to examine into their claims against the Government it would probably be found that an arrangement could be made which would once more harmonize the tribe, and adjust in a satisfactory manner their claims upon and relations with the United States. I did not hesitate to appoint three persons for the purpose. The commissioners entered into an able and laborious investigation, and on their making known to me the probability of their being able to conclude a new treaty with the delegates of all the divisions of the tribe who were fully empowered to make any new arrangement which would heal all dissentions among the Cherokees and restore them to their ancient condition of peace and good brotherhood, I authorized and appointed them to enter into negotiations with these delegates for the accomplishment of that object. The treaty now transmitted is the result of their labors, and it is hoped that it will meet the approbation of Congress, and, if carried out in good faith by all parties to it, it is believed it will effect the great and desirable ends had in view

Accompanying the treaty is the report of the commissioners, and also a communication to them from John Ross and others, who represent what is termed the Government party of the Cherokees, and which is transmitted at their request for the consideration of the Senate.

JAMES K. POLK.

WASHINGTON, *August* 7, 1846.

The messages were read.

Ordered, That the nominations of John W. Mulligan, Jorgen A. Flood, Francis W. Cragin, and William Carrol be referred to the Committee on Commerce.

Ordered, That the nominations of Charles W. Davis, Pleasant L. Ward, and John M. Leech be referred to the Committee on Military Affairs.

Ordered, That the nominations of William C. Bouck, Henry Hubbard, William Laval, and George Penn be referred to the Committee on Finance.

Ordered, That the nomination of William L. G. Smith be referred to the Committee on the Post-Office and Post-Roads.

On motion by Mr. Sevier,

Ordered, That the message in answer to the resolution of the Senate of the 6th instant, relative to the report and evidence taken before the board of naval officers, recently in session in this city, lie on the table.

The treaty between the United States and John Ross and other delegates from the several authorities of the Cherokee Nation of Indians was read the first time.

On motion by Mr. Sevier,

Ordered, That the treaty, with the message and documents, be referred to the Committee on Indian Affairs.

Mr. Jarnagin presented a communication from John Ross and other delegates from the Cherokee Indians; a memorial of John Ross and others, and the affidavit of Gideon Morgan, relative to the value of certain lands claimed by the Cherokees; which were referred to the Committee on Indian Affairs.

Mr. Hannegan submitted the following resolution; which was considered, by unanimous consent, and agreed to:

Resolved, That the injunction of secrecy be removed from all the correspondence heretofore communicated to the Senate in executive session relative to the Oregon Territory.

Mr. Lewis submitted the following resolution for consideration.

Resolved, That the Committee on Finance be instructed forthwith to report a bill appropriating two millions of dollars to be placed at the disposal of the President to enable him to conclude a treaty of peace, limits, and boundary with the Republic of Mexico, agreeably to a resolution of the Senate adopted in executive session on the 6th instant, and in concurrence with the recommendation of the President in his communication on that subject to the Senate in executive session, received on the 4th instant.

Mr. Lewis submitted a communication from the Secretary of State to the chairman of the Committee on Finance of the Senate, on the subject embraced in said resolution; which was read.

SATURDAY, AUGUST 8, 1846.

The following messages were received from the President of the United States, by Mr. Walker, his secretary:

WASHINGTON, *August* 8, 1846.

To the Senate of the United States:

I nominate the officers named in the accompanying list of promotions and appointments in the Army of the United States to the several grades annexed to their names, as proposed by the Secretary of War.

JAMES K. POLK.

WAR DEPARTMENT, *August* 7, 1846.

SIR: I have the honor respectfully to propose for your approbation the annexed list of officers for regular promotion and appointment in the Army of the United States.

I am, sir, with great respect, your obed't serv't,

W. L. MARCY.

To the PRESIDENT OF THE UNITED STATES.

WAR DEPARTMENT, *August* 7, 1846.

PROMOTIONS AND APPOINTMENTS IN THE ARMY OF THE UNITED STATES.

PROMOTIONS.

First Regiment of Dragoons.

Lieutenant-Colonel Richard B. Mason to be colonel, June 30, 1846, vice Kearny, appointed brigadier-general.

Major Clifton Wharton to be lieutenant-colonel, June 30, 1846, vice Mason, promoted.

Captain Eustace Trenor to be major, June 30, 1846, vice Wharton, promoted.

First Lieutenant Abraham R. Johnston to be captain, June 30, 1846, vice Sumner, promoted to Second Regiment of Dragoons.

First Lieutenant Philip R. Thompson to be captain, June 30, 1846, vice Trenor, promoted.

Second Lieutenant Leonidas Jenkins to be first lieutenant, June 30, 1846, vice Johnston, promoted.

Second Lieutenant John Love to be first lieutenant, June 30, 1846, vice Thompson, promoted.

Brevet Second Lieutenant Delos B. Sacket, of the Second Regiment of Dragoons, to be second lieutenant, June 30, 1846, vice Jenkins, promoted.

Brevet Second Lieutenant Joseph McElvain to be second lieutenant, June 30, 1846, vice Love, promoted.

Second Regiment of Dragoons.

Lieutenant-Colonel William S. Harney to be colonel, June 30, 1846, vice Twiggs, appointed brigadier-general.

Major Thomas T. Fauntleroy to be lieutenant-colonel, June 30. 1846, vice Harney, promoted.

Captain Edwin V. Sumner, of the First Regiment of Dragoons, to be major, June 30, 1846, vice Fauntleroy, promoted.

First Regiment of Artillery.

First Lieutenant James H. Prentiss to be captain, June 18, 1846, vice Sibley, assistant quartermaster, who, under the 7th section of the act of June 18, 1846, elects to vacate his regimental commission.

Second Lieutenant William S. Smith to be first lieutenant, June 18, 1846, vice Prentiss, promoted.

Brevet Second Lieutenant Asher R. Eddy to be second lieutenant, June 18, 1846, vice Smith, promoted.

Second Regiment of Artillery.

First Lieutenant Thomas P. Ridgely to be captain, June 18, 1846, vice Grayson, commissary of subsistence, who, under the 7th section of the act of June 18, 1846, elects to vacate his regimental commission.

First Lieutenant Horace Brooks to be captain, June 18, 1846, vice Schriver, assistant adjutant-general, who, under the 7th section of the act of June 18, 1846, elects to vacate his regimental commission.

Second Lieutenant Henry J. Hunt to be first lieutenant, June 18, 1846, vice Ridgely, promoted.

Second Lieutenant Augustus A. Gibson to be first lieutenant, June 18, 1846, vice Brooks, promoted.

Brevet Second Lieutenant Henry F. Clarke to be second lieutenant, June 18, 1846, vice Hunt, promoted.

Brevet Second Lieutenant Francis J. Thomas, of the Third Regiment of Artillery, to be second lieutenant, June 18, 1846, vice Gibson, promoted.

Third Regiment of Artillery.

Second Lieutenant John F. Reynolds to be first lieutenant, June 18, 1846, vice Tompkins,* promoted.

Brevet Second Lieutenant Samuel G. French to be second lieutenant, June 18, 1846, vice Reynolds, promoted.

Fourth Regiment of Artillery.

First Lieutenant Charles O. Collins to be captain, June 18, 1846, vice Dusenbery, assistant quartermaster, who, under the 7th section of the act of June 18, 1846, elects to vacate his regimental commission.

* Confirmed by the Senate June 26, 1846.

Second Lieutenant Albion P. Howe to be first lieutenant, June 18, 1846, vice Searle, assistant quartermaster, entitled to promotion, who, under the 7th section of the act of June 18, 1846, elects to vacate his regimental commission.

Second Lieutenant Julius P. Garesché to be first lieutenant, June 18, 1846, vice Collins, promoted.

Brevet Second Lieutenant Samuel Gill to be second lieutenant, June 18, 1846, vice Howe, promoted.

Brevet Second Lieutenant Thomas J. Curd, of the First Regiment of Artillery, to be second lieutenant, June 18, 1846, vice Garesché, promoted.

First Regiment of Infantry.

First Lieutenant John M. Scott to be captain, June 18, 1846, vice Cross, assistant quartermaster, who, under the 7th section of the act of June 18, 1846, elects to vacate his regimental commission.

Second Lieutenant John C. Terrett to be first lieutenant, June 18, 1846, vice Scott, promoted.

Brevet Second Lieutenant Rankin Dilworth to be second lieutenant, June 18, 1846, vice Terrett, promoted.

Second Regiment of Infantry.

First Lieutenant James W. Penrose to be captain, June 18, 1846, vice Eaton, commissary of subsistence, who, under the 7th section of the act of June 18, 1846, elects to vavate his regimental commission.

First Lieutenant George W. Patten to be captain, June 18, 1846, vice Hetzel, assistant quartermaster, who, under the 7th section of the act of June 18, 1846, elects to vacate his regimental commission.

Second Lieutenant Julius Hayden to be first lieutenant, June 18, 1846, vice Penrose, promoted.

Second Lieutenant Edward R. S. Canby to be first lieutenant, June 18, 1846, vice Patten, promoted.

Brevet Second Lieutenant James S. Woods, of the Fourth Regiment of Infantry, to be second lieutenant, June 18, 1846, vice Hayden, promoted.

Brevet Second Lieutenant James M. Henry, of the Seventh Regiment of Infantry, to be second lieutenant, June 18, 1846, vice Canby, promoted.

Third Regiment of Infantry.

First Lieutenant Joseph H. Eaton to be captain, June 18, 1846, vice Babbitt, assistant quartermaster, who, under the 7th section of the act of June 18, 1846, elects to vacate his regimental commission.

First Lieutenant Lewis S. Craig to be captain, June 18, 1846, vice Casey, commissary of subsistence, who, under the 7th section of the act of June 18, 1846, elects to vacate his regimental commission.

Second Lieutenant Thomas Jordan to be first lieutenant, June 18, 1846, vice Eaton, promoted.

Second Lieutenant Don Carlos Buell to be first lieutenant, June 18, 1846, vice Craig, promoted.

Brevet Second Lieutenant Henry B. Schroeder to be second lieutenant, June 18, 1846, vice Jordan, promoted.

Brevet Second Lieutenant John J. C. Bibb to be second lieutenant, June 18, 1846, vice Buell, promoted.

Fourth Regiment of Infantry.

First Lieutenant William W. S. Bliss to be captain, July 12, 1846, vice Page, deceased.

Second Lieutenant Granville O. Haller to be first lieutenant, July 12, 1846, vice Bliss, promoted.

Brevet Second Lieutenant Abram B. Lincoln, of the First Regiment of Infantry, to be second lieutenant, July 12, 1846, vice Haller, promoted.

Fifth Regiment of Infantry.

Captain Martin Scott to be major, June 29, 1846, vice Staniford, promoted to the Eighth Regiment of Infantry.

First Lieutenant Daniel Ruggles to be captain, June 18, 1846, vice Clary, assistant quartermaster, who, under the 7th section of the act of June 18, 1846, elects to vacate his regimental commission.

First Lieutenant William M. D. McKissack to be captain, June 29, 1846, vice Scott, promoted.

First Lieutenant Joseph H. Whipple to be captain, July 10, 1846, vice Drane, cashiered.

Second Lieutenant John C. Robinson to be first lieutenant, June 18, 1846, vice Ruggles, promoted.

Second Lieutenant Pinkney Lugenbeel to be first lieutenant, June 29, 1846, vice McKissack, promoted.

Second Lieutenant Joseph L. Folsom to be first lieutenant, July 10, 1846, vice Whipple, promoted

Brevet Second Lieutenant Joseph P. Smith to be second lieutenant, June 18, 1846, vice Robinson, promoted.

Brevet Second Lieutenant John A. Richey, of the Fourth Regiment of Infantry, to be second lieutenant, June 29, 1846, vice Lugenbeel, promoted.

Brevet Second Lieutenant Patrick A. Farrelly, of the Fourth Regiment of Infantry, to be second lieutenant, July 10, 1846, vice Folsom, promoted.

Sixth Regiment of Infantry.

Lieutenant-Colonel Newman S. Clarke, of the Eighth Regiment of Infantry, to be colonel June 29, 1846, vice Taylor, appointed major-general.

First Lieutenant Charles L. Lovell to be captain, June 18, 1846, vice Crosman, assistant quastermaster, who, under the 7th section of the act of June 18, 1846, elects to vacate his regimental commission.

Second Lieutenant John D. Bacon to be first lieutenant, June 18, 1846, vice Lovel, promoted.

Brevet Second Lieutenant Winfield S. Hancock to be second lieutenant, June 18, 1846, vice Bacon, promoted.

Eighth Regiment of Infantry.

Major Thomas Staniford, of the Fifth Regiment of Infantry, to be lieutenant-colonel, June 29, 1846, vice Clarke, promoted to the Sixth Regiment of Infantry.

First Lieutenant Isaac V. D. Reeve to be captain, June 18, 1846, vice Odgen, assistant quartermaster, who, under the 7th section of the act of June 18, 1846, elects to vacate his regimental commission.

First Lieutenant Collinson R. Gates to be captain, June 18, 1846, vice Hill, assistaut quartermaster, who, under the 7th section of the act of June 18, 1846, elects to vacate his regimental commission.

First Lieutenant Larkin Smith to be captain, July 21, 1846, vice Worth, deceased.

Second Lieutenaut John Beardsley to be first lieutenant, June 18, 1846, vice Reeve, promoted.

Second Lieutenant Charles F. Morris to be first lieutenant, June 18, 1846, vice Gates, promoted.

Second Lieutenant John D. Clark to be first lieutenant, July 21, 1846, vice Smith, promoted.

Brevet Second Lieutenant Alexander Hays, of the Fourth Regiment of Infantry, to be second lieutenant, June 18, 1846, vice Beardsley, promoted.

Brevet Second Lieutenant George Wainwright to be second lieutenant, June 18, 1846, vice Morris, promoted.

Brevet Second Lieutenant James G. S. Snelling to be second lieutenant, July 21, 1846, vice Clark, promoted.

APPOINTMENT.

Adjutant-General's Department.

First Lieutenant Edward D. Townsend, adjutant of the Second Regiment of Artillery, to be assistant adjutant-general, with the brevet rank of captain, to fill a vacancy.

W. L. MARCY.

To the Senate of the United States:

I nominate the officers named in the accompanying list for brevet promotions in the Army of the United States for gallant conduct in the battles of Palo Alto, Resaca de la Palma, and the defense of Fort Brown.

JAMES K. POLK.

WASHINGTON, *August* 8, 1846.

Promotions in the Army, by brevet, for gallant and distinguished services in the battles of Palo Alto and Resaca de la Palma, in Texas, on the 8th and 9th of May, 1846, and in the defense of Fort Brown, Texas, during its bombardment from the 3d to the 9th of May, 1846.

Lieutenant-Colonel James S. McIntosh, of the 5th Regiment of Infantry, to be colonel by brevet, to date from the 9th of May, 1816.

Lieutenant-Colonel Matthew M. Payne, of the 4th Regiment of Artillery, to be colonel by brevet, to date from the 9th of May, 1846.

Brevet Lieutenant-Colonel William G. Belknap, major of the 8th Infantry, to be colonel by brevet, to date from the 9th of May, 1846.

Captain Edgar S. Hawkins, of the 7th Regiment of Infantry, to be major by brevet, to date from the 9th of May, 1846.

Captain George A. McCall, of the 4th Regiment of Infantry, to be major by brevet, to date from the 9th of May, 1846.

Captain Joseph K. K. F. Mansfield, of the Corps of Engineers, to be major by brevet, to date from the 9th of May, 1846.

Captain Alexander S. Hooe, of the 5th Regiment of Infantry, to be major by brevet, to date from the 9th of May, 1846.

Captain Robert C. Buchanan, of the 4th Regiment of Infantry, to be major by brevet, to date from the 9th of May, 1846.

Captain Charles A. May, of the 2d Regiment of Dragoons, to be major by brevet, to date from the 8th of May, 1846.

Captain P. W. Barbour, of the 3d Regiment of Infantry, to be major by brevet, to date from the 9th of May, 1846.

Captain James Duncan, of the 2d Regiment of Artillery, to be major by brevet, to date from the 8th of May, 1846.

First Lieut. Randolph Ridgely, of the 3d Regiment of Artillery, to be captain by brevet, to date from the 9th of May, 1846.

First Lieut. William H. Churchill, of the 3d Regiment of Artillery, to be captain by brevet, to date from the 9th of May, 1846.

Second Lieut. James S. Woods, of the 4th Regiment of Infantry, to be first lieutenant by brevet, to date from the 9th of May, 1846.

Second Lieut. Alexander Hays, of the 4th Regiment of Infantry, to be first lieutenant by brevet, to date from the 9th of May, 1846.

Captain James Duncan, 2d Artillery, to be lieutenant-colonel by brevet, for gallant and highly distinguished conduct in the battle of Resaca de la Palma, to date from the 9th of May, 1846.

Captain Charles A. May, 2d Dragoons, to be lieutenant-colonel by brevet, for gallant and highly distinguished conduct in the battle of Resaca de la Palma, to date from the 9th of May, 1846.

To the Senate of the United States:

In accordance with the provisions of the act approved June 18, 1846, entitled "An act supplemental to an act entitled 'An act providing for the prosecution of the existing war between the United States and the Republic of Mexico,' and for other purposes," I nominate John S. Bradford, of Illinois, to be an assistant commissary with the rank of captain, in the place of William Walters, deceased.

JAMES K. POLK.

WASHINGTON, *August* 8, 1846.

The messages were read.

Ordered, That the nominations for promotion and appointment in the Army, the nominations for brevet appointment for gallant and distinguished services, and the nomination of John S. Bradford be referred to the Committee on Military Affairs.

The President *pro tempore* presented a memorial from John Brown and others, as a delegation of the "Old Settlers," or Western Cherokees, on the subject of the treaty concluded between the United States and the Cherokee Indians, the 6th of August, 1846; and

Ordered, That it lie on the table.

Mr. Dix, from the Committee on Military Affairs, to whom was referred, on the 6th instant, the nomination of Abram S. Hill, and on the 7th instant those of Pleasant L. Ward, John M. Leech, and Charles W. Davis, reported.

Mr. Dix, from the Committee on Commerce, to whom were referred, on the 7th instant, the nominations of John W. Mulligan, Jorgen A. Flood, Francis W. Cragin, and William Carroll, reported.

Mr. Ashley, from the Committee on the Judiciary, to whom were referred, on the 7th May, the nominations of Isaac H. Bronson, Chandler C. Yonge, and Joseph B. Browne, reported.

Whereupon

Resolved, That the Senate advise and consent to the appointment of the said persons, agreeably to their nominations respectively.

Mr. Hannegan submitted the following resolution; which was considered, by unanimous consent, and agreed to:

Resolved, That two thousand copies of the Journal, correspondence, and documents connected with the Oregon treaty, be printed for the use of the Senate.

Mr. Sevier, from the Committee on Indian Affairs, to whom was referred, on the 7th instant, the treaty between the United States and the Cherokee Indians, reported the same with the following amendments; which were read, to wit:

First. At the end of the eighth article add the following words: *And for which lands it is agreed on the part of the United States to pay to the Cherokees sixty-two and a half cents per acre for such parts as lie in Alabama, and the true value for such reserved lands as lie in Tennessee.*

Second. Strike out after the word "that" where it first occurs in line 5 of the eleventh article, to the end thereof, and insert the following words:

Should the subsistence aforesaid exceed thirty-three dollars and thirty-three cents per head the excess beyond that sum shall be paid by the United States. And upon all sums remaining in the possession of the United States after the disposition of the funds belonging to the Cherokees, as contemplated by the treaty of eighteen hundred and thirty-five, interest at the rate of five per cent. per annum shall be paid by the United States, from the time that payment of the same was demanded by the Cherokees.

Third. Strike out the twelfth article of the treaty.

The treaty was read the second time.

On motion by Mr. Sevier,

The Senate proceeded, as in Committee of the Whole, to consider the said treaty.

On motion by Mr. Mangum,

That it lie on the table,

It was determined in the negative, { Yeas ..... 21 / Nays 21

On motion by Mr. Sevier,

The yeas and nays being desired by one-fifth of the Senators present,

Those who voted in the affirmative are,

Messrs. Archer, Barrow, Benton, Bright, Calhoun, Cameron, Cilley, Thomas Clayton, John M. Clayton, Dix, Evans, Greene, Johnson of Louisiana, Lewis, Mangum, Pearce, Semple, Simmons, Speight, Westcott, Yulee.

Those who voted in the negative are,

Messrs. Allen, Ashley, Atchison, Atherton, Bagby, Berrien, Cass, Chalmers, Crittenden, Davis, Dickinson, Fairfield, Houston, Jarnagin, Johnson of Maryland, Miller, Niles, Rush, Sevier, Sturgeon, Turney.

On motion by Mr. Wescott that the treaty lie on the table,

It was determined in the negative.

On the question, Shall the words contained in the first amendment reported by the committee stand as part of the eighth article of the treaty?

It was determined in the negative, { Yeas ..... 22 / Nays 12

Those who voted in the affirmative are,

Messrs. Allen, Archer, Ashley, Atchison, Atherton, Berrien, Cass, Crittenden, Davis, Dickinson, Dix, Houston, Jarnagin, Johnson of Maryland, Johnson of Louisiana, Miller, Morehead, Niles, Pearce, Rusk, Sevier, Turney.

Those who voted in the negative are,

Messrs. Benton, Bright, Calhoun, Cameron, Cilley, Evans, Mangum, Semple, Sturgeon, Webster, Westcott, Yulee.

So, two-thirds of the Senators present not voting in the affirmative, the amendment was rejected.

On motion by Mr. Sevier, and by unanimous consent,

The question was stated, Will the Senate advise and consent to the second amendment reported from the Committee on Indian Affairs?

And it was determined in the negative, { Yeas ..... 24 / Nays 13

Those who voted in the affirmative are,

Messrs. Allen, Ashley, Atchison, Atherton, Bagby, Berrien, Cass, Crittenden, Davis, Dickinson, Dix, Houston, Jarnagin, Johnson of Maryland, Johnson of Louisiana, McDuffie, Miller, Morehead, Niles, Rusk, Sevier, Simmons, Turney, Woodbridge.

Those who voted in the negative are,

Messrs. Benton, Bright, Calhoun, Cameron, Cilley, Evans, Lewis, Mangum, Semple, Sturgeon, Webster, Westcott, Yulee.

So, two-thirds of the Senators present not voting in the affirmative, the amendment was rejected.

On the question, Shall the twelfth article stand as part of the treaty?

It was determined in the negative, { Yeas ..... 10 / Nays 23

Those who voted in the affirmative are,

Messrs. Atchison, Benton, Bright, Calhoun, Cameron, Cilley, Lewis, Webster, Westcott, Woodbridge.

Those who voted in the negative are,

Messrs. Allen, Archer, Ashley, Atherton, Bagby, Berrien, Cass, Davis, Dickinson, Dix, Greene, Houston, Jarnagin, Johnson of Maryland, Johnson of Louisiana, McDuffie, Niles, Rusk, Semple, Sevier, Simmons, Sturgeon, Turney.

So the twelfth article was stricken from the treaty.

On motion by Mr. Calhoun to strike out of the fifth article the following words, to wit:

"First deducting therefrom the sum of fifty thousand dollars to be paid to the delegation of that portion of the Cherokee people who are parties to the treaty, to defray the expenses of prosecuting their claims against the Government of the United States including the late Captain John Rogers,"

The question was stated, Shall these words stand as part of the fifth article?

And it was determined in the negative, { Yeas ..... 19 / Nays 22

Those who voted in the affirmative are,

Messrs. Allen, Ashley, Atchison, Atherton, Barrow, Berrien, Breese, Bright, Cass, Crittenden, Davis, Fairfield, Greene, Houston, Johnson of Maryland, Johnson of Louisiana, McDuffie, Rusk, Sevier, Speight, Turney, Webster.

Those who voted in the negative are,

Messrs. Bagby, Benton, Calhoun, Cameron, Cilley, Dix, Evans, Jarnagin, Lewis, Mangum, Miller, Morehead, Niles, Semple, Simmons, Sturgeon, Westcott, Woodbridge, Yulee.

So the said words were stricken from the treaty.

On motion by Mr. Mangum to amend the treaty by adding thereto the following, to wit:

And nothing contained in the provisions of this treaty, or the preceeding one of December, eighteen hundred and thirty-five, shall be construed, so as to deprive the Cherokees, who have become citizens of the States of Georgia, Alabama, Tennessee, and North Carolina, of their just and equitable portions of the moneys stipulated to be paid by the United States as a consideration for the cession of lands in which they owned a common interest,

The question was stated, Shall these words stand as part of the treaty?

And it was determined in the negative, { Yeas ..... 15 / Nays 21

Those who voted in the affirmative are,

Messrs. Archer, Atchison, Berrien, Bright, Calhoun, Cameron, Cilley, Houston, Lewis, Mangum, Pearce, Semple, Simmons, Westcott, Yulee.

Those who voted in the negative are,

Messrs. Ashley, Atherton, Bagby, Barrow, Breese, Cass, Crittenden, Davis, Dickinson, Dix, Evans, Fairfield, Jarnagin, Johnson of Maryland, Johnson of Louisiana, McDuffie, Miller, Niles, Rusk, Sevier, Turney.

So the amendment was rejected.

No further amendment being proposed, the treaty so amended was reported to the Senate.

Mr. Sevier submitted the following resolution:

Resolved (*two-thirds of the Senators present concurring*), That the Senate advise and consent to the ratification of the articles of a treaty made and concluded at Washington, in the District of Columbia, the sixth day of August, in the year of our Lord one thousand eight hundred and forty-six, between the United States of America, by three commissioners, Edmund Burke, William Armstrong, and Albion K. Parris, and John Ross, principal chief of the Cherokee Nation, David Varm, William S. Coody, Richard Taylor, F. H. Walker, Clement F. McNair, Stephen Foreman, John Drew, and Richard Field, delegates duly appointed by the regularly constituted authorities of the Cherokee Nation; George W. Adair, John A. Bell, Stand Watie, Joseph M. Lynch, John Huss, and Brice Martin, a delegation appointed by and representing that portion of the Cherokee tribe of Indians known and recognized as the "Treaty party"; John Brown, Captain Dutch, John L. McCoy, Richard Drew, and Ellis Phillips, delegates appointed by and representing that portion of the Cherokee tribe of Indians known and recognized as "Western Cherokees," or "Old Settlers," with the following amendments:

Strike out of the fifth article the following words: "First deducting therefrom the sum of fifty thousand dollars to be paid to the delegation of that portion of the Cherokee people who are parties to the treaty, to defray the expenses of prosecuting their claims against the Government of the United States, including the late Captain John Rogers."

Strike out the twelfth article of the treaty.

The Senate, by unanimous consent, proceeded to consider the said resolution; and on the question to agree thereto,

It was determined in the negative, { Yeas ..... 22 / Nays 13

Those who voted in the affirmative are,

Messrs. Ashley, Atchison, Atherton, Bagby, Barrow, Berrien, Breese Cass, Chalmers, Thomas Clayton, Davis, Dickinson, Fairfield, Houston, Jarnagin, Johnson of Maryland, Johnson of Louisiana, Miller, Rusk, Sevier, Sturgeon, Turney.

Those who voted in the negative are,

Messrs. Benton, Bright, Calhoun, Cameron, Cilley, Evans, Lewis, Mangum, Semple, Simmons, Speight, Westcott, Yulee.

So, two-thirds of the Senators present not voting in the affirmative, the treaty was rejected.

On motion by Mr. Westcott that the vote of the Senate on rejecting the said resolution be reconsidered,

It was determined in the affirmative.

On motion by Mr. Breese that the further consideration of the treaty be postponed to the first Monday in December next,

It was determined in the affirmative.

On motion by Mr. Breese that the vote of the Senate on postponing the further consideration of the treaty until the first Monday in December next be reconsidered.

It was determined in the affirmative.

On motion by Mr. Sevier,

The Senate proceeded to reconsider the resolution submitted this day for the ratification of the treaty with the Cherokee Indians with amendments, and on the question to agree thereto,

It was determined in the affirmative, { Yeas ..... 28 / Nays 12

Those who voted in the affirmative are,

Messrs. Ashley, Atchison, Atherton, Bagby, Barrow, Berrien, Cass, Chalmers, Thomas Clayton, John M. Clayton, Corwin, Crittenden, Davis, Dickinson, Greene, Houston, Jarnagin, Johnson of Maryland, McDuffie, Miller, Phelps, Rusk, Sevier, Simmons, Sturgeon, Turney, Upham, Woodbridge.

Those who voted in the negative are,

Messrs. Benton, Bright, Calhoun, Cameron, Evans, Lewis, Mangum, Niles, Speight, Webster, Westcott, Yulee.

So the resolution was agreed to.

Ordered, That the Secretary lay the said resolution before the President of the United States.

AFTER 6 O'CLOCK P. M.

Mr. Niles, from the Committee on the Post-Office and Post-Roads, to whom was referred, on the 29th December last, the nomination of Allen May, on the 10th March that of Ezra Daggett, and on the 7th instant that of William L. G. Smith, reported.

Mr. Lewis, from the Committee on Finance, to whom were referred, on the 7th instant, the nominations of William C. Bouck, Henry Hubbard, William Laval, and George Penn, reported.

The Senate proceeded to consider the nominations of James Hewson, Robert A. Forsyth, Stephen S. Seavy, Benjamin B. Leavitt, George W. Ellis, Joseph Williams, Abram S. Hill, Pleasant L. Ward, John M. Leech, Charles W. Davis, John W. Mulligan, Jorgon A. Flood, Francis W. Cragin, William Carrol, Allen May, Ezra Daggett, William C. Bouck, Henry Hubbard, William Laval, and George Penn; and

Resolved, That the Senate advise and consent to the appointment of the said persons, agreeably to their nominations respectively.

The Senate proceeded to consider the nomination of Ransom H. Gillet; and

On the question, Will the Senate advise and consent to the appointment of Ransom H. Gillet?

It was determined it the affirmative, { Yeas ..... 23 / Nays 20

On motion by Mr. Evans,

The yeas and nays being desired by one-fifth of the Senators present,

Those who voted in the affirmative are,

Messrs. Allen, Ashley, Atchison, Atherton, Bagby, Benton, Breese, Bright, Calhoun, Cass, Chalmers, Dickinson, Dix, Fairfield, Houston, Lewis, Niles, Semple, Sevier, Speight, Sturgeon, Turney, Yulee.

Those who voted in the negative are,

Messrs. Archer, Berrien, Thomas Clayton, John M. Clayton, Corwin, Crittenden, Davis, Evans, Greene, Huntington, Jarnagin, Johnson of Louisiana, Johnson of Maryland, Mangum, Miller, Morehead, Pearce, Simmons, Upham, Woodbridge.

So it was

Resolved, That the Senate advise and consent to the appointment of Ransom H. Gillet, agreeably to the nomination.

The Senate proceeded to consider the nomination of Silas A. Comstock; and

On the question, Will the Senate advise and consent to the appointment of Silas A. Comstock?

It was determined in the affirmative, { Yeas ..... 22 / Nays 20

On motion by Mr. Greene,

The yeas and nays being desired by one-fifth of the Senators present,

Those who voted in the affirmative are,

Messrs. Allen, Ashley, Atchison, Atherton, Bagby, Benton, Breese, Bright, Cameron, Cass, Chalmers, Dickinson, Dix, Fairfield, Houston, Niles, Rusk, Semple, Sevier, Sturgeon, Turney, Yulee.

Those who voted in the negative are,

Messrs. Archer, Berrien, Calhoun, Cilley, Thomas, Clayton, John M. Clayton, Corwin, Crittenden, Davis, Evans, Greene, Huntington, Jarnagin, Johnson of Maryland, Johnson of Louisiana, Mangum, Miller, Morehead, Pearce, Westcott.

So it was

Resolved, That the Senate advise and consent to the appointment of Silas A. Comstock, agreeably to the nomination.

The Senate proceeded to consider the nomination of Nathaniel Lowney; and on the question, Will the Senate advise and consent to the appointment of Nathaniel M. Lowney?

It was determined in the negative, { Yeas ..... 18 / Nays 24

On motion by Mr. Evans,

The yeas and nays being desired by one-fifth of the Senators present,

Those who voted in the affirmative are,

Messrs. Allen, Ashley, Atchison, Atherton, Benton, Breese, Bright, Cass, Dickinson, Dix, Fairfield, Houston, McDuffie, Niles, Semple, Sevier, Sturgeon, Turney, Yulee.

Those who voted in the negative are,

Messrs. Archer, Barrow, Berrien, Cameron, Chalmers, Cilley, Thomas Clayton, Corwin, Davis, Evans, Greene, Huntington, Jarnagin, Johnson of Maryland, Johnson of Louisiana, Mangum, Miller, Morehead, Pearce, Phelps, Upham, Webster, Westcott, Woodbridge.

So it was

Resolved, That the Senate do not advise and consent to the appointment of Nathaniel M. Lowney to be collector of the customs of the district and inspector of the revenue for the port of Belfast, in the State of Maine, vice Benjamin Wiggins, removed.

The Senate proceeded to consider the nomination of James H. Cocke; and on the question, Will the Senate advise and consent to the appointment of James H. Cocke?

It was determined in the negative, { Yeas ..... 14 / Nays 20

On motion by Mr. Chalmers,
The yeas and nays being desired by one-fifth the Senators present,
Those who voted in the affirmative are,
Messrs. Ashley, Atherton, Bagby, Bright, Cass, Corwin, Dickinson, Houston, Johnson of Maryland, Miller, Niles, Sevier, Sturgeon, Turney.
Those who voted in the negative are,
Messrs. Allen, Archer, Atchison, Barrow, Berrien, Calhoun, Chalmers, Thomas Clayton, Evans, Greene, Jarnagin, McDuffie, Mangum, Phelps, Rusk, Simmons, Speight, Webster, Westcott, Woodbridge.
So it was
Resolved, That the Senate do not advise and consent to the appointment of James H. Cocke to be collector of the customs for the port of Galveston, in the State of Texas, in the place of Hiram G. Runnells, removed.

The following messages were received from the President of the United States, by Mr. Walker, his secretary:

To the Senate of the United States:

I nominate Elisha Taylor to be register of the land office for the district of lands subject to sale at Detroit, in the State of Michigan, in the place of Robert A. Forsyth, appointed paymaster in the Army of the United States.

JAMES K. POLK.

WASHINGTON, *August* 8, 1846.

To the Senate of the United States:

I nominate Ralph J. Ingersoll, of Connecticut, to be envoy extraordinary and minister plenipotentiary of the United States at the court of His Imperial Majesty the Emperor of all the Russias, in the place of Charles S. Todd, recalled.

JAMES K. POLK.

To the Senate of the United States:

I nominate Charles Nealey to be register of the land office for the district of lands in the Territory of Iowa, created by the act approved this day to establish an additional land district in Iowa.
Enos Low to be receiver of the above-mentioned land office.

JAMES K. POLK.

WASHINGTON, *August* 8, 1846.

The messages were read.
Ordered, That the nominations of Elisha Taylor, Charles, Neally, and Enos Low be referred to the Committee on Public Lands.
Ordered, That the nomination of Ralph J. Ingersoll be referred to the Committee on Foreign Relations.
The Senate proceeded to consider the nomination of William L. G. Smith; and on the question, Will the Senate advise and consent to the appointment of William G. Smith?

It was determined in the negative, { Yeas ..... 10 / Nays 28

On motion by Mr. Dickinson,
The yeas and nays being desired by one-fifth of the Senators present,
Those who voted in the affirmative are,
Messrs. Ashley, Atherton, Breese, Bright, Cass, Dickinson, Sevier, Sturgeon, Turney, Yulee.

Those who voted in the negative are,

Messrs. Archer, Atchison, Bagby, Barrow, Berrien, Cameron, Cilley, Thomas Clayton, Corwin, Crittenden, Davis, Dix, Evans, Greene, Huntington, Jarnagin, Johnson of Louisiana, Mangum, Miller, Morehead, Niles, Pearce, Phelps, Semple, Simmons, Upham, Webster, Woodbridge.

So it was

Resolved, That the Senate do not advise and consent to the appointment of William L. G. Smith to be deputy postmaster at Buffalo, in the State of New York, in the place of Philip Dorsheimer appointed during the last recess of the Senate, *vice* Charles C. Haddock, removed.

Mr. Breese, from the Committee on Public Lands, to whom were this day referred the nominations of Elisha Taylor, Charles Neally, and Enos Lowe, reported.

Whereupon

The Senate, by unanimous consent, proceeded to consider the said nominations; and

Resolved, That the Senate advise and consent to the appointment of said persons, agreeably to their nominations respectively.

Mr. McDuffie, from the Committee on Foreign Relations, to whom was this day referred the nomination of Ralph J. Ingersoll, reported.

Whereupon,

The Senate, by unanimous consent, proceeded to consider the said nomination; and

Resolved, That the Senate advise and consent to the appointment of Ralph J. Ingersoll, agreeably to the nomination.

The following messages were received from the President of the United States, by Mr. Walker, his secretary:

To the Senate of the United States:

I nominate Alfred Marshall to be collector of the customs for the district and inspector of the revenue for the port of Belfast, in the State of Maine, in the place of Nathaniel M. Lowney, rejected by the Senate.

JAMES K. POLK.

WASHINGTON, *August* 8, 1846.

To the Senate of the United States:

I nominate Daniel Burrows to be surveyor of the customs and inspector of the revenue at Middletown, in the State of Connecticut, whose present commission has expired.

JAMES K. POLK.

AUGUST 8, 1846.

The messages were read.

The Senate, by unanimous consent, proceeded to consider the said nominations; and

Resolved, That the Senate advise and consent to the appointment of Alfred Marshal and Daniel Burrows, agreeably to their nominations respectively.

Mr. Dix, from the committee on Military Affairs, to whom were this day referred the nominations of Richard B. Mason and others for promotion and appointment in the Army, the nominations of James S. McIntosh and others for brevet appointments on account of gallant and distinguished services in battle with the Mexican forces, and the nomination of John S. Bradford, reported.

Whereupon

The Senate, by unanimous consent, proceeded to consider the said nominations; and

Resolved, That the Senate advise and consent to the promotion and appointment of the said persons, agreeably to their nominations respectively.

The treaty of commerce and navigation between the United States and the Kirgdom of Hanover was read the second time.

On motion by Mr. McDuffie,

The Senate, as in Committee of the Whole, proceeded to consider the said treaty; and

After debate,

On motion by Mr. Cameron,

The Senate adjourned.

MONDAY, AUGUST 10, 1846.

On motion by Mr. Lewis,

Ordered, That the injunction of secrecy be removed from the message of the President of the 4th instant relating to a negotiation with the Republic of Mexico, from all documents communicated to the Senate in relation thereto, and from the proceedings of the Senate on the subject thereof.

On motion by Mr. Fairfield,

Ordered, That the Secretary be directed to return to the Navy Department the original papers communicated by the President on the 7th instant relating to the assembling and proceedings of a board of naval officers.