EXECUTIVE JOURNAL OF THE SENATE OF THE UNITED STATES.

[First session of the Thirtieth Congress.]

WEDNESDAY, DECEMBER 22, 1847.

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 their consideration and advice with regard to its ratification, a convention between the United States and the Swiss Confederation signed in this city by their respective plenipotentiaries on the 18th day of May last, for the mutual abolition of the droit d'aubaine and of taxes on emigration.

JAMES K. POLK.

WASHINGTON, *December* 20, 1847.

To the Senate of the United States:

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

Seth Barton, of Louisiana, to be chargé d'affaires of the United States to the Republic of Chili, in the place of William Crump, recalled at his own request.

Thomas I. Morgan, of Ohio, to be secretary of the legation of the United States near His Majesty the Emperor of Brazil, in the place of Robert M. Walsh, recalled.

Joseph W. Livingston, of New York, to be consul of the United States for the port of San Juan de Nicaragua, in the State of Nicaragua, in the place of Francis V. Clark, resigned.

Charles Huffnagle, of Pennsylvania, to be consul of the United States for the port of Calcutta, in the place of James B. Higginson, recalled.

Hugh Keenan, of Pennsylvania, to be consul of the United States for the port of Dublin, in the place of Thomas Wilson, recalled.

John McPherson, of Virginia, to be consul of the United States for the port of Genoa, in the place of C. E. Lester, recalled.

George I. Fairfield, of Maine, to be consul of the United States for the port of Buenos Ayres, in the place of Thaddeus Sanford, declined, who was appointed in the place of Washington Greenhow, declined.

William I. Staples, of New York, to be consul of the United States for the port of Havre, in the place of Reuben G. Beasley, deceased.

Thomas M. Persse, of New York, to be consul of the United States for the port of Galway, in Ireland, in the place of Michael Kennedy, recalled.

Daniel Graham, of Tennessee, to be Register of the Treasury of the United States, in the place of Ransom H. Gillet, resigned.

Ransom H. Gillet, of New York, to be Solicitor of the Treasury of the United States, in the place of Seth Barton, resigned.

James R. Snowden, of Pennsylvania, to be Treasurer of the United States at Philadelphia, in the place of Isaac Roach, removed.

William I. Alexander, to be superintendent of the branch mint of the United States at Charlotte, in the State of North Carolina, in the place of Green W. Caldwell, resigned.

Eleaser P. Kendrick, of Ohio, to be surveyor of the Virginia military district, in the State of Ohio, in the place of William M. Anderson, resigned.

Adolphe Renard, of Missouri, to be recorder of land titles in the State of Missouri, in the place of Loren Spencer, deceased.

Charles P. Sengstack, of the District of Columbia, to be warden of the penitentiary in the District of Columbia, in the place of Robert Coltman, deceased.

George W. Clinton, of New York, to be attorney of the United States for the northern district of New York, in the place of William F. Allen, resigned.

Josiah Minot, of New Hampshire, to be attorney of the United States for the district of New Hampshire, in the place of Franklin Pierce, resigned.

Thomas M. Griffin, of Georgia, to be marshal of the United States for the district of Georgia, in the place of Henderson Willingham, resigned.

James H. Cocke, of Texas, to be marshal of the United States for the district of Texas, in the place of John M. Allen, deceased.

Arnold Plumer, of Pennsylvania, to be marshal of the United States for the western district of Pennsylvania, in the place of Samuel Hays, resigned.

Thomas C. Donn to be a justice of the peace in the county of Washington, in the District of Columbia, his former commission having expired.

JAMES K. POLK.

WASHINGTON, 20*th December*, 1847.

Ordered, That the nominations of Seth Barton and Thomas I. Morgan be referred to the Committee on Foreign Relations.

Ordered, That the nominations of Joseph W. Livingston, Charles Huffnagle, Hugh Keenan, John McPherson, George I. Fairfield, William I. Staples, and Thomas M. Persse be referred to the Committee on Commerce.

Ordered, That the nominations of Daniel Graham, James R. Snowden, and William I. Alexander be referred to the Committee on Finance.

Ordered, That the nominations of Ransom H. Gillet, George W. Clinton, Josiah Minot, Thomas M. Griffin, James H. Cocke, and Arnold Plumer be referred to the Committee on the Judiciary.

Ordered, That the nominations of Eleazer P. Kendrick and Adolphe Renard be referred to the Committee on Public Lands.

Ordered, That the nominations of Charles P. Sengstack and Thomas C. Donn be referred to the Committee on the District of Columbia.

The convention between the United States of America and the Swiss Confederation, for the mutual abolition of the droit d'aubaine and taxes on emigration, concluded at Washington the 18th May, 1847, was read; and

Ordered, That it be referred to the Committee on Foreign Relations.

THURSDAY, DECEMBER 30, 1847.

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 and in the volunteer service of the United States to the several grades annexed to their names, as proposed by the Secretary of War.

JAMES K. POLK.

WASHINGTON, 1*st December*, 1847.

WAR DEPARTMENT,
ADJUTANT-GENERAL'S OFFICE,
Washington, Dec. 17, 1847.

SIR: I have the honor respectfully to submit the annexed list of officers for regular promotion, and persons for appointment in the Army and in the volunteer service of the United States.

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

W. L. MARCY.

To the PRESIDENT OF THE UNITED STATES.

WAR DEPARTMENT, *December* 17, 1847.

PROMOTIONS AND APPOINTMENTS IN THE ARMY OF THE UNITED STATES, SINCE THE ADJOURNMENT OF THE SENATE IN MARCH LAST.

PROMOTIONS.

Quartermaster's Department.

Captain Osborne Cross, assistant quartermaster, to be quartermaster with the rank of major, July 24, 1847, vice Smith, deceased.

Medical Department.

Assistant Surgeon William Hammond to be surgeon, August 7, 1847, vice Hawkins, deceased.

Pay Department.

Paymaster Daniel Randall to be deputy paymaster-general, March 3, 1847, original vacancy.

Corps of Engineers.

First Lieutenant James L. Mason to be captain, April 24, 1847, vice Swift, deceased.

Second Lieutenant Zealous B. Tower to be first lieutenant, April 24, 1847, vice Mason, promoted.

Brevet Second Lieutenant George B. McClellan to be second lieutenant, April 24, 1847, vice Tower, promoted.

Corps of Topographical Engineers.

First Lieutenant Thomas J. Lee to be captain, March 3, 1847, vice Johnston, appointed lieutenant-colonel of infantry.

Second Lieutenant Charles N. Hagner to be first lieutenant, March 3, 1847, vice Lee, promoted.

Brevet Second Lieutenant William F. Reynolds to be second lieutenant, March 3, 1847, vice Hagner, promoted.

First Regiment of Dragoons.

First Lieutenant Philip Kearney to be captain, December 6, 1846, vice Moore, killed in battle.

First Lieutenant Robert H. Chilton to be captain, December 6, 1846, vice Johnston, killed in battle.

First Lieutenant Daniel H. Rucker to be captain, February 7, 1847, vice Burgwin, deceased of wounds received in battle.

First Lieutenant Andrew J. Smith to be captain, February 16, 1847, vice Boone, promoted major.

First Lieutenant James H. Carleton to be captain, February 16, 1847, vice Cooke, promoted major in the 2d Regiment of Dragoons.

Second Lieutenant Abraham Buford to be first lieutenant, December 6, 1846, vice Kearney, promoted.

Second Lieutenant Patrick Noble to be first lieutenant, December 6, 1846, vice Chilton, promoted.

Second Lieutenant Henry W. Stanton to be first lieutenant, February 7, 1847, vice Rucker, promoted.

Second Lieutenant Rufus Ingalls to be first lieutenant, February 16, 1847, vice Smith, promoted.

Second Lieutenant Cave J. Couts to be first lieutenant, February 16, 1847, vice Carleton, promoted.

Second Lieutenant Joseph H. Whittlesey to be first lieutenant, October 18, 1847, vice Jenkins, deceased.

Brevet Second Lieutenant Clarendon J. L. Wilson to be second lieutenant, December 6, 1846, vice Buford, promoted.

Brevet Second Lieutenant John Adams to be second lieutenant, December 6, 1846, vice Noble, promoted.

Brevet Second Lieutenant Thomas F. Castor, of the Second Regiment of Dragoons, to be second lieutenant, December 6, 1846, vice Hammond, killed in battle.

Brevet Second Lieutenant Orren Chapman, of the Second Regiment of Dragoons, to be second lieutenant, February 7, 1847, vice Stanton, promoted.

Brevet Second Lieutenant Oliver H. P. Taylor to be second lieutenant, February 16, 1847, vice Ingalls, promoted.

Brevet Second Lieutenant Samuel D. Sturgis, of the Second Regiment of Dragoons, to be second lieutenant, February 16, 1847, vice Couts, promoted.

Brevet Second Lieutenant George Stoneman, jr., to be second lieutenant, July 12, 1847, vice McElvain, deceased.

Brevet Second Lieutenant George F. Evans to be second lieutenant, October 18, 1847, vice Whittlesey, promoted.

Second Regiment of Dragoons.

First Lieutenant Ripley A. Arnold to be captain, August 18, 1847, vice Thornton, killed in battle.

Second Lieutenant Philip W. McDonald to be first lieutenant, March 3, 1847, vice Hamilton, appointed major of infantry.

Second Lieutenant Patrick Calhoun to be first lieutenant, July 29, 1847, vice Hill, deceased.

Second Lieutenant Elias K. Kane to be first lieutenant, August 18, 1847, vice Arnold, promoted.

Brevet Second Lieutenant Thomas J. Wood to be second lieutenant, December 2, 1846, the date of Second Lieutenant Neills's appointment as adjutant of the regiment.

Brevet Second Lieutenant James Oakes to be second lieutenant, July 29, 1847, vice Calhoun promoted.

Brevet Second Lieutenant William D. Smith to be second lieutenant, August 18, 1847, vice Kane, promoted.

Third Regiment of Dragoons.

First Lieutenant Walter H. Jenifer to be captain, July 16, 1847, vice Duff, deceased.

Second Lieutenant William Walker to be first lieutenant, July 16, 1847, vice Jenifer, promoted.

Regiment of Mounted Riflemen.

First Lieutenant Andrew Porter to be captain, May 15, 1847, vice Mason, deceased of wounds received in battle.

First Lieutenant Michael E. Van Buren to be captain, October 9, 1847, vice Walker, killed in battle.

Second Lieutenant Thomas G. Rhett to be first lieutenant, April 18, 1837, vice Ewell, killed in battle.

Second Lieutenant Charles L. Denman to be first lieutenant, May 15, 1847, vice Porter, promoted.

Second Lieutenant Washington L. Elliott to be first lieutenant, July 20, 1847, vice Tipton, deceased.

Second Lieutenant George McLane to be first lieutenant, October 9, 1847, vice Van Buren, promoted.

Brevet Second Lieutenant George W. Hawkins to be second lieutenant, April 18, 1847, vice Rhett, promoted.

Brevet Second Lieutenant John P. Hatch to be second lieutenant, April 18th, 1847, vice Davis, killed in battle.

Brevet Second Lieutenant Gordon Granger to be second lieutenant, May 29, 1847, vice Rajuet, resigned.

Brevet Second Lieutenant Junis N. Palmer to be second lieutenant, July 20, 1847, vice Elliott, promoted.

Brevet Second Lieutenant James Stuart to be second lieutenant, October 9, 1847, vice McLane, promoted.

First Regiment of Artillery.

First Lieutenant John S. Hatheway to be captain, March 3, 1847, vice Waggaman, commissary of subsistence, who vacates his *regimental* commission.

First Lieutenant James L. Donaldson to be captain, August 20, 1847, vice Capron, killed in battle.

First Lieutenant William W. Mackall to be captain, August 20, 1847, vice Donaldson, assistant quartermaster, who vacates his regimental commission.

Second Lieutenant Asher R. Eddy to be first lieutenant, August 19, 1847, vice Johnstone, killed in battle.

Second Lieutenant Henry Coppée to be first lieutenant, August 20, 1847, vice Donaldson, promoted.

Second Lieutenant Edward C. Boynton to be first lieutenant, August 20, 1847, vice Mackall, promoted.

Second Lieutenant Thomas J. Jackson to be first lientenant, August 27, 1847, vice Irons, deceased of wounds received in battle.

Brevet Second Lieutenant John H. Dickerson, of the Fourth Regiment of Artillery, to be second lieutenant, August 19, 1847, vice Eddy, promoted.

Brevet Second Lieutenant David T. Beltzhoover to be second lieutenant, August 20, 1847, vice Coppée, promoted.

Brevet Second Lieutenant Otis H. Tillinghast, of the Third Regiment of Artillery, to be second lieutenant, August 20, 1847, vice Boynton, promoted.

Brevet Second Lieutenant James B. Fry, of the Third Regiment of Artillery, to be second lieutenant, August 20, 1847, vice Hoffman, killed in battle.

Brevet Second Lieutenant Ambrose P. Hill to be second lieutenant, August 26, 1847, vice Jackson, promoted.

Second Regiment of Artillery.

First Lieutenant Robert Allen to be captain, October 19, 1847, vice Mackenzie, deceased.

First Lieutenant William W. Chapman to be captain, December 6, 1847, vice Ridgely, deceased.

Second Lieutenant Henry F. Clarke to be first lieutenant, September 8, 1847, vice Armstrong, killed in battle.

Second Lieutenant Josiah H. Carlisle to be first lieutenant, October 12, 1847, vice Shackleford, deceased of wounds received in battle.

Second Lieutenant George Edwards to be first lieutenant, October 19, 1847, vice Allen, promoted.

Second lieutenant Thomas B. J. Weld to be first lieutenant, October 27, 1847, vice Daniels, deceased of wounds received in battle.

Second Lieutenant Henry B. Sears to be first lieutenant, December 6, 1847, vice Chapman, promoted.

Brevet Second Lieutenant Thomas B. J. Weld, of the First Regiment of Artillery, to be second lieutenant, February 16, 1847, vice David Gibson, deceased.

Brevet Second Lieutenant Anson J. Cook to be second lieutenant, September 8, 1847, vice Clarke, promoted.

Brevet Second Lieutenant Charles Griffin, of the Fourth Regiment of Artillery, to be second lieutenant, October 12, 1847, vice Carlisle, promoted.

Third Regiment of Artillery.

First Lieutenant William H. Shober to be captain, March 22, 1847 vice Vinton, killed in battle,

First Lieutenant William Austine to be captain, August 13, 1847, vice Wall, deceased.

First Lieutenant Henry S. Burton to be captain, September 22, 1847, vice Tompkins, resigned.

Second Lieutenant Francis J. Thomas to be first lieutenant, March 22, 1847, vice Shover, promoted.

Second Lieutenant Louis D. Welch to be first lieutenant, August 13, 1847, vice Austine, promoted.

Second Lieutenant George P. Andrews to be first lieutenant, September 8, 1847, vice Ayers, killed in battle.

Second Lieutenant Colville J. Minor to be first lieutenant, September 8, 1847, vice Farry, killed in battle.

Second Lieutenant Hamilton L. Shields to be first lieutenant, September 22, 1847, vice Burton, deceased.

Second Lieutenant George T. Andrews to be first lieutenant, October 19, 1847, vice Churchill, deceased.

Second Lieutenant Benjamin P. McNeil to be first lieutenant, December 4, 1847, vice Johnston, resigned.

Brevet Second Lieutenant George Patten to be second lieutenant, August 13, 1847, vice Welch, promoted.

Brevet Second Lieutenant Horatio G. Gibson, of the Second Regiment of Artillery, to be second lieutenant September, 8, 1847, vice George P. Andrews, promoted.

Brevet Second Lieutenant Ambrose E. Burnside, of the Second Regiment of Artillery, to be second lieutenant, September 8, 1847, vice Minor, promoted.

Brevet Second Lieutenant Romeyn B. Ayres, of the Fourth Regiment of Artillery, to be second lieutenant, September 22, 1847, vice Shields, promoted.

Fourth Regiment of Artillery.

First Lieutenant William G. Freeman to be captain, September 13, 1847, vice Drum, killed in battle.

Second Lieutenant Fitz-John Porter, to be first lieutenant, May 29, 1847, vice Gill, resigned.

Second Lieutenant Francis Collins to be first lieutenant, September 13, 1847, vice Freeman, promoted.

Second Lieutenant Edmund Hayes to be first lieutenant, September 13, 1847, vice Benjamin, killed in battle.

Second Lieutenant Darius N. Couch, to be first lieutenant, December 4, 1847, vice Curd, resigned.

Brevet Second Lieutenant John Gibbon, of the Third Regiment of Regiment of Artillery, to be second lieutenant, September 13, 1847, vice Collins, promoted.

Brevet Second Lieutenant Colonel Chermont L. Best, of the First Regiment of Artillery, to be second lieutenant, September 13, 1847, vice Hayes, promoted.

First Regiment of Infantry.

Captain George C. Hutter, of the Sixth Regiment of Infantry, to be major, vice Clark, deceased, to date from February 16, 1847, and to take place on the list of majors of infantry, next below Major Jouett.

First Lieutenant Robert S. Granger to be captain, September 8, 1847, vice Abercrombie, promoted major in the Regiment of Infantry.

Second Lieutenant James N. Caldwell, to be first lieutenant, March 31, 1847, vice Barry, resigned.

Second Lieutenant Stephen D. Carpenter to be first lieutenant, September 8, 1847, vice Granger, promoted.

Second Lieutenant Egbert L. Viele, of the Second Regiment of Infantry, to be second lieutenant, September 8, 1847, vice Carpenter, promoted.

Second Regiment of Infantry.

Captain Washington Seawell, of the Seventh Regiment of Infantry, to be major, March 3, 1847, vice Graham, appointed lieutenant-colonel of infantry.

First Lieutenant Marsena R. Patrick to be captain, August 20, 1847, vice Anderson, killed in battle.

Second Lieutenant Alfred Sully to be first lieutenant, March 11, 1847, vice Alburtis, killed in battle.

Second Lieutenant Edward Murray to be first lieutenant, August 20, 1847, vice Patrick, promoted.

Brevet Second Lieutenant George E. Pickett, of the Eighth Regiment of Infantry, to be second lieutenant, March 3, 1847, vice Thorn, appointed in the Third Regiment of Dragoons.

Brevet Second Lieutenant Henry B. Hendershott, of the Fifth Regiment of Infantry, to be second lieutenant, August 20, 1847, vice Murray, promoted.

Brevet Second Lieutenant Tredwell Moore, of the Eighth Regiment of Infantry, to be second lieutenant, August 20, 1847, vice Easby, killed in battle.

Third Regiment of Infantry.

Second Lieutenant John C. McFerran to be first lieutenant, October 22, 1847, vice Johnson, resigned.

Fourth Regiment of Infantry.

First Lieutenant Henry L. Scott to be captain, February 16, 1847, vice Myers, assistant quartermaster, who vacates his regimental commission.

First Lieutenant Henry Prince to be captain, September 26, 1847, vice Morrison, promoted major in the Eighth Regiment of Infantry.

Second Lieutenant Christopher C. Auger to be first lieutenant, February 16, 1847, vice Scott, promoted.

Second Lieutenant Ulysses S. Grant to be first lieutenant, September 16, 1847, vice Smith, deceased—of wounds received in battle.

Second Lieutenant Henry M. Judah to be first lieutenant, September 26, 1847, vice Prince, promoted.

Brevet Second Lieutenant Edmund Russell, of the Sixth Regiment of Infantry, to be second lieutenant, February 16, 1847, vice Auger, promoted.

Brevet Second Lieutenant Lewis C. Hunt, of the Third Regiment of Infantry, to be second lieutenant, September 13, 1847, vice Rodgers, killed in battle.

Brevet Second Lieutenant John De Russy, of the Sixth Regiment of Infantry, to be second lieutenant, September 16, 1847, vice Grant, promoted.

Fifth Regiment of Infantry.

Major William G. Belknap, of the Eighth Regiment of Infantry, to be lieutenant colonel, September 26, 1847, vice McIntosh, deceased—of wounds received in battle.

Captain John J. Abercrombie, of the First Regiment of Infantry, to be major, September 8, 1847, vice Scott, killed in battle.

First Lieutenant Carter L. Stevenson to be captain, June 30, 1847, vice Whipple, deceased.

First Lieutenant Nathan B. Rossell to be captain, September 8, 1847, vice Merrill, killed in battle,

First Lieutenant John A. Whitall to be captain, September 11. 1847, vice Smith deceased—of wounds received in battle.

Second Lieutenant Charles S. Hamilton to be first lieutenant, June 30, 1847, vice Stevenson, promoted.

Second Lieutenant Henry R Selden to be first lieutenant, September 8, 1847, vice Rossell, promoted.

Second Lieutenant Frederick T. Dent to be first lieutenant, September 11, 1847, vice Whitall, promoted.

Brevet Second Lieutenant Thomas H. Neill, of the Fourth Regiment of Infantry, to be second lieutenant, September 8, 1847, vice Selden, promoted.

Brevet Second Lieutenant William Burns, of the Third Regiment of Infantry, to be second lieutenant, September 8, 1847, vice Strong, killed in battle.

Brevet Second Lieutenant Edward F. Abbott, of the Sixth Regiment of Infantry, to be second lieutenant, September 18, 1847, vice Burwell, killed in battle.

Brevet Second Lieutenant Montgomery P. Harrison, of the Seventh Regiment of Infantry, to be second lieutenant, September 11, 1847, vice Dent, promoted.

Brevet Second Lieutenant Augustus H. Seward, of the Eighth Regiment of Infantry, to be second lieutenant, September 13, 1847, vice J. P. Smith, killed in battle.

Sixth Regiment of Infantry.

First Lieutenant Henry W. Wharton to be captain, February 16, 1847, vice Hutter, promoted major in the First Regiment of Infantry.

Second Lieutenant Richard B. Garnett to be first lieutenant, February 16, 1847, vice Wharton, promoted.

Second Lieutenant Franklin F. Flint to be first lieutenant, October 12, 1847, vice Bacon, deceased, of wounds received in battle.

Brevet Second Lieutenant Henry Heth, of the First Regiment of Infantry, to be second lieutenant, September 22, 1847, vice Ernst, deceased, of wounds received in battle.

Seventh Regiment of Infantry.

First Lieutenant John C. Henshaw to be captain, March 3, 1847, vice Sewell, promoted major in the Second Regiment of Infantry.

First Lieutenant Henry Little to be captain, August 20, 1847, vice Hanson, killed in battle.

Second Lieutenant Samuel B. Hayman to be first lieutenant, February 16, 1847, vice Hanson, promoted.

Second Lieutenant Earl Van Dorn to be first lieutenant, March 3, 1847, vice Henshaw, promoted.

Second Lieutenant John M. Jones to be first lieutenant, August, 20, 1847, vice Little, promoted.

Second Lieutenant Franklin Gardner to be first lieutenant, September 13, 1847, vice Gantt, killed in battle.

Second Lieutenant Joseph H. Potter to be first lieutenant, October 30, 1847, vice Scott, deceased.

Brevet Second Lieutenant William M. Gardner, of the First Regiment of Infantry, to be second lieutenant, February 16, 1847, vice Hayman, promoted.

Brevet Second Lieutenant Henry M. Black, of the Fourth Regiment of Infantry, to be second lieutenant, August 20, 1847, vice Jones, promoted.

Brevet Second Lieutenant Peter W. L. Plympton to be second lieutenant, September 13, 1847, vice Gardner, promoted.

Eighth Regiment of Infantry.

Captain Pitcrain Morrison, of the Fourth Regiment of Infantry, to be major, September 26, 1847, vice Belknap, promoted lieutenant-colonel of the Fifth Regiment of Infantry.

First Lieutenant Augustus L. Sheppard to be captain, February 23, 1847, vice Lincoln, killed in battle.

Second Lieutenant James Longstreet to be first lieutenant February 23, 1847, vice Sheppard, promoted.

Second Lieutenant Jacob J. Booker to be first lieutenant, September 10, 1847, vice Burbank, deceased, of wounds received in battle.

Second Lieutenant Edmund B. Halloway to be first lieutenant, September 17, 1847, vice Morris, deceased, of wounds received in battle.

Brevet Second Lieutenant Samuel B. Maxey, of the Seventh Regiment of Infantry, to be second lieutenant, February 23 1847, vice Longstreet, promoted.

Brevet Second Lieutenant Washington P. Street, of the Fifth Regiment of Infantry, to be second lieutenant, September 10, 1847, vice Booker, promoted.

Brevet Second Lieutenant Edward D. Blake, of the Second Regiment of Infantry, to be second lieutenant, September 17, 1847, vice Holloway, promoted.

Ninth Regiment of Infantry.

Lieutenant-Colonel Jones M. Withers, of the Thirteenth Regiment of Infantry, to be colonel, September 13, 1847, vice Ransom, killed in battle.

Major Jeremiah Clemens, of the Thirteenth Regiment of Infantry, to be lieutenant-colonel, July 16, 1847, vice Thompson, resigned.

Captain William B. Taliaferro, of the Eleventh Regiment of Infantry, to be major, August 12, 1847, vice Seymour, promoted lieutenant-colonel of the Twelfth Regiment of Infantry.

First Lieutenant Edward H. Fitzgerald to be captain, September 8, 1847, vice Pitman, promoted major in the Fourteenth Regiment of Infantry.

First Lieutenant Lyman Bissell to be captain, September 25, 1847, vice Thompson, deceased.

First Lieutenant John S. Slocum to be captain, October 9, 1847, vice Woodman, resigned.

First Lieutenant Charles J. Sprague to be captain, December 4, 1847, vice Palmer, resigned.

First Lieutenant George Bowers to be captain, December 4, 1847, vice Johnson, resigned.

Second Lieutenant Asa A. Stoddard to be first lieutenant, September 25, 1847, vice Bissell, promoted.

Second Lieutenant Thomas P. Pierce to be first lieutenant, October 9, 1847, vice Slocum, promoted.

Second Lieutenant Jesse A. Gove to be first lieutenant, December 4, 1847, vice Sprague, promoted.

Second Lieutenant Thompson H. Crosby to be first lieutenant, December 4, 1847, vice Bowers, promoted.

Second Lieutenant Alpheus T. Palmer to be first lieutenant, December 4, 1847, vice Crain, resigned.

Tenth Regiment of Infantry.

First Lieutenant George W. Taylor to be captain, September 13, 1847, vice Pitcher, promoted major in the Eleventh Regiment of Infantry.

Second Lieutenant Edward McGarry to be first lieutenant, September 13, 1847, vice Taylor, promoted.

Second Lieutenant Lorimer Graham to be first lieutenant, November 19, 1847, vice Lewis, deceased.

Eleventh Regiment of Infantry.

Major John H. Savage, of the Fourteenth Regiment of Infantry, to be lieutenant-colonel, September 8, 1847, vice Graham, killed in battle.

Captain Matthew S. Pitcher, of the Tenth Regiment of Infantry, to be major, September 13, 1847, vice Morgan, promoted lieutenant-colonel of the Thirteenth Regiment of Infantry.

First Lieutenant John Motz to be captain, August 2, 1847, vice Moore, resigned.

First Lieutenant Charles T. Campbell to be captain, August 12, 1847, vice Taliaferro, promoted major in the Ninth Regiment of Infantry.

First Lieutenant John I. Gregg to be captain, September 25, 1847, vice Waddell, deceased.

Second Lieutenant William H. Gray to be first lieutenant, May 13, 1847, vice Mehaffy, resigned.

Second Lieutenant Columbus P. Evans to be first lieutenant, July 29, 1847, vice Hamlett, resigned.

Second Lieutenant Joseph Samuels to be first lieutenant, August 2, 1847, vice Motz, promoted.

Second Lieutenant Benjamin F. Harley to be first lieutenant, August 12, 1847, vice Campbell, promoted.

Second Lieutenant Horace Haldeman to be first lieutenant, September 25, 1847, vice Gregg, promoted.

Second Lieutenant Wiedman Forster to be first lieutenant, December 4, 1847, vice Hedges, resigned.

Second Lieutenant Andrew H. Tippin to be first lieutenant, December 6, 1847, vice Hannon, deceased.

Twelfth Regiment of Infantry.

Lieutenant-Colonel Milledge L. Bonham to be colonel, August 12, 1847, vice Wilson, deceased.

Major Thomas H. Seymour, of the Ninth Regiment of Infantry, to be lieutenant-colonel, August 12, 1847, vice Bonham, promoted.

First Lieutenant John F. Hoke to be captain, June 27, 1847, vice Richards, deceased.

First Lieutenant Charles R. Jones to be captain, July 16, 1847, vice Manigault, promoted major in the Thirteenth Regiment of Infantry.

Second Lieutenant Charles M. Creanor to be first lieutenant, June 27, 1847, vice Hoke, promoted.

Second Lieutenant Oscar D. Wyche to be first lieutenant, July 16, 1847, vice Jones, promoted.

Thirteenth Regiment of Infantry.

Major Edwin W. Morgan, of the Eleventh Regiment of Infantry, to be lieutenant-colonel, September 13, 1847, vice Withers, promoted colonel of the Ninth Regiment of Infantry.

Captain Edward Manigault, of the Twelfth Regiment of Infantry, to be major, July 16, 1847, vice Clemens, promoted lieutenant colonel of the Ninth Regiment of Artillery.

First Lieutenant Adam Hawk to be captain, May 28, 1847, vice Tyler, resigned.

First Lieutenant Duncan L. Clinch to be captain, July 30, 1847, vice Scott, resigned.

First Lieutenant Ely P. Howell to be captain, August 20, 1847, vice Wofford, resigned.

Second Lieutenant Nicholas Davis to be first lieutenant, May 28, 1847, vice Hawk, promoted.

Second Lieutenant Fitz H. Ripley to be first lieutenant, July 30, 1847, vice Clinch, promoted.

Second Lieutenant Powhattan R. Page to be first lieutenant, August 20, 1847, vice Howell, promoted.

Fourteenth Regiment of Infantry.

Captain Joseph S. Pitman, of the Ninth Regiment of Infantry, to be major, September 8, 1847, vice Savage, promoted lieutenant-colonel of the Eleventh Regiment of Infantry.

First Lieutenant James Blackburn to be captain, October 1, 1847, vice Huddlestone, deceased.

First Lieutenant Thomas Shields to be captain, October 21, 1847, vice Fulton, resigned.

First Lieutenant Philander A. Hickman to be captain, October 22, 1847, vice Perkins, deceased.

Second Lieutenant A. J. McAllon to be first lieutenant, May 22, 1847, vice Haile, appointed captain.

Second Lieutenant Richard Steele to be first lieutenant, October 1, 1847, vice Blackburn, promoted.

Second Lieutenant Richard T. Eastin to be first lieutenant, October 21, 1847, vice Shields, promoted.

Second Lieutenant James G. Fitzgerald to be first lieutenant, October 22, 1847, vice Hickman, promoted.

Fifteenth Regiment of Infantry.

Captain Leslie H. McKenney, of the Sixteenth Regiment of Infantry, to be major, August 20, 1847, vice Mills, killed in battle.

First Lieutenant George W. Bowie to be captain, July 20, 1847, vice Guthrie, deceased—of wounds received in battle.

First Lieutenant William S. Tanneyhill to be captain, August 20, 1847, vice Quarles, killed in battle.

First Lieutenant Thomas H. Freelon to be captain, December 4, 1847, vice Toll, resigned.

Second Lieutenant William R. Stafford to be first lieutenant, July 4, 1847, vice Rhoads, deceased.

Second Lieutenant Daniel French to be first lieutenant, July 20, 1847, vice Bowie, promoted.

Second Lieutenant William D. Wilkins to be first lieutenant, August 20, 1847, vice Tanneyhill, promoted.

Second Lieutenant Charles Peternell to be first lieutenant, August 20, 1847, vice Goodman, killed in battle.

Second Lieutenant James W. Wiley to be first lieutenant, December 4, 1847, vice Freelon, promoted.

Sixteenth Regiment of Infantry.

First Lieutenant Patrick H. Harris to be captain, June 14, 1847, vice Hendricks, resigned.

First Lieutenant George W. Singleton to be captain, August 20, 1847, vice McKenney, promoted major in the Fifteenth Regiment of Infantry.

First Lieutenant Edward Curd to be captain, October 12, 1847, vice Bill, deceased.

Second Lieutenant Henry K. Ramsey to be first lieutenant, June 14, 1847, vice Harris, promoted.

Second Lieutenant Orlando B. Griffith to be first lieutenant, August 20, 1847, vice Singleton, promoted.

Second Lieutenant Edward C. Berry to be first lieutenant, October 12, 1847, vice Curd, promoted.

Second Lieutenant William H. Slade to be first lieutenant, November 6, 1847, vice Hamer, resigned.

Second Lieutenant Oliver Dieffendorf to be first lieutenant, November 18, 1847, vice Kellegg, resigned.

Regiment of Voltigeurs and Foot Riflemen.

First Lieutenant James C. Marriott to be captain, September 18, 1847, vice Caldwell, deceased, of wounds received in battle.

APPOINTMENTS.

Adjutant General's Department.

First Lieutenant Irwin McDowell, of the First Regiment of Artillery, to be assistant adjutant-general, with the brevet rank of captain, May 13, 1847, vice Lincoln, killed in battle.

First Lieutenant Francis N. Page, of the Seventh Regiment of Infantry, to be assistant adjutant-general, with the brevet rank of captain, May 13, 1847, vice Freeman, promoted assistant adjutant-general, with the brevet rank of major.

Quartermaster's Department.

First Lieutenant Albert Lowry, of the Second Regiment of Dragoons, to be assistant quartermaster with the rank of captain, March 10, 1847, vice Arnold, resigned.

First Lieutenant Leslie Chase, of the Second Regiment of Artillery, to be assistant quartermaster with the rank of captain, April 10, 1847, vice Patrick, declined.

First Lieutenant Stewart Van Vliet, of the Third Regiment of Artillery, to be assistant quartermaster with the rank of captain, June 4, 1847, vice Chilton, captain in the First Regiment of Dragoons, who vacates his staff commission.

First Lieutenant Alexander W. Reynolds, of the First Regiment of Infantry, to be assistant quartermaster with the rank of captain, August 5, 1847, vice Hanson, declined.

First Lieutenant Edward H. Fitzgerald, of the Sixth Regiment of Infantry, to be assistant quartermaster with the rank of captain, August 5, 1847, vice Rucker, declined.

First Lieutenant James G. Martin, of the First Regiment of Artillery, to be assistant quartermaster with the rank of captain, August 5, 1847, vice Hetzel, deceased.

Medical Department.

Nicholas L. Campbell, of New York, to be assistant surgeon, August 23, 1847, vice Hammond, promoted.

Samuel L. Barbour, of Georgia, to be assistant surgeon, August 28, 1847, vice Cuyler, promoted.

George E. Cooper, of Pennsylvania, to be assistant surgeon, August 28, 1847, vice Mills, promoted.

Ebenezar Smith, of Ohio, to be assistant surgeon, August 30, 1847, vice Wickham, deceased.

John S. Battee, of Maryland, to be assistant surgeon, October 5, 1847, vice Holmes, resigned.

Glover Perin, of Ohio, to be assistant surgeon, December 5, 1847, vice Roberts, deceased, of wounds received in battle.

P. G. S. Ten Broeck, of New York, to be assistant surgeon, to fill an original vacancy, to rank from December 13, 1847.

John Campbell, of New York, to be assistant surgeon, to fill an original vacancy, to rank from December 13, 1847.

John E. Summers, of Virginia, to be assistant surgeon, to fill an original vacancy, to rank from December 13, 1847.

Charles H. Smith, of Virginia, to be assistant surgeon, to fill an original vacancy, to rank from December 13, 1847.

Washington M. Ryer, of New York, to be assistant surgeon, to fill an original vacancy, to rank from December 13, 1847.

Lyman H. Stone, of Vermont, to be assistant surgeon, to fill an original vacancy, to rank from December 13, 1847.

John M. Haden, of Mississippi, to be assistant surgeon, to fill an original vacancy, to rank from December 13, 1847.

Pay Department.

Victor E. Piollet, of Pennsylvania, to be paymaster, June 17, 1847, vice Hammond, deceased.

George H. Ringgold, of the District of Columbia (additional paymaster), to be paymaster, July 21, 1847, vice Larned, appointed deputy paymaster-general.

Henry Hill, of Virginia, to be paymaster, November 6, 1847, vice Wallace, resigned.

Ordnance Department.

Edward Lucas, of Virginia, to be paymaster and military storekeeper, May 12, 1847, vice Parker, resigned.

John B. Butler, of Pennsylvania, to be paymaster and military storekeeper, June 30, 1847, vice Sturgeon, deceased.

William P. Maulsby, of Maryland, to be military storekeeper, November 1, 1847, vice Carr, deceased.

Second Regiment of Dragoons.

Arthur D. Tree, of Pennsylvania, late sergeant major, to be second lieutenant, May 20, 1847, vice McDonald, promoted.

Third Regiment of Dragoons.

William H. Polk, of Tennessee, to be major, August 31, 1847, vice Emory, declined.

John W. Martin, of Virginia, to be second lieutenant, July 21, 1847, vice Merrifield, deceased.

Robert E. Haslitt, of Maryland, to be second lieutenant, July 21, 1847, vice Haviland, appointed adjutant.

Andrew J. Dom, of Missouri, to be second lieutenant, August 28, 1847, vice Walker, promoted.

Elisha E. Camp (recruit of the Second Regiment of Dragoons) to be second lieutenant, August 28, 1847, vice Walker, resigned.

Robert J. Barnett, of Missouri, to be second lieutenant, September 9, 1847, vice Norment, resigned.

James Anderson, of Tennessee, to be second lieutenant, September 9, 1847, vice Johnson, resigned.

Regiment of Mounted Riflemen.

Christopher Carson, of Missouri, to be second lieutenant, June 9, 1847, vice Denman, promoted.

First Regiment of Artillery.

William C. Aisquith, late first lieutenant, to be captain, November 20, 1847, vice Burke, killed in battle.

Lewis O. Morris, of New York, to be second lieutenant, March 8, 1847, to fill a vacancy.

John B. Gibson, of Pennsylvania, to be second lieutenant, March 8, 1847, to fill a vacancy.

Theodore Talbot, of Kentucky, to be second lieutenant, May 22, 1847, to fill a vacancy.

Francis E. Patterson, of Pennsylvania, to be second lieutenant. June 24, 1847, to fill a vacancy.

Cadet Joseph J. Woods, to be second lieutenant, July 1, 1847, to fill a vacancy.

Cadet Samuel F. Chalfin, to be second lieutenant, July 1, 1847, to fill a vacancy.

Second Regiment of Artillery.

Joseph S. Totten, of the District of Columbia, to be second lieutenant, March 8, 1847, to fill a vacaney.

Anderson Merchant, of New York, to be second lieutenant March 8, 1847, to fill a vacancy.

Julius A. d'Lagnel, of Virginia, to be second lieutenant, March 8, 1847, to fill a vacancy.

Cadet Julian McAllister, to be second lieutenant, July 1, 1847, to fill a vacancy.

Cadet Daniel T. Van Buren, to be second lieutenant, July 1, 1847, to fill a vacancy.

Third Regiment of Artillery.

George T. Andrews, of South Carolina, to be second lieutenant, March 8, 1847, to fill a vacancy.

Benjamin P. McNeill, of Massachusetts, to be second lieutenant, March 8, 1847, to fill a vacancy.

John H. Lendrum, of Maryland, to be second lieutenant, March 8, 1847, to fill a vacancy.

Bedney F. McDonald, of Georgia, to be second lieutenant, May 22, 1847, to fill a vacancy.

Brevet Second Lieutenant Dabney H. Maury, of the Regiment of Mounted Riflemen, to be second lieutenant, July 1, 1847, to fill a vacancy.

Cadet John Hamilton to be second lieutenant, July 1, 1847, to fill a vacancy.

Cadet John S. Mason to be second lieutenant, July 1, 1847, to fill a vacancy.

Fourth Regiment of Artillery.

Gustavus A. De Russy, of Virginia, to be second lieutenant, March 8, 1847, to fill a vacancy.

J. S. Garland, of Michigan, to be second lieutenant, March 8, 1847, to fill a vacancy.

Samuel L. Gouverneur, of the District of Columbia, to be second lieutenant, March 8, 1847, to fill a vacancy.

Cadet John C. Symmes to be second lieutenant, July 1, 1847, to fill a vacancy.

Cadet George W. Hazzard to be second lieutenant, July 1, 1847, to fill a vacancy.

Cadet Orlando B. Willcox to be second lieutenant, July 1, 1847, to fill a vacancy.

First Regiment of Infantry.

George D. Brewerton, of New York, to be second lieutenant, May 22, 1847, vice Caldwell, promoted.

Second Regiment of Infantry.

John R. Butler, of Kentucky, to be second lieutenant, May 22, 1847, vice Sully, promoted.

Fifth Regiment of Infantry.

Cadet Richard H. Long to be second lieutenant, July 1, 1847, vice Hamilton, promoted.

Seventh Regiment of Infantry.

Quartermaster Sergeant Thomas Henry to be second lieutenant, May 22, 1847, vice Van Dorn, promoted.

Ninth Regiment of Infantry.

Thomas H. Seymour, of Connecticut, to be major, April 9, 1847, vice Ransom, appointed colonel.

John McNabb, sergeant major, to be second lieutenant, August 3, 1847, vice Whitten, resigned.

Robert T. Spence, of Maryland, to be assistant surgeon, July 22, 1847, vice Walker, resigned.

Tenth Regiment of Infantry.

John J. Fay, of New York, to be lieutenant-colonel, April 9, 1847, vice Hopping, appointed brigadier-general.

Eleventh Regiment of Infantry.

Joseph P. Thom, of Virginia, to be second lieutenant, May 13, 1847, vice Seddon, resigned.

Jacob Brua, of Pennsylvania, to be second lieutenant, May 25, 1847, vice Ross, deceased.

James Elder, of Pennsylvania, to be second lieutenant, July 24, 1847, vice Gray, promoted.

John A. Bayard, of Pennsylvania, to be second lieutenant, August 4, 1847, vice Evans, promoted.

James W. Rhey, of Pennsylvania, to be second lieutenant, August 21, 1847, vice Samuels, promoted.

James Keenan, jr., of Pennsylvania, to be second lieutenant, September 6, 1847, vice Kuhns, resigned.

Junius B. Wheeler, private, Company I, Twelfth Regiment of Infantry, to be second lieutenant, September 9, 1847, vice Harley, promoted.

Twelfth Regiment of Infantry.

Maxcy Gregg, of South Carolina, to be major, April 9, 1847, vice Hayes, declined.

Albert G. Blanchard, of Louisiana, to be major, May 27, 1847, vice Eagan, declined.

William J. Coleman, sergeant, Company F, Regiment of Mounted Riflemen, to be second lieutenant, August 4, 1847, vice Creanor, promoted.

Whitfield B. Brooks, of South Carolina, to be second lieutenant, August 4, 1847, vice Wyche, promoted.

John B. Butler, of Virginia, to be assistant surgeon, August 3, 1847, vice Randall, resigned.

Thirteenth Regiment of Infantry.

William F. Rives, of Virginia, to be second lieutenant, June 8, 1847, vice Davis, promoted.

Reuben T. Thom, of Alabama, to be second lieutenant, August 3, 1847, vice Ripley, promoted.

John C. Reese (private, Company F) to be second lieutenant, August 28. 1847, vice Page, promoted.

John J. Witherspoon, of Alabama, to be second lieutenant, September 9, 1847, vice Prince, resigned.

Edward F. Bagley, of Alabama, to be second lieutenant, September 25, 1847, vice Wallace, resigned.

Fourteenth Regiment of Infantry.

Joseph Q. Wilbar, of Tennessee, to be second lieutenant, September 9, 1847, vice Moon, deceased.

Thomas Hart, of Illinois, to be second lieutenant, September 9, 1847, vice Helms, declined.

Robert Hagan, of Louisiana, to be assistant surgeon, November 9, 1847, vice McGinnis, deceased.

Fifteenth Regiment of Infantry.

Henry H. Green, of Kentucky, to be second lieutenant. August, 3, 1847, vice Goodman, promoted.

Samuel D. Stuart, of Ohio, to be second lieutenant, August 4, 1847, vice McCleary, deceased.

George S. Hooper, of Illinois, to be second lieutenant, August 4 1847, vice Stafford, promoted.

Sixteenth Regiment of Infantry.

Alexander C. Hensley, of Kentucky, to be assistant surgeon, July 7, 1847, vice Noe, resigned.

Regiment of Voltigeurs and Foot Riflemen.

Archibald B. Campbell, of Pennsylvania, to be assistant surgeon, July 12, 1847, vice Chaloner, resigned.

Graduates of the Military Academy, attached to the Army with the brevet of second lieutenant, in conformity with the fourth section of the act of April 29, 1842, to take rank respectively from July 1, 1847:

Brevet second lieutenants attached to the Artillery arm.

Cadet George Patten.
Cadet John H. Dickerson.
Cadet Daniel T. Beltzhoover.
Cadet Otis H. Tillinghast.
Cadet James B. Fry.
Cadet Ambrose P. Hill.
Cadet Anson J. Cook.
Cadet Horatio G. Gibson.
Cadet Ambrose E. Burnside.
Cadet John Gibbon.
Cadet Clermont L. Best.
Cadet Romeyn B. Ayres.
Cadet Charles Griffin.

Brevet second lieutenants attached to the Infantry arm.

Cadet Henry M. Black.
Cadet Henry B. Hendershott.
Cadet Tredwell Moore.
Cadet Thomas H. Neill.
Cadet William Burns.
Cadet Edward F. Abbott.
Cadet Egbert L. Viele.
Cadet Washington P. Street.
Cadet Montgomery P. Harrison.
Cadet Lewis C. Hunt.
Cadet Augustus H. Seward.
Cadet Peter W. L. Plympton.
Cadet John DeRussy.
Cadet Edward D. Blake.
Cadet Henry Heth.

REAPPOINTMENTS.

Pay Department.

Paymaster Charles H. Smith, reappointed November 24, 1847, w his former commission expired.

Third Regiment of Infantry.

Stephen D. Dobbins, late captain, reappointed, to rank from February 16, 1847, his former date.

Sixth Regiment of Infantry.

George C. Hutter, late captain, reappointed, vice, Woods, appointed major of infantry, to rank from May 12, 1829, his former date.

Appointments under the fifth section of the "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," approved June 18, 1846:

Quartermaster's Department.

George T. Howard, of Texas (assistant commissary), to be quartermaster with the rank of major, June 21, 1847, vice Dunlap, resigned.

Robert Allen, of Illinois, to be quartermaster with the rank of major, September 9, 1847, vice McCullough, resigned.

Thomas B. Ives, of Mississippi, to be assistant quartermaster with the rank of captain, July 9, 1847, vice Price, resigned.

Thomas M. Gleason, of Alabama, to be assistant quartermaster with the rank of captain, July 14, 1847, vice R. R. Howard, resigned.

George V. Hebb, of Tennessee, to be assistant quartermaster with the rank of captain, September 3, 1847, reappointed.

Zebulon C. Bishop, of Missouri, to be assistant quartermaster with the rank of captain, September 8, 1847, reappointed.

Hanson G. Catlett, of Texas, to be assistant quartermaster with the rank of captain, September 8, 1847, vice Scott, discharged by the temporary reduction of the volunteer forces.

Harry Toulmin, of Alabama, to be assistant quartermaster with the rank of captain, September 8, 1847, reappointed.

John H. Young, of Indiana, to be assistant quartermaster with the rank of captain, September 9, 1847, vice Neff, discharged by the temporary reduction of the volunteer forces.

John J. Clendenin, of Arkansas (late assistant commissary), to be assistant quartermaster with the rank of captain, September 10, 1847, vice Walker, appointed captain of Voltigeurs.

Lyman Mower, of Illinois, to be assistant quartermaster with the rank of captain, September 25, 1847, vice Naper, resigned.

Samuel G. McClellan, of Tennessee, to be assistant quartermaster with the rank of captain, October 30, 1847, vice Vandever, discharged by the temporary reduction of the volunteer forces.

John T. Arthur, of Ohio, to be assistant quartermaster with the rank of captain, November 10, 1847, vice Gilbert, declined.

Commissary's Department.

Samuel Milligan, of Tennessee, to be commissary with the rank of major, July 17, 1847, vice Campbell, resigned.

Erastus B. Smith, of Kentucky, to be commissary with the rank of major, September 9, 1847, vice Boyd, resigned.

Thomas D. Martin, of Tennessee, to be assistant commissary with the rank of captain, April 7, 1847, vice Cherry, resigned.

Joseph E. Allen, of Tennessee, to be assistant commissary with the rank of captain, June 21, 1847, vice G. T. Howard, appointed quartermaster.

William P. Graves, of North Carolina, to be assistant commissary with the rank of captain, July 14, 1847, vice Whittaker, deceased.

Andrew L. Potts, of the District of Columbia, to be assistant commissary with the rank of captain, August 16, 1847, vice Josslyn, resigned.

William P. Miller, of Ohio, to be assistant commissary with the rank of captain, September 8, 1847, vice Stephens, discharged by the temporary reduction of the volunteer forces.

Ninevah Berry, of Indiana, to be assistant commissary with the rank of captain, September 8, 1847, vice Eckels, discharged by the temporary reduction of the volunteer forces.

John L. Brown, of Tennessee, to be assistant commissary with the rank of captain, September 8, 1847, vice Bunch, discharged by the temporary reduction of the volunteer forces.

Reuben L. Nance, of Kentucky, to be assistant commissary with the rank of captain, September 8, 1847, vice Gholson, discharged by the temporary reduction of the volunteer forces.

Robert D. Powell, of Tennessee, to be assistant commissary with the rank of captain, October 30, 1847, vice Copeland, discharged by the temporary reduction of the volunteer forces.

William A. Street, of Virginia, to be assistant commissary with the rank of captain, November 10, 1847, vice Erskin, deceased.

Medical Department.

James S. McFarlane, of Louisiana, to be surgeon, May 20, 1847, vice Muhlenberg, resigned.

R. McMillan, of South Carolina, to be surgeon, June 8, 1847, vice Hill, resigned.

Thomas E. Massie, of Missouri, to be surgeon, June 21, 1847, vice Penn, resigned.

C. J. Clark, of Alabama (assistant surgeon), to be surgeon, June 28, 1847, vice Davis, resigned.

Daniel Turney, of Illinois (assistant surgeon), to be surgeon, July 13, 1847, vice Price, resigned.

John L. Miller, of Illinois, to be surgeon, July 13, 1847, vice Herricks, declined.

Robert M. McNeil, of Ohio (assistant surgeon), to be surgeon, September 3, 1847, vice Stone, discharged, by the temporary reduction of the volunteer forces.

James S. Athon, of Indiana, to be surgeon, September 8, 1847, reappointed.

Joseph G. Roberts, of Kentucky, to be surgeon, September 8, 1847, vice Caldwell, discharged by the temporary reduction of the volunteer forces.

James P. Evans, of Tennessee, to be surgeon, September 28, 1847, vice Washington, discharged by the temporary reduction of the volunteer forces.

John Irwin, of Tennessee, to be surgeon, September 28, 1847, vice Esselman, declined.

Mina B. Halstead, of New York (assistant surgeon), to be surgeon, October 20, 1847, vice Hasbrouck, resigned.

Adrian R. Terry, of Michigan, to be surgeon, October 30, 1847, vice Hensley, discharged, by the temporary reduction of the volunteer forces.

John Parshall, of Tennessee, to be surgeon, November 16, 1847, vice Ramsey, declined.

D. A. Kinchloe, of Mississppi, to be assistant surgeon, May 22, 1847, vice Fields, declined.

N. H. Ash, of Illinois, to be assistant surgeon, July 13, 1847, vice Turney, appointed surgeon.

James D. Robinson, of Illinois, to be assistant surgeon, July 13, 1847, vice J. L. Miller, appointed surgeon.

Smythe M. Miles, of Georgia, to be assistant surgeon, August 4, 1847, vice F. W. Miller, resigned.

Alexander M. Cassidy, of Pennsylvania, to be assistant surgeon, August 9, 1847, vice C. J. Clark, appointed surgeon.

Oliver M. Langdon, of Ohio, to be assistant surgeon, September 3, 1847, vice McNeil, appointed surgeon.

James F. Bozeman, of Georgia, to be assistant surgeon, September 8, 1847, vice Ashe, discharged by the temporary reduction of the volunteer forces.

James D. Caulfield, of Mississippi, to be assistant surgeon, September 8, 1847, vice Heighway, discharged by the temporary reduction of the volunteer forces.

Hugh R. Rutledge, of South Carolina, to be assistant surgeon, September 10, 1847, vice Dunn, resigned.

George T. McDonald, of Ohio, to be assistant surgeon, September 13, 1847, vice Mulvaney, discharged by the temporary reduction of the volunteer forces.

John R. Steele, of Kentucky, to be assistant surgeon, September 13, 1847, vice Matthews, discharged by the temporary reduction of the volunteer forces.

Joseph Malin, of Missouri, to be assistant surgeon, September 17, 1847, vice Sanderson, resigned.

Philip G. Jones, of Indiana, to be assistant surgeon, September 22, 1847, vice Fosdick, discharged by the temporary reduction of the volunteer forces.

Richard W. Gardner, of Tennessee, to be assistant surgeon, September 28, 1847, vice Dorris, resigned.

William Cromwell, of Kentucky, to be assistant surgeon, September 28, 1847, vice Blanton, declined.

William A. Russell, of Tennessee, to be assistant surgeon, October 19, 1847, vice Stout, resigned.

John G. McKibben, of New York, to be assistant surgeon, October 20, 1847, vice Halstead, appointed surgeon.

Henry Lemcke, of Michigan, to be assistant surgeon, October 30, 1847, vice Leech, discharged, by the temporary reduction of the volunteer forces.

Eliathah S. Gale, of Missouri, to be assistant surgeon, December 2, 1847, vice Treadwell, deceased.

Ninth Regiment of Infantry.

Nathaniel F. Swett, of Maine, late second lieutenant, to be second lieutenant, December 17, 1847, to fill his own vacancy.

To the Senate of the United States:

I nominate the persons herein named to be deputy postmasters at the following post-offices:

Samuel Medary, at Columbus, Ohio, in place of Jacob Medary, deceased.

Luke Baldwin, at Ogdensburgh, N. Y., in place of Jos. M. Doty, resigned.

Isaac G. McKinley, at Harrisburgh, Penn'a, in place of James Peacock, removed.

I also nominate the following persons at the offices hereafter named, whose commissions amounted to upwards of one thousand dollars for the year ending the 30th of June, 1847:

Bowen C. Green, at Saco, Maine;
Phinehas Allen, jr., at Pittsfield, Massachusetts;
Jacob Walker, at La Fayette, Indiana; and
Robert D. Johnson, at Galveston, Texas.

JAMES K. POLK.

WASHINGTON, *December 21st*, 1847.

To the Senate of the United States:

I nominate the following persons to the respective offices to which they have been promoted and appointed during the last recess of the Senate:

William Green to be a commander in the Navy from the 17th of May, 1847, at which time he was promoted to fill the vacancy occasioned by the death of Commander Thomas W. Freelon.

Samuel Barron to be a commander in the Navy from the 15th of July, 1847, at which time he was promoted to fill the vacancy occasioned by the death of Commander William P. Piercy.

Abram D. Harrell to be a lieutenant in the Navy from the 17th of May, 1847, at which time he was promoted to fill the vacancy occasioned by the promotion of Lieut. Wm. Green.

Samuel J. Shipley to be a lieutenant in the Navy from the 23d of June, 1847, at which time he was promoted to fill the vacancy occasioned by the resignation of Lieutenant James Withers Read.

John J. Guthrie to be a lieutenant in the Navy from the 7th of July, 1847, at which time he was promoted to fill the vacancy occasioned by the death of Lieut. John T. McLaughlin.

Mayo C. Watkins to be a lieutenant in the Navy from the 15th of July, 1847, at which time he was promoted to fill the vacancy occasioned by the promotion of Lieut. Samuel Barron.

Melancthon B. Woolsey to be a lieutenant in the Navy from the 16th of July, 1847, at which time he was promoted to fill the vacancy occasioned by the death of Lieut. James L. Parker.

Joseph N. Barney to be a lieutenant in the Navy from the 5th of August, 1847, at which time he was promoted to fill the vacancy occasioned by the resignation of Lieutenant R. Delancy Izard.

Alexander Murray to be a lieutenant in the Navy from the 12th of August, 1847, at which time he was promoted to fill the vacancy occasioned by the death of Lieut. Chas. W. Chauncey.

Louis McLane to be a lieutenant in the Navy from the 26th of September, 1847, at which time he was promoted to fill the vacancy occasioned by the death of Lieutenant Robert Emmett Hooe.

Edward Donaldson to be a lieutenant in the Navy from the 23d of October, 1847, at which time he was promoted to fill the vacancy occasioned by the death of Lieutenant Spencer C. Gist.

J. Dickinson Miller to be a surgeon in the Navy from the 20th of April, 1847, at which time he was promoted to fill the vacancy occasioned by the resignation of Surgeon John C. Spencer.

John L. Fox to be a surgeon in the Navy from the 16th of August, 1847, at which time he was promoted to fill the vacancy occasioned by the death of Surgeon H. N. Glentworth.

Charles F. B. Guilloû to be a surgeon in the Navy from the 28th of August, 1847, at which time he was promoted to fill the vacancy occasioned by the death of Surgeon John A. Kearney.

Philip Lansdale, Alexander J. Rice, John A. Pettit, Thomas B. Steele, James F. Harrison, and A. Nelson Bell to be assistant surgeons in the Navy from the 5th of March, 1847, at which time they were appointed according to law.

J. W. B. Greenhow to be an assistant surgeon in the Navy from the 24th of April, 1847, at which time he was appointed to fill the vacancy created by the resignation of Assistant Surgeon Joshua Huntington.

William J. Babb, Robert J. Farquharson, Alexander Robinson, jr., Edward R. Squibb, Samuel G. White, Benjamin Rush Mitchell, and James S. Gilliam to be assistant surgeons in the Navy from the 26th of April, 1847, at which time they were appointed according to law.

William Lowber, D. Warren Brickell, George H. Howell, Dinwiddie B. Phillips, Ashton Miles, and Phineas I. Horwitz to be assistant surgeons in the Navy from the 8th of November, 1847, at which time they were appointed to fill vacancies occasioned by the promotions of J. Dickinson Miller, John L. Fox, and Chas. F. B. Guilloû, the deaths of Chas. J. Bates and J. Howard Smith, and the resignation of Augustus F. Lawyer.

Francis C. Hall, George H. Terrett, William E. Stark, and Nathaniel S. Waldron to be captains in the Marine Corps from the 16th of March, 1847, at which time they were promoted to fill the vacancies occasioned by the election of Captains Parke G. Howle, George W. Walker, A. A. Nicholson, and George F. Lindsay to continue in the staff of the said corps, which was by law separated from the line of the corps.

William Lang to be a captain in the Marine Corps from the 16th of July, 1847, at which time he was promoted to fill the vacancy occasioned by the death of Captain Alvin Edson.

James Edelin to be a major in the Marine Corps from the 14th of September, 1847, at which time he was promoted to fill the vacancy occasioned by the death of Major Levi Twiggs.

Jacob Zeilin to be a captain in the Marine Corps from the 14th of September, 1847, promoted to fill the vacancy occasioned by the promotion of Captain James Edelin.

D. D. Baker to be a captain in the Marine Corps from the 27th of September, 1847, promoted to fill the vacancy occasioned by the death of Captain Landon N. Carter.

William L. Shuttleworth, Joseph W. Curtis, Robert Tansill, and John C. Grayson to be first lieutenants in the Marine Corps from the 16th of March, 1847, at which time they were promoted to fill the vacancies created by the promotions of First Lieutenants Fras. C. Hall, George H. Terrett, William E. Stark, and Nathl. S. Waldron.

Matthew R. Kintzing to be a first lieutenant in the Marine Corps from the 16th of July, 1847, at which time he was promoted to fill the vacancy occasioned by the promotion of First Lieutenant William Lang.

John D. Simms to be a first lieutenant in the Marine Corps from the 14th of September, 1847, promoted to fill the vacancy occasioned by the promotion of First Lieutenant Jacob Zeilin.

Henry W. Queen to be a first lieutenant in the Marine Corps from the 27th of September, 1847, promoted to fill the vacancy occasioned by the promotion of First Lieutenant D. D. Baker.

Charles Alexander Henderson, John Stricker Nicholson, A. Satterthwaite Nicholson, and George F. Lindsay, jr., to be second lieutenants in the Marine Corps from the 16th of March, 1847, at which time they

were appointed to fill the vacancies occasioned by the promotions of Second Lieutenants William L. Shuttleworth, Joseph W. Curtis, Robert Tansill, and John C. Grayson.

James Wiley to be a second lieutenant in the Marine Corps from the 9th of June, 1847, at which time he was appointed in place of Joseph K. McRea, who declined to accept his appointment.

George R. Graham to be a second lieutenant in the Marine Corps from the 27th of July, 1847, at which time he was appointed to fill the vacancy occasioned by the promotion of Second Lieutenant Matthew R. Kintzing.

John R. F. Tattnall to be a second lieutenant in the Marine Corps from the 3d of November, 1847, at which time he was appointed to fill the vacancy occasioned by the promotion of Second Lieutenant John D. Simms.

Andrew J. Hays to be a second lieutenant in the Marine Corps from the 4th of December, 1847, at which time he was appointed to fill the vacancy occasioned by the promotion of Second Lieutenant Henry W. Queen.

JAMES K. POLK.

WASHINGTON, *Dec'r 21st*, 1847.

To the Senate of the United States:

I nominate Samuel Chase Barney, now a master, to be a lieutenant in the Navy from the 12th of November, 1847, to fill the vacancy occasioned by the death of Lieutenant Theodore B. Barrett.

Ben F. B. Hunter, now a master, to be a lieutenant in the Navy from the 28th of November, 1847, to fill the vacancy occasioned by the death of Lieut. John M. Gardner.

William Dulany, now a captain, to be a major in the Marine Corps from the 17th of November, 1847, to fill the vacancy occasioned by the death of Major Samuel E. Watson.

Archibald H. Gillespie, now a first lieutenant, to be a captain in the Marine Corps from the 17th of November, 1847, to fill the vacancy occasioned by the promotion of Captain William Dulany.

Daniel J. Sutherland, now a second lieutenant, to be a first lieutenant in the Marine Corps from the 17th of November, 1847, to fill the vacancy occasioned by the promotion of First Lieutenant Archibald H. Gillespie.

John Lloyd Broome to be a second lieutenant in the Marine Corps, to fill the vacancy occasioned by the promotion of Second Lieutenant Daniel J. Sutherland.

William Stokes Boyd to be a second lieutenant in the Marine Corps, to fill the vacancy occasioned by the death of Second Lieutenant Henry Welsh.

JAMES K. POLK.

WASHINGTON, *December 21st*, 1847.

To the Senate of the United States:

I nominate the following persons to the offices to which they have been appointed during the recess of the Senate:

Abel M. Bryant to be a collector of the customs for the port of Kennebunk, in the State of Maine, in the place of James Osborne, removed.

S. B. Phinney to be collector of customs for the port of Barnstable, in the State of Massachusetts, in the place of Josiah Hinckley, removed.

C. C. Robinson to be naval officer at the port of Norfolk, in the State of Virginia, in the place of Thomas Gatewood, removed.

Robert W. Pooler to be surveyor of the port and inspector of revenue for the port of Savannah, in the State of Georgia, in the place of Thomas S. Wayne, resigned.

John F. Meade to be register of the land office at Green Bay, in the Territory of Wisconsin, in the place of John S. Horner, removed.

William W. Fambro to be receiver of public moneys for the district of lands subject to sale at Cahaba, in the State of Alabama, in the place of Mathew Gayle, resigned.

Samuel Holmes to be register of the land office at Quincy, in the State of Illinois, in the place of William G. Flood, resigned.

James M. B. Tucker 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 Andrew J. Isaacks, resigned.

Theodore H. Gillaspie to be receiver of public moneys at Greensburg, in the State of Louisiana, in the place of Peter H. Kemp, resigned.

Purdy McElvaine to be receiver of public moneys for the district of lands subject to sale at Upper Sandusky, Ohio, in the place of Christian Huber, removed.

Sherod McCall Fenner to be receiver of public moneys for the district of lands subject to sale at Ouachita, in the State of Louisiana, in the place of Hardy Holmes, deceased.

Elisha Morrow to be receiver of public moneys for the district of lands subject to sale at Green Bay, in the Territory of Wisconsin, vice Alexander I. Irwin, deceased.

John Miller to be register of the land office at Batesville, in the State of Arkansas, in the place of Henry Niel, removed.

I also nominate—

William P. Porter to be surveyor of the port and inspector of the revenue at City Point, in the State of Virginia, his former commission having expired.

William H. Stevenson to be register of the land office at Little Rock, in the State of Arkansas, from and after the 31st December, 1847, when his present commission expires.

Daniel J. Chapman to be receiver of public moneys at Batesville, in the State of Arkansas, from and after the 31st December, 1847, when his present commission expires.

Alexander Somerville to be collector of customs and inspector of revenue for the district of Saluria, in the State of Texas.

Edward Fitzgerald to be surveyor of the port at Corpus Christi, in the State of Texas, vice George M. Collinsworth, resigned.

Henry P. Norton to be surveyor of the port at Copano, in the State of Texas, vice Jno. T. Stephens, resigned.

JAMES K. POLK.

WASHINGTON, *Dec'r 22d*, 1847.

To the Senate of the United States:

I nominate John W. Davis, of Indiana, to be commissioner of the United States to China, in the place of Alexander H. Everett, deceased.

John Rowan, of Kentucky, to be chargé d'affaires of the United States near His Majesty the King of the Kingdom of the Two Sicilies, in the place of William H. Polk, recalled at his own request.

Nathaniel Niles, of Vermont, to be chargé d'affaires of the United States near the Government of Sardinia, in the place of Robert Wickliffe, jr., recalled at his own request.

JAMES K. POLK.

WASHINGTON, *December* 29, 1847.

To the Senate of the United States:

I nominate John Robb, of Maryland, to be principal clerk of the public lands in the General Land Office, in the place of James H. Piper, resigned.

JAMES K. POLK.

WASHINGTON, 30 *December*, 1847.

To the Senate of the United States:

I nominate James B. Hunt to be register of the land office for the district of lands subject to sale at Sault de St. Marie, in the "Lake Superior land district," in the State of Michigan.

Also, Michael A. Patterson to be receiver of the public moneys for the district of lands subject to sale at the same place.

JAMES K. POLK.

WASHINGTON, *Dec'r* 30, 1847.

To the Senate of the United States:

I nominate the paymasters named in the accompanying list for reappointment in the Pay Department of the Army of the United States, as proposed by the Secretary of War.

JAMES K. POLK.

WASHINGTON, *December* 30*th*, 1847.

WAR DEPARTMENT, *December* 28, 1847.

To the President of the United States:

SIR: I have the honor respectfully to propose for your approbation the names of the following officers for reappointment in the Army of the United States:

PAY DEPARTMENT.

Paymaster Benjamin Walker, reappointed December 17, 1847, when his present commission expired.

Paymaster Eugene Van Ness, reappointed December 18, 1847, when his present commission expired.

I am, sir, with great respect, your ob't ser't,

W. L. MARCY.

To the Senate of the United States:

I submit herewith, for the consideration and constitutional action of the Senate, two treaties with the Chippewa Indians of Lake Superior and the Upper Mississippi for a portion of the lands possessed by those Indians west of the Mississippi River. The treaties are accompanied by communications from the Secretary of War and Commissioner of Indian Affairs, which fully explain their nature and objects.

JAMES K. POLK.

WASHINGTON, *December* 21*st*, 1847.

The messages were read.

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

Ordered, That the nominations of officers for promotion and appointment in the Navy and Marine Corps be referred to the Committee on Naval Affairs.

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

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

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

Ordered, That the nominations of John W. Davis, John Rowan, and Nathaniel Niles be referred to the Committee on Foreign Relations.

On motion by Mr. Sevier,

Ordered, That the persons employed to execute the printing of the Senate, and all persons necessarily engaged by them in the execution of the printing of any paper or document whatsoever that may be ordered to be printed in confidence, or under the injunction of secrecy, by the Senate, shall each be required to make oath or affirmation that he will keep inviolably secret the contents of any and all such papers or documents as may thereafter pass through his hands or come to his knowledge, until relieved therefrom by an order of the Senate; and that he will not retain any copy, part of a copy, note, or extract from any such paper or document, nor permit any other person not bound by this oath to do so, nor to see any such document; but that the original and every copy and part of a copy thereof directed to be executed shall be delivered under seal to the Secretary of the Senate; which oath or affirmation of each individual as aforesaid, duly certified, shall be filed in the office of the Secretary of the Senate before any such paper or document be intrusted to such persons for execution.

On motion by Mr. Sevier,

Ordered, That the convention with the Swiss Confederation, received on the 22d instant, be printed in confidence for the use of the Senate.

The treaty made and concluded at the Fond du Lac of Lake Superior, on the second day of August in the year one thousand eight hundred and forty-seven, between the United States and their commissioners, Isaac A. Verplank and Henry M. Rice, and the Chippewa Indians of the Mississippi and Lake Superior, by their chiefs and headmen, was read the first time; and

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

The treaty made and concluded at Leech Lake, on the twenty-first day of August in the year one thousand eight hundred and forty-seven, between the United States and their commissioners, Isaac A. Verplank and Henry M. Rice, and the Pillager band of Chippewa Indians, by their chiefs, headmen, and warriors, was read the first time; and

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

Mr. Breese, from the Committee on Public Lands, to whom were referred, on the 22d instant, the nominations of Eleazer P. Kendrick and Adolphe Renard, reported.

Mr. Dix, from the Committee on Commerce, to whom were referred, on the 22d instant, the nominations of Charles Huffnagle, Hugh Keenan, George I. Fairfield, and William I. Staples, reported.

Mr. Westcott submitted the following resolution for consideration:

Resolved, That the entire Executive Journal of the Senate, from the 23d February, 1829, until the close of the last session of the Senate, be printed and published in volumes as the Journal has heretofore been printed, and that the same be done under the direction of the Secretary of the Senate, who shall cause an index to be made and printed to each volume, and that the usual number of copies be so printed.

MONDAY, JANUARY 3, 1848.

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 Samuel G. Taylor, of Texas, to be consul of the United States for the port of Santa Martha, in the Republic of New Granada, in the place of Southy Grinalds, resigned; and

John A. Jones, of New York, to be consul of the United States for the city of Lyons, in France, in the place of Hooper C. Eaton, resigned.

JAMES K. POLK.

WASHINGTON, *Jan.* 3, 1848.

To the Senate of the United States:

I nominate William H. Rogers to be attorney of the United States for the district of Delaware, from and after the 16th of January next, when his present commission will expire.

George M. Keim to be marshal of the United States for the eastern district of Pennsylvania, from and after the 16th of January next, when his present commission will expire.

Edmund Christian to be marshal of the United States for the eastern district of Virginia, from and after the 16th of January next, when his present commission will expire.

James Points to be marshal of the United States for the western district of Virginia, from and after the 16th of January next, when his present commission will expire.

Charles H. Wiltberger to be a justice of the peace in the county of Washington, in the District of Columbia, from and after the 17th of January next, when his present commission will expire.

JAMES K. POLK.

WASHINGTON, *January* 3, 1848.

To the Senate of the United States:

I nominate Alexander G. Penn to be deputy postmaster at New Orleans, in the State of Louisiana, his present commission having expired.

JAMES K. POLK.

WASHINGTON, *Jan'y* 3, 1848.

To the Senate of the United States:

I hereby withdraw the names of officers nominated to the Senate on the —— December, 1847, for promotion in the Third Regiment of Artillery, and nominate for promotion in said regiment the officers named in the list herewith.

JAMES K. POLK.

WASHINGTON, *January* 3, 1848.

WAR DEPARTMENT,

Washington, December 30, 1847.

SIR: I have the honor to transmit herewith a communication from the assistant adjutant-general, stating that an error has been discovered in the list of promotions in the Third Regiment of Artillery prepared in that office, and submitting a corrected list to be substituted therefor.

Very respectfully, your ob't ser't,

W. L. MARCY.
Secretary of War.

To the PRESIDENT OF THE UNITED STATES.

WAR DEPARTMENT,
ADJUTANT-GENERAL'S OFFICE,
Washington, December 29, 1847.

SIR: Having discovered an error in the list of promotions, &c., recently prepared at this office for the Senate's confirmation, by which the names of twenty-five officers were inadvertently carried up as *first* lieutenants in the Third Regiment of Artillery, being one more than is allowed by law, I respectfully submit the annexed list, which I beg may be substituted for so much of that dated the 17th instant, and now before the Senate, as is found under the heading "Promotions in the Third Regiment of Artillery." These promotions are (probably) on page 6 of the Senate's list.

PROMOTIONS.

Third Regiment of Artillery.

First Lieutenant William H. Shover to be captain, March 22, 1847, vice Vinton, killed in battle.

First Lieutenant William Austine to be captain, August 13, 1847, vice Wall, deceased.

First Lieutenant Henry S. Burton to be captain, September 22, 1847, vice Tompkins, resigned.

Second Lieutenant Francis J. Thomas to be first lieutenant, March 22, 1847, vice Shover, promoted.

Second Lieutenant Louis D. Welch to be first lieutenant, September 8, 1847, vice Ayers, killed in battle.

Second Lieutenant George P. Andrews to be first lieutenant, September 8, 1847, vice Farry, killed in battle.

Second Lieutenant Colville J. Minor to be first lieutenant, September 22, 1847, vice Burton, promoted.

Second Lieutenant Hamilton L. Shields to be first lieutenant, October 19, 1847, vice Churchill, deceased.

Second Lieutenant George T. Andrews to be first lieutenant, December 4, 1847, vice Johnston, resigned.

Brevet Second Lieutenant George Patten to be second lieutenant, August 13, 1847, vice Farry, promoted.

Brevet Second Lieutenant Horatio G. Gibson, of the Second Regiment of Artillery, to be second lieutenant, September 8, 1847, vice Welch, promoted.

Brevet Second Lieutenant Ambrose E. Burnside, of the Second Regiment of Artillery, to be second lieutenant, September 8, 1847, vice G. P. Andrews, promoted.

Brevet Second Lieutenant Romeyn B. Ayers, of the Fourth Regiment of Artillery, to be second lieutenant, September 22, 1847, vice Minor, promoted,

Respectfully submitted.

W. G. FREEMAN,
Ass't Adj't Gen'l.

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

The messages were read.

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

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

Ordered, That the nomination of Charles H. Wiltberger be referred to the Committee on the District of Columbia.

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

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

Mr. Dix, from the Committee on Commerce, to whom were referred, on the 22d December, the nomination of John McPherson, and, on the 30th December those of Abel Bryant, Robert W. Pooler, William P. Porter, Alex'r Somerville, Edward Fitzgerald, and Henry P. Norton, reported.

On motion by Mr. Sevier,

Ordered, That the following convention and treaty, not heretofore definitely acted upon by the Senate, be referred to the Committee on Foreign Relations and printed in confidence for the use of the Senate:

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 other states of the Germanic Confederation, on the other part, concluded the 29th day of January, 1845.

A general treaty of peace, amity, navigation and commerce between the United States of America and the Republic of New Granada, concluded at Bogota on the 12th day of December in the year of our Lord 1846.

The Senate proceeded to consider the resolution submitted by Mr. Westcott on the 30th December; and,

On motion by Mr. Wescott,

Ordered, That it be referred to a select committee to consist of three members to be appointed by the Vice-President; and

Mr. Westcott, Mr. Pearce, and Mr. Breese were appointed.

The Senate proceeded to consider the nominations of Eleaser P. Kendrick, Adolphe Renard, Charles Huffnagle, George I. Fairfield, and William I. Staples; and

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

Mr. Sevier, from the Committee on Foreign Relations, to whom were referred, on the 30th December, the nominations of John W. Davis and John Rowan, reported.

Whereupon

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

TUESDAY, JANUARY 4, 1848.

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 in the Army of the United States, as proposed by the Secretary of War.

JAMES K. POLK.

WASHINGTON, *Jan.* 3, 1848.

WAR DEPARTMENT, *Dec'r* 30, 1847.

SIR: I have the honor respectfully to submit the annexed list of persons for 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, *Dec'r* 30, 1847.

APPOINTMENTS TO FILL VACANCIES IN THE ARMY OF THE UNITED STATES, TO TAKE EFFECT FROM THIS DATE.

Second Regiment of Artillery.

Jefferson H. Nones, of Delaware, to be second lieutenant, vice Edwards, promoted.

Third Regiment of Infantry.

Andrew Jackson, of Virginia, to be second lieutenant, vice McFerran, promoted.

Charles B. Brower, of New York, to be second lieutenant, vice O'Sullivan, resigned.

Fourth Regiment of Infantry.

Thomas H. Bussey, of Maryland, to be second lieutenant, vice Judah, promoted.

Sixth Regiment of Infantry.

Thomas O. Davis, of the District of Columbia, to be second lieutenant, vice Garnett, promoted.

George F. Shackelford, of Virginia, to be second lieutenant, vice Flint, promoted.

Seventh Regiment of Infantry.

Robert R. Garland, of Missouri, to be second lieutenant, vice Potter, promoted.

Ninth Regiment of Infantry.

John Bedell, of New Hampshire, to be second lieutenant, vice Cram, promoted.

Gustavus F. Gardiner, of Rhode Island, to be second lieutenant, vice Stoddard, promoted.

Nathaniel Gill, of Massachusetts, to be second lieutenant, vice Pierce, promoted.

Thomas Grey, of Connecticut, to be second lieutenant, vice Gove, promoted.

Tenth Regiment of Infantry.

James Easterly, of New York, to be second lieutenant, vice McGarry, promoted.

Alexander P. Ten Broeck, of New York, to be second lieutenant, vice Yard, deceased.

William S. Truex, of New Jersey, to be second lieutenant, vice Griswold, resigned.

Eleventh Regiment of Infantry.

Thomas J. Barclay, of Pennsylvania, to be second lieutenant, vice Haldeman, promoted.

Thomas Welsh, of Pennsylvania, to be second lieutenant, vice Forster, promoted.

William A. Todd, of Pennsylvania, to be second lieutenant, vice McClelland, cashiered.

William Schoonover, of Pennsylvania, to be second lieutenant, vice Meads, deceased.

Twelfth Regiment of Infantry.

Manning Brown, of South Carolina, to be second lieutenant, vice Brooks, deceased.

Thirteenth Regiment of Infantry.

John M. Inge, of Alabama, to be second lieutenant, vice Morrison, resigned.

Fourteenth Regiment of Infantry.

Tilman Cullom, of Tennessee, to be second lieutenant, vice Steele, promoted.

Robert B. Wynne, of Tennessee, to be second lieutenant, vice Eastin, promoted.

Richard Smith, of Tennessee, to be second lieutenant, vice Fitzgerald, promoted.

Samuel C. Scott, of Louisiana, to be second lieutenant, to fill a vacancy occasioned by the resignation of First Lieutenant Haynes.

Fifteenth Regiment of Infantry.

Isaac Harpster, of Ohio, to be second lieutenant, vice Goodloe, resigned.

Oscar R. Mitchell, of Ohio, to be second lieutenant, vice Stewart, resigned.

Sixteenth Regiment of Infantry.

Pythagoras E. Holcomb, of Illinois, to be second lieutenant, vice Griffith, promoted.

William Osman, of Illinois, to be second lieutenant, vice Berry, promoted.

William B. Reynolds, of Illinois, to be second lieutenant, vice Slade, promoted.

William Garrard, of Kentucky, to be second lieutenant, vice Smith, dismissed.

Regiment of Voltigeurs and Foot Riflemen.

John F. Graham, of Tennessee, to be second lieutenant, vice Vernon, resigned.

Thomas H. Gill, of Massachusetts, to be second lieutenant, vice Winder, deceased.

Pay Department.

Additional paymasters under the 25th section of the act entitled "An act to increase the present military establishment of the United States, and for other purposes," approved July 5, 1838:

Frederick Lansing, of New York, to be an additional paymaster.
Francis A. Cunningham, of Ohio, to be an additional paymaster.

The message was read.

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

Mr. Sevier, from the Committee on Foreign Relations, to whom were referred, on the 22d December, the nominations of Seth Barton and Thomas I. Morgan, and on the 30th December that of Nathaniel Niles, reported.

Whereupon,

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 nominations of Hugh Keenan, John McPherson, Abel M. Bryant, Robert W. Pooler, William M. Porter, Alexander Somerville, Edward Fitzgerald, and Henry P. Norton; and

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

THURSDAY, JANUARY 6, 1848.

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 officers named in the accompanying list for appointment in the Quartermaster's Department of the Army of the United States, as proposed by the Secretary of War.

JAMES K. POLK.

WASHINGTON, *January* 4, 1848.

WAR DEPARTMENT,
Washington, January 4, 1848.

SIR: I have the honor respectfully to propose for your approbation the annexed list of officers for appointment in the Quartermaster's Department of the Army of the United States

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

W. L. MARCY.

To the PRESIDENT OF THE UNITED STATES.

Appointments to fill the vacancies now existing in the Quartermaster's Department of the Army of the United States:

First Lieutenant Joseph A. Haskin, of the First Regiment of Artillery, to be assistant quartermaster with the rank of captain, vice Cross, promoted quartermaster.

First Lieutenant Samuel G. French, of the Third Regiment of Artillery, to be assistant quartermaster with the rank of captain, vice Shover, who vacates his staff commission.

First Lieutenant Rufus Ingalls, of the First Regiment of Dragoons, to be assistant quartermaster with the rank of captain, vice Chuchill, deceased.

First Lieutenant Elias K. Kane, of the Second Regiment of Dragoons, to be assistant quartermaster with the rank of captain, vice Armstrong, killed in battle.

The message was read.

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

Mr. Cass, from the Committee on Military Affairs, to whom were referred, on the 30th December, the nominations for promotion and appointment in the Army, reported the same with the exception of those

for promotion in the Third Regiment of Artillery, and those of Osborne Cross, William Walker, George C. Hutter as captain, George C. Hutter as major, Henry W. Wharton, Richard B. Garnett, Victor E. Piollet, Arthur D. Tree, Andrew J. Dorn, Christopher Carson, William E. Aisquith, and Hanson G. Catlett, whose nominations were not reported.

Whereupon

The Senate proceeded to consider the said nominations reported by the committee; and

Resolved, That the Senate advice and consent to the promotion and appointment of the persons whose nominations were so reported, agreeably to the said nominations respectively

Mr. Cass, from the Committee on Military Affairs, to whom was referred, on the 30th December, the nominations of Benjamin Walker and Eugene Van Ness, reported.

Whereupon

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

Mr. Cass, from the Committee on Military Affairs, to whom were referred, on the 3d instant, the message from the President, withdrawing the nominations of officers for promotion in the Third Regiment of Artillery on account of errors therein, and making new nominations for promotion in that regiment, reported the said nominations.

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 were referred, on the 30th December, the nominations of John Robb, James B. Hunt, Michael A. Patterson, Samuel Holmes, Theodore H. Gillaspie, Purdy McElvaine, and John Miller, reported.

Mr. Breese, from the Committee on Public Lands, to whom were referred, on the 30th December, the nominations of William H. Stevenson and Daniel J. Chapman, reported.

Whereupon

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

Mr. Cass, from the Committee on Military Affairs, to whom were referred, on the 30th December, the nominations of George C. Hutter as captain, and George C. Hutter as major, and William E. Aisquith, reported.

Mr. Cass, from the Committee on Military Affairs, to whom were referred, on the 30th December, the nominations of Osborne Cross, William Walker, Henry W. Wharton, Richard B. Garnett, Victor E. Piollet, Arthur D. Tree, Andrew J. Dorn, Christopher Carson, and Hanson G. Catlett, and on the 4th instant that of Thomas O. Davis, reported; and

On motion by Mr. Cass,

Ordered, That the said nominations lie on the table.

WEDNESDAY, JANUARY 12, 1848.

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 Peter S. Bowdoin to be collector of the customs for the district and inspector of the revenue for the port of Cherrystone, in the State of Virginia, his former commission having expired;

Thomas Nelson to be collector of the customs for the district of Richmond, in the State of Virginia, from the 6th of January, 1848, when his late commission expired;

William Williams to be surveyor and inspector of the revenue for the port of East River, in the State of Virginia, from the 24th of Jaunary, 1848, when his present commission will expire; and

Nathaniel P. Porter to be surveyor and inspector of the revenue for the port of Louisville, in the State of Kentucky, from the 24th of January, 1848, when his present commission will expire.

JAMES K. POLK.

WASHINGTON, D. C., *January* 11, 1848.

To the Senate of the United States:

I nominate Amos Holton to be a justice of the peace for the county of Washington, in the District of Columbia.

JAMES K. POLK.

To the Senate of the United States:

I nominate James Magoffin to be register of the land office for the district of lands subject to sale at St. Stephens, in the State of Alabama, from the 31st of December, 1847, when his late commission expired.

John J. Coleman to be register of the land office for the district of lands subject to sale at Huntsville, in the State of Alabama, from the 31st day of December, 1847, when his late commission expired.

JAMES K. POLK.

WASHINGTON, D. C., *January* 11, 1848.

To the Senate of the United States:

I nominate Rolla Doolittle to be deputy postmaster at Madison, in the State of Indiana, in place of William M. Taylor, resigned.

James B. Glass to be deputy postmaster at Columbia, in the State of South Carolina, in place of Benjamin F. Rawls, resigned.

Thomas Eaton (the present incumbent) to be deputy postmaster at Bath, in the State of Maine, the commissions for which office having exceeded one thousand dollars for the year ending the 30th June, 1847.

JAMES K. POLK.

WASHINGTON, *January* 11, 1848.

The messages were read.

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

Ordered, That the nomination of Amos Holton be referred to the Committee on the District of Columbia.

Ordered, That the nominations of James Magoffin and John J. Coleman be referred to the Committee on Public Lands.

The Senate, by unanimous consent, proceeded to consider the nomination of Rolla Doolittle; and

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

Ordered, That the nominations of James B. Glass and Thomas Eaton be referred to the Committee on the Post-Office and Post-Roads.

Mr. Cass, from the Committee on Military Affairs, to whom were referred, on the 6th instant, the nominations of Joseph A. Haskins, Samuel G. French, Rufus Ingalls, and Elias K. Kane, reported.

On motion by Mr. Cass,

Ordered, That the nomination of Joseph A. Haskins lie on the table.

On motion by Mr. Cass,

Resolved, That the Senate advise and consent to the appointment of Samuel G. French, Rufus Ingalls, and Elias K. Kane, agreeably to their nominations respectively.

Mr. Atherton, from the Committee on Finance, to whom were referred, on the 22d December, the nominations of Daniel Graham, James R. Snowden, and William J. Alexander, reported.

On motion by Mr. Turney,

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

Mr. Yulee, from the Committee on Naval Affairs, to whom were referred, the 30th December, the nominations for promotion and appointment in the Navy and Marine Corps, reported.

Whereupon

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

Mr. Rusk, from the Committee on the Post-Office and Post-Roads, to whom were referred, the 30th December, the nominations of Samuel Medary, Luke Baldwin, Isaac G. McKinley, Bowen C. Green, Phinchas Allen, jun'r, Jacob Walker, and Robert D. Johnson, 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. Cass,

The Senate proceeded to consider the nomination of George C Hutter to be a major in the First Regiment of Infantry; and

Resolved, That the Senate do not advise and consent to the appointment of Captain George C. Hutter, of the Sixth Regiment of Infantry, to be major in the First Regiment of Infantry, vice Clark, deceased, to date from February 16th, 1847, and to take place on the list of majors of infantry, next below Major Jewett.

On motion by Mr. Cass,

The Senate proceeded to consider the nomination of George C. Hutter to be a captain in the 6th Regiment of Infantry; and

Resolved, That the Senate do not advise and consent to the appointment of George C. Hutter, late captain, reappointed in the 6th Regiment of Infantry, vice Woods, appointed major of infantry, to rank from May 12, 1829, his former date.

On motion by Mr. Cass,

The Senate proceeded to consider the nomination of William E. Aisquith to be a captain in the 1st Regiment of Artillery; and

Resolved, That the Senate do not advise and consent to the appointment of William E. Aisquith, late 1st lieutenant, to be captain in the 1st Regiment of Artillery, November 20th, 1847, vice Burk, killed in battle.

On motion by Mr. Downs,

Ordered, That the memorial of James W. Schaumburg, heretofore presented to the Senate, be again referred to the Committee on Military Affairs.

The Senate proceeded to consider the nominations of John Robb, James B. Hunt, Michael A. Patterson, Samuel Holmes, Theodore H. Gillaspie, Purdy McElvaine, and John Miller; and

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

Mr. Mangum submitted the following resolution for consideration:

Resolved, That the President be requested to lay before the Senate, either confidentially or in open session as he may deem most fit, all the plans for bringing the war with Mexico to a close, the number of troops required, and for what purpose or purposes, together with all the estimates, calculations, and other matters laid by General Scott before the Secretary of War as in his opinion best adapted to attain the objects of the war.

MONDAY, JANUARY 17, 1848.

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 submitted by the Secretary of War.

JAMES K. POLK.

WASHINGTON, *January 17th*, 1848.

WAR DEPARTMENT, *January* 10, 1848.

SIR: I have the honor respectfully to propose for your approbation the annexed list of regular promotions in the Army of the United States to fill the vacancies known to have happened since the official list, dated December 17th, was laid before the Senate for confirmation.

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

W. L. MARCY.

To the PRESIDENT OF THE UNITED STATES.

WAR DEPARTMENT, *January* 10, 1848.

Regular promotions in the Army of the United States since the date of the last list submitted to the Senate, December 17, 1847:

First Regiment of Dragoons.

Second Lieutenant John W. Davidson, to be 1st lieutenant, January 8, 1848, vice Northrop, dropped from the rolls.

Regiment of Mounted Riflemen.

Captain Winslow F. Sanderson to be major, January 8, 1848, vice Burbridge, resigned.

First Lieutenant Llewellyn Jones to be captain, December 31, 1847, vice Pope, resigned.

First Lieutenant Noah Newton to be captain, January 8, 1848, vice Sanderson, promoted.

Second Lieutenant Robert M. Morris to be 1st lieutenant, January 8, 1848, vice Newton, promoted.

Brevet Second Lieutenant Alfred Gibbs to be 2d lieutenant, December 31, 1847, vice 2d Lieutenant Hatch, appointed adjutant.

Brevet Second Lieutenant George H. Gordon to be 2d lieutenant, January 8, 1848, vice Morris, promoted.

First Regiment of Artillery.

First Lieutenant Israel Vogdes to be captain, August 20, 1847, vice Mackall, assistant adjutant-general, who vacates his regimental commission.

Second Lieutenant Thomas J. Jackson to be 1st lieutenant, August 20, 1847, vice Vogdes, promoted.

Second Lieutenant Truman Seymour to be first lieutenant, August 26, 1847, vice Irons, deceased of wounds received in battle.

Second Lieutenant Lewis O. Morris to be first lieutenant, December 23, 1847, vice Green, deceased.

Third Regiment of Infantry.

Captain George A. McCall, of the Fourth Regiment of Infantry, to be major, December 26, 1847, vice Barnum, deceased.

First Lieutenant Oliver L. Shepherd to be captain, December 1, 1847, vice Dobbins, dismissed.

First Lieutenant William B. Johns to be captain, December 4, 1847, vice Smith, deceased.

Second Lieutenant John Trevitt to be first lieutenant, December 1, 1847, vice Shepherd, promoted.

Second Lieutenant Henry B. Schroeder to be first lieutenant, December 4, 1847, vice Johns promoted.

Fourth Regiment of Infantry.

Captain Lorenzo Thomas to be major, January 1, 1848, vice Cobbs, deceased.

Captain George Wright, of the Eighth Regiment of Infantry, to be major, January 1, 1848, vice Thomas, assistant adjutant-general, who vacates his regimental commission.

First Lieutenant John H. Gore to be captain, December 26, 1847, vice McCall, promoted major in the Third Regiment of Infantry.

First Lieutenant Edward G. Elliott to be captain, January 1, 1848, vice Thomas, promoted.

Second Lieutenant Abram B. Lincoln to be first lieutenant, November 24, 1847, vice Ridgely, killed in battle.

Second Lieutenant Thomas J. Montgomery to be first lieutenant, December 26, 1847, vice Gore, promoted.

Second Lieutenant David A. Russell to be first lieutenant, January 1, 1848, vice Elliott, promoted.

Fifth Regiment of Infantry.

First Lieutenant George Deas to be captain, December 9, 1847, vice Hooe, deceased.

Second Lieutenant William Read to be first lieutenant, December 9, 1847, vice Deas, promoted.

Eighth Regiment of Infantry.

First Lieutenant Joseph Selden to be captain, January 1, 1848, vice Wright, promoted major in the Fourth Regiment of Infantry.

Second Lieutenant Lafayette B. Wood to be first lieutenant, January 1, 1848, vice Selden, promoted.

Tenth Regiment of Infantry.

Major Ralph G. Norvell, of the Sixteenth Regiment of Infantry, to be lieutenant-colonel, December 3, 1847, vice Fay, promoted colonel of the Thirteenth Regiment of Infantry.

Eleventh Regiment of Infantry.

Second Lieutenant Andrew H. Tippin to be first lieutenant, December 9, 1847, vice Samuels, deceased.

Twelfth Regiment of Infantry.

First Lieutenant John J. Martin to be captain, December 31, 1847, vice Hornsby, resigned.

Second Lieutenant Thomas T. Conway to be first lieutenant, December 22, 1847, vice Wilson, resigned.

Second Lieutenant Abner M. Perrin to be first lieutenant, December 31, 1847, vice Martin, promoted.

Thirteenth Regiment of Infantry.

Lieutenant-Colonel John J. Fay, of the Tenth Regiment of Infantry, to be colonel, December 3, 1847, vice Echols, deceased.

Captain Eugene Van de Venter, of the Fifteenth Regiment of Infantry, to be major, December 22, 1847, vice Johnson, resigned.

Second Lieutenant John N. Perkins to be first lieutenant, December 31, 1847, vice Bradford, resigned.

Fourteenth Regiment of Infantry.

First Lieutenant George W. Morgan to be captain, December 3, 1847, vice Beale, promoted major in the Sixteenth Regiment of Infantry.

Second Lieutenant Samuel B. Davis to be first lieutenant, December 3, 1847, vice Morgan, promoted.

Second Lieutenant William H. Seawell to be first lieutenant, December 21, 1847, vice Haynes, resigned.

Fifteenth Regiment of Infantry.

First Lieutenant Thornton F. Brodhead to be captain, December 22, 1847, vice Van de Venter, promoted major in the Thirteenth Regiment of Infantry.

Second Lieutenant Heman M. Cady to be first lieutenant, December 22, 1847, vice Brodhead, promoted.

Second Lieutenant Cornelius Ketchum to be first lieutenant, December 31, 1847, vice Miller, resigned.

Sixteenth Regiment of Infantry.

Captain Robert G. Beale, of the Fourteenth Regiment of Infantry, to be major, December 3, 1847, vice Norvell, promoted lieutenant-colonel in the Tenth Regiment of Infantry.

Regiment of Voltigeurs and Foot Riflemen.

Second Lieutenant Robert C. Forsyth to be first lieutenant, September 18, 1847, vice Marriott, promoted.

Second Lieutenant James A. Frost to be first lieutenant, December 31, 1847, vice Woolford, resigned.

W. L. MARCY.

To the Senate of the United States:

I nominate Joseph Ficklin to be deputy postmaster at Lexington, in the State of Kentucky, from and after the 1st day of February, 1848, when his present commission will expire.

James M. Bouch to be deputy postmaster at Schenectady, in the State of New York, from and after the 15th February, 1848.

Levi J. Cooley to be deputy postmaster at Elmira, in the State of New York, from and after the 15th of February, 1848, when his present commission will expire.

Joseph Justice to be deputy postmaster at Trenton, in the State of New Jersey, from and after the 15th February, 1848, when his present commission will expire.

William R. Sellers to be deputy postmaster at Wilmington, in the State of Delaware, from and after the 15th February, 1848, when his present commission expires.

Nathaniel Green to be deputy postmaster at Boston, in the State of Massachusetts, from and after the 8th March, 1848, when his present commission will expire.

JAMES K. POLK.

WASHINGTON, *January* 17*th*, 1848.

The messages were read.

Ordered, That the nominations for promotions in the Army of the United States be referred to the Committee on Military Affairs.

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

Mr. Breese, from the Committee on Public Lands, to whom were referred, the 30th December, the nominations of John F. Meade and William W. Fambro, and, on the 12th instant, those of James Magoffin and John J. Coleman, reported.

Whereupon

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 William J. Alexander; and

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

TUESDAY, JANUARY 25, 1848.

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, *January* 20, 1848.

WAR DEPARTMENT, *January* 20, 1848.

SIR: I have the honor to submit the following list of promotions and appointments to fill vacancies in the Army of the United States, consequent upon the rejection by the Senate of Captains Hutter and Ais-

quith, and non-action in the cases of Lieutenants Wharton, R. B. Garnett, William Walker and Tree; also, to fill vacancies reported since the list prepared the 10th instant was sent to the Senate:

PROMOTIONS.

Third Regiment of Dragoons.

First Lieutenant Daniel Petigru to be captain, December 23, 1847, vice Butler, deceased.

Second Lieutenant Herman Thorn to be first lieutenant, July 16, 1847, vice Jenifer, promoted. (Lieutenant William Walker was nominated to this vacancy on the list dated the 17th ultimo; that nomination is now withdrawn.)

Second Lieutenant William Walker to be first lieutenant, December 23, 1847, vice Petigru, promoted.

Second Lieutenant J. C. D. Williams to be first lieutenant, January 8, 1848, vice Cooke, resigned.

First Regiment of Artillery.

First Lieutenant Bennett H. Hill to be captain, January 12, 1848, vice Aisquith, negatived by the Senate.

Second Lieutenant John B. Gibson to be first lieutenant, January 12, 1848, vice Hill, promoted.

First Regiment of Infantry.

Captain Thompson Morris, of the Second Regiment of Infantry, to be major, January 12, 1848, vice Hutter, negatived by the Senate.

Second Regiment of Infantry.

First Lieutenant Justus McKinstry to be captain, January 12, 1848, vice Morris, promoted major in the First Regiment of Infantry.

Second Lieutenant James W. Schureman to be first lieutenant, January 12, 1848, vice McKinstry, promoted.

Sixth Regiment of Infantry.

First Lieutenant Henry W. Wharton to be captain, February 16, 1847, to fill a vacancy. (Lieutenant Wharton was nominated on the list dated the 17th ultimo for promotion, vice Hutter, promoted.)

Second Lieutenant Richard B. Garnett to be first lieutenant, February 16, 1847, vice Wharton, promoted.

Ninth Regiment of Infantry.

Second Lieutenant Richard C. Drum to be first lieutenant, January 19, 1848, vice Bragg, dropped from the rolls.

APPOINTMENTS.

Second Regiment of Dragoons.

Arthur D. Tree, of Pennsylvania (late sergeant-major), to be second lieutenant, vice McDonald, promoted, to date from October 8, 1847,

the date of the junior brevet second lieutenant (Evans) promoted in the dragoon arm, and to stand on the list in his regiment next below Second Lieutenant W. D. Smith. (On the list dated the 17th ultimo A. D. Tree was nominated to take rank from May 20, 1847, which placed him in his regiment next below Second Lieutenant T. J. Wood. That nomination is now withdrawn.)

Sixth Regiment of Infantry.

Thomas O. Davis, of the District of Columbia, to be second lieutenant, December 30, 1847, vice Garnett, promoted, and to stand on the list next below Second Lieutenant Heth. (T. O. Davis was nominated for this same vacancy on the list dated the 30th ultimo, but the nomination was not acted on, the appointment having a connection with the promotion of Capt. Hutter.)

I am, sir, with great respect, y'r ob't ser't,

W. L. MARCY.

To the PRESIDENT OF THE UNITED STATES.

To the Senate of the United States:

I nominate William W. Russell, now a second lieutenant, to be a first lieutenant in the Marine Corps, from the 18th of November, 1847, to fill the vacancy occasioned by the death of First Lieutenant Thomas A. Brady.

J. Hartley Strickland, of Tennessee, to be a second lieutenant in the Marine Corps, to fill the vacancy occasioned by the promotion of Second Lieutenant Wm. W. Russell.

JAMES K. POLK

WASHINGTON, *Jan'y* 18, 1848.

NAVY DEPARTMENT, *January* 18, 1848.

SIR: I have the honor to submit herewith a nomination of 2d Lieut. Wm. W. Russell to be a first lieutenant in the Marine Corps, from the 18th of November, 1847, to fill the vacancy occasioned by the death of 1st Lieut. Thos. A. Brady, and J. Hartley Strickland, of Tennessee, to be a second lieutenant in the said corps, to fill the vacancy occasioned by the promotion of Second Lieutenant W. W. Russell.

I am, respectfully, y'r ob't ser't,

J. Y. MASON.

The PRESIDENT.

To the Senate of the United States:

I withdraw the name of Sherwood M. Fenner, nominated to be receiver of public moneys for the district of lands subject to sale at Ouachita, in the State of Louisiana, and nominate John B Filhiot to be receiver of public moneys for the district of lands subject to sale at Ouachita, in the State of Louisiana, vice Sherwood M. Fenner, whose resignation has been received since his name was sent to the Senate.

JAMES K. POLK.

WASHINGTON, *Jan.* 21, 1848.

To the Senate of the United States:

I nominate Benjamin Cowell to be collector of customs for the district of Providence, in the State of Rhode Island, in the place of Hezekiah Willard.

JAMES K. POLK.

WASHINGTON, *January* 24, 1848.

[Confidential.]

To the Senate of the United States:

I herewith communicate to the Senate, for its consideration, a declaration of the Government of the Grand Duchy of Mecklenburg-Schwerin, bearing date at the city of Schwerin, on the 9th December, 1847, acceding substantially to the stipulations of our treaty of commerce and navigation with Hanover of the 10th June, 1846.

Under the twelfth article of this treaty "the United States agree to extend all the advantages and privileges contained in the stipulations of the present treaty to one or more of the other states of the Germanic Confederation which may wish to accede to them, by means of an official exchange of declarations: *Provided*, That such state or states shall confer similar favors upon the said United States to those conferred by the Kingdom of Hanover, and observe and be subject to the same conditions, stipulations, and obligations."

This declaration of the Grand Duchy of Mecklenburg-Schwerin is submitted to the Senate, because in its 8th and 11th articles it is not the same in terms with the corresponding articles of our treaty with Hanover. The variations, however, are deemed unimportant, whilst the admission of our "paddy," or rice in the husk, into Mecklenburg-Schwerin free of import duty, is an important concession not contained in the Hanoverian treaty. Others might be mentioned which will appear upon inspection. Still, as the stipulations in the two articles just mentioned in the declaration are not the same as those contained in the corresponding articles of our treaty with Hanover, I deem it proper to submit this declaration to the Senate for their consideration before issuing a proclamation to give it effect.

I also communicate a dispatch from the special agent on the part of the United States, which accompanied the declaration.

JAMES K. POLK.

WASHINGTON, *January* 21*st*, 1848.

The messages were read.

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

Ordered, That the nominations of William W. Russell and J. Hartley Strickland be referred to the Committee on Naval Affairs.

Ordered, That the nomination of Benjamin Cowell be referred to the Committee on Commerce.

Ordered, That the nomination of John B. Filhiot be referred to the Committee on Public Lands.

The declaration of the Government of the Grand Duchy of Mecklenburg-Schwerin, done at Schwerin, the 9th day of December, 1847, by L. de Lutzow, president of the privy council and first minister of His Royal Highness, on the part of Mecklenburg-Schwerin, and A. Dudley Mann, special agent on the part of the United States, was read the first time.

On motion by Mr. Sevier,

Ordered, That the said declaration, together with the message and accompanying documents, 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, the 22d December, the nomination of Joseph W. Livingston; on the 30th December, that of C. C. Robinson; on the 3d instant, that of John A. Jones, and, on the 12th instant, those of Peter S. Bowdoin, Thomas Nelson, William Williams, and Nathaniel P. Porter, reported.

Mr. Cass, from the Committee on Military Affairs, to whom were referred, the 17th instant, the nominations of officers for promotion in the Army of the United States, reported.

Whereupon

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

Mr. Cameron, from the Committee on the District of Columbia, to whom were referred, the 22d December, the nominations of Charles P. Sengstack and Thomas C. Donn; on the 3d instant, that of Charles H. Wiltberger, and, on the 12th instant, that of Amos Holton, 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, the 12th instant, the nominations of James B. Glass and Thomas Eaton, 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 Public Lands, to whom was this day referred the nomination of John B. Filhiol, reported.

On motion by Mr. Ashley,

The Senate, by unanimous consent, proceeded to consider the said nominations; and

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

On motion by Mr. Cass,

The Senate proceeded to consider the nomination of Osborne Cross; and,

After debate,

On motion by Mr. Sevier that it be postponed to the first Monday in March next,

It was determined in the negative.

On motion by Mr. Sevier,

Ordered, That the nomination of Osborne Cross lie on the table.

On motion by Mr. Mangum, and by unanimous consent,

Ordered, That he have leave to withdraw the resolution submitted by him on the 12th instant.

FRIDAY, JANUARY 28, 1848.

Mr. Clarke presented the memorial and statement of John S. Harris, adverse to the nomination of Benjamin Cowell, which was referred to the Committee on Commerce.

On motion by Mr. Cass,

The Senate proceeded to consider the nomination of Christopher Carsen; and,

After debate,

Resolved, That the Senate do not advise and consent to the appointment of Christopher Carsen, of Missouri, to be second lieutenant, June 9, 1847, in the regiment of mounted riflemen, vice Denman, promoted.

Mr. Cass, from the Committee on Military Affairs, to whom were referred, the 25th instant, the nominations for promotion and appointment in the Army, reported.

On motion by Mr. Cass,

The Senate proceeded to consider the nominations of Arthur D. Tree and Thomas O. Davis; 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 nominations of Joseph W. Livingston, C. C. Robinson, John A. Jones, Peter S Bowdoin, Thomas Nelson, William Williams, and Nathaniel P. Porter; and

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

MONDAY, FEBRUARY 7, 1848.

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 Second Lieutenant John J. Peck, of the Second Regiment of Artillery, for promotion as first lieutenant in the same, to date from March 3, 1847, as proposed by the Secretary of War.

JAMES K. POLK.

WASHINGTON, *January* 28, 1848.

WAR DEPARTMENT, *January* 27, 1848.

SIR: I have the honor to lay before you a communication from the Adjutant-General in reference to the accidental omission of the name of Lieutenant J. J. Peck, of the Second Artillery, on the general list of promotions in the Army, submitted for the Senate's confirmation the 17th ultimo, and I respectfully recommend that the omission be rectified in the manner proposed by the Adjutant-General.

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

W. L. MARCY.

To the PRESIDENT OF THE UNITED STATES.

ADJUTANT-GENERAL'S OFFICE,
Washington, January 27, 1848.

SIR: In the general list of promotions and appointments in the Army, prepared at this office, and submitted for the Senate's confirmation the 17th ultimo, it appears the name of 1st Lieutenant John J. Peck, 2d Artillery, was inadvertently left out. The omission occurred in this way: Among the promotions consequent upon the addition of two companies to each of the regiments of artillery by the act of the 3d of March last, was that of 2d Lieutenant David Gibson, 2d Artillery, to be 1st lieutenant, to date from the passage of the act. A few days afterward, however, official information was received of Lieut. Gibson's having died on the 6th of February preceding, and Lieutenant Peck, the next on the list, was advanced to the vacancy with the same date, and was so announced in "General Orders," No. 10, of March 12, 1847. The particular date in this case (March 3d) induced the belief in making up the general list that Lieut. Peck had already been confirmed, and under that impression, and without examining into the matter more closely, his name was omitted, as above stated. I now respectfully propose that the omission be rectified by nominating him for promotion, as follows:

Second Regiment of Artillery.

Second Lieutenant John J. Peck to be first lieutenant, March 3, 1847, to fill an original vacancy.

Respectfully submitted.

R. JONES,
Adj'nt-Gen'l.

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

To the Senate of the United States:

I nominate the officers named in the accompanying list for promotion and appointment in the Adjutant-General's Department of the Army of the United States, as proposed by the Secretary of War.

JAMES K. POLK.

WASHINGTON, *January* 28, 1848.

WAR DEPARTMENT, *January* 28, 1848.

SIR: I have the honor respectfully to submit the names of the following officers for promotion and appointment in the Adjutant-General's Department of the Army of the United States:

Promotion.

Brevet Captain Oscar F. Winship, assistant adjutant-general with the brevet rank of major, December 26, 1847, vice McCall, who vacates his staff commission.

Appointment.

First Lieutenant Don Carlos Buell, of the Third Regiment of Infantry, to be assistant adjutant-general, with the brevet rank of captain, January 25, 1848, vice Winship, promoted, assistant adjutant general with the brevet rank of major.

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

W. L. MARCY.

To the PRESIDENT OF THE UNITED STATES.

To the Senate of the United States:

I nominate Second Lieutenants Hamilton L. Shields, George T. Andrews, and Benjamin P. McNeil, of the Third Regiment of Artillery, for promotion as first lieutenants in the same, as proposed in the accompanying communication from the Secretary of War.

JAMES K. POLK.

WASHINGTON, *January* 29, 1848.

WAR DEPARTMENT, *January* 29, 1848.

SIR: I have the honor to lay before you a communication from the Adjutant-General in reference to the changes of the dates of commission of certain officers in the 3d Regiment of Artillery, rendered necessary by the death of Lieutenant C. J. Minor, who was recently confirmed as a 1st lieutenant in that regiment, but, as it appears, had died in California prior to the date of his promotion; and consequently the date given to him should have been assigned to the next on the list, and so on in succession. I respectfully recommend that the proper corrections be made, as proposed by the Adjutant-General, now rendered necessary by reason of the unknown death of the officer at the time his promotion was duly carried up.

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

W. L. MARCY.

To the PRESIDENT OF THE UNITED STATES.

ADJUTANT-GENERAL'S OFFICE,
Washington, January 29, 1848.

SIR: On the 6th instant Second Lieutenant C. J. Minor, 3d Artillery, was confirmed by the Senate as a first lieutenant in his regiment, to date from September 22, 1847. Official accounts, just received, report Lieu-

tenant Minor to have died in Monterey, California, the 17th of August last, being prior to the date given him as 1st lieutenant, and the next officer on the list was consequently entitled to the promotion. I append hereto a list of the changes of dates consequent upon the death of Lieutenant Minor, and respectfully recommend that the several officers be nominated to the Senate for promotion accordingly:

Third Regiment of Artillery.

Second Lieutenant Hamilton L. Shield to be first lieutenant, September 22, 1847, vice Benton, promoted.

Second Lieutenant George T. Andrews to be first lieutenant, October 19, 1847, vice Churchill, deceased.

Second Lieutenant Benjamin P. McNeil to be first lieutenant, December 4, 1847, vice Johnston, resigned.

Respectfully submitted.

R. JONES,
Adj't-General.

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

To the Senate of the United States:

I nominate J. H. Lyons, of Texas, for the appointment of assistant surgeon in the volunteer service of the United States, vice E. Tucker, declined, as proposed in the accompanying communication from the Secretary of War.

JAMES K. POLK.

WASHINGTON, *January* 29, 1848.

WAR DEPARTMENT, *January* 29, 1848.

SIR: I have the honor respectfully to propose for your approbation the name of J. H. Lyons, of Texas, for the appointment of assistant surgeon in the volunteer service of the United States, vice E. Tucker, declined, in accordance with the provisions of the act entitled "An act supplemental to an act entitled 'An act for the prosecution of the existing war between the United States and the Republic of Mexico,' and for other purposes," approved June 18, 1846.

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

W. L. MARCY.

To the PRESIDENT OF THE UNITED STATES.

To the Senate of the United States:

I nominate the following-named persons for appointment in the military service of the United States, 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," viz:

Commissary's Department.

Edward R. Badger, of Pennsylvania, to be assistant commissary, vice Shugart, resigned.

Charles B. Fletcher, of New Hampshire, to be assistant commissary, vice Jones, discharged by the temporary reduction of the volunteer forces.

Alonzo W. Adams, of Tennessee, to be assistant commissary, vice Clendenin, discharged by the temporary reduction of the volunteer forces.

William S. Brown, of Michigan, to be assistant commissary for the regiment of volunteers called into service from that State.

JAMES K POLK.

WASHINGTON *January* 31, 1848.

To the Senate of the United States:

I nominate Richard C. S. Brown, of Arkansas, to be agent for the Cherokee Indians, in the place of James McKisick, deceased, for the term of four years.

JAMES K. POLK.

WASHINGTON, *February 4th*, 1848.

The messages were read.

Ordered, That the nominations of John J. Peck, Oscar F. Winship, Don Carlos Buell, Hamilton L. Shields, George T. Andrews, Benjamin P. McNeil, J. H. Lyons, Edward R. Badger, Chas. B. Fletcher, and William S. Brown be referred to the Committee on Military Affairs.

On motion by Mr. Turney,

The Senate, by unanimous consent, proceeded to consider the nomination of Alonzo W. Adams; and

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

Ordered, That the nomination of Richard C. S. Brown be referred to the Committee on Indian Affairs.

Mr. Niles, from the Committee on the Post-Office and Post-Roads to whom were referred, the 17th January, the nominations of Joseph Ficklin, James M. Bouch, Levi J. Cooley, and Joseph Justice, 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. Cass,

The Senate proceeded to consider the nominations of Daniel Petigru, Hermann Thorn, William Walker, J. C. D. Williams, Bennett H. Hill, John B. Gibson, and Richard C. Drum; and

Resolved, That the Senate advise and consent to the promotion of the said persons in the Army of the United States, agreeably to their nominations respectively.

Mr. Felch presented the memorial of Nathaniel Hinckley and others with statements adverse to the nomination of S. B. Phinney; which was referred to the Committee on Commerce.

FRIDAY, FEBRUARY, 11, 1848.

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 H. Hyatt, of New York, to be consul of the United States for the port of Belfast, in Ireland, in the place of Thomas W. Gilpin, deceased.

JAMES K. POLK.

WASHINGTON, *February* 8, 1848.

To the Senate of the United States:

I nominate for reappointment the following officers of the customs, viz:

James Dell to be collector of the customs for the district of St. John's and inspector of the revenue for the Port of Jacksonville, in the State of Florida, his late commission having expired on the 13th of January, 1848;

William F. Haile to be collector of the customs for the district of Champlain and inspector of the revenues for the port of Plattsburg, in the State of New York, his late commission having expired on the 24th of January, 1848;

Alexander K. Phillips to be surveyor and inspector of the revenue for the port of Fredericksburg, in the State of Virginia, his late commission having expired on the 24th of January, 1848; and

John A. Cavedo to be surveyor and inspector of the revenue for the port of Fernandina, in the State of Florida, from the 10th of February, 1848, when his present commission will expire.

JAMES K. POLK.

WASHINGTON, *February* 8, 1848.

To the Senate of the United States:

I nominate for reappointment the following land officers, whose commissions will expire at the dates respectively annexed to their names, viz:

Daniel Ashby to be receiver of public moneys for the district of lands subject to sale at Clinton, in the State of Missouri, from the 4th of March, 1848;

John W. Rush to be register of the land office for the district of lands subject to sale at Crawfordsville, in the State of Indiana, from the 8th of March, 1848;

David G. Bright to be receiver of public moneys for the district of lands subject to sale at Jeffersonville, in the State of Indiana, from the 8th of March, 1848, and

I. Albert Helfenstein, to be receiver of public moneys for the district of lands subject to sale at Milwaukee, in the Territory of Wisconsin, from the 8th of March, 1848.

JAMES K. POLK.

WASHINGTON, *February* 8, 1848.

To the Senate of the United States:

I nominate John Reichard, of Pennsylvania, to be consul of the United States at Manheim, in Baaden, in the place of George F. Gerding, resigned.

JAMES K. POLK.

FEBRUARY 4TH, 1848.

To the Senate of the United States:

I nominate William R. Goddard as first lieutenant in a company of mounted volunteers (formed out of the late twelve months' volunteers) *vice* Tanneyhill, deceased, to date from July 19, 1847, in accordance with the provisions of the act entitled "An act making provision for an additional number of general officers, and for other purposes," approved March 3, 1847.

JAMES K. POLK.

WASHINGTON, *February* 11*th*, 1848.

The messages were read.

Ordered, That the nominations of Thomas H. Hyatt, James Dell, William F. Haile, Alexander K. Phillips, John A. Cavedo, and John Reichard be referred to the Committee on Commerce.

Ordered, That the nominations of Daniel Ashby, John W. Rush, David G. Bright, and I. Albert Helfenstein be referred to the Committee on Public Lands.

Ordered, That the nomination of William B. Goddard be referred to the Committee on Military Affairs.

Mr. Cass, from the Committee on Military Affairs, to whom were referred, the 7th instant, the nominations of John J. Peck, Oscar F. Winship, Don Carlos Buell, Hamilton L. Shields, George T. Andrews, Benjamin P. McNeil, J. H. Lyons, Edward R. Badger, Charles B. Fletcher, and William S. Brown, reported.

Mr. Dix, from the Committee on Commerce, to whom was referred, the 3d of January, the nomination of Samuel G. Taylor, reported.

MONDAY, FEBRUARY 14, 1848.

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 Seth B. Forwell to be register of the land office at Dixon, in the State of Illinois, in the place of George Mixter, removed.

JAMES K. POLK.

WASHINGTON, *Feb.* 14, 1848.

To the Senate of the United States:

I transmit, for the consideration of the Senate, with a view to ratification, a treaty of peace, frienship, commerce, and navigation between the United States and the Republic of Peru, concluded and signed in this city on the 9th instant, by the Secretary of State and the minister plenipotentiary of Peru, in behalf of their respective Governments. I also transmit a copy of the correspondence between them which led to the treaty.

JAMES K. POLK.

WASHINGTON, 14*th February*, 1848.

The messages were read.

Ordered, That the nomination of Seth B. Forwell be referred to the Committee on Public Lands.

The treaty of peace, friendship, commerce, and navigation between the United States and the Republic of Peru, concluded at Washington, the 9th February, 1848, 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 Foreign Relations and printed in confidence for the use of the Senate.

Mr. Sevier, from the Committee on Indian Affairs, to whom was referred, the 7th instant, the nomination of Richard C. S. Brown, 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, the 11th instant, the nomination of Thomas H. Hyatt, reported.

Whereupon

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

The Senate proceeded to consider the nominations of John J. Peck, Oscar F. Winship, Don Carlos Buell, Hamilton L. Shields, George T. Andrews, Benjamin P. McNeil, J. H. Lyons, Charles B. Fletcher, William S. Brown, and Samuel G. Taylor; and

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

On motion by Mr. Sturgeon,

The Senate proceeded to the consideration of the nomination of James R. Snowden; 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, the 17th January, the nomination of William R. Sellers, reported.

Whereupon

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

WEDNESDAY, FEBUARY 16, 1848.

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 H. Crane, of Massachusetts, to be an assistant surgeon in the Army of the United States, in the place of Assistant Surgeon Suter, deceased, to rank from this date.

JAMES K. POLK.

WASHINGTON, *February* 14, 1848.

WAR DEPARTMENT, *February* 2, 1848.

SIR: Dr. Charles H. Crane, of Massachusetts, who has been examined and passed by the Medical Board, stands first on the list for appointment in the Medical Staff, and is, therefore, recommended for appointment to the vacancy occasioned by the death of Assistant Surgeon Suter.

Very respectfully, your obed't servant,

W. L. MARCY,
Secretary of War.

To the PRESIDENT OF THE UNITED STATES.

To the Senate of the United States:

I nominate Wesley Jones to be marshal of the United States for the district of North Carolina, from and after the 26th day of April next, when his present commission will expire.

JAMES K. POLK.

WASHINGTON, 15*th February*, 1848.

The messages were read.

Ordered, That the nomination of Charles H. Crane be referred to the Committee on Military Affairs.

Ordered, That the nomination of Wesley Jones be referred to the Committee on the Judiciary.

Mr. Sevier, from the Committee on Foreign Relations, to whom was referred, the 3d January last, 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 other states of the Germanic Confederation on the other part, at Berlin the 29th January, 1845, reported the same with an amendment; which was read.

Mr. Breese, from the Committee on Public Lands, to whom were referred, the 11th instant, the nominations of Daniel Ashby, John W. Rush, David G. Bright, and I. Albert Helfenstein, 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, the 14th instant, the nomination of Seth B. Forwell, reported.

Mr. Dix, from the Committee on Commerce, to whom were referred, the 11th instant, the nominations of John Reichard, James Dell, William F. Haile, Alexander K. Phillips, and John A. Cavedo, 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 Victor E. Piollet; and,

After debate,

On the question, Will the Senate advise and consent to the appointment of Victor E. Piollet?

It was determined in the negative, { Yeas ..... 3 / Nays 36

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. Bright, Dickinson, Hale.

Those who voted in the negative are,

Messrs. Ashley, Badger, Bagby, Benton, Berrien, Bradbury, Breese, Butler, Calhoun, Cameron, Cass, Clarke, Corwin, Crittenden, Davis of Mississippi, Dix, Downs, Felch, Foot, Greene, Houston, Hunter, Johnson of Maryland, Johnson of Louisiana, Johnson of Georgia, Mangum, Mason, Miller, Moor, Rusk, Sevier, Spruance, Turney, Upham, Westcott, Yulee.

So it was

Resolved, That the Senate do not advise and consent to the appointment of Victor E. Piollet, of Pennsylvania, to be paymaster, June 17, 1847, vice Hammond, deceased.

WEDNESDAY, FEBRUARY 23, 1848.

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

To the Senate of the United Staces:

I nominate George Jefferies to be receiver of public moneys for the district of lands subject to sale at Helena, in the State of Arkansas, from the 8th of March, 1848, when his present commission will expire.

JAMES K. POLK.

WASHINGTON, *February 17th*, 1848.

To the Senate of the United States:

I nominate George McHenry to be receiver of public moneys for the district of lands subject to sale at Dubuque, in the State of Iowa, in the place of Stephen Langworthy, removed.

JAMES K. POLK.

WASHINGTON, *February* 17, 1848.

To the Senate of the United States:

I nominate for reappointment the following officers of the customs, viz:

Nicholas Willis to be collector of the customs for the district and inspector of the revenue for the port of Oxford, in the State of Maryland, his commission having expired on the 24th of January, 1848.

Charles S. Garrett to be surveyor and inspector of the revenue for the port of Camden, in the State of New Jersey, from the 8th of March, 1848, when his present commission will expire.

Thomas W. Hoye to be surveyor and inspector of the revenue for the port of Nottingham, in the State of Maryland, from the 8th of March, 1848, when his present commission will expire; and

Aloyisius Thompson to be surveyor and inspector of the revenue for the port of Llewellensburg, in the State of Maryland, from the 8th day of March, 1848, when his present commission will expire.

I also nominate William C. Bettincourt to be collector of the customs for the district of Wilmington, in the State of North Carolina, in the place of Murphy V. Jones, resigned.

JAMES K. POLK.

WASHINGTON, *February* 17*th*, 1848.

To the Senate of the United States:

I nominate Nicholas Tucker to be surveyor of the port of Marblehead, in the State of Massachusetts, in the place of Benjamin Wormstead.

JAMES K. POLK.

WASHINGTON, *February* 18*th*, 1848.

To the Senate of the United States:

I nominate Augustus J. Bowie, now a passed assistant surgeon, to be a surgeon in the Navy from the 8th of February, 1848, to fill the vacancy occasioned by the death of Surgeon William J. Powell.

JAMES K. POLK.

WASHINGTON, *February* 18, 1848.

NAVY DEPARTMENT, *February* 18*th*, 1848.

SIR: I have the honor to submit to you a nomination of Augustus J. Bowie, to be a surgeon in the Navy from the 8th instant, to fill the vacancy occasioned by the death of Surgeon Powell.

I am, respectfully, your ob't serv't,

J. Y. MASON.

To the Senate of the United States:

I withdraw the nomination of *Edward* R. Badger to be assistant commissary, and nominate *Edmund* R. Badger, of Pennsylvania, to be assistant commissary in the military service of the United States, vice Shugart, resigned, in accordance with the act approved June 18, 1846,

entitled "An act supplementary 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, *February* 17*th*, 1848.

To the Senate of the United States:

I lay before the Senate, for their consideration and advice as to its ratification, a treaty of peace, friendship, limits and settlement, signed at the city of Guadalupe Hidalgo, on the second day of February, 1848, by N. P. Trist, on the part of the United States, and by plenipotentiaries appointed for that purpose on the part of the Mexican Government.

I deem it to be my duty to state that the recall of Mr. Trist as Commissioner of the United States, of which Congress was informed in my annual message, was dictated by a belief that his continued presence with the Army could be productive of no good, but might do much harm by encouraging the delusive hopes and false impressions of the Mexicans; and that his recall would satisfy Mexico that the United States has no terms of peace more favorable to offer. Directions were given that any propositions for peace which Mexico might make should be received and transmitted by the commanding general of our forces to the United States.

It was not expected that Mr. Trist would remain in Mexico, or continue in the exercise of the functions of the office of Commissioner after he received his letter of recall. He has, however, done so, and the plenipotentiaries of the Government of Mexico, with a knowledge of the fact, have concluded with him this treaty. I have examined it with a full sense of the extraneous circumstances attending its conclusion and signature, which might be objected to, but conforming, as it does, substantially, on the main questions of boundary and indemnity, to the terms which our Commissioner; when he left the United States in April last, was authorized to offer; and animated, as I am, by the spirit which has governed all my official conduct towards Mexico, I have felt it to be my duty to submit it to the Senate for their consideration, with a view to its ratification.

To the tenth article of the treaty there are serious objections, and no instructions given to Mr. Trist contemplated or authorized its insertion. The public lands within the limits of Texas belong to that State, and this Government has no power to dispose of them or to change the conditions of grants already made. All valid titles to land within the other territories ceded to the United States will remain, unaffected by the change of sovereignty; and I therefore submit that this article should not be ratified as a part of the treaty.

There may be reason to apprehend that the ratification of the "additional and secret article" might unreasonably delay and embarrass the final action on the treaty by Mexico. I therefore submit whether that article should not be rejected by the Senate.

If the treaty shall be ratified as proposed to be amended, the cessions of territory made by it to the United States as indemnity, the provision for the satisfaction of the claims of our injured citizens, and the permanent establishment of the boundary of one of the States of the Union are objects gained of great national importance, while the magnanimous forbearance exhibited towards Mexico, it is hoped, may insure a lasting peace and good neighborhood between the two countries.

I communicate herewith a copy of the instructions given to Mr. Slidell in November, 1845, as envoy extraordinary and minister plenipotentiary to Mexico; a copy of the instructions given to Mr. Trist in April last, and such of the correspondence of the latter with the Department of State, not hitherto communicated to Congress, as will enable the Senate to understand the action which has been had with a view to the adjustment of our difficulties with Mexico.

JAMES K. POLK.

WASHINGTON, *February* 22, 1848.

The messages were read.

Ordered, That the nominations of George Jefferies and George McHenry be referred to the Committee on Public Lands.

Ordered, That the nominations of George Jefferies and George McHenry be referred to the Committee on Public Lands.

Ordered, That the nominations of Nicholas Willis, Charles S. Garrett, Thomas W. Hoye, Aloyisius Thompson, William C. Bettincourt, and Nicholas Tucker be referred to the Committee on Commerce.

Ordered, That the nomination of Augustus J. Bowie be referred to the Committee on Naval Affairs.

On motion by Mr. Cass,

The Senate, by unanimous consent, proceeded to consider the nomination of Edmund R. Badger; and

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

The treaty of peace, friendship, limits, and settlement between the United States of America and the Mexican Republic, concluded at Guadalupe Hidalgo on the second day of February, in the year eighteen hundred and forty-eight, was read the first time.

On motion by Mr. Sevier,

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

Mr. Cass, from the Committee on Military Affairs, to whom was referred, the 16th instant, the nomination of Charles H. Crane, reported

Wh reupon

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

The Senate proceeded to consider the nomination of Seth B. Forwell; and

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

MONDAY, FEBRUARY 28, 1848.

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 Cameron Anderson, of Florida, to be a purser in the Navy, to fill the vacancy occasioned by the resignation of Purser Quentin Busbee.

JAMES K. POLK.

WASHINGTON, *February* 21*st*, 1848.

NAVY DEPARTMENT, *February 21st*, 1848.

SIR: I have the honor to submit to you a nomination of Cameron Anderson, of Florida, to be a purser in the Navy, to fill the vacancy occasioned by the resignation of Purser Quentin Busbee.

I am, very respectfully, y'r ob't ser't,

J. Y. MASON.

The PRESIDENT.

The message was read

Ordered, That the nomination of Cameron Anderson be referred to the Committee on Naval Affairs.

Mr. Sevier, from the Committee on Foreign Relations, to whom was referred, the 23d instant, the treaty of peace, friendship, limits, and settlement between the United States of America and the Mexican Republic, concluded at Guadalupe Hidalgo on the 2d day of February, in the year 1848, reported it without amendment.

Mr. Webster submitted the following resolution for consideration:

Resolved, That the further consideration of the message of the President of the United States of the 22d of February, 1848, be postponed; and that it be recommended to the President of the United States immediately to nominate commissioners plenipotentiary, not fewer than three, to proceed to Mexico, for the purpose of negotiating with the Republic of Mexico a treaty of peace, boundaries, and indemnities due to America citizens.

Mr. Houston submitted the following resolution for consideration:

Whereas the President of the United States did, on the 23d instant, submit to the Senate an instrument purporting to be a treaty between the Government of the United States and the Republic of Mexico, signed at Guadalupe Hidalgo on the second day of the present month, by Nicholas P. Trist, falsely assuming to act under the authority of the President of the United States, and Louis G. Cuevas, Bernardo Conto, and Mig. Atristain, pretending to act by the authority of Mexico; and

Whereas the said N. P. Trist was, at the time of signing said instrument, acting contumaciously and in direct violation of the orders of his Government recalling him, which orders he had communicated to the Mexican authorities; and

Whereas the said instrument having been signed by a person falsely representing himself as a minister of this Government, while acting in violation of his instructions, the laws of the land, and the Constitution of this Union, and to the great scandal of our national character, renders the said instrument utterly void and ineffectual; it would, therefore, be dangerous, if not ruinous, for the Senate, by their decision, to sanction such a flagrant disregard of the institutions of the country, as it would be holding out inducements to similar acts by vicious men, who may be actuated by the most corrupt and treasonable intentions against the liberties of the country; and,

Whereas the very peculiar circumstances under which the said instrument was concluded do not leave it free from well-grounded suspicion of the interference of agents of other powers not parties to the instrument, and whose interests are adverse to those of the United States; and, further, it is manifest, from the correspondence before the Senate, that information affecting the character of the country, as well as the instrument itself, is not before this body, and as the individual who sent the same has promised much matter with the duplicate, which is to arrive soon; and

Whereas it has been declared to be the object of the present wa to obtain "indemnity for the past and security for the future," and as it is most probable that the domain proposed to be ceded by Mr. Trist's agreement is all granted by Mexico, or will be covered by fraudulent grants if the agreement should become a treaty, leaving to the United States more civil and political jurisdiction of the same, while it would be encumbered by conditions relative to the Indians which would be worth more, in a pecuniary point of view, than all the vacant land acquired, and which would leave the Government of the United States no indemnity in honor for the lives of its gallant sons who have fallen, no indemnity for the millions expended, nor for the blur which must dim the luster of our national escutcheon; and

Whereas the conduct of the authorities of Mexico has been such as to justify this Government to treat her as a conquered people, and to claim a full indemnity for all the injuries which we as a nation have sustained from her since she has claimed to be a republic; it would, therefore, be but just to the nation and beneficent to those of her people who would fall thereby into the United States, that the line of the portion of territory to be claimed should begin one league south of Tampico, on the sea-shore, and from thence running in a straight line west-northwest from the beginning and passing one league south of San Luis Potosi to the summit of the main ridge of the Sierra Madre, and thence nortewest along the said ridge of the Sierra until it strikes the 25th degree of north latitude, and then with said degree or parallel west until it reaches the eastern line of Lower California, thence pursuing said line south and west until it reaches the Pacific Ocean, including such islands as may lie within six leagues of the shore, acquired by the United States as a "just indemnity for the past"; and

Whereas it is not probable or even to be supposed that Mexico will be able to establish and maintain order for the future; it is then proper and will be wisdom to retain possession of Vera Cruz and the cattle of San Juan d'Ulloa, to be garrisoned by a force sufficient for its defense, and other points if needful, as "security for the future," until Mexico shall manifest her capacity or incapacity for self-government, so that foreign powers may not have a pretext for interference in the policy of nations upon this continent, and if they should attempt to intefere that the United States will be in a condition to vindicate her rights and national honor; and

Whereas if Mexico is acting in good faith and is disposed to carry out the agreement now before the Senate for its action, the Executive has power to send an authorized agent or agents and give such instructions as he may advise, and thereby rebuke the audacious interference of unauthorized agents in the diplomacy of our country, and prevent a like transaction, or to send a gentleman whose intelligence and integrity will restrain him from attempting any violation of the rights or territory of any sovereign State of this Union: Therefore,

Resolved, That the before-described agreement be rejected by the Senate.

Mr. Baldwin submitted a resolution; which, having been considered, by unanimous consent, was, on motion by Mr. Dickinson, amended and agreed to, as follows:

Resolved, That the President be requested to communicate to the Senate, in confidence, the entire correspondence between Mr. Trist and the Mexican commissioners, from the time of his arrival in Mexico until the time of the negotiation of the treaty submitted to the Senate; and also the entire correspondence between Mr. Trist and the Secretary of

State in relation to his negotiations with the Mexican commissioners; also all the correspondence between General Scott and the Government and between General Scott and Mr. Trist since the arrival of Mr. Trist in Mexico, which may be in the possession of the Government.

Ordered, That the Secretary lay the said resolution before the President of the United States.

On motion by Mr. Johnson, of Maryland,

Ordered, That the Secretary of the Senate purchase for the use of the Senate one hundred copies of J. Disturnell's map of the United Mexican States, published at New York in 1847.

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

Resolved, That the President of the United States be requested to communicate to the Senate any information he may at any time have received of the desire of any considerable portion of the people of any of the States of Mexico to be incorporated within the limits of any territory to be acquired from the Republic of Mexico, and particularly that he communicate any late proposition which has been made to that effect through General Wool or any other military officer in Mexico, so far as the same may be communicated without detriment to the public service.

Mr. Breese, from the Committee on Public Lands, to whom were referred, the 23d instant, the nominations of George Jefferies and George McHenry, reported.

Whereupon

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

TUESDAY, FEBRUARY 29, 1848.

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

[Confidential.]

To the Senate of the United States:

In compliance with the resolution of the Senate passed in "executive session" on yesterday, requesting the President "to communicate to the Senate, *in confidence*, the entire correspondence between Mr. Trist and the Mexican commissioners, from the time of his arrival in Mexico until the time of the negotiation of the treaty submitted to the Senate; and also the entire correspondence between Mr. Trist and the Secretary of State in relation to his negotiations with the Mexican commissioners; also all the correspondence between General Scott and the Government and between General Scott and Mr. Trist since the arrival of Mr. Trist in Mexico, which may be in the possession of the Government," I transmit herewith the correspondence called for. These documents are very voluminous, and presuming that the Senate desired them in reference to early action on the treaty with Mexico submitted to the consideration of that body by my message of the 22d instant, the originals of several of the letters of Mr. Trist are herewith communicated, in order to save the time which would necessarily be required to make copies of them. These original letters it is requested may be returned when the Senate shall have no farther use for them.

The letters of Mr. Trist to the Secretary of State, and especially such of them as bear date subsequent to the receipt by him of his letter of recall as commissioner, it will be perceived, contain much matter that

is impertinent irrelevant, and highly exceptionable. Four of these letters, bearing date respectively the 29th December, 1847, January 12th, January 22d, and January 25th, 1848, have been received since the treaty was submitted to the Senate. In the latter it is stated that the Mexican commissioners who signed the treaty derived "their full powers, bearing date on the 30th December, 1847, from the President *ad interim* of the Republic (General Anaya), constitutionally elected to that office in November by the Sovereign Constituent Congress" of Mexico. It is impossible that I can approve the conduct of Mr. Trist in disobeying the positive orders of his Government contained in the letter recalling him, or do otherwise than condemn much of the matter with which he has chosen to incumber his voluminous correspondence. Though all of his acts since his recall might have been disavowed by his Government, yet Mexico can take no such exception. The treaty which the Mexican commissioners have negotiated with him, with a full knowledge on their part that he had been recalled from his mission, *is* binding on Mexico.

Looking at the actual condition of Mexico, and believing that if the present treaty be rejected the war will probably be continued, at great expense life and treasure, for an indefinite period, and considering that the terms, with the exceptions mentioned in my message of the 22d instant, conform substantially, so far as relates to the main question of boundary, to those authorized by me in April last, I considered it to be my solemn duty to the country, uninfluenced by the exceptionable conduct of Mr. Trist, to submit the treaty to the Senate with a recommendation that it be ratified, with the modifications suggested.

Nothing contained in the letters received from Mr. Trist since it was submitted to the Senate has changed my opinion on the subject.

The resolution also calls for "all the correspondence between General Scott and the Government since the arrival of Mr. Trist in Mexico." A portion of that correspondence, relating to Mr. Trist and his mission, accompanies this communication. The remainder of the "correspondence between General Scott and the Government," relates mainly, if not exclusively, to military operations. A part of it was communicated to Congress with my annual message, and the whole of it will be sent to the Senate if it shall be desired by that body. As coming within the purview of the resolution, I also communicate copies of the letters of the Secretary of War to Major-General Butler in reference to Mr. Trist's remaining at the headquarters of the Army in the assumed exercise of his powers of commissioner.

JAMES K. POLK.

WASHINGTON, *February* 29, 1848.

The message was read.

On motion by Mr. Houston,

Ordered, That the message and documents communicated therewith be printed in confidence for the use of the Senate.

Mr. Yulee, from the Committee on Naval Affairs, to whom was referred, the 28th instant, the nomination of Cameron Anderson, 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. Webster the 28th instant; and,

After debate,

On motion by Mr. Johnson, of Maryland,

The Senate adjourned.

WEDNESDAY, MARCH 1, 1848.

The treaty of peace, friendship, limits, and settlement between the United States of America and the Mexican Republic, concluded at Guadalupe Hidalgo on the 2d day of February, in the year 1848, was read the second time.

On motion by Mr. Sevier,

Ordered, That the Secretary withdraw from the printer the message and documents which were on the 29th February ordered to be printed in confidence for the use of the Senate.

On motion by Mr. Badger,

The Senate proceeded to reconsider the order for the printing of the message and documents received on the 29th February; and,

On motion by Mr. Sevier,

Ordered, That the message, with the accompanping documents, except those received from Nathaniel P. Trist, be printed in confidence for the use of the Senate, and that the latter be referred to the Committee on Foreign Relations.

Mr. Houston submitted the following resolution for consideration:

Resolved, That the reporter of the Senate be sworn to preserve inviolable secrecy regarding the proceedings and debates of the Senate while the subject of the treaty with Mexico shall be under consideration in executive session, and that he be admitted into the Senate Chamber during the discussion of that subject, with a view to report the debates under the injunction to secrecy, and subject to the future order of the Senate.

The Senate resumed the consideration of the resolution submitted by Mr. Webster the 28th instant; and,

After debate,

On motion by Mr. Johnson, of Maryland,

The Senate adjourned.

THURSDAY, MARCH 2, 1848.

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

WASHINGTON, *March 1st*, 1848.

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 submitted by the Secretary of War.

JAMES K. POLK.

WAR DEPARTMENT, *February* 28, 1848.

SIR: I have the honor respectfully to propose for your approbation the annexed list of regular promotions in the Army of the United States, to fill the vacancies known to have happened since the date of the last list laid before the Senate for confirmation.

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

W. L. MARCY.

To the PRESIDENT OF THE UNITED SSATES.

WAR DEPARTMENT, *February* 28, 1848.

REGULAR PROMOTIONS IN THE ARMY OF THE UNITED STATES.

Second Regiment of Artillery.

First Lieutenant Lewis G. Arnold to be captain, October 19, 1847, vice Allen, who vacated his regimental commission.

First Lieutenant Francis Woodbridge to be captain, December 6, 1847, vice Chapman, who vacates his regimental commission.

Second Lieutenant Thomas B. J. Weld to be first lieutenant, October 19, 1847, vice Arnold, promoted.

Second Lieutenant Henry B. Sears to be first lieutenant October 27, 1847, vice Daniels, deceased of wounds received in battle.

Second Lieutenant Marcus D. L. Simpson to be first lieutenant, December 6, 1847, vice Chapman, promoted.

Second Lieutenant Richard H. Rush to be first lieutenant, December 6, 1847, vice Woodbridge, promoted.

Fourth Regiment of Infantry.

First Lieutenant Granville O. Haller to be captain, January 1, 1848, vice Elliott, who vacates his regimental commission.

Second Lieutenant Delancy F. Jones to be first lieutenant, January 1, 1848, vice Haller, promoted.

Eighth Regiment of Infantry.

First Lieutenant Arthur T. Lee to be captain, January 27, 1848, vice Kello, deceased.

Second Lieutenant Alfred Crozet to be first lieutenant, January 27, 1848, vice Lee, promoted.

Ninth Regiment of Infantry.

First Lieutenant John H. Jackson to be captain, February 17, 1848, vice Bachelder, resigned.

Second Lieutenant John Glackin to be first lieutenant, February 17, 1848, vice Jackson, promoted.

Second Lieutenant Robert Hopkins to be first lieutenant, February 23, 1848, vice Whipple, resigned.

Tenth Regiment of Infantry.

First Lieutenant Samuel R. Dummer to be captain, January 21, 1848, vice Collett, deceased.

Second Lieutenant James McKown, jr., to be first lieutenant, November 19, 1847, vice Lewis, deceased. (Second Lieutenant L. Graham was confirmed to this vacancy, but has waived the promotion.)

Second Lieutenant Hiram Russell to be first lieutenant, January 21, 1848, vice Dummer, promoted.

Eleventh Regiment of Infantry.

Second Lieutenant Alonzo Loring to be first lieutenant, December 9, 1847, vice Samuels, deceased.

Thirteenth Regiment of Infantry.

First Lieutenant Joseph A. White to be captain, January 31, 1848, vice Rice, resigned.

Second Lieutenant Daniel Kirkpatrick to be first lieutenant, January 31, 1848, vice White, promoted.

Fourteenth Regiment of Infantry.

Captain Charles Wickliffe, of the Sixteenth Regiment of Infantry, to be major, February 12, 1848, vice Wood, resigned.

Fifteenth Regiment of Infantry.

Second Lieutenant Samuel E. Beach to be first lieutenant, February 23, 1848, vice Cady, resigned.

Sixteenth Regiment of Infantry.

First Lieutenant John T. Hughes to be captain, February 12, 1848, vice Wickliffe, promoted major in the Fourteenth Regiment of Infantry.

Second Lieutenant Burwell B. Irvan to be first lieutenant, February 12, 1848, vice Hughes, promoted.

CORRECTION OF DATES.

Eleventh Regiment of Infantry.

Second Lieutenant William H. Gray promoted first lieutenant, June 13, 1847, vice Mehaffy, deceased, instead of May 13, 1847, being an error in date of rank on the nomination list of December 17, and so confirmed, January 6.

Second Regiment of Dragoons.

Arthur D. Tree, of Pennsylvania, appointed second lieutenant, October 18, 1847, the date of the junior brevet second lieutenant (Evans) promoted in the Dragoon arm, instead of October 8, 1847, as confirmed January 28, and which was an error on the part of the transcribing clerk in making a fair copy of the nomination list, dated January 20, to be submitted to the Senate.

PROMOTIONS IN THE CORPS OF ENGINEERS.

Second Lieutenant Horatio G. Wright to be first lieutenant, February 28, 1848, vice Trapier, resigned.

Brevet Second Lieutenant Charles E. Blunt to be second lieutenant, February 28, 1848, vice Wright, promoted.

To the Senate of the United States:

I nominate Samuel H. Stout, of Tennessee, Alonzo A. F. Hill, of Georgia, and Owen Jones Wister, of Pennsylvania, to be assistant surgeons in the Navy, to fill vacancies.

JAMES K. POLK.

WASHINGTON, *March* 1, 1848.

To the Senate of the United States:

I nominate Thomas H. Hyatt, of New York, to be consul of the United States for the Empire of Morocco, in the place of Thomas N. Carr, resigned.

JAMES K. POLK.

WASHINGTON, *March* 1, 1848.

To the Senate of the United States:

I nominate Tredwell L. Ireland to be surveyor and inspector of revenue for the port of Greenport, in the State of New York.

Also, Jacob C. Hewlett to be surveyor and inspector of the revenue for the port of Cold Spring, in the State of New York.

JAMES K. POLK.

WASHINGTON, *March* 1, 1848.

To the Senate of the United States:

I nominate Alanson Saltmarsh to be register of the land office for the district of lands subject to sale at Cahaba, in the State of Alabama, his late commission having expired on the 24th instant.

JAMES K. POLK.

WASHINGTON, *March* 1, 1848.

The messages were read.

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

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

Ordered, That the nominations of Thomas H. Hyatt, Tredwell L. Ireland, and Jacob C. Hewlett be referred to the Committee on Commerce.

Ordered, That the nomination of Alanson Saltmarsh be referred to the Committee on Public Lands.

Mr. Mangum, from the Committee on Foreign Relations, to whom was referred, on the 1st instant, the correspondence from Nathaniel P. Trist, received with the message of the 29th February, reported that the letter from N. P. Trist of the 25th January, 1849, alone, be printed, but that the committee had examined all the letters and marked such parts as in their opinion should be omitted in order to print those letters.

On motion by Mr. Webster,

Ordered, That the correspondence of Nathaniel P. Trist, with the exception of such parts as have been marked for omission by the Committee on Foreign Relations, be printed in confidence for the use of the Senate.

The Senate resumed consideration of the resolution submitted by Mr. Webster the 28th instant; and,

On motion by Mr. Mangum,

Ordered, That it lie on the table.

On motion by Mr. Houston,

The Senate proceeded to consider the resolution submitted the 1st instant, to admit the reporter of debates in executive session; and on the question to agree thereto,

It was determined in the negative.

On motion by Mr. Sevier,

The Senate, as in Committee of the Whole, proceeded to consider the treaty of peace, friendship, limits and settlement between the United States of America and the Mexican Republic.

On motion by Mr. Sevier, to strike out the tenth article, a debate ensued.

On motion by Mr. Miller, that the Senate adjourn,

It was determined in the negative, { Yeas ..... 15 / Nays 30

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. Badger, Benton, Berrien, Clarke, Clayton, Corwin, Crittenden, Davis of Massachusetts, Dayton, Greene, Mangum, Miller, Spruance, Underwood, Upham.

Those who voted in the negative are,

Messrs. Allen, Ashley, Atchison, Atherton, Baldwin, Bradbury, Breese, Bright, Butler, Cass, Davis of Mississippi, Dickinson, Dix, Douglas, Downs, Felch, Foot, Hannegan, Houston, Hunter, Johnson of Maryland, Johnson of Georgia, Lewis, Mason, Moor, Niles, Sevier, Sturgeon, Turney, Yulee.

The question recurring on the motion of Mr. Sevier to strike out the tenth article of the treaty,

On motion by Mr. Crittenden, to divide the question by striking out from the tenth article the words from "but" to "void," inclusive,

The question was stated, Shall these words stand as a part of the tenth article to wit: "But the grantees of lands in Texas put in possession thereof who by reason of the circumstances of the country since the beginning of the troubles between Texas and the Mexican Government may have been prevented from fulfilling all the conditions of their grants shall be under the obligation to fulfill the said conditions within the periods limited in the same respectively; such periods to be now counted from the date of the exchange of ratifications of this treaty; in default of which the said grants shall not be obligatory upon the State of Texas in virtue of the stipulations contained in this article.

"The foregoing stipulation in regard to grantees of land in Texas is extended to all grantees of land in the Territories aforesaid elsewhere than in Texas, put in possession under such grants; and in default of the fulfillment of the conditions of any such grant within the new peroid which, as is above stipulated, begins with the day of the exchange of ratifications of this treaty, the same shall be null and void,"

And it was determined in the negative, nays 48.

Those who voted are,

Messrs. Allen, Ashley, Atherton, Badger, Baldwin, Bell, Benton, Berrien, Bradbury, Breese, Bright, Butler, Calhoun, Cass, Clarke, Clayton, Corwin, Crittenden, Davis of Massachusetts, Davis of Mississippi, Dickinson, Dix, Douglas, Downs, Felch, Foot, Greene, Hale, Houston, Hunter, Johnson of Maryland, Johnson of Georgia, Lewis, Mangum, Mason, Millner, Moor, Niles, Pearce, Rusk, Sevier, Spruance, Sturgeon, Turney, Uderwood, Upham, Westcott, Yulee.

On motion by Mr. Mangum further to divide the question by striking out the last sentence of the tenth article,

The question was stated, Shall these words stand as part of the tenth article? to wit:

"The Mexican Government declares that no grant whatever of lands in Texas has been made since the second day of March, one thousand eight hundred and thirty-six; and that no grant whatever of lands in any of the Territories aforesaid has been made since the thirteenth day of May, one thousand eight hundred and forty-six,"

And it was determined in the negative, { Yeas ..... 17 / Nays 32

Those who voted in the affirmative are,

Messrs. Badger, Baldwin, Bell, Berrien, Butler, Clarke, Corwin, Crittenden, Dayton, Greene, Johnson of Maryland, Johnson of Georgia, Miller, Pearce, Spruance, Underwood, Upham.

Those who voted in the negative are,

Messrs. Allen, Ashley, Atchison, Atherton, Benton, Bradbury, Breese, Bright, Calhoun, Cass, Davis of Massachusetts, Davis of Mississippi, Dickinson, Dix, Douglas, Downs, Felch, Foot, Hale, Houston, Hunter, Lewis, Mangum, Mason, Moor, Niles, Rusk, Sevier, Sturgeon, Turney, Westcott, Yulee.

The question then recurring on striking out the remaining part of the tenth article,

On motion by Mr. Bell,

The Senate adjourned.

FRIDAY, MARCH 3, 1848.

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

[Confidential.]

To the Senate of the United States:

I communicate herewith a report of the Secretary of War, with the accompanying documents, in answer to the resolution of the Senate of the 28th February, 1848, requesting the President to communicate "any information he may at any time have received of the desire of any considerable portion of the people of any of the States of Mexico to be incorporated within the limits of any territory to be acquired from the Republic of Mexico, and particularly that he communicate any late proposition which has been made to that effect through General Wool or any other military officer in Mexico."

JAMES K. POLK.

WASHINGTON, *March 2d*, 1848.

The message was read.

On motion by Mr. Lewis,

Ordered, That it lie on the table, and, with the documents, be printed in confidence for the use of the Senate.

Mr. Ashley, from the Committee on the Judiciary, to whom was referred, the 16th February, the nomination of Wesley Jones, reported.

Mr. Dix, from the Committee on Commerce, to whom were referred, the 23d February, the nominations of Nicholas Willis, Charles S. Garrett, Thomas W. Hoye, Aloyisius Thompson, William C. Bettincourt, and Nicholas Tucker, reported.

Whereupon

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

Mr. Cass, from the Committee on Military Affairs, to whom was referred, the 11th February, the nomination of William R. Goddard, reported.

The Senate, as in Committee of the Whole, resumed the consideration of the treaty of peace, friendship, limits, and settlement between the United States of America and the Mexican Republic, and the question recurring on striking out the remaining part of the tenth article,

After debate,

The question was stated, Shall these words stand as part of the treaty? to wit:

"All grants of land made by the Mexican Government or by the competent authorities in territories previously appertaining to Mexico and remaining for the future within the limits of the United States, shall be respected as valid to the same extent that the same grants would be valid if the said territories had remained within the limits of Mexico,"

And it was determined in the negative, { Yeas ..... 19 / Nays 33

Those who voted in the affirmative are,

Messrs. Ashley, Badger, Baldwin, Berrien, Butler, Clarke, Clayton, Corwin, Crittenden, Dayton, Greene, Hale, Johnson of Maryland, Johnson of Louisiana, Mangum, Miller, Pearce, Spruance, Upham.

Those who voted in the negative are,

Messrs. Allen, Atchison, Atherton, Bagby, Bell, Benton, Bradbury, Breese, Bright, Calhoun, Cass, Dickinson, Dix, Douglas, Downs, Felch, Foote, Hannegan, Houston, Hunter, Johnson of Georgia, Lewis, Mason, Moore, Niles, Phelps, Rusk, Sevier, Sturgeon, Turney, Underwood, Westcott, Yulee.

On motion by Mr. Breese to strike out of the eleventh article the following words. to wit: "nor to provide such Indians with fire-arms or ammunition by sale or otherwise,"

After debate,

The question was stated, Shall these words stand as part of the eleventh article?

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

Those who voted in the affirmative are,

Messrs. Ashley, Atherton, Bagby, Bell, Butler, Cass, Dickinson, Dix, Foote, Hale, Johnson of Maryland, Johnson of Louisiana, Johnson of Georgia, Mangum, Mason, Miller, Moor, Sevier, Sturgeon, Turney.

Those who voted in the negative are,

Messrs. Allen, Atchison, Badger, Baldwin, Benton, Berrien, Bradbury, Breese, Bright, Calhoun, Corwin, Crittenden, Davis of Massachusetts, Davis of Mississippi, Douglas, Downs, Felch, Hannegan, Houston, Hunter, Lewis, Niles, Phelps, Rusk, Spruance, Underwood, Webster, Westcott, Yulee.

On motion by Mr. Rusk to strike out of the eleventh article the following words, to wit:

"And in the event of any person or persons captured within Mexican territory by Indians being carried into the territory of the United States, the Government of the latter engages and binds itself in the most solemn manner as soon as it shall know of such captives being within its territory and shall be able so to do through the faithful exercise of its influence and power to rescue them and return them to their country or deliver them to the agent or representatives of the Mexican Government. The Mexican authorities will, as far as practicable, give to the Government of the United States notice of such captures; and its agent shall pay the expenses incurred in the maintenance and transmission of the rescued captives, who in the mean time shall be treated with the utmost hospitality by the American authorities at the place where they may be. But if the Government of the United States, before receiving such notice from Mexico, should obtain intelligence through any other channel, of the existence of Mexican captives within

its territory, it will proceed forthwith to effect their release and delivery to the Mexican agent as above stipulated.

"For the purpose of giving to these stipulations the fullest possible efficacy, thereby affording the security and redress demanded by their true spirit and intent, the Government of the United States will now and hereafter pass without unnecessary delay and always vigilantly enforce such laws as the nature of the subject may require. And finally, the sacredness of this obligation shall never be lost sight of by the said Government when providing for the removal of the Indians from any portion of the said t rritories or for its being settled by citizens of the United States; but, on the contrary, special care shall then be taken not to place its Indian occupants under the necessity of seeking new homes by committing those invasions which the United States have solemnly obliged themselves to restrain,"

After debate,

The question was stated, Shall these words stand as part of the eleventh article?

And it was determined in the affirmative, { Yeas ..... 39 / Nays 12

Those who voted in the affirmative are,

Messrs. Ashley, Atchison, Atherton, Bagby, Baldwin, Bell, Bradbury, Breese, Bright, Butler, Calhoun, Cass, Crittenden, Davis of Massachusetts, Dayton, Dickinson, Dix, Downs, Felch, Foot, Greene, Hale, Hannegan, Hunter, Johnson of Maryland, Johnson of Georgia, Mangum, Mason, Miller, Moor, Niles, Phelps, Sevier, Spruance, Sturgeon, Turney, Underwood, Upham, Yulee.

Those who voted in the negative are,

Messrs. Allen, Badger, Benton, Berrien, Corwin, Davis of Mississippi, Douglas, Houston, Lewis, Rusk, Webster, Westcott.

On motion by Mr. Douglas to strike out of the eleventh article the following words, to wit:

"Considering that a great part of the territories which by the present treaty are to be comprehended for the future within the limits of the United States is now occupied by savage tribes who will hereafter be under the exclusive control of the Government of the United States and whose incursions within the territory of Mexico would be prejudicial in the extreme, it is solemnly agreed that all such incursions shall be forcibly restrained by the Government of the United States whensoever this may be necessary, and that when they cannot be prevented they shall be punished by the said Government and satisfaction for the same shall be exacted, all in the same way and with equal diligence and energy as if the same incursions were meditated or committed within its own territory against its own citizens,"

After debate,

The question was stated, Shall these words stand as part of the eleventh article?

And it was determined in the affirmative { Yeas ..... 47 / Nays 5

Those who voted in the affirmative are,

Messrs. Ashley, Atchison, Atherton, Badger, Bagby, Baldwin, Bell, Berrien, Bradbury, Breese, Bright, Butler, Calhoun, Cass, Corwin, Crittenden, Davis of Massachusetts, Davis of Mississippi, Dayton, Dickinson, Dix, Downs, Felch, Foote, Greene, Hale, Hannegan, Houston, Hunter, Johnson of Maryland, Johnson of Louisiana, Johnson of Georgia, Mangum, Mason, Miller, Moor, Niles, Phelps, Rusk, Sevier, Spruance, Sturgeon, Turney, Underwood, Upham, Webster, Yulee.

Those who voted in the negative are,
Messrs. Allen, Benton, Douglas, Lewis, Westcott.

On motion by Mr. Sevier to strike out the additional and secret article of the treaty,

The question was stated, Will the Senate advise and consent to the ratification of this article?

And it was determined in the negative, { Yeas ..... 2 / Nays 48

Those who voted in the affirmative are,
Messrs. Baldwin, and Johnson of Maryland.
Those who voted in the negative are,
Messrs. Allen, Ashley, Atchison, Atherton, Badger, Bagby, Bell, Benton, Berrien, Bradbury, Breese, Bright, Butler, Calhoun, Cass, Corwin, Crittenden, Davis of Massachusetts, Davis of Mississippi, Dickinson, Dix, Douglas, Downs, Felch, Foote, Greene, Hale, Hannegan, Houston, Hunter, Johnson of Louisiana, Johnson of Georgia, Lewis, Mangum, Mason, Moor, Niles, Phelps, Rusk, Sevier, Spruance, Sturgeon, Turney, Underwood, Upham, Webster, Westcott, Yulee.

On motion by Mr. Berrien,
The Senate adjourned.

SATURDAY, MARCH 4, 1848.

The Senate, as in Committee of the Whole, resumed the consideration of the treaty of peace, friendship, limits, and settlement between the United States of America and the Mexican Republic.

On motion by Mr. Westcott to strike out of the fifteenth article the following words, to wit: "to an amount not exceeding three and one-quarter millions of dollars,"

The question was stated, Shall these words stand as part of the fifteenth article?

And it was determined in the affirmative, { Yeas ..... 41 / Nays 9

Those who voted in the affirmative are,
Messrs. Ashley, Atherton, Bagby, Baldwin, Bell, Benton, Berrien, Bradbury, Breese, Bright, Butler, Calhoun, Cass, Clarke, Crittenden, Davis of Massachusetts, Dayton, Dickinson, Dix, Downs, Felch, Foote, Greene, Hale, Hannegan, Hunter, Johnson of Maryland, Johnson of Georgia, Lewis, Mason, Miller, Moor, Niles, Pearce, Phelps, Sevier, Spruance, Sturgeon, Turney, Underwood, Yulee.
Those who voted in the negative are,
Messrs. Badger, Corwin, Davis of Mississippi, Houston, Johnson, of Louisiana, Mangum, Rusk, Upham, Westcott.

On motion by Mr. Douglas to strike out of the fourth article the following words, to wit: "It is also agreed that if any Mexicans should now be held as captives by any savage to be within the limits of the United States, as about to be established by the following article, the Government of the said United States will exact the release of such captives, and cause them to be restored to their country,"

After debate,

The question was stated, Shall these words stand as part of the fourth article?

And it was determined in the affirmative, { Yeas ..... 39 / Nays 10

Those who voted in the affirmative are,
Messrs. Ashley, Atherton, Badger, Bagby, Baldwin, Bell, Breese, Bright, Butler, Calhoun, Cass, Corwin, Crittenden, Davis of Massachu-

setts, Davis of Mississippi, Dayton, Dix, Downs, Felch, Foote, Greene, Hale, Hannegan, Hunter, Johnson of Maryland, Johnson of Louisiana, Mangum, Mason, Miller, Moor, Niles, Pearce, Phelps, Sevier, Sturgeon, Turney, Underwood, Upham, Yulee.

Those who voted in the negative are,

Messrs. Allen, Benton, Clarke, Dickinson, Douglas, Houston, Johnson of Georgia, Lewis, Rusk, Westcott.

On motion by Mr. Davis, of Mississippi, to strike out of the fifth article the following words, to wit: "And no change shall be ever made therein, except by the express and free consent of both nations, lawfully given by the General Government of each, in conformity with its own Constiution."

After debate,

The question was stated, Shall these words stand as part of the fifth article?

And it was determined in the affirmative, { Yeas ..... 42 / Nays 11

Those who voted in the affirmative are,

Messrs. Ashley, Atherton, Badger, Bagby, Baldwin, Bell, Berrien, Bradbury, Bright, Butler, Calhoun, Cass, Clarke, Corwin, Crittenden, Davis of Massachusetts, Dayton, Dix, Downs, Felch, Foote, Greene, Hale, Hannegan, Hunter, Johnson of Maryland, Johnson of Louisiana, Johnson of Georgia, Mangum, Mason, Miller, Moor, Niles, Pearce, Phelps, Rusk, Sevier, Spruance, Sturgeon, Turney, Underwood, Upham.

Those who voted in the negative are,

Messrs. Allen, Atchison, Benton. Breese, Davis of Mississippi, Dickinson, Douglas, Houston, Lewis, Westcott, Yulee.

On motion by Mr. Davis, of Mississippi, to strike out of the twenty-second article the following words, to wit:

"Upon the entrance of the armies of either nation into the territories of the other, women and children, ecclesiastics, scholars of every faculty, cultivators of the earth, merchants, artisans, manufacturers, and fishermen, unarmed and inhabiting unfortified towns, villages or places, and in general all persons whose occupations are for the common subsistence and benefit of mankind, shall be allowed to continue their respective employments, unmolested in their persons. Nor shall their houses or goods be burnt or otherwise destroyed, nor their cattle taken, nor their fields wasted by the armed force into whose power, by the events of war, they may happen to fall; but if the necessity arise to take anything from them for the use of said armed force, the same shall be paid for at an equitable price. All churches, hospitals, schools, colleges, libraries, and other establishments for charitable and beneficent purposes shall be respected, and all persons connected with the same protected in the discharge of their duties and the pursuit of their vocations,"

After debate,

The question was stated, Shall these words stand as part of the twenty-second article?

And it was determined in the affirmative, { Yeas ..... 45 / Nays 5

Those who voted in the affirmative are,

Messrs. Ashley, Atherton, Badger, Bagby, Baldwin, Bell, Berrien, Bradbury, Breese, Bright, Butler, Calhoun, Cass, Clarke, Corwin, Davis of Massachusetts, Dayton, Dickinson, Dix, Douglas, Downs, Felch, Foote, Greene, Hale, Hannegan, Hunter, Johnson of Maryland, Johnson of Louisiana, Johnson of Georgia, Mangum, Mason, Miller, Moor, Niles,

Pearce, Phelps, Rusk, Sevier, Spruance, Sturgeon, Turney, Underwood, Upham, Yulee.

Those who voted in the negative are,

Messrs. Benton, Davis of Mississippi, Houston, Lewis, Westcott.

On motion by Mr. Johnson, of Maryland,

That the Senate adjourn,

It was determined in the negative, { Yeas ..... 25 / Nays 29

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, Badger, Bagby, Baldwin, Bell, Benton, Berrien, Clarke, Corwin, Crittenden, Davis of Massachusetts, Dayton, Greene, Johnson of Maryland, Johnson of Louisiana, Lewis, Miller, Pearce, Phelps, Rusk, Spruance, Underwood, Upham, Webster, Westcott.

Those who voted in the negative are,

Messrs. Allen, Ashley, Atherton, Bradbury, Breese, Bright, Butler, Calhoun, Cass, Davis of Mississippi, Dickinson, Dix, Douglas, Downs, Felch, Foote, Hale, Hannegan, Houston, Hunter, Johnson of Georgia, Mangum, Mason, Moor, Niles, Sevier, Sturgeon, Turney, Yulee.

On motion by Mr. Davis, of Mississippi, to strike out of the fifth article the following words, to wit: "The mouth of the Rio Grande, otherwise called Rio Bravo del Norte, or opposite the mouth of its deepest branch, if it should have more than one branch emptying directly into the sea; from thence, up the middle of that river, following the deepest channel, where it has more than one, to the point where it strikes the southern boundary of New Mexico; thence, westwardly along the whole southern boundary of New Mexico (which runs north of the town called Passo) to its western termination; thence northward along the western line of New Mexico until it intersects the first branch of the river Gila (or if it should not intersect any branch of that river, then to the point on the said line nearest to such branch, and thence in a direct line to the same); thence down the middle of the said branch and of the said river until it empties into the Rio Colorado; thence across the Rio Colorado, following the division line between Upper and Lower California, to the Pacific Ocean.

"The southern and western limits of New Mexico mentioned in this article are those laid down in the map entitled 'Map of the United Mexican States, as organized and defined by various acts of the congress of said Republic, and constructed according to the best authorities. Revised edition. Published at New York in 1847 by J. Disturnell.' Of which map a copy is added to this treaty, bearing the signatures and seals of the undersigned plenipotentiaries. And, in order to preclude all difficulty in tracing upon the ground the limit separating Upper from Lower California, it is agreed that the said limit shall consist of a straight line drawn from the middle of the Rio Gila, where it unites with the Colorado, to a point on the coast of the Pacific Ocean, distant one marine league due south of the southernmost point of the port of San Diego, according to the plan of said port made in the year seventeen hundred and eighty two by Don Juan Pantoja, second sailing master of the Spanish fleet, and published at Madrid in the year 1802 in the atlas to the voyage of the schooners Sutil and Mexicana, of which plan a copy is hereunto added, signed and sealed by the respective plenipotentiaries,"

The question was stated, Shall these words stand as part of the fifth article?

On motion by Mr. Lewis that the Senate adjourn,

It was determined in the affirmative, { Yeas ..... 27 / Nays 19

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, Badger, Bagby, Baldwin, Bell, Benton, Berrien, Calhoun, Clarke, Corwin, Crittenden, Davis of Massachusetts, Dayton, Greene, Houston, Johnson of Maryland, Johnson of Louisiana, Johnson of Georgia, Lewis, Miller, Pearce, Phelps, Rusk, Spruance, Underwood, Upham, Westcott.

Those who voted in the negative are,

Messrs. Ashley, Atherton, Bradbury, Breese, Bright, Buuler, Cass, Dickinson, Douglas, Downs, Foote, Hannegan, Hunter, Mangum, Mason, Moor, Sevier, Turney, Yulee.

So the Senate adjourned.

MONDAY, MARCH 6, 1848.

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 appointments in the Army of the United States, as proposed by the Secretary of War.

WASHINGTON, *March* 3, 1848.

JAMES K. POLK.

WAR DEPARTMENT, *March* 3, 1848.

SIR: I have the honor respectfully to submit the annexed list of persons for appointments 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.

WAR DEPARTMENT, *March* 3, 1848.

Appointments to fill vacancies in the Regular Army of the United States and in the volunteer staff, to take effect from this date:

I. APPOINTMENTS IN THE REGULAR ARMY.

Quartermaster's Department.

First Lieutenant Napoleon J. T. Dana, of the Seventh Regiment of Infantry, to be assistant quartermaster with the rank of captain, vice Irwin, deceased.

Third Regiment of Dragoons,

James D. Potter, of New York, to be second lieutenant, vice Camp, resigned.

Second Regiment of Artillery.

John McLean Taylor to be second lieutenant, vice Weld, promoted.

Third Regiment of Artillery.

Charles C. Churchill to be second lieutenant, vice Maury, transferred to the Regiment of Mounted Riflemen.

Second Regiment of Infantry.

Thomas H. Sweeney, of New York, to be second lieutenant, vice Schureman, promoted.

Third Regiment of Infantry.

Lawrence W. O'Bannon, of South Carolina, to be second lieutenant, vice Trevitt, promoted.

Thomas J. Mason, of Florida, to be second lieutenant, vice Schroeder, promoted.

Fourth Regiment of Infantry.

Edmund Underwood, of Pennsylvania, to be second lieutenant, vice Lincoln, promoted.

William C. Tobey, of Pennsylvania, to be second lieutenant, vice Montgomery, promoted.

Fifth Regiment of Infantry.

John Neilly to be second lieutenant, vice Read, promoted.

Eighth Regiment of Infantry.

William A Merriwether, of Kentucky, to be second lieutenant, vice Wood, promoted.

Tenth Regiment of Infantry.

Henry A. Perrine, of New Jersey, to be second lieutenant, vice Harte, resigned.

William H. Hull, of New Jersey, to be second lieutenant, vice Russell, promoted.

Edward M. Clitz, of New York, to be second lieutenant, vice Graham, transferred to the First Regiment of Dragoons.

Twelfth Regiment of Infantry.

Charles Stanley, jr., of North Carolina, to be second lieutenant, vice Wheeden, deceased.

Samuel A. Wilkins, of North Carolina, to be second lieutenant, vice Saunders, declined to accept.

John A. Houston, of Arkansas, to be second lieutenant, vice Perrin, promoted.

John C. Peay, of Arkansas, to be second lieutenant, vice Conway, promoted.

James M. Perrin, of South Carolina, to be second lieutenant, vice Otterson, deceased.

Thirteenth Regiment of Infantry.

John G. Bush, of Georgia, to be second lieutenant, vice Reese, resigned.

William A. Adams, of Georgia, to be second lieutenant, vice Perkins, promoted.

Philander Morgan, of Alabama, to be second lieutenant, vice Kirkpatrick, promoted.

Fourteenth Regiment of Infantry.

Achille Berard, of Louisiana, to be second lieutenant, vice Davis, promoted.

Fifteenth Regiment of Infantry.

John J. Mount, of Ohio, to be second lieutenant, vice French, promoted.

Samuel Ramsay, of Ohio, to be second lieutenant, vice Peternell, promoted.

Thomas R. Cumning, of Michigan, to be second lieutenant, vice Wilkins, promoted.

Sixteenth Regiment of Infantry.

James T. Young, of the Army, to be second lieutenant, vice How, resigned.

Thomas H. Taylor, of Kentucky, to be second lieutenant, vice Irvan, promoted.

II. APPOINTMENTS.

Appointments under the fifth section of the "Act supplemental to an act entitled 'An act providing for the prosecution of the existing war between the United States and Mexico,' and for other purposes," approved June 18, 1846:

Quartermaster's Department.

Rush J. Mitchell, of North Carolina, to be assistand quartermaster with the rank of captain, vice Pender, deceased.

Medical Department.

Francis A. Herriford, of Louisiana, to be surgeon, vice Dean, declined.

Frederick W. Miller, of Pennsylvania, to be surgeon, vice McFarlane, resigned.

Griffin Smith, of Illinois, to be surgeon, vice Lane, discharged by temporary reduction of the volunteer forces.

F. W. Todd, of Illinois, to be surgeon, vice Chamberlain, resigned.

James S. Gaines, of Tennessee, to be assistant surgeon, vice Lyon, declined.

III. TRANSFERS.

Second Lieutenant Richard C. Drum, of the Ninth Regiment of Infantry, transferred to the Fourth Regiment of Artillery, to fill a vacancy, to stand on the Army Register next below Second Lieutenant C. L. Best. (Lieut. Drum has been promoted a first lieutenant in the Ninth Infantry, and confirmed accordingly, but, it is understood, has agreed to waive his promotion to accept this transfer.)

Second Lieutenant William H. Scott, of the Eleventh Regiment of Infantry, transferred to the Fourth Regiment of Infantry, to fill a vacancy, to stand on the Army Register next below Second Lieutenant Thomas H. Bussey.

Respectfully submitted.

W. L. MARCY.

To the Senate of the United States:

I nominate William Hammond, junior, of Missouri, to be an assistant surgeon in the Army of the United States, in the place of Assistant Surgeon John C. Glenn, deceased, to rank from March 2, 1848.

JAMES K. POLK.

WASHINGTON, *March* 4, 1848.

To the Senate of the United States:

I nominate Isacc C. Haynes to be deputy postmaster at Bangor, in the State of Maine, from and after the 8th of March, 1848, when the commission of the present incumbent will expire.

JAMES K. POLK.

WASHINGTON, *January 4th*, 1848.

The messages were read.

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

Ordered, That the nomination of William Hammond be referred to the Committee on Military Affairs.

Ordered, That the nomination of Isaac C. Haynes be referred to the Committee on the Post-Office and Post-Roads.

Mr. Breese, from the Committee on Public Lands, to whom was referred, the 30th December last, the nomination of Elisha Morrow, reported.

Mr. Breese, from the Committee on Public Lands, to whom was referred, the 2d instant, the nomination of Alanson Saltmarsh, reported.

Whereupon

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

Mr. Yulee, from the Committee on Naval Affairs, to whom were referred, the 2d instant, the nominations of Samuel H. Stout, Alonzo A. F. Hill, and Owen Jones Wister, reported.

Whereupon

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 nominations of Wesley Jones and William R. Goddard; and

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

The Senate, as in Committee of the Whole, resumed the consideration of the treaty of peace, friendship, limits, and settlement between the United States of America and the Mexican Republic; and the question recurring on the motion of Mr. Davis, of Mississippi, to strike out the words stated from the fifth article,

On motion by Mr. Davis, of Mississippi, and by unanimous consent,

Ordered, That he have leave to withdraw the said motion.

On motion by Mr. Davis, of Mississippi, to insert the following, to wit:

ARTICLE X. *The boundary line between the two Republics shall commence in the Gulf of Mexico, three leagues from land, opposite a point mid-*

way between the mouths of the rivers San Fernando and Santander (Boquillas Cerradas and Barra de Santander); thence westwardly to the town of Labradores, at the head of the mountain pass from the piain of Linares; thence to Agua Nueva; thence to the southwestern angle of the State of Cohahuila; thence northwardly along the highlands of the Balson de Mapimi and Santa Rosa Mountains of the Rio Grande, the line to be so traced as to include the sources of the river Sabinas and to intersect the Rio Grande above the mouth of the river Puerco; thence up the main chaunel of the said Rio Grande to the thirty-first parallel of north latitude; thence due west to the thirty-fourth meridian of longitude west of Washington; thence in a direct line to a point on the Rio Colorado of the West ten miles below the junction of the Gila and Colorado Rivers; thence to a point on the coast of the Pacific Ocean one marine league south of the most southern point of the harbor of San Diego.

In order to designate the boundary line with due precision upon authoritative maps, and to establish upon the ground land-marks which shall show the limits of both Republics as described in the present article, the two Governments shall each appoint d commissioner and a surveyor, who, before the expiration of one year from the date of the exchange of ratifications of this treaty, shall meet at the port of San Diego and proceed to run and mark the said boundary in its whole course to the south of the Rio Bravo del Norte. They shall keep journals and make out plans of their operations, and the result agreed upon by them shall be deemed a part of this treaty, and shall have the same force as if it were inserted therein. The two Governments will amicably agree regarding what may be necessary to these persons, and also, as to their respective escorts should such be neeessary,

After debate,

The question was stated, Will the Senate advise and consent to the ratification of this article?

And it was determined in the negative, { Yeas ..... 11 / Nays 44

Those who voted in the affirmative are,

Messrs. Allen, Atchison, Davis of Mississippi, Dickinson, Douglas, Hannegan, Houston, Lewis, Rusk, Turney, Westcott.

Those who voted in the negative are,

Messrs. Ashley, Atherton, Badger, Bagby, Baldwin, Bell, Benton, Berrien, Bradbury, Breese, Bright, Butler, Calhoun, Cameron, Cass, Clarke, Clayton, Corwin, Crittenden, Davis of Massachusetts, Dayton, Dix, Downs, Felch, Foote, Greene, Hale, Hunter, Johnson of Maryland, Johnson of Louisiana, Johnson of Georgia, Mangum, Mason, Miller, Moor, Niles, Pearce, Phelps, Sevier, Spruance, Sturgeon, Underwood, Upham, Webster.

On motion by Mr. Westcott to strike out of the ninth article the following words, to wit:

"The relations and communication between the Catholics living in the territories aforesaid and their respective ecclesiastical authorities shall be open, free, and exempt from all hindrance whatever, even although such authorities should reside within the limits of the Mexican Republic as defined by this treaty; and this freedom shall continue so long as a new demarkation of ecclesiastical districts shall not have been made conformably with the laws of the Roman Catholic Church,"

After debate,

On motion by Mr. Atchison,

The Senate adjourned.

TUESDAY, MARCH 7, 1848.

Mr. Dix, from the Committee on Commerce, to whom were referred, the 2d instant, the nominations of Treadwell L. Ireland, Jacob C. Hewlett, and Thomas H. Hyatt, 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, the 30th December last, the nomination of James M. B. Tucker, reported.

Whereupon

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

The Senate, as in Committee of the Whole, resumed the consideration of the treaty of peace, friendship, limits, and settlement between the United States of America and the Mexican Republic; and the question recurring on the motion of Mr. Westcott to strike out the words stated from the ninth article,

On motion by Mr. Westcott, and by unanimous consent,

Ordered, That he have leave to withdraw the said motion.

On motion, by Mr. Johnson, of Georgia, to insert in the ninth article, after the words "Mexican laws," the following words, to wit:

Not inconsistent with the Constitution and laws of the United States,

The question was stated, Shall these words stand as part of the ninth article?"

And it was determined in the affirmative { Yeas ..... 38 / Nays 7

Those who voted in the affirmative are,

Messrs. Allen, Ashley, Atherton, Baldwin, Bell, Berrien, Breese, Butler, Calhoun, Cameron, Clarke, Corwin, Crittenden, Davis of Mississippi, Dayton, Dickinson, Dix, Felch, Foote, Greene, Hale, Hunter, Johnson of Maryland Johnson of Louisiana, Johnson of Georgia, Mangum, Mason, Miller, Niles, Rusk, Sevier, Spruance, Sturgeon, Turney, Underwood, Upham, Westcott, Yulee.

Those who voted in the negative are,

Messrs. Atchison, Badger, Bright, Davis of Massachusetts, Downs, Lewis, Moor.

On motion by Mr. Johnson, of Georgia, to insert at the end of the ninth article the following, to wit:

Provided, Nothing therein contained shall be so construed as to secure to Roman Catholics, their religious corporations or communities, or the ecclesiastical authorities of the Roman Catholic Church, any other rights and privileges than such as are enjoyed by other religious sects, their corporations, or communities, or ecclesiastical authorities, in the United States,

The question was stated, Shall these words stand as part of the ninth article?

And it was determined in the negative, { Yeas ..... 13 / Nays 29

Those who voted in the affirmative are,

Messrs. Atchison, Bradbury, Breese, Calhoun, Hannegan, Johnson of Georgia, Lewis, Mason, Rusk, Sevier, Turney, Underwood, Westcott.

Those who voted in the negative are,

Messrs. Ashley, Atherton, Badger, Baldwin, Bell, Berrien, Bright, Butler, Clarke, Corwin, Crittenden, Davis of Massachusetts, Davis of Mississippi, Downs, Felch, Foote, Greene, Hale, Johnson of Maryland,

Johnson of Louisiana, Mangum, Moor, Niles, Pearce, Phelps, Spruance, Sturgeon, Upham, Yulee.

On motion by Mr. Westcott to strike out of the ninth article the following words, to wit:

"Finally, the relations and communication between the Catholics living in the territories aforesaid and their respective ecclesiastical authorities shall be open, free, and exempt from all hindrance whatever, even although such authorities should reside within the limits of the Mexican Republic as defined by this treaty; and this freedom shall continue so long as a new demarkation of ecclesiastical districts shall not have been made, conformably with the laws of the Roman Catholic Church,"

After debate,

The question was stated, Shall these words stand as part of the ninth article?

And it was determined in the negative, { Yeas ..... 18 / Nays 29

Those who voted in the affirmative are,

Messrs. Ashley, Atherton, Bradbury, Butler, Cameron, Dickinson, Dix, Downs, Felch, Foote, Hale, Johnson of Louisiana, Moor, Niles, Sevier, Sturgeon, Turney, Yulee.

Those who voted in the negative are,

Messrs. Atchison, Badger, Bell, Berrien, Bright, Calhoun, Clarke, Clayton, Corwin, Crittenden, Davis of Massachusetts, Davis of Mississippi, Dayton, Greene, Hunter, Johnson of Maryland, Johnson of Georgia, Lewis, Mangum, Mason, Miller, Pearce, Phelps, Rusk, Spruance, Underwood, Upham, Webster, Westcott.

On motion by Mr. Davis, of Massachusetts, to strike out of the ninth article the following words, to wit:

"The Mexicans who in the territories aforesaid shall not preserve the character of citizens of the Mexican Republic, conformably with what is stipulated in the preceding article, shall be incorporated into the Union of the United States, and admitted as soon as possible, according to the principles of the Federal Constitution, to the enjoyment of all the rights of citizens of the United States. In the mean time they shall be maintained and protected in the enjoyment of their liberty, their property, and their civil rights now vested in them according to Mexican laws. With respect to political rights, their condition shall be on an equality with that of the inhabitants of the other territories of the United States, and at least equally good as that of the inhabitants of Louisiana and the Floridas when these provinces, by transfer from the French Republic and the Crown of Spain, became territories of the United States.

"The same most ample guaranty shall be enjoyed by all ecclesiastics and religious corporations or communities, as well in the discharge of the offices of their ministry as in the enjoyment of their property of every kind, whether individual or corporate. This guaranty shall embrace all temples, houses, and edifices dedicated to the Roman Catholic worship, as well as all property destined to its support, or to that of schools, hospitals, and other foundations for charitable or beneficent purposes. No property of this nature shall be considered as having become the property of the American Government, or as subject to be by it disposed of or diverted to other uses,

After debate,

The question was stated, Shall these words stand as part of the ninth article?

And it was determined in the negative, { Yeas ..... 16 / Nays 3

Those who voted in the affirmative are,

Messrs. Ashley, Atherton, Butler, Cameron, Dickinson, Dix, Downs, Felch, Foote, Johnson of Louisiana, Moor, Niles, Sevier, Sturgeon, Turney, Westcott.

Those who voted in the negative are,

Messrs. Atchison, Badger, Baldwin, Bell, Berrien, Bradbury, Bright, Calhoun, Clarke, Clayton, Corwin, Crittenden, Davis of Massachusetts, Davis of Mississippi, Dayton, Greene, Hunter, Johnson of Maryland, Johnson of Georgia, Lewis, Mangum, Mason, Miller, Pearce, Phelps, Rusk, Spruance, Underwood, Upham, Webster, Yulee.

On motion by Mr. Mason to insert the following, to wit:

ARTICLE IX. *The Mexicans in the Territories aforesaid shall be secured in the free exercise of their religion without any restriction, and those who may desire to remove to the Mexican Republic shall be permitted to sell or export their effects at any time whatever, without being subjected in either case to the payment of any duties.*

The Mexicans who in the Territories aforesaid shall not retain the character of Mexican citizens, conformably to the stipulations of the preceding article, shall be incorporated into the Union of the United States as soon as may be consistent with the principles of the Federal Constitution, and admitted to the enjoyment of all privileges, rights, and immunities of the citizens of the United States; and in the mean time they shall be maintained and protected in the full enjoyment of their liberty and property.

After debate,

The question was stated, Will the Senate advise and consent to the ratification of this article?

And it was determined in the affirmative, { Yeas ..... 42 / Nays 4

Those who voted in the affirmative are,

Messrs. Allen, Ashley, Atchison, Atherton, Badger, Berrien, Bradbury, Breese, Bright, Butler, Calhoun, Cameron, Clarke, Clayton, Corwin, Crittenden, Davis of Massachusetts, Davis of Mississippi, Dayton, Dickinson, Dix, Downs, Felch, Foote, Greene, Hannegan, Hunter, Johnson of Maryland, Johnson of Louisiana, Johnson of Georgia, Lewis, Mangum, Mason, Moore, Niles, Pearce, Sevier, Spruance, Sturgeon, Turney, Underwood, Yulee.

Those who voted in the negative are,

Messrs. Baldwin, Bell, Hale, Rusk.

On motion by Mr. Sevier to insert after the word "Washington," in the twenty-third article, the following words, to wit: *or at the seat of government of Mexico*,

The question was stated, Shall these words stand as part of the twenty-third article?

And it was determined in the affirmative, { Yeas..... .... 44 / Nay 1

Those who voted in the affirmative are,

Messrs. Allen, Ashley, Atchison, Atherton, Badger, Baldwin, Bell, Berrien, Bradbury, Breese, Bright, Butler, Calhoun, Cameron, Clarke, Clayton, Corwin, Davis of Mississippi, Dayton, Dickinson, Dix, Douglas, Downs, Felch, Foote, Greene, Hale, Hannegan, Hunter, Johnson of Maryland, Johnson of Georgia, Lewis, Mangum, Mason, Miller, Moor, Niles, Rusk, Sevier, Spruance, Sturgeon, Turney, Underwood, Yulee.

And Mr. Westcott voted in the negative.

Mr. Crittenden submitted the following resolution:

Resolved, That the treaty be recommitted to the Committee on Foreign

Relations, with instructions so to modify the same as to make its limits and boundaries conform to the following resolutions.

Resolved, That considerations of our own power and the weakness of Mexico, already vanquished by our arms, ought only to make us more careful not to exact from her any indemnities or terms of peace beyond the strict measure of our rightful claims; and that the United States need not to seek or desire any other or better security for the future than they possess in their own ability and readiness to protect themselves and defend their own rights.

Resolved, That we fully concur in the sentiment expressed by the President, that war should not be waged for acquisition of territory by conquest; yet if it be agreeable to Mexico to settle our claims against her by a cession of territory, we should prefer one of more limited extent (with a correspondent reduction of price) than that described in the treaty now before the Senate—a cession which should have for its principal objects a satisfactory establishment of the boundary of Texas and the acquisition of the bay and harbor of San Francisco.

Resolved, That by adhering to this limited cession all the objects of a true national policy would be obtained, domestic questions of great difficulty and embarrassment avoided, the true principles of our Government preserved, and a commendable example of justice and moderation set before the world.

Resolved, That in an especial manner we could not without great reluctance be constrained to accept the cession of the State of New Mexico, with a population of about one hundred and fifty thousand hostile people, unwilling to be united to us and unfit to be trusted with a participation in our free forms of government, to the principles of which they are utter strangers. To accept the cession of this territory, large enough and even at the present moment with population enough to form one or more States, and to incorporate them, as the treaty provides, as soon as possible into this Union, must be regarded as a measure dangerous and not believed to be in accordance with the wishes and expectations of the great majority of the people of the United States.

On motion by Mr. Crittenden that the Senate proceed to consider the said resolution,

Mr. Douglas having objected,

The Vice-President decided that the resolution must lie on the table one day for consideration.

From this decision of the Vice-President Mr. Bright appealed to the Senate; and

The question being stated, Shall the decision of the Vice-President stand as the sense of the Senate?

It was determined in the negative.

The Senate then proceeded to consider the said resolution,

And on the question to agree thereto

It was determined in the negative, { Yeas ..... 18 / Nays 30

On motion by Mr. Berrien,

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

Those who voted in the affirmative are,

Messrs. Badger, Baldwin, Bell, Berrien, Clarke, Clayton, Corwin, Crittenden, Davis of Massachusetts, Dayton, Greene, Hale, Johnson of Maryland, Mangum, Miller, Spruance, Underwood, Upham.

Those who voted in the negative are,

Messrs. Allen, Ashley, Atchison, Atherton, Bradbury, Breese, Bright, Butler, Calhoun, Cameron, Cass, Davis of Mississippi, Dickinson, Dix,

Douglas, Downs, Felch, Foote, Hannegan, Hunter, Johnson of Georgia, Lewis, Mason, Moor, Niles, Rusk, Sevier, Sturgeon, Turney, Yulee.

So the resolution was not agreed to.

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 letter of the twelfth of February, eighteen hundred and forty-eight, from N. P. Trist, together with the authenticated map of the United Mexican States, and of the plan of the port of San Diego, referred to in the fifth article of the "treaty of peace, friendship, limits, and settlement between the United States of America and the Mexican Republic," which treaty was transmitted to the Senate with my message of the twenty-second ultimo.

JAMES K. POLK.

WASHINGTON, *March 7th*, 1848.

The message was read.

On motion by Mr. Maugum,

The Senate adjourned.

WEDNESDAY, MARCH 8, 1848.

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 Stewart to be appraiser of merchandise for the port of Philadelphia, in the State of Pennsylvania, in the place of Charles Francis Breuil, deceased.

JAMES K. POLK.

WASHINGTON, *March 7*, 1848.

The message was read.

Ordered, That the nomination of Thomas Stewart be referred to the Committee on Commerce.

Mr. Cass, from the Committee on Military Affairs, to whom were referred, the 2d instant, the nominations of Lewis G. Arnold and others for promotion in the Army of the United States, reported.

Whereupon

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

Mr. Cass, from the Committee on Military Affairs, to whom were referred, the 6th instant, the nominations of Napoleon J. T. Dana and others in the Regular Army of the United States, reported.

Whereupon

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

Mr. Cass. from the Committee on Military Affairs, to whom was referred, the 6th instant, the nomination of William Hammond, 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 were referred, the 22d December last, the nomination of Thomas M. Persse, and on the 25th January that of Benjamin Cowell, 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, the 6th instant, the nomination of Isaac C. Haynes, reported.

Whereupon

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

Mr. Yulee, from the Committee on Naval Affairs, to whom was referred, the 23d February, the nomination of Augustus J. Bowie, reported.

Whereupon

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

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

Resolved, That the President be requested to communicate to the Senate, confidentially, any additional dispatches which may have been received from Nathaniel P. Trist, and especially those which are promised by him in his letter to Mr. Buchanan of the 2d February last, if the same have been received.

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

Resolved, That the President of the United States be requested to inform the Senate of the terms of the authority given to Nathaniel P. Trist to draw for the three millions of dollars authorized by the act of the 2d of March, 1847.

The Senate, as in Committee of the Whole, resumed the consideration of the treaty of peace, friendship, limits, and settlement between the United States of America and the Mexican Republic.

On motion by Mr. Badger, to strike out of the fifth article the following words, to wit,

"Thence westwardly, along the whole southern boundary of New Mexico (which runs north of the town called Paso) to its western termination; thence northward, along the western line of New Mexico until it intersects the first branch of the river Gila (or if it should not intersect any branch of that river, then to the point on the said line nearest to such branch, and thence in a direct line to the same); thence down the middle of the said branch and of the said river until it empties into the Rio Colorado; thence across the Rio Colorado, following the division line between Upper and Lower California, to the Pacific Ocean,"

After debate,

The question was stated, Shall these words stand as part of the fifth article?

And it was determined in the affirmative, { Yeas ..... 35 / Nays 15

Those who voted in the affirmative are,

Messrs. Allen, Ashley, Atchison, Atherton, Bagby, Bell, Benton, Bradbury, Breese, Bright, Butler, Calhoun, Cameron, Cass, Davis of Mississippi, Dickinson, Dix, Douglas, Downs, Felch, Foote, Hannegan, Hunter, Johnson of Maryland, Johnson of Louisiana, Johnson of Georgia, Lewis, Mason, Moor, Niles, Rusk, Sevier, Sturgeon, Turney, Yulee.

Those who voted in the negative are,

Messrs. Badger, Baldwin, Berrien, Clarke, Corwin, Davis of Massachusetts, Greene, Hale, Miller, Pearce, Phelps, Spruance, Underwood, Upham, Webster.

On motion by Mr. Baldwin,

To insert at the end of the fifth article the following words, to wit:

Provided, There shall be neither slavery nor involuntary servitude in the territories hereby ceded, otherwise than in punishment of crimes, whereof the party shall have been duly convicted,

After debate,

The question was stated, Shall these words stand as part of the fifth article?

And it was determined in the negative, { Yeas .... 15 / Nays 38

Those who voted in the affirmative are,

Messrs. Atherton, Baldwin, Clarke, Clayton, Corwin, Davis of Massachusetts, Dayton, Dix, Greene, Hale, Miller, Niles, Phelps, Spruance, Upham.

Those who voted in the negative are,

Messrs. Allen, Ashley, Atchison, Badger, Bagby, Bell, Benton, Berrien, Bradbury, Breese, Bright, Butler, Calhoun, Cameron, Cass, Crittenden, Davis of Mississippi, Dickinson, Douglas, Downs, Felch, Foote, Hannegan, Hunter, Johnson of Maryland, Johnson of Louisiana, Johnson of Georgia, Lewis, Mangum, Mason, Moor, Pearce, Rusk, Sevier, Sturgeon, Turney, Underwood, Yulee.

No further amendment having been made, the treaty was reported to the Senate.

On the question to concur in the amendment made in Committee of the Whole, to wit, to strike out the ninth article:

The question was stated, Will the Senate advise and consent to the ratification of this article?

And it was determined in the negative, { Yeas .... 16 / Nays 28

Those who voted in the affirmative are,

Messrs. Ashley, Atherton, Bagby, Dickinson, Dix, Douglas, Downs, Foote, Hannegan, Johnson of Louisiana. Moor, Niles, Sevier, Sturgeon, Turney, Yulee.

Those who voted in the negative are.

Messrs. Atchison, Badger, Baldwin, Bell, Berrien, Bradbury, Bright, Calhoun, Clarke, Clayton, Crittenden, Davis of Massachusetts, Davis of Mississippi, Dayton, Felch, Greene, Hale, Hunter, Johnson of Maryland, Lewis, Mangum, Mason, Miller, Phelps, Rusk, Spruance, Underwood, Upham.

On the question to concur in the amendment made in Committee of the Whole, to wit, to insert the following:

ARTICLE IX.—*The Mexicans in the Territories aforesaid shall be secured in the free exercise of their religion without any restriction, and those who may desire to remove to the Mexican Republic shall be permitted to sell or export their effects at any time whatever without being sujected in either case to the payment of any duties.*

The Mexicans who in the Territories aforesaid shall not retain the character of Mexican citizens conformably to the stipulations of the preceding article, shall be incorporated into the Union of the United States as soon as may be consistent with the principles of the Federal Constitution, and admitted to the enjoyment of all the privileges, rights, and immunities of the citizens of the United States; and in the mean time they shall be maintained and protected in the full enjoyment of their liberty and property,

On motion by Mr. Bell to strike out of the said amendment the following words, to wit:

"The Mexicans who, in the Territories aforesaid, shall not retain the character of Mexican citizens conformably to the stipulations of the pre-

ceding article, shall be incorporated into the Union of the United States as soon as may be consistent with the principles of the Federal Constitution, and admitted to the enjoyment of all the privileges, rights, and immunities of the citizens of the United States; and in the mean time they shall be maintained and protected in the full enjoyment of their liberty and property,"

After debate,

The question was stated, Shall these words stand as part of the article?

And it was determined in the negative, { Yeas ..... 34 / Nays 18

Those who voted in the affirmative are,

Messrs. Allen, Ashley, Atchison, Atherton, Bagby, Bradbury, Breese, Bright, Butler, Calhoun, Cameron, Cass, Davis of Mississippi, Dickinson, Dix, Downs, Felch, Foote, Hannegan, Hunter, Johnson of Maryland, Johnson of Louisiana, Johnson of Georgia, Lewis, Mangum, Mason, Moor, Niles, Rusk, Sevier, Sturgeon, Turney, Westcott, Yulee.

Those who voted in the negative are,

Messrs. Badger, Baldwin, Bell, Berrien, Clarke, Clayton, Corwin, Crittenden, Davis of Massachusetts, Dayton, Greene, Hale, Miller, Phelps, Spruance, Underwood, Upham, Webster.

On motion by Mr. Bell to insert in lieu of the words stricken out the following, to wit:

The Mexicans who in the Territories aforesaid shall not retain the character of Mexican citizens conformably to the stipulations of the preceding article shall be maintained and protected in the full enjoyment of their liberty and their rights of property,

After debate,

The question was stated, shall these words stand as part of the article?

And it was determined in the negative, { Yeas ..... 15 / Nays 33

Those who voted in the affirmative are,

Messrs. Badger, Baldwin, Bell, Berrien, Clarke, Clayton, Corwin, Davis of Massachusetts, Greene, Hale, Miller, Spruance, Underwood, Upham, Webster.

Those who voted in the negative are,

Messrs. Allen, Ashley, Atherton, Bagby, Bradbury, Breese, Bright, Butler, Calhoun, Cameron, Cass, Davis of Mississippi, Dickinson, Dix, Douglas, Downs, Felch, Foote, Hannegan, Hunter, Johnson of Maryland, Johnson of Louisiana, Johnson of Georgia, Lewis, Mason, Moor, Niles, Rusk, Sevier, Sturgeon, Turney, Westcott, Yulee.

On motion by Mr. Crittenden to strike out of said amendment the following words to wit: "in the Territories aforesaid shall be secured in the free exercise of their religion without any restriction, and those who may desire to remove to the Mexican Republic shall be permitted to sell or export their effects at any time whatever without being subject in either case to the payment of any duties,"

After debate,

The question was stated, Shall these words stand as part of the article?

And it was determined in the negative, nays 46.

Those who voted are,

Messrs. Allen, Ashley, Atherton, Badger, Bagby, Baldwin, Bell, Berrien, Breese, Bright, Butler, Calhoun, Cameron, Cass, Clarke, Clayton, Corwin, Crittenden, Davis of Massachusetts, Dayton, Dickinson, Dix,

Douglas, Downs, Felch, Foote, Greene, Hale, Hannegan, Hunter, Johnson of Maryland, Johnson of Louisiana, Johnson of Georgia, Lewis, Mangum, Mason, Miller, Moor, Niles, Rusk, Sevier, Spruance, Sturgeon, Turney, Underwood, Yulee.

On motion by Mr. Crittenden to insert the following after the words "The Mexicans" in the said amendment, to wit: *who, in the Territories aforesaid shall not preserve the character of citizens of the Mexican Republic conformably with what is stipulated in the preceding article shall be incorporated into the Union of the United States and be admitted at the proper time (to be judged of by the Congress of the United States according to the principles of the Constitution); and in the mean time shall be maintained and protected in the free enjoyment of their liberty and property, and secured in the free exercise of their religion without restriction,*

After debate,

The question was stated, Shall these words stand as part of the article?

And it was determined in the affirmative, { Yeas ..... 44 / Nays 5

Those who voted in the affirmative are,

Messrs. Allen, Ashley, Atherton, Bagby, Bell, Berrien, Bradbury, Breese, Bright, Butler, Calhoun, Cameron, Cass, Clarke, Clayton, Crittenden, Davis of Massachusetts, Davis of Mississippi, Dayton, Dickinson, Dix, Douglas, Downs, Felch, Foote, Greene, Hannegan, Hunter, Johnson of Maryland, Johnson of Louisiana, Johnson of Georgia, Lewis, Mangum, Mason, Miller, Moor, Niles, Rusk, Sevier, Spruance, Sturgeon, Turney, Underwood, Yulee.

Those who voted in the negative are,

Messrs. Badger, Baldwin, Corwin, Hale, Webster.

On the question to concur in the amendment made in Committee of the Whole, to wit, to strike out the tenth article,

The question was stated, Will the Senate advise and consent to the ratification of this article?

And it was determined in the negative, nays 41.

Those who voted are,

Messrs. Allen, Ashley, Atherton, Badger, Bagby, Bradbury, Breese, Bright, Butler, Calhoun, Cameron, Cass, Clayton, Corwin, Crittenden, Davis of Mississippi, Dayton, Dickinson, Dix, Douglas, Downs, Felch, Hannegan, Hunter, Johnson of Maryland, Johnson of Louisiana, Johnson of Georgia, Lewis, Mangum, Mason, Moor, Niles, Rusk, Sevier, Spruance, Sturgeon, Turney, Underwood. Webster, Westcott, Yulee.

On the question to concur in the amendment made in Committee of the Whole, to wit, to strike out of the eleventh article the following words:

"Nor to provide such Indians with fire-arms or ammunition, by sale or otherwise,"

The question was stated, Shall these words stand as part of the eleventh article?

And it was determined in the negative, { Yeas ..... 28 / Nays 17

Those who voted in the affirmative are,

Messrs. Ashley, Atherton, Bagby, Bell, Bradbury, Bright, Butler, Cameron, Cass, Davis of Mississippi, Dickinson, Dix, Downs, Felch, Foote, Johnson of Maryland, Johnson of Louisiana, Johnson of Georgia, Mangum, Mason, Moor, Niles, Sevier, Sturgeon, Turney, Webster, Westcott, Yulee.

Those who voted in the negative are,

Messrs, Allen, Badger, Baldwin, Berrien, Calhoun, Clarke, Clayton, Crittenden, Dayton, Douglas, Hunter, Lewis, Miller, Rusk, Spruance, Underwood, Upham.

On motion by Mr. Webster that the Senate adjourn,

It was determined in the negative, { Yeas ..... 26 / Nays 26

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, Badger, Bagby, Baldwin, Bell, Berrien, Butler, Calhoun, Clarke, Clayton, Corwin, Crittenden, Davis of Massachusetts, Davis of Mississippi, Dayton, Greene, Hale, Lewis, Mangum, Miller, Phelps, Spruance, Underwood, Upham, Webster, Westcott.

Those who voted in the negative are,

Messrs. Allen, Ashley, Atherton, Bradbury, Breese, Bright, Cameron, Dickinson, Dix, Douglas, Downs, Felch, Foote, Hannegan, Hunter, Johnson of Maryland, Johnson of Louisiana, Johnson of Georgia, Mason, Moor, Niles, Rusk, Sevier, Sturgeon, Turney, Yulee.

The Senate being equally divided,

The Vice-President determined the question in the negative.

On the question to concur in the amendment made in Committee of the Whole, to wit, to insert after the word "Washington," in the twenty-third article, the following words: *or at the seat of government of Mexico*,

The question was stated, Shall these words stand as part of the twenty-third article?

And it was determined in the affirmative, { Yeas ..... 38 / Nays 1

Those who voted in the affirmative are,

Messrs. Allen, Ashley, Atherton, Badger, Bagby, Baldwin, Bell, Berrien, Breese, Bright, Butler, Calhoun, Cameron, Cass, Clarke, Dickinson, Dix, Douglas, Downs, Felch, Greene, Hale, Hunter, Johnson of Maryland, Johnson of Louisiana, Lewis, Mason, Moor, Niles, Rusk, Sevier, Spruance, Sturgeon, Turney, Underwood, Upham, Webster, Yulee.

And Mr. Westcott voted in the negative.

On the question to concur in the amendment made in Committee of the Whole, to wit, to strike out the additional and secret article of the treaty,

The question was stated, Will the Senate advise and consent to the ratification of this article?

And it was unanimously determined in the negative.

On motion by Mr. Berrien,

The Senate adjourned.

THURSDAY, MARCH 9, 1848.

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 McDowell, of Virginia, to be consul of the United States for the port of Belfast, in Ireland, in place of Thomas H. Hyatt, appointed consul at Morocco.

T. W. Behn, of Kentucky, to be consul of the United States for the port of Messina, in the Kingdom of the Two Sicilies, in place of Charles Sherwood, deceased.

JAMES K. POLK.

WASHINGTON, *March* 8, 1848.

To the Senate of the United States:

In answer to the resolution of the Senate of this date, requesting the President to communicate to that body, confidentially, any additional dispatches which may have been received from Mr. Trist, and especially those which are promised by him in his letter to Mr. Buchanan of the 2d of February last, if the same have been received, I have to state that all the dispatches which have been received from Mr. Trist have been heretofore communicated to the Senate.

JAMES K. POLK.

WASHINGTON, *March 8th*, 1848.

To the Senate of the United States:

In answer to the resolution of the Senate of this date, requesting the President "to inform the Senate of the terms of the authority given to Mr. Trist to draw for the three millions of dollars authorized by the act of the 2d of March, 1847," I communicate herewith a report from the Secretary of State, with the accompanying documents, which contain the information called for.

JAMES K. POLK.

WASHINGTON, *March* 8, 1848.

The messages were read.

Ordered, That the nominations of James McDowell and T. W. Behn be referred to the Committee on Commerce.

The Senate resumed the consideration of the treaty of peace, friendship, limits, and settlement between the United States of America and the Mexican Republic.

On motion by Mr. Sevier to insert in the third article, after the word "Republic," the following words, to wit: *and the ratifications exchanged*,

The question was stated, Shall these words stand as part of the article?

And it was determined in the affirmative, yeas 48.

Those who voted are,

Messrs. Allen, Ashley, Atherton, Badger, Bagby, Baldwin, Benton, Berrien, Bradbury, Bright, Butler, Calhoun, Cass, Clarke, Clayton, Corwin, Crittenden, Davis of Massachusetts, Davis of Mississippi, Dickinson, Dix, Douglas, Downs, Felch, Foote, Greene, Hale, Hannegan, Hunter, Johnson of Maryland, Johnson of Louisiana, Johnson of Georgia, Lewis, Mangum, Mason, Miller, Moor, Niles, Phelps, Rusk, Sevier, Spruance, Sturgeon, Turney, Underwood, Upham, Webster, Yulee.

On motion by Mr. Mangum to strike out of the fifteenth article the following words, to wit: "to an amount not exceeding three and one-quarter millions of dollars,"

After debate,

The question was stated, Shall these words stand as a part of this article?

It was determined in the affirmative, { Yeas 40
Nays 11

Those who voted in the affirmative are,

Messrs. Allen, Ashley, Atherton, Bagby, Baldwin, Bell, Benton, Bradbury, Breese, Bright, Butler, Calhoun, Cameron, Cass, Crittenden, Davis of Massachusetts, Dayton, Dickinson, Dix, Douglas, Downs, Felch, Foote, Hale, Hannegan, Hunter, Johnson of Maryland, Johnson of Georgia, Lewis, Mason, Miller, Moor, Niles, Phelps, Sevier, Spruance, Sturgeon, Turney, Underwood, Yulee.

Those who voted in the negative are,

Messrs. Badger, Berrien, Clarke, Clayton, Corwin, Davis of Mississippi, Greene, Johnson of Louisiana, Mangum, Rusk, Upham.

On motion by Mr. Davis, of Massachusetts, to strike out the preamble of the treaty,

After debate,

The question was stated, Shall the preamble stand as part of the treaty?

And it was determined in the affirmative, { Yeas ..... 32 / Nays 16

Those who voted in the affirmative are,

Messrs. Ashley, Atherton, Bagby, Berrien, Bradbury, Bright, Butler, Calhoun, Cass, Clarke, Dayton, Dickinson, Dix, Dowus, Felch, Foote, Hale, Hunter, Johnson of Maryland, Johnson of Louisiana, Johnson of Georgia, Mangum, Mason, Miller, Moor, Niles, Phelps, Sevier, Spruance, Sturgeon, Underwood, Yulee.

Those who voted in the negative are,

Messrs. Allen, Atchison, Badger, Benton, Clayton, Corwin, Crittenden, Davis of Massachusetts, Davis of Mississippi, Douglas, Greene, Hannegan, Lewis, Rusk, Turney, Webster.

On motion by Mr. Davis, of Mississippi, to strike out of the twelfth article the following words, to wit:

"Certificates in proper form for the said installments respectively, in such sums as shall be desired by the Mexican Government, transferable by it, shall be delivered to the said Government by that of the United States,"

After debate,

The question was stated, Shall these words stand as part of the article?

And it was determined in the negative, { Yeas ..... 34 / Nays 19

Those who voted in the affirmative are,

Messrs. Ashley, Atherton, Bagby, Bell, Bradbury, Breese, Butler, Calhoun, Cass, Clarke, Dayton, Dickinson, Dix, Downs, Felch, Foote, Greene, Hale, Hannegan, Hunter, Johnson of Maryland, Johnson of Louisiana, Johnson of Georgia, Mangum, Mason, Miller, Moor, Niles, Phelps, Sevier, Spruance, Sturgeon, Upham, Yulee.

Those who voted in the negative are,

Messrs. Allen, Atchison, Badger, Baldwin, Benton, Berrien, Bright, Clayton, Corwin, Crittenden, Davis of Massachusetts, Davis of Mississippi, Douglas, Lewis, Rusk, Turney, Underwood, Webster, Westcott.

On motion by Mr. Davis, of Mississippi, to strike out of the twelfth article the following words, to wit:

"In the one or the other of the two modes below specified. The Mexican Government shall, at the time of ratifying this treaty, declare which of these two modes of payment it prefers, and the mode so elected by it shall be conformed to by that of the United States.

"First mode of payment: Immediately after this treaty shall have been duly ratified by the Government of the Mexican Republic, the

sum of three millions of dollars shall be paid to the said Government by that of the United States, at the city of Mexico, in the gold or silver coin of Mexico. For the remaining twelve millions of dollars the United States shall create a stock, bearing an interest of six per centum per annum, commencing on the day of the ratification of this treaty by the Government of the Mexican Republic, and payable annually at the city of Washington; the principal of said stock to be redeemable there, at the pleasure of the Government of the United States, at any time after two years from the exchange of ratifications of this treaty. Six months' public notice of the intention to redeem the same being previously given, certificates of such stock, in proper form, for such sums as shall be specified by the Mexican Government, and transferable by the said Government, shall be delivered to the same by that of the United States."

"Second mode of payment,"

After debate,

The question was stated, Shall these words stand as part of the article?

And it was determined in the negative, { Yeas ..... 28 / Nays 22

Those who voted in the affirmative are,

Messrs. Ashley, Atherton, Bagby, Bell, Bradbury, Breese, Bright, Butler, Calhoun, Cass, Dickinson, Dix, Downs, Felch, Foote, Hale, Hannegan, Hunter, Johnson of Maryland, Johnson of Louisiana, Johnson of Georgia, Mason, Miller, Moor, Niles, Sevier, Sturgeon, Yulee.

Those who voted in the negative are,

Messrs. Allen, Atchison, Badger, Baldwin, Benton, Berrien, Clarke, Clayton, Corwin, Crittenden, Davis of Massachusetts, Davis of Mississippi, Douglas, Greene, Lewis, Rusk, Spruance, Turney, Underwood, Upham, Webster, Westcott.

On motion by Mr. Baldwin to insert at the end of the twelfth article the following words, to wit:

But no part of the sum of twelve millions of dollars stipulated in this article to be paid to the Mexican Republic, in consideration of the cession to the United States in sovereignty of territories heretofore pertaining to the governments of California and New Mexico, shall be deemed payable until the assent of the people and governments thereof, respectively, shall be freely given to such cession and communicated to the President,

The question was stated, Shall these words stand as part of this article?

And it was determined in the negative, { Yeas ..... 17 / Nays 35

Those who voted in the affirmative are,

Messrs. Badger, Baldwin, Berrien, Clarke, Clayton, Corwin, Crittenden, Davis of Massachusetts, Dayton, Greene, Hale, Hannegan, Miller, Spruance, Underwood, Upham, Webster.

Those who voted in the negative are,

Messrs. Allen, Ashley, Atchison, Atherton, Bagby, Bell, Benton, Bradbury, Breese, Bright, Butler, Calhoun, Cameron, Cass, Davis of Mississippi, Dickinson, Dix, Douglas, Downs, Felch, Foote, Hunter, Johnson of Maryland, Johnson of Louisiana, Johnson of Georgia, Lewis, Mangum, Mason, Moor, Niles, Rusk, Sevier, Sturgeon, Turney, Yulee.

On motion by Mr. Mangum to reconsider the vote on striking out the preamble of the treaty,

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

On motion by Mr. Davis, of Massachusetts,

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

Those who voted in the affirmative are,

Messrs. Allen, Badger, Baldwin, Bell, Benton, Berrien, Clayton, Corwin, Crittenden, Davis of Massachusetts, Davis of Mississippi, Douglas, Greene, Hannegan, Lewis, Mangum, Spruance, Upham, Webster, Westcott.

Those who voted in the negative are,

Messrs. Ashley, Atchison, Atherton, Bagby, Bradbury, Bright, Butler, Calhoun, Cameron, Cass, Clarke, Dayton, Dickinson, Dix, Downs, Felch, Foote, Hale, Hunter, Johnson of Louisiana, Johnson of Georgia, Mason, Moor, Niles, Rusk, Sevier, Sturgeon, Underwood, Yulee.

On motion by Mr. Bright to reconsider the vote on the first motion of Mr. Davis, of Mississippi, to strike out the words stated from the twelfth article of the treaty,

It was determined in the affirmative.

And the question was again stated, Shall these words stand as part of this article?

And it was determined in the negative, { Yeas ..... 30 / Nays 18

Those who voted in the affirmative are,

Messrs. Ashley, Atherton, Bagby, Bell, Bradbury, Breese, Bright, Butler, Calhoun, Cameron, Cass, Dayton, Dickinson, Dix, Downs, Felch, Foote, Hale, Hannegan, Hunter, Johnson of Maryland, Johnson of Louisiana, Johnson of Georgia, Mangum, Mason, Moor, Niles, Sevier, Sturgeon, Yulee.

Those who voted in the negative are,

Messrs. Allen, Atchison, Badger, Baldwin, Benton, Berrien, Clayton, Corwin, Crittenden, Davis of Massachusetts, Davis of Mississippi, Douglas, Lewis, Spruance, Underwood, Upham, Webster, Westcott.

Mr. Sevier 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 of peace, friendship, limits, and settlement between the United States of America and the Mexican Republic, concluded at Guadalupe Hidalgo on the 2d day of February, in the year 1848, with the following amendments:

Insert in Article III, after the words "Mexican Republic," where they first occur, the words *and the ratifications exchanged.*

Strike out the ninth article of the treaty and insert the following in lieu thereof:

ARTICLE IX.—*The Mexicans who in the territories aforesaid shall not preserve the character of citizens of the Mexican Republic, comformably with what is stipulated in the preceding article, shall be incorporated into the Union of the United States, and be admitted at the proper time (to be judged of by the Congress of the United States) to the enjoyment of all the rights of citizens of the United States, according to the principles of the Constitution, and in the mean time shall be maintained and protected in the free enjoyment of their liberty and property, and secured in the free exercise of their religion without restriction.*

Strike out the tenth article of the treaty.

Strike out of the eleventh article of the treaty the following words "nor to provide such Indians with fire arms or ammunition, by sale or otherwise."

Strike out of the twelfth article of the treaty the following words: "in the one or the other of the two modes below specified. The Mexican Government shall, at the time of ratifying this treaty, declare which

of these two modes of payment it prefers; and the mode so elected by it shall be conformed to by that of the United States.

"First mode of payment: Immediately after this treaty shall have been duly ratified by the Government of the Mexican Republic, the sum of three millions of dollars shall be paid to the said Government by that of the United States, at the city of Mexico, in the gold or silver coin of Mexico. For the remaining twelve millions of dollars the United States shall create a stock, bearing an interest of six per centum per annum, commencing on the day of the ratification of this treaty by the Government of the Mexican Republic, and payable annually at the city of Washington; the principal of said stock to be redeemable there at the pleasure of the Government of the United States at any time after two years from the exchange of ratifications of this treaty. Six months' public notice of the intention to redeem the same being previously given, certificates of such stock in proper form, for such sums as shall be specified by the Mexican Government and transferable by the said Government, shall be delivered to the same by that of the United States.

"Second mode of payment: Certificates in proper form for the said installments respectively, in such sums as shall be desired by the Mexican Government and transferable by it, shall be delivered to the said Government by that of the United States."

Insert in the twenty-third article, after the word "Washington," the following words: *or at the seat of government of Mexico.*

Strike out the additional and secret article of the treaty.

On motion by Mr. Badger,

The Senate adjourned.

FRIDAY, MARCH 10, 1848.

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 Theophilis L. Toulminn to be deputy postmaster at Mobile, in the State of Alabama, in the place of J. W. Townsend, whose commission has expired.

JAMES K. POLK.

WASHINGTON, *March* 9, 1848.

The message was read.

Ordered, That the nomination of Theophilus L. Toulminn be referred to the Committee on the Post-Office and Post-Roads.

The Senate resumed the consideration of the treaty of peace, friendship, limits, and settlement between the United States of America and the Mexican Republic, together with the resolution submitted for the ratification of the same.

On motion by Mr. Johnson, of Maryland, to amend the treaty by inserting in the resolution the following words, to wit: Insert at the end of the twelfth article the following words:

Certificates in proper form for the two first of said installments, in such sums as shall be desired by the Mexican Government and transferable by it, shall be delivered to the said Government by that of the United States,

After debate,

The question was stated, Shall these words stand as part of the resolution?

And it was determined in the negative, { Yeas ..... 33 / Nays 18

Those who voted in the affirmative are

Messrs. Ashley, Atchison, Atherton, Bagby, Bell, Bradbury, Breese, Bright, Butler, Calhoun, Cameron, Cass, Dayton, Dickinson, Dix, Downs, Felch, Foote, Hale, Hannegan, Hunter, Johnson of Maryland, Johnson of Louisiana, Johnson of Georgia, Mangum, Mason, Miller, Moor, Niles, Sevier, Sturgeon, Turney, Yulee.

Those who voted in the negative are,

Messrs. Allen, Badger, Baldwin, Benton, Berrien, Clarke, Corwin, Crittenden, Davis of Massachusetts, Davis of Mississippi, Douglas, Greene, Lewis, Spruance, Underwood, Upham, Webster, Westcott.

On motion by Mr. Cass to amend the resolution by inserting the following as a preamble thereto, to wit:

Whereas the President of the United States did, on the 15th day of April, 1847, commission Nicholas P. Trist, a citizen of the United States, to proceed to Mexico with a view of negotiating a treaty of peace with that Republic should an opportunity to affect such object be presented;

And whereas the President of the United States deemed it proper, on the 6th day of October, 1847, to recall the said Nicholas P. Trist from the said mission, which order of recall was disregarded by the said Nicholas P. Trist by his remaining at the City of Mexico after having received such order of recall;

And whereas the said Nicholas P. Trist did, on the 2d of February, 1848, notwithstanding his recall by the President, enter into an engagement purporting to be a treaty with commissioners appointed bg the President of the Mexican Republic;

And whereas the terms of the said agreement, with certain exceptions, as stated in the message of the President of the 22d of February, 1848, conform substantially to the instructions furnished to the said Nicholas P. Trist as commissioner, and the President having adopted the said agreement as a treaty and communicated the same to the Senate of the United States, with a view of its ratification: Be it therefore,

After debate,

On the question, Shall these words stand as part of the resolution?

It was determined in the negative, { Yeas ..... 26 / Nays 23

Those voting in the affirmative are,

Messrs. Allen, Ashley, Atchison, Atherton, Bagby, Bell, Benton, Bradbury, Bright, Cameron, Cass, Crittenden, Davis of Massachusetts, Davis of Mississippi, Dayton, Dickinson, Downs, Felch, Foote, Johnson of Louisiana, Lewis, Mangum, Miller, Sevier, Sturgeon, Yulee.

Those who voted in the negative are,

Messrs. Badger, Baldwin, Berrien, Butler, Calhoun, Clarke, Corwin, Dix, Douglas, Hale, Hannegan, Hunter, Johnson of Maryland, Johnson of Georgia, Mason, Moor, Niles, Rush, Spruance, Underwood, Upham, Webster, Westcott.

Mr. Webster presented a memorial of Richard S. Coxe, stating that he is the duly constituted agent and representative of numerous citizens of the United States having claims against the Republic of Mexico, stating the conventional obligations resting on that Republic to discharge the same, and submitting whether, in making an arrangement of peace with Mexico, it is not required by justice that the same provisions and principles demanded from Mexico should be assumed by the Government of the United States in the adjustment and payment of these claims.

On the question to agree to the resolution,

The question was stated, Will the Senate advise and consent to the ratification of the treaty in the form of this resolution?

And it was determined in the affirmative, { Yeas ..... 38 / Nays 14

Those who voted in the affirmative are,

Messrs. Ashley, Atherton, Bagby, Bell, Bradbury, Bright, Butler, Calhoun, Cameron, Cass, Clarke, Crittenden, Davis of Massachusetts, Davis of Mississippi, Dayton, Dickinson, Dix, Downs, Felch, Foote, Greene, Hale, Hannegan, Hunter, Johnson of Maryland, Johnson of Louisiana, Johnson of Georgia, Mangum, Mason, Miller, Moor, Niles, Rusk, Sevier, Sturgeon, Turney, Underwood, Yulee.

Those who voted in the negative are,

Messrs. Allen, Atchison, Badger, Baldwin, Benton, Berrien, Breese, Corwin, Douglas, Lewis, Spruance, Upham, Webster, Westcott.

Ordered, That the Secretary lay the said resolution before the President of the United States.

TUESDAY, MARCH 14, 1848.

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 Barnes Cuming, jr., of Michigan, to be a second lieutenant in the Fifteenth Regiment of Infantry, vice Wilkins, promoted, to rank from March 3, 1848, instead of "Thomas R. Cumming," which was a misnomer in the original nomination, dated the 3d instant.

JAMES K. POLK.

WASHINGTON, *March* 10, 1848.

To the Senate of the United States:

I nominate Thomas H. Harvey, of Missouri, as superintendent of Indian affairs for the district of Saint Louis, for four years from the 23d May next, when his present commission will expire.

JAMES K. POLK.

WASHINGTON, *March* 10, 1848.

To the Senate of the United States:

I nominate the following-named persons for the offices designated respectively:

James Logan to be agent for the Creek tribe of Indians, from the 8th June next, when his present commission will expire;

Samuel M. Rutherford, of Arkansas, appointed during the recess of the Senate, to be agent for the Choctaw Indians for four years; and

Solomon P. Soublette, of Missouri, also appointed during the recess of the Senate, to be agent for the Indians within the Osage River Agency for four years.

JAMES K. POLK.

WASHINGTON, *March* —, 1848.

To the Senate of the United States:

I nominate James D. Wasson to be deputy postmaster at Albany, in the State of New York, from and after the 29th March, 1848, when his present commission will expire.

Thomas J. Marvin to be deputy postmaster at Saratoga Springs, in the State of New York, from and after the 29th March, 1848, when his present commission expires.

James Belknap to be deputy postmaster at Newburg, in the State of New York, from and after the 29th March, 1848, when his present commission will expire.

JAMES K. POLK.

WASHINGTON, *March* 14*th*, 1848.

To the Senate of the United States:

I nominate Bion Bradbury to be collector of the customs for the district of Passamaquoddy, in the State of Maine, from the 11th day of June, 1848, when his present commission will expire.

JAMES K. POLK.

WASHINGTON, *March* 14, 1848.

To the Senate of the United States:

I nominate Reuben M. Potter, of Texas, to be a military storekeeper attached to the purchasing branch of the Quartermaster's Department of the Army of the United States, vice King, cashiered.

JAMES K. POLK.

WASHINGTON, *March* 14, 1848.

To the Senate of the United States:

I nominate Joseph A. S. Acklin to be attorney of the United States for the northern district of Alabama, his former commission having expired.

Richard M. Gaines to be attorney of the United States for the southern district of Mississippi, his former commission having expired.

Henry W. McCorry to be attorney of the United States for the western district of Tennessee, his former commission having expired.

James S. Green to be attorney of the United States for the district of New Jersey, his former commission having expired.

Henry R. Jackson to be attorney of the United States for the district of Georgia, from the 21st instant, when his present commission will expire.

Thomas C. Lyon, to be attorney of the United States for the eastern district of Tennessee, from the 29th instant, when his present commission will expire.

Robert J. Chester to be marshal of the United States for the western district of Tennessee, his former commission having expired.

J. Florentius Cox to be a justice of the peace in the county of Washington, in the District of Columbia, his former commission having expired.

JAMES K. POLK.

WASHINGTON, 14*th March*, 1848.

To the Senate of the United States:

I nominate Ambrose H. Sevier, of the State of Arkansas, to be commissioner of the United States, with the rank of envoy extraordinary and minister plenipotentiary, to the Mexican Republic.

Robert M. Walsh, of the State of Pennsylvania, to be secretary of the legation of the United States to the Mexican Republic.

JAMES K. POLK.

WASHINGTON, *March* 14*th*, 1848.

The messages were read.

Ordered, That the nominations of Thomas H. Harvey, James Logan, Samuel M. Rutherford, and Solomon P. Soublette be referred to the Committee on Indian Affairs.

Ordered, That the nominations of James D. Wasson, Thomas J. Marvin, and James Belknap be referred to the Committee on the Post-Office and Post-Roads.

Ordered, That the nomination of Bion Bradbury be referred to the Committee on Commerce.

Ordered, That the nomination of Reuben M. Potter be referred to the Committee on Military Affairs.

Ordered, That the nominations of Joseph A. S. Acklin, Richard M. Gaines, Henry W. McCorry, James S. Green, Henry R. Jackson, Thomas C. Lyon, and Robert J. Chester be referred to the Committee on the Judiciary.

Ordered, That the nomination of J. Florentius Cox be referred to the Committee on the District of Columbia.

On motion by Mr. Cass,

The Senate, by unanimous consent, proceeded to consider the nomination of Thomas Barnes Cuming, jr.; and

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

On motion by Mr. Mangum,

The Senate, by unanimous consent, proceeded to consider the nomination of Ambrose H. Sevier; and

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

On motion by Mr. Mangum,

The Senate, by unanimous consent, proceeded to consider the nomination of Robert M. Walsh; and

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

On motion by Mr. Dix,

Ordered, That the Secretary cause the printed pamphlet in the Spanish language, communicated with the message of the President of the 29 February, to be translated into English, and that both the original and the translation be printed in confidence for the use of the Senate.

Mr. Allen submitted the following resolution for consideration:

Resolved, That the injunction of secrecy be removed from the treaty between the United States and Mexico, the documents accompanying the same, and the proceedings of the Senate and debates thereon, and the documents sent to the Senate and ordered to be printed relating to the negotiation of said treaty, and also from the messages of the President of the 7th and 9th March, and documents communicated therewith.

The Senate, by unanimous consent, proceeded to consider the said resolution; and,

After debate,

On motion by Mr. Foote, that the further consideration of the resolution be postponed until Tuesday, the 11th day of April next,

On motion by Mr. Mangum,

The Senate adjourned.

SATURDAY, MARCH 18, 1848.

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 Keatly to be marshal of the United States for the western district of Pennsylvania, in the place of Arnold Plummer, resigned.

JAMES K. POLK.

WASHINGTON, *March* 17*th*, 1848.

To the Senate of the United States:

Sudden and severe indisposition has prevented and may for an indefinite period continue to prevent Ambrose H. Sevier, recently appointed commissioner to Mexico, from departing on his mission. The public interest requires that a diplomatic functionary should proceed without delay to Mexico, bearing with him the treaty between the United States and the Mexican Republic, lately ratified with amendments by and with the advice and consent of the Senate of the United States. It is deemed proper with this view to appoint an associate commissioner, with full powers to act separately or jointly with Mr. Sevier.

I therefore nominate Nathan Clifford, of the State of Maine, to be a commissioner with the rank of envoy extraordinary and minister plenipotentiary of the United States to the Mexican Republic.

JAMES K. POLK.

WASHINGTON, *March* 18, 1848.

The messages were read.

Ordered, That the nomination of John Keatly be referred to the Committee on the Judiciary.

On motion by Mr. Hannegan,

The Senate, by unanimous consent, proceeded to consider the nomination of Nathan Clifford; and

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

Mr. Atchison, from the Committee on Indian Affairs, to whom were referred, the 14th instant, the nominations of Thomas H. Harvey, James Logan, and Solomon P. Soublette, reported.

Mr. Cameron, from the Committee on the District of Columbia, to whom was referred, the 14th instant, the nomination of I. Florentius Cox, reported.

Mr. Dix, from the Committee on Commerce, to whom was referred, the 30th December last, the nomination of S. B. Phinney, reported.

Mr. Dix, from the Committee on Commerce, to whom were referred, the 8th instant, the nomination of Thomas Stewart, the 9th instant that of James McDowell, and the 14th instant that of Bion Bradbury, 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 this day referred the nomination of John Keatley, reported.

On motion by Mr. Ashley,

The Senate, by unanimous consent, proceeded to consider the said nomination; and

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

WEDNESDAY, MARCH 22, 1848.

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 N. Whiteburst to be receiver of public moneys for the district of lands subject to sale at Washington, in the State of Mississippi, his former commission having expired.

Richard Whiting to be register of the land office at Tuscaloosa, in the State of Alabama, from and after the 1st day of April, 1848, when his present commission will expire.

John S. Howze to be register of the land office at Augusta, in the State of Mississippi, from and after the 13th day of April, 1848, when his present commission will expire.

JAMES K. POLK.

WASHINGTON, *March* 20, 1848.

To the Senate of the United States:

I nominate Richard Key Watts to be a justice of the peace for the county of Washington, in the District of Columbia, his former commission having expired.

JAMES K. POLK.

WASHINGTON, *March* 20, 1848.

To the Senate of the United States:

I nominate Samuel Britton Bennett to be Navy agent at New Orleans, Louisiana, to fill the vacancy caused by the resignation of John M. Bell.

JAMES K. POLK.

WASHINGTON, *March* 20, 1848.

To the Senate of the United States:

I nominate the officers named in the accompanying communication for regular promotion in the Army of the United States, as proposed by the Secretary of War.

JAMES K. POLK.

WASHINGTON, *March* 21, 1848.

WAR DEPARTMENT, *March* 21, 1848.

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.

PROMOTIONS.

Regiment of Mounted Riflemen.

Major William W. Loring to be lieutenant-colonel, March 15, 1848, vice Fremont, resigned.

Captain George B. Crittenden to be major, March 15, 1848, vice Loring, promoted.

First Lieutenant Thomas Duncan to be captain, March 15, 1848, vice Crittenden, promoted.

Second Lieutenant Francis S. K. Russell to be first lieutenant, March 15, 1848, vice Duncan, promoted.

Ninth Regiment of Infantry.

Second Lieutenant John Glackin to be first lieutenant, January 19, 1848, vice J. F. Bragg, dropped from the rolls. (Second Lieutenant Drum was confirmed to fill this vacancy.)

Second Lieutenant Robert Hopkins to be first lieutenant, February 17, 1848, vice Jackson, promoted.

Second Lieutenant George W. May to be first lieutenant, February 23, 1848, vice Whipple, resigned.

Second Lieutenant Charles Simmons to be first lieutenant March 16, 1848, vice Pierce, resigned.

Tenth Regiment of Infantry.

First Lieutenant Francis M. Cummins to be captain, March 6, 1848, vice Wilkin, resigned.

Second Lieutenant Peter H. Bruyere to be first lieutenant, March 6, 1848, vice Cummins, promoted.

Thirteenth Regiment of Infantry.

Second Lieutenant Nathaniel Grant to be first lieutenant, February 29, 1848, vice Ripley, resigned.

I am, sir, with great respect, y'r ob't serv't

W. L. MARCY.

To the PRESIDENT OF THE UNITED STATES.

To the Senate of the United States:

I nominate the persons named in the accompanying communication for appointment in the Army of the United States, as proposed by the Secretary of War.

JAMES K. POLK.

WASHINGTON, *March* 21, 1848.

WAR DEPARTMENT, *March* 21, 1848.

SIR: I have the honor to submit the annexed list of persons for appointment in the Army of the United States, to fill the vacancies set opposite their names, respectively, viz:

APPOINTMENTS.

Eighth Regiment of Infantry.

James A. Deany, of Pennsylvania, to be second lieutenant, vice Crozet, promoted.

Thirteenth Regiment of Infantry.

Thomas J. Chilton, of Alabama, to be assistant surgeon, vice Malone, resigned.

John C. Borgh, of New York, to be an additional paymaster, vice Lansing, declined, under the 25th section of the act entitled "An act to

increase the present military establishment of the United States, and for other purposes," approved, July 5, 1838.

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

W. L. MARCY.

To the PRESIDENT OF THE UNITED STATES.

To the Senate of the United States:

I nominate Henry W. Ogden, now a commander, to be a captain in the Navy, from the 5th of February, 1848, to fill the vacancy occasioned by the death of Commodore Charles G. Ridgely.

Timothy G. Benham, now a lieutenant, to be a commander in the Navy, from the 5th of February, 1848, to fill the vacancy occasioned by the promotion of Commander Henry W. Ogden.

George H. Preble, now a master, to be a lieutenant in the Navy, from the 5th of February, 1848, to fill the vacancy occasioned by the promotion of Lieutenant Timothy G. Benham.

Henry Hunt to be a chief engineer in the Navy, from the 14th of May, 1847, at which time he was promoted to fill a vacancy.

Daniel B. Martin to be a chief engineer in the Navy, from the 14th of May, 1847, at which time he was promoted to fill a vacancy.

JAMES K. POLK.

WASHINGTON, *March* 21, 1848.

To the Senate of the United States:

I nominate Thomas B. Huger, now a master, to be a lieutenant in the Navy, from the 24th of February, 1848, to fill the vacancy occasioned by the death of Lieutenant Neil M. Howison.

JAMES K. POLK.

WASHINGTON, *March* 21, 1848.

The messages were read.

Ordered, That the nominations of William N. Whitehurst, Richard Whiting, and John S. Houze be referred to the Committee on Public Lands.

Ordered, That the nomination of Richard Key Watts be referred to the Committee on the District of Columbia.

Ordered, That the nominations of Samuel Britton Bennet, Henry W. Ogden, Timothy G. Benham, George H. Preble, Henry Hunt, Daniel B. Martin, and Thomas B. Huger be referred to the Committee on Naval Affairs.

Ordered, That the nominations of officers for promotion, and those of James A. Deany and Thomas J. Chilton for appointment in the Army be referred to the Committee on Military Affairs.

On motion by Mr. Dix,

The Senate, by unanimous consent, proceeded to consider the nomination of John C. Borgh; 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, the 9th instant, the nomination of T. W. Behn, 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 were referred, the 14th instant, the nominations of Joseph A. S. Acklin, Rich-

ard M. Gaines, Henry W. McCorry, James S. Green, Henry R. Jackson, Thomas C. Lyon, and Robert I. Chester, reported.

Whereupon

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

Mr. Yulee, from the Committee on Naval Affairs, to whom were referred, the 25th January, the nominations of William W. Russell and I. Hartley Strickland, reported.

Whereupon

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

Mr. Yulee, from the Committee on Naval Affairs, to whom were this day referred the nominations of Samuel Britton Bennett, Henry W. Ogden, Timothy G. Benham, George H. Preble, Henry Hunt, Daniel B. Martin, and Thomas B. Huger, reported.

On motion by Mr. Yulee,

The Senate, by unanimous consent, proceeded to consider the said nominations; and

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

On motion by Mr. Hannegan,

Ordered, That the Secretary return to the President of the United States the original letters communicated to the Senate the 29th February, as requested in his message of that date, when the printing shall have been completed.

THURSDAY, MARCH 23, 1848.

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

JAMES K. POLK.

WASHINGTON, *March* 22, 1848.

To the Senate of the United States:

I nominate the persons named in the accompanying communication for appointment in the Army of the United States, as proposed by the Secretary of War.

JAMES K. POLK.

WASHINGTON, *March* 23, 1848.

WAR DEPARTMENT, *March* 23, 1848.

SIR: I have the honor to submit the annexed list of persons for appointment in the Regular Army of the United States and in the volunteer staff, to fill the vacancies set opposite their names respectively, viz:

APPOINTMENTS IN THE REGULAR ARMY.

Third Regiment of Dragoons.

Hiram B. Yeager, of Pennsylvania, to be second lieutenant, vice Walker, promoted.

Frank Emerson, of Indiana, to be second lieutenant, vice Williams, promoted.

Charles F. Maguire, of Pennsylvania, to be second lieutenant, vice Haviland, resigned.

Second Regiment of Artillery.

Lloyd Beall, of Missouri, to be second lieutenant, vice Sears, promoted.

Paschal C. Greeson to be second lieutenant, vice Simpson, promoted.

Third Regiment of Artillery.

William A. Winder, of Maryland, to be second lieutenant, vice Andrews, promoted.

Fourth Regiment of Infantry.

Joseph B. Collins to be second lieutenant, vice Jones, promoted.

Eleventh Regiment of Infantry.

Joseph Depuy Davis, of Pennsylvania, to be second lieutenant, vice Tippin, promoted.

Charles Miner Stout, of Pennsylvania, to be second lieutenant, vice Johnston, deceased.

Jacob G. Frick, of Pennsylvania, to be second lieutenant, vice Briva, deceased.

Thirteenth Regiment of Infantry.

John K. McBride, of Alabama, to be second lieutenant, vice McClung, resigned.

George W. Simmons, of Alabama, to be second lieutenant, vice Grant, promoted.

Fourteenth Regiment of Infantry.

Thomas Nichols, of Louisiana, to be second lieutenant, vice Cheney, resigned.

Hamilton Montgomery, of Tennessee, to be second lieutenant, vice Love, resigned.

Fifteenth Regiment of Infantry.

Thomas S. Trask, of Ohio, to be second lieutenant, vice Wiley, promoted.

Sixteenth Regiment of Infantry.

Zebulon M. P. Hand, of Indiana, to be second lieutenant, vice Carr, resigned.

Regiment of Voltigeurs and Foot Riflemen.

William B. Fitzhugh, of Maryland, to be second lieutenant, vice Frost, promoted.

William R. Depew, of New York, to be second lieutenant, vice Forsyth, promoted.

Glassop McQuin, of Pennsylvania, to be second lieutenant, vice Gill, transferred to the Ninth Infantry.

Appointments under the fifth section of the "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," approved June 18, 1846:

Commissary's Department.

Jefferson C. Bradley, of Mississippi, to be assistant commissary with the rank of captain, vice Duerson, discharged by temporary reduction of the volunteer forces.

Medical Department.

Francis B. Thompson, of Illinois, to be assistant surgeon, vice Ash, declined.

Pay Department.

Abram B. Ragan to be additional paymaster, vice Colquitt, resigned.

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

W. L. MARCY.

To the PRESIDENT OF THE UNITED STATES.

The messages were read.

Ordered, That the nomination of Moses Johnson be referred to the Committee on Commerce.

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

Mr. Atchison, from the Committee on Indian Affairs, to whom was referred, the 30th December last, the articles of a treaty made and concluded at Leech Lake, on the 21st day of August, in the year 1847, between the United States by their commissioners Isaac A. Verplanck and Henry M. Rice, and the Pillager Band of Chippewa Indians by their chiefs, headmen, and warriors, reported the same without amendment.

Mr. Atchison, from the Committee on Indian Affairs, to whom was referred, the 30th December last, the articles of a treaty made and concluded at the Fond du Lac of Lake Superior, on the 2d day of August, in the year 1847, between the United States by their commissioners Isaac A. Verplank and Henry M. Rice, and the Chippewa Indians of the Mississippi and Lake Superior, by their chiefs and headmen, reported the same with amendments; which were read.

Mr. Breese, from the Committee on Public Lands, to whom were referred, the 22d instant, the nominations of William N. Whitehurst, Richard Whiting, and John S. Houze, reported.

Whereupon

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

Mr. Badger, from the Committee on Military Affairs, to whom was referred, the 12th January, the memorial of James W. Schaumburg, made the following report:

The Committee on Military Affairs, to whom was referred the memorial of James W. Schaumburg, respecting his claim to be recognized as an officer of the Army, report:

That the memorialist claims to be an officer in the First Regiment of Dragoons, alleges that his claim has been unjustly disregarded, and prays, in substance, that he may be recognized as being, and having been since the year 1836, an officer in that regiment; and that his rights

in the premises, so unjustly withheld from him, may, by some proper proceeding on the part of the Senate, be restored and secured to him.

The facts of the case, so far as, in the judgment of the committee, it is necessary to refer to them in order to a disposition of the memorialist's application, are these: In the year 1836 the memorialist was a second lieutenant in the First Regiment of Dragoons, and in that year his name was, by an order or under the authority of the War Department, for reasons not necessary to be stated, omitted from the roll of the Army; that in January, 1845, the then President of the United States decided that the memorialist had never been out of the Army, and ordered him to be recognized as an officer, taking rank at the head of the first lieutenants of the First Regiment of Dragoons; that afterwards, on the 26th February, 1845, the Senate adopted the following resolution:

"*Resolved*, That the Secretary of War be directed to inform the Senate how it happens that the name of James W. Schaumburg appears in the Army Register as a lieutenant in the First Regiment of Dragoons after it has been so long omitted, and by what authority it has been replaced, and whether it was not omitted in consequence of his resignation; or, if not, that he inform the Senate why it was heretofore omitted, and why it has been replaced."

That afterwards, a report having been made by the Secretary of War in answer to the resolution, the said report and papers accompanying it were on the 5th of March, 1845, referred to the Committee on Military Affairs; that on the 10th of that month other papers relating to the case of the memorialist were referred to that committee; that the committee on the 12th of that month made a written report, concluding with, and recommending the adoption of, a resolution in these words:

"*Resolved*, That the order of the late President of the 13th January, 1845, directing James W. Schaumburg to be restored to the Army, and to be recognized as an officer therein, is illegal and void; and that the name of the said James W. Schaumburg ought not to be continued on the roll of the Army."

That thereupon the Senate came to the following resolution:

"*Resolved*, That the Secretary of War be directed to furnish the Senate a copy of all the correspondence and proceedings on file in the War Department in any manner connected with the resignation and restoration of Lieutenant James W. Schaumburg, of the United States Dragoons, and also to inform the Senate whether Lieutenant Schaumburg has been allowed to receive any pay as an officer in the Army since the year anno Domini 1836."

That afterwards, a report in answer to this resolution having been laid before the Senate, the same was referred to the Committee on Military Affairs, and their report, with the documents theretofore referred, was recommitted to that committee; that on the 19th of March the committee reported that the additional matter referred to them contained much to confirm their former report, and recommended the adoption of the resolution by that committee first reported; that the Senate thereupon proceeded to the consideration of the reports from the said committee; and, after debate, resolved as follows:

"*Resolved*, That the order of the late President of 13th January, 1845, directing James W. Schaumburg to be restored to the Army, and to be recognized as an officer therein, is illegal and void; and that the name of the said James W. Schaumburg ought not to be continued on the roll of the Army.

"*Ordered*, That the Secretary lay a copy of this resolution before the President of the United States."

And that the President, in accordance with this resolution of the Senate, caused the name of the memorialist to be dropped from the roll of the Army, and has not since recognized him as an officer thereof.

It seems plain, upon the foregoing statement, that the prayer of the memorialist cannot be granted without rescinding the resolution and reversing the decision of the Senate upon his case. He claims nothing in consequence of anything which has happened since that decision, but rests his right to relief upon the ground that the decision was at the time erroneous; and being ex parte, or without notice to him, is not binding.

The decision of the Senate was upon the very question now submitted by the memorialist—a decision upon a claim of right; he alleging that he was in 1836, and had continually thereafter been, an officer of the Army, whose name had been in that year improperly dropped from the roll, and properly restored by the President's order of January 13th, 1845. If this allegation be true, then the decision of the Senate was wrong; and hence it follows that in order to give him what he claims—recognition as an officer—the decision of the Senate must be reversed, because plainly the Senate cannot upon such a question have on its Journal two independent and conflicting determinations.

The committee is of opinion that the Senate ought not to re-examine their decision, which is in the nature of a judicial sentence upon a question of right, made by the only tribunal competent to entertain the question, and when approved by the President of the United States, becoming the complete adjudication of that authority which is supreme over the subject under the Constitution and laws of the United States—an adjudication in this case not only pronounced, but carried into full execution. It is obvious that if such a decision can be re-examined, as a matter of course, upon the application of the person supposing himself aggrieved thereby, there will remain no assurance of rank—no guarantee against repeated fluctuations of decision as to the persons who compose the officers of a regiment, and the rank they hold relatively to each other—a state of insecurity of the very worst consequence to the spirit, the honor, and the efficiency of the Army. The memorialist has therefore insisted on the propriety of re-examining the decision of the Senate because of the proceedings being ex parte as to him. The committee is of opinion that the want of notice to him, if he had in fact no notice, constitutes no ground for such re-examination.

The Senate finding the name of a person on the Register of the Army as an officer of the First Regiment of Dragoons, which for nine years has not appeared there, very properly, in the exercise of a just authority, in a spirit of considerate regard for the honor of the Army, and in vindication of its constitutional rights, instituted an investigation into the reasons of this insertion on the Register of the name of one as holding an office to which no appointment could be made without its assent. The question was regularly before the Senate; their jurisdiction of it was undoubted. How far it was either necessary or proper to notify any one of its proceedings was a question addressed to the sound discretion of the Senate, and the omission to give such notice in no way affects the full legal validity of the decision. When the President of the United States directs an officer to be discharged from the Army, or, as it is sometimes called, "dropped" from the roll, he may or not notify the officer of his purpose, and call on him or not for defense or expla-

nation; but the effect of his decision is in no way affected by the giving or withholding of such notice. And so, when the Senate institutes an inquiry why a name appears on the Army list, and finds it placed there by what it deems an illegal order of the President, it may, in its discretion, before coming to a decision, either give or not give notice of its proceedings to the person whose name so appears; but the validity, the full and conclusive force of its decision, is, in either case, the same. It is to be presumed that where notice is proper, notice will be given by the President or the Senate, and where none is given it must be taken that none was properly required.

In the case before the committee it is gratifying to observe that great deliberation was used by the Senate, repeated calls for information made, the report of its Military Committee recommitted, and nothing finally decided until everything which the files of the War Office could furnish had been received and fully considered. Nor is there any reason to suppose, nor does the committee understand the memorialist to allege, that any matters of fact connected with the case, and of real importance in its decision, were unknown or overlooked. His claim rests upon the ground that as he was not a party to the proceeding he ought not to be bound by the conclusions to which the Senate came upon the facts of the case.

But if the decision is to be re-examined at the instance of the memorialist because ex parte as to him, what will follow? Suppose the Senate should now resolve that he has continually been in the First Regiment of Dragoons, and the President should approve the decision, it follows that he must at once take rank above all those officers who have been promoted to captaincies since his name has been dropped from the roll, and he may in taking his place actually displace or put back some officers to a lower grade than that which they now fill. This decision will be ex parte as to these officers in the same sense in which the former decision was ex parte as to the memorialist. Would the Senate then decline, at their instance, another examination of a question in which their rights and honor were as deeply concerned as those of the memorialist?

The First Regiment of Dragoons is serving in Mexico, and has been distinguished upon the bloodiest battle fields of that country; and it might happen that the officers interested might make successive and separate applications for re-examination, which must be entertained if the ground of the present application shall be sustained. When, in this way, can a final adjudication be expected? Must the Senate cause notifications to issue or publications to be made for all persons interested to come in and be heard? Or shall the Senate consider its solemn decision once made as conclusive? The committee is of opinion that the latter is the true and safe position to be assumed. It is best for the Army; it is, in fact, the only safe rule for the Army. It is certainly possible that the decision of the Senate against the memorialist may have been erroneous, for all bodies of men are liable to error; but there would, for the same reason, be the likely possibility of error in any decision the Senate may now or hereafter give. And as something must at last be held settled by force of authority, because it is impossible to keep such a question indefinitely open, and because there is no reason to hope a general acquiescence of all who are interested in the question in any decision to which the Senate may come, it is safest, wisest, best, to consider what has been already decided as settled, because it has been decided as an adjudication which is of itself conclusive of the rights of all.

Upon the whole, the committee, without prosecuting this reasoning further and without expressing any opinion upon the merits of the me-

morialist's claim as it stood prior to the decision made by the Senate has a clear conviction that that decision ought not to be re-examined, and therefore they recommend to the Senate the adoption of the resolution which accompanies this report.

Resolved, That the resolution of the Senate adopted on the 12th of March, 1845, in these words: "*Resolved*, That the order of the late President of the 13th January, 1845, directing James W. Schaumburg to be restored to the Army and to be recognized as an officer therein, is illegal and void; and that the name of the said James W. Schaumburg ought not to be continued on the roll of the Army"; and the subsequent approval thereof and giving effect thereto by the President of the United States constitute a full legal determination that James W. Schaumburg was not at the time of the said resolution an officer of the First Regiment of Dragoons: And therefore,

Resolved, That the prayer of the said James W. Schaumburg, in his memorial to the Senate, ought not to be granted.

On motion by Mr. Badger,

Ordered, That the report be printed in confidence for the use of the Senate.

Mr. Niles, from the Committee on the Post-Office and Post-Roads, to whom were referred, the 10th instant, the nomination of Theopholis L. Toulmin, and on the 14th instant those of James Watson, Thomas J. Marvin, and James Belknap, reported.

Whereupon

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

Mr. Cass, from the Committee on Military Affairs, to whom were referred, the 14th instant, the nomination of Reuben M. Potter, and on the 22d instant those of William W. Loring, George B. Crittenden, Thomas Duncau, Francis S. K. Russell, John Glackin, Robert Hopkins, George W. May, Charles Simmons, Francis M. Cummins, Peter H. Bruyere, and Nathaniel Grant, 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 a select committee to consist of three members, to be appointed by the Vice-President, be instructed to inquire into the manner and means by which the pending treaty with Mexico and the message of the President and documents transmitted with the treaty have been made public; and that they have power to compel the production of papers and the attendance of witnesses.

And Mr. Bradbury, Mr. Badger, and Mr. Westcott were appointed accordingly.

FRIDAY, MARCH 24, 1848.

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 communication for appointment in the Army of the United States, as proposed by the Secretary of War.

JAMES K. POLK.

WASHINGTON, *March* 24, 1848.

WAR DEPARTMENT, *March* 24, 1848.

SIR: I have the honor respectfully to submit the annexed list of persons for appointment in the Army of the United States, to fill the vacancies set opposite their names respectively, viz:

Ninth Regiment of Infantry.

Amos S. Billings, of Maine, to be second lieutenant, vice Crosby, promoted.

Albert G. Barton, of Maine, to be second lieutenant, vice Palmer, promoted.

Asa N. Wyman, of Maine, to be second lieutenant, vice Glackin, promoted.

Eleventh Regiment of Infantry.

James Grimshaw, of Pennsylvania, to be assistant surgeon, vice Scott, resigned.

I am, sir, with great respect, your ob't ser't,

W. L. MARCY.

To the PRESIDENT OF THE UNITED STATES.

To the Senate of the United States:

In answer to the resolution of the Senate of the 17th instant, requesting the President to transmit to that body "a copy of a dispatch to the U. S. consul at Monterey, T. O. Larkin, esq., forwarded in November, 1845, by Capt. Gillespie, of the Marine Corps, and which was by him destroyed before entering the port of Vera Cruz, if a communication of the same be not, in his opinion, incompatible with the public interests," I communicate herewith a report of the Secretary of State, with a copy of the dispatch referred to. The resolution of the Senate appears to have been passed in legislative session. Entertaining the opinion that the publication of this dispatch at this time will not be "compatible with the public interests," but unwilling to withhold from the Senate information deemed important by that body, I communicate a copy of it to the Senate in executive session.

JAMES K. POLK.

WASHINGTON, *March* 24, 1848.

The messages were read.

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

On motion by Mr. Hannegan,

Ordered, That the message communicating, in compliance with a resolution of the 17th instant, the copy of a dispatch to the United States consul at Monterey, be referred to the Committee on Foreign Relations.

Mr. Bradbury, from the select committee appointed the 23d instant, submitted the following report:

The select committee appointed the 23d instant, and instructed to inquire into the manner and means by which the pending treaty with Mexico and the message of the President and documents transmitted with the treaty have been made public, report:

That in fulfillment of the duty enjoined by the resolution the committee notified Mr. John Nugent, who they learned had knowledge of facts in regard to which they were directed to inquire, to appear before them, and upon his appearance they took his examination, which is annexed.

The committee do not deem it necessary to make any recommendation, or for this committee to do more at this time than report the examination and submit the matter to the consideration of the Senate.

EXAMINATION OF JOHN NUGENT.

1st question. Are you the correspondent of the New York Herald?
Answer. I am.

2d question. Do you know from whom the paper was obtained purporting to be a copy of the treaty with Mexico and the amendments in the Senate, published a few days since in the New York Herald?

Answer. I do.

3d question. Was it from a Senator, officer of the Senate, or person connected with the printing of the Senate?

Answer. It was not.

4th question. Who furnished it?

Answer. I decline to answer. To the best of my belief, it was allowed to be published from patriotic motives and to promote the public interests. I regarded and still regard the publication proper. I do not consider myself bound to declare the source whence I obtained said paper.

5th question. Was the President's message and documents published and promised to be published in the Herald since the first publication obtained in the same way?

Answer. I adopt my third answer above given as the answer to this question, so far as I know or believe. Further I decline answering, because I cannot specify the papers Mr. Bennett intends to publish.

6th question. Were any of the papers in question obtained in any wise from any person who obtained them from any Senator or officer of the Senate or any person connected with the printing, or, directly or indirectly, with the privilege or consent or connivance of such person?

Answer. Said papers were furnished by no Senator, officer, or printer of the Senate, or any third person connected with any member or officer of the Senate as clerk or member of his family.

JNO. NUGENT.

Sworn to March 24, 1848, before J. W. Bradbury, chairman.

The report was read.

On motion by Mr. Davis, of Massachusetts,

Ordered, That the report be recommitted to the committee, with instructions to proceed with the examination directed by the resolution of the 23d instant.

On motion by Mr. Hannegan,

Ordered, That two additional members be appointed on the committee by the Vice-President, and that the committee have leave to sit during the session of the Senate.; and

Mr. Hannegan and Mr. Underwood were appointed accordingly.

On motion by Mr. Mangum,

Ordered, That Mr. Badger be excused from serving on the said committee, and that a member be appointed by the Vice-President in his stead;

And

Mr. Davis, of Massachusetts, was appointed.

On motion by Mr. Davis, of Massachusetts,

Ordered, That he be excused from serving on the said committee, and that a member be appointed by the Vice-President in his stead;

And

Mr. Spruance was appointed.

Mr. Cass, from the Committee on Military Affairs, to whom were referred, the 23d instant, the nominations of William A. Winder and Thomas Nichols, reported.

Whereupon

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

MONDAY, MARCH 27, 1848.

Mr. Bradbury, from the select committee, made the following report:

The select committee of the Senate appointed under the resolutions of the 23d and 24th instant, and instructed to inquire into the manner and means by which the pending treaty with Mexico and the message of the President and documents transmitted with the message have been made public, report:

That in obedience to the last resolution of the Senate, the committee called Mr. Nugent again before them and examined him further.

His additional examination is annexed, and the original is herewith returned. This testimony contains all the information we have obtained as to the manner and means by which the treaty and documents referred to in the resolutions of the Senate have been made public.

RE-EXAMINATION OF JOHN NUGENT BEFORE THE SELECT COMMITTEE OF THE SENATE.

1st interrogatory. In answering the last question heretofore propounded to you, you state that said papers were furnished by no Senator, officer, or printer of the Senate, or any third person connected with any member or officer of the Senate as clerk or member of his family, but you do not, in that answer, negative the idea that the papers may have been obtained from a third person connected with the printing performed for the Senate, or some one employed in the office of said printer. Will you now state whether you omitted to negative the idea that the papers were so obtained, to wit, from the printers who print confidential documents for the Senate, or some one connected with them or their office, because the truth would not permit you to give such a negative?

Answer. I have no hesitation in extending to the printers of the Senate (Messrs. Ritchie and Heiss) the negative embraced in my answer to the sixth (6th) question of my former examination, to wit, that said papers were not furnished by the printers of the Senate above mentioned, or by any third person connected with them as clerk or member of their family, in the same sense in which said former answer was conceived.

2d interrogatory. Can you absolve all persons connected officially with the State Department from any aid, directly or indirectly, in furnishing you, or in your obtaining, or knowledge by them, or any of them, as to how you obtained, the copy of said treaty or the amendments thereto, or the copies of said documents, published in the New York Herald?

Answer. I can make no answer that would, by implication, admit the right of the committee to place the head or any other officer of the State Department on trial in this investigation, or in anything growing or that might possibly grow out of it. I beg to be understood, in mak-

ing this reply, as not intending to afford any conclusion or surmise of my inability to answer the question so as totally to exonerate the head and other officers of the State Department from any agency in furnishing the said papers. My objection to the question is that a direct answer, either in the affirmative or negative, would be an admission by me of the right of the committee to put a question the answer to which might, by possibility (so far as I conceive the committee to be at present informed), to inculpate the head or any other officer of the State Department, a right which, with all due respect to the committee, I am disposed to question.

JOHN NUGENT.

1848, March 25th, sworn to.

The report was read.

Mr. Cameron presented a letter from James Buchanan, Secretary of State, dated this day, and addressed to himself, stating that he had understood that suspicions were entertained that the State Department had furnished the copy of the confidential document containing the treaty with Mexico, the President's message, and the accompanying documents which appeared in the New York Herald; that it was due to himself to state that these suspicions were wholly unfounded, and that he and all the clerks in the Department of State cheerfully offer themselves to be examined on oath before the committee of the Senate upon the subject; and that it was due to the character of the Department that the Senate shall continue the investigation until every trace of suspicion against him and the gentleman who had custody of the copies sent to that Department shall be removed.

TUESDAY, MARCH 28, 1848.

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 William Hunley to be register of the land office for the district of lands subject to sale at Grenada, in the State of Mississippi, in the place of Reuben H. Boone, resigned.

JAMES K. POLK.

WASHINGTON, *March 27th*, 1848.

The message was read.

Ordered, That the nomination of William Hunley be referred to the Committee on Public Lands.

Mr Cameron, from the Committee on the District of Columbia, to whom was referred, the 22d instant, the nomination of Richard Key Watts, reported.

On motion by Mr. Breese,

The Senate proceeded to consider the nomination of Elisha Morrow; and

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

On motion by Mr. Atchison,

The Senate proceeded to consider the nomination of James Logan; and

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

On motion by Mr. Hannegan,

The Senate proceeded to consider the report made by the select committee on the 27th instant; and

After debate,

Mr. Hale submitted the following resolutions for consideration:

Resolved, That the Sergeant-at-Arms be directed to bring John Nugent before the Senate in executive session, to-morrow at one o'clock, then and there to be examined touching the publication of the Mexican treaty and correspondence.

Resolved, That said witness cannot rightfully refuse to answer any interrogatory which does not criminate himself.

Resolved, That in case said witness shall continue to stand in contumacy, it will become the duty of the Senate to take strong and decided measures to maintain and enforce its authority.

WEDNESDAY, MARCH 29, 1848.

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 Joshua L. Martin, now secretary of the legation of the United States at Paris, to be chargé d'affaires of the United States to the Papal States.

Elijah Hise, of Kentucky, to be chargé d'affaires of the United States to the Republic of Guatemala.

John Appleton, of Maine, to be chargé d'affaires of the United States to the Republic of Bolivia.

JAMES K. POLK.

WASHINGTON, *March* 29, 1848.

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 submitted by the Secretary of War.

JAMES K. POLK.

WASHINGTON, *March* 29, 1848.

WAR DEPARTMENT, *March* 29, 1848.

SIR: I have the honor respectfully to propose for your approbation the annexed list of regular promotions in the Army of the United States:

REGULAR PROMOTIONS IN THE ARMY OF THE UNITED STATES.

Ordnance Department.

Lieutenant-Colonel George Talcott to be colonel, March 25, 1848, vice Bomford, deceased.

Major Henry K. Craig to be lieutenant-colonel, March 25, 1848, vice Talcott, promoted.

Captain William H. Bell to be Major, March 25, 1848, vice Craig, promoted.

First Lieutenant Louis A. B. Walbach to be captain, March 25, 1848, vice Bell, promoted.

Second Lieutenant James G. Benton to be first lieutenant, March 25, 1848, vice Walbach, promoted.

I am, sir, with great respect, your ob't ser't,

W. L. MARCY.

To the PRESIDENT OF THE UNITED STATES.

The messages were read.

Ordered, That the nominations of Joshua L. Martin, Elijah Hise, and John Appleton be referred to the Committee on Foreign Relations.

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

Mr. Cass, from the Committee on Military Affairs, to whom were referred, the 22d instant, the nominations of James A. Deany and Thomas J. Chilton; on the 23d instant, those of Hiram B. Yeager, Frank Emerson, Lloyd Beall, Paschal C. Greeson, Joseph B. Collins, Joseph Depuy Davis, Charles Miner Stout, Jacob G. Frick, John K. McBride, George W. Simmons, Hamilton Montgomery, Thomas S. Trask, Zebulon M. P. Hand, William B. Fitzhugh, William R. Depew, Glassop McQuire, Jefferson C. Bradley, Francis B. Thompson, and Abram B. Ragan; and, on the 24th instant, those of Amos A. Billings, Albert G. Barton, Asa N. Wyman, and James Grimshaw, 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. Moor,

The Senate proceeded to consider the nomination of S. B. Phinney; and

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

The Senate proceeded to consider the nominations of J. Florentius Cox and Richard K. Watts; 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 report of the select committee made the 27th instant, together with the resolution submitted the 28th instant by Mr. Hale; and

After debate,

On motion by Mr. Westcott to amend the said resolution by striking out all after the word "Resolved" and inserting in lieu thereof the following:

That the report and papers submitted to the Senate by the select committee heretofore appointed to make certain investigations be referred to the Committee on the Judiciary, to inquire and report as to the proper action to be had by the Senate thereon,

It was determined in the negative.

On motion by Mr. Berrien to amend the said resolution by striking out all after the word "Resolved" and inserting in lieu thereof the following:

That it appearing to the Senate, by the report of the select committee in the matter of the publication purporting to be the treaty with Mexico, amendments, and certain documents relating thereto, that John Nugent, a witness summoned before the said committee, had refused to answer a question propounded to him by the committee, therefore that the Sergeant-at-Arms do bring the said John Nugent to the bar of the Senate, then and there to testify in the matter aforesaid, on Thursday next at one o'clock p. m,

It was determined in the affirmative.

On motion by Mr. Downs to reconsider the vote on agreeing to the said amendment,

It was determined in the affirmative.

On motion by Mr. Downs,

The said amendment was modified and the resolution was agreed to, as follows:

Resolved, That it appearing to the Senate by the report of the select committee in the matter of the publicatcn purporting to be the treaty with Mexico, amendments, and certain documents relating thereto, that John Nugent, a witness summoned before the said committee, had refused to answer a question propounded to him by the committee, therefore that the Sergeant-at-Arms do bring the said John Nugent to the bar of the Senate, then and there to testify in the matter aforesaid, on Thursday next at one o'clock, p. m.; and that the Presiding Officer issue his warrant for this purpose.

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

Resolved, That Messrs. Benton, Berrien, and Johnson of Maryland be appointed a committee to prepare questions to John Nugent when brought to the bar of the Senate.

THURSDAY, MARCH 30, 1848.

Mr. Hennegan, from the Committee on Foreign Relations, to whom were referred, the 29th instant, the nominations of Joshua L. Martin and John Appleton, 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, the 28th instant, the nomination of William Hunley, reported.

Mr. Benton, from the select committee appointed the 29th instant to prepare questions to John Nugent when brought to the bar of the Senate, reported the following questions:

1. Have you any connection with or agency for the proprietor of a newspaper published in the city of New York and called the New York Herald? If yea, state what is that connection or agency.

2. Do you know that an instrument purporting to be a copy of the treaty between the United States of America and the Mexican Republic, with the amendments made by the Senate thereto and the proceedings of the Senate thereon, was published in that newspaper? Declare.

3. Do you know by whom the copy of the instrument, with the amendments thereto and proceedings thereon, in the last preceding interrogatory specified, was furnished to the editor or publishers, or any agent of the editor or publishers, of the said newspaper called the New York Herald? If yea, declare and specify such person or persons.

4. Did you copy the parts purporting to be amendments of the treaty yourself, for the purpose of sending them to the editor of the New York Herald, or for any other purpose? If you answer in the negative, then say if you know by whom they were copied.

5. Where, in what place or house, and at what time were the said amendments of the treaty copied.

6. Where, in what place, at what house, and at what time did you first receive the printed copy of the confidential documents printed in the Herald?

On motion by Mr. Johnson of Maryland,

Ordered, That the Vice-President put the said interrogatories to John Nugent, and that the answers of the witness be reduced to writing by the Secretary.

The Sergeant-at-Arms having made his return to the Vice-President on the warrant which was issued to that officer on the 29th instant, from which it appeared that he had now in custody the said John Nugent, he was directed by the Vice-President to bring him to the bar of the Senate.

The said John Nugent was then brought to the bar of the Senate, and presented a paper protesting against the institution of this proceeding by the Senate, and asking that it may be read before he was required to answer any interrogatories.

On motion, leave being granted, the paper was read; and

Ordered, That it lie on the table.

John Nugent then said: "I respectfully demand, as a right, to know what the Senate wish to elicit by their several interrogatories before I answer them. On this I ask the decision of the Senate."

On which he was ordered to withdraw.

Mr. Johnson, of Maryland, submitted the following resolution:

Resolved, That John Nugent be brought to the bar of the Senate; that an oath to make true answers to such questions as may be propounded to him be administered to him by the President, touching the publication in the New York Herald of sundry documents purporting to be copies of the treaty between the United States and Mexico, the amendments and proceedings of the Senate thereon; that the President inform John Nugent that the several questions to which the Senate desire his answers will be proposed to him, and that his answer to each question will be required.

The Senate, by unanimous consent, proceeded to consider said resolution; and

On motion by Mr. Lewis to amend the same by adding at the end thereof the following: *and that any further proceedings upon this subject be had with open doors*,

It was determined in the affirmative.

On motion by Mr. Johnson, of Maryland,

The vote agreeing to the said amendment was reconsidered.

The question being again put on agreeing to the said amendment,

It was determined in the negative.

The resolution was then agreed to.

John Nugent was then brought to the bar of the Senate, and the oath required by the preceding resolution having been proposed to him by the Vice-President, he stated that he would take an oath to reply to the interrogatories with the exception of such as he could not answer.

On which he was again ordered to retire.

On motion by Mr. Johnson, of Maryland, that the following oath be administered to the witness by the Vice-President, to wit:

The evidence you shall give on the inquiry now pending before the Senate shall be the truth, the whole truth, and nothing but the truth: so help you God,

It was determined in the affirmative.

John Nugent was again brought to the bar of the Senate, and the said oath was administered to him by the Vice-President.

The first interrogatory was then propounded to John Nugent by the Vice-President, to which he made the following:

1. Answer. I am connected with the New York Herald as correspondent of that paper.

To the second interrogatory he made the following:

2. Answer. I have seen in that newspaper a paper purporting to be the treaty, with a portion of the amendments and a portion of the proceedings of the Senate.

To the third interrogatory he made the following:

3. Answer. To the best of my knowledge and belief, the instrument purporting to be the treaty with Mexico, with the amendments and the portion of the proceedings of the Senate, that appeared in the Herald, was furnished through me.

To the fourth interrogatory he made the following:

4. Answer. Those parts were substantially furnished in my own handwriting by me to the New York Herald.

To the fifth interrogatory he made the following:

5. Answer. As far as I can recollect, all the papers furnished by me to the Herald in writing relating to that treaty were written in my room in the house in which I reside, in G street, between 13th and 14th streets, in this city. I cannot specify the times at which those papers were written.

To the sixth interrogatory he made the following:

6. Answer. I object to that question. Have I not a right to object to a question?

The witness being informed by the Vice-President that he was not bound to criminate himself, proceeded:

I do not object to that question on the ground that it will criminate myself. I consider myself bound in honor not to answer it.

On motion by Mr. Johnson, of Maryland,

Ordered, That the Vice-President propound to John Nugent the following:

7. Interrogatory. In answer to the third interrogatory you have stated that you have furnished the papers therein referred to to the editor of the New York Herald. State from whom you received the said treaty with Mexico, with the amendments and the said portion of the proceedings of the Senate.

And the question being accordingly propounded to him, he said:

Before replying to that question, I desire to know from the Vice-President whether I may be allowed to withdraw the latter part of my answer to the last interrogatory, in these words, to wit: "I consider myself bound in honor not to answer it."

And John Nugent being ordered to withdraw,

On motion by Mr. Underwood, that John Nugent have leave to withdraw the latter part of his last answer as stated,

It was determined in the affirmative.

And the question on the 7th interrogatory being again propounded to John Nugent, he made the following:

7. Answer. I respectfully decline to answer.

On motion by Mr. Johnson, of Maryland,

Ordered, That the Vice-President propound to John Nugent the following:

8th interrogatory. In your answer to the fourth interrogatory you state that the amendments therein referred to were communicated to the Herald in your handwriting; did you copy the same, and from what did you copy, and when and where, and from whom did you procure the original from which you copied the same?

And the question being accordingly propounded to him, he made the following:

8th answer. I cannot answer that question with accuracy, and there-

fore decline to answer, and for the same reason that I declined to answer the last question.

On motion by Mr. Johnson, of Maryland,

Ordered, That the Vice-President propound to John Nugent the following:

9th interrogatory. You say in answer to the last question that you decline to answer the same because you cannot answer it with accuracy; state why you cannot answer with accuracy; is it because you do not recollect the facts inquired of?

And the question being accordingly propounded to him, he made the following:

9. Answer. A portion of those facts I do not recollect with accuracy.

On motion by Mr. Johnson, of Maryland,

Ordered, That the Vice-President propound to John Nugent the following:

10th interrogatory. What portion of the facts do you not recollect with accuracy; is it as to the person from whom you obtained the papers or any of them referred to?

And the question being accordingly propounded to him, he made the following:

10. Answer. I wish this answer to apply to a portion of the facts; I also desire to ascertain whether this question refers to the treaty, amendments, and proceedings.

On being informed by the Vice-President that it did, he then answered: That it is too comprehensive to answer at one time.

On motion by Mr, Johnson, of Maryland,

Ordered, That the Vice-President propound to John Nugent the following:

11. Interrogatory. State from whom you received the treaty.

12. Interrogatory. State from whom you received the amendments.

13. Interrogatory. State from whom you received the proceedings of the Senate heretofore inquired of.

14. Interrogatory. Was the copy of the treaty you forwarded to the Herald a printed copy?

And the said interrogatories having been propounded to him, accordingly, he made to them, respectively, the following:

11. Answer. I decline to answer that question.

12. Answer. I decline to answer that question.

13. Answer. I decline to answer that question.

14. Answer. I decline to answer that question.

John Nugent then expressing a desire to be permitted to withdraw his answers to the eighth, ninth, and tenth interrogatories, he was ordered to withdraw.

On motion that John Nugent have leave to withdraw the answers as requested,

It was determined in the negative.

John Nugent, on being recalled, was informed by the Vice President that his request to be allowed to withdraw his answers to the eighth, ninth, and tenth interrogatories was not granted.

Whereupon he requested to be permitted to modify those answers, and the said interrogatories having been at his request again read to him, he stated that if permitted he would desire to modify them, respectively, by changing them to read as follows:

8. Answer. I decline to answer that question.

9. Answer. Upon consulting my memory the principal portion of those facts I do recollect, but another portion I do not recollect, and therefore I desire to say, I decline to answer this question.

10. Answer. This question comprehends too many interrogatories to be answered in one reply.

John Nugent was then ordered to withdraw.

Mr. Johnson, of Maryland, submitted the following preamble and resolution for consideration:

Whereas John Nugent having been summoned, and having appeared at the bar of the Senate, and having been sworn as a witness, he answered the following interrogatories:

1. Have you any connection with or agency for the proprietor of the newspaper published in the city of New York, and called the New York Herald? If yea, state what is that connection or agency.

2. Do you know that an instrument purporting to be a copy of the treaty between the United States of America and the Mexican Republic, with the amendments made by the Senate thereto and the proceedings of the Senate thereon, was published in that newspaper? Declare.

3. Do you know by whom the copy of the instrument with the amendments thereto and proceedings thereon, in the last preceding interrogatory specified, was furnished to the editors or publishers or any agent of the editor or publishers of the said newspaper called the New York Herald? If yea, declare or specify such person or persons.

4. Did you copy the parts purporting to be amendments of the treaty yourself, for the purpose of sending them to the editor of the New York Herald or for any other purpose? If you answer in the negative, then say, if you know, by whom they were copied.

5. Where, in what place or house, and at what time were the said amendments copied?

And having refused to answer the following interrogations:

6. Where, in what place, or at what house, and at what time did you first receive a printed copy of the confidential document containing the treaty, the President's message, and also the other confidential documents printed in the Herald?

7. In answer to the third interrogatory you have stated that you furnished the papers therein referred to, the editor of the New York Herald. State from whom you received the said treaty with Mexico with the amendments and the said portion of the proceedings of the Senate.

8. In your answer to the fourth interrogatory you state that the amendments there referred to were communicated to the Herald in your handwriting. Did you copy the same, and from what did you copy, and when, and where, and from whom did you procure the original from which you copied the same?

9. You say, in answer to the last question, that you decline to answer the same because you cannot answer it with accuracy. State why you cannot answer it with accuracy. Is it because you do not recollect the facts inquired of?

10. What portion of the facts do you not recollect with accuracy; is it as to the persons from whom you obtained the papers or any of them referred to?

11. State from whom you received the treaty.

12. State from whom you received the documents.

13. State from whom you received the proceedings of the Senate heretofore inquired of.

14. Was the copy of the treaty you forwarded to the Herald a printed copy?

Resolved, That he, the said John Nugent, has thereby committed a contempt against the authority of the Senate, and that he remain in the

custody of the Sergeant-at-Arms until he answers the said interrogatories or until the further order of the Senate.

The Senate, by unanimous consent, proceeded to consider the said resolution and agreed thereto.

On motion by Mr. Johnson, of Maryland, that the vote agreeing to the said resolution be reconsidered,

It was determined in the affirmative.

On motion by Mr. Johnson, of Maryland, that he have leave to withdraw the said resolution,

It was determined in the negative.

On motion by Mr. Johnson, of Maryland,

Ordered, That John Nugent be, and he is hereby, ordered into the custody of the Sergeant-at-Arms until he answers the said questions which he has declined to answer or until the further order of the Senate.

On motion by Mr. Hannegan,

The Senate adjourned.

FRIDAY, MARCH 31, 1848.

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 Joseph W. Fabens, of Massachusetts, to be consul of the United States for the port of Cayenne, in French Guiana.

JAMES K. POLK.

WASHINGTON, *March 30th*, 1848.

To the Senate of the United States:

I nominate David L. McGugin, of Ohio, to be surgeon of the 15th Regiment of Infantry, to fill a vacancy caused by the decease of Surgeon James B. Slade, to rank from this date.

JAMES K. POLK.

WASHINGTON, *March 31st*, 1848.

The messages were read.

On motion by Mr. Dix,

The Senate, by unanimous consent, proceeded to consider the nomination of Joseph W. Fabens; and

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

Ordered, That the nomination of David L. McGugin be referred to the Committee on Military Affairs.

Mr. Hannegan, from the Committee on Foreign Relations, to whom was referred, the 29th instant, the nomination of Elijah Hise, reported.

Whereupon

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

The Senate proceeded to consider the nomination of William Hunley; and

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

On motion by Mr. Johnson, of Maryland,

Ordered, That the Sergeant-at-Arms be directed to bring John Nugent to the bar of the Senate, and that the Vice-President then ask the

said John Nugent whether he is now prepared to answer the interrogatories to which he has heretofore declined to answer.

The said John Nugent was then brought to the bar of the Senate, and the question stated in the preceding resolution having been propounded to him by the Vice-President,

He said: May I ask that the paper which I hold in my hand may be read? I ask the decision of the Senate on my application.

The Vice-President inquired whether the paper offered was intended as an answer to the question just put to him; and John Nugent having replied that it was not an answer, but a protest against a part of the proceedings of the Senate of yesterday, he was ordered to withdraw..

On motion by Mr. Johnson, of Maryland, and by unanimous consent,

Resolved, That before the Senate will receive any paper from the witness they will require him to say, first, whether he is willing to answer the interrogatories which he has heretofore refused to answer.

John Nugent was then ordered to the bar of the Senate, and the Vice-President having read to him the preceding resolution, again inquired: Mr. Nugent, are you now willing to answer the interrogatories which you have heretofore refused to answer?

Whereupon he said: If the Senate will not receive the paper, I ask that an explanation may be received from me. I do not now desire to offer the paper, but to make a verbal explanation, to be taken down in writing. I certainly beg leave to insist upon a decision of the Senate upon my application.

The Vice-President then inquired: Mr. Nugent, do you now decline to answer the interrogatories?

To which he replied: I still decline to answer the interrogatories.

Upon which John Nugent was ordered to withdraw.

On motion by Mr. Foote that the protest of John Nugent against the proceedings of the Senate be received and entered upon the Journal,

It was determined in the negative.

Mr. Berrien submitted the following resolution for consideration:

Resolved, That John Nugent be brought to the bar, and that the Presiding Officer inquire from him whether he has any cause to show why he should not be committed to close custody for the contempt committed against the Senate by his refusal to answer the questions proposed to him. .

The Senate, by unanimous consent, proceeded to consider the said resolution.

On motion by Mr. Foote to amend the resolution by adding at the end thereof the following words:

And that should he desire the assistance of counsel it will be allowed to him,

It was determined in the negative.

The resolution was then agreed to.

John Nugent was then brought to the bar,

And the Vice-President said: Mr. Nugent, I am directed to inquire whether you have any cause to show why you should not be committed to close custody for the contempt committed against the Senate by your refusal to answer the interrogatories proposed to you?

John Nugent then said: In the first place, I again beg leave to protest respectfully against the proceedings of the Senate, and to say that I desire to show cause, and to have time to show cause, as I am not prepared now to do so.

On being asked by the Vice-President what time he desired, he replied: If the Senate will allow me I should like to have until Tuesday next.

On motion by Mr. Foote that John Nugent be allowed until Tuesday next, agreeably to his desire,

John Nugent was ordered to withdraw; and

On motion by Mr. Mangum,

Ordered, That the motion of Mr Foote lie on the table.

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

Resolved, That the Vice-President inform the witness that it is the sense of the Senate that he show cause at once why he should not be committed for a contempt which the Senate has decided he has committed against the authority of the body.

John Nugent was then brought to the bar,

And the Vice-President having informed the Senate that the Sergeant-at-Arms had reported to him that a quorum of the members were not present, John Nugent was directed to withdraw.

On motion by Mr. Mangum that a call of the Senate be made, and that the Vice-President order the Sergeant-at-Arms to request the attendance of the absent members,

It was determined in the affirmative.

And the roll being called through, the following twenty-nine members answered to their names, to wit:

Messrs. Ashley, Atchison, Bagby, Bell, Berrien, Butler, Calhoun, Davis, Dickinson, Douglas, Downs, Foote, Hannegan, Hunter, Johnson, of Maryland, Johnson, of Georgia, Lewis, Mangum, Miller, Moor, Niles, Pearce, Phelps, Rusk, Spruance, Turney, Underwood, Upham, Westcott.

On motion by Mr. Berrien that further proceedings in the call be dispensed with,

It was determined in the affirmative, { Yeas ..... 19 / Nays 10

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. Ashley, Bagby, Bell, Berrien, Butler, Calhoun, Dickinson, Hannegan, Hunter, Johnson of Maryland, Miller, Moor, Niles, Pearce, Phelps, Rusk, Spruance, Turney, Underwood, Upham.

Those who voted in the negative are,

Messrs. Atchison, Davis of Mississippi, Douglas, Downs, Foote, Johnson of Lewis, Mangum, Turney, Westcott.

On motion by Mr. Johnson, of Georgia that the Senate do now adjourn,

It was determined in the negative.

John Nugent was again brought to the bar, and the Vice-President said to him: Mr. Nugent, I am directed to apprise you that it is the sense of the Senate that you show cause at once why you should not be committed for the contempt which the Senate has decided you have committed against the authority of the body.

To which John Nugent replied: From a confinement of two days in the close rooms of this building and from other causes I feel myself unable to proceed in showing cause at present. If, however, the Senate wish to take advantage of these circumstances I must submit myself to its pleasure.

John Nugent was then ordered to withdraw.

On motion by Mr. Johnson, of Maryland,

The Senate proceeded to consider the resolution, with the preamble, submitted the 30th instant.

On motion by Mr. Foote, that the said resolution be amended by striking out all after the word "Resolved," and inserting in lieu thereof the following:

That the witness having alleged bodily indisposition and want of mental preparation for the showing required at his hands, be allowed until Monday one o'clock, to prepare said showing,

It was determined in the negative, { Yeas ..... 9 / Nays 20

On motion by Mr. Foote,

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

Those who voted in the affirmative are,

Messrs. Atchison, Dickinson, Dix, Foote, Hunter, Johnson of Georgia, Lewis, Rusk, Westcott.

Those who voted in the negative are,

Messrs. Ashley, Bagby, Bell, Berrien, Butler, Calhoun, Downs, Hale, Hannegan, Johnson of Maryland, Mangum, Miller, Moor, Niles, Pearce, Phelps, Spruance, Turney, Underwood, Upham.

So the amendment was not agreed to.

On motion by Mr. Johnson, of Maryland, to amend the resolution by striking out the words "remain in the custody of the Sergeant-at Arms" and inserting the following in lieu thereof, to wit: *be held in close custody by the Sergeant-at-Arms.*

It was determined in the affirmative.

On motion by Mr. Mangum, that the Vice-President administer to Robert Beale, Sergeant-at-Arms, an oath that he will true answers make to such interrogatories as may be put to him,

It was determined in the affirmative.

Whereupon, the said oath being administered to him, Mr. Mangum put to Robert Beale, Sergeant-at-Arms, the following questions, to which he made, respectively, the answers which follow the same:

1. Question. Have you had John Nugent in your custody since yesterday.

Answer. I have, sir.

2. Question. Where did you keep him?

Answer. I took him to my house yesterday, kept him there last night, and brought him to the Capitol this morning, and have kept him in the room of the Committee on Territories until he was brought to the bar.

3. Question. Have you heard John Nugent complain of being seriously indisposed until you heard him say so before the Senate?

Answer. I have not heard him say so until I heard him before the Senate.

4. Question. Has he complained of any rigor or inconvenience from his confinement?

Answer. He has not so complained.

5. Question. Has he had his usual meals to-day?

Answer. He breakfasted at my house, and has had his other meals at the Capitol.

The question then recurred on agreeing to the resolution as amended, together with the preamble,

And it was determined in the affirmative, { Yeas ..... 26 / Nays 6

On motion by Mr. Foote,

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

Those who voted in the affirmative are,

Messrs. Ashley, Atchison, Bagby, Bell, Berrien, Butler, Calhoun, Davis of Mississippi, Dayton, Dix, Downs, Hale, Hannegan, Johnson

of Maryland, Johnson of Georgia, Mangum, Miller, Moor, Niles, Pearce, Phelps, Rusk, Spruance, Turney, Underwood, Upham.

Those who voted in the negative, are,

Messrs. Dickinson, Douglas, Foote, Hunter, Lewis, Westcott.

So the preamble and resolution were agreed to, as follows:

Whereas John Nugent having been summoned and having appeared at the bar of the Senate, and having been sworn as a witness, he answered the following interrogatories:

1. Have you any connection with or agency for the proprietor of the newspaper published in the city of New York, and called the New York Herald? If yea, state what is that connection or agency.

2. Do you know that an instrument purporting to be a copy of the treaty between the United States of America and the Mexican Republic, with the amendments made by the Senate thereto and the proceedings of the Senate thereon, was published in that newspaper? Declare.

3. Do you know by whom the copy of the instrument with the amendments thereto and proceedings thereon in the last preceding interrogotory specified was furnished to the editor or publishers or any agent of the editor or publishers of the said newspaper called the New York Herald? If yea, declare, and specify such person or persons.

4. Did you copy the parts purporting to be amendments of the treaty yourself for the purpose of sending them to the editor of the New York Herald, or for any other purpose? If you answer in the negative, then say if you know by whom they were copied.

5. Where, in what place or house, and at what time were the said amendments of the treaty copied?

And having refused to answer the following interrogatories:

6. Where, in what place, or at what house and at what time did you first receive a printed copy of the confidential document containing the treaty, the President's message, and also the other confidential documents printed in the Herald?

7. In answer to the third interrogatory you have stated that you furnished the papers therein referred to to the editor of the New York Herald; state from whom you received the said treaty with Mexico, with the amendments and the said portion of the proceedings of the Senate.

8. In your answer to the fourth interrogatory you state that the amendments there referred to were communicated to the Herald in your handwriting. Did you copy the same, and from what did you copy and when and where and from whom did you copy, and when and where and from whom did you procure the original from which you copied the same?

9. You say in answer to the last question, that you decline to answer the same because you cannot answer it with accuracy; state why you cannot answer it with accuracy. Is it because you do not recollect the facts inquired of?

10. What portion of the facts do you not recollect with accuracy; is it as to the person from whom you obtained the papers or any of them referred to?

11. State from whom you received the treaty.

12. State from whom you received the documents.

13. State from whom you received the proceedings of the Senate heretofore inquired of.

14. Was the copy of the treaty you forwarded to the Herald a printed copy?

Resolved, That he, the said John Nugent, has thereby committed a contempt against the authority of the Senate, and that he be held in

close custody by the Sergeant-at-Arms until he answer the said interrogotories, or until the further order of the Senate.

John Nugent was then brought to the bar, and the Vice-President read to him the said preamble and resolution, after which he was ordered into the custody of the Sergeant-at-Arms, and he withdrew.

On motion by Mr. Mangum,

The Senate adjourned.

MONDAY, APRIL 3, 1848.

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 tho persons named in the accompanying communication for appointment in the Army of the United States, as proposed by the Secretary of War.

JAMES K. POLK.

WASHINGTON, *April* 3, 1848.

WAR DEPARTMENT, *April* 1, 1848.

SIR: I have the honor to submit the annexed list of persons for appointment in the Regular Army of the United States and in the volunteer staff, to fill the vacancies set opposite their names, respectively.

APPOINTMENTS IN THE REGULAR ARMY.

Fifteenth Regiment of Infantry.

Edwin R. Merrifield, of Michigan, to be second lieutenant, vice Merrifield, resigned.

Wellington C. Burnett, of Michigan, to be second lieutenant, vice Doyle, deceased.

Allen T. Welch, of Michigan, to be second lieutenant, vice Beach, promoted.

Marquis L. Olds, of Ohio, to be second lieutenant, vice Ketchum, promoted.

Appointments under the fifth section of the "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," approved June 18, 1846:

Medical Department.

William A. Russell, of Tennessee, to be surgeon, vice Irwin, resigned.

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

W. L. MARCY.

To the PRESIDENT OF THE UNITED STATES.

To the Senate of the United States:

I nominate Vanburgh Livingston, of New York, to be chargé d'affaires of the United States to the Republic of Ecuador.

JAMES K. POLK.

WASHINGTON, *April* 3, 1848.

The messages were read.

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

Ordered, That the nomination of Vanburgh Livingston be referred to the Committee on Foreign Relations.

Mr. Dix, from the Committee on Commerce, to whom was referred, the 23d March, the nomination of Moses Johnson, reported.

Whereupon

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

On motion by Mr. Atchison,

The articles of a treaty made and concluded at the Fond du Lac of Lake Superior on the second day of August, in the year 1847, between the United States, by their commissioners, Isaac A. Verplank and Henry M. Rice, and the Chippewa Indians of the Mississippi and Lake Superior, by their chiefs and headmen, was read the second time, and, together with the amendments reported thereto by the Committee on Indian Affairs, was considered as in Committee of the Whole, and the amendments were unanimously agreed to.

No further amendment being made, the treaty as amended was reported to the Senate, and the amendments were unanimously concurred in.

Mr. Atchison 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 Fond du Lac of Lake Superior, on the 2d day of August, in the year 1847, between the United States, by their commissioners, Isaac A. Verplanck and Henry M. Rice, and the Chippewa Indians of the Missisippi and Lake Superior, by their chiefs and headmen, with the following amendments:

Strike out of Article 3 the words "chiefs of" wherever they occur in said article.

Insert in Article 3, after the words "place or places," where they first occur, the followings words: *and in such manner.*

Strike out the fifth article of the treaty in the following words:

"ARTICLE 5. The United States agree to establish an agency on or near the Mississippi River, at a point convenient for the Chippewas of the Mississippi, immediately after the ratification of this treaty, or as soon thereafter as may be, to be located at such point as the President may direct; the amount of annuities to which the Chippewas of the Mississippi are entitled under this and all former treaties shall be paid to them at the said agency; and the amount of their just proportion of annuities resulting from former treaties shall be determined by the President."

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 30.

Those who voted are,

Messrs. Allen, Ashley, Atchison, Atherton, Bagby, Bradbury, Butler, Clarke, Clayton, Davis of Mississippi, Dickinson, Dix, Douglas, Downs, Felch, Greene, Hannegan, Houston, Johnson of Maryland, Lewis, Mangum, Miller, Moor, Niles, Phelps, Rusk, Spruance, Turney, Underwood, Upham.

Ordered, That the Secretary lay the said resolution before the President of the United States.

On motion by Mr. Atchison,

The articles of a treaty made and concluded at Leech Lake on the 21st day of August, in the year eighteen hundred and forty-seven, be-

tween the United States, by their commissioners, Isaac A. Verplanck and Henry M. Rice, and the Pillager Band of Chippewa Indians, by their chiefs, head men, and warriors, was read the second time, and considered as in Committee of the Whole; and no amendment being made, it was reported to the Senate.

Mr. Atchison 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 Leech Lake on the 21st day of August, in the year eighteen hundred and forty-seven, between the United States, by their Commissioners, Isaac A. Verplanck and Henry M. Rice, and the Pillager Band of Chippewa Indians, by their chiefs, head men, and warriors.

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 ..... 34 / Nays 1

Those who voted in the affirmative are,

Messrs. Allen, Ashley, Atchison, Atherton, Bagby, Benton, Bradbury, Breese, Calhoun, Cass, Clarke, Clayton, Crittenden, Davis of Mississippi, Dayton, Dickinson, Dix, Douglas, Downs, Felch, Foote, Hannegan, Houston, Johnson of Maryland, Johnson of Georgia, Mangum, Moor, Niles, Phelps, Rusk, Spruance, Turney, Underwood, Upham.

And Mr. Davis, of Massachusetts, voted in the negative.

Ordered, That the Secretary lay the said resolution before the President of the United States.

On motion by Mr. Atchison,

Ordered, That the injunction of secrecy be removed from the two last mentioned treaties with the Chippewa Indians.

On motion by Mr. Hannegan,

The Senate proceeded to consider the case of John Nugent, who stands committed to the close custody of the Sergeant-at-Arms for a contempt of the authority of the Senate.

Mr. Dickinson submitted the following resolution for consideration:

Resolved, That John Nugent, who was committed for contempt by order of the Senate, be forthwith discharged from custody.

On motion by Mr. Johnson, of Maryland,

Ordered, That a warrant in the matter of the case of John Nugent be issued by the President of the Senate, as follows:

UNITED STATES OF AMERICA.

To the Sergeant-at-Arms of the Senate of the United States, Robert Beale:

Whereas John Nugent having been summoned and having appeared at the bar of the Senate, and having been sworn as a witness, he answered the following interrogatories:

1. Have you any connection with or agency for the proprietor of a newspaper published in the city of New York, and called the New York Herald? If yea, state what is that connection or agency.

2. Do you know that an instrument purporting to be a copy of the treaty between the United States of America and the Mexican Republic, with the amendments made by the Senate thereto and the proceedings of the Senate thereon, was published in that newspaper? Declare.

3. Do you know by whom the copy of the instrument with the amendments thereto and proceedings thereon, in the last preceding interrogatory specified, was furnished to the editor or publishers, or any agent of

the editor or publishers of the said newspaper called the New York Herald? If yea, declare and specify such person or persons.

4. Did you copy the parts purporting to be amendments of the treaty yourself for the purpose of sending them the editor of the New York Herald, or for any other purpose? If you answer in the negative, then say if you know by whom they were copied.

5. Where, in what place or house, and at what time were the said amendments of the treaty copied?

And having refused to answer the following interrogatories:

6. Where, in what place or what house, and at what time did you first receive a printed copy of the confidential document containing the treaty, the President's message, and also the other confidential documents printed in the Herald.

8. In answer to the third interrogatory you have stated that you furnished the papers therein referred to to the editor of the New York Herald; state from whom you received the said treaty with Mexico, with the amendments and the said portion of the proceedings of the Senate.

8. In answer to the fourth interrogatory you state that the amendments there referred to were communicated to the Herald in your handwriting. Did you copy the same, and from what did you copy, and when and where, and from whom did you procure the original from which you copied the same?

9. You say in answer to the last question that you decline to answer the same because you cannot answer it with accuracy; state why you cannot answer it with accuracy. Is it because you do not recollect the facts inquired of?

10. What portion of the facts do you not recollect with accuracy. Is it as to the person from whom you obtained the papers or any of them referred to?

11. State from whom you received the treaty.

12. State from whom you received the documents.

13. State from whom you received the proceedings of the Senate heretofore inquired of.

14. Was the copy of the treaty you forwarded to the Herald a printed copy?

Has, by so refusing, committed a contempt against the Senate, and has by the Senate been ordered into custody of the Sergeant at-Arms, there to remain until the further order of the said Senate.

These are, therefore, to authorize and require you, and you are hereby authorized and required, to take into your custody the body of the said John Nugent and him safely keep until he answers said interrogatories or until the further order of the Senate of the United States in this behalf; and for so doing, this will be your sufficient warrant.

Given under my hand this 31st day of March, in the year of our Lord 1848.

GEO. M. DALLAS,
Vice-President of the United States and President of the Senate.

Attest:
ASBURY DICKINS,
Secretary of the Senate of the United States.

On motion by Mr. Atchison,
The Senate adjourned.

FRIDAY, APRIL 7, 1848.

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 have ascertained that in nominating Mr. Martin to the Senate as chargé d'affaires to the Papal States I committed a mistake in naming him Joshua L. Martin, instead of Jacob L. Martin, and his nomination has been confirmed by the Senate under a wrong Christian name. For the purpose of correcting this mistake, I now nominate Jacob L. Martin, at present secretary of the legation of the United States at Paris, to be chargé d'affaires of the United States to the Papal States.

JAMES K. POLK.

WASHINGTON, *April* 6, 1848.

The message was read,

On motion by Mr. Mangum,

The Senate, by unanimous consent, proceeded to consider the nomination of Jacob L. Martin; and

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

The Vice-President presented a letter from Richard S. Coxe, stating that the circuit court had just pronounced its unanimous opinion that it possesses no jurisdiction to call in question the legality of the proceedings of the Senate in the case of John Nugent, and directs him to be remanded to the custody of the Sergeant-at-Arms.

The letter was read,

Mr. Niles, from the Committee on the Post-Office and Post-Roads, to whom was referred, the 17th January last, the nomination of Nathaniel Green, reported.

Whereupon

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

On motion by Mr. Downs,

Ordered, That the Secretary deliver to James W. Schaumburg a printed copy of the report made from the Committee on Military Affairs, on the 23d March last, on his memorial.

MONDAY, APRIL 10, 1848.

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 Montgomery D. Parker, of Massachusetts, to be consul of the United States for the Cape Verde Islands, in the place of Ferdinand Gardner, deceased.

JAMES K. POLK.

WASHINGTON, *April* 10, 1848.

To the Senate of the United States:

I nominate Hiram Perry to be surveyor and inspector of the revenue for the port of Albany, in the State of New York, his late commission having expired;

James H. Forsyth to be collector of the customs for the district of Miami and inspector of the revenue for the port of Maumee, in the State of Ohio, from the 15th of June, 1848, when his present commission will expire; and

John Bryan, jr., to be appraiser of merchandise for the port of Charleston, in the State of South Carolina, in the place of John Bryan, sr., resigned.

JAMES K. POLK.

WASHINGTON, *April* 10, 1848.

To the Senate of the United States:

I nominate Samuel Leach to be receiver of public moneys for the district of lands subject to sale at the Falls of Saint Croix, in the Territory of Wisconsin, designated the "Chippewa land district," authorized to be established by the act of the 3d of March, 1847; and

C. S. Whitney to be register of the land office for the district of lands subject to sale at the same place.

JAMES K. POLK.

WASHINGTON, *April* 10, 1848

To the Senate of the United States:

I nominate Arthur Hood to be assistant commissary in the volunteer service of the United States, vice Stephen Z. Hoyle, discharged in accordance with the provisions of the act 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," approved June 18, 1846.

JAMES K. POLK.

WASHINGTON *April* 10, 1848.

The messages were read.

Ordered, That the nominations of Montgomery D. Parker, Hiram Perry, James H. Forsyth, and John Bryan, jr., be referred to the Committee on Commerce.

Ordered, That the nominations of Samuel Leech and C. S. Whitney be referred to the Committee on Public Lands.

Ordered, That the nomination of Arthur Hood be referred to the Committee on Military Affairs.

Mr. Cass, from the Committee on Military Affairs, to whom were referred, the 29th March, the nominations of George Talcott, Henry K. Craig, William H. Bell, Louis A. B. Walbach, and James G. Benton, reported.

Whereupon

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

Mr. Hannegan, from the Committee on Foreign Relations, to whom was referred, the 3d instant, the nomination of Vanburgh Livingston, reported.

Whereupon

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

The Vice-President presented a letter from Richard S. Coxe stating that the counsel for John Nugent this morning moved the circuit court for permission to suggest, by way of plea, that there was no case before the Senate of which it had jurisdiction, and in which, therefore, it had no authority to bring Nugent before it as a witness or to compel him to

answer interrogatories; that he, the said Richard S. Coxe, had, on behalf of the Senate and its officer, opposed that motion, and that after argument the court overruled it and refused to allow the petitioner to plead, and remanded him to the custody of the Sergeant-at-Arms, which therefore concluded the case.

The letter was read.

On motion by Mr. Dickinson.

The Senate proceeded to consider the resolution submitted by him on the 3d instant; and

On motion by Mr. Turney that it lie on the table,

It was determined in the affirmative, { Yeas .. .. 20 / Nays 11

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, Atchison, Badger, Bagby, Baldwin, Bell, Berrien, Butler, Corwin, Davis of Massachusetts, Dayton, Downs, Hannegan, Lewis, Mason, Miller, Moor, Turney, Underwood, Upham.

Those who voted in the negative are,

Messrs. Allen, Calhoun, Cass, Crittenden, Davis of Mississippi, Dickinson, Dix, Niles, Rusk, Spruance, Westcott.

WEDNESDAY, APRIL 12, 1848.

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 renominate Abram B. Ragan for the appointment of additional paymaster, as proposed in the accompanying communication from the Secretary of War.

JAMES K. POLK.

WASHINGTON, *April* 12, 1848.

WAR DEPARTMENT, *April* 10, 1848.

SIR: In the nomination list of March 23 (confirmed by the Senate the 29th) it appears there was an inadvertency in citing the act under which Abram B. Ragan was nominated for the appointment of additional paymaster. To correct this error I beg to submit the following nomination, which I respectfully request may be submitted to the Senate:

Abram B. Ragan to be an additional paymaster, March 29, 1848, vice Colquitt, resigned, under the 25th section of the act entitled "An act to increase the present military establishment of the United States, and for other purposes," approved July 5, 1838.

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:

I nominate George F. Thomson to be appraiser of merchandise for the port of New York, in the State of New York, in the place of Vanburgh Livingston, appointed chargé d'affaires to Ecuador.

JAMES K. POLK.

WASHINGTON, *April* 12, 1848.

To the Senate of the United States:

I nominate for promotion by brevet in the Army of the United States the officers named in the accompanying list to the several grades annexed to their names, as proposed by the Secretary of War, for gallant and meritorious conduct.

JAMES K. POLK.

WASHINGTON, *April* 12, 1848.

WAR DEPARTMENT, *April* 11*th*, 1848.

SIR: I herewith present for your consideration a list of the officers of the Army who are recommended for brevet promotion on account of gallantry and distinguished conduct in the war with Mexico.

I deem it proper to offer a few remarks upon the views which have guided me in making these selections.

Brevet commissions are awarded as testimonials for individual acts of extraordinary bravery and gallantry in the face of the enemy, and highly meritorious services. To entitle an officer to this mark of distinction, I have considered that there should be some peculiar excellence, something more characteristic and discriminating than general good conduct.

I have found the task of selection delicate and difficult. In preparing the list I have relied for information upon the reports and statements of the generals and those in subordinate command under them.

So many brilliant achievements have characterized this war that many officers of all ranks have signalized their prowess on several occasions, and for each have merited particular notice and commendation; but it is believed that sound policy as well as established usage requires there should be some restriction in regard to the number of brevets to be bestowed on the same officer. Too great a difference between the lineal and brevet rank would, I apprehend, introduce confusion and disorder into the Army.

In the war of 1812 brevet promotion was not carried higher than two grades beyond the lineal rank; but this rule was not strictly adhered to in awarding brevets for service in Florida. I was at first strongly inclined to be governed in preparing the list to the practice of the war of 1812, but on examining the reports I found too many instances, bringing into view the brevets conferred before the commencement of the present war, wherein this rule would exclude from proper notice gallant conduct too conspicuous to be permitted to pass without this distinguishing testimonial of excellence. I have, in some few cases, recommended brevet promotions three grades above the actual lineal rank, but I have done so only where the conduct of the officer has been eminently worthy of distinguished consideration.

You will perceive, in the list now submitted, a considerable number of officers upon whom it is proposed to bestow the brevet rank of general. I deliberated for some time upon the expediency of conferring the brevet rank of general officer upon any one who did not hold the lineal or positive rank of colonel; but looking to the actual condition of the service, I became satisfied that such a rule would be too restrictive and operate unjustly in several cases. The colonels of several of the old regiments, on account of inabilities or other causes, have been prevented from being with their regiments during the whole war, and lieutenant-colonels, and even officers of a lower rank, have commanded these regiments. Moreover, some of these officers, having the brevet rank of full colonel, have commanded brigades in some of the most memorable

engagements in the war, and while exercising this superior command have eminently distinguished themselves.

I should deem any rule which, under these circumstances, would exclude them from a promotion to a brevet rank in which they had not only exercised command and shown unquestionable capacity, but had merited high commendation, unjust to them. I have therefore presented for your consideration and approval several cases wherein it is recommended that brevet promotions to the grade of generals should be bestowed on officers whose present lineal or positive rank is below that of a full colonel.

Doubts have been heretofore entertained whether officers of the Pay Department had that kind of rank to which promotion by brevet could be properly applied; but the act of Congress of the 3d of March, 1847, has, I think, removed all question on the subject.

Their position in the Army rarely affords to this class of officers an opportunity for that kind of distinction which is appropriately rewarded by brevet promotion, but the conduct of some of them is deemed by me worthy of peculiar notice from the Government, and I have presented them for brevets.

Very respectfully, your ob't serv't,

W. L. MARCY,
Secretary of War.

To the PRESIDENT OF THE UNITED STATES.

List of officers for brevet promotion for gallant and meritorious conduct in the battles of Palo Alto and Resaca de la Palma, in Texas, on the 8th and 9th of May, 1846, to date from the 9th of May, 1846:

Brevet Major George A. McCall, since major of the 3d Infantry, to be lieutenant-colonel by brevet.

Captain William W. S. Bliss, assistant adjutant-general, to be major by brevet.

Second Lieutenant Delos B. Sackett, 1st Dragoons, to be first lieutenant by brevet.

Second Lieutenant Thomas J. Brereton, Ordnance Department, to be first lieutenant by brevet.

List of officers for brevet promotion for gallant and meritorious conduct in the several conflicts at Monterey, Mexico, on the 21st, 22d, and 23d of September, 1846, to date from the 23d of September, 1846:

Brevet Lorenzo Thomas, assistant adjutant-general, to be lieutenant-colonel by brevet.

Captain George D. Ramsay, Ordnance Department, to be major by brevet.

Captain Henry Bainbridge, 3d Infantry, since major of the 7th Infantry, to be major by brevet.

Captain William S. Henry, 3d Infantry, to be major by brevet.

Captain Lewis S. Craig, 3d Infantry, to be major by brevet.

First Lieutenant William W. Mackall, 1st Artillery, to be captain by brevet.

First Lieutenant Don Carlos Buel, 3d Infantry, to be captain by brevet.

First Lieutenant William T. H. Brooks, 3d Infantry, to be captain by brevet.

Second Lieutenant Charles L. Kilburn, 3d Artillery, since first lieutenant, to be first lieutenant by brevet.

Second Lieutenant Joseph J. Reynolds, 3d Artillery, since first lieutenant, to be first lieutenant by brevet.

Second Lieutenant Samuel G French, 3d Artillery, since first lieutenant, to be first lieutenant by brevet.

Second Lieutenant Schuyler Hamilton, 1st Infantry, to be first lieutenant by brevet.

List of officers for brevet promotion for gallant or meritorious services in California:

Brigadier-General Stephen W. Kearny, to be major-general by brevet for gallant and meritorious conduct in New Mexico and California, to date from the battle of San Pasqual, the 6th of December, 1846.

Captain Henry S. Turner, 1st Dragoons, to be major by brevet, for gallant and meritorious conduct in the battles of San Pasqual. San Gabriel, and Plains of Mesa, to date from the 6th of December, 1846.

First Lieutenant William H. Emory, Topographical Engineers, to be captain by brevet, for gallant and meritorious conduct in the battle of San Pasqual, to date from the 6th of December, 1846, and to be major by brevet for gallant and meritorious conduct in the battles of San Gabriel and the Plains of Mesa, to date from the 9th of January, 1847.

First Lieutenant William H. Warner, Topographical Engineers, to be captain by brevet, for gallant and meritorious services in California, to date from 6th December, 1845.

List of officers for brevet promotion for gallant and meritorious conduct in the conflicts at Embuco and Taos, New Mexico, to date from the 4th of February, 1847.

Second Lieutenant A. B. Dyer, Ordnance Department, since first lieutenant, to be first lieutenant by brevet.

Second Lieutenant R. Ingalls, 1st Dragoons, since first lieutenant, to be first lieutenant by brevet.

Second Lieutenant C. J. L. Wilson, 1st Dragoons, to be first lieutenant by brevet.

Second Lieutenant O. H. P. Taylor, 1st Dragoons, to be first lieutenant by brevet.

List of officers for brevet promotion for gallant and meritorious conduct in the battles of Buena Vista, Mexico, on the 22d and 23d of February, 1847, to date from the 23d of February, 1847:

Brigadier-General John E. Wool to be major-general by brevet.

Colonel Sylvester Churchill, inspector-general, to be brigadier-general by brevet.

Brevet Lieutenant-Colonel John Monroe, major 2d Artillery, to be colonel by brevet.

Brevet Lieutenant-Colonel J. K. F. Mansfield, captain Corps of Engineers, to be colonel by brevet.

Major John M. Washington, 3d Artillery, to be lieutenant-colonel by brevet.

Major Roger S. Dix, paymaster, to be lieutenant-colonel by brevet.

Brevet Major W. W. S. Bliss, assistant adjutant-general, to be lieutenant-colonel by brevet.

Brevet Major Lucian B. Webster, captain 1st Artillery, to be lieutenant-colonel by brevet.

Brevet Major Braxton Bragg, captain 3d Artillery, to be lieutenant-colonel by brevet.

Captain Thomas Linnard, Topographical Engineers, to be major by brevet.

Captain Amos B. Eaton, commissary of subsistence, to be major by brevet.

Captain Ebenezer S. Sibley, assistant quartermaster, to be major by brevet.

Captain Enoch Steen, 1st Dragoons, to be major by brevet.

Captain William W. Chapman, assistant quartermaster, to be major by brevet.

Captain Thomas W. Sherman, 3d Artillery, to be major by brevet.

Brevet Captain William H. Shover, 3d Artillery, since captain, to be major by brevet.

Brevet Captain James L. Donaldson, since assistant quartermaster, to be major by brevet.

Brevet Captain George H. Thomas, 1st lieutenant 3d Artillery, to be major by brevet.

Brevet Captain Robert S. Garnett, 1st lieutenant 4th Artillery, to be major by brevet.

Captain John P. J. O'Brien, assistant quartermaster, to be major by brevet.

Captain Daniel H. Rucker, 1st Dragoons, to be major by brevet.

Captain James L. Carleton, 1st Dragoons, to be major by brevet.

First Lieutenant Henry W. Benham, Corps of Engineers, to be captain by brevet.

First Lieutenant Thomas L. Brent, 4th Artillery, since captain, assistant quartermaster, to be captain by brevet.

First Lieutenant Lorenzo Sitgreaves, Topographical Engineers, to be captain by brevet.

First Lieutenant Irwin McDowell, 1st Artillery, since assistant adjutant-general, to be captain by brevet.

First Lieutenant Reuben P. Campbell, 2d Dragoons, to be captain by brevet.

Brevet First Lieutenant John Pope, 2d lieutenant Topographical Engineers, to be captain by brevet.

First Lieutenant John F. Reynolds, 3d Artillery, to be captain by brevet.

Brevet First Lieutenant Isaac Bowen, 1st Artillery, to be captain by brevet.

First Lieutenant Abram Buford, 1st Dragoons, to be captain by brevet.

First Lieutenant Charles L. Kilburn, 3d Artillery, to be captain by brevet.

Brevet First Lieutenant Samuel G. French, 3d Artillery, since first lieutenant and asssistant quartermaster, to be captain by brevet.

Second Lieutenant Charles P. Kingsbury, Ordnance Department, since 1st lieutenant, to be first lieutenant by brevet.

Second Lieutenant Henry M. Whiting, 4th Artillery, since 1st lieutenant, to be first lieutenant by brevet.

Second Lieutenant Joseph H. Whittlesey, 1st Dragoons, since 1st lieutenant, to be first lieutenant by brevet.

Second Lieutenant Newton C. Givens, 2d Dragoons, to be first lieutenant by brevet.

Second Lieutenant William B. Franklin, Topographical Engineers, to be first lieutenant by brevet.

Second Lieutenant Thomas J. Wood, 2d Dragoons, to be first lieutenant by brevet.

Second Lieutenant Darius N. Couch, 4th Artillery, since 1st lieutenant, to be first lieutenant by brevet.

Brevet Second Lieutenant Francis J. Bryan, Topographical Engineers, to be first lieutenant by brevet.

Brevet Second Lieutenant George F. Evans, 1st Dragoons, since second lieutenant, to be first lieutenant by brevet.

List of officers for brevet promotion for gallant and meritorious conduct in the battle of Sacramento, near Chihuahua, Mexico, on the 28th of February, 1847, to rank from that day:

Captain Philip R. Thompson, 1st Dragoons, to be major by brevet.

First Lieutenant Charles F. Wooster, 4th Artillery, to be captain by brevet.

List of officers for brevet promotion for gallant and meritorious conduct at the siege of Vera Cruz, Mexico, in March, 1847, to date from the 29th of that month, when the city surrendered under capitulation:

Colonel James Bankhead, 2d Artillery, to be brigadier-general by brevet.

Colonel Joseph G. Totten, chief engineer, to be brigadier-general by brevet.

Captain Benjamin Huger, Orduance Department, to be major by brevet.

List of officers for brevet promotion for gallant and meritorious conduct in the affair at Madelin, Mexico, March 25, 1847, to rank from that day:

First Lieutenant Henry B. Judd, 3d Artillery, to be captain by brevet.

First Lieutenant Hackaliah Brown, 3d Artillery, to be captain by brevet.

Second Lieutenant Lewis Neill, 2d Dragoons, to be first lieutenant by brevet.

Second Lieutenant Orren Chapman, 1st Dragoons, to be first lieutenant by brevet.

Brevet Second Lieutenant James Oakes, 2d Dragoons, since second ieutenant, to be first lieutenant by brevet.

List of officers for brevet promotion for gallant and meritorious conduct in the battle of Cerro Gordo, Mexico, on the 17th and 18th of April, 1847, to date from the 18th of April, 1847:

Brigadier-General David E. Twiggs to be major-general by brevet.

Brigadier-General James Shields to be major-general by brevet.

Colonel William S. Harney, 2d Dragoons, to be brigadier-general by brevet.

Lieutenant-Colonel Joseph Plympton, 7th Infantry, to be colonel by brevet.

Major John L. Smith, Corps of Engineers, to be lieutenant colonel by brevet.

Major Edwin V. Sumner, 2d Dragoons, to be lieutenant-colonel by brevet.

Captain Thompson Morris, 2d Infantry, since major 1st Infantry, to be major by brevet.

Captain Robert E. Lee, Corps of Engineers, to be major by brevet.
Captain Edmund B. Alexander, 3d Infantry, to be major by brevet.
Captain Daniel P. Whiting, 7th Infantry, to be major by brevet.
Captain Robert Allen, assistant quartermaster, to be major by brevet.
Captain John B. Magruder, 1st Artillery, to be major by brevet.
Captain James W. Penrose, 2d Infantry, to be major by brevet.
Captain George W. Patten, 2d Infantry, to be major by brevet.
Captain Edward J. Steptoe, 3d Artillery, to be major by brevet.
First Lieutenant Peter V. Hagner, Ordnance Department, to be captain by brevet.
First Lieutenant Joseph A. Haskin, 1st Artillery, since assistant quartermaster, to be captain by brevet.
First Lieutenant Charles H. Humber, 7th Infantry, to be captain by brevet.
First Lieutenant William B. Johns, 3d Infantry, since captain, to be captain by brevet.
First Lieutenant Samuel K. Dawson, 1st Artillery, to be captain by brevet.
First Lieutenant Andrew W. Bowman, 3d Infantry, to be captain by brevet.
Brevet First Lieutenant Franklin Gardner, 7th Infantry, since first lieutenant, to be captain by brevet.
First Lieutenant Napoleon J. T. Dana, 7th Infantry, to be captain by brevet.
First Lieutenant Theodore T. S. Laidley, Ordnance Department, to be captain by brevet.
Second Lieutenant Zealous B. Tower, Corps of Engineers, since first lieutenant, to be first lieutenant by brevet.
Second Lieutenant Gustavus W. Smith, Corps of Engineers, to be first lieutenant by brevet.
Second Lieutenant Edmund K. Smith, 7th Infantry, to be first lieutenant by brevet.
Second Lieutenant Daniel M. Frost, Mounted Rifles, to be first lieutenant by brevet.
Second Lieutenant James N. Ward, 3d Infantry, to be first lieutenant by brevet.
Second Lieutenant Henry B. Clitz, 3d Infantry, to be first lieutenant by brevet.
Brevet Second Lieutenant George H. Derby, Topographical Engineers, to be first lieutenant by brevet.
Second Lieutenant Truman Seymour, 1st Artillery, since 1st lieutenant, to be first lieutenant by brevet.
Second Lieutenant Jesse L. Reno, Ordnance Department, to be first lieutenant by brevet.
Second Lieutenant Dabney H. Maury, Mounted Rifles, to be first lieutenant by brevet.
Brevet Second Lieutenant Alfred Gibbs, Mounted Rifles, to be first lieutenant by brevet.
Brevet Second Lieutenant George H. Gordon, Mounted Rifles, to be first lieutenant by brevet.

List of officers for brevet promotion for gallant and meritorious conduct in the affair with the enemy at Calabose River, Mexico, July 12, 1847, to rank from that day:

Captain Francis O. Wyse, 3d Artillery, to be major by brevet.

List of officers for brevet promotion, for gallant and meritorious conduct in several affairs with guerrilleros, at Paso Ovejas, National Bridge, and Cerro Gordo, Mexico, on the 10th, 12th, and 15th August, 1847, to date from August 15, 1847:

Major Folliott T. Lally, 9th Infantry, to be lieutenant-colonel by brevet.

Captain Benjamin Alvord, 4th Infantry, to be major by brevet.
Captain Frazey M. Winans, 15th Infantry, to be major by brevet.
Captain William J. Clark, 12th Infantry, to be major by brevet.
Captain Arthur C. Cummings, 11th Infantry, to be major by brevet.
First Lieutenant John W. Leigh, Voltigeurs, to be captain by brevet.
First Lieutenant Charles M. Creaner, 12th Infantry, to be captain by brevet.

Second Lieutenant David A. Russell, 4th Infantry, since first lieutenant, to be first lieutenant by brevet.

Second Lieutenant Henry B. Sears, 2d Artillery, since first lieutenant, to be first lieutenant by brevet.

Second Lieutenant Clinton W. Lear, 5th Infantry, to be first lieutenant by brevet.

Second Lieutenant William D. Wilkins, 15th Infantry, since first lieutenant, to be first lieutenant by brevet.
Second Lieutenant Alonzo Loring, 11th Infantry, since first lieutenant, to be first lieutenant by brevet.

List of officers for brevet promotion for gallant and meritorious conduct in the battles of Contreras and Churubusco, Mexico, August 20, 1847, to rank from that day:

Brevet Brigadier-General Persifor F. Smith, colonel of Rifles, to be major-general by brevet.

Brevet Colonel Bennet Riley, lieutenant-colonel 2d Infantry, to be brigadier general by brevet.

Brevet Colonel John Garland, lieutenant-colonel 4th Infantry, to be brigadier-general by brevet.

Colonel Newman S. Clarke, 6th Infantry, to be brigadier-general by brevet.

Colonel George W. Morgan, 15th Infantry, to be brigadier-general by brevet.

Lieutenant-Colonel Ethan A. Hitchcock, 3d Infantry, to be colonel by brevet.

Lieutenant-Colonel Francis S. Belton, 3d Artillery, to be colonel by brevet.

Brevet Lieutenant-Colonel James Duncan, captain 2d Artillery, to be colonel by brevet.

Brevet Lieutenant-Colonel Charles F. Smith, captain 2d Artillery, to be colonel by brevet.

Brevet Lieutenant-Colonel John L. Smith, major of Corps of Engineers, to be colonel by brevet.

Major E. Kirby, Pay Department, to be lieutenant-colonel by brevet.
Major John L. Gardner, 4th Artillery, to be lieutenant colonel by brevet.

Brevet Major Justin Dimick, captain 1st Artillery, to be lieutenant-colonel by brevet.

Brevet Major Harvey Brown, captain 4th Artillery, to be lieutenant-colonel by brevet.

Major William Turnbull, Topographical Engineers, to be lieutenant-colonel by brevet.

Brevet Major George Wright, since major 4th Infantry, to be lieutenant-colonel by brevet.

Major Benjamin L. E. Bonneville, 6th Infantry, to be lieutenant-colonel by brevet.

Major Abram Van Buren, Pay Department, to be lieutenant colonel by brevet.

Major Henry Bainbridge, 7th Infantry, to be lieutenant-colonel by brevet.

Major Patrick H. Galt, 2d Artillery, to be lieutenant-colonel by brevet.

Major Francis Lee, 4th Infantry, to be lieutenant-colonel by brevet.

Major Charles A. Waite, 8th Infantry, to be lieutenant-colonel by brevet.

Major William W. Loring, Rifles, to be lieutenant-colonel by brevet.

Major John F. Hunter, 11th Infantry, to be lieutenant-colonel by brevet.

Brevet Major Benjamin Huger, Ordnance, to be lieutenant-colonel by brevet.

Brevet Major Robert E. Lee to be lieutenant-colonel by brevet.

Captain George Nauman, 1st Artillery, to be major by brevet.

Captain Julius J. B. Kingsbury, 2d Infantry, to be major by brevet.

Captain William Hoffman, 6th Infantry, to be major by brevet.

Captain Joseph R. Smith, 2d Infantry, to be major by brevet.

Captain Francis Taylor, 1st Artillery, to be major by brevet.

Captain John McClellan, Topographical Engineers, to be major by brevet.

Captain John B. Grayson, Subsistence Department, to be major by brevet.

Captain Thomas L. Alexander, 6th Infantry, to be major by brevet.

Captain Martin Burke, 3d Artillery, to be major by brevet.

Captain Silas Casey, 2d Infantry, to be major by brevet.

Captain Abraham C. Myers. assistant quartermaster, to be major by brevet.

Captain Jefferson VanHorne, 3d Infantry, to be major by brevet.

Captain Croghan Ker, 2d Dragoons, to be major by brevet.

Captain Richard H. Ross, 7th Infantry, to be major by brevet.

Captain John H. Winder, 1st Artillery, to be major by brevet.

Captain William J. Hardee, 2d Dragoons, to be major by brevet.

Captain James B. Bomford, 8th Artillery, to be major by brevet.

Captain William Chapman, 5th Infantry, to be major by brevet.

Captain William H. T. Walker, 6th Infantry, to be major by brevet.

Captain Henry C. Wayne, assistant quartermaster, to be major by brevet.

Captain Winslow F. Sanderson, Rifles, since major, to be major by brevet.

Captain Theodore O'Hara, Quartermaster's Department, since major, to be major by brevet.

Captain George B. Crittenden, Rifles, since major, to be major by brevet.

Captain Jacob B. Backenstos, Rifles, to be major by brevet.

Captain Isaac V. D. Reeve, 8th Infantry, to be major by brevet.

Captain Horace Brooks, 2d Artillery, to be major by brevet.

Captain Daniel Ruggles, 5th Infantry, to be major by brevet.

Captain Daniel H. McPhail, 5th Infantry, to be major by brevet.

Captain Larkin Smith, 8th Infantry, to be major by brevet.

Captain Daniel T. Chandler, 3d Infantry, to be major by brevet.

Captain Philip Kearny, jr., 1st Dragoons, to be major by brevet.

Brevet Captain William W. Mackall, assistant adjutant-general, to be major by brevet.

Brevet Captain George Deas, assistant adjutant-general, to be major by brevet.

Captain Henry W. Wessels, 2d Infantry, to be major by brevet.

Captain Henry L. Scott, 4th Infantry, to be major by brevet.

Brevet Captain Edward R. S. Canby, assistant adjutant-general, to be major by brevet.

Captain John S Hatheway, 1st Artillery, to be major by brevet.

Captain George W. F. Wood, assistant quartermaster, to be major by brevet.

Captain Justus McKinstry, assistant quartermaster, to be major by brevet.

Brevet Captain Francis N. Page, assistant adjutant-general, to be major by brevet.

Captain Andrew T. McReynolds, 3d Dragoons, to be major by brevet.

Captain E. A. Kimball, 9th Infantry, to be major by brevet.

Captain Charles N. Bodfish, 9th Infantry, to be major by brevet.

Captain Nathaniel B. Holden, 12th Infantry, to be major by brevet.

Captain Daniel Chase, 15th Infantry, to be major by brevet.

Captain James A. Jones, 15th Infantry, to be major by brevet.

Captain Moses Hoagland, 15th Infantry, to be major by brevet.

Captain William H. Irwin, 11th Infantry, to be major by brevet.

Captain Presley N. Guthrie, 11th Infantry, to be major by brevet.

Captain James L. Mason, Corps of Engineers, to be major by brevet.

Brevet Captain Don Carlos Buell, 3d Infantry, to be major by brevet.

Brevet Captain William T. H. Brooks, 3d Infantry, to be major by brevet.

Captain George W. Bowie, 15th Infantry to be major by brevet.

Captain John Motz, 11th Infantry, to be major by brevet.

First Lieutenant Henry Prince, since captain, 4th Infantry, to be captain by brevet.

First Lieutenant John W. Phelps, 4th Artillery, to be captain by brevet.

First Lieutenant William H. French, 1st Artillery, to be captain by brevet.

First Lieutenant Lewis G. Arnold, 2d Artillery, since captain, to be captain by brevet.

First Lieutenant John Sedgwick, 2d Artillery, to be captain by brevet.

Captain William Austine, 3d Artillery, to be major by brevet.

First Lieutenant P. G. T. Beauregard, Engineers, to be captain by brevet.

First Lieutenant Arnold Elzey, 2d Artillery, to be captain by brevet.

First Lieutenant Isaac J. Stevens, Engineers, to be captain by brevet.

First Lieutenant Thomas Williams, 4th Artillery, to be captain by brevet.

First Lieutenant Thomas Hendrickson, 6th Infantry, to be captain by brevet.

First Lieutenant Joseph Selden, 8th Infantry, since captain, to be captain by brevet.

First Lieutenant Franklin D. Callender, Ordnance, to be captain by brevet.

First Lieutenant John H. Gore, 4th Infantry, since captain, to be captain by brevet.

First Lieutenant Christopher S. Lovell, 2d Infantry, to be captain by brevet.

First Lieutenant Lewis A. Armstead, 6th Infantry, to be captain by brevet.

First Lieutenant Henry D. Grafton, 1st Artillery, to be captain by brevet.

First Lieutenant Richard S. Ewell, 1st Dragoons, to be captain by brevet.

First Lieutenant George W. Getty, 4th Artillery, to be captain by brevet.

First Lieutenant Oliver L. Shepherd, 3d Infantry, since captain, to be captain by brevet.

First Lieutenant Delozier Davidson, 2d Infantry, to be captain by brevet.

First Lieutenant William Steele, 2d Dragoons, to be captain by brevet.

First Lieutenant Sterne H. Fowler, 5th Infantry, to be captain by brevet.

First Lieutenant Richard P. Hammond, 3d Artillery, to be captain by brevet.

First Lieutenant Michael E. Van Buren, Rifles, since captain, to be captain by brevet.

First Lieutenant Henry J. Hunt, 2d Artillery, to be captain by brevet.

First Lieutenant Julius Hayden, 2d Infantry, to be captain by brevet.

First Lieutenant Albion P. Howe, 4th Artillery, to be captain by brevet.

First Lieutenant Pinkney Lugenbeel, 5th Infantry, to be captain by brevet.

First Lieutenant Mortimer Rosecrants, 5th Infantry, to be captain by brevet.

First Lieutenant Israel B. Richardson, 3d Infantry, to be captain by brevet.

First Lieutenant George Sykes, 3d Infantry, to be captain by brevet.

Brevet First Lieutenant George W. Lay, 6th Infantry, to be captain by brevet.

Brevet First Lieutenant Lafayette B. Wood, 8th Infantry, since 1st lieutenant, to be captain by brevet.

First Lieutenant Bryant P. Tilden, jun'r, 2d Infantry, to be captain by brevet.

First Lieutenant Nathaniel Lyon, 2d Infantry, to be captain by brevet.

First Lieutenant James Longstreet, 8th Infantry, to be captain by brevet.

First Lieutenant Willam Hays, 2d Artillery, to be captain by brevet.

First Lieutenant John J. Peck, 2d Artillery, to be captain by brevet.

First Lieutenant Daniel H. Hill, 4th Artillery, to be captain by brevet.

First Lieutenant Philip W. McDonald, 2d Dragoons, to be captain by brevet.

First Lieutenant Earl Van Dorn, 7th Infantry, to be captain by brevet.

First Lieutenant John M. Brannan, 1st Artillery, to be captain by brevet.

First Lieutenant George W. Rains, 4th Artillery, to be captain by brevet.

First Lieutenant John S. Slocum, 9th Infantry, since captain, to be captain by brevet.

First Lieutenant Charles J. Sprague, 9th Infantry, since captain, to be captain by brevet.

First Lieutenant George Bowers, 9th Infantry, since captain, to be captain by brevet.

First Lieutenant John H. Jackson, 9th Infantry, since captain, to be captain by brevet.

First Lieutenant Thornton F. Brodhead, 15th Infantry, since captain, to be captain by brevet.

First Lieutenant Charles Toplin, 12th Infantry, to be captain by brevet.

First Lieutenant William B. Giles, 12th Infantry, to be captain by brevet.

First Lieutenant Daniel S. Lee, 11th Infantry, to be captain by brevet.

First Lieutenant Thomas F. McCoy, 11th Infantry, to be captain by brevet.

First Lieutenant John C. Simkins, 12th Infantry, to be captain by brevet.

First Lieutenant Charles S. Hamilton, 5th Infantry, to be captain by brevet.

First Lieutenant Columbus P. Evans, 11th Infantry, to be captain by brevet.

First Lieutenant Benjamin F. Harley, 11th Infantry, to be captain by brevet.

First Lieutenant Hermann Thorn, 3d Dragoons, to be captain by brevet.

First Lieutenant Henry Coppée, 1st Artillery, to be captain by brevet.

First Lieutenant Thomas J. Jackson, 1st Artillery, to be captain by brevet.

First Lieutenant Edward C. Boynton, 1st Artillery, to be captain by brevet.

Second Lieutenant James W. Schureman, 2d Infantry, since 1st lieutenant, to be first lieutenant by brevet.

Second Lieutenant Ralph W. Kirkham, 6th Infantry, to be first lieutenant by brevet.

Second Lieutenant Edmunds B. Holloway, 8th Infantry, since 1st lieutenant, to be first lieutenant by brevet.

Second Lieutenant Charles E. Jarvis, 2d Infantry, to be first lieutenant by brevet.

Second Lieutenant Frederick T. Dent, 5th Infantry, since 1st lieutenant, to be first lieutenant by brevet.

Second Lieutenant Simon B. Buckner, 6th Infantry, to be first lieutenant by brevet.

Second Lieutenant Winfield S. Hancock, 6th Infantry, to be first lieutenant by brevet.

Second Lieutenant Henry B. Shroeder, 3d Infantry, since 1st lieutenant, to be first lieutenant by brevet.

Second Lieutenant James G. S. Snelling, 8th Infantry, to be first lieutenant by brevet.

Second Lieutenant Patrick A. Farelly, 5th Infantry, to be first lieutenant by brevet.

Second Lieutenant Thomas G. Pitcher, 8th Infantry, to be first lieutenant by brevet.

Second Lieutenant Francis Collins, 4th Artillery, since first lieutenant, to be first lieutenant by brevet.

Second Lieutenant George McLane, Rifles, since 1st lieutenant, to be first lieutenant by brevet.

Second Lieutenant James M. Hawes, 2d Dragoons, to be first lieutenant by brevet.

Second Lieutenant Julian May, Rifles, to be first lieutenant by brevet.

Second Lieutenant John P. Hatch, Rifles, to be first lieutenant by brevet.

Second Lieutenant Gordon Granger, Rifles, to be first lieutenant by brevet.

Second Lieutenant George B. McClellan, Engineers, to be first lieutenant by brevet.

Second Lieutenant Edmund L. F. Hardcastle, Topographical Engineers, to be first lieutenant by brevet.

Second Lieutenant Marcus D L. Simpson, 2d Artillery, since 1st lieutenant to be first lieutenant by brevet.

Second Lieutenant John G. Foster, Engineers, to be first lieutenant by brevet.

Second Lieutenant Innes N. Palmer, Rifles, to be first lieutenant by brevet.

Second Lieutenant David R. Jones, 2d Infantry, to be first lieutenant by brevet.

Second Lieutenant Nelson H. Davis, 2d Infantry, to be first lieutenant by brevet.

Second Lieutenant William H. Tyler, 7th Infantry, to be first lieutenant by brevet.

Second Lieutenant Samuel B. Maxey, 7th Infantry, to be first lieutenant by brevet.

Second Lieutenant Thomas Henry, 7th Infantry, to be first lieutenant by brevet.

Second Lieutenant Hamilton L. Shields, 3d Artillery, since 1st lieutenant, to be first lieutenant by brevet.

Second Lieutenant George E. Pickett, 8th Infantry, to be first lieulieutenant by brevet.

Second Lieutenant John D. Wilkins, 3d Infantry, to be first lieutenant by brevet.

Second Lieutenant Joseph N. G. Whistler, 3d Infantry, to be first lieutenant by brevet.

Second Lieutenant William M. Gardner, 2d Infantry, to be first lieutenant by brevet.

Second Lieutenant Albert L. Magilton, 4th Artillery, to be first lieutenant by brevet.

Second Lieutenant John B. Gibson, 1st Artillery, since 1st lieutenant, to be first lieutenant by brevet.

Second Lieutenant Gustavus A. De Russy, 4th Artillery, to be first lieutenant by brevet.

Second Lieutenant Samuel L. Governeur, 4th Artillery, to be first lieutenant by brevet.

Second Lieutenant John H. Lendrum, 3d Artillery, to be first lieutenant by brevet.

Second Lieutenant Lorimer Graham, 10th Infantry, to be first lieutenant by brevet.

Second Lieutenant Samuel B. Davis, 14th Infantry, since first lieuttenant, to be first lieutenant by brevet.

Second Lieutenant Thomas P. Pierce, 9th Infantry, since 1st lieutenant, to be first lieutenant by brevet.

Second Lieutenant Alpheus T. Palmer, 9th Infantry, since 1st lieutenant, to be first lieutenant by brevet.

Second Lieutenant William A. Newman, 9th Infantry, to be first lieutenant by brevet.

Second Lieutenant Alexander E. Steen, 12th Infantry, to be first lieutenant by brevet.

Second Lieutenant James W. Wiley, 15th Infantry, since 1st lieutenant, to be first lieutenant by brevet.

Second Lieutenant Samuel E. Beach, 15th Infantry, since 1st lieutenant, to be first lieutenant by brevet.

Second Lieutenant Francis O. Beckett, 15th Infantry, to be first lieutenant by brevet.

Second Lieutenant John M. Bronaugh, 12th Infantry, to be first lieutenant by brevet.

Second Lieutenant Andrew H. Tippin, 11th Infantry, since 1st lieutenant, to be first lieutenant by brevet.

Second Lieutenant William H. Scott, 11th Infantry, to be first lieutenant by brevet.

Second Lieutenant Arthur D. Tree, 2d Dragoons, to be first lieutenant by brevet.

List of officers for brevet promotion for gallant and meritorious conduct in the battle Molino del Rey, Mexico, September 8th, 1847, to rank from that day:

Lieutenant-Colonel Paul O. Hébert, 14th Infantry, to be colonel by brevet.

Brevet Lientenant-Colonel Edwin V. Sumner, major 2d Dragoons, to be colonel by brevet.

Brevet Lieutenant-Colonel George Wright, major 4th Infantry, to be colonel by brevet.

Brevet Major William R. Montgomery, captain 8th Infantry, to be lieutenant-colonel by brevet.

Brevet Major Robert C. Buchanan, captain 4th Infantry, to be lieutenant-colonel by brevet.

Major George Talcott, Voltigeurs, to be lieutenant-colonel by brevet.

Brevet Major William H. T. Walker, captain 6th Infantry, to be lieutenant-colonel by brevet.

Brevet Major James L. Mason, captain Engineers, to be lieutenant-colonel by brevet.

Captain Robert Anderson, 3d Artillery, to be major by brevet.

Captain Richard B. Screven, 8th Infantry, to be major by brevet.

Captain Albemarle Cady, 6th Infantry, to be major by brevet.

Captain Collinson R. Gates, 8th Infantry, to be major by brevet.

Brevet Captain John C. Pemberton, 1st lieutenant 4th Artillery, to be major by brevet.

Brevet Captain William A. Nichols, 1st lieutenant 2d Artillery, to be major by brevet.

Brevet Captain Henry Prince, 4th Infantry, to be major by brevet.

Captain Nathan B. Rossell, 5th Infantry, to be major by brevet.

First Lieutenant Edward Johnson, 6th Infantry, to be captain by brevet.

First Lieutenant Leonidas Wetmore, 6th Infantry, to be captain by brevet.

First Lieutenant Granville O. Haller, 4th Infantry, since captain, to be captain by brevet.

First Lieutenant John D. Clarke, 8th Infantry, to be captain by brevet

First Lieutenant Harvey A. Allen, 2d Artillery, to be captain by brevet.

First Lieutenant Samuel S. Anderson, 2d Artillery, to be captain by brevet.

First Lieutenant Fitz-John Porter, 4th Artillery, to be captain by brevet.

Brevet First Lieutenant James Oakes, 2d lieutenant 2d Dragoons, to be captain by brevet.

Second Lieutenant Charles P. Stone, Ordnance, to be first lieutenant by brevet.

Second Lieutenant Abram B. Lincoln, 4th Infantry, to be first lieutenant by brevet.

Second Lieutenant Thomas R. McConnell, 4th Infantry, to be first lieutenant by brevet.

Second Lieutenant Delancy F. Jones, 4th Infantry, since 1st lieutenant, to be first lieutenant by brevet.

Second Lieutenant Charles G. Merchant, 8th Infantry, to be first lieutenant by brevet.

Second Lieutenant Maurice Maloney, 4th Infantry, to be first lieutenant by brevet.

Second Lieutenant George T. Andrews, 3d Artillery, since 1st lieutenant, to be first lieutenant by brevet.

Second Lieutenant Henry M. Judah, 4th Infantry, since 1st lieutenant, to be first lieutenant by brevet.

List of officers for brevet promotion for gallant and meritorious conduct in the battle of Chapultepec, September 13th, 1847, to rank from that day:

Brigadier-General George Cadwallader to be major-general by brevet.

Colonel Timothy P. Andrews, Voltigeurs, to be brigadier-general by brevet.

Colonel William Trousdale, 14th Infantry, to be brigadier-general by brevet.

Lieutenant-Colonel Joseph E. Johnston, Voltigeurs, to be colonel by brevet.

Lieutenant-Colonel Thomas H. Seymour, 12th Infantry, to be colonel by brevet.

Lieutenant-Colonel Joshua Howard, 15th Infantry, to be colonel by brevet.

Brevet Lieutenant-Colonel Edmund Kirby, Pay Department, to be colonel by brevet.

Brevet Lieutenant-Colonel Benjamin Huger, captain of Ordnance, to be colonel by brevet.

Brevet Lieutenant-Colonel Robert E. Lee, captain of Engineers, to be colonel by brevet.

Major George A. Caldwell, Voltigeurs, to be lieutenant-colonel by brevet.

Major Samuel Woods, 15th Infantry, to be lieutenant-colonel by brevet.

Brevet Major Thompson Morris, since major 1st Infantry, to be lieutenant-colonel by brevet.

Brevet Major Francis Taylor, captain 1st Artillery, to be lieutenant-colonel by brevet.

Brevet Major Edmund B. Alexander, captain 3d Infantry, to be lieutenant-colonel by brevet.

Brevet Major Silas Casey, captain 2d Infantry, to be lieutenant-colonel by brevet.

Brevet Major Edward J. Steptoe, captain 3d Artillery, to be lieutenant colonel by brevet.

Captain Gabriel R. Paul, 7th Infantry, to be major by brevet.
Captain Stephen S. Tucker, Rifles, to be major by brevet.
Captain John S. Simonson, Rifles, to be major by brevet.
Brevet Captain Joseph Hooker, assistant adjutant-general, to be major by brevet.
Captain Benjamin S. Roberts, Rifles, to be major by brevet.
Captain Moses J. Barnard, Voltigeurs, to be major by brevet.
Captain Charles J. Biddle, Voltigeurs, to be major by brevet.
Captain Oscar E. Edwards, Voltigeurs, to be major by brevet.
Captain Thomas Glenn, 14th Infantry, to be major by brevet.
Captain John E. Howard, Voltigeurs, to be major by brevet.
Captain J. J. Archer, Voltigeurs, to be major by brevet.
Captain James M. Scantland, 14th Infantry, to be major by brevet.
Captain N. S. Webb, 9th Infantry, to be major by brevet.
Captain S. W. Bowie, 15th Infantry, to be major by brevet.
Captain E. H. Fitzgerald, assistant quartermaster, to be major by brevet.
Captain Andrew Porter, Rifles, to be major by brevet.
Brevet Captain P. G. T. Beauregard, first lieutenant, Engineers, to be major by brevet.
Brevet Captain Peter V. Hagner, first lieutenant Ordnance, to be major by brevet.
Brevet Captain J. J. Stevens, first lieutenant Engineers, to be major by brevet.
Brevet Capta.n J. Selden, since captain 8th Infantry, to be major by brevet.
Brevet Captain J. A. Haskins, since captain 1st Artillery, to be major by brevet.
Brevet Captain Henry J. Hunt, 1st lieutenant 2d Artillery, to be major by brevet.
Brevet Captain J. B. Richardson, first lieutenant 3d Infantry, to be major by brevet.
Brevet Captain William Hays, .st lieutenant, 2d Artillery, to be major by brevet.
Brevent Captain Z. B. Tower, first lieutenant, Engineers, to be major by brevet.
First Lieutenant G. C. Wescott, 2d Infantry, to be captain by brevet.
First Lieutenant M. Lovell, 4th Artillery, to be captain by brevet.
First Lieutenant R. S. Ripley, 2d Artillery, to be captain by brevet.
First Lieutenant A. Morrow, 6th Infantry, to be captain by brevet.
First Lieutenant J. Blackburn, 14th Infantry, since captain, to be captain by brevet.
First Lieutenant T. H. Freelon, 15th Infantry, since captain, to be captain by brevet.
First Lieutenant E. C. Marshall, 15th Infantry, to be captain by brevet.
First Lieutenant A. G. Sutton, 15th Infantry, to be captain by brevet.
First Lieutenant A. Tracy, 9th Infantry, to be captain by brevet.
First Lieutenant W. S. Walker, Voltigeurs, to be captain by brevet.
First Lieutenant D. French, 15th Infantry, to be captain by brevet.
First Lieutenant C. Peternell, 15th Infantry, to be captain by brevet.
First Lieutenant Henry F. Clarke, 2d Artillery, to be captain by brevet.
First Lieutenant U. S. Grant, 4th Infantry, to be captain by brevet.
Brevet First Lieutenant G. W. Smith, second lieutenant Engineers, to be captain by brevet.
Brevet First Lieutenant G. McLane, Rifles, since first lieutenant, to be captain by brevet.

Brevet First Lieutenant J. L. Reno, second lieutenant Ordnance, to be captain by brevet.

Second Lieutenant F. Steel, 2d Infantry, to be first lieutenant by brevet.

Second Lieutenant B. E. Bee, 3d Infantry, to be first lieutenant by brevet.

Second Lieutenant R. M. Morris, Rifles, to be first lieutenant by brevet.

Second Lieutenant F. S. K. Russell, Rifles, to be first lieutenant by brevet.

Second Lieutenant E. Russell, 4th Infantry, to be first lieutenant by brevet.

Second Lieutenant J. Stuart, Rifles, to be first lieutenant by brevet.

Second Lieutenant C. M. Wilcox, 7th Infantry, to be first lieutenant by brevet.

Second Lieutenant A. I. Isaacs, 14th Infantry, to be first lieutenant by brevet.

Second Lieutenant J. R. Bennett, 15th Infantry, to first lieutenant by brevet.

Second Lieutenant P. S. Titus, 15th Infantry, to be first lieutenant by brevet.

Second Lieutenant R. C. Forsyth, Voltigeurs, since first lieutenant, to be first lieutenant by brevet.

Second Lieutenant L. Woodhouse, 9th Infantry, to be first lieutenant by brevet

Second Lieutenant R. C. Drum, 9th Infantry, since first lieutenant, to be first lieutenant by brevet.

Second Lieutenant J. Glackin, 9th Infantry, since first lieutenant, to be first lieutenant by brevet.

Second Lieutenant T. H. Crosby, 9th Infantry, since first lieutenant, to be first lieutenant by brevet.

Second Lieutenant N. J. Martin, Voltigeurs, to be first lieutenant by brevet.

Second Lieutenant J. M. Hathaway, 9th Infantry, to be first lieutenant by brevet.

Second Lieutenant A. A. Stoddard, 9th Infantry, since first lieutenant, to be first lieutenant by brevet.

List of officers for brevet promotion for gallant and meritorious conduct in the battle of Huamantla, Mexico, October 9th, 1847, to rank from that day:

Brigadier-General Joseph Lane to be major-general by brevet.

Captain Samuel P. Heintzleman, 2d Infantry, to be major by brevet.

Captain George Taylor, 3d Artillery, to be major by brevet.

First Lieutenant Horace B. Field, 3d Artillery, to be captain by brevet.

First Lieutenant Thomas Claiborne, jr., Mounted Rifles, to be captain by brevet.

Second Lieutenant Bedney F. McDonald, 3d Artillery, to be first lieutenant by brevet.

List of officers for brevet promotion, for gallant and meritorious conduct in the defense of Puebla, Mexico, from September 13th to October 12th, 1847, to date from the 12th of October, 1847:

Brevet Colonel Thomas Childs, major 1st Artillery, to be brigadier-general by brevet.

Captain Henry L. Kendrick, 2d Artillery, to be major by brevet.

Captain John H. Miller, 4th Artillery, to be major by brevet.
Captain Theodore F. Rowe, 9th Infantry, to be major by brevet.
First Lieutenant Thomas G. Rhett, Rifles, to be captain by brevet.
Second Lieutenant George Edwards, 2d Artillery, since 1st lieutenant, to be first lieutenant by brevet.

List of officers for brevet promotion, for gallant and meritorious conduct in the affair at Atlixco, Mexico, October 10, 1847, to rank from that day:

Captain Lemuel Ford, 3d Dragoons, to be major by brevet.
First Lieutenant Henry C. Pratt, 2d Artillery, to be captain by brevet.
Second Lieutenant John W. Martin, 3d Dragoons, to be first lieutenant by brevet.

W. L. MARCY.

WASHINGTON, *April* 11, 1848.

The messages were read.

Ordered, That the nomination of Abram B. Ragan be referred to the Committee on Military Affairs.

Ordered, That the nomination of George F. Thompson be referred to the Committee on Commerce.

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

Mr. Dix, from the Committee on Military Affairs, to whom was this day referred the nomination of Abram B. Ragan, reported.

On motion by Mr. Dix,

The Senate, by unanimous consent, proceeded to consider the nomination of Abram B. Ragan; and

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

Mr. Cass, from the Committee on Military Affairs, to whom were referred, the 31st March, the nomination of David L. McGugin, on the 3d instant those of Edward R. Merrifield, Wellington C. Burnett, Allen T. Welch, Marquis L. Olds, and William A. Russell, and on the 10th instant that of Arthur Hood, reported.

Mr. Downs presented the memorial of Osborne Cross stating that he had understood that the confirmation of his nomination for promotion in the Quartermaster's Department had been deferred on account of a protest by Brevet Major Searle, who claims that promotion, but who is physically incapable of performing duty in the Department, that officers have heretofore been promoted over him more than once in the line of the Army, and praying that the nomination of him, the said Osborne Cross, may be confirmed; which was referred to the Committee on Military Affairs.

On motion by Mr. Atchison,

Ordered, That the memorial of the council and house of representatives of the Territory of Wisconsin to the Senate of the United States, upon the subject of a treaty with the Menominee Indians for the lands north of the Fox River, presented in legislative session on the 22d March, be transferred from the Legislative to the Executive Journal.

Mr. Atchison, from the Committee on Indian Affairs, to whom the said memorial was referred, reported the following resolutions:

Resolved, That the President be advised to enter into negotiations with any Indian tribes who may have title to lands within the territory of Wisconsin, for the extinguishment of such title.

Resolved, That it is inexpedient to repeal the resolution of the 3d day of March, 1843, or that part of said resolution, to wit: "That in the future negotiation of Indian treaties, no reservation of land should be made in favor of any person, nor the payment of any debts provided for."

On motion by Mr. Atchison,

The Senate, by unanimous consent, proceeded to consider the said resolutions and agreed thereto.

Ordered, That the Secretary lay the said resolutions before the President of the United States.

On motion by Mr. Dickinson that the Senate proceed to the consideration of the resolutions submitted by him the 3d instant,

It was determined in the negative.

Mr. Badger submitted the following preamble and order for consideration:

Whereas the Senate, sitting in Executive session on the 31st day of March, 1848, did order and declare that John Nugent who had been ordered and summoned to appear before the said Senate as a witness, and had been sworn as a witness, had by refusing to answer certain interrogatories to him propounded as such witness by and under the direction and authority of the Senate, committed a contempt of the said Senate, and did thereupon order and direct that the Sergeant-at-Arms of the Senate should take the said John Nugent into his custody, and him safely keep until the further order of the Senate; and whereas the President of the Senate, by the authority and direction of the Senate, did on the 31st day of March, in the year 1848, by a warrant under his hand, issued and directed to Robert Beale, Sergeant-at-Arms of the Senate, commanding him to take the body of the said John Nugent into his custody, and him safely keep until the further order of the Senate; and whereas the said Robert Beale, Sergeant-at-Arms, did by virtue and authority of the said order of commitment and of the said warrant, so as aforesaid to him directed, take into his custody the body of the said John Nugent, and now holds him in such custody; and whereas the said John Nugent so remains in custody as aforesaid and has failed and omitted to purge himself of said contempt: It is therefore now ordered by the Senate that the said John Nugent be forthwith committed to the marshal of the District of Columbia, to be by him held in the jail of the said District, in the county of Washington, until the further order of the Senate in the premises, and that the President of the Senate do issue his warrant to the said Robert Beale, Sergeant-at-Arms as aforesaid, commanding him forthwith to deliver to the said marshal of the said District, or to his deputy or deputies, the body of the said John Nugent, so held by him as aforesaid, and commanding the said marshal, his deputy and deputies, to receive the body of the said John Nugent, and him safely and securely to hold in the jail of the said county of Washington until the further order of the Senate, and the Sergeant-at-Arms is furthered ordered to make return to the Senate of his proceedings in this behalf.

Mr. Westcott submitted the following resolution for consideration:

Resolved, That a select committee of five be appointed (to be named by the President of the Senate), whose duty it shall be to proceed in the investigation ordered to be made by the select committees of the Senate appointed on the 23d and 24th ultimo, and which select committees have been discharged, and that the said select committee shall be invested with the same powers to send for persons and papers as said former committees.

Mr. Westcott submitted the following resolution for consideration:

Resolved, That the Secretary of the Senate be directed to pay to Richard S. Coxe, for his services in the case of John Nugent, the sum of —— dollars.

WEDNESDAY, APRIL 19, 1848.

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

I nominate Albert Pearson, of Pennsylvania, to be an assistant surgeon in the Navy, in place of Samuel H. Stout, who declines to accept his appointment.

JAMES K. POLK.

WASHINGTON, *April* 14, 1848.

To the Senate of the United States:

I nominate Daniel Dickson to be deputy postmaster at Wilmington, in the State of North Carolina, in the place of William C. Bettincourt, resigned.

Nicholas D. Coleman to be deputy postmaster at Vicksburg, in the State of Mississippi, his former commission having expired.

JAMES K. POLK.

WASHINGTON, *April* 13*th*, 1848.

To the Senate of the United States:

I nominate Thomas Tigar to be register of the land office at Fort Wayne, in the State of Indiana, from and after the 11th of June, 1848, when the commission of the present incumbent, William S. Edsall, will expire.

JAMES K. POLK.

WASHINGTON, *April* 13*th*, 1848.

To the Senate of the United States:

I nominate Henry L. Biscoe to be register of the land office for the district of lands subject to sale at Helena, in the State of Arkansas, from the 1st of May, 1848, when his present commission will expire.

Also, Jacob Faeman to be register of the land office for the district of lands subject to sale at Kaskaskia, in the State of Illinois, from the 8th of June, 1848, when his present commission will expire.

JAMES K. POLK.

WASHINGTON, 17*th April*, 1848.

To the Senate of the United States:

I nominate Captain Robert H. Chilton, of the 1st Regiment of Dragoons for promotion by brevet to the rank of major in the Army of the United States for gallant and meritorious conduct in the battle of Buena Vista, Mexico, to date from the 23d of February, 1847, agreeably to the recommendation of the Secretary of War.

JAMES K. POLK.

WASHINGTON, *April* 17*th*, 1848.

WAR DEPARTMENT, *April* 14, 1848.

SIR: I have the honor to recommend that Captain Robert H. Chilton, of the 1st Regiment of Dragoons, be promoted to the brevet of major for gallant and meritorious conduct in the battle of Buena Vista, Mex-

ico, to take rank from the 23d of February, 1847, his name having been omitted in the list recently submitted to your consideration.

Very respectfully, your ob't servant,

W. L. MARCY,
Secretary of War.

To the PRESIDENT OF THE UNITED STATES.

To the Senate of the United States:

I hereby withdraw the nomination now before the Senate of Brigadier-General David E. Twiggs, of the U. S. Army, for brevet promotion for gallant and meritorious conduct in the battle of Cerro Gordo, and nominate the said Brigadier-General David E. Twiggs for promotion by brevet to the rank of major-general in the Army of the United States, for gallant and meritorious services in the several conflicts at Montery, Mexico, on the 21st, 22d, and 23d of September, 1846, to date from the 23d of September, 1846.

JAMES K. POLK.

WASHINGTON, *April 17th*, 1848.

To the Senate of the United States:

I nominate Dr. G. P. Ogden, of Louisiana, to be an assistant surgeon in the military service of the United States, to rank as such from the 20th day of October, 1847, in accordance with the provisions of an act entitled "An act supplemental to an act providing for the prosecution of the existing war between the United States and the Republic of Mexico, and for other purposes," approved June 18, 1846.

JAMES K. POLK.

WASHINGTON, *April 17th*, 1848.

To the Senate of the United States:

I nominate Peleg Burchard to be collector of the customs for the district and inspector of the revenue for the port of Cape Vincent, in the State of New York, his late commission having expired.

Also, Alfred Palmer to be surveyor and inspector of the revenue for the port of Urbana, in the State of Virginia, his late commission having expired.

JAMES K. POLK.

WASHINGTON, *April 17th*, 1848.

The messages were read.

Ordered, That the nomination of Albert Pearson be referred to the Committee on Naval Affairs.

Ordered, That the nominations of Daniel Dickson and Nicholas D. Colman be referred to the Committee on the Post-Office and Post-Roads.

Ordered, That the nominations of Thomas Tigar, Henry L. Biscoe and Jacob Faeman, be referred to the Committee on Public Lands.

Ordered, That the nominations of Robert H. Chilton, David E. Twiggs, and G. P. Ogden be referred to the Committee on Military Affairs.

Ordered, That the nominations of Peleg Burchard and Alfred Palmer be referred to the Committee on Commerce.

The Vice-President presented a letter addressed to him by John Nugent, asking to be furnished with a copy of the warrant issued for his arrest by the Sergeant-at-Arms, March 29th, also a copy of his several replies to interrogatories put to him during his examination before the Senate on the 30th and 31st March; also a copy of his several replies

to interrogatories put to him during his examination before the Senate on the 30th and 31st March.

On motion by Mr. Mangum,

Ordered, That said letter lie on the table.

Mr. Breese, from the Committee on Public Lands, to whom were referred, the 10th instant, the nominations of Samuel Leech and C. S. Whitney, reported.

Mr. Dix, from the Committee on Commerce, to whom were referred, the 10th instant, the nominations of Montgomery D. Parker, Hiram Perry, James H. Forsyth, and John Bryan, jun'r, and on the 12th instant that of George F. Thompson, reported.

Whereupon

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

Mr. Bell, from the Committee on Indian Affairs, submitted the following resolution; which was considered, by unanimous consent, and agreed to:

Resolved, That the President be advised to negotiate and form a treaty with the Cherokee Nation of Indians, providing that the sum of fifty thousand dollars of the sum held by the Government in trust to be distributed per capita among that division or portion of the Cherokees usually called the Old Settler yarty, in the fifth article of the treaty of the 6th day of August, 1846, be paid over to the chiefs or other authorized agents of the Old Settler party for the payment of the debts due to certain creditors of that part of the nation, viz: thirty thousand dollars for the debts of individual members of the Old Settler party and others who appear to have established their claims before a commission instituted by the Old Settlers in counsel; and the further sum of twenty thousand dollars for so much, which it appears was voluntarily advanced or lent to the chiefs or agents of the said Old Settlers by what are called the Ross and the treaty party out of their portion of the funds secured to them by the above recited treaty in order to obtain their assent to the said treaty, as ratified by the Senate.

The Senate proceeded to consider the nomination of David L. McGuigin; and

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

Mr. Hannegan, from the Committee on Foreign Relations, to whom was referred, the 30th December last, the convention between the United States of America and the Swiss Confederation for the mutual abolition of the droit d'aubaine, and of taxes on emigration, concluded at Washington the 18th May, 1847, reported it without amendment.

The Senate proceeded to consider the preamble and order submitted by Mr. Badger, the 12th instant; and,

After debate,

On the question to agree to the said preamble and order,

It was determined in the negative,

Yeas	17
Nays	20

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. Ashley, Badger, Bagby, Benton, Berrien, Bright, Butler, Corwin, Davis of Massachusetts, Hale, Hannegan, Mangum, Miller, Moor, Phelps, Turney, Upham.

Those who voted in the negative are,

Messrs. Allen, Atchison, Atherton, Bell, Cass, Clarke, Davis of Mississippi, Dix, Douglas, Felch, Foote, Houston, Hunter, Johnson of

Maryland, Johnson of Georgia, Lewis, Niles Spruance, Underwood, Westcott.

So the preamble and order were not agreed to.

Mr. Hannegan submitted the following resolution for consideration:

Resolved, That John Nugent be forthwith discharged from the custody of the Sergent-at-Arms of the Senate.

The Senate proceeded to consider the resolution submitted by Mr. Westcott, the 12th instant, for the appointment of a select committee; and

After debate,

On motion by Mr. Mangum, that it lie on the table,

It was determined in the affirmative, { Yeas ..... 19 / Nays 14

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, Achison, Badger, Bell, Bright, Calhoun, Cass, Douglas, Felch, Foote, Hale, Hannegan, Hunter, Johnson of Georgia, Mangum, Niles, Spruance, Turney.

Those who voted in the negative are,

Messrs. Benton, Butler, Clarke, Crittenden, Davis of Mississippi, Dix, Houston, Johnson of Maryland, Lewis, Miller, Moor, Phelps, Underwood, Westcott.

So it was

Ordered, That the resolution submitted by Mr. Westcott, the 12th instant, for the appointment of a select committee lie on the table.

WEDNESDAY, APRIL 26, 1848.

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 N. A. Griswold, of New York, to be consul of the United States for the port of Shanghai, in China, in the place of Caleb Lyon, resigned.

JAMES K. POLK.

WASHINGTON, *April* 19, 1848.

To the Senate of the United States:

I nominate Calvin A. Warren to be receiver of public moneys for the district of lands subject to sale at Quincy, in the State of Illinois, in the place of Samuel Leech, nominted to the Senate as receiver of public moneys at the Falls of Saint Croix, Wisconsin.

JAMES K. POLK.

WASHINGTON, *April* 19, 1848.

To the Senate of the United States:

I withdraw the nomination of Lieutenant-Colonel Joseph E. Johnston, of the Regiment of Voltigeurs, for brevet of colonel, to date from the 13th of September, 1847, and hereby nominate him to be colonel by brevet for gallant and meritorious conduct, to date from the 12th of April, 1847, when he was severely wounded under the enemy's works at Cerro Gordo, Mexico, whilst on reconnoitering duty.

JAMES K. POLK.

WASHINGTON, *April* 19, 1848.

To the Senate of the United States:

I nominate the persons named in the accompanying communication for appointment in the Army of the United States, as proposed by the Secretary of War.

JAMES K. POLK.

WASHINGTON. *April* 19, 1848.

WAR DEPARTMENT, *April* 17, 1848.

SIR: I have the honor to submit the annexed list of persons for appointment in the Regular Army of the United States and in the volunteer staff, to fill the vacancies set opposite their names, respectively.

APPOINTMENTS IN THE REGULAR ARMY.

Pay Department.

John D. Beatty, of North Carolina, to be paymaster, vice Bosworth, deceased.

Eleventh Regiment of Infantry.

Samuel L. Cargill, of Virginia, to be second lieutenant, vice Loring, promoted.

Appointment under the fifth section of the "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," approved June 18, 1846:

Quartermaster's Department.

Ammorgan H. Goff, of Pennsylvania, to be assistant commissary, vice Montgomery, dismissed.

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

W. L. MARCY.

To the PRESIDENT OF THE UNITED STATES.

To the Senate of the United States:

I nominate Victor E. Piollet, of Pennsylvania, to be a paymaster in the Army of the United States, vice Hammond, deceased.

During the present session the nomination of Mr. Piollet for the same office was rejected by the Senate. Since his rejection I have received the accompanying communications from members of the Senate requesting his renomination, and in complience with the request therein contained the present nomination is made.

JAMES K. POLK.

WASHINGTON, *April* 20, 1848.

To the Senate of the United States:

I nominate the persons named in the accompanying communication for appointment in the Army of the United States, as proposed by the Secretary of War.

JAMES K. POLK.

WASHINGTON, *April* 24, 1848.

WAR DEPARTMENT, *April* 24, 1848.

SIR: I have the honor to submit the annexed list of persons for appointment in the Army of the United States, to fill the vacancies set opposite their names, respectively:

APPOINTMENTS.

Regiment of Mounted Riflemen.

John McLean Addison, of the District of Columbia (late corporal of Company F), to be second lieutenant, vice Russell, promoted.

Fifth Regiment of Infantry.

Benjamin Wingate, sergeant of Company G, Regiment of Mounted Riflemen, to be second lieutenant, vice Farrelly, promoted.

Fourteenth Regiment of Infantry.

Alvan Cullom (private of Company A), to be second lieutenant, vice Tilman Cullom, deceased.

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

W. L. MARCY.

To the PRESIDENT OF THE UNITED STATES.

To the Senate of the United States:

I nominate the officers named in the accompanying communication for regular promotion in the Army of the United States, as proposed by the Secretary of War.

JAMES K. POLK.

WASHINGTON, *April 24th*, 1848.

WAR DEPARTMENT, *April* 21, 1848.

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.

PROMOTIONS.

Third Regiment of Artillery.

Second Lieutenant John H. Leudrum to be first lieutenant, March 24, 1846, vice Welch, deceased.

First Regiment of Infantry.

First Lieutenant Alexander W. Reynolds to be captain, March 15, 1848, vice Miller, promoted major in the Second Regiment of Infantry.

Second Lieutenant Joseph B. Plummer to be first lieutenant, March 15, 1848, vice Reynolds, promoted.

Second Regiment of Infantry.

Captain Albert S. Miller, of the First Regiment of Infantry, to be major, March 15, 1848, vice Allen, deceased.

Fifth Regiment of Infantry.

First Lieutenant Sterne H. Fowler to be captain, December 9, 1847, vice Deas, assistant adjutant-general, who vacates his regimental commission.

Second Lieutenant Patrick A. Farrelly to be first lieutenant, December 9, 1847, vice Fowler, promoted.

Twelfth Regiment of Infantry.

First Lieutenant Charles Taplin to be captain, March 31st, 1848, vice Martin, resigned.

Second Lieutenant James F. Waddell to be first lieutenant, March 31, 1848, vice Taplin, promoted.

Thirteenth Regiment of Infantry.

Second Lieutenant Edward J. Dummett to be first lieutenant, March 31, 1848, vice Davis, resigned.

I am, sir, with great respect, y'r ob't serv't,

W. L. MARCY.

To the PRESIDENT OF THE UNITED STATES.

To the Senate of the United States:

I nominate Alexander G. Gordon, now a lieutenant, to be a commander in the Navy from the 14th of March, 1848, to fill the vacancy occasioned by the death of Commander James P. Wilson.

Robert B. Riell, now a master, to be a lieutenant in the Navy, from the 14th of March, 1848, to fill the vacancy occasioned by the promotion of Lieutenant A. Gordon.

Matthew C. Perry, now a master, to be a lieutenant in the Navy, from the 3d of April, 1848, to fill the vacancy occasioned by the death of Lieutenant Stephen Johnston.

Joseph Beale, now a passed assistant surgeon, to be a surgeon in the Navy, from the 19th of April, 1848, to fill the vacancy occasioned by the death of Surgeon I. Frederick Sickels.

John Ward, of Virginia, to be an assistant surgeon of the Navy, to fill the vacancy occasioned by the promotion of Passed Assistant Surgeon Joseph Beale.

JAMES K. POLK.

WASHINGTON, *April 24th*, 1848.

To the Senate of the United States:

I withdraw the name of Jacob Faeman, nominated to the Senate to be register of the land office at Kaskaskia, Illinois.

JAMES K. POLK.

WASHINGTON, *April* 25, 1848.

To the Senate of the United States:

I nominate Joseph T. Adams to be collector of the customs for the district and inspector of the revenue for the port of New Bedford, in the State of Massachusetts, from the 11th of June, 1848, when his present commission will expire.

JAMES K. POLK.

WASHINGTON, *April 26th*, 1848.

The messages were read.

Ordered, That the nominations of John N. A. Griswold and Joseph T. Adams be referred to the Committee on Commerce.

Ordered, That the nomination of Calvin A. Warren be referred to the Committee on Public Lands.

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

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

The Vice-President presented a letter from Robert Beale, Sergeant-at-Arms, complaining of insubordinate and improper conduct of C. S. Jones, employed in the service of the Senate as superintendent of the ante-room.

On motion by Mr. Mangum,

Ordered, That it lie on the table.

The Vice-President presented a letter from Jacob Gideon, complaining of acts of Robert P. Anderson, a messenger of the Senate, calculated to operate against his interest in the bill in his favor now before the Senate.

On motion by Mr. Hannegan,

Ordered, That it lie on the table.

Mr. Bright, from the Committee on Naval Affairs, to whom was referred, the 19th instant, the nomination of Albert Pearson, reported.

Whereupon

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

On motion by Mr. Douglas,

The Senate proceeded to consider the nominations of Samuel Leech and C. S. Whitney; and

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

On motion by Mr. Hannegan,

The convention between the United States of America and the Swiss Confederation, for the mutual abolition of the droit d'aubaine and of taxes on emigration, concluded at Washington the 18th May, 1847, was read the second time, and considered as in Committee of the Whole; and no amendment being made thereto, it was reported to the Senate.

Mr. Hannegan submitted the following resolution:

Resolved (*two-thirds of the Senators present concurring*), That the Senate advise and consent to the ratification of the convention between the United States of America and the Swiss Confederation, for the mutual abolition of the droit d'aubaine and taxes on emigration, concluded at Washington the 18th May, 1847.

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 34.

Messrs. Allen, Atchison, Bell, Benton, Breese, Bright, Butler, Calhoun, Cameron, Cass, Clarke, Clayton, Davis of Mississippi, Dix, Douglas, Felch, Foote, Greene, Hannegan, Houston, Johnson of Maryland, Johnson of Georgia, Lewis, Mangum, Mason, Moor, Niles, Pearce, Rusk, Spruance, Turney, Underwood, Upham, Westcott.

So the resolution was agreed to.

Ordered, That the Secretary lay the said resolution before the President of the United States.

FRIDAY, APRIL 28, 1848.

On motion by Mr Foote,

The Senate proceeded to consider the resolution submitted by Mr. Hannegan the 19th instant, for the discharge of John Nugent.

On motion by Mr. Foote, to amend the said resolution by adding at the end thereof the following: *he being represented to be seriously indisposed,*

It was determined in the affirmative.

On the question to agree to the resolution as amended,

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, Benton, Bright, Calhoun, Cameron, Cass, Clarke, Clayton, Douglas, Felch, Foote, Hannegan, Houston, Johnson of Louisiana, Johnson of Georgia, Lewis, Mangum, Mason, Niles, Rusk, Spruance, Westcott, Yulee.

Those who voted in the negative are,

Messrs. Davis of Mississippi, Moor, Underwood.

It appearing that less than a quorum had voted,

On motion by Mr. Mangum, that a call of the Senate be made, and that the Vice-President order the Sergeant-at-Arms to request the attendance of the absent members,

It was determined in the affirmative.

And the roll being called through, the following twenty-seven members answered to their names, to wit:

Messrs. Allen, Atchison, Benton, Bright, Butler, Calhoun, Cameron, Cass, Clayton, Davis of Mississippi, Douglas, Felch, Foote, Hannegan, Houston, Johnson of Louisiana, Johnson of Georgia, Lewis, Mangum, Mason, Moor, Niles, Rusk, Spruance, Underwood, Westcott, Yulee.

A quorum not answering to their names,

On motion by Mr. Mangum that the Senate adjourn,

It was determined in the negative.

An interval having elapsed,

On motion by Mr. Butler that the Senate adjourn,

It was determined in the negative.

A quorum having appeared, the question recurred on agreeing to the resolution of Mr. Hannegan as amended,

And a division of the question being called for,

The question was stated, Will the Senate agree to so much of the resolution as was submitted by Mr. Hannegan on the 19th instant?

And it was determined in the affirmative, { Yeas ..... 24 / Nays 5

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, Atchison, Benton, Breese, Bright, Cameron, Cass, Clayton, Davis of Mississippi, Douglas, Felch, Foote, Greene, Hannegan, Houston, Johnson of Louisiana, Johnson of Georgia, Lewis, Mason, Niles, Rusk, Spruance, Westcott, Yulee.

Those who voted in the negative are,

Messrs. Butler, Davis of Massachusetts, Moor, Phelps, Underwood.

The question was then stated, Will the Senate agree to the residue of the resolution submitted as an amendment by Mr. Foote this day?

And it was determined in the affirmative.

So it was

Resolved, That John Nugent be forthwith discharged from the custody of the Sergeant-at-Arms of the Senate, he being represented to be seriously indisposed.

Mr. Cameron, from the Committee on Naval Affairs, to whom were referred, the 26th instant, the nominations of Alexander G. Gordon, Robert B. Riell, Matthew C. Perry, Joseph Beale, and John Ward, 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 for consideration:

Resolved, That the injunction of secrecy be removed from the proceedings of the Senate on the inquiry into the manner and means by which the treaty with Mexico and the messages of the President and documents transmitted with the treaty have been made public, including all the proceedings in the case of John Nugent.

WEDNESDAY, MAY 10, 1848.

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 Horatio I. Sprague to be consul of the United States for the Port of Gibraltar, in the place of Horatio Sprague, deceased.

JAMES K. POLK.

WASHINGTON, *27th April*, 1848.

To the Senate of the United States:

I nominate Henry W. Tilley to be deputy postmaster at Georgetown, in the District of Columbia, from and after the 11th day of June, 1848, when his present commission will expire.

William Noble to be deputy postmaster at Burlington, in the State of Vermont, from and after the 15th day of June, 1848, when his present commission will expire.

Alfred Huger to be deputy postmaster at Charleston, in the State of South Carolina, from and after the 22d day of July, 1848, when his present commission will expire.

Daniel Bryan to be deputy postmaster at Alexandria, in the State of Virginia, from and after the 2d day of July, 1848, when his present commission will expire.

Neill Blue to be deputy postmaster at Montgomery, in the State of Alabama, from and after the 2d day of July, 1848, when his present commission will expire.

Mary Dickson to be deputy postmaster at Lancaster, in the State of Pennsylvania, from and after the 2d day of July, 1848, when her present commission will expire.

JAMES K. POLK.

WASHINGTON, *April 27th*, 1848.

To the Senate of the United States:

I nominate Mitchell Hindsdill to be receiver of public moneys for the district of lands subject to sale at Kalamazoo, in the State of Michigan, from and after the 11th day of June, 1848, when his present commission expires.

JAMES K. POLK.

WASHINGTON, *April* 27, 1848.

To the Senate of the United States:

I nominate Joshua M. Danly, of Arkansas, to be second lieutenant in the Twelfth Regiment of Infantry, vice Magruder, resigned.

JAMES K. POLK.

WASHINGTON, *April* 27, 1848.

To the Senate of the United States:

I withdraw the nomination of Captain Richard H. Ross, 7th Infantry, and Captain William I. Hardee, 2d Dragoons, for brevet promotion of majors to date from the battle of Churubusco, and now nominate them for brevet promotion as follows:

Captain Richard H. Ross, 7th Infantry, to be major by brevet, for gallant and meritorious conduct in the battle of Monterey, Mexico, to date from the 23d September, 1846;

Captain William I. Hardee, 2d Dragoons, to be major by brevet, for gallant and meritorious conduct in the affair at Madellin, Mexico, to date from the 26th of March, 1847;

I also nominate Captain Richard C. Gatlin, 7th Infantry, to be major by brevet for gallant and meritorious conduct in the battle of Monterey, Mexico, to date from the 23d September, 1846; and

Second Lieutenant Philip W. McDonald, 2d Dragoons, to be 1st lieutenant by brevet for gallant and meritorious conduct in the battle of Monterey, Mexico, to date from the 23d of September, 1846.

JAMES K. POLK.

WASHINGTON, *April* 27, 1848.

To the Senate of the United States:

I nominate Ashley R. Lentz, of Alabama, for the appointment of second lieutenant in the Thirteenth Regiment of Infantry, vice Dummett, promoted.

JAMES K. POLK.

WASHINGTON, *May* 2, 1848.

To the Senate of the United States:

I nominate William D. Harrison, of Virginia, to be an assistant surgeon in the Navy, from the 25th of April, 1848, to fill a vacancy occasioned by the resignation of Passed Assistant Surgeon Oscar F. Baxter.

JAMES K. POLK.

WASHINGTON, *May* 2, 1848.

To the Senate of the United States:

I nominate Edward McCrady to be attorney of the United States for the district of South Carolina, from and after the 7th day of May, 1848, when his present commission will expire.

JAMES K. POLK.

WASHINGTON, *May* 3, 1848.

To the Senate of the United States:

I nominate Jacob Feaman to be register of the land office at Kaskaskia, in the State of Illinois, from and after the 8th of June, 1848, when his present commission will expire.

JAMES K. POLK.

WASHINGTON, 3*d May*, 1848.

To the Senate of the United States:

I withdraw the nomination, now before the Senate, of Ammorgan H. Goff to be assistant commissary, and hereby nominate the said Ammorgan H. Goff, of Pennsylvania, to be assistant quartermaster, with the rank of captain, in the military service of the United States, vice Montgomery, dismissed.

JAMES K. POLK.

WASHINGTON, *May* 3d, 1848.

WASHINGTON, *May* 4, 1848.

To the Senate of the United States:

I withdraw the nomination of Joseph T. Adams for reappointment as collector of the customs for the district and inspector of the revenue for the port of New Bedford, in the State of Massachusetts, and nominate to the same office Cyrus E. Clark in the place of Joseph T. Adams, whose commission will expire on the 11th of June, 1848.

JAMES K. POLK.

To the Senate of the United States:

I nominate Henry W. Augustin to be deputy collector of the customs for the port of Sabine, in the State of Texas, in the place of W. C. V. Dashiell, resigned.

JAMES K. POLK.

WASHINGTON, *May* 5*th*, 1848.

To the Senate of the United States:

I nominate William W. Leland to be receiver of public moneys for the district of lands subject to sale at Pontotoc, in the State of Mississippi, vice William S. Taylor, resigned.

JAMES K. POLK.

WASHINGTON, *May* 5*th*, 1848.

WASHINGTON *May* 5*th*, 1848.

To the Senate of the United States:

I nominate George C. Hutter, of Virginia, and Richard H. Weightman, of the District of Columbia, to be additional paymasters in the military service of the United States, as proposed in the accompanying communication of the Secretary of War.

JAMES K. POLK.

WAR DEPARTMENT, *May* 3, 1848.

SIR: I have the honor respectfully to submit for your approbation the names of the following persons for appointment in the Pay Department of the Army of the United States, under the twenty-fifth section of the act entitled "An act to increase the present military establishment of the United States, and for other purposes," approved July 5, 1838, viz:

George C. Hutter, of Virginia, to be an additional paymaster, vice Cloud, deceased.

Richard H. Weightman, of the District of Columbia, to be an additional paymaster, to fill a vacancy, the number of paymasters in service being less than the complement authorized by the law above cited.

I am, sir, with great respect, y'r ob't serv't,

W. L. MARCY.

To the PRESIDENT OF THE UNITED STATES.

To the Senate of the United States:

I nominate Jonathan E. Fletcher, of Iowa, to be Indian agent for the Winnebagoes and other Indians on and west of the Upper Mississippi River, for the term of four years.

JAMES K. POLK.

WASHINGTON, *May* 8, 1848.

To the Senate of the United States:

I nominate the officers named in the accompanying communication for regular promotion in the Army of the United States, as proposed by the Secretary of War.

JAMES K. POLK.

WASHINGTON, *May* 8, 1848.

WAR DEPARTMENT, *May* 8, 1848.

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.

PROMOTIONS.

Second Regiment of Artillery.

First Lieutenant Edward D. Townsend to be captain, April 28, 1848, vice DeHart, deceased.

First Lieutenant Henry C. Pratt to be captain, April 21, 1848, vice Townsend, assistant adjutant-general, who vacates his regimental commission.

Second lieutenant Joseph S. Totten to be first lieutenant, April 21, 1848, vice Townsend, promoted.

Second lieutenant Anderson Merchant to be first lieutenant, April 21, 1848, vice Pratt, promoted.

Fourth Regiment of Artillery.

First Lieutenant Joseph Roberts to be captain, April 11, 1848, vice Deas, dismissed.

Second Lieutenant John A. Brown to be first lieutenant, April 11, 1848, vice Roberts, promoted.

Ninth Regiment of Infantry.

Second Lieutenant Levi Woodhouse to be first lieutenant, May 6, 1848, vice Hodge, resigned.

Fifteenth Regiment of Infantry.

First Lieutenant Diedrich Upmann to be captain, May 6, 1848, vice Winans, resigned.

First Lieutenant Edward C. Marshall to be captain, May 6, 1848, vice Tanneyhill, resigned.

Second Lieutenant Francis O. Becket to be first lieutenant, May 6, 1848, vice Upmann, promoted.

Second Lieutenant Thomas B. Tilton to be first lieutenant, May 6, 1848, vice Marshall, promoted

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

W. L. MARCY.

To the PRESIDENT OF THE UNITED STATES.

To the Senate of the United States:

I nominate the persons named in the accompanying communication for appointment in the military service of the United States, as proposed by the Secretary of War.

JAMES K. POLK.

WASHINGTON, *May* 8, 1848.

WAR DEPARTMENT, *May* 8, 1848.

SIR: I have the honor to propose for your approbation the annexed list of persons for appointment in the military service of the United States, to fill vacancies set opposite their names respectively.

Thirteenth Regiment of Infantry.

Claiborne E. Evans, of Alabama, to be second lieutenant, vice McMillion, resigned.

Appointment under the fifth section of the "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," approved June 18, 1846:

Medical Department.

Thomas J. Buffington, of Louisiana, to be surgeon, vice Hereford, declined.

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

W. L. MARCY.

To the PRESIDENT OF THE UNITED STATES.

To the Senate of the United States:

I nominate John Taylor to be register of the land office for the district of lands subject to sale at Upper Sandusky, in the State of Ohio, in the place of Robert W. Kelly, removed; and

William L. Henderson to be receiver of public moneys for the district of lands subject to sale at Upper Sandusky, in the State of Ohio, in the place of Purdy McElvaine, deceased.

JAMES K. POLK.

WASHINGTON, *May* 9, 1848.

To the Senate of the United States:

I nominate George H. McWhorter to be collector of the customs for the district and inspector of the revenue for the port of Oswego, in the State of New York, from the 17th of May, 1848, when his present commission will expire.

JAMES K. POLK.

WASHINGTON, *May* 9, 1848.

To the Senate of the United States:

I nominate Alexander Galt to be deputy postmaster at Norfolk, in the State of Virginia, his former commission having expired.

David Blair to be deputy postmaster at Columbus, in the State of Mississippi, his former commission having expired.

John Roy Anderson to be deputy postmaster at Chillicothe, in the State of Ohio, his former commission having expired.

JAMES K. POLK.

WASHINGTON, *May* 9, 1848.

To the Senate of the United States:

I withdraw the name of C. A. Warren, nominated as receiver of public moneys at Quincy, in Illinois, and nominate Hiram Rogers to be receiver of public moneys for the district of lands subject to sale at Quincy, Illinois.

JAMES K. POLK.

WASHINGTON, *May* 10, 1848.

The messages were read.

Ordered, That the nominations of Horatio I. Sprague, Cyrus E. Clark, Henry W. Augustin, and George H. McWhorter 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 registers and receivers of land offices be referred to the Committee on Public Lands.

Ordered, That the nominations for promotion and appointment in the Army, except those of additional paymasters, be referred to the Committee on Military Affairs.

Ordered, That the nomination of William D. Harrison be referred to the Committee on Naval Affairs.

Ordered, That the nomination of Edward McCrady be referred to the Committee on the Judiciary.

Ordered, That the nomination of Jonathan E. Fletcher be referred to the Committee on Indian Affairs.

On motion by Mr. Dix,

The Senate, by unanimous consent, proceeded to consider the nominations of George C. Hutter and Richard N. Weightman; and

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 were referred, the 19th April, the nominations of Thomas Tigar and Henry L. Biscoe, reported.

Whereupon

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

Mr. Atchison, from the Committee on Indian Affairs, to whom was referred, the 14th March, the nomination of Samuel M. Rutherford, 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, the 19th April, the nominations of Daniel Dickson and Nicholas D. Coleman, 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 referred, the 19th April, the nominations of Peleg Burchard and Alfred Palmer, and on the 26th April that of John N. A. Griswold, reported.

Whereupon

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

Mr. Cass, from the Committee on Military Affairs, to whom were referred, the 12th April, the following nominations for promotion by brevet

in the Army of the United States, to wit: For gallant and meritorious conduct in the battles of Palo Alto and Resaca de la Palma, in Texas—George A. McCall, William W. S. Bliss, Delos B. Sackett, and Thomas J. Brereton; for gallant and meritorious conduct in the several conflicts at Monterey, Mexico—George D. Ramsay, Henry Bainbridge, William S. Henry, Lewis S. Craig, William W. Mackall, Don Carlos Buel, William T. H. Brooks, Charles L. Kilburn, Joseph J. Reynolds, Samuel G. French, and Schuyler Hamilton; for gallant and meritorious conduct in the battles of Buena Vista, Mexico—John E. Wool, Sylvester Churchill, John Munroe, I. K. F. Mansfield, John M. Washington, Roger S. Dix, W. W. S. Bliss, Braxton Bragg, Thomas Linnard, Amos B. Eaton, Ebenezer S. Sibley, William W. Chapman, Thomas W. Sherman, William H. Shover, James L. Dona dson, George H. Thomas, Robert S. Garnett, John P. J. O'Brien, Henry W. Benham, Thomas L. Brent, Lorenzo Sitgreaves, Irwin McDowell, John Pope, John F. Reynolds, Charles L. Kilburn, Samuel G. French, Charles P. Kingsbury, Henry M. Whitney, William B. Franklin, Darius N. Couch, and Francis J. Bryan, reported.

Whereupon

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

Mr. Cass, from the Committee on Military Affairs, to whom was referred, the 19th April, the nomination of Brigadier-General David E. Twiggs for promotion by brevet to the rank of major-general in the Army of the United States, for gallant and meritorious services in the several conflicts at Monterey, Mexico, on the 21st, 22d, and 23d of September, 1846, to date from the 23d of September, 1846, reported.

Whereupon

Resolved, That the Senate advise and consent to the promotion by brevet of David E. Twiggs, agreeably to the said nomination.

Mr. Cass, from the Committee on Military Affairs, to whom were referred, the 19th April, the nomination of G. P. Ogden, and on the 26th April those of John D. Beatty, Samuel L. Cargill, John H. Lendrum, Alexander W. Reynolds, Joseph B. Plummer, Albert S. Miller, Sterne H. Fowler, Patrick A. Farrelly, Charles Taplin, James F. Waddell, and Edward J. Dummett, reported.

Whereupon

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

Mr. Cass, from the Committee on Military Affairs, to whom were referred, the 26th April, the nominations of John McLean Addison, Benjamin Wingate, and Alvan Cullom, reported.

Mr. Cass, from the Committee on Military Affairs, to whom were referred, the 12th April, the nominations of the following-named persons for promotion by brevet for gallant and meritorious conduct in the battles of Buena Vista, Mexico, to wit: Enoch Steen, Daniel H. Rucker, James L. Carleton, Reuben P. Campbell, Abraham Buford, Joseph H. Whittlesey, Newton C. Givens, Thomas J. Wood, and George F. Evans, and on the 19th April that of Robert H. Chilton, reported.

On motion by Mr. Cass,

The Senate proceeded to consider the said nominations; and,

On motion by Mr. Hannegan,

Ordered, That they lie on the table.

Mr Cass, from the Committee on Military Affairs, to whom was referred, the 26th April, the nomination of Victor E. Piollet, reported.

FRIDAY, MAY 12, 1848.

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 H. R. Agnel, second teacher of French at the United States Military Academy at West Point, to be professor of French, vice C. Berard, deceased, to take effect from the 6th day of May, 1848, agreeably to the recommendation of the Secretary of War.

JAMES K. POLK.

WASHINGTON, *May* 10, 1848.

WAR DEPARTMENT, *May* 10, 1848.

SIR: I have the honor to recommend that H. R. Agnel, second teacher of French at the United States Military Academy at West Point, be appointed to the professorship of French, vacant by the death of Prof. C. Berard, to take effect from the 6th day of May, 1848.

Very respectfully, your ob't servant,

W. L. MARCY,
Secretary of War.

To the PRESIDENT.

To the Senate of the United States:

I nominate John R. Atkinsqn, of Missouri, to be surgeon of the Third Regiment of Dragoons, authorized by the act approved February 11th, 1847, entitled "An act to raise for a limited time an additional military force, and for other purposes," vice Barton, resigned.

JAMES K. POLK.

WASHINGTON, *May* 11, 1848.

To the Senate of the United States:

I nominate Samuel K. Haring to be collector of the customs for the district and inspector of the revenue for the port of Michilimackinac, in the State of Michigan, from the 23d of May, 1848, when his present commission will expire.

JAMES K. POLK.

WASHINGTON, *May* 11*th*, 1848.

To the Senate of the United States:

I nominate John D. Elliott to be collector of the customs for the district and inspector of the revenue for the Port of Natcheez, in the State of Mississippi, his late commission having expired on the 10th instant.

JAMES K. POLK.

WASHINGTON, *May* 12*th*, 1848.

To the Senate of the United States:

I herewith communicate to the Senate, for their consideration, with a view to its ratification, a convention for the extension of certain stipulations, contained in the treaty of commerce and navigation of August 27, 1829, between the United States and Austria, concluded and signed in this city on the 8th instant, by the respective plenipotentiaries.

JAMES K. POLK.

WASHINGTON, *May* 9*th*, 1848.

The messages were read.

Ordered, That the nominations of H. R. Agnel and John R. Atkinson be referred to the Committee on Military Affairs.

Ordered, That the nominations of Samuel K. Haring and John D. Elliott be referred to the Committee on Commerce.

The convention for the extension of certain stipulations contained in the treaty of commerce and navigation of 27th August, 1829, between the United States of America and His Majesty the Emperor of Austria, concluded at the city of Washington the 8th of May, 1848, was read the first time; and

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

Mr. Yulee, from the Committee on Naval Affairs, to whom was referred, the 10th instant, the nomination of William D. Harrison, 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 were referred, the 10th instant, the nominations of Jacob Feaman, William W. Leland, and Hiram Rogers, 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 was referred, the 10th instant, the nomination of Horatio I. Sprague, reported.

Whereupon

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

TUESDAY, MAY 16, 1848.

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 S. Rains, of Missouri, to be Indian agent for the Osage River Agency, vice Solomon P. Soublette, resigned, for the term of four years.

JAMES K. POLK.

WASHINGTON, *May* 16, 1848.

To the Senate of the United States:

I nominate Charles D. Learned to be deputy collector of the customs and inspector of the revenue for the district of Pearl River, to reside at the port of Ship Island, in the State of Mississippi.

JAMES K. POLK.

WASHINGTON, *May* 16, 1848.

To the Senate of the United States:

I withdraw the nomination of Cyrus E. Clark as collector of the customs for the district and inspector of the revenue for the port of New Bedford, in the State of Massachusetts, and nominate

Joseph T. Adams to be collector of the customs for the district and inspector of the revenue for the port of New Bedford, in the State of

Massachusetts, from the 11th day of June, 1848, when his present commission will expire.

JAMES K. POLK.

WASHINGTON, 16 *May*, 1848.

To the Senate of the United States:

I nominate Asaph R. Nichols to be deputy postmaster at Augusta, in the State of Maine, from and after the 15th day of June, 1848, when his present commission will expire.

JAMES K. POLK.

WASHINGTON, 13*th May*, 1848.

To the Senate of the United States:

I nominate Mathew Leiper to be receiver of public moneys for the district of lands subject to sale at Fayetteville, Arkansas, from and after the 10th day of July, 1848, when his present commission expires.

Daniel T. Whitter to be receiver of public moneys for the district of land subject to sale at Washington, Arkansas, from and after the 10th of July, 1848, when his present commission expires.

JAMES K. POLK.

WASHINGTON, 13*th May*, 1848.

The messages were read.

Ordered, That the nomination of James S. Rains be referred to the Committee on Indian Affairs.

Ordered, That the nominations of Charles D. Learned and Joseph T. Adams be referred to the Committee on Commerce.

Ordered, That the nomination of Asaph R. Nichols be referred to the Committee on the Post-Office and Post-Roads.

Ordered, That the nominations of Mathew Leiper and Daniel T. Whitter be referred to the Committee on Public Lands.

The Vice-President presented a letter from James W. Schaumburg, communicating his "answer and response" to the report of the Committee on Military Affairs;

And the reception being objected to by Mr. Badger,

On the question, Shall the said communication be received?

It was determined in the negative.

Mr. Niles, from the Committee on the Post-Office and Post-Roads, to whom was referred, the 10th instant, the nomination of John Roy Anderson, reported.

Whereupon

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

Mr. Cass, from the Committee on Military Affairs, to whom were referred, the 12th instant, the nominations of H. R. Agnel and John R. Atkinson, 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 was referred, the 10th instant, the nomination of Henry W. Augustin, reported.

Whereupon

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

Mr. Westcott, from the Committee on the Judiciary, to whom was referred, the 10th instant, the nomination of Edward McCrady, reported.

Whereupon

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

Mr. Hannegan, from the Committee on Foreign Relations, to whom was referred, the 25th January last, the declaration of the Government of the Grand Duchy of Mecklenburg Schwerin, done at Schwerin the 9th day of December, 1847, by L. de Lutzow, president of the privy council and first minister of His Royal Highness, on the part of Mecklenburg Schwerin, and A. Dudley Mann, special agent on the part of the United States, reported it without amendment.

The declaration was read the second time, and considered as in Committee of the Whole; and no amendment being made, it was reported to the Senate.

Mr. Hannegan submitted the following resolution for consideration:

Resolved (*two thirds of the Senators present concurring*), That the Senate have considered the declaration of the Government of the Grand Duchy of Mechlenburg Schwerin, done at Schwerin the 9th day of December, 1847, by L. de Lutzow, president of the privy council and first minister of His Royal Highness, on the part of Mecklenburg Schwerin, and A. Dudley Mann, special agent on the part of the United States, and transmitted in the message of the President of the 21st of January, 1848, do advise and consent to its ratification.

On motion by Mr. Rusk,

The Senate proceeded to consider the nomination of Hanson G. Catlett; and

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

On motion by Mr. Davis, of Mississippi,

The Senate proceeded to consider the nomination of Osborne Cross; and,

On motion by Mr. Badger,

Ordered, That it be postponed until tomorrow.

THURSDAY, MAY 18, 1848.

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 Gustavus Koerner, of Illinois, to be consul of the United States for the port of Hamburg, in the place of John Cuthbert, deceased.

JAMES K. POLK.

WASHINGTON, *May* 17, 1848.

To the Senate of the United States:

I nominate the persons named in the accompanying communication for appointment in the military service of the United States, as proposed by the Secretary of War.

JAMES K. POLK.

WASHINGTON, *May* 17, 1848.

WAR DEPARTMENT, *May* 1, 1848.

SIR: I have the honor to propose for your approbation the annexed list of persons for appointment in the military service of the United States, to fill the vacancies set opposite their names respectively:

Second Regiment of Artillery.

Wiley C. Adams, of Georgia, to be second lieutenant, vice Greeson, declined.

Twelfth Regiment of Infantry.

Thomas A. Harris, of Missouri, to be second lieutenant, vice Miller, resigned.

Sixteenth Regiment of Infantry.

William B. Whiteside, of Illinois, to be assistant surgeon, vice Stuart, resigned.

Appointment under the fifth section of the "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," approved June 18, 1846:

Quartermaster's Department.

Charles H. Pelham, of Arkansas, to be assistant quartermaster with the rank of captain, vice G. P. Smith, discharged by the temporary reduction of the volunteer forces.

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

W. L. MARCY.

To the PRESIDENT OF THE UNITED STATES.

To the Senate of the United States:

Information having been received of the death of Joshua M. Danby, of Arkansas, whose nomination is pending before the Senate to be second lieutenant in the Twelfth Regiment of Infantry, vice Magruder, resigned, I nominate in his stead Daniel R. McKissick, of Arkansas, to be second lieutenant in the Twelfth Regiment of Infantry.

JAMES K. POLK.

WASHINGTON, *May* 17, 1848.

The messages were read.

Ordered, That the nomination of Gustavus Koerner be referred to the Committee on Commerce.

Ordered, That the nominations of officers of the Army be referred to the Committee on Military Affairs.

Mr. Atchison, from the Committee on Indian Affairs, to whom were referred, the 10th instant, the nomination of Jonathan E. Fletcher, and on the 16th instant that of James S. Rains, reported.

Whereupon

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

On motion by Mr. Hannegan,

The Senate proceeded to consider the resolution submitted by Mr. Hannegan, the 16th instant,

And on the question to agree thereto,

It was determined in the affirmative, { Yeas ..... 20 / Nays 1

Those who voted in the affirmative are,

Messrs. Allen, Atchison, Atherton, Bell, Berrin, Borland, Bright, Calhoun, Cameron, Davis of Mississippi, Dickinson, Dix, Felch, Hannegan, Johnson of Louisiana, Johnson of Georgia, Lewis, Miller, Niles, Pearce, Rusk, Spruance, Sturgeon, Turney, Underwood, Upham, Westcott, Yulee.

And Mr. Baldwin voted in the negative.

Ordered, That the Secretary lay the said resolution before the President of the United States.

TUESDAY, MAY 30, 1848.

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

To the Senate of the United States:

For the reasons given in the subjoined letter of the Secretary of War, I withdraw the nomination of Second Lieutenant George T. Andrews, 3d Artiliery, for brevet of first lieutenant, and now nominate First Lieutenant George Pearce Andrews, 3d Artillery, to be captain by brevet for gallant and meritorious conduct in the battle of Molino del Rey, to date from the 8th of September, 1847.

JAMES K. POLK.

WASHINGTON, *May* 19, 1848.

WAR DEPARTMENT, *May* 17, 1848.

SIR: I respectfully recommend that the name of Second Lieutenant George T. Andrews, 3d Artillery, be withdrawn from the nomination list for brevet of first lieutenant at Molino del Rey, and that First Lieutenant George Pearce Andrews, 3d Artillery, be nominated to be captain by brevet for gallant and meritorious conduct in that battle, to date from the 8th of September, 1848. The similarity of names, and the fact of their being both first lieutenants and belonging to the same regiment at the time the list was made out, occasioned the mistake in transcribing. First Lieutenant George P. Andrews, 3d Artillery, is the officer mentioned in the reports of the battle of Molino del Rey.

Very respectfully, y'r ob't serv't,

W. L. MARCY,
Secretary of War.

To the PRESIDENT OF THE UNITED STATES.

To the Senate of the United States:

I nominate Paymasters Edmund Kirby and Lloyd J. Beall for reappointment in the Pay Department of the Army of the United States, as proposed in the accompanying communication of the Secretary of War.

JAMES K. POLK.

WASHINGTON, *May 29th*, 1848.

WAR DEPARTMENT, *May* 24, 1848.

SIR: I have the honor respectfully to propose for your approbation the names of the following paymasters for reappointment in the Army of the United States, viz:

REAPPOINTMENTS.

Pay Department.

Paymaster Edmund Kirby, to take effect August 5, 1848, when his present appointment will expire.

Paymaster Lloyd J. Beall, to take effect September 13, 1848, when his present appointment will expire.

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

W. L. MARCY.

To the PRESIDENT OF THE UNITED STATES.

To the Senate of the United States:

I nominate the persons 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, *May* 29, 1848.

WAR DEPARTMENT, *May* 25, 1848.

SIR: I have the honor to submit the annexed list of persons for appointment in the Regular Army of the United States, to fill the vacancies set opposite their names respectively, viz:

I. APPOINTMENTS.

First Regiment of Infantry.

Edmund G. Bradford, of Mississippi, to be second lieutenant, vice Plummer, promoted.

Second Regiment of Infantry.

William W. Johnson, of Ohio, to be second lieutenant, to fill a vacancy occasioned by Captain McKinstry, assistant quartermaster, vacating his regimental commission.

Fourth Regiment of Infantry.

John C. Bonneycastle, of Virginia, to be second lieutenant, vice Bussey, cashiered.

Eighth Regiment of Infantry.

John Bold, of South Carolina, to be second lieutenant, vice Merriwether, declined.

Sixteenth Regiment of Infantry.

John C. Railey, of Kentucky, to be second lieutenant, vice Young, declined.

II. TRANSFERS.

First Regiment of Dragoons.

Lorimer Graham, of New York, lieutenant in the Tenth Regiment of Infantry, to be second lieutenant, vice Davidson, promoted, to date from April 9, 1847 (the date of his present commission), and to stand on the Army Register next below Second Lieutenant Evans.

Second Regiment of Artillery.

Frank H. Larned, of Michigan, lieutenant in the Regiment of Voltigeurs and Foot Riflemen, to be second lieutenant, vice McAllister, trans-

ferred to the Ordnance Department, to date from April 9, 1847 (the date of his present commission), and to stand on the Army Register next below Second Lieutenant Beall.

Eighth Regiment of Infantry.

Horace Haldeman, of Pennsylvania, lieutenant in the Eleventh Regiment of Infantry, to be second lieutenant, vice Hays, resigned, to date from April 9. 1847 (the date of his former commission), and to stand on the Army Register next below Second Lieutenant Deaney.

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

W. L. MARCY.

To the PRESIDENT OF THE UNITED STATES.

To the Senate of the United States:

Agreeably to the recommendation of the Secretary of War, I nominate, for brevet promotion, the officers named in the subjoined list, for gallant and meritorious conduct in the several affairs with the enemy mentioned opposite to their names, respectively.

JAMES K. POLK.

WASHINGTON, *May 29th*, 1848.

WAR DEPARTMENT, *May* 24, 1848.

SIR: I respectfully recommend that the officers named in the accompanying list be nominated for brevet promotion to the grades opposite their names, respectively.

Very respectfully, your obed't servant,

W. L. MARCY,
Secretary of War.

To the PRESIDENT OF THE UNITED STATES.

List of officers for brevet promotion.

Brevet Lieutenant-Colonel Charles A. May, captain 2d Dragoons, to be colonel by brevet, for gallant and meritorious conduct in the battle of Buena Vista, Mexico, to date from the 23d of February, 1847.

Lieutenant-Colonel William W. Loring, Mounted Rifles, to be colonel by brevet, for gallant and meritorious conduct in the battle of Chapultepec, Mexico, to date from the 13th of September, 1847.

Brevet Major Richard H. Ross, captain 7th Infantry, to be lieutenant-colonel by brevet, for gallant and meritorious conduct in the battle of Coutreras, Mexico. to date from the 20th of August, 1847.

Brevet Major William J. Hardee, captain 2d Dragoons, to be lieutenant-colonel by brevet, for gallant and meritorious conduct in an affair with the enemy at San Augustine, Mexico, to date from the 20th of August, 1847.

Captain George H. Crosman, assistant quartermaster, to be major by brevet, for gallant and meritorious conduct in the battle of Palo Alto, to date from the 8th of May, 1846.

Captain George G. Waggaman, commissary of subsistence, to be major by brevet, for gallant and meritorious conduct in the battles of Palo Alto, Resaca de la Palma, and Monterey, Mexico, to date from the 23d of September, 1846.

Captain Henry H. Sibley, 2d Dragoons, to be major by brevet, for gallant and meritorious conduct in the affair at Madalin, Mexico, to date from the 25th of March, 1847.

First Lieutenant John P. McCowan, 4th Artillery, to be captain by brevet, for gallant and meritorious conduct in the battle of Cerro Gordo, Mexico, to date from the 18th of April, 1847.

First Lieutenant Hamilton S. Shields, 3d Artillery, to be captain by brevet, for gallant and meritorious conduct in the battle of Molino del Rey, Mexico, to date from the 8th of September, 1847.

Brevet First Lieutenant Schuyler Hamilton, 1st Infantry, to be captain by brevet, for gallant and meritorious conduct in an affair with the enemy at Mil Flores, Mexico, to date from the thirteenth of August, 1847.

Second Lieutenant Richard H. Anderson, 2d Dragoons, to be first lieutenant by brevet for gallant and meritorious conduct in an affair with the enemy at San Augustine, Mexico, to date from the 20th of August, 1847.

To the Senate of the United States:

I nominate Stephen K. Stanton, of New York, to be secretary of the legation of the United States to the French Republic, in the place of I. L. Martin, appointed chargé d'affaires of the United States to the Papal States.

JAMES K. POLK.

WASHINGTON, *29th May*, 1848.

To the Senate of the United States:

I nominate William F. Carrington, of Virginia, to be an assistant surgeon in the Navy, to fill the vacancy created by the death of Passed Assistant Surgeon J. Malcolm Smith.

JAMES K. POLK.

WASHINGTON, *May* 29, 1848.

To the Senate of the United States:

I withdraw the name of John Taylor, nominated to the Senate as register of the land office at Upper Sandusky, in the State of Ohio, vice R. McKelly, removed.

JAMES K. POLK.

WASHINGTON, *May* 29, 1848.

To the Senate of the United States:

I nominate John Taylor to be register of the land office at Upper Sandusky, in the State of Ohio, in the place of R. McKelly, resigned.

JAMES K. POLK.

WASHINGTON, *May* 30, 1848.

To the Senate of the United States:

I nominate Nathaniel Jackson to be surveyor for the district and inspector of the revenue for the port of Newburyport, in the State of Massachusetts, his late commission having expired.

JAMES K. POLK.

WASHINGTON, *May 30th*, 1848.

To the Senate of the United States:

I nominate Robert Strange, jr., of North Carolina, to be paymaster in the Army of the United States, vice Beatty, declined, in conformity with the act approved March 3d, 1847, entitled "An act making provisions for an additional number of general officers, and for other purposes."

JAMES K. POLK.

WASHINGTON, *May* 30, 1848.

To the Senate of the United States:

For the reasons set forth in the accompanying letter of the Secretary of War relative to the brevet promotion of Second Lieutenant Joseph J. Reynolds, 3d Artillery, I ask a reconsideration of the confirmation by the Senate of that promotion, in order that I may have an opportunity to withdraw the nomination.

JAMES K. POLK.

WASHINGTON, *May* 30, 1848.

WASHINGTON, *May* 25, 1848.

SIR: Second Lieutenant Joseph J. Reynolds, of the 3d Artillery, was nominated by you for a brevet of 1st lieutenant for gallant and meritorious conduct in the battle of Monterey, Mexico, to date from the 23d of September, 1846. That nomination has lately been confirmed by the Senate. By the inclosed letter from that officer it appears that he was not in the battle of Monterey, having been ordered, soon after the battles of Palo Alto and Resaca de la Palma, to conduct General La Vega to New Orleans; he was subsequently placed on duty at the North, and has not since returned to the Army. The brevet was intended for First Lieutenant John F. Reynolds, of the same regiment, who was in the battle of Monterey, and who has since been nominated and confirmed as brevet captain for gallant conduct in the battle of Buena Vista. I respectfully request that the Senate be asked to reconsider the confirmation of Second Lieutenant Joseph J. Reynolds, 3d Artillery, to be 1st lieutenant by brevet, in order that the nomination may be withdrawn should you deem that course proper.

Very respectfully, your obedient servant,

W. L. MARCY,
Secretary of War.

To the PRESIDENT OF THE UNITED STATES.

The messages were read.

Ordered, That the nominations of George P. Andrews, Edmund Kirby, Lloyd J. Beall, Edmund G. Bradford, William W. Johnson, John C. Bonneycastle, John Bold, John C. Railey, Lorimer Graham, Frank H. Larned, Horace Haldeman, Charles A. May, William W. Loring, Richard H. Ross, William J. Hardee, George H. Crosman, George G. Waggaman, Henry H. Sibley, John P. McCowan, Hamilton L. Shields, Schuyler Hamilton, Richard H. Anderson, and Robert Strange, junior, be referred to the Committee on Military Affairs.

Ordered, That the nomination of Stephen R. Stanton be referred to the Committee on Foreign Relations.

Ordered, That the nomination of William F. Carrington be referred to the Committee on Naval Affairs.

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

Ordered, That the nomination of Nathaniel Jackson be referred to the Committee on Commerce.

The Senate proceeded to consider the message respecting the nomination of Joseph J. Reynolds; and

On motion by Mr. Benton, and by unanimous consent,

The Senate proceeded to reconsider the nomination of Joseph J. Reynolds, and

Ordered, That it lie on the table.

Mr. Niles, from the Committee on Post-Offices and Post-Roads, to whom were referred, the 10th instant, the nominations of Henry W.

Tilley, Alfred Huger, Daniel Brian, Neil Blue, and Mary Dickson, reported.

Mr. Dix, from the Committee on Commerce, to whom was referred, the 10th instant, the nomination of George McWhorter, reported.

Whereupon

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

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

Resolved, That the Secretary of War be directed to communicate to the Senate, in executive session, as early as practicable, the papers heretofore in the possession of the Senate and returned to that Department, together with a statement from the Adjutant-General of the Army as to the merits or demerits of the claim of James W. Schaumburg to be restored to rank in the Army, the effect that such restoration, if made, would have upon the rights of others, and its operation upon the military service, considered either as a special or isolated case, or as a general principle, and that he report the cases, if any, in which officers, hereafter having been dropped from the roll of the Army, have been restored, and the circumstances under which the same occurred.

Ordered, That the Secretary communicate a copy of the said resolution to the Secretary of War.

On motion, by Mr. Westcott,

The Senate proceeded to consider the resolution submitted by him the 12th April last, and the blank having been filled, the resolution was agreed to as follows:

Resolved, That the Secretary of the Senate be directed to pay to Richard S. Coxe, esq., for his services in the case of John Nugent, the sum of $500.

WEDNESDAY, MAY 31, 1848.

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 Frederick A. Sawyer, of Louisiana, to be secretary of the legation of the United States at Madrid, in the place of Thomas C. Reynolds, recalled.

JAMES K. POLK.

WASHINGTON, 31*st May*, 1848.

To the Senate of the United States:

I nominate Collins Whitaker, of Maine, to be consul of the United States for the port of St. John's, in New Brunswick, in the place of Israel D. Andrews, recalled.

JAMES K. POLK.

WASHINGTON CITY, 31 *May*, 1848.

To the Senate of the United States:

I withdraw the nomination of Second Lieutenant Joseph J. Reynolds, of the Third Regiment of Artillery, for the promotion of first lieutenant by brevet.

JAMES K. POLK.

WASHINGTON, *May* 31, 1848.

To the Senate of the United States:

I nominate the persons named in the accompanying communication for appointment in the Regular Army of the United States, as proposed by the Secretary of War.

JAMES K. POLK.

WASHINGTON, *May* 31, 1848.

WAR DEPARTMENT, *May* 31, 1848.

SIR: I have the honor respectfully to submit for your approbation the annexed list of persons for appointment in the Regular Army of the United States, to fill the vacancies set opposite their names respectively, viz:

APPOINTMENTS.

First Regiment of Artillery.

Jefferson Davis, of Indiana, to be second lieutenant, vice Gibson, promoted.

Fourth Regiment of Infantry.

Columbus Howard, of Georgia, to be second lieutenant, to fill a vacancy occasioned by the death of First Lieutenant Beaman.

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

ARCH'D CAMPBELL, JR.,
Acting Secretary of War.

To the PRESIDENT OF THE UNITED STATES.

The messages were read.

Ordered, That the nomination of Frederick A. Sawyer be referred to the Committee on Foreign Relations.

Ordered, That the nomination of Collins Whitaker be referred to the Committee on Commerce.

Ordered, That the nomination of Jefferson Davis and Columbus Howard be referred to the Committee on Military Affairs.

Mr. Benton, from the Committee on Military Affairs, to whom were referred the 18th instant, the nominations of Wiley C. Adams, Thomas A. Harris, William B. Whiteside, Charles H. Pelham, and Daniel R. McKissack, 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. Allen,

The Senate proceeded to consider the resolution submitted by him the 14th March last, to remove the injunction of secrecy from the treaty with Mexico, the accompanying documents accompanying the same, and the proceedings of the Senate and debates thereon, and the documents sent to the Senate and ordered to be printed relating to the negotiation of said treaty, and also from the messages of the President of the 7th and 9th March, and documents communicated therewith, and agreed thereto.

On motion by Mr. Badger,

Ordered, That the treaty with Mexico, the messages, documents, proceedings, and other matter relating thereto, from which the injunction of secrecy has been removed, be printed for the use of the Senate.

FRIDAY, JUNE 2, 1848.

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 P. Brock, of Virginia, to be second lieutenant in the Eleventh Regiment of Infantry, vice Scott, transferred to the Fourth Regiment of Infantry.

JAMES K. POLK.

WASHINGTON, *June* 1, 1848.

To the Senate of the United States:

I nominate George W. Thompson to be attorney of the United States for the western district of Virginia, in the place of George H. Lee, resigned.

JAMES K. POLK.

WASHINGTON, *June* 1, 1848.

To the Senate of the United States:

I nominate John J. Herster to be deputy postmaster at Easton, in the State of Pennsylvania, from and after the 12th of June, 1848, when the commission of the present incumbent will expire.

JAMES K. POLK.

WASHINGTON, *June* 1, 1848.

The messages were read.

Ordered, That the nomination of John P. Brock be referred to the Committee on Military Affairs.

Ordered, That the nomination of George W. Thompson be referred to the Committee on the Judiciary.

Ordered, That the nomination of John J. Herster be referred to the Committee on the Post-Office and Post-Roads.

Mr. Mangum 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 29 February, 1848, and from so much of the correspondence between the Executive Departments and Mr. Trist and other officers of the Government in Mexico, and the accompanying papers transmitted to the Senate therewith as have been printed in confidence, and from the proceedings of the Senate thereon, and that the same be printed for the use of the Senate.

Mr. Hannegan, from the Committee on Foreign Relations, to whom was referred, the 3d January last, a general treaty of peace, amity, navigation, and commerce between the United States of America and the Republic of New Granada, reported it without amendment.

On motion by Mr. Hannegan,

The Senate, as in Committee of the Whole, proceeded to consider the said treaty; and no amendment being made, it was reported to the Senate.

On motion by Mr. Downs,

Ordered, That it lie on the table.

Mr. Hannegan, from the Committee on Foreign Relations, to whom was referred, the 31st May, the nomination of Frederick A. Sawyer, 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. the 10th May, the nomination of Mitchell Hindsdill, and on the 16th May that of Mathew Leiper, 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 was referred, the 12th May, the nomination of Samuel K. Haring, on the 18th May that of Gustavus Koerner, and on the 31st May that of Collins Whitaker, reported.

Whereupon

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

SATURDAY, JUNE 3, 1848.

On motion by Mr. Rusk,

Ordered, That the injunction of secrecy be removed from the proceedings of the Senate and the papers relating to the nominations of James H. Cocke, of Texas, as collector of the customs and as marshal.

On motion by Mr. Yulee, that the vote on agreeing to the said order be reconsidered,

It was determined in the affirmative.

On motion by Mr. Rusk,

Ordered, That it lie on the table.

On motion by Mr. Hannegan,

The Senate proceeded to consider the treaty of peace, amity, navigation, and commerce between the United States of America and the Republic of New Granada; and,

After debate,

Mr. Hannegan submitted the following resolution:

Resolved (*two-thirds of the Senators present concurring*), That the Senate advise and consent to the ratification of the general treaty of peace, amity, navigation, and commerce between the United States of America and the Republic of New Granada, and the additional article thereto, concluded at Bogota, the 12th day of December, 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 ..... 29 / Nays 7

Those who voted in the affirmative are,

Messrs. Atchison, Atherton, Badger, Bagby, Benton, Berrien, Borland, Bradbury, Bright, Butler, Calhoun, Davis of Mississippi, Dickinson, Dix, Downs, Foote, Hannegan, Houston, Hunter, Lewis, Moor, Niles, Rusk, Sebastian, Spruance, Turney, Underwood, Westcott, Yulee.

Those who voted in the negative are,

Messrs. Baldwin, Clarke, Davis of Massachusetts, Dayton, Hale, Miller, Upham.

Ordered, That the Secretary lay the said resolution before the President of the United States.

Mr. Butler, from the Committee on the Judiciary, to whom was referred, the 2d instant, the nomination of George W. Thompson, reported.

MONDAY, JUNE 12, 1848.

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 Heman M. Cady, of Wisconsin, to be a second lieutenant in the Fifteenth Regiment of Infantry, to fill a vacancy occasioned by his own resignation.

JAMES K. POLK.

WASHINGTON, *June* 10, 1848.

To the Senate of the United States:

I nominate Richard H. Smith, of Tennessee (now a lieutenant in the Fourteenth Regiment of Infantry), to be a second lieutenant in the Third Regiment of Artillery, vice Minor, deceased.

JAMES K. POLK.

WASHINGTON, *June* 12, 1848.

To the Senate of the United States:

I withdraw the nomination of Brevet Lieutenant-Colonel James Duncan for brevet of colonel, to date from the battles of Contreras and Churubusco, and hereby nominate him to be colonel by brevet for gallant and meritorious conduct in the battle of Monterey, Mexico, to date from the 23d of September, 1846.

JAMES K. POLK.

WASHINGTON, *June* 12*th*, 1848.

To the Senate of the United States:

I nominate Andrew G. Miller to be judge of the district court of the United States for the district of Wisconsin;

Thomas W. Sutherland to be attorney of the United States for the district of Wisconsin; and

John S. Rockwell to be marshal of the United States for the district of Wisconsin.

JAMES K. POLK.

WASHINGTON, 12*th June*, 1848.

To the Senate of the United States:

I nominate H. T. A. Rainals to be consul of the United States for the port of Ensenore, in the place of E. L. Rainals, resigned.

JAMES K. POLK.

WASHINGTON, 12*th June*, 1848.

To the Senate of the United States:

I nominate Josiah Moore, of Massachusetts, to be consul of the United States for the Philippine Islands, in the place of H. P. Sturgis, resigned.

JAMES K. POLK.

WASHINGTON, 12*th June*, 1848.

To the Senate of the United States:

I nominate Duncan B. Graham to be register of the land office at Montgomery, in the State of Alabama, his former commission having expired.

Wade H. Greening to be register of the land office at Sparta, in the State of Alabama, his former commission having expired.

JAMES K. POLK.

WASHINGTON, *June* 12, 1848.

To the Senate of the United States:

I nominate Bennet W. Engle to be receiver of public moneys at Crawfordsville, in the State of Indiana, in the place of Philip E. Engle, deceased.

JAMES K. POLK.

WASHINGTON, *June* 12, 1848.

To the Senate of the United States:

I withdraw the name of Daniel T. Whitter, nominated to be receiver of public moneys at Washington, in the State of Arkansas, and nominate Daniel T. Witter to be receiver of public moneys at Washington, in the State of Arkansas, from and after the 10th day of July next, when his present commission will expire.

JAMES K. POLK.

WASHINGTON, *June* 12, 1848.

The messages were read.

Ordered, That the nominations of Heman M. Cady, Richard H. Smith, and James Duncan be referred to the Committee on Military Affairs.

Ordered, That the nominations of Andrew G. Miller, Thomas W. Sutherland, and John S. Rockwell be referred to the Committee on the Judiciary.

Ordered, That the nominations of H. T. A. Rainals and Josiah Moore be referred to the Committee on Commerce.

Ordered, That the nominations of Duncan B. Graham, Wade H. Greening, and Bennet W. Engle be referred to the Committee on Public Lands.

On motion by Mr. Breese,

The Senate, by unanimous consent, proceeded to consider the nomination of Daniel T. Witter; and

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

Mr. Butler, from the Committee on the Judiciary, to whom were this day referred the nominations of Andrew J. Miller, Thomas W. Sutherland, and John S. Rockwell, reported.

On motion by Mr. Butler,

The Senate, by unanimous consent, proceeded to consider the said nominations; and

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

On motion by Mr. Butler,

The Senate proceeded to consider the nomination of George W. Thompson; 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, the 2d instant, the nomination of John J. Herster, reported.

Whereupon

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

WEDNESDAY, JUNE 14, 1848.

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 withdraw the nominations, made to the Senate the 8th ultimo, of First Lieutenant Joseph Roberts to be promoted captain, and Second Lieutenant John A Brown, to be first lieutenant in the Fourth Regiment of Artillery, consequent upon the dismissal, by sentence of general court martial, of Captain Edward Deas of that regiment; and I nominate the said Captain Deas for reappointment as captain in the Fourth Regiment of Artillery, to rank as such from February 16, 1847, the date of his former commission.

JAMES K. POLK.

WASHINGTON, *June* 12, 1848.

To the Senate of the United States:

I withdraw the nomination of Ammorgan H. Goff, of Pennsylvania, information of whose death has been received since his nomination to be assistant quartermaster for the volunteer forces, vice Captain Samuel H. Montgomery, dismissed by sentence of general court-martial; and I nominate the said Samuel H. Montgomery for reappointment as assistant quartermaster with the rank of captain, under the fifth section of the "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," approved June 18th, 1846.

JAMES K. POLK.

WASHINGTON, *June* 13, 1848.

To the Senate of the United States:

I nominate Robert Wallace, of the District of Columbia, to be marshal of the United States for said District, in the place of Alexander Hunter, resigned.

JAMES K. POLK.

WASHINGTON, *June* 13, 1848.

To the Senate of the United States:

I nominate George W. Smith to be Navy agent for the navy-yard at Memphis, Tennessee, in the place of Joseph S. Watkins, resigned.

JAMES K. POLK.

WASHINGTON, *June* 13, 1848.

To the Senate of the United States:

I nominate Albert G. Slaughter and Oscar Bullus, now lieutenants, to be commanders in the Navy, from the 16th day of May, 1848 to fill the vacancies occasioned by the deaths of Commanders William S. Harris and Henry Pinckey.

Charles S. McDonough and Joshua D. Todd, now masters, to be lieutenants in the Navy, from the 16th day of May, 1848 to fill the vacancies occasioned by the promotions of Lieutenants Slaughter and Bullus.

JAMES K. POLK.

WASHINGTON, *June* 14, 1848.

To the Senate of the United States:

I nominate Major-General John A. Quitman to be major-general by brevet, for gallant and meritorious conduct in the battle of Monterey, Mexico, to date from the 23d September, 1846.

JAMES K. POLK.

WASHINGTON, *June* 14, 1848.

To the Senate of the United States:

I nominate James E. Slaughter, of Virginia, now a lieutenant in the Regiment of Voltiguers, to be a second lieutenant in the First Regiment of Artillery, vice Morris, promoted.

JAMES K. POLK.

WASHINGTON, *June* 14, 1848.

To the Senate of the United States:

I nominate Christopher R. P. Butler, of South Carolina, now a lieutenant in the Twelfth Regiment of Infantry, to be a second lieutenant in the Second Regiment of Artillery, to fill a vacancy occasioned by the death of Captain W.C. De Hart, of said regiment.

JAMES K. POLK.

WASHINGTON, *June* 14, 1848.

To the Senate of the United States:

I nominate Samuel Melvin to be surveyor and inspector of the revenue for the port of Accomack C. H., in the State of Virginia, vice Samuel C. White, removed.

Samuel S. Downs to be collector of the customs for the district of Little Egg Harbor and inspector of the revenue for the port of Tuckerton, in the State of New Jersey, from the 12th day of June, 1848, when his late commission expired.

JAMES K. POLK.

WASHINGTON, *June* 13, 1848.

To the Senate of the United States:

I nominate Joel S. Fisk to be register of the land office for the district of lands subject to sale at Green Bay, in the State of Wisconsin, in place of John F. Mead, removed.

JAMES K. POLK.

WASHINGTON, *June* 14, 1848.

The messages were read.

Ordered, That the nominations of Edward Deas, Samuel C. Montgomery, John A. Quitman, James E. Slaughter, and Christopher R. P. Butler be referred to the Committee on Military Affairs.

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

Ordered, That the nominations of George W. Smith, Albert G. Slaughter, Oscar Bullus, Charles S. McDonough, and Joshua D. Todd be referred to the Committee on Naval Affairs.

Ordered That the nominations of Samuel Melvin and Samuel S. Downs be referred to the Committee on Commerce.

Ordered, That the nomination of Joel S. Fisk be referred to the Committee on Public Lands.

Mr. Dix, from the Committee on Military Affairs, to whom was referred, the 30th May, the nominations of Edmund Kirby, Lloyd J. Beall, and Robert Strange, jun'r, reported.

Whereupon

Resolved, That the Senate advise and consent to the appointments, agreeably to the nominations respectively.

Mr. Dix, from the Committee on Commerce, to whom was referred, the 12th instant, the nomination of H. T. A. Rainals, reported.

Whereupon

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

On motion by Mr. Davis, of Mississippi,

The Senate proceeded to consider the the nominations of John McLean Addison, Benjamin Wingate, and Allan Cullom; and

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

THURSDAY, JUNE 15, 1848.

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 Isaac Toucey, of Connecticut, to be Attorney-General of the United States, in the place of Nathan Clifford, resigned.

Arthur P. Bagby, of Alabama, to be envoy extraordinary and minister plenipotentiary of the United States to Russia, in the place of Ralph I. Ingersoll, recalled at his own request.

Colin M. Ingersoll, of Connecticut, to be secretary of the legation of the United States to Russia, in the place of John R. Clay, appointed chargé d'affaires to Peru.

JAMES K. POLK.

WASHINGTON, *June* 15, 1848.

The message was read.

Ordered, That the nomination of Isaac Toucey be referred to the Committee on the Judiciary.

On motion by Mr. Mangum,

The Senate, by unanimous consent, proceeded to consider the nominations of Arthur P. Bagby and Rolin M. Ingersoll; and

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 were referred, the 10th of May, the nomination of William L. Menderson, on the 30th May that of John Taylor, on the 12th June that of Duncan B. Graham and Wade H. Greening, and on the 14th instant that of Joel S. Fisk, reported.

Whereupon

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

Mr. Davis, of Mississippi, from the Committee on Military Affairs, to whom was referred, the 14th instant, the nomination of Edward Deas, reported.

Whereupon

Resolved, That the Senate advise and consent to the reappointment of Edward Deas, agreeably to the nomination.

SATURDAY, JUNE 17, 1848.

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 Caleb Smith, of Virginia, to be a second lieutenant in the Second Regiment of Artillery, to fill a vacancy occasioned by Captain Townsend, assistant adjutant-general, electing to vacate his regimental commission.

JAMES K. POLK.

WASHINGTON, *June* 16, 1848.

To the Senate of the United States:

I nominate Gershom Mott to be collector of the customs for the district and inspector of the revenue for the port of Burlington, in the State of New Jersey, his late commission having expired.

Robert P. Dunlap to be collector of the customs for the district of Portland and Falmouth, in the State of Maine, in the place of John Anderson, whose commission expired on the 11th instant.

JAMES K. POLK.

WASHINGTON, *June* 16, 1848.

To the Senate of the United States:

I nominate George Schley to be deputy postmaster at Savannah, in the State of Georgia, from and after the 2d day of July, 1848, when his present commission will expire.

JAMES K. POLK.

WASHINGTON, *June* 16, 1848.

The messages were read.

Ordered, That the nomination of Caleb Smith be referred to the Committee on Military Affairs

Ordered, That the nomination of Gershom Mott and Robert P. Dunlop be referred to the Committee on Commerce.

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

Mr. Breese, from the Committee on Public Lands, to whom was referred, the 12th instant, the nomination of Bennett W. Engle, reported.

Whereupon

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

Mr. Davis, of Mississippi, from the Committee on Military Affairs, to whom were referred, the 31st May, the nominations of Jefferson Davis and Columbus Howard, reported.

Whereupon

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

Mr. Yulee, from the Committee on Naval Affairs to whom was referred, the 30th May, the nomination of William F. Carrington, and on the 14th instant those of Albert G. Slaughter, Oscar Bullus, Charles S. McDonough, and Joshua D. Todd, reported.

Whereupon

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

Mr. Butler, from the Committee on the Judiciary, to whom was referred, the 15th instant, the nomination of Isaac Toucey, reported.

Mr. Dix, from the Committee on Commerce, to whom was referred, the 16th May, the nomination of Charles D. Learned, reported.

Whereupon

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

On motion by Mr. Davis, of Mississippi,

The Senate proceeded to consider the nominations of Thompson Morris, Justus McKinstry, James W. Schureman, Henry W. Wharton, Richard B. Garnett, Edwin R. Merrifield, Wellington C. Burnett, Allen T. Welch, Marquis L. Old, William A. Russell, Arthur Hood, Enoch Steen, Daniel H. Rucker, James L. Carleton, Reuben P. Campbell, Abraham Buford, Joseph H. Whittlesey, Newton C. Givens, Thomas J. Wood, George F. Evans, and Robert H. Chilton; and

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

On motion by Mr. Niles,

The Senate proceeded to consider the nominations of Henry W. Tilley, Alfred Huger, Daniel Bryan, Neill Blue, and Mary Dickson; and

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

WEDNESDAY, JUNE 21, 1848.

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 officers named in the accompanying communication for regular promotion in the Army of the United States, as proposed by the Secretary of War.

JAMES K. POLK.

WASHINGTON, *June* 17, 1848.

WAR DEPARTMENT, *June* 14, 1848.

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

PROMOTIONS.

Corps of Engineers.

First Lieutenant Henry W. Benham to be captain, May 24, 1848, vice Welcker, deceased.

Second Lieutenant Masillon Harrison to be first lieutenant, May 24, 1848, vice Benham, promoted.

Brevet Second Lieutenant John G. Foster to be second lieutenant, May 24, 1848, vice Harrison, promoted.

Corps of Topographical Engineers.

First Lieutenant Andrew A. Humphreys to be captain, May 31, 1848, vice Mackay, deceased.

Second Lieutenant William R. Palmer to be first lieutenant, May 31, 1848, vice Humphreys, promoted.

Brevet Second Lieutenant William G. Peck to be second lieutenant, May 31, 1848, vice Palmer, promoted.

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

W. L. MARCY.

To the PRESIDENT OF THE UNITED STATES.

The message was read.

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

Mr. Hannegan, from the Committee on Foreign Relations, to whom was referred, the 30th May, the nomination of Stephen R. Stanton, reported.

Whereupon

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

Mr. Butler, from the Committee on the Judiciary, to whom was referred, the 14th instant, the nomination of Robert Wallace, reported.

The Senate proceeded to consider the said nomination; and

After debate,

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

Mr. Dix, from the Committee on Commerce, to whom were referred, the 17th instant, the nominations of Gershom Mott and Robert P. Dunlap, 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 2d instant, the nomination of John P. Brock, on the 12th instant those of Richard H. Smith and Herman M. Cady, and on the 17th instant that of Caleb 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. Butler,

The Senate proceeded to consider the nomination of Isaac Toucey; and

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

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

Resolved, That the injunction of secrecy be removed from the first and fifth articles of the unratified convention for the settlement of claims of the citizens and Government of the Mexican Republic against the Government of the United States, and of the citizens and Government of the United States against the Government of the Mexican Republic, concluded at the city of Mexico the 20th of November, 1843, as proposed to be ratified by the Senate of the United States; which unratified convention is referred to, and the first and fifth articles thereof made a part of the fifteenth article of the treaty of peace, friendship, limits and settlement between the United States of America and the Mexican Republic, concluded at Guadalupe Hidalgo on the 2d day of February, 1848.

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

Resolved, That the President of the United States be requested to communicate to the Senate, in executive session, as early as practicable, the papers heretofore in the possession of the Senate and returned

to the War Department, together with a statement from the Adjutant-General of the Army as to the merits or demerits of the claim of James W. Schaumburg to be restored to rank in the Army, the effect that such restoration, if made, would have upon the rights of others, and its operation upon the military service, considered either as a special or isolated case, or as a general principle, and that he report the cases, if any, in which officers, after having been dropped from the roll of the Army, have been restored, and the circumstances under which the same occurred.

Ordered, That the Secretary lay the said resolution before the President of the United States.

On motion by Mr Mangum,

The Senate, as in Committee of the Whole, proceeded to consider 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, together with the amendment reported thereto, to wit:

Article 6. Strike out the word "fifteen," and insert *forty-four*.

The question was stated, Shall the word "fifteen" stand as part of the sixth article?

And it was determined in the negative, nays 38.

Those who voted are,

Messrs. Allen, Atherton, Badger, Baldwin, Bell, Benton, Berrien, Borland, Bradbury, Breese, Bright, Calhoun, Clarke, Corwin, Davis of Massachusetts, Davis of Mississippi, Dickinson, Dix, Felch, Foote, Greene, Hale, Hamlin, Houston, Johnson of Maryland, Johnson of Louisiana, Mangum, Mason, Miller, Niles, Rusk, Sebastian, Spruance, Turney, Underwood, Upham, Westcott, Yulee.

So the word "fifteen" was stricken out of the 6th article.

The question was then stated, Shall the word *forty-four* stand as part of the sixth article in lieu of the word "fifteen"?

It was determined in the affirmative, yeas 31.

Those who voted are,

Messrs. Atherton, Badger, Baldwin, Berrien, Borland, Bradbury, Breese, Calhoun, Corwin, Davis of Massachusetts, Davis of Mississippi, Dickinson, Dix, Felch, Fitzgerald, Greene, Hamlin, Johnson of Maryland, Johnson of Louisiana, Lewis, Mangum, Mason, Miller, Niles, Rusk, Sebastian, Spruance, Turney, Underwood, Upham.

So the amendment was adopted; and no further amendment being made, the convention as amended was reported to the Senate and the amendment was unanimously concurred in.

Mr. Mangum 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 delivery of criminals, fugitive from justice, in certain cases, concluded between the United States, on the one part, and Prussia and other states of the Germanic Confederation, on the other part, at Berlin, the 29th January, 1845, with the following amendment:

Article 6. Strike out the word "fifteen," and insert *forty-four*.

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 36.

Those who voted are,

Messrs. Allen, Atherton, Badger, Baldwin, Bell, Berrien, Borland, Bradbury, Butler, Calhoun, Clarke, Corwin, Davis of Massachusetts,

Davis of Mississippi, Dickinson, Dix, Downs, Felch, Greene, Hamlin, Houston, Johnson of Maryland, Johnson of Louisiana, Johnson of Georgia, Lewis, Mangum, Mason, Miller, Niles, Rusk, Sebastian, Spruance, Sturgeon, Turney, Underwood, Upham.

Ordered, That the Secretary lay the said resolution before the President of the United States.

MONDAY, JUNE 26, 1848.

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 E. S. Offley to be consul of the United States for the port of Smyrna, in Turkey, in the place of David W. Offley, deceased.

Information having been received of the decease of Josiah Moore since he was nominated to the Senate for the office of consul of the United States for the Philippine Islands, in the place of H. P. Sturgis, resigned, I hereby withdraw his nomination for that office, and nominate for the same Alfred H. P. Edwards, of Connecticut.

JAMES K. POLK.

WASHINGTON, 23*d June*, 1848.

To the Senate of the United States:

I nominate James W. Spratley, of Virginia, to be paymaster in the Army of the United States, vice Spark, deceased, in conformity with the act approved March 3d, 1847, entitled "An act making provision for an additional number of general officers, and for other purposes."

JAMES K. POLK.

WASHINGTON, *June* 23, 1848.

To the Senate of the United States:

I nominate Isaac W. Patton, of Virginia (now a lieutenant in the Tenth Regiment of Infantry), to be a second lieutenant in the Third Regiment of Artillery, to fill a vacancy occasioned by the death of First Lieutenant L. D. Welch.

I nominate Daniel Nickel, of Maryland, to be a second lieutenant in the First Regiment of Artillery, to fill a vacancy occasioned by Captain Mackall, assistant adjutant-general, electing to vacate his regimental commission.

JAMES K. POLK.

WASHINGTON, *June* 23, 1848.

To the Senate of the United States:

I nominate John W. Argyle to be receiver of public moneys for the district of lands subject to sale at Tallahassee, in the State of Florida, his late commission having expired.

JAMES K. POLK.

WASHINGTON, *June* 24, 1848.

To the Senate of the United States:

I nominate Benjamin R. Bythewood to be collector of the customs for the district and inspector of the revenue for the port of Beaufort, in the State of South Carolina, his late commission having expired.

Also, John Woodbury to be surveyor for the district and inspector of the revenue for the port of Gloucester, in the State of Massachusetts, his late commission having expired.

JAMES K. POLK.

WASHINGTON, *June 24th*, 1848.

To the Senate of the United States:

I communicate herewith a report of the Secretary of War, with the accompanying documents, in answer to a resolution of the Senate of the 21st instant requesting the President to communicate to the Senate, in executive session,as early as practicable, the papers heretofore in the possession of the Senate and returned to the War Department, together with a statement from the Adjutant-General of the Army as to the merits or demerits of the claim of James W. Schaumburg to be restored to rank in the Army.

JAMES K. POLK.

WASHINGTON, *June* 23d, 1848.

The messages were read.

Ordered, That the nominations of E. S. Offley, Alfred H. P. Edwards, Benjamin R. Bythewood, and John Woodbury be referred to the Committee on Commerce.

Ordered, That the nominations of James W. Spratley, Isaac W. Patton, and Daniel Nickel be referred to the Committee on Military Affairs.

Ordered, That the nomination of John W. Argyle be referred to the Committee on Public Lands.

On motion by Mr. Badger.

Ordered, That the message relating to James W. Schaumburg, and the papers communicated therewith, lie on the table.

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

Resolved, That the President be requested to return to the Senate the resolution advising and consenting to the appointment of E. R. Merrifield to be a second lieutenant in the Army.

Ordered, That the Secretary lay the said resolution before the President of the United States.

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

Resolved, That the resolution passed by the Senate on the 19th day of April, 1848, be so amended as to authorize and request the President of the United States to hold a treaty with the delegation of Cherokees from the Old Settler party, now in this city, for the purpose of accomplishing the objects provided for by said resolution.

Ordered, That the Secretary lay the said resolution before the President of the United States.

TUESDAY, JUNE 27, 1848.

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 officers named in the subjoined list for brevet promotion, agreeably to the recommendation of the Secretary of War.

JAMES K. POLK.

WASHINGTON, *June 27th*, 1848.

WAR DEPARTMENT, *June* 23*d*, 1848.

SIR: I respectfully recommend that the following officers be nominated for promotion by brevet, to wit:

Colonel Henry Whiting, assistant quartermaster-general, to be brigadier-general by brevet, for gallant and meritorious conduct in the battle of Buena Vista, Mexico, to date from the 23d of February, 1847.

Brevet Colonel William G. Belknap, lieutenant-colonel of the 4th Infantry, to be brigadier-general by brevet, for gallant and meritorious conduct in the battle of Buena Vista, Mexico, to date from the 23d of February, 1847.

First Lieutenant Leslie Chase, 2d Artillery, since captain in the staff, to be captain by brevet, for gallant and meritorious conduct in the battles of Palo Alto and Resaca de la Palma, Texas, to date from the 9th of May, 1846.

Very respectfully, your ob't serv't,

W. L. MARCY,
Secretary of War.

The PRESIDENT.

The message was read.

Ordered, That the nominations therein be referred to the Committee on Military Affairs.

Mr. Breese, from the Committee on Public Lands, to whom was referred, the 26th instant, the nomination of John W. Argyle, reported.

Whereupon

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

Mr. Rusk, from the Committee on Military Affairs, to whom were referred, the 10th May, the nominations of Ashley R. Lentz, Edward D. Townsend, Henry C. Pratt, Joseph S. Totten, Anderson Merchant, Joseph Roberts, John A. Brown, Levi Woodhouse, Diedrick Upham, Edward C. Marshall, Francis O. Beckett, Thomas B. Tilton, Claiborne E. Evans, and Thomas J. Buffington, on the 30th May those of Edmund G. Bradford, William W. Johnson, John C. Bonneycastle, John C. Bailey, Lorimer Graham, Frank H. Larned, and Horace Haldeman, and on the 14th instant those of Samuel C. Montgomery, James E. Slaughter, and Christopher R. P. Butler, reported.

Whereupon

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

Mr. Davis, of Mississippi, from the Committee on Military Affairs, to whom were referred, the 12th April, the nominations of Stephen W. Kearney, Henry S. Turner, William H. Emory, and William H. Warner, on the 10th May those of Richard H. Ross, William I. Hardee, Richard C. Gatlin, and Philip W. McDonald, on the 30th instant those of George P. Andrews, Charles A. May, William W. Loring, Richard H. Ross, William J. Hardee, George H. Crosman, George G. Waggaman, Henry N. Sibley, John P. McCowan, Hamilton L. Shields, Scuyler Hamilton, and Richard H. Anderson, and on the 12th instant that of James Duncan, reported.

Whereupon

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

WEDNESDAY, JUNE 28, 1848.

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

Resolved, That the President be requested to return to the Senate the list of California brevets confirmed by the Senate on yesterday, the said brevets having been confirmed by mistake (mixed with others), and without having been read, and without having been reported for confirmation by the Military Committee.

Mr. Davis, of Mississippi, from the Committee on Military Affairs, to whom were referred, the 12th April, the nominations of A. B. Dyer, R. Ingalls, C. J. L. Wilson, O. H. P. Taylor, Philip R. Thompson, Charles F. Wooster, Henry B. Judd, Hackaliah Brown, Lewis Neill, Orren Chapman, James Oakes, William S. Harney, Joseph Plympton, John L. Smith, Edwin V. Sumner, Thompson Morris, Robert E. Lee, Edmund B. Alexander, Daniel P. Whiting, Robert Allen, John B. Magruder, James W. Penrose, George W. Patten, Edward J. Steptoe, Peter V. Hagner, Joseph A. Haskin, Charles H. Humber, William B. Johns, Samuel K. Dawson, Andrew W. Bowman, Franklin Gardner, Napoleon J. T. Dana, Theodore T. S. Laidley, Zealous B. Tower, Gustavus W. Smith, Edmund K. Smith, Daniel M. Frost, James N. Ward, Henry B. Clitz, George H. Derby, Truman Seymour, Jesse L. Reno, Dabney H. Maury, Alfred Gibbs, and George H. Gordon, reported.

Whereupon

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

Mr. Benton submitted a resolution; which was considered, by unanimous consent, and having been amended was agreed to, as follows:

Resolved, That the Secretary of the Senate pay to the Sergeant-at-Arms for the arrest, detention, safe-keeping, and sustenance of John Nugent two hundred and fifty dollars.

On motion by Mr. Downs,

The Senate proceeded to consider the report from the Committee on Military Affairs on the memorial of James W. Schaumburg; and

Ordered, That it be postponed to Saturday, the 1st of July.

On motion by Mr. Sturgeon,

The Senate proceeded to consider the nomination of Victor E. Piollet; and

After debate,

On motion by Mr. Badger,

The Senate adjourned.

THURSDAY, JUNE 29, 1848.

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 compliance with the resolution of the Senate, I return herewith the resolution of the Senate advising and consenting to the appointment of Edwin R. Merrifield, of Michigan, to be second lieutenant in the 15th Regiment of Infantry, vice Merrifield, resigned.

I also return to the Senate, as requested in their resolution of June 28th, the list of California brevets confirmed by the Senate on the 27th June, 1848.

JAMES K. POLK.

WASHINGTON, *June* 29, 1848.

The message was read.

On motion by Mr. Benton that the Senate reconsider the vote confirming the nominations for promotion by brevet of Stephen W. Kearney, Henry S. Turner, William H. Emory, William H. Warner, and Edwin R. Merrifield,

It was determined in the affirmative.

Mr. Davis, of Mississippi, from the Committee on Military Affairs, to whom were referred, the 27th instant, the nominations of Henry Whiting, William G. Belknap, and Leslie Chase, reported.

Whereupon

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

Mr. Davis, of Mississippi, from the Committee on Military Affairs, to whom were referred, the 12th April, the nominations for promotion by brevet of Francis O. Wyse, Benjamin Alvord, David A. Russell, Henry B. Sears, Clinton W. Lear, Persifer F. Smith, Bennet Riley, John Garland, Newman S. Clarke, Ethan A. Hitchcock, Francis S. Belton, Charles F. Smith, John L. Smith, E. Kirby, John L. Gardner, Justin Dimick, Harvey Brown, William Turnbull, George Wright, Benjamin L. E. Bonneville, Abram Van Buren, Henry Bainbridge, Patrick H. Galt, Francis Lee, Carlos A. Waite, William W. Loring, Robert E. Lee, George Nauman, Julius J. B. Kingsbury, William Hoffman, Joseph R. Smith, Francis Taylor, John B. Grayson, Thomas L. Alexander, Martin Burke, Silas Casey, Abraham C. Myers, Jefferson Van Horne, John H. Winder, James V. Bomford, William Chapman, William H. T. Walker, Henry C. Wayne, Winslow F. Sanderson, Theodore O'Hara, George B. Crittenden, Jacob B. Backenstos, Isaac V. D. Reeve, Horace Brooks, Daniel Ruggles, Daniel H. McPhail, Larkin Smith, Daniel T. Chandler, Philip Kearney, jun'r, William W. Mackall, George Deas, Henry W. Wessels, Henry L. Scott, Edward R. S. Canby, John S. Hatheway, George W. F. Wood, Francis N. Page, James L. Mason, Don Carlos Buell, William T. H. Brooks, Henry Prince, John W. Phelps, William H. French, Lewis G. Arnold, John Sedgwick, William Austine, P. G. T. Beauregard, Arnold Elzey, Isaac J. Stephens, Thomas Williams, Thomas Hendrickson, Joseph Selden, Franklin D. Callender, John H. Gore, Christopher S. Lovell, Lewis A. Armstead, Henry D. Grafton, Richard S. Ewell, George W. Getty, Oliver L. Shepherd, Delozier Davidson, William Steele, Sterne H. Fowler, Richard P. Hammond, Michael E. Van Buren, Henry J. Hunt, Julius Hayden, Albion P. Howe, Pinkney Lugenbeel, Mortimer Rosecrauts, Israel B. Richardson, George Sykes, George W. Lay, Lafayette B. Wood, Bryant B. Tilden, jun'r, Nathaniel Lyon, James Longstreet, William Hays, John J. Peck, Daniel H. Hill, Philip W. McDonald, Earl Van Dorn, John M. Brannan, George W. Rains, Charles S. Hamilton, Henry Coppé, Thomas J. Jackson, Edward C. Boynton, James W. Shureman, Ralph W. Kirkham, Edmunds B. Holloway, Charles E. Jarvis, Frederick T. Dent, Simeon B. Buckner, Winfield S. Hancock, Henry B. Schroeder, James G. S. Snelling, Patrick A. Farrelly, Thomas G. Pitcher, Francis Collins, George McLane, James M. Hawes, Julian May, John P. Hatch, Gordon Granger, George B. McClellan, Edmund L. F. Hardcastle, Marcus D. L. Simpson, John G. Foster, Innis N. Palmer, David R. Jones, Nelson H. Davis, William H. Tyler, Samuel B. Maxey, Thomas Henry, Hamilton L. Shields, George E. Pickett, John D. Wilkins, Joseph N. G. Whistler, William M. Gardner, Albert L. Magilton. John B. Gibson, Gustavus A. DeRussy, Samuel L. Governeur, John H. Lendrum, and Arthur D. Tree, reported.

Mr. Davis, of Mississippi, from the Committee on Military Affairs, to whom were referred, the 26th instant, the nominations for appointment of James W. Spratley, Isaac W. Patton, and Daniel Nichel, reported.

SATURDAY, JULY 1, 1848.

The Senate proceeded to consider the report of the Committee on Military Affairs on the memorial of James W. Schaumburg.

On motion by Mr. Downs to amend the resolution with which the report concludes, by striking out all after the word "Resolved," and inserting the following in lieu thereof:

That the resolution of the Senate of the 19*th March*, 1845, *respecting James W. Schaumburg, be rescinded and repealed, and that the order of the President of the* 22*d of March*, 1845, *founded thereon, should be revoked, and that James W. Schaumburg should be restored to his rank and position in the Army which he would have had if he had not been illegally excluded from the Army roll in the year* 1836, *and that a copy of this resolution, and the report accompanying the same, be laid before the President, in order that if he agree therewith, he restore said James W. Schaumburg accordingly to the Army,*

After debate,

On motion by Mr. Downs,

The Senate adjourned.

SATURDAY, JULY 8, 1848.

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. Skinner, a captain in the Navy, to be chief of the Bureau of Construction, Equipment and Repairs, from the 1st of June, 1847, at which time he was appointed to that office, to fill the vacancy occasioned by the resignation of Commodore Charles Morris.

JAMES K. POLK.

WASHINGTON, *June* 30, 1848.

To the Senate of the United States:

I nominate William Waters to be a justice of the peace for the county of Washington, in the District of Columbia, his former commission having expired.

JAMES K. POLK.

WASHINGTON, *July* 3, 1848.

To the Senate of the United States:

I nominate George R. Davis to be deputy postmaster at Troy, in the State of New York, his former commission having expired.

Richard Edward to be deputy postmaster at Natchez, in the State of Mississippi, his former commission having expired.

JAMES K. POLK.

WASHINGTON, *July* 3, 1848.

To the Senate of the United States:

I submit herewith, for such action as the Senate shall deem proper, a report of the Secretary of War, suggesting a discrepancy between the

resolutions of the Senate of the 15th and the 27th ultimo, advising and consenting to certain appointments and promotions in the Army of the United States.

JAMES K. POLK.

WASHINGTON, *July* 5, 1848.

WAR DEPARTMENT, *Washington, July* 1, 1848.

SIR: I have the honor to submit herewith a report from the Adjutant-General of the Army, inviting attention to a difficulty arising from the terms of certain confirmations made by the resolutions of the Senate of the 15th and 27th ultimo, the former advising and consenting to the reappointment of Captain Edward Deas, 4th Artillery, who had been dismissed the service, and the latter advising and consenting to the promotion of First Lieutenant Joseph Roberts to be captain, vice Deas, dismissed, and Second Lieutenant Joseph A. Brown to be first lieutenant, vice Roberts, promoted.

Very respectfully, your obedient servant,

W. L. MARCY,
Secretary of War.

To the PRESIDENT OF THE UNITED STATES.

ADJUTANT-GENERAL'S OFFICE,
Washington, June 29, 1848.

SIR: In a list of confirmations of regular promotions just received from the Senate, dated the 27th inst., it is observed under the heading "Fourth Regiment of Artillery" that First Lieutenant Joseph Roberts is confirmed as a captain, vice Deas, dismissed, and Second Lieutenant John A. Brown as first lieutenant, vice Roberts, promoted.

The President having decided to reinstate Captain Deas, nominated him for restoration, to the Senate, the 12th instant, withdrawing, as the records show, at the same time the names of Lieutenants Roberts and Brown. This nomination of Captain Deas was confirmed the 15th of June, and he has been commissioned accordingly. I respectfully bring this matter to your notice under the impression that as the resolutions of June 15th and June 27th conflict with each other, it may be the wish of the Senate to reconcile them by rescinding that portion of the latter which advises and consents to the promotions of Lieutenants Roberts and Brown.

Respectfully submitted.

R. JONES,
Adjutant-General.

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

To the Senate of the United States:

For the reasons mentioned in the accompanying letter of the Secretary of War, I ask that the date in the promotion of Captain W. J. Hardee, Second Dragoons, to be major by brevet for gallant and meritorious conduct in the affair at Madellin, Mexico, be changed to the 25th of March, 1847, the day on which the action occurred.

JAMES K. POLK.

WASHINGTON, *July* 7, 1848.

WAR DEPARTMENT, *Washington, July* 7, 1848.

SIR: Captain W. J. Hardee, 2d Dragoons, has been promoted to be major by brevet for gallant and meritorious conduct in the affair at

Madellin, Mexico, to date from the 26th of March, 1847. As this affair took place on the 25th of that month, I respectfully recommend tha tthe Senate be asked to change the date of Captain Hardee's brevet rauks so as to correspond with the date of the action, to wit, the 25th of March, 1847. Brevets which have been conferred upon other officers in the same affair take the latter date.

Very respectfully, your obedient servant,

W. L. MARCY,

Secretary of War.

To the PRESIDENT OF THE UNITED STATES.

To the Senate of the United States:

I nominate the persons named in the accompanying communication for appointment in the military service of the United States, as proposed by the Secretary of War.

JAMES K. POLK.

WASHINGTON, *July* 7, 1848.

WAR DEPARTMENT, *July* 6, 1848.

SIR: I have the honor respectfully to submit the annexed list of persons for appointments in the Army of the United States, they having been appointed to the same offices, at the same dates, in the last recess of the Senate.

Appointments under the act approved March 3, 1847, entitled "An act making provision for an additional number of general officers, and for other purposes":

Gideon J. Pillow, of Tennessee (brigadier-general in the United States volunteer service), to be major-general, April 13, 1847, vice Benton, declined.

John A. Quitman, of Mississippi (brigadier-general in the United States volunteer service), to be major-general, April 14, 1847, vice Cumming, declined.

Appointments under 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 offices to command the same".

Caleb Cushing, of Massachusetts, to be brigadier-general, April 14, 1847, vice Pillow, appointed major-general.

Sterling Price, of Missouri, to be brigadier-general, July 20, 1847, vice Davis, declined.

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:

I nominate the officers named in the accompanying communication for regular promotion in the Army of the United States, as proposed by the Secretary of War, and ask that the corrections mentioned and referred to with respect to dates in certain nominations heretofore confirmed may be made.

JAMES K. POLK.

WASHINGTON, *July* 7, 1848.

WAR DEPARTMENT, *July* 3, 1848.

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:

PROMOTIONS.

Second Regiment of Dragoons.

Second Lieutenant Lewis Neill to be first lieutenant, December 20, 1847, vice First Lieutenant Steele, appointed regimental adjutant.

Second Regiment of Artillery.

First Lieutenant Charles B. Daniels to be captain, to fill a vacancy, to date from October 19, 1847. [For explanation of this promotion see the Adjutant-General's communication of the 3d instant herewith.]

Second Regiment of Infantry.

First Lieutenant Christopher S. Lovell to be captain, January 12, 1848, vice McKinstry, assistant quartermaster, who vacates his regimental commission.

Second Lieutenant Charles E. Jarvis to be first lieutenant, January 12, 1848, vice Lovell, promoted.

Fourth Regiment of Infantry.

Second Lieutenant Maurice Maloney to be first lieutenant, May 6, 1848, vice Beaman, deceased.

Ninth Regiment of Infantry.

Lieutenant-Colonel Henry L. Webb, of the Sixteenth Regiment of Infantry, to be colonel, May 23, 1848, vice Withers, resigned.

First Lieutenant Albert Tracy to be captain, to fill a vacancy, to date from February 23, 1848.

Second Lieutenant Levi Woodhouse to be first lieutenant, to fill a vacancy, to date from March 16, 1848.

Second Lieutenant Henry De Wolfe to be first lieutenant, to fill a vacancy, to date from March 16, 1848.

[NOTE.—For explanations of the promotions of Lieutenants Tracy, Woodhouse, and De Wolfe, see the Adjutant-General's communication of the 3d instant herewith.]

Tenth Regiment of Infantry.

Captain Daniel Chase, of the Fifteenth Regiment of Infantry, to be major, May 23, 1848, vice Hamilton, promoted lieutenant-colonel of the Sixteenth Regiment of Infantry.

First Lieutenant Robert C. Morgan to be captain, May 8, 1848, vice Postley, deceased.

Second Lieutenant Thomas S. Griffin to be first lieutenant, May 8, 1848, vice Morgan, promoted.

Eleventh Regiment of Infantry.

Second Lieutenant George B. Fitzgerald to be first lieutenant, June 1848, vice Haldeman, transferred to the Eighth Regiment of Infantry.

Twelfth Regiment of Infantry.

First Lieutenant John H. H. Felch to be captain, May 23, 1848, vice Taplin, resigned.

Second Lieutenant Christopher R. P. Butler to be first lieutenant, May 23, 1848, vice Felch, promoted.

Fourteenth Regiment of Infantry.

Second Lieutenant John T. Sanford to be first lieutenant, May 23, 1848, vice McAllon, resigned.

Fifteenth Regiment of Infantry.

First Lieutenant Albert G. Sutton to be captain, May 23, 1848, vice Chase, promoted major in the Ninth Regiment of Infantry.

Second Lieutenant Llewellyn Boyle to be first lieutenant, May 23, 1848, vice Sutton, promoted.

Sixteenth Regiment of Infantry.

Major Fowler Hamilton, of the Tenth Regiment of Infantry, to be lieutenant-colonel, May 23, 1848, vice Webb, promoted colonel of the Ninth Regiment of Infantry.

Second Lieutenant Alexander Evans to be first lieutenant, May 13, 1848, vice Wilkinson, resigned.

CORRECTIONS TO BE MADE IN THE DATES OF COMMISSIONS HERETOFORE CONFIRMED BY THE SENATE.

The reasons for these changes of dates are set forth in the accompanying communication from the Adjutant-General, dated July 3, 1848, and marked A. The alterations will not affect the positions of the officers in their regiments.

Second Regiment of Artillery.

Captain William W. Chapman, date of commission to be changed from December 6, 1847, to October 27, 1847.

Captain Lewis G. Arnold, date of commission to be changed from October 19, 1847, to October 27, 1847.

First Lieutenant Marcus D. L. Simpson, commission to be changed from December 6, 1847, to October 27, 1847.

Second Regiment of Infantry.

Captain Marsena R. Patrick, date of commission to be changed from August 20, 1847, to August 22, 1847.

First Lieutenant Edward Murray, date of commission to be changed from August 20, 1847, to August 22, 1847.

Ninth Regiment of Infantry.

Captain Lyman Bissell, date of commission to be changed from September 25, 1847, to September 8, 1847.

Captain John S. Slocum, date of commission to be changed from October 9, 1847, to September 25, 1847.

Captain Charles J. Sprague, date of commission to be changed from December 4, 1847, to October 9, 1847.

Captain John H. Jackson, date of commission to be changed from February 17, 1848, to December 4, 1847.

First Lieutenant Asa A. Stoddard, date of commission to be changed from September 25, 1847, to September 8, 1847.

First Lieutenant John Glackin, date of commission to be changed from January 19, 1848, to December 4, 1847.

First Lieutenant Robert Hopkins, date of commission to be changed from February 17, 1848, to January 19, 1848.

First Lieutenant George W. May, date of commission to be changed from February 23, 1848, to February 17, 1848.

First Lieutenant Charles Simmons, date of commission to be changed from March 16, 1848, to February 23, 1848.

I am, sir, with great respect, your ob't ser't,

W. L. MARCY.

To the PRESIDENT OF THE UNITED STATES.

A.

ADJUTANT-GENERAL'S OFFICE,
Washington, July 3, 1848.

SIR: The notifications of the elections made by Captains and Assistant Quartermasters R. Allen and W. W. Chapman, of the 2d Artillery, and E. H. Fitzgerald, of the 9th Infantry, between their staff and regimental commissions (under the provisions of the act of June 18, 1846), having unavoidably failed to reach the War Department till months after the dates when they were severally entitled to promotion in their regiments, and an error having been made in the report to this office of the time when the death of Captain J. W. Anderson, 2d Infantry, occurred, the dates of certain promotions in the 2d Regiment of Artillery and in the 2d and 9th Regiments of Infantry, heretofore confirmed by the Senate, have proved to be inaccurate, and I therefore respectfully recommend that the proper corrections be now made.

The subjoined tables exhibit the rank and dates of commissions actually held by the several officers concerned, and the promotions as they would have been carried up had the vacancies been duly reported to the Adjutant-General's Office:

Second Regiment of Artillery.

Name, rank, and date of present commission.	Rank, date, and vacancy to which entitled.	Remarks.
Captain R. Allen, 19 October, 1847.	Capt., 19 October, 1847, vice Mackenzie, deceased.	
* 1st Lieutenant C. B. Daniels, 7 July, 1838.	Capt., 19 October, 1847, vice Allen who vacates his regimental commission.	Died October 27, 1847.
* Captain W. W. Chapman, 6 December, 1847.	Capt., 27 October, 1847, vice Daniels, deceased.	
* Captain L. G. Arnold, 14 October, 1847.	Capt., 27 October, 1847, vice Chapman, who vacates his regimental commission.	

*There being a difference between the dates of the commissions held by the officers to whose names this mark (*) is prefixed and the dates to which they are entitled, their commissions should be changed as indicated in the second column.

Second Regiment of Artillery—Continued.

Name, rank, and date of present commission.	Rank, date, and vacancy to which entitled.	Remarks.
Captain F. Woodbridge, 6 December, 1847.	Capt., 6 December, 1847, vice Ridgely, deceased.	
Captain E. D. Townsend, 21 April, 1848.	Capt., 21 April, 1848, vice De Hart, deceased.	
Captain H. C. Pratt, 21 April 1848.	Capt. 21 April, 1848, vice Townsend, who vacates his regimental commission.	
1st Lieutenant George Edwards, 19 October, 1847.	1st lieut., 19 October, 1847, vice Allen, promoted.	
1st Lieutenant T. B. J. Weld, 19 October, 1847.	1st lieut., 19 October, 1847, vice Daniels, promoted.	
1st Lieutenant H. B. Sears, 27 October, 1847.	1st lieut., 27 October, 1847, vice Chapman promoted.	
* 1st Lieutenant M. D. L. Simpson, 6 December, 1847.	1st lieut., 27 October, 1847, vice Arnold, promoted.	
1st Lieutenant R. H. Rush, 6 December, 1847.	1st. lieut., 6 December, 1847, vice Woodbridge, promoted.	
1st Lieutenant J. S. Totten, 21 April, 1848.	1st lieut., 21 April, 1848, vice Townsend, promoted.	
1st Lieutenant A. Merchant, 21 April, 1848.	1st lieut., 21 April, 1848, vice Pratt, promoted.	

* There being a difference between the dates of the commissions held by the officers to whose names this mark (*) is prefixed and the dates to which they are entitled, their commissions should be changed as indicated in the second column.

Second Regiment of Infantry.

Name, rank, and date of present commission.	Rank, date, and vacancy to which entitled.	Remarks.
* Captain M. R. Patrick, 20 August, 1847.	Capt., 22 August, 1847, vice Anderson, deceased of wounds received in battle.	
* 1st Lieutenant E. Murray, 20 August, 1847.	1st lieutenant, 22 August, 1847, vice Patrick, promoted.	

* These officers are only entitled to the dates set opposite their names in the second column, and their commissions should be changed accordingly.

In Major-General Scott's official report of the battle of Churubusco, Captain J. W. Anderson, 2d Infantry, is represented to have been killed in said action, August 2d, 1847. First Lieutenant Patrick and Second Lieutenant Murray were accordingly promoted to fill the vacancy thus created, taking rank from that date. It appears, however, by information only received June 23, that Captain Anderson was not killed, but mortally wounded, in the battle referred to, and did not die until August 22, 1847. Hence the necessity of altering the dates of Captain Patrick's and Lieutenant Murray's commissions.

Ninth Regiment of Infantry.

Name, rank, and date of present commission.	Rank, date, and vacancy to which entitled.	Remarks.
Captain E. H. Fitzgerald, 8 September, 1847.	Capt., 8 September, 1847, vice Pitman, promoted major.	
* Captain L. Bissell, 25 September, 1847.	Capt., 8 September, 1847, vice Fitzgerald, who vacates his regimental commission.	
* Captain I. S. Slocum, 9 October, 1847.	Capt., 25 September, 1847, vice Thompson, deceased.	
* Captain C. J. Sprague, 4 December, 1847.	Capt., 9 October, 1847, vice Woodman, resigned.	
Captain G. Bowers, 4 December, 1847.	Capt., 4 December, 1847, vice Johnson, resigned.	
* Captain J. H. Jackson, 17 February, 1848.	Capt., 4 December, 1847, vice Palmer, resigned.	
† 1st Lieutenant T. J. Whipple, 9 April, 1847.	Capt., 17 February, 1848, vice Bachelder, resigned.	Resigned February 23, 1848.
‡ 1st Lieutenant A. Tracy, 9 April, 1847.	Capt., 23 February, 1848, vice Whipple, resigned.	
1st Lieutenant D. H. Cram, 8 September, 1847.	1st lieut., 8 September, 1847, vice Fitzgerald, promoted.	Resigned December 4, 1847.
* 1st Lieutenant A. A. Stoddard, 25 September, 1847.	1st lieut., 8 September, 1847, vice Fitzgerald, who vacates his regimental commission.	
† 1st Lieutenant T. P. Pierce, 9 October, 1847.	1st lieut., 25 September, 1847, vice Slocum, promoted.	Resigned March 16, 1848.
† 2d Lieutenant N. F. Sweet, 9 April, 1847.	1st lieut., 9 October, 1847, vice Sprague, promoted.	Resigned December 4, 1847.
1st Lieutenant J A. Gove, 4 December, 1847.	1st lieut., 4 December, 1847, vice Bowers, promoted.	
1st Lieutenant T. H. Crosby, 4 December, 1847.	1st lieut., 4 December, 1847, vice Jackson, promoted.	
1st Lieutenant A. T. Palmer, 4 December, 1847.	1st lieut., 4 December, 1847, vice Cram, resigned.	
* 1st Lieutenant J. Glackin, 19 January, 1848.	1st lieut., 4 December, 1847, vice Sweet, resigned.	
* 1st Lieutenant R. Hopkins, 17 February, 1848.	1st lieut., 19 January, 1848, vice Bragg, dropped from the rolls.	
* 1st Lieutenant G. W. May, 23 February, 1848.	1st lieut., 17 February, 1848, vice Whipple, promoted.	
* 1st Lieutenant C. Simmons, 16 March, 1848.	1st lieut., 23 February, 1848, vice Tracy, promoted.	
‡ 2d Lieutenant L. Woodhouse, 9 April, 1847.	1st lieut., 16 March, 1848, vice Pierce, resigned.	
‡ 2d Lieutenant M. De Wolfe, 9 April, 1847.	1st lieut., 6 May, 1848, vice Hodge, resigned.	

* There being a difference between the dates of the commissions held by the officers to whose names this mark (*) is prefixed and the dates to which they are entitled, their commissions should be changed as indicated in the second column.

† No changes will be necessary in these cases, although the discrepancy of dates above referred to exists in consequence of the officers having resigned.

‡ These officers are entitled to promotion to the rank and date set opposite their names in the second column.

Respectfully submitted.

R. JONES,
A't General.

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

NOTE.—The list of regular promotions herewith respectfully submitted embraces all the vacancies known to exist in the several regiments of the Army at this time.

R. JONES,
Adjutant-General.

The messages were read.

Ordered, That the nomination of Charles W. Skinner be referred to the Committee on Naval Affairs.

Ordered, That the nomination of William Waters be referred to the Committee on the District of Columbia.

Ordered. That the nominations of George R. Davis and Richard Elward be referred to the Committee on the Post-Office and Post-Roads.

Ordered, That the nominations for appointment and promotion and for corrections in the dates of rank of officers of the Army, except that of the brevet of Captain W. J. Hardee, be referred to the Committee on Military Affairs.

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

Resolved, That in accordance with the request contained in the message of the President of the 7th instant, the Senate advise and consent that the brevet rank as major of Captain William J. Hardee be changed from the 26th March, 1847, as stated in the nomination, to the 25th March, 1847, the latter being the day on which the action at Madalin, Mexico, occurred, and for gallant and meritorious conduct in which this brevet was conferred.

Ordered, That the Secretary lay the said resolution before the President of the United States.

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

Resolved, That so much of the resolution of the 27th June, confirming certain appointments in the Army, as purported to confirm the nominations of Joseph Roberts and John A. Brown, which nominations were withdrawn by message of the President received the 14th June, and inadvertently included with others reported from the committee for confirmation, be rescinded.

Ordered, That the Secretary lay the said resolution before the President of the United States.

Mr. Niles, from the Committee on the Post-Office and Post-Roads, to whom were referred, the 10th May, the nominations of William Noble, Alexander Galt and David Blair; on the 16th May, that of Asaph R. Nichols; and on the 17th June, that of George Schley, reported.

Whereupon

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

Mr. Yulee, from the Committee on Naval Affairs, to whom was referred, the 14th June, the nomination of George W. Smith, reported.

Whereupon

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

Mr. Davis, of Mississippi, from the Committee on Military Affairs, to whom were referred, the 12th April, the nominations for promotion by brevet of Edwin V. Sumner, George Wright, William R. Montgomery, Robert C. Buchanan, William H. T. Walker, James L. Mason, Robert Anderson, Richard B. Screven, Albemarle Cady, Collinson R. Gates, John C. Pemberton, William A. Nichols, Henry Prince, Nathan B. Rossell, Edward Johnson, Leonidas Wetmore, Granville O. Haller, John D. Clarke, Harvey A. Allen, Samuel S. Anderson, Fitz-John Porter, Jomes Oakes, Charles P. Stone, Abram B. Lincoln, Thomas R. McConnell, Delancy F. Jones, Charles G. Merchant, Maurice Maloney, Henry M. Judah, Edmund Kirby, Robert E. Lee, Thompson Morris, Francis Taylor, Edmund B. Alexander, Silas Casey, John B. Magruder, Edward

J. Steptoe, Gabriel R. Paul, Stephen S. Tucker, John S. Simonson, Joseph Hooker, Benjamin S. Roberts, Andrew Porter, P. G. T. Beauregard, Peter V. Hagner, J. J. Stevens, J. Seldon, J. A. Haskins, Henry J. Hunt, J. B. Richardson, William Hays, Z. B. Tower, G. C. Westcott, M. Lovell, R. S. Ripley, A. Morrow, Henry F. Clarke, U. S. Grant, G. W. Smith, G. McLane, J. L. Reno, F. Steel, B. E. Bee, R. M. Morris, F. S. K. Russell, E. Russell, J. Stuart, C. M. Wilcox, Samuel P. Heintzleman, George Taylor, Horace B. Field, Thomas Claiborne. jr., Bedney F. McDonald, Thomas Childs, Henry L. Kendrick, John H. Miller, Thomas G. Rhett, George Edwards, and Henry C. Pratt, reported.

On motion by Mr. Davis, of Mississippi,

The Senate proceeded to consider the nominations for promotion by brevet reported from the Committee on Military Affairs on the 29th June; and

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

On motion by Mr. Davis, of Mississippi,

The Senate proceeded to consider the nominations of Henry S. Turner, William H. Emory, and William H. Warner; and

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

On motion by Mr. Westcott that the vote on the said resolution, so far as it confirmed the appointment of Henry S. Turner, be reconsidered,

It was determined in the affirmative.

THURSDAY, JULY 13, 1848.

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 Henry M. Howard to be naval officer for the district of Charleston, in the State of South Carolina, in the place of Robert Howard, resigned.

JAMES K. POLK.

WASHINGTON, *July 12th*, 1848.

To the Senate of the United States:

I nominate M. S. Myers to be deputy postmaster at Auburn, in the State of New York, in the place of Amos S. Rathbun, removed.

Also, F. J. B. Crane to be deputy postmaster at Ann Arbor, in the State of Michigan, his commissions for the year ending the 30th June, 1848, amounting to upwards of one thousand dollars.

JAMES K. POLK.

WASHINGTON, *July 12th*, 1848.

The messages were read.

Ordered, That the nomination of Henry M. Howard be referred to the Committee on Commerce.

Ordered, That the nominations of M. S. Myers and F. J. B. Crane be referred to the Committee on the Post-Office and Post-Roads.

Mr. Dix, from the Committee on Commerce, to whom were referred, the 16 May, the nomination of Joseph T. Adams on the 14th June that

of Samuel Melvin, and on the 26th June those of Benjamin R. Bythwood and John Woodbury, reported.

Whereupon

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

Mr. Yulee, from the Committee on Naval Affairs, to whom was referred, the 8th instant, the nomination of Charles W. Shinner, reported.

Mr. Miller, from the Committee on the District of Columbia, to whom was referred, the 8th instant, the nomination of William Waters, reported.

Whereupon

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

Mr. Bell 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 on the articles of a treaty made and concluded at Washington, in the District of Columbia, the 6th day of August, in the year of our Lord 1846, 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 Vann, William S. Coody, Richard Taylor, T. 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."

Mr. Dayton submitted the following resolution for consideration:

Resolved, That the Secretary of the Treasury be requested to furnish the Senate with copies of all such papers, letters, and other evidence on file in reference to the character and fitness of Samuel S. Downs, nominated as collector for the district of Little Egg Harbor and inspector for the port of Tuckerton, in the State of New Jersey.

On motion by Mr. Dix,

The Senate proceeded to consider the nomination of Henry S. Turner; and

Resolved, That the Senate advise and consent to the promotion by brevet of Henry S. Turner, agreeably to the nomination.

On motion by Mr. Davis, of Mississippi,

The Senate proceeded to consider the nomination of Stephen W. Kearny; and

Ordered, That it be postponed to Saturday next, the 15th instant, at one o'clock p. m.

On motion by Mr. Davis, of Mississippi,

The Senate proceeded to consider the nominations for promotion by brevet reported from the Committee on Military Affairs on the 8th instant; and

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

The Senate proceeded to consider the nominations of James W. Spratley, Isaac W. Patton, and Daniel Nickel; and

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, the 8th July, the nominations of Gideon J. Pillow, John A. Quitman, Caleb Cushing, and Stirling Price, reported.

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

Resolved, That the President is requested to furnish the Senate, in executive session, and as soon as it can be done, all the proceedings of the two courts of inquiry in the case of Major-General Pillow, the one commenced and terminated in Mexico, the other commenced in Mexico and terminated in the United States.

Ordered, That the Secretary lay the said resolution before the President of the United States.

On motion by Mr. Benton,

The Senate proceeded to consider the nominations reported by him this day; and

Ordered, That they be postponed until to-morrow at one o'clock.

FRIDAY, JULY 14, 1848.

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 compliance with the resolution of the Senate of July 13, 1848, I transmit herewith a report of the Secretary of War and accompanying documents, containing all the proceeding of the two courts of inquiry in the case of Major-General Pillow, the one commenced and terminated in Mexico, the other commenced in Mexico and terminated in the United States.

JAMES K. POLK.

WASHINGTON, *July* 14, 1848.

The message was read.

The Senate proceeded to consider the nomination of Gideon J. Pillow, contained in the message of the 7th instant; and

Mr. Johnson, of Maryland, submitted the following resolution for consideration:

Resolved, That the Senate decline to act upon the nominations made on the 7th July, instant, by the President of the United States, of general officers heretofore commissioned by him during the recess of the Senate, under the act of the 3d of March, 1847, entitled "An act making provision for an additional number of general officers, and for other purposes," and the act of the 26th June, 1846, entitled "An act to provide for the organization of the volunteer forces brought into brigades and divisions, and for the appointment of the necessary number of general officers to command the same," because they are of opinion that there is no authority to make such appointments.

After debate,

On motion by Mr. Benton,

Ordered, That the further consideration of the resolution be postponed until to-morrow at twelve o'clock.

On motion by Mr. Benton,

The Senate adiourned.

SATURDAY, JULY 15, 1848.

Mr. Benton submitted the following resolution for consideration:

Resolved, That the proceedings and discussions in the Senate on the nomination of Brigadier-General Kearney for brevet of major-general, for gallant and meritorious conduct in California, be conducted in open session.

The Senate resumed the consideration of the resolution submitted by Mr. Johnson, of Maryland, the 14th instant; and,

After debate,

Mr. Houston called for the reading of the finding and opinion of the courts of inquiry in the case of Major-General Pillow; and the same being objected to by Mr. Hale,

The question was stated, Shall the said finding and opinion be read?

And it was determined in the negative.

On the question to agree to the resolution,

It was determined in the negative, { Yeas ..... 24 / Nays 27

On motion by Mr. Bradbury,

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

Those who voted in the affirmative are,

Messrs. Badger, Baldwin, Bell, Berrien, Borland, Butler, Calhoun, Clarke, Clayton, Corwin, Davis of Massachusetts, Dayton, Greene, Hale, Johnson of Maryland, Johnson of Louisiana, Mangum, Metcalfe, Miller, Niles, Phelps, Spruance, Underwood, Upham.

Those who voted in the negative are,

Messrs. Allen, Atchison, Atherton, Benton, Bradbury, Bright, Dickinson, Dix, Dodge, Downs, Felch, Fitzgerald, Foote, Hamlin, Hannegan, Houston, Hunter, Johnson of Georgia, King, Mason, Rusk, Sebastian, Sturgeon, Turney, Walker, Westcott, Yulee.

So the resolution was not agreed to.

On motion by Mr. Green that the Senate adjourn,

It was determined in the negative.

On motion by Mr. Johnson, of Maryland, that the message received from the President the 14th instant, together with the proceedings of the courts of inquiry and the evidence in the case of Major-General Gideon J. Pillow, be printed in confidence for the use of the Senate,

On motion by Mr. Foote that the said motion to print lie on the table,

It was determined in the affirmative, { Yeas ..... 29 / Nays 21

On motion by Mr. Underwood,

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

Those who voted in the affirmative are,

Messrs. Allen, Atchison, Atherton, Benton, Borland, Bradbury, Bright, Butler, Dickinson, Dix, Dodge, Downs, Felch, Fitzgerald, Foote, Hamlin, Hannegan, Houston, Hunter, Johnson of Georgia, King, Mason, Rusk, Sebastian, Sturgeon, Turney, Walker, Westcott, Yulee.

Those who voted in the negative are,

Messrs. Badger, Baldwin, Bell, Berrien, Calhoun, Clarke, Clayton, Corwin, Davis of Massachusetta, Dayton, Greene, Hale, Johnson of Maryland, Johnson of Louisiana, Mangum, Metcalfe, Miller, Phelps, Spruance, Underwood, Upham.

So it was

Ordered, That the motion lie on the table.

On motion by Mr. Clayton that the Senate adjourn,

It was determined in the negative, { Yeas ..... 19 / Nays 29

On motion by Mr. Foote,

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

Those who voted in the affirmative are,

Messrs. Badger, Baldwin, Bell, Berrien, Calhoun, Clayton, Corwin, Davis of Massachusetts, Dayton, Greene, Hale, Hunter, Johnson of Maryland, Johnson of Louisiana, Mangum, Metcalfe, Miller, Underwood, Upham.

Those who voted in the negative are,

Messrs. Allen, Atchison, Atherton, Benton, Borland, Bradbury, Bright, Butler, Davis of Mississippi, Dickinson, Dix, Dodge, Downs, Felch, Fitzgerald, Foote, Hamlin, Hannegan, Johnson of Georgia, King, Mason, Niles, Rusk, Sebastian, Sturgeon, Turney, Walker, Westcott, Yulee.

On motion by Mr. Johnson, of Maryland, that the Senate adjourn,

It was determined in the affirmative, { Yeas ..... 30 / Nays 17

On motion by Mr. Turney,

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

Those who voted in the affirmative are,

Messrs. Atchison, Badger, Baldwin, Bell, Benton, Berrien, Butler, Clarke, Clayton, Corwin, Davis of Massachusetts, Davis of Mississippi, Dayton, Dix, Greene, Hale, Houston, Hunter, Johnson of Maryland, King, Mangum, Mason, Metcalfe, Miller, Niles, Spruance, Sturgeon, Underwood, Westcott, Yulee.

Those who voted in the negative are,

Messrs. Allen, Atherton, Borland, Bradbury, Bright, Dickinson, Dodge, Downs, Felch, Fitzgerald, Foote, Hannegan, Johnson of Georgia, Rusk, Sebastian, Turney, Walker.

So,

The Senate adjourned.

MONDAY, JULY 17, 1848.

Mr. Dix, from the Committee on Commerce, to whom was referred, the 13th instant, the nomination of Henry M. Howard, reported.

Whereupon

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

The Senate proceeded to consider the nomination of Gideon J. Pillow; and,

After debate,

On the question, Will the Senate advise and consent to the appointment of Gideon J. Pillow?

It was decided in the affirmative, { Yeas ..... 27 / Nays 18

On motion by Mr. Johnson, of Maryland,

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

Those who voted in the affirmative are,

Messrs. Allen, Atherton, Benton, Borland, Bradbury, Breese, Bright, Butler, Davis of Mississippi, Dickinson, Dix, Dodge, Felch, Fitzgerald, Foote, Hamlin, Hannegan, Houston, Johnson of Georgia, King, Mason, Rusk, Sebastian, Sturgeon, Turney, Westcott, Yulee.

Those who voted in the negative are,

Messrs. Badger, Baldwin, Berrien, Clarke, Clayton, Corwin, Dayton, Downs, Greene, Hunter, Johnson of Maryland, Johnson of Louisiana, Mangum, Metcalfe, Miller, Spruance, Underwood, Upham.

So it was

Resolved, That the Senate advise and consent to the appointment of Gideon J. Pillow, agreeably to the nomination.

The Senate proceeded to consider the nomination of John A. Quitman; and,

On motion by Mr. Mangum,

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

The Senate proceeded to consider the nomination of Caleb Cushing; and

On the question, Will the Senate advise and consent to the appointment of Caleb Cushing?

It was determined in the affirmative, { Yeas..... 26 / Nays..... 12

On motion by Mr. Johnson, of Maryland,

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

Those who voted in the affirmative are,

Messrs. Allen, Atherton, Benton, Borland, Bradbury, Breese, Bright, Dickinson, Dix, Dodge, Downs, Felch, Fitzgerald, Foote, Hamlin, Hannegan, Houston, Hunter, Johnson of Georgia, King, Mason, Rusk, Sebastian, Sturgeon, Turney, Yulee.

Those who voted in the negative are,

Messrs. Badger, Berrien, Clarke, Clayton, Dayton, Johnson of Maryland, Johnson of Louisiana, Mangum, Metcalfe, Spruance, Upham, Westcott.

So it was

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

The Senate proceeded to consider the nomination of Stirling Price; and,

On motion by Mr. Mangum,

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

Mr. Johnson, of Maryland, submitted the following resolution for consideration:

Resolved, That the injunction of secrecy be removed from the nominations, proceedings, and debates on the nominations of Major-Generals Pillow and Quitman and of Brigadier-Generals Cushing and Price.

The Senate proceeded to consider the nomination of Stephen W. Kearney; and,

On motion by Mr. Davis, of Mississippi,

Ordered, That it be postponed until one o'clock p. m. to-morrow.

TUESDAY, JULY 18, 1848.

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 Abraham V. E. Hotchkiss to be deputy postmaster at Lewiston, in the State of New York, his commissions for the year ending the 30th June, 1848, exceeding one thousand dollars.

JAMES K. POLK.

WASHINGTON, *June 15th*, 1848.

To the Senate of the United States:

Agreeably to the recommendation of the Secretary of War herewith, I nominate the following officers for brevet promotion to the grades set opposite to their names respectively, as recommended by the Secretary of War:

Captain Allen Wood, Twelfth Regiment of Infantry, to be major by brevet for gallant and meritorious conduct in the battles of Contreras and Churubusco, Mexico, to date from the 20th of August, 1847.

Second Lieutenant Henry Almstedt, Twelfth Regiment of Infantry, to be first lieutenant by brevet for gallant and meritorious conduct in the battles of Contreras and Churubusco, Mexico, to date from the 20th August, 1847.

JAMES K. POLK.

WASHINGTON, *July* 15, 1848.

WAR DEPARTMENT, *July* 13, 1848.

SIR: I find, on examining the list of nominations for brevet promotion, that the name of Captain Wood, of the 12th Infantry, has been accidentally omitted. I therefore respectfully recommend that Captain Allen Wood, of the 12th Infantry, be nominated to be major by brevet for gallant and meritorious conduct in the battles of Contreras and Churubusco, Mexico, to date from the 20th of August, 1847.

I also recommend that Second Lieutenant Henry Almstedt, of the 12th Infantry, be nominated to be first lieutenant by brevet for gallant and meritorious conduct in the same battles, to date from the 20th of August, 1847.

I have the honor to be, very respectfully, your ob't serv't,
W. L. MARCY,
Secretary of War.

The PRESIDENT.

The messages were read.

Ordered, That the nomination of Abraham V. E. Hotchkiss be referred to the Committee on the Post-Office and Post-Roads.

Ordered, That the nominations of Allen Wood and Henry Almstedt be referred to the Committee on Military Affairs.

On motion by Mr. Benton,

The Senate proceeded to consider the resolution submitted by him the 15th instant; and,

After debate,

On the question to agree thereto,

It was determined in the negative, { Yeas ..... 12 / Nays ..... 33 }

On motion by Mr. Mason,

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

Those who voted in the affirmative are,

Messrs. Allen, Benton, Borland, Bright, Dickinson, Downs, Foote, Hamlin, Houston, Sturgeon, Turney, Westcott.

Those who voted in the negative are,

Messrs. Atchison, Atherton, Badger, Baldwin, Berrien, Bradbury, Breese, Butler, Calhoun, Clarke, Clayton, Corwin, Davis of Massachusetts, Davis of Mississippi, Dayton, Dodge, Felch, Fitzgerald, Greene, Johnson of Maryland, Johnson of Louisiana, Johnson of Georgia, King, Lewis, Mason, Metcalfe, Miller, Phelps, Sebastian, Spruance, Underwood, Upham, Walker.

So the resolution was not agreed to.

The Senate proceeded to consider the nomination of Stephen W. Kearney; and,

On motion by Mr. King,

Ordered, That it be postponed until to-morrow at 12 o'clock.

WEDNESDAY, JULY 19, 1848.

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 John Crawford to be deputy postmaster at Athens, in the State of Georgia, his commissions having exceeded one thousand dollars for the year ending thirtieth of June, 1848.

JAMES K. POLK.

WASHINGTON, *July* 19, 1848.

The message was read.

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

Mr. Davis, of Mississippi, from the Committee on Military Affairs, to whom were referred, the 12th April, the nominations for promotion by brevet of Folliott T. Lally, Frazey M. Winans, William J. Clarke, Arthur C. Cummings, John W. Leigh, Charles M. Creaner, William D. Wilkins, Alonzo Loring, George W. Morgan, John F. Hunter, Benjamin Huger (as lieutenant-colonel), Andrew T. McReynolds, E. A. Kimball, Charles M. Bodfish, Nathaniel B. Holden, Daniel Chase, James A. Jones, Moses Hoagland, William H. Irwin, Presley N. Guthrie, George W. Bowie, John Motz, John S. Slocum, Charles J. Sprague, George Bowers, John H. Jackson, Thornton F. Brodhead, Charles Taplin, William B. Giles, Daniel S. Lee, Thomas F. McCoy, John C. Simkins, Columbus P. Evans, Benjamin F. Harley, Herman Thorn, Lorimer Graham, Samuel B. Davis, Thomas P. Pierce, Alpheus T. Palmer, William A. Newman, Alexander E. Steen, James W. Wiley, Samuel E. Beach, Francis O. Beckett, John M. Bronaugh, Andrew H. Tippin, William H. Scott, Paul O'Hébert, George Talcott, Timothy P. Andrews, William Trousdale, Thomas H. Seymour, Joshua Howard, Benjamin Huger (as colonel), George A. Caldwell, Samuel Woods, Moses J. Barnard, Charles J. Biddle, Oscar E. Edwards, Thomas Glenn, John E. Howard, J. J. Archer, James M. Scantland, N. S. Webb, S. W. Bowie, E. H. Fitzgerald, J. Blackburn, T. H. Freelon, E. C. Marshall, A. G. Sutton, A. Tracy, W. S. Walker, D. French, C. Peternell, A. J. Isaacs, J R. Bennett, P. S. Titus, R. S. Forsyth, L. Woodhouse, R. C. Drum, J. Glackin, T. H. Crosby, N. J. Martin, J. M. Hathaway, A. A. Stoddard, Theodore F. Rowe, Lemuel Ford, and John W. Martin, on the 26th of April that of Joseph E. Johnston, and on the 18th instant those of Allen Wood and Henry Almstead, reported.

On motion by Mr. Davis, of Mississippi,

The Senate proceeded to consider the said nominations; and,

After debate,

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

Mr. Davis, of Mississippi, from the Committee on Military Affairs, to whom were referred, the 12th April, the nominations for promotion by brevet of James Shields, George Cadwalader, and Joseph Lane, and on the 14th June that of John A. Quitman, reported.

On motion by Mr. Hannegan,
The Senate proceeded to consider the said nominations; and,
After debate,
Resolved, That the Senate advise and consent to the promotion by brevet of the said persons, agreeably to their nominations respectively.

Mr. Downs submitted the following resolution for consideration:

Resolved, That the President of the United States be requested to send to the Senate the names of such field and other officers of volunteers in the late war with Mexico as have merited brevets for gallant conduct in the war and would have been recommended for brevets if they had been in the Regular Army and had been commissioned by the United States.

Mr. Butler submitted the following resolution for consideration:

Resolved, That the colonels and other officers in the volunteer service of the United States during the war with Mexico are not, in legal contemplation, distinguishable from general officers engaged in a similar service, and that both are capable of receiving brevet rank from the President and Senate of the United States.

Mr. Benton, from the Committee on Military Affairs, to whom was referred, the 8th instant, the nominations of Lewis Neil and others for promotion and of William W. Chapman and others for changes in the dates of promotions or commissions for rank, as contained in the lists and tables communicated with the message of that day, reported.

Whereupon
Resolved, That the Senate advise and consent to the promotion and the changes in the dates of promotion or of rank of all the said persons agreeably to the said nominations, lists, and tables, respectively.

On motion by Mr. Dix,
Ordered, That the Secretary return to the President of the United States all the proceedings of the courts of inquiry in the case of Major-General Pillow, the one commenced and terminated in Mexico, the other commenced in Mexico and terminated in the United States, which were communicated with the message of the President of the 14th instant, in compliance with a resolution of the Senate of the 13th instant.

The Senate resumed the consideration of the nomination of Stephen W. Kearney; and,
After debate,
On motion by Mr. Mason,
Ordered, That it be postponed until two o'clock to-morrow.

THURSDAY, JULY 20, 1848.

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

To the Senate of the United States:

Agreeably to the recommendation of the Secretary of War, I nominate Captain Joseph Daniels, assistant quartermaster, to be major by brevet, for gallant and meritorious conduct in the battles of Contreras and Churubusco, Mexico, to date from the 20th of August, 1847.

JAMES K. POLK.

WASHINGTON, *July* 20, 1848.

WAR DEPARTMENT, *July* 20, 1848.

SIR: I respectfully recommend that Captain Joseph Daniels, assistant quartermaster, be nominated to be major by brevet, for gallant and

meritorious conduct in the battles of Contreras and Churubuseo, Mexico, to date from the 20th of August, 1847.

I have the honor to be, very respectfully, your ob't serv't,

W. L. MARCY,
Secretary of War.

To the PRESIDENT OF THE UNITED STATES.

The message was read.

On motion by Mr. Dix,

The Senate, by unanimous consent, proceeded to consider the nomination of Joseph Daniels; and

Resolved, That the Senate advise and consent to his promotion by brevet, agreeably to the nomination.

FRIDAY, JULY 28, 1848.

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 communication for brevet promotion in the Marine Corps, as proposed by the Secretary of the Navy.

JAMES K. POLK.

WASHINGTON, *July* 22, 1848.

NAVY DEPARTMENT, *July* 21, 1848.

SIR: I have the honor to submit herewith the annexed list of officers of the Marine Corps for brevet promotion, for gallant and meritorious conduct in the several engagements therein stated:

J. Y. MASON.

The PRESIDENT.

List of officers in the Marine Corps recommended for brevet promotion.

A. H. Gillespie, first lieutenant of Marines, now a captain of Marines, to be captain by brevet, from September 30th, 1846, for distinguished services in California, and for meritorious conduct in the defense of the "Cuidad de los Angeles" when in command of a small party of volunteers, opposed by a force of Californians, six hundred strong, in September, 1846.

A. H. Gillespie, now a captain of Marines, to be major by brevet, from December 6th, 1846, for gallantry and courage displayed in the battle of San Pascual, in California, December 6th, 1846.

William A. Maddox, now a first lieutenant of Marines, to be captain by brevet, from January 3d, 1847, for gallant and meritorious conduct in the battle of Santa Clara on that date, and in suppressing the insurrection at and around Monterey while in command of a company of mounted volunteers, operating in the middle district of California, in the month of December, 1846.

Jacob Zeilin, now a captain of Marines, to be major by brevet, from January 9th, 1847, for gallant and meritorious conduct displayed in the battles on the banks of the "Rio San Gabriel," and on the plains of "Mesa," in California, on the 8th and 9th January, 1847.

Addison Garland, now a first lieutenant of marines, to be captain by brevet, from March 10th, 1847, for gallant and meritorious conduct at

the bombardment and capture of the city of Vera Cruz, March 10th, 1847.

William B. Slack, now a first lieutenant of Marines, to be captain by brevet, from March 10th, 1847, for gallant and meritorious conduct at the bombardment and capture of the city of Vera Cruz, March 10th, 1847.

William L. Shuttleworth, now a first lieutenant of Marines, to be captain by brevet, from 10th March, 1847, for gallant and meritorious conduct at the bombardment and capture of Vera Cruz, March 10th, 1847.

George Adams, now a second lieutenant of Marines, to be first lieutenant by brevet, from 12th August, 1847, for gallant and meritorious conduct at the battle of the "National Bridge," while serving with the command of Major Lally, on the 12th of August, 1847.

John G. Reynolds, now a captain of Marines, to be major by brevet, from September 13th, 1847, for gallant and meritorious conduct at the storming of the Castle of Chapultepec and capture of the City of Mexico on the 13th September, 1847.

D. D. Baker, a first lieutenant of Marines, to be captain by brevet, from September 13, 1847, for gallant and meritorious conduct at the storming of the Castle of Chapultepec and capture of the City of Mexico on the 13th of September, 1847.

William L. Young, now a first lieutenant of Marines, to be captain by brevet, from September 13, 1847, for gallant and meritorious conduct at the storming of the Castle of Chapultepec and capture of the City of Mexico on the 13th of September, 1847.

Daniel J. Sutherland, a second lieutenant of Marines, to be first lieutenant by brevet, from September 13, 1847, for gallant and meritorious conduct at the storming of the Castle of Chapultepec and capture of the City of Mexico on the 13th of September, 1847.

Freeman Norvell, now a second lieutenant of Marines, to be first lieutenant by brevet, from September 13, 1847, for gallant and meritorious conduct at the storming of the Castle of Chapultepec and capture of the City of Mexico on the 13th of September, 1847.

Edward McD. Reynolds, now a second lieutenant of Marines, to be first lieutenant by brevet, from September 13, 1847, for gallant and meritorious conduct at the storming of the Castle of Chapultepec and capture of the City of Mexico on the 13th of September, 1847.

Thomas Y. Field, now a second lieutenant of Marines, to be first lieutenant by brevet, from September 13, 1847, for gallant and meritorious conduct at the storming of the Castle of Chapultepec and capture of the City of Mexico on the 13th of September, 1847.

Charles G. McCawley, now a second lieutenant of Marines, to be first lieutenant by brevet, from September 13th, 1847, for gallant and meritorious conduct at the storming of the Castle of Chapultepec and capture of the City of Mexico on the 13th of September, 1847.

John S. Nicholson, now a second lieutenant of Marines, to be first lieutenant by brevet, from September 13, 1847, for gallant and meritorious conduct at the storming of the Castle of Chapultepec and capture of the City of Mexico on the 13th of September, 1847.

Augustus S. Nicholson, now a second lieutenant of Marines, to be first lieutenant by brevet, from September 13, 1847, for gallant and meritorious conduct at the storming of the Castle of Chapultepec and capture of the City of Mexico on the 13th of September, 1847.

George H. Territt, now a captain of Marines, to be major by brevet, from September 13, 1847, for gallant and meritorious conduct at the

storming of the Castle of Chapultepec and the capture of a redoubt on his advance upon the San Cosmo gate on the 13th September, 1847.

John D. Simms, now a first lieutenant of Marines, to be captain by brevet from September 13, 1847, for gallant and meritorious conduct at the storming of the Castle of Chapultepec and capture of the San Cosmo gate on the 13th September, 1847.

Charles A. Henderson, now a second lieutenant of Marines to be first lieutenant by brevet, from the 13th of September, 1847, for gallant and meritorious conduct at the storming of the Castle of Chapultepec and capture of the San Cosmo gate on the 13th of September, 1847.

Robert Tansille, now a first lieutenant of Marines, to be captain by brevet, from November 17, 1847, for gallant and meritorious conduct in the defense of the town of Guaymas, in Mexico, while in command of a small party of marines on the 17th of November, 1847.

WASHINGTON, D. C., *July* 21, 1848.

To the Senate of the United States:

I nominate Armand Lefils to be collector of the customs for the district of Brunswick and inspector of the revenue for the port of Darien, in the State of Georgia.

JAMES K. POLK.

WASHINGTON, *July* 22*d*, 1848.

To the Senate of the United States:

I nominate the officers named in the accompanying communication for reappointment in the Army of the United States, as proposed by the Secretary of War.

JAMES K. POLK.

WASHINGTON, *July* 26, 1848.

WAR DEPARTMENT, *July* 25, 1848.

SIR: I have the honor respectfully to propose for your approbation the following-named officers (late of the old Army) for reappointment in their former regiments and corps, in conformity with the fourth section of the act entitled, "An act to amend an act supplemental to an act entitled 'An act for the prosecution of the existing war between the United States and the Republic of Mexico,' and for other purposes," approved July 19, 1848, viz:

Pay Department.

Timothy P. Andrews (late colonel of the Regiment of Voltigeurs) to be paymaster, to date from May 22, 1822, and to take place on the list of paymasters next below Paymaster C. H. Smith, being the date and position held by him under his former commission in the Pay Department.

Corps of Topographical Engineers.

Joseph E. Johnston (late lieutenant-colonel of the Regiment of Voltigeurs) to be captain, to date from 21st September, 1846, and to take place on the Army Register next below Captain T. B. Linnard, being the rank and position held by him in his former commission in the Corps of Topographical Engineers.

Ordnance Department.

George H. Talcott (late major of the Regiment of Voltigeurs) to be captain, to date from March 3, 1847, and to take place on the Army Register next below Captain R. H. K. Whiteley, being the rank and position to which he would have succeeded in virtue of his former commission in the Ordnance Department.

Second Regiment of Dragoons.

Fowler Hamilton (late lieutenant-colonel of the Sixteenth Regiment of Infantry) to be first lieutenant, to date from August 31, 1843, and to take place on the Army Register next below First Lieutenant A. Lowry, being the rank and position held by him under his former commission in the 2d Dragoons.

Sixth Regiment of Infantry.

Samuel Woods (late major in the Fifteenth Regiment of Infantry) to be captain, to date from February 27, 1843, and to take place in his regiment next below Captain W. S. Ketchum, and on the list of captains of infantry next below Captain B. R. Alden, being the rank and position held by him under his former commission in the Sixth Regiment of Infantry.

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:

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* 26, 1848.

WAR DEPARTMENT, *July* 24, 1848.

SIR: I have the honor respectfully to propose for your approbation the following-named graduates of the Military Academy to be attached to the Army of the United States as brevet second lieutenants, to take rank respectively from July 1, 1848, in conformity with the fourth section of the act approved April 29, 1812, entitled "An act making further provision for the Corps of Engineers," viz:

To be brevet second lieutenants attached to the Corps of Engineers.

Cadet William P. Trowbridge.
Cadet Andrew J. Donelson.
Cadet James C. Duane.
Cadet Walter H. Stevens.
Cadet Rufus A. Roys.

To be brevet second lieutenants attached to the Corps of Topographical Engineers.

Cadet Robert S. Williamson.
Cadet Nathaniel Michler, jr.

To be brevet second lieutenants attached to the Dragoon Arm.

Cadet John Buford, jr.
Cadet Charles H. Tyler.
Cadet Charles H. Ogle.
Cadet N. G. Evans.
Cadet George H. Stewart.

To be brevet second lieutenants attached to the Regiment of Mounted Riflemen.

Cadet William E. Jones.
Cadet Thomas S. Rhett.

To be brevet second lieutenants attached to the Artillery Arm.

Cadet James M. Haynes.
Cadet Joseph C. Clark, jr.
Cadet John C. Tidball.
Cadet William G. Gill.
Cadet James Holmes.
Cadet Truman K. Walbridge.
Cadet Grier Tallmadge.
Cadet Edward B. Bryan.
Cadet John C. Booth.
Cadet Thomas K. Jackson.

To be brevet second lieutenants attached to the Infantry Arm.

Cadet Benjamin D. Forsythe.
Cadet Richard J. Dodge.
Cadet William A. Slaughter.
Cadet Robert M. Russell.
Cadet George H. Paige.
Cadet Nathaniel H. McLean.
Cadet A. G. Miller.
Cadet William N. R. Beall.
Cadet Ferdinand Paine.
Cadet Thomas D. Johns.
Cadet William T. Mechling.
Cadet George C. Barber.
Cadet Daniel Huston, jr.
Cadet George W. Howland.

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:

I nominate James M. Newell to be collector of the customs for the district and inspector of the revenue for the port of Bridgetown, in the State of New Jersey, in the place of Lorenzo F. Lee, deceased.

JAMES K. POLK.

WASHINGTON, *July* 28, 1848.

To the Senate of the United States:

I nominate Nathan Clifford, of Maine, now commissioner of the United States to the Mexican Republic, to be envoy extraordinary and minister plenipotentiary of the United States to said Republic.

JAMES K. POLK.

WASHINGTON, *July* 28, 1848.

To the Senate of the United States:

I nominate John Black to be consul of the United States for the City of Mexico.

Franklin Chase to be consul of the United States for the port of Tampico, in Mexico.

John A. Robinson to be consul of the United States for the port of Guaymas, in Mexico.

John Parrott to be consul of the United States for the port of Mazatlan, in Mexico.

G. W. P. Bissell to be consul of the United States for the port of San Blas, in Mexico.

F. M. Dimond to be consul of the United States for the port of Vera Cruz.

JAMES K. POLK.

WASHINGTON, *July* 28, 1848.

To the Senate of the United States:

I have received from the Senate the "convention for the mutual delivery of criminals, fugitives from justice, in certain cases, concluded on the 29th of January, 1845, between the United States, on the one part, and Prussia and other states of the German Confederation, on the other part," with a copy of their resolution of the 21st of June last, advising and consenting to its ratification, with an amendment extending the period for the exchange of ratifications until the 28th of September, 1848.

I have taken this subject into serious and deliberate consideration, and regret that I cannot ratify this convention, in conformity with the advice of the Senate, without violating my convictions of duty. Having arrived at this conclusion, I deem it proper and respectful, considering the peculiar circumstances of the present case, and the intimate relations which the Constitution has established between the President and Senate, to make known to you the reasons which influence me to come to this determination.

On the 16th of December, 1845, I communicated this convention to the Senate for its consideration, at the same time stating my objections to the third article. I deemed this to be a more proper and respectful course towards the Senate, as well as towards Prussia and the other parties to it, than if I had withheld it and disapproved it altogether. Had the Senate concurred with me in opinion and rejected the third article, then the convention thus amended would have conformed to our treaties of extradition with Great Britain and France.

But the Senate did not act upon it within the period limited for the exchange of ratifications. From this I concluded that they had concurred with me in opinion in regard to the third article, and had, for this and other reasons, deemed it proper to take no proceedings upon the convention. After this date, therefore, I considered the affair as terminated.

Upon the presumption that this was the fact, new negotiations upon the subject were commenced, and several conferences were held between the Secretary of State and the Prussian minister. These resulted in a protocol signed at the Department of State on the 27th of April, 1847, in which the Secretary proposed either that the two Governments might agree to extend the time for the exchange of ratifications and thus revive the convention, provided the Prussian Government would previously intimate its consent to the omission of the third article, or he "expressed his willingness immediately to conclude with Mr. Gerolt a new convention, if he possessed the requisite powers from his Government, embracing all the provisions contained in that of the 29th January, 1845, with the exception of the third article. To this Mr. Gerolt observed that he had no powers to conclude such a convention, but would submit the propositions of Mr. Buchanan to the Prussian Government for further instructions."

Mr. Gerolt has never yet communicated in writing to the Department of State the answer of his Government to these propositions; but the Secretary of State, a few months after the date of the protocol, learned from him, in conversation, that they insisted upon the third article of the convention as a sine qua non. Thus the second negotiation had finally terminated by a disagreement between the parties, when more than a year afterwards, on the 21st June, 1848, the Senate took the original convention into consideration and ratified it, retaining the third article.

After the second negotiation with the Prussian Government, in which the objections to the third article were stated, as they had been previously in my message of the 16th December, 1845, a strong additional difficulty was interposed to the ratification of the convention; but I might overcome this difficulty if my objections to the third article had not grown stronger by further reflection. For a statement of them in detail I refer you to the accompanying memorandum prepared by the Secretary of State by my direction.

I cannot believe that the sovereign States of this Union, whose administration of justice would be almost exclusively affected by such a convention, will ever be satisfied with a treaty of extradition under which if a German subject should commit murder or any other high crime in New York or New Orleans, and could succeed in escaping to his own country, he would thereby be protected from trial and punishment under the jurisdiction of our State laws which he had violated. It is true, as has been stated, that the German states, acting upon a principle springing from the doctrine of perpetual allegiance, still assert the jurisdiction of trying and punishing their subjects for crimes committed in the United States or any other portion of the world. It must, however, be manifest that individuals throughout our extended country would rarely, if ever, follow criminals to Germany, with the necessary testimony, for the purpose of prosecuting them to conviction before German courts for crimes committed in the United States.

On the other hand, the Constitution and laws of the United States, as well as of the several States, would render it impossible that crimes committed by our citizens in Germany could be tried and punished in any portion of this Union.

But if no other reason existed for withholding my ratification from this treaty, the great change which has recently occurred in the organization of the Government of the German states would be sufficient. By the last advices we learn that the German Parliament, at Frankfort, have already established a federal provisional executive for all the states of Germany; and have elected the Archduke John of Austria

to be "Administrator of the Empire." One of the attributes of this executive is "to represent the Confederation in its relations with foreign nations, and to appoint diplomatic agents, ministers, and consuls." Indeed, our minister at Berlin has already suggested the propriety of his transfer to Frankfort. In case this convention with nineteen of the thirty-nine German states should be ratified, this could amount to nothing more than a proposition on the part of the Senate and President to these nineteen states who were originally parties to the convention to negotiate anew on the subject of extradition. In the mean time a central German Government has been provisionally established, which extinguishes the right of these separate parties to enter into negotiations with foreign Governments on subjects of several interest to the whole.

Admitting such a treaty as that which has been ratified by the Senate to be desirable, the obvious course would now be to negotiate with the General Government of Germany. A treaty concluded with it would embrace all the thirty-nine states of Germany, and its authority being co-extensive with the Empire, fugitives from justice found in any of these states would be surrendered up on the requisition of our minister at Frankfort. This would be more convenient and effectual than to address such separate requisitions to each of the nineteen German states with which the convention was concluded.

I communicate herewith, for the information of the Senate, copies of a dispatch from our minister at Berlin, and a communication from our consul at Darmstadt.

JAMES K. POLK.

WASHINGTON, *July* 28, 1848.

The messages were read.

Ordered, That the nominations for promotion by brevet in the Marine Corps be referred to the Committee on Naval Affairs.

Ordered, That the nominations of Armand Lefils and James Newell be referred to the Committee on Commerce.

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

On motion by Mr. Hannegan,

The Senate, by unanimous consent, proceeded to consider the nominations of Nathan Clifford, John Black, Franklin Chase, John A. Robinson, John Parrott, G. W. P. Bissell, and F. M. Dimond; and

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

On motion by Mr. Hannegan,

Ordered, That the message relating to the convention for the mutual delivery of criminals, fugitives from justice, in certain cases, concluded on the 29th of January, 1845, between the United States, on the one part, and Prussia and other states of the Germanic Confederation, on the other part, be referred to the Committee on Foreign Relations, and that the same, together with the documents communicated therewith, be printed in confidence for the use of the Senate.

Mr. Davis, of Mississippi, from the Committee on Military Affairs, to whom were referred, the 21st June, the nominations of Henry W. Benham, Masillon Harrison, John G. Foster, Andrew A. Humphreys, William R. Palmer, and William G. Peck, reported,

Whereupon

Resolved, That the Senate advise and consent to the promotion of the said persons in the Army of the United States, agreeably to their nominations respectively.

Mr. Niles, from the Committee on the Post-Office and Post-Roads, to whom were referred, the 13th instant, the nominations of M. S. Myers and F. J. B. Crane, and, on the 18th instant, that of Abraham V. E. Hotchkiss, reported.

Whereupon

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

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

Resolved, That the President be requested to communicate to the Senate, in confidence, if not inconsistent with the public interest, what steps, if any, have been taken by the Executive to extinguish the rights of the Hudson's Bay and Puget Sound Land Company within the Territory of Oregon, and such communications, if any, which may have been received from the British Government in relation to this subject.

Ordered, That the Secretary lay the said resolution before the President of the United States.

The Senate proceeded to consider the nomination of Stephen W. Kearny; and,

On motion by Mr. Mason,

Ordered, That to-morrow, at three o'clock p. m., the Senate will proceed. in executive session, to the consideration of the nomination of General S. W. Kearny as brevet major-general in the Army of the United States.

SATURDAY, JULY 29, 1848.

On motion by Mr. Sturgeon that the Senate proceed to the consideration of the nomination of Victor E. Piollet,

It was determined in the negative.

The Senate proceeded to consider the nomination of Stephen W. Kearny; and

After debate,

On motion by Mr. Mason,

Ordered, That it be postponed to one o'clock on Monday next.

MONDAY, JULY 31, 1848.

Tee 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 Frederick V. B. Morris to be consul of the United States for the port of Batavia, in the island of Java, in the place of Owen M. Roberts, deceased.

JAMES K. POLK.

WASHINGTON, *July* 31, 1848.

To the Senate of the United States:

I nominate James H. Westbrooks to be receiver of public moneys at Columbus, in the State of Mississippi, in the place of Edward B. Randolph, resigned.

JAMES K. POLK.

WASHINGTON, *July* 31, 1848.

To the Senate of the United States:

In compliance with the resolution of the Senate of the 28th instant, requesting the President to communicate to that body, "in confidence, if not inconsistent with the public interest, what steps, if any, have been taken by the Executive to extinguish the rights of the Hudson's Bay and Puget Sound Land Company, within the Territory of Oregon, and such communications, if any, which may have been received from the British Government in relation to this subject," I communicate herewith a report from the Secretary of State, with the accompanying documents.

JAMES K. POLK.

WASHINGTON, *July* 31*st*, 1848.

The messages were read.

Ordered, That the nominations of Frederick V. B. Morris be referred to the Committee on Commerce.

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

On motion by Mr. Hannegan,

Ordered, That the message from the President in relation to the steps taken to extinguish the rights of the Hudson's Bay and Puget's Sound Land Company within the Territory of Oregon, together with the documents communicated therewith, be referred to the Committee on Foreign Relations and printed in confidence for the use of the Senate.

On motion by Mr. Sturgeon,

The Senate proceeded to consider the nomination of Victor E. Piollet; and

After debate,

On motion by Mr. Westcott that it be postponed to Monday next,

Mr. Bright moved to strike out "Monday" and insert *Friday;* which was agreed to; and it was then

Ordered, That it be postponed to Friday next.

The Senate proceeded to consider the nomination of Stephen W. Kearney; and,

On motion by Mr. Dix,

Ordered, That it be postponed to to-morrow at one o'clock.

TUESDAY, AUGUST 1, 1848.

The Senate proceeded to consider the nomination of Stephen W. Kearney; and

After debate,

On motion by Mr. Mangum,

Ordered, That it be postponed until to-morrow.

SATURDAY, AUGUST 5, 1848.

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 R. Vickery to be deputy postmaster at Taunton, in the State of Massachusetts, his commissions having exceeded one thousand dollars for the year ending the 30th of June, 1848.

JAMES K. POLK.

WASHINGTON. *August* 2, 1848.

To the Senate of the United States:

I nominate Hypolite Roques, of Louisiana, to be consul of the United States for the port of Nantz, in France, in the place of Essex R. Livingston, recalled.

JAMES. K. POLK.

WASHINGTON, 2*d August*, 1848.

To the Senate of the United States:

I nominate Thomas U. Slemons, of Louisiana, to be consul of the United States for the port of Matamoras, in the Republic of Mexico.

JAMES K. POLK.

WASHINGTON, 5 *August*, 1848.

To the Senate of the United States:

I nominate Andrew J. Donelson, of Tennessee, to be envoy extraordinary and minister plenipotentiary of the United States to the Federal Government of Germany.

In submitting this nomination I transmit for the information of the Senate an official dispatch received from the consul of the United States at Darmstadt, dated July 10, 1848. I deem it proper, also, to state that no such diplomatic agent as that referred to by the consul has been appointed by me. Mr. Deverre, the person alluded to, is unknown to me, and has no authority to represent this Government in any capacity whatever.

JAMES K. POLK.

WASHINGTON, *August* 5, 1848.

The messages were read.

Ordered, That the nomination of Charles R. Vickery be referred to the Committee on the Post-Office and Post-Roads.

Ordered, That the nominations of Hypolite Roques and Thomas U. Slemons be referred to the Committee on Commerce.

Ordered, That the nomination of Andrew J. Donelson be referred to the Committee on Foreign Relations.

Mr. Breese, from the Committee on Public Lands, to whom was referred, the 31st July, the nomination of James H. Westbrooks, 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, the 8th July, the nomination of George R. Davis, 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, the 28th July, the nomination of Armand Lafils, reported.

Whereupon

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

Mr. Davis, from the Committee on Military Affairs, to whom were referred, the 28th July, the nominations of Timothy P. Andrews, Joseph E. Johnston, George H. Talcott, Fowler Hamilton, and Samuel Woods, reported.

Whereupon

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

Mr. Davis, from the Committee on Military Affairs, to whom were referred, the 28th July, the nominations of William P. Trowbridge and other cadets to be brevet second lieutenants in the Army of the United States, reported.

Whereupon

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

Mr. Davis, from the Committee on Military Affairs, to whom were referred, the 12th April last, the nominations for promotion by brevet of Lorenzo Thomas, Lucian B. Webster, Isaac Bowen, James Bankhead, Joseph G. Totten, Benjamin Huger (as major), John McClellan, and Justus McKinstry, reported.

Whereupon

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

On motion by Mr. Bright,

The Senate proceeded to consider the nomination of Victor E. Piollet; and,

After debate,

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

The Senate proceeded to consider the nomination of Stephen W. Kearny, and,

On motion by Mr. Johnson, of Maryland,

Ordered, That it be postponed to Monday next at one o'clock p. m.

MONDAY, AUGUST 7, 1848.

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 First Lieutenant Richard S. Ewell for promotion and Lucius B. Northrop for reappointment in the First Regiment of Dragoons, as proposed in the accompanying communication of the Secretary of War.

JAMES K. POLK.

WASHINGTON, *August* 5, 1848.

WAR DEPARTMENT, *July* 24, 1848.

SIR: I have the honor respectfully to propose for your approbation the following regular promotion and reappointment in the Army of the United States, viz:

PROMOTION.

First Regiment of Dragoons.

First Lieutenant Richard S. Ewell to be captain, July 21, 1848, vice Turner, resigned.

REAPPOINTMENT.

First Regiment of Dragoons.

Lucius B. Northrop, late first lieutenant, to be first lieutenant, to fill a vacancy occasioned by the promotion of Lieutenant Ewell, to date from July 4, 1836, and to stand at the head of the list of first lieuten-

ants, being his date and position at the time he was dropped from the rolls, the 8th of January last.

The object of reappointing Lieutenant Northrop is that he may receive the benefit of any provisions which may be made for officers retired from the Army on account of disability from wounds, &c., a bill for which purpose being now before Congress.

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

W. L MARCY.

To the PRESIDENT OF THE UNITED STATES.

ADJUTANT-GENERAL'S OFFICE,
Washington, July 24, 1848.

SIR: The resignation of Captain H. S. Turner, 1st Dragoons, having been accepted, an opportunity is presented for the reappointment, in obedience to your instructions of the 26th ultimo, "of Lieutenant Northrop in the position he would have occupied if he had not been dropped," and I therefore respectfully bring the matter to your attention, that he may be nominated accordingly. At the time he was dropped Lieutenant Northrop stood at the head of the list of first lieutenants in his regiment, his commission dating from July 4, 1836. He should, consequently, in obedience to your directions, be restored to the same position and date of rank, which can be effected by nominating the present senior first lieutenant, Richard S. Ewell, for promotion to a captaincy, vice Turner, and Mr. Northrop for reappointment, with his former date, to fill Lieutenant Ewell's vacancy.

Lieutenant Northrop had been overslaughed several times in consequence of his disability, prior to the date when he was dropped from the rolls.

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

R. JONES,
Adjutant-General.

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

The message was read.

Ordered, That the nominations of Richard S. Ewell and Lucius B. Northrop be referred to the Committee on Military Affairs.

Mr. Hannegan, from the Committee on Foreign Relation, to whom was referred, the 5th instant, the nomination of Andrew J. Donelson, reported.

On motion by Mr. Hannegan,

The Senate proceeded to consider the nomination of Andrew J. Donelson; and,

After debate,

Ordered, That it be postponed until to-morrow.

Mr. Mangum, from the Committee on Foreign Relations, to whom was referred, the 31st July, the message from the President upon the subject, reported the following resolution:

Resolved, That the President be requested to extinguish, by purchase, in such manner as he may deem advisable, the rights of the Hudson Bay Company and the Puget Sound Land Company to the navigation of the Columbia River, and all property and other possessory rights held by them in the Territory of Oregon: *Provided*, That the sum to be given on the part of this Government shall not exceed one million of dollars.

The Senate proceeded to consider the nomination of Stephen W. Kearny; and

After debate,

On motion by Mr. Turney that the Senate adjourn,

A quorum not voting,

On motion by Mr. Mason,

Ordered, That the Sergeant at Arms be directed to request the attendance of absent Senators.

A quorum appearing,

The question recurred on the motion of Mr. Turney that the Senate adjourn,

And it was determined in the negative.

On motion by Mr. Benton that the Senate adjourn,

It was determined in the negative.

On motion by Mr. Westcott that the nomination of Stephen W. Kearny be postponed to the next session of the Senate,

It was determined in the negative, { Yeas ..... 11 / Nays 33

On motion by Mr. Johnson, of Maryland,

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

Those who voted in the affirmative are,

Messrs. Benton, Cameron, Dix, Dodge, Douglas, Hamlin, Houston, Johnson of Louisiana, Turney, Walker, Westcott.

Those who voted in the negative are,

Messrs. Atchison, Badger, Baldwin, Bell, Berrien, Breese, Butler, Calhoun, Clarke, Corwin, Davis of Massachusetts, Davis of Mississippi, Dayton, Dickinson, Downs, Felch, Foote, Hannegan, Hunter, Johnson of Maryland, Johnson of Georgia, King, Lewis, Mason, Metcalfe, Miller, Pearce, Sebastian, Spruance, Sturgeon, Underwood, Upham, Yulee.

So the motion to postpone was not agreed to.

Mr. Benton submitted the following resolution for consideration:

Resolved, That the Senate will hear testimony at its bar or before a committee in relation to the action of San Pasqual and the besieging of General Kearny on the hill of San Bernardo, in California, with a view to try the truth of General Kearny's official report of these affairs, and to show that he is or is not entitled to the brevet of a major-general for his conduct in that action and seige, it being alleged by a Senator from Missouri (the mover of this resolution), that the said official report is false, and that he is ready to prove it by persons in the action of San Pasqual and at the hill of San Bernardo, and now here in the city, subject to be called to the bar of the Senate, or to be examined by it or by a committee; and the names of Major Gillespie of the Marines, Mr. Godey, late lieutenant of the California Battalion, and Mr. Christopher Carsen are given as the witnesses for the said purpose now in the city.

The Senate, by unanimous consent, proceeded to consider the said resolution; and,

After debate,

On motion by Mr. Mangum that it lie on the table,

It was determined in the affirmative, { Yeas ..... 32 / Nays 12

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. Atchison, Badger, Baldwin, Bell, Berrien, Butler, Calhoun, Clarke, Corwin, Davis of Massachusetts, Dayton, Dickinson, Downs,

Foote, Greene, Hannegan, Hunter, Johnson of Maryland, Johnson of Georgia, King, Lewis, Mangum, Mason, Metcalfe, Miller, Pearce, Phelps, Spruance, Sturgeon, Underwood, Upham, Yulee.

Those who voted in the negative are,

Messrs. Benton, Bradbury, Breese, Dix, Dodge, Douglas, Felch, Hamlin, Houston, Turney, Walker, Westcott.

So it was

Ordered, That the resolution lie on the table.

On motion by Mr. Dix that the Senate adjourn,

It was determined in the negative, { Yeas ..... 17 / Nays 29

On motion by Mr. Dix,

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

Those who voted in the affirmative are,

Messrs. Allen, Benton, Bradbury, Breese, Dickinson, Dix, Dodge, Douglas, Felch, Hamlin, Houston, Lewis, Sturgeon, Turney, Walker, Westcott, Yulee.

Those who voted in the negative are.

Messrs. Badger, Baldwin, Bell, Berrien, Bright, Butler, Calhoun, Clarke, Corwin, Davis of Massachusetts, Davis of Mississippi, Dayton, Downs, Foote, Greene, Hannegan, Hunter, Johnson of Maryland, Johnson of Georgia, King, Mangum, Mason, Metcalfe, Miller, Pearce, Phelps, Spruance, Underwood, Upham.

So the motion was not agreed to.

On motion by Mr. Davis, of Mississippi,

The Senate adjourned.

TUESDAY, AUGUST 8, 1848.

Mr. Yulee, from the Committee on Naval Affairs, to whom were referred, the 28th July, the nominations of A. H. Gillespie and others, of Marines, for promotion by brevet, reported.

Whereupon

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

Mr. Dix, from the Committee on Commerce, to whom were referred, the 5th instant, the nominations of Hypolite Roques and Thomas U. Slemons, 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 8th July, the nomination of Richard Elward, and on the 5th instant that of Charles R. Vickery, 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. Yulee,

The Senate proceeded to consider the nomination of Charles W. Skinner; and

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

The Senate proceeded to consider the nomination of Stephen W. Kearny; and,

After debate,

On motion by Mr. Dix,

Ordered, That it be postponed to eleven o'clock to-morrow.

Mr. Dix submitted the following resolution for consideration:

Resolved, That the nomination of Stephen W. Kearny for the brevet rank of major-general be postponed till the first Monday of December next, the Senate not having time in consequence of the press of business to examine with sufficient care the grounds on which said nomination is made.

WEDNESDAY, AUGUST 9, 1848.

Mr. Benton submitted the following resolution for consideration:

Resolved, That a Senator in his place (Mr. Benton) having, besides denying the truth of the grounds for which the brevet of major-general is proposed to be given to Brigadier-General Kearny, also impugned the honor of the said General Kearny in his conduct in California, and before a military court-martial in this city, in relation to his conduct in the prosecution of Lieutenant-Colonel Frémont, involving charges of malice, falsehood upon oath, fraudulent concealment of his design to arrest him with a view to try him without means of defense, or make him ask long delay while infamous charges were hanging over him, and the said Senator having alleged that the said General Kearny had, by virtue of his authority, brought the said Frémont home from the coast of the Pacific, a virtual prisoner to be tried here for offenses charged to have been committed there, the said General Kearny bringing his witnesses along with him, while leaving behind or interfering to keep away those who might be witnesses of Colonel Frémont, and who was wholly ignorant of the designs against him; and the said Senator having produced facts in support of all his allegations, which facts are neither answered nor contradicted, and ought to be answered by General Kearny before passed upon by the Senate, and it being the express repeatedly declared wish of the Senator making these allegations that General Kearny should have an opportunity to answer; considering all this it is the opinion of the Senate that this nomination be postponed with a view to a re-examination at the next session.

Resolved, That the President having nominated Brigadier-General Kearny for the brevet of major-general for gallantry at San Pasqual, and for meritorious conduct in New Mexico and California, and a Senator in his place having denied the truth of said gallantry and good conduct, and supported his denial by the production of facts, and having offered to produce more to show that the action of San Pasqual was a disastrous defeat by about equal numbers, through the mismanagement of the general, and that his report thereof is false, and that he was afterward besieged on the hill of San Bernardo four days by inferior numbers, and burnt his baggage, and saw Alexander Goday, whom he had sent out as a messenger, taken prisoner in his view, without an effort to protect or rescue him; and the same Senator having also alleged that the conduct of General Kearny both in New Mexico and California was unmeritorious, and produced facts in support of this allegation, and offered to produce more; and said allegations being neither answered nor denied; and it being the duty of the Senate, when the truth of the reasons for granting the honor of a brevet are denied, and as no brevet of honor ought to be untrue or bear an untruth on its face; and the Senator making all these allegations having moved the Senate for an open session for the discussion of his allegations, which was refused, and having himself notified a friend of General Kearny of his allegations against

him that he might be telegraphed in time to defend himself, and having also given leave to all Senators to tell what he said, and avowed his own determination to tell it; and as there is not time at this session to investigate these allegations, and as it is not right for the Senate to vote upon any uncertainty in a matter so serious; and as it may be unjust to General Kearny to do so, as a confirmation of the nomination in the face of such allegations so supported and undenied could not be desirable or advantageous to General Kearny; therefore, it is the opinion of the Senate that this nomination be not finally acted on at this session, but laid over with a view to a re-examination at the next session, and that the President be informed accordingly by being furnished with a copy of this resolve.

Resolved, That Brigadier-General Kearny, in a letter to Commodore Stockton of the 16th of January, 1847, at Los Angeles, in California, threatening "collision" and "civil war," and the said letter having been immediately and officially communicated to the Government of the United States by Commodore Stockton, on which no action appears yet to have been taken by the Government; therefore, it is the opinion of the Senate that the honorable distinction of brevet major-general should not be bestowed on Brigadier-General Kearny until all the circumstances of said threat "collision" and "civil war" be properly inquired into and satisfactorily explained or found to be untrue.

The Senate proceeded to consider the nomination of Stephen W. Kearny; and

After debate,

On motion by Mr. Dix, that it be postponed for the purpose of considering a resolution submitted by him yesterday,

It was determined in the negative, { Yeas ..... 17 / Nays ..... 30 }

On motion by Mr. Johnson, of Maryland,

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

Those who voted in the affirmative are,

Messrs. Allen, Atchison, Benton, Borland, Bradbury, Breese, Dix, Dodge, Felch, Fitzgerald, Hamlin, Houston, Johnson of Louisiana, Niles, Turney, Walker, Wescott.

Those who voted in the negative are,

Messrs. Badger, Baldwin, Bell, Berrien, Butler, Calhoun, Clarke, Corwin, Davis of Massachusetts, Davis of Mississippi, Dayton, Dickinson, Downs, Green, Hannegan, Hunter, Johnson of Maryland, Johnson of Georgia, King, Mangum, Mason, Metcalfe, Miller, Pearce, Phelps, Spruance, Sturgeon, Upham, Yulee.

So the motion was rejected.

On the question, Will the Senate advise and consent to the promotion by brevet of Stephen W. Kearny?

It was determined in the affirmative, { Yeas ..... 32 / Nays ..... 14 }

On motion by Mr. Benton,

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

Those who voted in the affirmative are,

Messrs. Atchison, Badger, Baldwin, Bell, Berrian, Borland, Butler, Calhoun, Clarke, Corwin, Davis of Massachusetts, Davis of Mississippi, Dayton, Dickinson, Downs, Greene, Hannegan, Hunter, Johnson of Maryland, Johnson of Georgia, King, Mangum, Mason, Metcalfe, Miller, Pearce, Phelps, Spruance, Sturgeon, Underwood, Upham, Yulee.

Those who voted in the negative are,

Messrs. Allen, Benton, Bradbury, Dix, Dodge, Felch, Fitzgerald, Hamlin, Houston, Johnson of Louisiana, Niles, Tarney, Walker, Westcott.

So it was

Resolved, That the Senate advise and consent to the promotion by brevet of Brigadier-General Stephen W. Kearny to be major-general by brevet for gallant and meritorious conduct in New Mexico and in California, to date from the battle of San Pasqual, the 6th of December, 1846, agreeably to the nomination.

Mr. Davis, of Mississippi, submitted the following resolution for consideration:

Whereas a Senator in his place has charged Brigadier-General Stephen W. Kearny with an intent to incite civil war in California and with other conduct unbecoming an officer and a gentleman, both in California and before a court-martial assembled near Washington City, for the trial of Lieutenant-Colonel Fremont: Therefore

Resolved, That the Senate do advise the President of the United States to order a court-martial to investigate these and all other charges which may be presented against the said General Stephen W. Kearny.

On motion by Mr. Mangum,

The Senate proceeded to consider the resolution reported by him from the Committee on Foreign Relations the 7th instant.

On motion by Mr. Allen to amend the same by striking out all after the word "Resolved" and inserting the following in lieu thereof:

That the President be requested to take such measures as he may deem most proper in order to ascertain the nature, the extent, and the value of the rights of navigation and of transit over portages reserved to the "Hudson's Bay Company and to all British subjects trading with the same" by the second article of the "treaty between the United States of America and Her Majesty the Queen of the United Kingdom of Great Britain and Ireland," concluded and signed at Washington on the 15th day of June, 1846; to ascertain, also, the nature, the extent, and the value of "the possessory rights of the Hudson's Bay Company and of all other British subjects" reserved by the third article of said treaty; to ascertain, also, the nature, extent, and value of "the farms, lands, and other property of every description belonging to the Puget's Sound Agricultural Company" reserved by the fourth article of said treaty; to ascertain, also, whether either of said companies or subjects have, since the ratification of said treaty, sold or transferred any of the rights or property so reserved by the second, third, and fourth articles of said treaty, and, if so, when, to whom, and to what extent such sales or transfers may have been made.

Resolved further, That the President be requested to lay before the Senate, as soon as practicable, any and all facts and information he may be thus enabled to collect.

On motion by Mr. Mangum,

Ordered, That the further consideration of the resolution and amendment be postponed until to-morrow, and that the same be printed in confidence for the use of the Senate.

Mr. Dix, from the Committee on Commerce, to whom were referred, the 12th May, the nomination of John D. Elliott, the 30th May that of Nathaniel Jackson, the 26th June that of Alfred H. P. Edwards, and on the 31st July that of Frederick V. B. Morris, 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 was referred, the 14th June, the nomination of Samuel S. Downs, reported.

The Senate proceeded to consider the nomination of Andrew J. Donelson; and

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

FRIDAY, AUGUST 11, 1848.

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 H. C. Coffin, of Maine; A. G. Pendleton, of Virginia; Mordecai Yarnall, of Kentucky; William B. Benedict, of Virginia; Mark H. Beecher, of New York; Henry H. Lockwood, of Delaware; William Flye, of Maine; William Chauvenet, of Pennsylvania; James Major, of New York; Joseph S. Hubbard, of Connecticut; Ruel Keith, of Vermont, and Arséne N. Girault, of Maryland, to be professors of mathematics in the Navy.

JAMES K. POLK.

WASHINGTON, *August* 10, 1848.

To the Senate of the United States:

I nominate John Parrott to be temporary Navy agent at Mazatlan, in Mexico.

JAMES K. POLK.

WASHINGTON, *August* 10, 1848.

To the Senate of the United States:

I nominate the officers named in the accompanying communication for regular promotion in the Army of the United States, as proposed by the Secretary of War.

JAMES K. POLK.

WASHINGTON, *August* 11, 1848

WAR DEPARTMENT, *August* 9, 1848.

SIR: I have the honor respectfully to propose for your approbation the subjoined list of officers for regular promotion in the Army of the United States, viz:

First Regiment of Dragoons.

Major Edwin V. Sumner, of the Second Regiment of Dragoons, to be lieutenant-colonel, July 13, 1848, vice Wharton, deceased.

Second Regiment of Dragoons.

Captain Marshall S. Howe to be major, July 13, 1848, vice Sumner, promoted to the First Regiment of Dragoons.

First Lieutenant Washington I. Newton to be captain, July 13, 1848, vice Howe, promoted.

Second Lieutenant Richard H. Anderson to be first lieutenant, July 13, 1848, vice Newton, promoted.

Second Lieutenant Alfred Pleasonton to be first lieutenant, July 21, 1848, vice Rogers, deceased.

Brevet Second Lieutenant Samuel H. Starr to be second lieutenant, July 13, 1848, vice Anderson, promoted.

Brevet Second Lieutenant John Buford, jr., of the First Regiment of Dragoons, to be second lieutenant, July 21, 1848, vice Pleasonton, promoted.

First Regiment of Infantry.

First Lieutenant Ferdinand S. Mumford to be captain, March 15, 1848, vice Reynolds, assistant quartermaster, who vacates his regimental commission.

Second Lieutenant Schuyler Hamilton to be first lieutenant, March 15, 1848, vice Mumford, promoted.

Brevet Second Lieutenant Henry Wilson to be second lieutenant, vice Hamilton, promoted to date from June 28, 1848, the date of his entry into the Army.

Second Regiment of Infantry.

Second Lieutenant Frederick Steele to be first lieutenant, June 6, 1848, vice Tilden, resigned.

Brevet Second Lieutenant George Bruce to be second lieutenant, vice Steele, promoted, to date from June 28, 1848, the date of his entry into the Army.

Fourth Regiment of Infantry.

Brevet Second Lieutenant Hiram Dyer to be second lieutenant, July 31, 1848, vice Tobey, resigned.

Eighth Regiment of Infantry.

Brevet Second Lieutenant Theodore Fink to be second lieutenant, August 2, 1848, vice Wainwright, deceased.

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:

I withdraw the nomination made to the Senate, the 24th ultimo, of First Lieutenant Richard S. Ewell to be captain in the First Regiment of Dragoons, July 21, 1848, vice Turner, resigned, and I nominate First Lieutenant Lucius B. Northrop, for promotion in his stead, to rank from July 21, 1848.

JAMES K. POLK.

WASHINGTON, *August 11th*, 1848.

To the Senate of the United States:

I nominate Brevet Brigadier-General Bennet Riley to be brigadier-general by brevet for gallant and meritorious conduct in the battle of Cerro Gordo, to date from the 18th day of April, 1847, and to supersede his promotion to be brigadier-general by brevet, dating from the 20th of August, 1847.

JAMES K. POLK

WASHINGTON, *August 11th*, 1848.

WAR DEPARTMENT,
Washington, August 11th, 1848.

SIR: Brevet Colonel Riley was nominated for brigadier-general by brevet for gallant and meritorious conduct at Contreras, to date from the 20th of August. I recommend that the date be changed so that his brevet may bear date from the 18th of April, for gallant and meritorious conduct at the battle of Cerro Gordo.

Very respectfully, your obedient servant,

W. L. MARCY,
Secretary of War.

To the PRESIDENT OF THE UNITED STATES.

To the Senate of the United States:

I nominate the officers in the subjoined list for brevet promotion to the grades set opposite to their names respectively, and ask that the changes in the dates of brevets already conferred may be made to conform to the recommendation of the Secretary of War herewith.

JAMES K. POLK.

WASHINGTON, *August 11th*, 1848.

WAR DEPARTMENT, *August 8*, 1848.

SIR: I respectfully ask your favorable consideration to the following cases of brevet promotion:

Captain Edmund B. Alexander, 3d Infantry, has been promoted to be major by brevet for gallant and meritorious conduct in the battle of Cerro Gordo, and lieutenant-colonel by brevet for like conduct in the battle of Chapultepec. I recommend that his second brevet, that of lieutenant-colonel, be made to apply to the battles of Contreras and Churubusco, in which he was most particularly distinguished, to date from the 20th of August, 1847.

Major John L. Gardner, 4th Artillery, has been promoted to be lieutenant-colonel by brevet for gallant and meritorious conduct in the battle of Contreras. I recommend that this brevet be made to apply to the battle of Cerro Gordo, in which he commanded his regiment, to date from the 18th of April, 1847, and that he be nominated to be colonel by brevet for gallant and meritorious conduct in the battle of Contreras, Mexico, to date from the 20th August, 1847.

Captain Francis Taylor, 1st Artillery, has been promoted to be major by brevet for gallant and meritorious conduct in the battle of Churubusco, and lieutenant-colonel by brevet for like conduct in the battle of Chapultepec. I recommend that the brevet of major be made to apply to the battle of Cerro Gordo, to date from the 18th April, 1847, and that the brevet of lieutenant-colonel be made to apply to the battle of Churubusco, to date from the 20th August, 1847.

First Lieutenant John F. Reynolds, 3d Artillery, has been promoted to be captain by brevet for gallant and meritorious conduct in the battle of Buena Vista. I recommend that this brevet be made to apply to the battles of Monterey, Mexico, in which he was distinguished, to date from the 23d of September, 1846, and that he be nominated to be major by brevet for gallant and meritorious conduct in the battles of Buena Vista, Mexico, to date from the 23d of February, 1847.

First Lieutenant Earl Van Dorn, 7th Infantry, has been promoted to be captain by brevet for gallant and meritorious conduct in the battles of Contreras and Churubusco. He served with distinction in the battle of Cerro Gordo, and I recommend that his brevet of captain be made to

apply to that battle, to date from the 18th of April, 1847. I also recommend that he be nominated to be major by brevet for gallant and meritorious conduct in the battles of Contreras and Churubusco, to date from the 20th August, 1847.

First Lieutenant Roswell S. Ripley, 2d Artillery, has been promoted to be captain by brevet for gallant and meritorious conduct in the battle of Chapultepec. I recommend that this brevet be made to apply to the battle of Cerro Gordo, Mexico, to date from the 18th of April, 1847.

First Lieutenant Zealous B. Tower, Engineers, has been promoted to be first lieutenant by brevet for gallant and meritorious conduct in the battle of Cerro Gordo, and major by brevet for like conduct in the battle of Chapultepec. As the grade of this last brevet is the result of an error in the nomination, I recommend that the brevet of major be changed to that of captain.

Second Lieutenant Lorimer Graham, 10th Infantry, has been promoted to be 1st lieutenant by brevet for gallant and meritorious conduct in the battle of Churubusco. I recommend that this brevet be made to apply to the affair with the enemy at Mil Flores, Mexico, to date from the 13th of August, 1847, and that he be nominated to be captain by brevet for gallant and meritorious conduct in the battle of Churubusco, Mexico, to date from the 20th August, 1847.

I recommend that the following officers be nominated for additional brevet promotion, to wit:

Major Carlos A. Waite, 8th Infantry, who has been promoted to be lieutenant-colonel by brevet for the battles of Contreras and Churubusco, to be colonel by brevet for gallant and meritorious conduct in the battle of Molino del Rey, Mexico, to date from the 8th September, 1847. He is reported by his commanding general as eminently distinguished in that battle.

Captain Lewis S. Craig, 3d Infantry, who has been promoted to be major by brevet for the battle of Monterey, to be lieutenant-colonel by brevet for gallant and meritorious conduct in the battles of Contreras and Churubusco, Mexico, in the last of which he was severely wounded, to date from the 20th of August, 1847.

Captain Martin Burke, 3d Artillery, who has been promoted to be major by brevet for the battle of Churubusco, to be lieutenant-colonel by brevet for gallant and meritorious conduct in the battle of Molino del Rey, Mexico, in which he is reported as eminently distinguished at the head of his regiment, to date from the 8th of September, 1847.

Captain James V. Bomford, 8th Infantry, who has been promoted to be major by brevet for the battle of Churubusco, to be lieutenant-colonel by brevet for gallant and meritorious conduct in the battle of Molino del Rey, Mexico, to date from the 8th September, 1847.

Captain William Hoffman, 6th Infantry, who has been promoted to be major by brevet for the battle of Churubusco, to be lieutenant-colonel by brevet for gallant and meritorious conduct in the battle of Molino del Rey, Mexico, to date from the 8th of September, 1847.

Captain Isaac V. D. Reeve, 8th Infantry, who has been promoted to be major by brevet for the battle of Churubusco, to be lieutenant-colonel by brevet for gallant and meritorious conduct in the battle of Molino del Rey, Mexico, to date from the 8th September, 1847.

First Lieutenant James Longstreet, 8th Infantry, who has been promoted to be captain by brevet for the battle of Churubusco, to be major by brevet for gallant and meritorious conduct in the battle of Molino del Rey, Mexico, in which he was particularly distinguished, to date from the 8th September, 1847.

First Lieutenant John J. Peck, 2d Artillery, who has been promoted to be captain by brevet for the battle of Churubusco, to be major by brevet for gallant and meritorious conduct in the battle of Molino del Rey, Mexico, to date from the 8th September, 1847.

First Lieutenant Lewis A. Armistead, 6th Infantry, who has been promoted to be captain by brevet for the battle of Churubusco, to be major by brevet for gallant and meritorious conduct in the battle of Molino del Rey, Mexico, to date from the 8th September, 1847.

Second Lieutenant Edmund K. Smith, 7th Infantry, who has been promoted to be 1st lieutenant by brevet for the battle of Cerro Gordo, to be captain by brevet for gallant and meritorious conduct in the battle of Contreras, Mexico, where he won distinction at the head of his company, to date from the 20th of August, 1847.

Second Lieutenant George B. McClellan, Engineers, who has been promoted to be first lieutenant by brevet for the battles of Contreras and Churubusco, to be captain by brevet for gallant and meritorious conduct in the battle of Molino del Rey, Mexico, in which he was distinguished, to date from the 8th September, 1847.

Second Lieutenant John G. Foster, Engineers, who has been promoted to be 1st lieutenant by brevet for the battles of Contreras and Churubusco, to be captain by brevet for gallant and meritorious conduct in the battle of Molino del Rey, Mexico, in which he was distinguished, to date from the 8th of September, 1847.

Second Lieutenant Edmund L. F. Hardcastle, Topographical Engineers, who has been promoted to be 1st lieutenant by brevet for the battle of Churubusco, to be captain by brevet for gallant and meritorious conduct in the battle of Molino del Rey, Mexico, in which he was distinguished, to date from the 8th September, 1847.

I also recommend the following officers for brevet promotion:

First Lieutenant Henry W. Halleck, Engineers, to be captain by brevet for gallant conduct in affairs with the enemy on the 19th and 20th of November, 1847, and for meritorious services in California, to date from the 1st of May, 1847.

Captain James G. Martin, assistant quarter master, to be major by brevet for gallant and meritorious conduct in the battles of Contreras and Churubusco, Mexico, in the last of which actions he was severely wounded, to date from the 20th of August. 1847.

Second Lieutenant Joseph H. Potter, 7th Infantry, to be 1st lieutenant by brevet for gallant and meritorious conduct in the battles of Monterey, Mexico, in which he was severely wounded, to take effect from the 23d September, 1846.

Captain George W. Hughes, Topographical Engineers, to be major by brevet for gallant and meritorious conduct in the battle of Cerro Gordo, Mexico, to date from the 18th April, 1847.

Very respectfully, your obedient servant,

W. L. MARCY,
Secretary of War.

TO THE PRESIDENT:

The messages were read.

Ordered, That the nominations of persons to be professors of mathematics in the Navy and of John Parrott be referred to the Committee on Naval Affairs.

Ordered, That the nominations of Edwin V. Sumner and other officers of the Army for regular promotion, the nomination of Lucius B. North-

rop, and the nominations of Edmund B. Alexander and other officers of the Army for promotion by brevet be referred to the Committee on Military Affairs.

On motion by Mr. Johnson, of Maryland,

The Senate, by unanimous consent, proceeded to consider the nomination of Bennet Riley for promotion by brevet; and

Resolved, That the Senate advise and consent to the promotion by brevet of Brigadier-General Bennet Riley, agreeably to the nomination.

Mr. Hannegan, from the Committee on Foreign Relations, to whom was referred, on the 14th February last, the treaty of peace, friendship, commerce, and navigation between the United States and the Republic of Peru, concluded at Washington the 9th of February, 1848, reported the same without amendment.

Mr. Dix, from the Committee on Commerce, to whom was referred, the 26th June, the nomination of E. S. Offley, reported.

SATURDAY, AUGUST 12, 1848.

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 Brevet Major John McClellan, captain of the Corps of Topographical Engineers, to be lieutenant-colonel by brevet for gallant and meritorious conduct in the military operations before the City of Mexico, on the 13th of September, 1847, to date from that day.

JAMES K. POLK.

WASHINGTON, *August* 12*th*, 1848.

To the Senate of the United States:

I nominate Brevet Captain Daniel H. Hill, first lieutenant 4th Artillery, to be major by brevet for gallant and meritorious conduct in the storming of Chapultepec, Mexico, to date from the 13th day of September, 1847.

JAMES K. POLK.

WASHINGTON, *August* 12, 1848.

The messages were read.

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

On motion by Mr. Hannegan,

The Senate, as in Committee of the Whole, proceeded to consider the treaty of peace, friendship, commerce, and navigation between the United States and the Republic of Peru, concluded at Washington the 9th of February, 1848; and no amendment having been made thereto, it was reported to the Senate.

Mr. Hannegan 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 of peace, friendship, commerce, and navigation between the United States and the Republic of Peru, concluded at Washington the 9th of February, 1848.

The Senate, by unanimous consent, proceeded to consider the said resolution; and

On the question to agree thereto,
The roll having been called and a quorum not voting, and the hour having arrived, the Senate took a recess.

HALF PAST FIVE O'CLOCK P. M.

The question recurred on agreeing to the resolution; and
It was determined in the affirmative, yeas 35.
Those who voted are,
Messrs. Allen, Atchison, Baldwin, Bell, Bradbury, Breese, Bright, Cameron, Clarke, Davis of Massachusetts, Davis of Mississippi, Dayton, Dickinson, Dix, Downs, Felch, Hale, Hamlin, Hannegan, Houston, Johnson of Maryland, Johnson of Georgia, King, Lewis, Mangum, Miller, Niles, Phelps, Rusk, Spruance, Turney, Underwood, Upham, Walker, Yulee.
So the resolution was agreed to.
Ordered, That the Secretary lay the said resolution before the President of the United States.
Mr. Davis, of Mississippi, from the Committee on Military Affairs, to whom were referred, the 11th instant, the nominations of Edwin V. Sumner and others for regular promotion in the Army of the United States, reported.
Whereupon
Resolved, That the Senate advise and consent to the promotion of the said persons, agreeably to their nominations respectively.
Mr. Davis, of Mississippi, from the Committee on Military Affairs, to whom was referred, the 7th instant, the nomination of Lucius B. Northrop to be first lieutenant, reported.
Whereupon
Resolved, That the Senate advise and consent to his appointment, agreeably to the nomination.
Mr. Davis, of Mississippi, from the Committee on Military Affairs, to whom was referred, the 11th instant, the nomination of Lucius B. Northrop to be captain, reported.
Whereupon
Resolved, That the Senate advise and consent to his appointment, agreeably to the nomination.
Mr. Davis, of Mississippi, from the Committee on Military Affairs, to whom were referred, the 11th instant, the nominations of Edmund B. Alexander and other officers of the Army for promotion by brevet, reported.
Whereupon
Resolved, That the Senate advise and consent to the promotion by brevet of the said persons, agreeably to their nominations respectively.
Mr. Davis, of Mississippi, from the Committee on Military Affairs, to whom were this day referred the nominations of John McClellan and Daniel H. Hill, reported.
Whereupon
Resolved, That the Senate advise and consent to the promotion by brevet 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, the 19th July, the nomination of John Crawford, reported.
Whereupon
Resolved, That the Senate advise and consent to his appointment, agreeably to the nomination.

On motion by Mr. Davis, of Mississippi,

The Senate proceeded to consider the nominations of Osborne Cross and Joseph A. Haskin; and,

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

On motion by Mr. Mangum that the Senate proceed to consider the resolution reported by him from the Committee on Foreign Relations the 7th instant,

On motion by Mr. Davis, of Mississippi, that the said motion lie on the table,

It was determined in the negative, { Yeas ..... 23 / Nays 25

On motion by Mr. Davis, of Mississippi,

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

Those who voted in the affirmative are,

Messrs. Allen, Baldwin, Benton, Bradbury, Breese, Bright, Clarke, Davis of Massachusetts, Dayton, Dickinson, Dix, Dodge, Felch, Fitzgerald, Hale, Hamlin, Metcalfe, Miller, Phelps, Spruance, Underwood, Upham, Walker.

Those who voted in the negative are,

Messrs. Atchison, Badger, Bell Berrien, Borland, Butler, Cameron, Davis of Mississippi, Downs, Foote, Hannegan, Houston, Johnson of Maryland, Johnson of Louisiana, Johnson of Georgia, King, Lewis, Mangum, Niles, Rusk, Sebastian, Turney, Webster, Westcott, Yulee.

The question recurred on agreeing to the motion to proceed to consider the resolution.

And it was determined in the negative, { Yeas ..... 23 / Nays 26

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. Atchison, Badger, Berrien, Borland, Butler, Cameron, Davis of Mississippi, Downs, Foote, Hannegan, Johnson of Maryland, Johnson of Louisiana, Johnson of Georgia, King, Lewis, Mangum, Mason, Rusk, Sebastian, Turney, Webster, Westcott, Yulee.

Those who voted in the negative are,

Messrs. Allen, Baldwin, Bell, Benton, Bradbury, Bright, Clarke, Davis of Massachusetts, Dayton, Dickinson, Dix, Dodge, Felch, Fitzgerald, Greene, Hale, Hamlin, Houston, Metcalfe, Miller, Niles, Phelps, Spruance, Underwood, Upham, Walker.

So the motion to consider the resolution was not agreed to.

On motion by Mr. Yulee that the doors be opened, and that the Senate proceed to the consideration of legislative business,

It was determined in the affirmative, { Yeas ..... 29 / Nays 18

On motion by Mr. Mason,

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

Those who voted in the affirmative are,

Messrs. Allen, Atherton, Badger, Baldwin, Bell, Benton, Bradbury, Breese, Bright, Clarke, Davis of Massachusetts, Dayton, Dickinson, Dix, Dodge, Felch, Fitzgerald, Greene, Hale, Hamlin, Houston, Johnson of Maryland, Metcalfe, Miller, Niles, Spruance, Underwood, Upham, Walker.

Those who voted in the negative are,

Messrs. Atchison, Berrien, Borland, Butler, Cameron, Davis of Mississippi, Downs, Foote, Hannegan, Johnson of Georgia, King, Lewis, Mangum, Mason, Rusk, Sebastian, Turney, Yulee.

So the motion was agreed to.

MONDAY, AUGUST 14, 1848.

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 First Lieutenant Daniel J. Sutherland, of the Marine Corps, to be captain by brevet for gallant and meritorious conduct in the assault upon the City of Mexico, to date from the 14th September, 1847.

JAMES K. POLK.

WASHINGTON, *August* 12*th*, 1848.

To the Senate of the United States:

I nominate Francis H. Merriman to be attorney of the United States for the district of Texas, in the place of ——— Brown, deceased.

JAMES K. POLK.

WASHINGTON, *August* 12*th*, 1848.

To the Senate of the United States:

I nominate Major James D. Graham, of the Corps of Topographical Engineers, to be lieutenant-colonel by brevet for valuable and highly distinguished services, particularly on the boundary line between the United States and the provinces of Canada and New Brunswick, to date from January 1st, 1847.

JAMES K. POLK.

WASHINGTON, *August* 12*th*, 1848.

To the Senate of the United States:

I nominate Daniel S. Macauley, now consul at Tripoli, to be consul-general of the United States at Alexandria, in Egypt, in pursuance of the provisions of the act approved August 12th, 1848, entitled "An act making appropriations for the civil and diplomatic expenses of Government for the year ending thirtieth of June, one thousand eight hundred and forty-nine, and for other purposes."

JAMES K. POLK.

WASHINGTON, *August* 14, 1848.

To the Senate of the United States:

I nominate the following persons to the offices to which they are respectively designated, in pursuance of the provisions of the act approved this day entitled "An act to establish the Territorial government of Oregon":

James Shields, of Illinois, to be governor of the Territory of Oregon.

Kintzing Pritchette, of Pennsylvania, to be secretary for the Territory of Oregon.

William P. Bryant, of Indiana, to be chief justice of the supreme court of the United States for the Territory of Oregon.

James Turney, of Illinois, to be an associate justice of the supreme court of the United States for the Territory of Oregon.

Peter H. Burnett, of Oregon, to be an associate justice of the supreme court of the United States for the Territory of Oregon.

Isaac W. R. Bromley, of New York, to be attorney of the United States for the district of Oregon.

Joseph L. Meek, of Oregon, to be marshal of the United States for the district of Oregon.

John Adair, of Kentucky, to be collector of the port for the district of Oregon, in the Territory of Oregon.

JAMES K. POLK.

WASHINGTON, *August* 14, 1848.

The messages were read.

The Senate, by unanimous consent, proceeded to consider the nominations of Francis H. Merriman, Daniel S. Macauley, James Shields, Kintzing Pritchette, William P. Bryant, James Turney, Peter H. Burnett, Isaac W. R. Bromley, Joseph L. Meek, and John Adair; and

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

The Senate, by unanimous consent, proceeded to consider the nomination of Daniel J. Sutherland; and

Resolved, That the Senate advise and consent to his promotion by brevet, agreeably to the nomination.

On motion by Mr. Davis, of Mississippi, that the Senate proceed to consider the nomination of James D. Graham,

Mr. Benton objected; which, under the rules of the Senate, precludes its consideration to-day.

Mr. Benton submitted the following resolutions for consideration:

Resolved, That the nomination of Major Graham, of the Topographical Corps, for the brevet of lieutenant-colonel for valuable services in running the northeastern boundary line, is a nomination for a cause not recognized by the laws authorizing the grant of military brevets.

Resolved, That the nomination of said Graham ought to be rejected, for conduct unbecoming an officer, a gentleman, and unbecoming a judge on a court-martial, in this, that the said Graham, having malice and envy against the then Lieutenant-Colonel Frémont, and having spoken injuriously against him, and being therefore unfit to sit upon the trial of the said Frémont, did nevertheless sit as one of the judges, and did take a lead in all proceedings to his predjudice. Also in this, that the said Graham, being one of the judges aforesaid, is suspected of communicating with the prosecutor and leading witness (General Kearny) during the trial on the subject-matter before the court, and in the character of friend to Kearny. Also in this, that he was privy to an attempt on the part of Kearny to obtain an interview with Commodore Stockton (the leading witness for Colonel Frémont) before he was examined, in order to prevent a contradiction of Kearny's testimony on the point of supremacy of command in California in the expedition from San Diego to Los Angeles—an attempt in which the purpose failed, though the interview was obtained. Also in this, that the said Graham was privy to the fact, and consenting to it, that Kearny, at the conclusion of the trial, and when all the testimony was closed, drew up his own questions for his own interrogation, and his own an-

swers, contradicting other witnesses on points on which he and they had all been fully examined, in violation of the laws of evidence, in contempt of all justice and decency, and in fraud of the court's own decision (correctly made on objection, that a witness can only be reintroduced and be re-examined on new matter introduced by the opposite party), falsely assuming as the questions of the court the questions of said Kearny to himself (when excluded by the decision and not allowed to be put as questions by the judge-advocate), putting the same as the court's own questions, in which character they were put and answered, and the answers recorded as evidence; in all which scandalous doings the said Graham was an active agent with other members, always excepting General Brooke, Colonel Hunt, Colonel Taylor, and Major Baker. Also in this, that he, the said Graham, as a member of the court, joined in giving a *false* verdict on the eleven specifications on the mutiny charge, and a verdict *against* evidence in the specifications under the charge of disobedience of orders, and a verdict *without* evidence on the charge for conduct prejudicial to good order and discipline. Also in this, that said Graham, as a member of said court, joined with other members to suppress the testimony in favor of Colonel Frémont (and that repeatedly and as a common thing) on false grounds, as for *irrelevancy* when it was *relevant*, for *immateriality* when it was *material*, and for being *collateral* when it was not; and all under such flagrant circumstances as to take away the plea of ignorance. Also, as a member of said court (always excepting the four members above named, and also excepting the judge-advocate), the said Graham was unjust during the trial, and joined in false and malicious remarks, superadded to the sentence of dismission, and inserted in the record, calculated to prejudice the President (who was to approve or disapprove the proceedings) against Colonel Frémont, and also to prejudice the public mind against him. Also that the conduct of said Graham during the whole trial of Lieutenant-Colonel Frémont was unbecoming an officer and a gentleman and unbecoming a judge.

Resolved, That a copy of this resolution be served on the said Major Graham, and if anything therein alleged be denied by him, that a committee be appointed to take testimony as to the truth of the facts.

Resolved, That the President be requested to inform the Senate whether any military order or order for service in the field has been given to Major Graham, of the Topographical Corps, during the war with Mexico, and whether the said Graham complied with said order; and, if not, for what reason he failed to comply with said order or was excused from compliance. Also, whether the said Graham performed any service in the field during the war.

Mr. Dix, from the Committee on Commerce, to whom was referred, the 28th of July, the nomination of James M. Newell, reported.

Whereupon

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

Mr. Yulee, from the Committee on Naval Affairs, to whom were referred, the 11th instant, the nominations of John H. C. Coffin, A. G. Pendleton, Mordecai Yarnall, William B. Benedict, Mark H. Beecher, Henry H. Lockwood, William Flye, William Chauvenet, James Major, Joseph S. Hubbard, Ruel Keith, Arsène N. Girault, and John Parrott, 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. Dix,

The Senate proceeded to consider the nomination of E. S. Offley; and

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

Mr. Butler submitted the following resolution for consideration:

Whereas certain resolutions on file among the executive files of the Senate have been published in the New York Herald of the 11th instant, it is

Resolved, That the Senate proceed forthwith to inquire and determine upon the course which it may be proper to pursue for the maintenance of their rules and privileges should it be made to appear that they have been violated.

The following proceedings of January 6, 1848, were omitted in the Journal:

Mr. Cass, from the Committee on Military Affairs, to whom were referred, the 4th instant, the nominations of Jefferson H. Nones and others, to fill vacancies in the Army of the United States (except Thomas O. Davis), 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, the 22d December, the nominations of Ransom H. Gillett, George W. Clinton, Josiah Minot, Thomas M. Griffin, and James H. Cocke, 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, the 22d December, the nomination of Arnold Plummer, and the 3d instant the nominations of Wm. H. Rogers, George M. Keim, Edmund Christian, and James Points, reported.

On motion by Mr. Clayton,

The Senate proceeded, by unanimous consent, to consider the nomination of Wm. H. Rogers; and

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

On motion by Mr. Cameron,

The Senate proceeded, by unanimous consent, to consider the nominations of Arnold Plummer, George M. Keim, Edmund Christian, and James Points; and

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

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