

CAROLINA SPARTAN.

(From the Washington Union.)

SENATOR BUTLER'S SPEECH ON KANSAS.

We had before our readers lately the eloquent speech made by the Senator some days ago by Judge Butler, on the questions connected with Kansas affairs. There are two or three points in this speech which made a powerful impression in the Senate chamber when it was delivered, and they have been admired by the whole country for the lofty patriotism of their sentiments as well as the willing eloquence of their language. We refer particularly to his earnest and impassioned vindication of the character of General Atchison, and his equally earnest and impressive rebuke of the assault made by Mr. Hale upon the Supreme Court. In the course of the speech of Mr. Butler, on Thursday last, he alluded to the remark of Mr. Butler made in the speech referred to, in which he said that he would rather that the Union should be dissolved in preference to being in a Union without the protection of a constitution which gives him equality. Mr. Butler construed this remark to mean that Mr. Butler preferred a dissolution of the Union rather than that the people of the Territory should have the power to exclude slavery from it. Mr. Butler was absent when the allusion was made; but after Mr. Harlan had concluded, the following remarks were made:

"Mr. Butler.—Sir, I say now calmly, that when a northern majority shall acquire such a control over the legislation of this country as to disfranchise the slaveholding States in any respect in which they have an equality under the Constitution of the country, I will not agree to live under this Government when the Union can survive the Constitution. That is my sentiment, I am not a slave to submit myself to legislation controlled by mere discretion. Mr. President, if George Washington and Benjamin Franklin, and the wisest men who ever lived, were to come here and attempt to legislate under the dictates of mere discretion, and should do me an injustice, I would be a craven and a traitor to the principles of *Magna Charta*—to everything which I have learned from the highest sources of history—if I could submit to any measure that would place my children the ninety-ninth part of an inch beneath the children of the Senator from Iowa."

"Mr. Ball, of Tennessee.—I do not wish to interfere in this matter, but I will state what I understood the Senator from Iowa to say."

"Mr. Butler.—I did not hear his remark; I was not here when he made it."

"Mr. Bell, of Tennessee.—The Senator from Iowa took the distinct ground, that the interpretation of the views of the gentleman from South Carolina was, that the 'equality' of which he spoke consisted in the citizens of the Southern States having the right, during the whole period of territorial governments in the Territories, to go there with their slaves before a State constitution was formed. I understood the Senator from Iowa to say that the Senator from South Carolina had denied that the people of the Territory of Kansas, under their organic law, could exclude slavery, if they should think proper, at the commencement of their territorial government, but must admit slavery until the Territory shall be admitted into the Union with a State constitution. That is what I understood him to say."

"Mr. Butler.—This is rather an ambiguous kind of issue. I cannot find out what is the meaning of the Senator."

"Mr. Harlan.—I will state to the honorable Senator from South Carolina what I said. The honorable Senator from Tennessee has fairly presented the argument; but my view was based on the statement of the honorable Senator from South Carolina, and the honorable Senator from Georgia, [Mr. Toombs]. It was argumentative merely. I quoted, as nearly as I could remember, the substance of what the remarks of the Senator from South Carolina, and then interpreted the meaning of his phraseology by quoting from the speech of the Senator from Georgia."

"Mr. Hale.—That is it, exactly."

"Mr. Butler.—Well, sir, I want no co-partnership with anybody in making speeches. If the Senator from Iowa were on the tripod to-morrow, and the Delphic oracle, I would not take his interpretation of my speech. He might place a Pythia there, and instruct her, and Philipian her, if he chose, but I would not take his interpretation. Why, sir, I avoided that very question in regard to the powers of the territorial government. He cannot find a word in my speech upon that question. The potential faculty of a territorial government is one over which I should exercise a very delicate control. I never contended that I desired a law to carry slavery into any Territory, and I never wanted a law to exclude it. All that I have contended for is, that the common domain of this government, acquired by the common blood and treasure of all parts of the United States, shall be just as free to one class of citizens as to another. When the people of a Territory are in the process of approaching what may be called the maturity of their territorial existence—a State government—I say much is to be pardoned to the opinion which prevails at the time. But, sir, an insulting interference were to be made by a majority of Congress, or such an interference as would exclude a slaveholder on the broad ground that he was unworthy of equality with a non-slaveholding population, do you suppose I would stay in the Union if I could get out of it?"

"That is the true doctrine. I do not wish to live under this government when the constitution perishes. I believe the gentleman is or has been in the church. [Mr. Harlan. Yes, sir.] I have very great respect for the church, and for the Senator; but I fear he contends that, while the letter killeth, the spirit cannot give life."

ANOTHER ACTIVE EXPEDITION.—We learn from the New London Star that Dr. Kane, accompanied by Mr. Henry Grinnell, were recently in that city for the purpose of examining the ship *Resolute*, with a view of her fitness for another expedition to the North Pole—probably to explore the newly discovered polar sea—was projected. The expedition is a laudable one and promises rich laurels to whomsoever shall undertake and successfully accomplish it.

The Legislature of Oregon had adopted a memorial to the President asking for the removal of Gen. Wood from the command of the U. S. troops on the Pacific. The memorial was signed by the majority, and a refusal to send the U. S. troops to the aid of the volunteer forces operating against the warlike Indians, or to supply them with arms and ammunition in their time of need.

The Unfaithfulness of Jurors.

The New York Courier, commenting upon a charge delivered by a judge of that city to a grand jury, makes some remarks relative to the responsibilities and the unfaithfulness of jurors that may be read with advantage in other localities than that for which they were specially designed. Judge Capron dwells with just emphasis upon the sanctity and supremacy of law, and nobly vindicates its claims upon its own sworn ministers. He has not spared the jury-box itself, which judges are but too apt to treat as if, like the throne, it was "hedgeled in with divinity." He tells the grand jury plainly, that petit jurors, like other public servants, are capable of being actuated by bad motives, and that their conduct is justly subject to inquiry. We are glad at least to hear this style of speech. It is a positive fact that one of the principal causes of the great impunity of crime in this city has been the unfaithfulness of petit jurors in wilfully preventing an agreement upon a verdict. The juror in the late Ebling case, who, according to the published statement of one of his fellows, refused to consult, with the declaration that till the City Hall rolled down he would never agree to a verdict which should send Ebling to the State prison, was but one of a contemptuous class of jurors who have for years weighed like an incubus upon the administration of justice in this city. He flagrantly violated his oath to give a true verdict according to evidence, and as richly deserves the State's prison as any perjurer now within its walls. Nay, more for the false words of witness upon the stand may be neutralized by cross-examination or overborne by other evidence; but the false conduct of a juror utterly and inevitably thwarts and foils the end of justice in the pending trial.

It is a difficult and invidious task, we know, to judge between the firmness of a conscientious conviction and the contumacy of a foregone conclusion; but it is a subject upon which the law has a right to make inquiry and pass judgment, and upon which public opinion, too, has a right to express itself. There is nothing in the function or character of petit jurors that should any more shield them, in the case of unfaithfulness, from public animadversion or from legal punishment than any other class of public servants. In fact their guilt, if guilty, is deeper, for it is proportioned to the sacredness of the responsibility entrusted to them; and what civil responsibility can be like the juror's? Who like him decides upon character, life, liberty and property? Lord Brougham said that "the whole machinery of government—King, Lords, and Commons—is simply to get twelve men into a jury-box, and the expression is not too strong to those who believe as we do that the highest interest of human society is justice, and that even freedom is secondary to it. Our jury boxes have been open to evil influences in a way they should not have been; their character must be redeemed, and Judge Capron has entitled himself to the public thanks, in boldly declaring the necessity."

Jolly Extravagance.

A debate in the Senate on Wednesday last discloses some precious facts touching the expenditures of the Government in the matter of printing and publishing books and maps in illustration of the travels of naval gentlemen and other officials. What will the reader think when he is told that the cost of publishing Lieut. Wilkes' book, which grew out of the Antarctic exploring expedition, has already amounted to a million and a quarter of dollars? So says Mr. Clayton* in the debate to which we refer. He also stated that Commodore Perry's book on Japan has cost the Government two hundred thousand dollars, while three hundred is the estimate for printing the reports and engravings of the reconnoissances of the Pacific railroad routes. These expenses, let it be remarked, are not for any work done in expeditions referred to, but are simply the cost of getting an account of them upon paper, in readiness for circulation. Was there ever such abominable extravagance and waste of the public money as this?

No wonder that Mr. Crittenden exclaims that the Senate of the United States has become a great publishing house, outvying even the Harpers in the extent and magnificence of its publications. The recognition of the fact, we are glad to see, accompanies the private secretary, Mr. B. F. Hopkins, of Madison, repaired to the capital, and arriving in the vestibule, proceeded immediately to the door of the executive apartment and found it locked. Knocking, however, he was admitted by Mr. Barstow, Mr. Hunter, some other clerical door and three it open. The Governor, accompanied by a few friends, then entered and was cordially greeted by Mr. McArthur, who invited him to sit down. Mr. Barstow, Mr. Hunter and Mr. Ryan then approached Mr. McArthur and handed him a copy of the judgment rendered by the Supreme Court.

Mr. McArthur having read the document, then said: "I have read this paper, Mr. Ryan; have you anything to say to offer?"

Mr. Ryan.—Nothing further, sir, unless Gov. Barstow will let me speak.

The Governor.—Well, Mr. McArthur, (taking off his overcoat and hanging it over a chair,) I have the pleasure to possess you a political question, and demand of you, as desecrated, a long and thorough, the keys of the safe, &c., &c., together with all which pertains to the executive chamber.

Mr. McArthur.—(after a pause)—Well, Mr. Barstow, I have to say simply that, that I had the office of Governor of the State under the constitution, and denying as I do the constitutional right of the Supreme Court to exercise jurisdiction over these cases, I have to decline to vacate these rooms.

Mr. Ryan ask Mr. McArthur if he wished to be understood that he refused to leave, and then went on to explain to what extent the statute authorized Gov. Barstow to go.

Mr. McArthur.—Do you intend, Mr. Barstow, to put me out by force if I refuse to leave? Let us understand each other right.

The Gov.—I do not wish to say as much, Mr. McArthur, but—

Mr. McArthur.—(interrupting)—I am now occupying these rooms, and you are not to be admitted here, and I shall not treat it as a personal affront, sir, for you to answer me in the affirmative, if such is your determination. If it is your intention to use force in ejecting me, and will say so, I will continue to occupy these rooms until you are ejected.

Mr. Hunter, (Private Secretary)—Come, Mr. Barstow, out with it, say what you mean, not like a man.

The Gov.—Then Mr. McArthur, I will say that should you refuse to give up possession of these rooms presently, I shall feel it my duty to use what force would be sufficient to eject you.

Mr. McArthur.—That is sufficient, sir. I consider this a constructive ejection. I will now yield to you the possession of these apartments.

Mr. Barstow then rose and grasped Gov. Barstow cordially by the hand, and after a few minutes' conversation quietly withdrew, having acted the gentleman throughout. Gov. Barstow, immediately after taking possession, sent up his message to the Senate.

FIRE IN THE STANDARD OFFICE.—A fire occurred on the 2d in the office of the Charleston Standard, which was fortunately soon extinguished, with little damage to our contemporary.

THE IMPERIAL BABY.

As France and Europe are intoxicated with joy at the birth of an heir to the imperial throne of Napoleon, we may be pardoned for the following details of the event. On Sunday morning, a few minutes before three o'clock, the sufferings of her Majesty assumed so decided a character that it was deemed advisable to call in the princes and grand dignitaries of the empire to witness the birth of the imperial infant.

At a quarter to 3 o'clock on Sunday morning, the 16th, the child made his appearance in this sinful world, and the Paris papers inform us that "the imperial prince is of so robust a constitution that he is nearly as big as the child of his nurse, who is ten months old!" All the officers of State, however, referred to were present at his birth. The ceremony of preliminary baptisms was performed with much pomp in the chapel of the Tuilleries. Cardinal Dapont, Gousset, Donnet and Marlot, the Bishop of Nancy, and inferior clergy assisted, and all the dignitaries of the empire were present. Mass was celebrated by the Bishop of Adras, after which the Abbe Deplacé preached a sermon from the text "Blessed is he that cometh in the name of the Lord!" and wound up with an invocation in these terms: "Bestow on him the genius and magnanimity of his father, the kindness and inexhaustible charity of his mother, the sincere faith and devotion of his aunt, and to sum up in one wish, bestow on him a heart worthy of his destiny and his name!" A name was then bestowed on the infant—"Napoleon Eugene Louis Jean Joseph, fils de France."

This appellation was entered in the Paris registers and signed by the Emperor, being witnessed by Prince Murat, the Duke of Alba, Marshal Vaillant, Minister of War, M. Troplong, President of the Senate, and Count de Morny, President of the Legislature. On Sunday morning the Senate and Legislature met at eight o'clock and received the official announcement of the birth of an heir to the throne, an announcement which was received with every appearance of cordiality.

The imperial infant, as I learn from a credible eye witness, and not from the tattle of courtiers, (says the Daily News correspondent), is really as fine and robust a boy as ever was seen. He is described as rosy, plump, well made, fully developed and with a surprising abundance of chestnut-colored hair, resembling his father's.

Crowds thronged around the palace with interminable inquiries, and a general illumination was gotten up over the city of Paris. The Emperor made donations on the event of 150,000 francs to various benevolent organizations, and the city government voted to the poor 200,000. Messages were also interchanged by the Emperor with the Pope, Queen Victoria, the Queen of Sweden, the Grand Duchess Dowager of Baden, and other courts; while the Legislative Corps, after receiving the official announcement with loyal enthusiasm, indulged the tedium of expectancy in champagne, cigars, eatables, music, and invited their wives and daughters to keep their company. Presents of all sorts flowed in to the young prince in such profusion, that their reception was interdicted. Among other parcels received was an enormous case of honey.

The Empress received from the south of France an extremely dirty girdle, which the donor said she had worn for seven confinements. As she had only boys, she thought the Empress would be glad to wear it for luck.

Very great enthusiasm and demonstration followed the reception of the news in England.

Peace and war, and all other questions of moment, have dwindled into insignificance before this domestic event.

The foreign journals of the Atlantic are principally filled with details respecting the birth and baptism of the young prince. They confirm the telegraphic statement that peace is virtually concluded, but give no particulars of the proceedings by which the result was brought about.

THE DEPUTED WISCONSIN GOVERNORSHIP.—We have already briefly noted the fact that the Supreme Court of Wisconsin has ousted Mr. Barstow from the position of Wisconsin Governor in favor of Mr. Coles Bashford, and that Lieutenant Governor McArthur, upon Mr. Barstow's vacating the office, attempted to assume the position against the right of Mr. Bashford. The Milwaukee Herald remarks the scene as follows:

About 11 o'clock A. M. Gov. Barstow, accompanied by his private secretary, Mr. B. F. Hopkins, of Madison, repaired to the capital, and arriving in the vestibule, proceeded immediately to the door of the executive apartment and found it locked. Knocking, however, he was admitted by Mr. Barstow, Mr. Hunter, some other clerical door and three it open. The Governor, accompanied by a few friends, then entered and was cordially greeted by Mr. McArthur, who invited him to sit down. Mr. Barstow, Mr. Hunter and Mr. Ryan then approached Mr. McArthur and handed him a copy of the judgment rendered by the Supreme Court.

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SPARTANBURG.

THURSDAY, APRIL 10, 1856.

THANKS.

The ladies of the Baptist Sewing Society request us to return their thanks to Messrs. Finley and Tolleson for the gratuitous use of Palmetto Hall for the late fair, and also to tender their grateful acknowledgments to the public for its very liberal patronage.

SALE DAY.

No property of considerable value was disposed of on sale-day, except St. John's College, which was bought by Rev. T. S. Arthur for \$5,200.

NEW POST OFFICE.

We have information from our Representative, Col. Orr, through whom the application was made, that the Postmaster General has established a new post office, called Templeman's Mill, about five miles north of Spartanburg, C. H., and appointed David B. Collins postmaster.

THE SMALL POX.

Ramona have been free for some days that small pox had made its appearance in our District. Upon inquiry we find that only one case has occurred on the person of a negro girl, at Mr. Moore's, seven or eight miles from town, and serious doubts are entertained by some of our physicians and citizens of the genuineness of that. Supposing it to be, however, our authorities have taken proper steps to protect the public health, and prevent the spread of the loathsome disease. As North Carolina and Tennessee are suffering from its ravages, and travel brings up within its range, we advise general vaccination as a prudent precaution.

We shall report all cases that come within our knowledge in subsequent issues, so the public may have the facts.

THE COURT.

Our court closed on Saturday noon, after disposing of nearly all the cases on the docket. At one time an extra court was considered requisite, but patient working rendered it unnecessary. We make no report of sentences, as the sessions are cases of no greater dignity than negro trading and assaults and battery.

OUR RAILROAD.

We are indebted to Maj. J. Y. Mills, Chief Engineer of the Spartanburg and Union Railroad, for a copy of the tariff of charges to the head of the road and intermediate points. He also placed us in possession of the fact that there is now a Depot erected at Shelton, and every requisite accommodation for receiving and discharging freight.

Another locomotive will shortly be added to the road, with a sufficient number of freight cars to do all the work that may offer.

Under this state of facts we hope our merchants will change the direction of their freight, and put all the money they can into the treasury of the company.

THE LATEST FOREIGN NEWS.

The steamer Asia being due to the 24th ult. Cotton had declined 1-16 a ton on the lower grade. Fair qualities were scarce. The sales of the week were 32,000 bales—fair upland 64—middling 5 13-16. Breakoffs had declined. The bank had reduced the rate of interest to 6 per cent. Consols had advanced to 92 1/2.

Mr. Buchanan had introduced Mr. Dallas to the diplomatic corps, and then left Paris. He will return home by the next steamer.

Although the peace conference were progressing satisfactorily, and a committee of the plenipotentiaries had been deputed to draw up the definitive treaty, the fortifications of Nisibis were being strengthened and all Russians on furlough ordered to return.

Two divisions of the Chinese army are ordered to Canada. Great mortality prevailed among the French troops in the Crimea.

Another Chartist conspiracy had been discovered in Spain.

MOUNT VERNON.

Several of the Virginia papers indulge severe strictures upon the letter of John A. Washington, addressed to Mrs. Wolford, of our town, appraising her that Mount Vernon was not for sale, and which was published in our paper of the 27th ult. The Petersburg Express queries whether this step is taken to extort more money than was originally demanded, but can hardly believe so base a suspicion. The Richmond Enquirer indulges a belief that the letter was written under impatience, or a misapprehension of the correspondence of Mrs. W., as it cannot for a moment believe that Mr. Washington would recede from the terms of the proposition officially made to Gov. Johnson in 1855, and communicated by him to the Legislature.

We have read over this proposal, and only find it an offer to sell 200 acres, including the tomb of Washington, under certain restrictions, to the State of Virginia, for \$200,000; or, if the State desires to establish a model farm and agricultural school, he will also include \$500 additional acres for \$100,000. But we find no allusion to a willingness to sell to private parties. Virginia is to be responsible for the purchase money, and the fee simple inalienably in her, according to the stipulations. The Enquirer adds:

"Within a short time we trust and believe proper steps will be taken, by those authorized to do so, to enter into negotiations with Mr. W., and we will look for a moment, dear to the public, as the fact that his true glory, as a descendant of the Father of his Country, will induce him to accede to the wishes of the patriotic sons and daughters of America, who nobly seek to throw the arms of his memory around the grave and home of Washington."

THE MAGISTRACY.

The grand jury of York District made the following presentation at the late court in reference to the present magistracy system. The passage of a law in conformity to this recommendation would relieve courts of numberless small cases, increase the dignity and compensation of magistrates, and be much more advantageous to the public at large.

To electing magistrates by the people we have strong objections. We had rather trust judicial appointments to the Legislature. Such functionaries are always more independent and faithful when their election and tenure of office are removed beyond control of popular prejudice and influence.

The jury say:

The jurors have considered our present magistracy system, and are of the opinion that greater competency and efficiency would be secured if their jurisdiction were increased to the extent of the summary process jurisdiction of the court, and by their election by the people. They therefore recommended the passage of a law to that effect."

LOSS NOTES.—In the late disaster on the Sea-board and Roanoke Railroad 5,000 sheets of one-dollar bills of the Bank of the State of South Carolina were in charge of Adams' Express Company, representing \$20,000. 4,793 sheets have since been recovered in a damaged condition, leaving 207 sheets unaccounted for, though they are probably burned up.

DURING February 2,262 emigrants arrived at Castle Garden, New York city, whose cash means averaged \$1.700.

THE CONVENTION.

The objections to representation at Cincinnati are daily becoming more feasible. The South Carolina, which at the outset was in decided opposition, yields to the current, and boasts into the measure with a qualification that Mr. Pierce alone shall have the support of this State. Well, we have no sort of objection to making the present Executive his first choice, though we do most earnestly exhort our State Convention to prevent the adoption of instructions of so narrow a character as to preclude support of some one else. We are perfectly satisfied that Mr. Pierce will fall of nomination, and that another must be chosen. It is useless to argue who that other may be. The Carolinian contends that we shall show devotion to principle best by adhesion to Mr. Pierce. To our mind the very reverse will be established by this course: we only show how closely were welded to the man. The policy of the present administration is the policy of the party, and ramifies its whole extent. Except that Mr. Pierce is chief, the cabinet illustrates the constitutional integrity of the party quite as efficiently as the President—as the voice of the latter is no more potential than each of his heads of department in a cabinet of government. Assuming, then, that the cabinet is a unit—the principles of the administration are but the principles of the cabinet and party, and only representatively the emanation of the Executive.

It is also held that if we cannot succeed before the people with Mr. Pierce, neither can we with another name. We opine that this is fallacious. If men were so constructed as to banish all selfish considerations from their minds in election contests, we should concede the claim. But this is not to be expected. Other elements will operate in the Presidential struggle. Let us instance one—Executive patronage. For every office in the gift of the Government it may be safely affirmed there were twenty applicants. These applicants had friends to be propitiated by appointment or obsequious defeat. Here is an army of opinion on personal grounds, and although all may not "fall away," we are sure a majority will desert from the standard of the man who disappointed their hopes. The same objection could not be against a new man, as any one may see who will take the trouble to look at the matter.

We wish the issue made up distinctly on principle in the Presidential election, and let the contest be so placed before the country that it cannot be mistaken. It is not to be sectional, but constitutional. Shall the constitution stand in its original integrity—shall the rights of all the States be protected by its provisions—or shall higher law abolitionists interpret damnable heresies and enforce a disruption of the confederacy? We believe the constitution and the fate of the country are on trial, and we wish the issue fairly made up for an intelligent verdict. The result will show us whether we can preserve our rights in the Union, or seek them out of it. One or other will be decided in November.

KANSAS.

The following letter we find in the Camden Journal, being the response of Hon. J. W. Whitfield, Delegate in Congress from Kansas, to Hon. Jas. Chesnut, Jr., touching the general topography and agricultural capabilities of the new territory:

WASHINGTON, March 18, 1856.

DEAR SIR: At the request of Hon. W. W. Boyce, I have the great pleasure in giving you such information in regard to Kansas as will be useful to persons emigrating to that country. In regard to soil, Kansas is unsurpassed, producing from sixty to eighty bushels of corn per acre; twenty-five to forty bushels of wheat per acre. The finest oats I have ever seen grow were raised in Kansas; and I have seen nothing planted in Kansas (except cotton) that does not produce more to the acre than the best land in Tennessee.

Wheat being a fine grain and grass country, it is a part of the hemp region of the United States. Hemp is chiefly the most profitable crop now raised, and the statistics show that the planters of Western Missouri are making more money per hand than is made in any other State in the Union. It is nothing anomalous for farmers to pay three hundred dollars for land for negro men per acre. White men cannot be hired for less than \$24 dollars per month. In addition to your advantages as an agricultural people, we have a trade with Mexico, Utah, Oregon and California, amounting to several millions of dollars per annum; besides, our Indian trade amounts to more than one million per annum. In addition, the government, for military supplies, expends a very large sum. Military stores are sent out to all the posts of New Mexico and California, and to give you some idea of the amount of transportation required, I mention that one firm last year employed over seven hundred men, and twelve hundred wagons, each drawn by twelve oxen. Kansas is the starting point for all emigrants going west of us. I have no doubt that Kansas will be one of the great States of the Union, and I say to you in nearly every State in the Union, and I say to you in nearly every State, that I have never seen any country that possesses as many advantages to new or old settlers as Kansas. Our friends in Western Missouri, and in other parts of the State, have been very kind to me, and to give you some idea of the amount of transportation required, I mention that one firm last year employed over seven hundred men, and twelve hundred wagons, each drawn by twelve oxen. Kansas is the starting point for all emigrants going west of us. 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