

# THE CAROLINA SPARTAN.

WM. H. TRIMMIER.

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### The Address to the South.

The Address of the People of South Carolina Assembled in Convention, to the People of the Slaveholding States of the United States.

It is seventy-three years since the Union between the United States was made by the Constitution of the United States. During this time, their advance in wealth, prosperity and power has been with scarcely a parallel in the history of the world. The great object of their Union was an external defence from the aggressions of more powerful nations; which object is now attained, from the progress in power of the United States. Thirty-one millions of people, with every commerce and navigation, with every soil, and with agricultural products, compare favorably with the population of the world. But, unfortunately, our internal peace has not grown with our external prosperity. Discontent and contention have moved in the bosom of the Confederacy for the last thirty-five years. During this time, South Carolina has experienced her people together in solemn Convention, to take into consideration the aggressions and unconstitutional wrongs perpetrated by the people of the North on the people of the South. These wrongs were submitted to by the people of the South, under the hope and expectation that they would be final. But such hope and expectation have proved to be vain. Instead of producing forbearance, our acquiescence has only incited to new forms of aggression and outrage. And, therefore, again assembling our people in Convention, to take into consideration her connection with the States constituting the United States.

The one great evil, from which all other evils have flowed, is the overthrow of the Constitution of the United States. The Government of the United States is no longer the Government of Confederate Republics, but of a consolidated Democracy. It is no longer a free Government, but a despotism. It is, in fact, such a Government as Great Britain attempted to set over our fathers, and which was resisted and defeated by a seven years' struggle for independence.

The Revolution of 1776 turned upon one great principle, self-government—and self-taxation, the criterion of self-government. Where the interests of two people united together under one government, and different, each must have the power to protect its interests by the organization of the Government, or they cannot be free. The interests of Great Britain and the Colonies were different and antagonistic. Great Britain was desirous of carrying out the policy of all nations towards their colonies, of making them tributary to her wealth and power. She had vast and complicated relations with the whole world. Her policy towards her North American Colonies was to identify them with her own complicated relations; and to make them bear in common with the rest of the Empire, the full burden of her obligations and necessities. She had a vast public debt; she had an European policy and an Asiatic policy, which had occasioned the accumulation of her public debt; and which kept her in continual wars. The North American Colonies, on their interests, political and commercial, sustained by such a policy. Their interests required that they should not be identified with the burdens and wars of the mother country. They had been settled under charters which gave them self-government; at least so far as their property was concerned. They had taxed themselves and had never been taxed by the Government of Great Britain. To make them a part of a consolidated Empire, the Parliament of Great Britain determined to assume the power of legislation for the Colonies in all cases whatsoever. Our ancestors resisted the pretension. They refused to be a part of the consolidated Government of Great Britain.

The Southern States now stand exactly in the same position towards the Northern States that our ancestors were in the colonies and towards Great Britain. The Northern States, having the majority in Congress, claim the same power of omnipotence in legislation as the British Parliament. "The General Welfare" is the limit to the legislation of either; and the majority in Congress, as in the British Parliament, are the sole judges of the expediency of the legislation. Thus, the Government of the United States has become a consolidated Government; and the people of the Southern States are compelled to meet the very despotism their fathers threw off in the Revolution of 1776.

The consolidation of the Government of Great Britain over the Colonies, was attempted to be carried out by the taxes. The British Parliament undertook to tax the Colonies, to promote British interests. Our fathers resisted this pretension. They claimed the right of self-taxation through their colonial Legislatures. They were not represented in the British Parliament, and, therefore, could not rightly be taxed by its legislation. The British Government, however, offered them a representation in Parliament; but it was not sufficient to enable them to protect themselves from the majority, and they refused the offer. Between taxation without any representation, and taxation without a representation adequate to protection, there was no difference. In neither case would the Colonies tax themselves. Hence, they refused to pay the taxes laid by the British Parliament.

And so with the Southern States, towards the Northern States, in the vital matter of taxation. They are in a minority in Congress. Their representation in Congress, is useless to protect them against unjust taxation; and they are taxed by the people of the North for their benefit, exactly as the people of Great Britain taxed our ancestors in the British Parliament for their benefit. For the last forty years, the taxes laid by the Congress of the United States have been laid with a view of subsidizing the interests of the North. The people of the South have been taxed by duties or imports, not for revenue, but for an object inconsistent with revenue—to promote, by prohibitions, Northern interests in the productions of their mines and manufactures.

There is another evil, in the condition of the Southern States towards the Northern States, which our ancestors refused to bear towards Great Britain. Our ancestors not only taxed themselves, but all the taxes collected from them, were expended amongst them. Had they submitted to the pretensions of the British Government, the taxes collected from them, would have been expended in other parts of the British Empire. They were fully aware of the effect of such a policy in impoverishing the people from whom taxes are collected, and in enriching those who receive the benefit of such an expenditure. To prevent the evils of such a policy, was one of the motives which drove them on to Revolution. Yet this British policy has been fully realized towards the Southern States, by the Northern States. The people of the Southern States are not only taxed for the benefit of the Northern States, but all the taxes are collected, three-fourths of them, are expended at the North. This course, with other connected with the operation of the General

Government, has made the cities of the South provincial. Their growth is paralyzed; whilst they are mere suburbs of Northern cities. The agricultural productions of the South are the basis of the foreign commerce of the United States; yet Southern cities do not carry it on. Our foreign trade is almost annihilated. In 1740 there were five ship yards in South Carolina, to build ships to carry on our direct trade with Europe. Between 1740 and 1779 there were built in these yards twenty-five square-rigged vessels, besides a great number of sloops and schooners, to carry on our coast and West India trade. In the half century immediately preceding the Revolution, from 1725 to 1775, the population of South Carolina increased seven-fold.

No man can for a moment believe that our ancestors intended to establish over their posterity exactly the same sort of government they had overthrown. The great object of the Constitution of the United States, in its internal operation, was, doubtless, to secure the great end of the Revolution—a limited free government—a government limited to those matters only which were general and common to all portions of the United States. All sectional or local interests were to be left to the States. By no other arrangement would they obtain a free government, by a constitution common to the Confederate States. Yet, by gradual and steady encroachments on the part of the people of the North, and acquiescence on the part of the South, the limitations in the Constitution have been swept away, and the Government of the United States has become consolidated, with a claim of limitless powers in its operations.

It is not at all surprising, whilst such is the character of the Government of the United States, that it should assume to possess power over all the institutions of the country. The agitators on the subject of slavery are the natural results of the consolidation of the Government. Responsibility fell on power, and if the people of the North have the power by Congress "to promote the general welfare of the United States," by any means they deem expedient—why should they not assail and overthrow the institution of slavery in the South? They are responsible for its continuance or existence, in proportion to their power. A majority in Congress, according to their interested and perverted views, is omnipotent. The inducements to act upon the subject of slavery, under such circumstances, were so imperious as to amount almost to a moral necessity. To make, however, their numerical power available to rule the Union, the North must consolidate their power. It would not be united on any matter common to the whole Union—in other words, on any constitutional subject—for on such subjects divisions are as likely to exist in the North as in the South. Slavery was strictly sectional interest. If this could be made the criterion of the parties at the North, the North could be united in its power, and thus carry out its measures of sectional ambition, encroachment and aggrandizement. To build up their sectional predominance in the Union, the Constitution must be first abolished by construction; and that being done, the consolidation of the North, to rule the South, by the tariff and slavery issues, was the obvious course of things.

The Constitution of the United States was an experiment. The experiment consisted in uniting under one Government different people, living in different climates, and having different pursuits of industry and institutions. It matters not how carefully the limitations of such a Government be laid down in the Constitution—its success must at least depend upon the good faith of the parties to be constitutional compact, in enforcing them. It is not in the power of human language to exclude false influences, even languages to exclude influences, in any Constitution; and when vast sectional interests are to be subserved, involving the appropriation of such millions of money, it has not been the usual experience of mankind that words on parchment can arrest power. The Constitution of the United States, irrespective of the interposition of the States, rested on the assumption that power would yield to faith—that integrity would be stronger than interest—and that thus the limitations of the Constitution would be observed. The experiment has been fairly made. The Southern States, from the commencement of the Government, have striven to keep it within the orbit prescribed by the Constitution. The experiment has failed. The whole Constitution, by the constructions of the Northern people, has been absorbed by its pretense. In their reckless lust for power, they seem unable to comprehend that seeming paradox—that the more power is given to the General Government, the weaker it becomes. Its strength consists in the limitation of its agency to objects of common interest to all sections. To extend the scope of its power over sectional or local interests, is to raise up against its opposition or resistance. In all such matters, the General Government must necessarily be a despotism, because all sectional or local interests must be represented by a minority in the councils of the General Government—having no power to protect itself against the rule of the majority. The majority, constituted from those who do not represent these sectional or local interests, will control and govern them. A free people cannot submit to such a government. And the more it enlarges the sphere of its power, must be the dissatisfaction it must produce, and the weaker it must become.

By the contrary, the more it abstains from usurped powers, and the more faithfully it adheres to the limitations of the Constitution; the stronger it is made. The Northern people have had neither the wisdom nor the faith to perceive, that to observe the limitations of the Constitution was the only way to its perpetuity.

Under such a government there must, of course, be many and endless "irrepressible conflicts," between the two great sections of the Union. The same faithlessness which has abolished the Constitution of the United States, will not fail to carry out the sectional purposes for which it has been established. There must be a conflict, and the weaker section of the Union can only find peace and liberty in an independence of the North. The repeated efforts made by South Carolina, in a wise conservatism, to arrest the progress of the General Government in its fatal progress to consolidation, have been unsupported, and she has been denounced as faithless to the obligations of the Constitution, by the very men and States who were destroying it by their usurpations. It is now too late to reform or restore the Government of the United States. All confidence in the North is lost by the South. The faithlessness of the North for a half century, has opened a gulf of separation between the North and the South which no promises nor engagements can fill.

It cannot be believed that our ancestors would have assented to any Union with ever with the people of the North, if the feelings and opinions now existing amongst them had existed when the Constitution was framed. There was then no Tariff—no fanaticism concerning negroes. It was the delegates from New England who proposed, in the Convention which framed the Constitution, to the delegates from South Carolina and Georgia, that if they would agree to give Congress the power of regulating commerce by a majority, that they would support the extension of the African Slave Trade for twenty years. African slavery existed in all the States before the Constitution. The idea that the Southern States would be made to pay that tribute to their Northern confederates, which they had refused to pay to Great Britain; or that the institution of African slavery would be made the grand basis of a sectional organization of the North to rule the South, never crossed the imaginations of our ancestors. The Union of the Constitution was a union of slaveholding States. It rests on slavery, by prescribing a representation in Congress, for three-fifths of our slaves. There is nothing in the proceedings of the Convention which framed the Constitution, to show that the Southern States would have formed any other Union; and still less that they would have formed a Union with more powerful non-slaveholding States, having a majority in both branches of the Legislature of the Government. They were guilty of no such folly. Time and the progress of things have totally altered the relations between the Northern and Southern States, since the Union was established. That identity of feelings, interests and institutions, which once existed is gone. They are now divided between agricultural and manufacturing and commercial States—between slaveholding and non-slaveholding States. Their institutions and industrial pursuits have made them totally different people. That equality in the Government, between the two sections of the Union which once existed, no longer exists. We but imitate the policy of our fathers in dissolving a union with non-slaveholding confederates, and seeking a confederation with slaveholding States.

Experience has proved, that slaveholding States cannot be safe, in subjection to non-slaveholding States. Indeed, no people can ever expect to preserve its rights and liberties, unless these be in its own custody. To plunder and oppress, where plunder and oppression can be practiced with impunity, seems to be the natural order of things. The freest portions of the world elsewhere have been trampled into vassalage; and the most civilized and prosperous communities have been impoverished and ruined by anti-slavery fanaticism. The people of the North have not left us in doubt as to their designs and policy. United as a section in the late Presidential election, they have elected as the exponent of their policy, one who has openly declared that all the States of the United States must be made free States, or slave States. It is true that amongst those who aided in his election, there are various shades of anti-slavery hostility. But if African slavery in the Southern States be the evil their political combination affirms to be, the requisitions of an inviolable logic must lead them to emancipation. If it is right to proscribe and abolish slavery in a Territory, why should it be allowed to remain in the States? The one is not at all more unconstitutional than the other, according to the decisions of the Supreme Court of the United States. And when it is considered, that the Northern States will soon have the power to make that Court what they please, and that the Constitution never has been any barrier whatever to their exercise of power—what check can there be, in the unrestrained councils of the North, to emancipation? There is sympathy in association, which carries men along without principle; but when there is principle—and that principle is fortified by long-existing prejudices and feelings, association is omnipotent in party influences. In spite of all disclaimers and professions, there can be but one end by the submission of the South to the rule of a sectional anti-slavery government at Washington; and that end, directly or indirectly, must be—the emancipation of the slaves of the South. The hypocrisy of thirty years—from the faithlessness of their whole course, from commencement of our union with them, show that the people of the non-slaveholding North are not, and cannot be, safe associates of the slaveholding South, under a common Government. Not only their fanaticism, but their erroneous views of the principles of free government, render it doubtful whether, if separated from the South, they can maintain a free government amongst themselves. Numbers with them is the great element of free government. A majority is infallible and omnipotent. "The right divine to rule in kings," is only transferred to their majority. The very object of all Constitutions, in free popular Government, is to restrain the majority. Constitutions, therefore, according to their theory, must be most unrighteous inven-

tions, restricting liberty. None ought to exist; but the body politic ought simply to have a political organization, to bring out and enforce the will of the majority. This theory may be harmless in a small community, having an identity of interests and pursuits; but over a vast State—still more, over a vast Confederacy, having various and conflicting interests and pursuits, it is a remorseless despotism. In resisting it, as applicable to ourselves, we are vindicating the great cause of free government, more important, perhaps, to the world, than the existence of all the United States.

Nor in resisting it do we intend to depart from the safe instrumentality the system of government we have established, with them, requires. In separating from them, we invade no rights—no interests of theirs. We violate no obligation or duty to them. As separate, independent States, in Convention, we made the Constitution of the United States with them; and as separate, independent States, each State acting for itself, we adopted it. South Carolina, acting in her sovereign capacity, now thinks proper to secede from the Union. She did not part with her sovereignty in adopting the Constitution. The last thing a State can be presumed to have surrendered is her sovereignty. Her sovereignty is her life. Nothing but a clear express grant can alienate it. Inference has no place. Yet it is not at all surprising that those who have constructed away all the limitations of the Constitution, should also by construction claim the annihilation of the sovereignty of the States. Having abolished all barriers to their encroachments, by their faithless constructions in the operations of the General Government, it is most natural that they should endeavor to do the same towards the States. The truth is, they, having violated the express provisions of the Constitution, it is at an end as a compact. It is morally obligatory only on those who choose to accept its perverted terms. South Carolina, deeming the compact not only violated in particular features, but virtually abolished by her Northern confederates, withdraws herself as a party from its obligations. The right to do so is denied by her Northern confederates. They desire to establish a sectional despotism, not only omnipotent in Congress, but omnipotent over the States; and, as if to manifest the impious necessity of our secession, they threaten us with the sword, to coerce submission to their rule.

Citizens of the Slaveholding States of the United States! Circumstances beyond our control have placed us in the van of the great controversy between the Northern and Southern States. We would have preferred that other States should have assumed the position we now occupy. Independent ourselves, we disclaim any design or desire to lead the councils of the other Southern States. Providence has cast our lot together, by extending over us an identity of pursuits, interests and institutions. South Carolina desires no destiny separated from yours. To be one of a great Slaveholding Confederacy, stretching its arms over a territory larger than any power in Europe possesses—with a population four times greater than that of the whole United States when they achieved their independence of the British Empire—with productions which make our existence more important to the world than that of any other people inhabiting it—with common institutions to defend and common dangers to encounter—we ask yours unity and confederacy. Whilst constituting a portion of the United States, it has been your statemanship which has guided it in its mighty strides to power and expansion. In the field as in the cabinet, you have led the way to its renown and emulства. You have loved the Union in whose service your great statemen have labored, and your great soldiers have fought and conquered—not for the material benefits it conferred but with the faith of a generous and devoted civility. You have long labored and hoped over the shattered remains of a broken Constitution. Compromise after compromise, formed by your concessions, has been trampled under foot by your Northern confederates. All tranquility of feeling between the North and the South is lost, or has been converted into hate, and we of the South are at last driven, together by the stern destiny which controls the existence of nations. Our bitter experience of the faithless and repeated your Northern confederates, may have been necessary to evolve these great principles of free government upon which the liberties of the world depend, and to prepare you for the grand mission of vindicating and re-erecting them. We rejoice that other nations should be satisfied with their institutions. Contentment is a great element of happiness with nations as with individuals. We are satisfied with ours. If they prefer a system of industry in which capital and labor are in perpetual conflict—and chronic starvation keeps down the natural increase of population—and a man is worked out in eight years—and the law ordains that children shall be worked only ten hours a day—and the sabre and bayonet are the instrument of order—be it so. It is their affair, not ours. We prefer, however, our system of industry, by which labor and capital are identified in interest, and capital protects labor—by which our population doubles every twenty years—by which starvation is unknown, and abundance crowns the land—by which order is preserved by a mutual peace, and the many fertile regions of the world, where the Cottonseed cannot labor, are brought into usefulness by the labor of the African, and the whole world is blessed by our productions. All we demand of other people is, to be left alone, to work on our own high destinies. United together, and we must be the most independent, as we are among the most important, of the nations of the world. I need together, and we require no other instrument to conquer peace than our benighted productions. United together, and we must be a great, free and

prosperous people, whose renown must spread throughout the civilized world, and pass down, we trust, to the remotest ages. We ask you to join us in founding a Confederacy of Slaveholding States.

### Ordinances of the State of South Carolina.

At a Convention of the People of the State of South Carolina, begun and held at Columbia, on the seventeenth day of December, in the year of our Lord one thousand eight hundred and sixty, and thence continued by adjournment to Charleston, and thence by diverse adjournments to the first day of January, in the year of our Lord one thousand eight hundred and sixty-one.

### AN ORDINANCE CONCERNING CITIZENSHIP.

We, the People of the State of South Carolina, in Convention assembled, do declare and ordain, and it is hereby declared and ordained, as follows:

1. Every person who, at the date of the Ordinance of Secession, was residing in this State, and was then by birth, residence or naturalization a citizen of this State, unless a foreign residence shall be established by such person with the intention of expatriation.

2. So, also, shall continue every free white person who, after the date aforesaid, may be born within the territory of this State, or may be born outside of that territory, of a father who then was a citizen of this State.

3. So, also, every person, a citizen of any one of the States now confederated under the name of the United States of America, who, within twelve months after the date of the Ordinance of Secession, shall come to reside in this State, with the intention of remaining upon such person's taking the oath of allegiance to this State, below provided.

4. So, also, every free white person who shall be engaged in the actual service, military or naval, of this State, and shall take on each of his intentions to continue in such service for at least three months, unless sooner discharged honorably, and also the oath of allegiance below prescribed. In this case the oath shall be administered by some commissioned officer of the service, in which the applicant for citizenship may be engaged, superior in rank to the applicant, and thereupon certificate of the citizenship of the applicant shall be signed by the officer and delivered to the applicant.

5. So, also, every person, not a citizen of any of the States above mentioned, who at the date of the Ordinance of Secession was residing in this State, or who, within one year from that date, shall come to reside in this State, with the intention of remaining upon such person's appearing before the Court of Common Pleas for any of the Districts of this State, establishing by his or her own oath the residence and intention here required, and taking the oath of allegiance and abjuration below prescribed.

6. So, also, every person, not a citizen of any of the States above mentioned, at the date aforesaid, who may come to reside in this State, with the intention of remaining, and may be naturalized according to the naturalization laws of this State, until they may be altered or repealed, the naturalization laws of the United States, accommodated to the special condition of the State, are hereby made the laws of this State, except that instead of the oaths required by those laws in the final act, the oath of allegiance to this State, and of abjuration below provided, shall be taken.

7. In all cases, the citizenship of a man shall extend to his wife, present or future, whenever she shall have a residence in this State, and shall extend also to each of his children, that, under the age of eighteen years, may have a residence in the State. In like manner, the citizenship of a woman shall extend to each of her children, that, under the age of eighteen years, may have a residence in the State; Provided, That in no case shall citizenship extend to any person who is not a free white person.

8. The oath of allegiance to this State shall be in the following form, to wit: "I do swear (or affirm) that I will be faithful and true allegiance bear to the State of South Carolina, as long as I may continue a citizen thereof."

The oath of abjuration shall be in the following form, to wit: "I do swear (or affirm) that I do renounce, and forever abjure, all allegiance and fidelity to every Prince, Potentate, State or Sovereignty whatsoever, except the State of South Carolina."

Done at Charleston, the 1st day of January, in the year of our Lord one thousand eight hundred and sixty-one.

D. F. JAMISON, President.

Attest, B. F. ARTHUR, Clerk.

### AN ORDINANCE TO DEFINE AND PUNISH TREASON.

We, the people of the State of South Carolina, in Convention assembled, do declare and ordain, and it is hereby declared and ordained, That in addition to what has been already declared to be treason by the General Assembly, treason against this State shall consist only in levying war against the State or adhering to its enemies, giving them aid and comfort; and that treason shall be punished by death without benefit of clergy.

Done at Charleston, the thirty-first day of December, in the year of our Lord one thousand eight hundred and sixty.

D. F. JAMISON, President.

Attest, B. F. ARTHUR, Clerk.

### AN ORDINANCE CONCERNING POWERS LATELY VESTED IN THE CONGRESS OF THE UNITED STATES.

We, the People of the State of South Carolina, in Convention assembled, do declare and ordain, and it is hereby declared and ordained, That all powers which, by this State, were heretofore delegated to the Congress of the United States shall be

vested in the General Assembly, except that during the existence of this Convention the power of the General Assembly shall not extend without the direction of this Convention, to any of these subjects, viz: duties and imports, the post office, the declaration of war, treaties, confederacy with other States, citizenship, and treason.

Done at Charleston, the thirty-first day of December, in the year of our Lord one thousand eight hundred and sixty.

D. F. JAMISON, President.

Attest, B. F. ARTHUR, Clerk.

### AN ORDINANCE CONCERNING JUDICIAL POWERS.

We, the people of the State of South Carolina, in Convention assembled, do declare and ordain, and it is hereby declared and ordained, That the judicial power heretofore delegated by this State, so as to form a part of the judicial power of the United States, having reverted to this State, shall be exercised by such courts as the General Assembly shall direct.

Done at Charleston, the thirty-first day of December, in the year of our Lord one thousand eight hundred and sixty.

D. F. JAMISON, President.

Attest, B. F. ARTHUR, Clerk.

### Debate in the Convention.

#### ON THE SECESSION OF SOUTH CAROLINA.

Judge Magrath. I think the special matter of this ordinance should be immediately considered. To my understanding there is no Collector of the Post nor Postmaster now within the limits of South Carolina. What you have done to-day has extinguished the authority of every man in South Carolina deriving his authority from the General Government. I am in favor of this body making such provisional arrangements as may be necessary in the interval which may exist between this moment and the time the Legislature may act. I am in favor of its being considered as sanctioning

#### Historical.

The following item of history will be of great interest to our readers at the present time, as most of them know she occupies the same position to the State as it did before the revolution—so with our people. The fort is now manned by the Militia of the present day.

"On Saturday, the fourteenth of December 1782, the British evacuated Charleston after having held it for seven years, seven months and ten days.

"The following account of the evacuation of Charleston is given by a British officer who was present at the time.

ted States should continue to be levied, otherwise our people will suffer terrible calamity. As to the carrying of the mails let the present contract be assumed by South Carolina instead of the United States.

Mr. Blett. The great revolution must go on with as little change as possible to the country. By making the Federal agents ours, the machinery will move on. The Federal laws of taxation must not exist over us. We are now contending for the great principle of taxation. I trust the present system of taxation has fallen forever.

Mr. Barwell. We have seceded from the United States and established our independence. We can't allow the United States to exercise authority over us any more. Let the postal convenience be sacrificed if necessary. There never was anything purchased worth having unless at the cost of sacrifice.

Mr. Massey. In regard to the mail, all restrictions must be removed. Let us appoint our own officers. Let the Collector of the Post battle with the difficulties as they come.

At 3.40 P. M., the Convention took a recess to meet at Insutiate Hall at 6.30, for the purpose of signing the Ordinance.