

REMARKS OF MR. PICKENS,

OF SOUTH CAROLINA.

In the House of Representatives, Jan. 21.

that Congress has no power under the Constitution to abolish slavery in the District of Columbia, &c., being under consideration.

MR. PICKENS rose, and observed that he regretted exceedingly the necessity that induced him to say any thing on the interesting and deeply exciting topics before the House. Sir, when I had occasion since to make a few remarks on this subject, I said as well as the wife I have the honor to be associated with, that I had named it as a subject to refer to in discussion and for party purposes. It was the Hartford Convention men, who were put down and I do not think that we desired to raise us from the charge had originated from a miserable whistler who said that a downfall of the Union would be the ruin of the South.

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if they pursued a certain course here, they would be swept from their seats.

But it is not in our country only that we have to encounter prejudice.

England has emancipated her W. India Islands. France is also moving in the same direction—her press too, is calling up the prejudices of the nation against her institution.

And in England there is no Review, from the polished and talented Edinburgh, headed by the Jeremy Bentham leveling Westminster, that does not open its battery and denunciation upon us.

Even, too, that prince of modern demagogues, Mr. O'Connell, in the plenitude of his arrogance and vanity, must think to strike the vilest and basest notes, to call upon the passions and prejudices of the ignorant and low, against institutions, the true base of which his ignorance forbade him to understand, and against a gallant people, whose virtues his natural vulgarities could never appreciate.

He talks about equal rights and public truth, and a splendid income of the poor last farthing.

But he who has been educated for his learning and eloquence, has recently thought proper to sweep through the land and scatter living monuments—when the scattered fragments of a broken and dismembered empire shall exist here and there, only to mark where the republic once was.

While I can never consent to discuss the constitutional power of this Government as relates to the States, yet it becomes us to examine the powers under the Constitution given in this District.

Mr. Speaker: Before we proceed on this subject, I will call attention to a resolution recently passed in this District, which is, that Congress shall exercise no power in or over any such District, not except in the case of public works, and the acceptance of Congress, by the seat of Government of the U. S., and to exercise like authority over all places purchased by the consent of the Legislature of the States by which the same shall be for the erection of forts, magazines, arsenals, dock-yards, and other needful buildings.

"Exclusive legislation" here means an absolute and unlimited legislation. This Government cannot legally exist in any position without all the restraints of the Constitution binding upon it.

And to contend that it has all the powers here that the States can exercise within their territories is a subversion of the Constitution, for the States are prohibited by the principles and spirit of their own constitutions, or the Constitution of the United States, while this Government can exercise power not specifically granted by the Constitution, or absolutely necessary to carry its effect some specific grant.

Exclusive legislation means that no other Government should have concurrent legislation. Congress shall exercise "like authority," over places purchased for forts, arsenals, &c. The legislation and authority exercised in this District, in like manner, shall be exercised over places purchased for forts, &c. If, then, Congress is unlimited here, there is unlimited in those other places where public works are, and if slavery can be bought here, it can be bought in those other places in the heart of a State, where there may be public works, &c. All the power intended to be given was to enable this Government to protect and preserve its public works and improvements, and "like authority" was intended to be given in this District, authority that might be essential to carry out the legitimate objects of the original trust, and no more. Any exercise of power beyond the obvious meaning and plain intentions of the grant of power at the time it was given is a violation of its spirit and perversion of its purposes.

Again: The ninth section expressly excludes Congress from prohibiting the importation of slaves until 1808. If the clause giving "exclusive legislation," empowers the power to abolish slavery, it was created without limitation at the time of the instrument. But if Congress had, before 1808, attempted to prohibit the importation of slaves, here or elsewhere, it would have been directly against the letter of the Constitution. There has been no new acquisition of power since the date of that instru-

ment, nor enlargement of the provision of the clause granting "exclusive legislation."

It is no avail to close our eyes on the events around us in this country and in Europe. Every thing proclaims that sooner or later, we shall have to meet the strong and the powerful, and contend over the tombs of our fathers for our concentrated hearth-stones and household gods, or abandon our country to become a black colony, and seek for ourselves a refuge in the wilderness of the West. It is in vain to avoid the contest.

Mr. Speaker: As to the constitutional power of this Government to touch the subject in any shape or form within the States of this Union, I desire to argue that the dominant interest of the nation should ever become so bold and reckless as to touch the matter, or exercise jurisdiction directly or indirectly, over the seats on this floor, or the slaves of slaves, and the

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Discussions.

[From the Farmer's Register.]

ALBION was a noble model of a farmstead, and was situated on a high and fertile soil.

Small cabins make large grave-yards—much better, much pleiser.

There are some who have an empty house, yet a full pot—an empty crib, yet a full oven—They spin not, yet they are clothed—they toil not, yet they are fed. Their barns are full, yet they have no pasture—and their calves without a bull. Their horses feed on stallions. This is a sad and unchristian-like way of living.

It is not to be supposed that Virginia, sensitive and jealous as she was at that time on the subject of slavery, would have ceded a portion of her territory and citizens, if she had not been convinced, that under the Constitution conferring

upon the States the power to exercise exclusive legislation, she was to be thrown

into the hands of a despotic power, which she could not have taken without just compensation. Much less can it be taken for private use. It cannot be taken except for public use. It becomes then so important to ascertain what the slaves are private property! And here let it be observed, that there is a loose idea abroad, that we hold our rights to that species of property under the compromises of the Constitution. We hold them as original rights, before and above the Constitution, coming from the States in their separate existence. The compromises of the Constitution relate entirely to the relation of the States to the Union.

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