

CONGRESS.

WASHINGTON, Jan. 23, 1850.

SENATE.—Mr. Mason offered an amendment to the fugitive slave bill providing that any person obstructing the arrest of a slave shall be held guilty of a misdemeanor; and that the testimony of the fugitive shall not be taken.

The Senate resumed the consideration of the resolution offered by Mr. Foote, declaring that it is the duty of Congress to establish territorial governments for California, Deseret, and New Mexico.

Mr. Cass resumed and concluded his argument against the constitutionality of the Wilmot proviso. He read some extracts from John Quincy Adams' diary, in which he pronounces that the constitution of the United States is morally and politically vicious, inasmuch as it did not prohibit slavery. He contrasted the spirit of this denunciation with that of Gen. Washington's Farewell Address, and the patriotic sentiments of Jefferson, Monroe and Madison.

The man who thus denounced the constitution of his country had held more posts of honor under it than any of the last century; he then held the second post under the Government, and soon after held the first.

Mr. Cass concluded his remarks on the constitutional branch of the subject.—The necessity of settling the question he urged with much force.

Formerly it had been assumed that the power to exclude slavery from a territory existed, and that the source from which it was derived was sought for.—The Senate was not bound by the political legislation of the Supreme Court.—This Senate was to judge for itself of each question. If the opinions of the Supreme Court were binding upon us, we might, being divested of authority, abandon our seat here. The opinions of the Supreme Court on political subjects were all obiter opinions—opinions by the way. They were entitled to respect, but were not binding.

He examined the precedents in the action of Congress. Authority in countries favorable to the development was of slow growth. Authority comes from time and use. There are but few instances of decisions on our statute books, and these, for the most part, passed *sub silentio* and settled nothing.—There was no discussion—merely silent legislation as to power over territories, up to 1820. There was nothing in precedent to preclude a reference to the Constitution.

The Missouri controversy brought up the question, and it was not settled, but evaded, by a political expedient. The compromise was submitted to, but it altered no previous opinion.

No man could now observe the state of things in the South without seeing in them the dangers that the Father of his Country pointed out in his Farewell Address.

The resolution was passed over. The Deseret Memorial and Constitution were referred to the Committee on Territories.

The bill introduced by Mr. Foote, for the organization of territories, &c., was referred to the Committee on Territories. Adjourned.

House of Representatives.—on motion of Mr. Bayly, the House resolved itself into committee of the whole on the state of the Union, (Mr. Boyd of Ky. in the chair,) with the view of referring the subjects embraced in the President's annual Message, to appropriate committees.

Mr. Clingman availed himself of this occasion to present the remarks of which he gave notice yesterday, concerning the subject embraced in the President's Message, yesterday, in regard to California. Mr. C. expressed his confidence in the judgment, integrity and patriotism of the President; and in commenting on the views advanced by him in the Message, said there was no real difference between the President and himself. He admitted the right of each State to settle for themselves all such domestic questions as were referred to therein; but as to who are the people that are to decide as well the time as manner of admission of new States, were in themselves questions for the judgment of Congress under all circumstances of the case.

He alluded to Louisiana, which was kept two years before she was allowed to form a State constitution, and to be admitted by Congress into the Union. He argued that the admission of California with her present organization, would be a great anti-slavery triumph; but maintained that if the territorial questions were not settled this session, and permitted to go over till the next fall elections, none of the gentlemen from the free States here can be returned except upon the anti-slavery platform. Those from the North, he said, who had stood up for the right of the South had shown themselves the friends of the Constitution and the Union.

He went into an exposition to show what would be the advantages to the South if the Union were dissolved; maintaining that the commercial towns, Baltimore, Charleston, Mobile and New Orleans, would abstract a large portion of the trade of New York, Philadelphia,

and Boston. The Southern towns, he said, if unfortunately such a thing as dissolution should take place, would grow up in wealth.

In allusion to the Northern abolition movement, he cited the great loss to Maryland of her property, which in slaves amounted to at least \$100,000 annually. He said that from the tone of the Southern press, as well as from other indications, it was obvious that the South will at an early day be sufficiently united to insure the success of whatever means it may be necessary to adopt, and protect themselves from the aggression menaced from the North. In relation to the territorial question; he submitted it to the Northern gentlemen that they had better make up their minds to give the South at once a fair settlement—not to cheat them by a mere empty form without reality, but give something substantial for the South.

They might be said, to acquiesce in the Missouri compromise line. He would individually prefer, under all the circumstances, giving up the whole of California, provided they could have all on this side of it up to about the parallel of 40 degrees, not far from the north line of the State of Missouri, rather than its Southern 36 degrees 30 minutes. They would thus be getting the whole of New Mexico, and having the mountain chain and desert on the west, obtain a proper frontier. They might then acquire, at some future day, whether united or divided, possession of the country along the Gulf of Mexico, well suited to be occupied by a slave population.

He meant that no restriction ought to be imposed by Congress on this territory, but that after it had been left open to all classes, in a proper period, that a majority may then, when they make a State constitution, determine for themselves whether they will permit slavery or not. The South, he said, would acquiesce in any reasonable settlement. But, said he, when we ask for justice, we are met by the senseless and insane cry of "Union, Union." He was disgusted with it. When it came from the Northern gentlemen, who were attacking them, it fell on his ears as it would do if a band of robbers had surrounded a dwelling, and, when the inmates attempted to resist, the assailants should raise the shout of "peace, union, harmony!"

He was for making the issue now, when the South had the political strength to resist and to control the question. He concluded by warning gentlemen of the North against measures which, while submission to them would be ruinous to the South, they would not in the end be beneficial to their section. Seeing, then, the issue in all its bearings, it is for them to decide. They hold in their hand the destiny of the existing government.

Mr. Howard, of Texas, rose and said he would enter into no mathematical calculations of the value of the American Union. He would not attempt to reason as to what would be the action of the South if disunion takes place. He would go as far as any Southern man to maintain the rights of the South, and still to sustain the Union. But if the North were determined to trample upon the rights and interests of the South, there was an end of the Union.

He would not denounce the North, because there were men at the North who had stood by the Constitution and its compromises until they were sacrificed. There was still a party there who stood up for the Constitution and for justice to the South. Therefore he would not make a wholesale denunciation of the North. He believed in the personal patriotism of the President, but he feared his action was under a control which would be detrimental to the South. He referred to the presidential contest—the different phases assumed by the President in different sections of the Union upon this Wilmot Proviso question, which had had a great prejudicial moral action against the South. The acts of the last presidential canvass, he said, were no index of the feeling of the South on the slavery question. The South would stand up in solid column for its rights when the crisis arrived.

He then alluded to the views of the message of the President on California affairs, and said whilst it asserted the doctrine of non-intervention, yet the Administration had through its special agent, Mr. T. B. King, interfered in all the movements there which led to the State organization, and excluded the institution of slavery from its organic law. He knew from the public press there that the people were impressed by the agents of the Executive with the idea that the State could not be admitted with the institution of slavery engrafted in her Constitution. From this knowledge of the course of conduct of the Administration in that country, he distrusted the Executive upon the subject of slavery—he did not think the rights of the South were safe in his hand.

He alluded to the message as a very mysterious document; stamped with its sincerity upon its face. He said that whilst President Polk had maintained the rights of Texas upon the east bank of the Rio Grande to its source, the present administration had totally disregarded and abandoned them. He entered into an

examination of the message of Mr. Polk and the President's message of yesterday to prove the position. He asserted the right of Texas, by the treaty even with Mexico, to the whole of the territory in dispute between Texas and New Mexico.

The President recommends non-intervention in his message, as well, upon the slavery question as upon the New Mexican boundary question; but he abandons that doctrine as soon as New Mexico forms a State constitution. He denied the right to give jurisdiction to the Supreme Court over the subject of the disputed territory. There was no right in the Supreme Court to take jurisdiction unless by the consent of Texas; nor could the Federal Government exercise the right to create a new State out of any portion of the territory claimed by Texas. He cited early authorities to establish the boundaries as claimed by Texas to the territory in dispute.

He said that upon the subject of the slavery question, Texas would stand where the whole South would stand—which would be for her constitutional rights in their broadest extent.

KEOWEE COURIER

Saturday, Feb. 2, 1850.

With a view of accommodating our Subscribers who live at a distance, the following gentlemen are authorized and requested to act as agents in receiving and forwarding Subscriptions to the KEOWEE COURIER, viz:

- M. J. W. S. GRISHAM, at West Union.
- EDWARD HUGHES, Esq., " Horse Shoe.
- E. P. VERNER, Esq., " Bachelor's Retreat
- M. F. MITCHELL, Esq., " Pickensville.
- J. F. HAGON, " Twelve Mile.
- T. J. WEBB, for Anderson District.

THE PENDLETON MESSENGER.

This is one of the oldest journals in the up-country, and in the days of its youth and vigor of manhood, our good people were wont to look to it for light to aid them in their search after truth. But there is a certain age beyond which men (and we suppose News-papers may be judged by the same rule) begin to decline in body and mind, and their counsels are no longer regarded with that abiding confidence, to which they are entitled in the palmier days of manhood. Now we are half inclined to think, from the course the Messenger has pursued of late, on certain questions of State policy, that he too has passed the meridian of life. We were taught in our youth to reverence old age and respect our contemporaries, but when ill humor and peevishness characterize the lectures of our elders, they lose their influence and sometimes become intolerable; and a due regard to politeness would probably dictate that we should not retort upon the infirmities of age, but in the present case, the attack of the Messenger upon the Courier is so captious and uncalled for, that we can not do him justice by keeping silence.

Passing by his facetious reference to "Gumbo Chaff" and his learned and dignified quotation from the 'Nigger Song,' his usual reference when he wishes to be witty; he says:

It will be seen by looking into it, that there is a small mistake of twenty thousand dollars against the Bank. This can be no error in the type, for it will be seen that the editors make it the basis of their argument to show that the Bank does not make the interest on its capital.

In the article published in the Courier, our readers were invited to make the calculation for themselves, and if the Messenger had been as ready to do justice as he was to find fault, much trouble would have been saved him and us, and the infliction of this accusation and defence might have been spared our readers. The following is a copy of the figuring in which the Messenger sagely discovers 'a small mistake of \$20,000 against the bank' and which cannot in his estimation, be accounted for 'by an error in type.' How illiberal!

1. Railroad and Fire Loans,	\$1,171,183.52	at 6 int.	\$70,271.31
2. Fire loan & R. R. bk			
cap'l \$1,022,269.89		'3	\$91,113.43
3. Revolutionary,	\$117,488.40	'3	3,523.15
Total amt't of debt,			
	\$2,310,896.81	in't.	\$124,907.95

Now we ask the Messenger to steady his nerves, and coolly calculate the interest on these several sums at the given rate, and see if the aggregate \$124,907.95 is not precisely correct. Hence, then, it is plain that the head and front of this offence originates from a typographical error, and not, as the Messenger modestly insinuates, from the insincerity and misrepresentation of the Editors of the Courier. Any boy who can multiply 1,022,269.89 by 5 will see immediately that the result should be 51,113.49 instead of 31,113.49, which we are satisfied the Messenger must confess arises from 'an error in the type.' Besides, we have examined our manuscript and find the figure in the original to be a 5 instead of 3. What a noise has been raised about a mere shadow. We

have said this much in vindication of ourselves from the attack of the Messenger. We regret having had to say so much, and assure our friend, that nothing but the most serious necessity can induce us to resume the contest.

As to the Messenger's correspondent 'R' when he learns to refine his language and to use such phraseology as is in repute among gentlemen, and shows himself free from the shackles of the Bank, we may undertake to answer him.

FREE SCHOOLS.

The Board of Free Schools met at this place on Monday last, and transacted the usual business before that body. Having barely a quorum of the Commissioners present, Messrs. S. Kirksey and E. R. Doyl were requested to sit in the examination of Teachers. Of the forty applicants, 11 were passed in the 1st, and 29 in the 2nd class. They located forty schools and allowed 7 public scholars to each. Teachers of the 1st class are allowed \$8.00 per free scholar per annum, and those of the 2nd class are allowed \$6.00 per free scholar per annum. The result is that 280 children of the poor will have an opportunity of going to school this year at a cost of \$1,834 to the State for our District.

MYSTERY.

A suspicious mind might readily infer that the modern Washington has some great or ignoble purpose in view, which he fears to reveal to the dull comprehension of his constituents. One mail brings the intelligence that the President has issued a proclamation dismissing Don Carlos, the Spanish Consul. The next mail announces the fact, that the proclamation bears date the 4th, but was not exposed to the vulgar eye until the 16th;—that it was not then published in the official journal at Washington, but twelve days after he signed it, it is ushered into the light, 'by authority,' in the columns of the administration paper at New Orleans. This is a mystery which can only be explained by officials. Only a few days before it was signed a member of the Senate had offered resolutions calling for all the correspondence, papers, &c., in the Rey case, which, in all probability, suggested to the administration the necessity of immediate action, and accordingly the paper came forth full grown, and judging from our information Don Carlos must have had a secret copy served on him immediately, for he had taken passage for home before the proclamation was seen in New Orleans. Of this transaction the True Delta says, "Is the Government of this great country compelled to sneak into papers, far distant from the seat of its power, the fulminations of its will? Is it possible—can it be, that any state necessity exists, for the stealthy and suspicious proceedings accompanying the advent of this most strange state paper, the embodiment of a most lame and impotent conclusion! O, Zachary! Zachary! quae demencia cepit te!"

CONGRESS.

Our readers will find in our columns the concluding part of Mr. Cass's speech on the constitutionality of the Wilmot Proviso. Mr. C. has shown throughout the whole of his speech, which is regarded as a masterly effort, that he is sound to the core on the all important question.

We also publish an abstract of the speech of Mr. Clingman, of North Carolina, on the admission of California. He takes strong Southern ground, and shows the benefits the South would derive from a dissolution of the Union.

Also, an abstract of the speech of Mr. Howard of Texas, in defence of the South—he is justly severe on the President for the sly interference in the affairs of California, which has lately been brought to light through the Message and other documents. Texas will stand by the South.

A NEW IDEA.

The President and Directors of the Virginia and Tennessee Railroad Company have made their second annual report, and recommended to the stockholders, as a sound policy, to authorize the board of directors to build a rolling mill, for the manufacture of the railroad iron required in its construction. Their calculations show that they will save the sum of \$232,217 by making their own iron. If this be true, why should Carolina Railroad Companies go to Europe to buy iron? The work on the above road was formally commenced, a short time since—Gov. Floyd, of Virginia, spade in hand, made the first excavation of earth at Lynchburg.

THE GREENVILLE MOUNTAINEER.

This paper came to us two weeks since with a new fancy head piece, and considerably enlarged. The course of the Carolina press is progressive, and every mail brings us additional evidences of the fact. The typographical part of the Mountaineer is handsomely executed. We hope it will receive that patronage which its improved appearance merits.

MESSAGE.

Gen. Taylor has sent to Congress, Message No. 2, in reply to certain inquiries relating to California. All comment on the subject has been crowded out this week. The Message is marked by strong evidences of duplicity, and insincerity to the South—the papers accompanying the Message show plainly that the General has been tampering with California, holding out inducements to that people to exclude slavery from the country by their constitution.

MARYLAND WIDE AWAKE.

The House of Representatives of the State of Maryland has adopted a resolution declaring her a slaveholding State

—protesting against all interference by Congress with the slavery question—declaring a preference for the Union, but if a separation must take place that she will go with the South.

THAT NEW ROAD.

The Commissioners appointed to lay out a new road from this place to Pendleton, had fixed on last Tuesday as the day for commencing their investigations, but they all "came up missing" except Gen. Garvin. We have heard of no excuse for the disappointment—hope they will agree on some early day to carry into effect this much desired improvement.

THE FARMER AND PLANTER

We are requested, by the Messenger to say that, the Farmer and Planter will be forth-coming early in this month. Some unavoidable delay prevented its appearance during the last month. We trust the citizens of our District have given it that patronage to which an agricultural enterprise established in our midst, is clearly entitled.

Our thanks are tendered to Hon. Jas. L. Orr for sundry Congressional documents.

THE "STATE OF CALIFORNIA."

We yesterday noticed the extent to which Executive interference in California had been carried, as appears from official documents submitted to Congress. We now call attention to a remarkable statement of Mr. Foote, made on the floor of the Senate, in the debate of Thursday, the 17th instant, on Mr. Clemens' resolution. Mr. Foote was replying to Mr. Truman Smith, who, while offering himself as the semi-official representative of the Executive, professed ignorance of matters made notorious in the newspaper press during the summer.—Here is the statement, which passed without contradiction or qualification.—*Char. Mercury.*

"It has been stated in the California papers, and I know the Senator reads those papers, and have no doubt he has the most extensive knowledge of California matters. This fact has been published also in all the newspapers I have met with recently in the United States, and must be known to every man of intelligence in the country. And the fact is this: It is a part of the proceedings of the California convention, that a leading member of that body, Mr. Botts, by name—a distinguished Virginia Democrat, and an old acquaintance of my own—rose up, and in a speech which has circulated in a printed form, and which I can hand to the honorable Senator if he desires to see it—I say he rose up in his place, at the precise moment when Gen. Riley quitted the chair of the convention, which he occupied during the whole course of the deliberative proceedings which had been going on; and said he felt bound to state the fact, and challenge denial, that coercive power had been employed to bring about the present state of things; that the constitution of California about to be adopted had been forced upon them. He charged further, that assurances had been given in the most imposing manner, by the powers in Washington, that, unless such a constitution was adopted as was suited to the tastes of certain high personages here—perhaps including the honorable Senator from Connecticut, for he may have admonished them upon the subject by a circular, for aught I know, and including the President and his cabinet—all the influence of the Executive would be thrown against the admission of California as a sovereign State; but that, in the event of the adoption of a constitution agreeable to them, then that the influence would be exerted—through the honorable Senator from Connecticut, I presume, not I suppose intended to be employed in any but legitimate modes—for her admission. Now the honorable Senator from Connecticut need not impute anything to the administration or to myself. I state to him a fact that has been published, and must be disproved, or this administration will remain unvindicated; I state to him, a fact which I would not like to take for granted, in the absence of evidence—a fact which must be explained; in relation to which this administration must be vindicated, else it must suffer in the estimation of the whole country."

The Committee of Ways and Means in the lower house of the Alabama Legislature has reported against an appropriation for rebuilding the capitol, and in favor of removing temporarily to the old capitol at Tuscaloosa, until the sentiments of the people may be ascertained on the subject.

MURDER.—Mr. G. Fowler, was murdered in Raleigh on the 3rd inst., by Christopher Scott, who inflicted three mortal wounds on him with a knife.—Scott is in jail, and bail refused him.—The deed was committed at the house of the devil, or ill fame.—*Asheville News.*