

KEOWEE COURIER.

"—TO THINK OWN SELF DE TRUE, AND IT MUST FOLLOW, AS THE NIGHT THE DAY, THOU CANST NOT THEN BE FALSE TO ANY MAN."

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From the Charleston Courier.

CONGRESSIONAL.

WASHINGTON, May 8, 1850.
SENATE.

Mr. Davis, of Mississippi, presented the resolutions of the Legislature of the State of Mississippi, on the subject of slavery, of Northern aggression, and in defence of the proceedings at the primary meetings and at the State Convention in respect to the call for a Southern Convention. He read at length from the proceedings of the primary meetings and from the address of the State Convention, to show the causes which induced the people of that State to believe a Southern Convention was necessary. It was not for the purpose of promoting disunion, but to promote a faithful adherence to the guarantees of the Constitution. And all the many charges that this Convention was called from motives of disunion were either maliciously false, or utterly in ignorance of the truth. He detailed the many and various subjects of the resolutions, and of the address, all breathing devotion and attachment to the Union as contemplated by the Constitution; and compared those proceedings with those of the town meetings and the Conventions held by Free Soilers in New England and in the West, where the violation of the Constitution and disunion were openly advocated. These proceedings were permitted to pass without rebuke, while those of the people of Mississippi, which were simply in defence of their constitutional rights, were denounced as incipient disunion. He commenced upon the proceedings of Northern States and conventions, and attributed to them all the alarm and anxiety experienced at the South. He hoped that wiser councils would prevail, and that none of the offensive and unjust measures of oppression would be passed by Congress. The majority might triumph but their triumph would find an united South prepared to submit to no oppression. The majority might triumph, but their shouts of victory would be checked, before it was half uttered, by the voice coming from the South; 'Wo, wo, to the riders who trample them down.'

The resolutions were read, and ordered to be printed.

REPORT OF THE COMMITTEE OF THIRTEEN.
Mr. Clay, from the Select Committee of Thirteen, to whom were referred various resolutions relating to California, to other portions of the territory recently acquired by the United States from the republic of Mexico, and to other subjects connected with the institution of slavery, submitted the following

REPORT:

The Committee entered on the discharge of their duties with a deep sense of their great importance, and with earnest and anxious solicitude to arrive at such conclusions as might be satisfactory to the Senate and to the country. Most of the matters referred have been not only subjected to extensive and serious public discussion throughout the country, but to a debate in the Senate itself, singular for its elaborateness and its duration; so that a full exposition of all those motives and views which, on the several subjects confided to the Committee, have determined the conclusions at which they have arrived, seems quite unnecessary. They will, therefore, restrict themselves to a few general observations, and to some reflections which grow out of those subjects.

Out of our recent territorial acquisitions, and in connection with the institution of slavery, questions most grave have sprung, which greatly dividing and agitating the people of the United States, have threatened to disturb the harmony, and to endanger the safety of the Union. The Committee believe it to be highly desirable and necessary speedily to adjust all these questions, in a spirit of concord and in a manner to produce, if practicable, general satisfaction. They think it

would be unwise to leave any of them open and unsettled, to fester in the public mind, and to prolong, if not aggravate the existing agitation. It has been their object, therefore, in this report, to make such proposals and recommendations as would accomplish a general adjustment of all those questions.

Amongst the subjects referred to the Committee, which command their first attention, are the resolutions offered to the Senate by the Senator from Tennessee, Mr. Bell. By a provision in the resolution of Congress annexing Texas to the United States, it is declared that new States of convenient size, not exceeding four in number, in addition to said State of Texas, and having sufficient population, may hereafter, by the consent of said State, be formed out of the territory thereof, which shall be entitled to admission under the provisions of the Federal Constitution; and such States as may be formed out of that portion of said territory lying south of 36 deg. 30 min. north latitude, commonly known as the Missouri compromise line, shall be admitted into the Union, with or without slavery, as the people of each State asking admission may desire.

The committee are unanimously of opinion, that whenever one or more States formed out of the territory of Texas, not exceeding four, having sufficient population, with the consent of Texas, may apply to be admitted into the Union, they are entitled to such admission, beyond all doubt, upon the clear, unambiguous, and absolute terms of the solemn compact contained in the resolution of annexation adopted by Congress and assented to by Texas. But, whilst the committee conceive that the right of admission into the Union of any new States carved out of the territory of Texas, not exceeding the number specified, and under the conditions stated, cannot be justly controverted, the committee do not think that the formation of any such new States should now originate with Congress. The initiative, in conformity with the usage which has heretofore prevailed, should be taken by a portion of the people themselves, desirous of constituting a new State, with the consent of Texas. And in the formation of such new State, it will be for the people composing it to decide for themselves whether they will admit or will exclude slavery. And however they may decide that purely municipal question, Congress is bound to acquiesce, and to fulfil in good faith the stipulations of the compact with Texas. The committee are aware that it has been contended that the resolution of Congress annexing Texas was unconstitutional. At a former epoch of our country's history, there were those (and Mr. Jefferson, under whose auspices the treaty of Louisiana was concluded, was among them) who believed that the States of Louisiana could not be received into the Union without an amendment of the Constitution. But the States of Louisiana, Missouri, Arkansas and Iowa, have been all, nevertheless, admitted. And who would now think of opposing the admission of Minnesota, Oregon, or other new States formed out of the ancient province of Louisiana, upon the ground of an alleged original defect of constitutional power? In grave, national transactions, while yet in their earlier or incipient stages, differences may well exist; but when once they have been decided by a constitutional majority, and are consummated, or are in a process of consummation, there can be no other safe and prudent alternative than to respect the decision already rendered, and to acquiesce in it. Entertaining these views, a majority of the committee do not think it necessary or proper to recommend at this time, or prospectively, any new State or States to be formed out of the territory of Texas. Should any such State be hereafter formed, and present itself for admission into the Union, whether with or without the establishment of slavery, it cannot be doubted that Congress will, under a full sense of honor, of good faith, and of all the high obligations arising out of the compact with Texas, decide, just as it will decide under the influence of similar considerations in regard to new States formed out of or out of New Mexico or Utah, with or without the institution of slavery, according to the constitutions and judgment of the people who compose them, as to what may be best to promote their happiness.

In considering the question of the admission of California as a State into the Union, a majority of the committee conceive that any irregularity by which that State was organized without the previous authority of an act of Congress ought to be overlooked, in consideration of the omission by Congress to establish any territorial government for the people of California, and the consequent necessity, which they were under to create a gov-

ernment for themselves best adapted to their own wants. There are various instances, prior to the case of California, of the admission of new States into the Union without any previous authorization by Congress. The sole condition required by the Constitution of the United States in respect to the admission of a new State is, that its Constitution shall be republican in form. California presents such a constitution; and there is no doubt of her having a greater population than that which, according to the practice of the government, has been heretofore deemed sufficient to receive a new State into the Union.

In regard to the proposed boundaries of California, the committee would have been glad if there existed more full and accurate geographical knowledge of the territory which those boundaries include. There is reason to believe that, large as they are, they embrace no very disproportionate quantity of land adapted to cultivation. And it is known that they contain extensive ranges of mountains, deserts of sand, and much unproductive soil. It might have been, perhaps, better to have assigned to California a more limited front on the Pacific; but even if there had been reserved on the shore of that ocean a portion of the boundary which it presents for any other State or States, it is not very certain that an accessible interior of sufficient extent could have been given to them to render an approach to the ocean through their own limits of any very great importance.

A majority of the committee think that there are many and urgent concurring considerations in favor of admitting California with the proposed boundaries, and of securing to her at this time the benefits of a State government. If, hereafter, upon an increase of her population, a more thorough exploration of her territory, and an ascertainment of the relations which may arise between the people occupying its various parts, it should be found conducive to their convenience and happiness to form a new State out of California, we have every reason to believe, from past experience, that the question of its admission will be fairly considered and justly decided.

A majority of the committee, recommend to the Senate the passing of the bill reported by the Committee on Territories for the admission of California as a State into the Union. To prevent misconception, the committee also recommend that the amendment reported by the same committee to the bill to be adopted, so as to leave incontestible the right of the United States to the public domain and other public property in California.

Whilst a majority of the committee believe it to be necessary and proper, under actual circumstances, to admit California, they think it quite as necessary and proper to establish governments for the residue of the territory derived from Mexico, and to bring it within the pale of the Federal authority. The remoteness of that territory from the seat of the General Government; the dispersed state of its population; the variety of races—pure and mixed—of which it consist; the ignorance of some of the races of our laws, language, and habits; their exposure to invasions and wars of savage tribes; and the solemn stipulation of the treaty by which we acquired dominion over them, impose upon the United States the imperative obligation of extending to them protection, and of providing for them government and laws suited to their condition. Congress will fulfil in the performance of a high duty if it does not give or attempt to give, to them the benefit of such protection, government and laws. They are not now, and for a long time to come may not be, prepared for State government. The territorial form, for the present, is best suited to their condition. A bill has been reported by the Committee on Territories, dividing all the Territory acquired from Mexico not comprehended within the limits of California into two Territories, under the names of New Mexico and Utah, and proposing for each a territorial government.

The committee recommend to the Senate the establishment of those territorial governments, and in order more certainly to secure that desirable object, they also recommend that the bill for their establishment be incorporated in the bill for the admission of California, and that, united together, they both be passed.

The combination of the two measures in the same bill is objected to on various grounds. It is said that they are incongruous, and have no necessary connection with each other. A majority of the committee think otherwise. The object of both measures is the establishment of government suited to the conditions, respectively, of the proposed new State and

of the new Territories. Prior to their transfer to the United States, they both formed a part of Mexico, where they stood in equal relations to the government of that republic. They were both ceded to the United States by the same treaty. And in the same article of that treaty, the United States solemnly engaged to protect and govern both. Common in their origin, common in their alienation from one foreign government to another, common in their wants of good government, and continuous in some of their boundaries, and alike in many particulars of physical condition, they have nearly every thing in common in the relations in which they stand to the rest of this Union. There is, then, a general propriety in extending the parental care of government to both in common. If California, by a sudden and extraordinary augmentation of population, has advanced so rapidly as to mature her for state government, that furnishes no reason why the less fortunate territories of New Mexico and Utah should be abandoned and left ungoverned by the United States, or should be disconnected with California, which, although she had organized for herself a state government, must be legally and constitutionally regarded as a Territory until she is actually admitted as a state in the Union.

It is further objected, that by combining the two measures in the same bill, members who may be willing to vote for one and unwilling to vote for the other would be placed in an embarrassing condition. They would be constrained, it is urged, to take or to reject both. On the other hand, there are other members who would be willing to vote for both united, but would feel themselves constrained to vote against the California bill if it stood alone. Each party finds in the bill which it favors something which commends it to acceptance, and in the other something which it disapproves. The true ground, therefore, of the objection to the union of the measures is not any want of harmony between them, but because of the favor or disfavor with which they are respectively regarded.

In this conflict of opinion, it seems to a majority of the committee that a spirit of mutual concession enjoins that the two measures should be connected together; the effect of which will be that neither opinion will exclusively triumph, and that both may find in such an amicable arrangement enough of good to reconcile them to the acceptance of the combined measure. And such a course of legislation is not at all unusual. Few laws have ever passed in which there were not parts to which exceptions were taken. It is inexpedient, if not impracticable, to separate these parts, and embody them in distinct bills, so as to accommodate the diversity of opinion which may exist. The Constitution of the United States contained in a great variety of provisions, to some of which serious objection was made in the convention which formed it by members of that body; and when it was submitted to the ratification of the States, some of them objected to some parts, and others to other parts of the same instrument. Had these various parts and provisions been separately acted on in the convention, or separately submitted to the people of the United States, it is by no means certain that the Constitution itself would ever have been adopted or ratified. Those who did not like particular provisions found compensation in other parts of it. And in all cases of constitutions and laws when either is presented as a whole, the question to be decided is, whether the good which it contains is not of greater amount, and does not neutralize anything exceptional in it. And as nothing human is perfect, for the sake of that harmony so desirable in such a confederacy as this, we must be reconciled to secure as much as we can of what we wish, and be consoled by the reflection that what we do not exactly like is a friendly concession, and agreeable to those who, being united with us in a common destiny, it is desirable should always live with us in peace and concord.

A majority of the committee have, therefore, been led to the recommendation to the Senate that the two measures be united. The bill for establishing the two territories, it will be observed, omits the Wilmot Provision, on the one hand, and, on the other, makes no provision for the introduction of slavery into any part of the new territories. That proviso has been the fruitful source of distraction and agitation. If it were adopted and applied to any Territory, it would cease to have any obligatory force as soon as such territory were admitted as a State into the Union. There was never any occasion for it, to accomplish the professed object with which it was originally offered. This has been clearly demonstrated by the current of events. California, of all the recent territorial acquisitions from Mexico, was that in which if anywhere within them, the introduction of slavery was most likely to take place; and the constitution of California, by the unanimous vote of her convention, has expressly interdicted it. There is the highest degree of probability that Utah and New Mexico will, when they come to be admitted as States, follow the example. The proviso is, as to all these regions in common, a mere abstraction. Why should it be any longer insisted on? Totally destitute as it is of any practical import, it has, nevertheless, had the pernicious effect to excite serious, if not alarming consequences. It is high time that the wounds which it has inflicted should be healed up and closed, and that, to avoid, in all future time, the agitations which must be produced by the conflict of opinion on the slavery question, existing as this institution does in some of the States and prohibited as it is in others, the true principle which ought to regulate the action of Congress in forming territorial governments for each newly ac-

quired domain is to refrain from all legislation on the subject in the territory acquired, so long as it retains the territorial form of government—leaving it to the people of such territory, when they have attained to a condition which entitles them to admission as a State, to decide for themselves the question of the allowance or prohibition of domestic slavery. The committee believe that they express the anxious desire of an immense majority of the people of the United States, when they declare that it is high time that good feeling, harmony, and fraternal sentiments should be again revived, and that the Government should be able once more to proceed in its great operations to promote the happiness and prosperity of the country undisturbed by this distracting cause.

As for California, far from feeling her sensibility affected by her being associated with other kindred measures—she ought to rejoice and be highly gratified that, in entering into the Union, she may have contributed to the tranquility and happiness of the great family of States, of which it is to be hoped, she may one day be a distinguished member.

The committee beg leave next to report on the subject of the Northern and Western boundary of Texas. On that question a great diversity of opinion has prevailed. According to one view of it, the Western limit of Texas was the Nueces according to another, it extended to the Rio Grande, and stretched from its mouth to its source. A majority of the committee having come to the conclusion of recommending an amicable adjustment of the boundary with Texas, abstain from expressing any opinion as to the true and legitimate Western and Northern boundary of that State. The terms proposed for such an adjustment are contained in the bill herewith reported, and they are, with inconsiderable variation, the same as that reported by the Committee on Territories.

According to these terms, it is proposed to Texas that her boundary be recognised to the Rio Grande, and up that river to the point commonly called El Paso, and running thence up that river twenty miles, measured thereon by a straight line, and thence eastward to a point where the hundredth degree of west longitude crosses the Rio River, being the south-west angle in the line designated between the United States and Mexico, and the same angle in the line of the territory set apart for the Indians by the United States.

If this boundary be assented to by Texas, she will be ceded to that extent in her title. And some may suppose that, in consideration of this concession by the United States, she might, without any other equivalent, relinquish any claim to any part of New Mexico. But, under the influence of a sentiment of justice and great liberality, the bill proposes to Texas, for her relinquishment of any such claim, a large pecuniary equivalent. As a consideration for it, and considering that a portion of the debt of Texas was created on a pledge to her creditors of the duties on foreign imports, transferred by the resolution of annexation to the United States, and now received and receivable in their treasury, a majority of the committee recommend the payment of the sum of — millions of dollars to Texas, to be applied in the first instance to the extinction of that portion of her debt for the reimbursement of which the duties on foreign imports were pledged, as aforesaid; and the residue in such manner as she may direct. The said sum is to be paid by the United States in a stock, to be created, bearing five per cent interest annually, payable half yearly at the treasury of the United States, and the principal reimbursable at the end of fourteen years.

According to an estimate which has been made, there are included in the territory to which it is proposed that Texas shall relinquish her claim, embracing that part of New Mexico lying east of the Rio Grande, a little less than 124,933 square miles, and about 79,957,120 acres of land. From the proceeds of the sale of this land the United States may ultimately be reimbursed a portion, if not the whole of the amount of what is thus proposed to be advanced to Texas.

It cannot be anticipated that Texas will decline to accede to these liberal propositions; but if she should it is to be distinctly understood that the title of the United States to any Territory acquired from Mexico East of the Rio Grande will remain unimpaired and in the same condition as if the proposals of adjustment now offered had never been made.

A majority of the committee recommend to the Senate that the section containing these proposals to Texas shall be incorporated into the bill embracing the admission of California as a State, and the establishment of Territorial governments for Utah and New Mexico. The definition and establishment of the boundary between New Mexico and Texas has an intimate and necessary connection with the establishment of a Territorial government for New Mexico. To form a Territorial government for New Mexico, without prescribing the limits of the Territory would leave the work imperfect and incomplete, and might expose New Mexico to serious controversy, if not dangerous collisions, with the State of Texas. And most, if not all the considerations which unite in favor of combining the bill for the admission of California as a State and the Territorial bills apply to the boundary question of Texas. By the un-

(Continued on fourth Page.)