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Poetical Department.

SING THAT SONG AGAIN TO-NIGHT.

Oh! sing that song again to-night,
The song of other years;
They'll bring again some past delight,
In sunshine and in tears;
They quill the gloom of present cares—
They tell of joys to come;
Then sing the song of other years,
Of friendship and of home!

Oh! sing that song we used to sing,
In youth's unclouded day,
When like the birds of early spring,
We caroled hours away!
When life was like a rainbow beam—
A ray of golden light,
A zephyr o'er a waveless stream—
An ocean of delight.

My heart is sad—then sing to me
The songs we loved so well,
The pleasing thoughts they bring to me
No feeble words can tell;
But sing of pleasures and of pains,
In some melodious lay;
And touch the lute to pensive strains—
I would not have them gay.

There is a pathos in thy voice—
A sadness in thy tone,
That makes the weary heart rejoice—
A sweetness all thine own.
Then sing the songs we love so well,
And sing them o'er and o'er;
I ever feel the magic spell
Of those sweet songs of yore.

Miscellaneous Department.

SERENADE IN NORTH CAROLINA.

Not a thousand years ago and not very much more than a thousand miles from here, (Windsor, N. C.) lived a young lady, the daughter of very plain country folks, who had just returned home from a boarding school—having finished her education. Her residence was on the western bank of a "little river" in this county. The period of which I write was September. Between the family mansion and the water's edge, was a five-acre potato patch. The roots were cultivated in hills and the vines were luxuriant.

On the opposite side of the river, quite a number of young gentlemen lived, who were noted for gallantry. Their devotion to the sex had induced them to unite their accomplishments in the forming of a serenading band. The return of the young lady referred to, afforded them an opportunity of doing the genteel. They accordingly met on a clear moonlight night, and each furnished with his musical instrument, betook themselves to their boat to give a musical treat to the "fair returned."

With muffled oars they noiselessly crossed the river and gained the beach. With stealthy tread they approached the house at the hour of midnight, and ranging themselves in line, at a signal from their leader, violin, flute, clarinet, and trombone, in one mighty blast, to the tune of "Dan Tucker," broke the stillness of the night and the old folks slumbers. The mother screamed from fright, and called to the daughter for an explanation of the unusual noise—and was informed in reply that it was a "serenade!" Mistaking the reply, she flew to the old man, who a little deaf, was sitting bewildered at the music, to him confused sounds.

The wife's report "they are cannonading us" satisfied him. He flew to the gun-rack and taking down old "blue trigger," hurried down stairs and aroused the house. Meanwhile the young lady stood at her window with the curtain half drawn, drinking the melody as was wafted up. The boys, innocent as Sir Isaac's dog Diamond, of the mischief they had made, were laying themselves out upon the last variation, when at twenty feet distance, the old man shoved around the corner with his old musket, and drew the trigger. She did not shoot, but the fire rolled, bright as falling meteors. A stampede of electric suddenness took place—the "leader" of the band leading in a bee line for the boat, followed in commendable nearness by his company. They hurried in the start, but the repeated efforts of the old man to get his "piece off" increased their effort at speed—and a call by him for a "chuck of fire" to touch the priming, told still more. They forgot the potato vines, and such a scene of confusion was never witnessed. Headlong they fell, and at each fall, the sound of broken fiddle strings or battered drums, foretold the death of that band. Helter skelter, rolling crawling and stumbling along, they gained the waters edge and their boat—and such pulling—men-of-war's men might have learned something from them then.

The vines so impeded the old man's progress, that he did not reach the bank with his "chuck" till the cannonaders were out of gun shot, and he returned well satisfied that his timely appearance and courageous manner had achieved the salvation of him and his. In the niche the old lady flew "for safety and succor," whence she could not be found that night. Next morning she was discovered under the wheat barn, and, after many assurances that the cannonaders were routed, was prevailed upon to come forth.

All the parties to the frolic are so sore upon the subject, that we dare not mention it—and I would not have them to know that I had written this for the drowsy of the girl and herself to boot.

Yew trees are the longest lived of any other in Europe. There is one at Brabant in the county of Kent, England, which is allowed to be 3000 years old. The old English yeomen made their bows of the yew tree.

Lord Erskine, speaking of animals, hesitating to call them brutes, hit upon that happy phrase—"the mute creation."—Coleridge.

Political Department.

SPEECH OF HON. DANIEL WALLACE, OF SOUTH CAROLINA,

In the House of Representatives, April 8, 1850.

In Committee of the Whole on the state of the Union, on the President's Message communicating the Constitution of California.

[CONCLUDED.]

THE great scheme of non-extension is the means by which all this is to be accomplished. The majority are united upon this policy.—There are now thirty States in the Union. Delaware may be classed with the North, with whom she fraternizes and acts. The North have now, therefore, thirty-two Senators, and the South twenty-eight; and in the popular branch of the Government, the North have a majority of forty-four Representatives.

Let us now look, for a moment, at the state of things which must prevail, if the free-soil scheme be carried out. It is avowed that no more slave States shall be admitted into the Union, and that all the territorial districts shall be brought in as free States. If this be done, the inequality which now exists between North and South will be increased to an extent that will utterly destroy the balance of power between the two sections, and place the South at the mercy of the North.

I hold in my hand the 3d vol. Executive documents, 2d session 30th Congress, which contains an appendix to the annual report of the Commissioner of the General Land Office. By an examination of this report, it appears that the territorial districts of the United States contain a geographical area of 1,861,976 square miles. Of this vast extent of country, 262,729 square miles lie south, and 1,599,247 north of the line of 36° 30' north latitude. The State of Ohio is a large average State, and contains, in round numbers, 40,000 square miles. If, then, the State of Ohio be taken as the basis of calculation, this territory will be found equal to forty-six States as large as Ohio. Of these States, six lie south, and forty north, of the Missouri compromise line. If the question now before the country was settled on the basis of the Missouri compromise—but which the North refuses to do—the North would have territory enough for forty new States, and the South, six.

The resolutions by which Texas was admitted into the Union, provide, that four more States may, with the consent of Texas, be formed out of the territory of that State. This gives the South territory sufficient for ten new States; but if the free-soil scheme be carried out, then the North will have territory enough for forty-six new States, which, added to the old States, will make their whole number sixty-two States, while the South will have but eighteen.

This monstrous scheme of fraud and imposition upon the South does not stop here. It has connected with it another scheme, to dismember Texas, in order to restrict slavery, and swell the number of free States. The majority have assumed that the boundary of Texas in the South does not extend beyond the River Nueces, and that the country lying between that river and the Rio Grande belongs to the United States. This country contains an area of 52,018 square miles, and is therefore larger than the State of Pennsylvania.

My limits will not permit me to enter in detail into the merits of this boundary question, and I will only remark that, in my judgment, the right of Texas to the Rio Grande, as her southern and western boundary, and which was in fact and in law established by the treaty of Guadalupe Hidalgo, can be shown to the satisfaction of any court of justice in the United States.—This assumption of the majority, groundless as it is, constitutes an important element in the abolition policy. It has a deep and portentous meaning. The territory to which this claim is set up, extends to the Gulf of Mexico. If the majority can succeed in annulling the claim of Texas to this country, and admit it into the Union as a free State, they will thereby perfect their whole non-extension scheme. The migration of African slaves along the gulf shore, will be cut off, and the cordon, to which the member from Pennsylvania alluded with so much satisfaction, will in fact be extended all around us.

Mr. Chairman, I am deeply impressed with the conviction that this picture is not overdrawn. To this result, this great development in the history of the country has been slowly, but surely tending, ever since the enactment of the ordinance of 1787. This tendency was slow at first. Time is required to effect all great changes in the progress and destinies of States and Empires. The apparent cessation of this tendency, which took place between the time of the enactment of the ordinance of 1787 and the Missouri compromise, was but the time required for the growth of the new States; and time only is required now to accomplish the event. The wisest of our statesmen, at the formation of this Government, never saw as deep into the future as the present hour. But time has removed the veil which hid the present from their eyes, and he is blind indeed who cannot see now where this national development must end. The ordinance of 1787 constituted one epoch in the history of abolition development. The Missouri compromise constituted a second, and was brought about by the progressive increase of the population of the northwest; and it is the further increase of the population, which now extends from the Atlantic to the Pacific ocean, which has brought on the struggle in which the two sections are now engaged, and which constitutes the third great epoch in its history. From the beginning until now, the non-extension policy has been gathering strength, as the population of the East, North and West increased, and we now rapidly approach the final result. All doubt and mystery in reference to

the object and tendency of slavery restriction, have passed away, and, freed from all disguises, the question now stands before us in all its importance and magnitude.

New States are growing up all around us, and the majority have declared in advance, that slavery shall be excluded from them all. This tide of population—indoctrinated as it is with hostility to the institutions of the South, by lessons taught, from infancy to old age, in the nurseries and primary schools, by fulminations from the forums of Abolition societies, by religious teachings from a thousand pulpits, and by the circulation of incendiary papers through the mails—is pouring into the territories of Minnesota, Nebraska, Oregon, Deseret, California, and New Mexico. Some of these districts are now asking admission, and all will soon be incorporated into the Union. And as each new State is added, a reinforcement of Senators and Representatives will join the majority, making the inequality which now exists between the two sections, still greater, and placing it in the power of the North to carry on the abolition scheme, without check or hindrance.

I come now to the bill on your table, for the admission of California into the Union as a State. This bill is designed to effect another great step in the progress of abolition, and if passed, cuts off the South from the Pacific ocean for ever. It is here, without precedent or example in the history of this Government. Why is this? Why all this haste to bring this remote province into the Union as a State? Why is this Government called upon to abandon the practice which has prevailed, without material change, for nearly seventy years?

It will be remembered, that when the Union was formed, the United States, in their federative character, did not own a foot of land upon this continent. The public domain was owned by individual States, under grants from the British crown. In 1780, the Congress passed a resolution recommending to the several States to cede their unappropriated lands to the United States. In October of the same year the Congress passed another resolution, in which it was

Resolved, That the unappropriated lands that may be ceded or relinquished to the United States by any particular State, pursuant to the recommendation of Congress, shall be disposed of for the common benefit of the United States.

Accordingly to this recommendation, Virginia, in March, 1784, ceded to the United States the territory northwest of the Ohio river. In April following, resolutions for the government of this territory were passed, which were superseded by the ordinance of 1787, which ordinance continued of force until it was rendered inoperative by the admission into the Union of the States formed out of the Northwest Territory.

The State of Ohio was admitted in 1802, having been governed as a territory eighteen years. The State of Indiana was admitted in 1816, Illinois in 1818, Michigan in 1837, and Wisconsin in 1845, having been governed as territories thirty-two, thirty-four, thirty-five, and thirty-one years, respectively. These dates refer back to the resolutions of 1784. At intermediate periods, acts were passed by Congress, granting them the power to form local legislatures for their government—the acts of such legislatures to be subject to the approval of Congress. The States of Alabama and Mississippi are formed from territory ceded to the United States by South Carolina and Georgia.

The State of Mississippi was admitted in 1817, and Alabama in 1819, both having been long governed as territories. Louisiana was purchased of France by the treaty of Paris, in 1803, and the State of Louisiana was admitted in 1812, after nine years of territorial pupilage. I deem it unnecessary to extend this examination. In what I have presented, the practice of the government, from 1784 until now, will be clearly seen. In all the cases mentioned, and in all other cases of the same kind, the President appointed the governors and judges of each territory, whose salaries were paid out of the public treasury of the United States. Preparatory to the admission of these territories into the Union as States, Congress passed laws fixing their boundaries, directing a census of the inhabitants to be taken, authorizing each to meet in convention to form a State constitution, and prescribing the qualification of voters.

In the case of Michigan, this rule was slightly varied, but which I will not stop to consider, for the reason that the case is not analogous to that now presented by California.

Sir, why was this practice at first deemed necessary? Because the jurisdiction and sovereignty, in and over all these territorial districts, were conveyed to the United States, by the respective deeds of cession, and Congress was therefore bound to exercise jurisdiction over them, that they might be disposed of, for the common benefit of the United States, and thereby fulfill the pledge made by Congress in the resolution of 10th October, 1780.

By the treaty of Guadalupe Hidalgo, the territories of California and New Mexico were ceded to the United States; and Congress is bound, for the same reason, to exercise jurisdiction over them. By what authority, then, have the congregation of adventurers, from all nations, calling themselves the people of California, entered upon these lands, and appropriated to themselves the mineral wealth they contain, in derogation of the rights of the United States? By what authority have these trespasses upon the public property met in convention, formed what they call a State constitution, and sent their Senators and Representatives here, to ask admission into the Union? If they have the right, under these circumstances, to ask admission, have they not the same right to ask admission into the Union of Mexico, or annexation to the British empire, and thus to wrest this vast territory out of your hands, and place you under the necessity of reconquering it? Have they

not, in setting up these pretensions without authority from Congress, committed an act of manifest usurpation, disregarded your just authority, and taken from Congress the right to exercise exclusive jurisdiction over California?

If they be remanded to the territorial condition, may they not declare their independence of this Government, and form political connection with any other power they may elect? If the doctrine of the absolute sovereignty of the inhabitants of a territory, previous to a grant of power to them; by the General Government to form a State, which is the basis of this movement, be true, do not these results clearly follow?—And is it not equally clear, that if it be true, Congress has no jurisdiction over them, and all acts heretofore passed by Congress for their government, have been but so many acts of usurpation? The error of all this doctrine is this: The fact is overlooked, that there is a period, during which the inhabitants of a territory do not possess the attributes of sovereignty. Will it be asserted that the conquered inhabitants of California were vested with absolute sovereignty the day after the execution of the late treaty with Mexico, by which that territory was acquired? If so, is it not clear that the United States purchased only under the rule of *caveat emptor*, and, therefore, took nothing by the treaty? At what time, then, since the execution of the treaty, did the inhabitants of California acquire the attribute of sovereignty?

The true doctrine upon this subject was laid down by Mr. Lowndes, while acting as chairman of the committee, to whom was referred the constitution of Missouri. In his report to the House of Representatives, he said:

"In this view the committee are confirmed, by a consideration of the embarrassments and disasters which a different course of proceeding might sometimes produce. When a people are authorized to form a State, and do so, the trammels of their territorial condition fall off. They have performed the act which makes them sovereign and independent."

This single paragraph, from the records of past legislation, explodes the political solecism, which has lately received too much attention, in both ends of this Capitol, and to which the gentleman near me, from Ohio, (Mr. Disney,) on a late occasion, brought much ability to litigate effect, by trying to prove a proposition which has no foundation, either in reason or truth. The doctrine of absolute sovereignty in the inhabitants of a territory, in every petty province of a mother country, is repugnant to all past history. Were these States, as colonies, invested with it, while subject to the British crown? Are the existing provinces of that empire invested with it now? If so, the same sovereignty resides in every bandit in the mountains, without the limits of a State; and, indeed, a condition of dependence cannot exist.

There must be an act, by which the condition of political dependence is thrown off, and independence assumed. In our system, this act is performed by the permission, and under the direction of the mother country, according to certain rules and maxims. In other countries it is done by revolution.

I return to the inquiry, why this haste of the inhabitants of California, to take upon themselves the burdens of self-government? Why not enter into the territorial transition state, and let this Government extend its protection over them, until they become owners by purchase of the lands they inhabit, and able to protect themselves, and bear the burdens of self-government? Why not wait until the anarchy which prevails there now, subsides into organic order, and their pretensions to the dignity and rights of an independent State, be founded upon reasonable grounds? The answer to all these questions is plain. The movement is that of the Abolition party. It is another step towards the ultimate abolition of slavery in the States. California comes here with the Wilmot proviso in her so-called constitution, and this is the reason this act of usurpation is tolerated. Strike the Wilmot proviso from her constitution, and her application for admission will be rejected in forty-eight hours. California comes here, too, claiming a territory of 158,000 square miles—nearly equal in extent to four of the largest States in the Union, with nearly a thousand miles of sea-coast—all of which it is intended to erect into one State, and the majority, in their zeal for non-extension, are in haste to sanction this monstrous absurdity.

Sir, when a dominant majority, intoxicated with the lust of power, are thus hurried on, by a mad fanaticism, to the commission of acts like these, marked, as they are, by a want of all political forecast, all prudent and wise statesmanship, to an extent never surpassed in any age or country, upon what grounds can the South hope for an honorable and safe adjustment of this great question by this Government?

And yet, with all these facts before us, it is one of the darkest omens of the times, that southern statesmen are tendering compromises, in all of which the propositions are, to surrender everything in dispute to the North, and put the rest in jeopardy. This is, in fact, but the ceremony of holding out the white flag of unconditional surrender to the conqueror. These compromises, if adopted, would be, to give the enemy time to collect his forces, and extend his parallels around us for the decisive moment, and to make the final defeat more disastrous and more signal. It is by this miserable policy of offering to take less than the Constitution gives us, that the southern forces are divided, and the cause of the South broken down and ruined. It is an acknowledgment of weakness, and of inability to protect ourselves, which I repudiate and deny. Have the compromises heretofore made, been respected and observed? Have they stayed the hand of the aggressor? What compromise can be made more binding, and that will command greater respect, than the Constitution? What compromise can be made, that will not curtail the rights of the