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The very meaning of a treaty is a compact between independent states founded on negotiation, and if a treaty (as it clearly would be) it must be submitted to the Senate for its approval, and run the hazard of receiving the votes of two thirds of the members present—which could hardly be expected; if we are to judge from recent experience. This of itself is considered by the President as a conclusive reason for proposing the resolution of the House, instead of the amendment of the Senate, as the basis of annexation.

The above extract will place you in possession of the leading reasons for making the selection. Events prove that the selection was judicious. Texas was annexed against every effort of open enemies and treacherous friends, both here and there, and the most strenuous efforts to defeat it by England and France, and by it, your weak and most exposed flank was protected against danger from without, and the machinations of abolitionists and their abettors at home. It was a great victory, both for your cause and the country, and was felt to be so at the time. That it was due to the selection made, I have the highest authority. Mr. Donalson, in his letter to me, after annexation was achieved, said that any other course, but that pursued, would have defeated it.

But Col. Benton now objects, that the House resolution contained a provision to extend the Missouri compromise line to the western boundary of Texas, and asserts, that this extension abolished slavery in the State; meaning, as I suppose, that it prevented the introduction of slaves in the portion north of the line, when at that time there were no settlements or slaves. It was not, it seems, the resolution of those who voted for it, and passed it and among them himself, whose vote could have defeated it, that abolished slavery, as he calls it, but I, who made the selection of the House resolution, in preference to his amendment. The slightest agency it seems on my part, in reference to any measure, makes me solely responsible for the whole. It would be better at once for him to take the ground, that I am only responsible for all the misdeeds of the government, since I came into public life, whether of commission or omission. But what could I do? The President had to act, and to select one or the other resolutions,—his or the House.—The selection was left to him. If that of the House was tainted by the Missouri compromise with abolitionism, as he states, his resolution was much more deeply infected. I have his own words for the assertion. He declared, this amendment, as adopted by the Senate, was the same with the string of resolutions he had introduced at the preceding session; and renewed at the then session. He also declared, that they were generalized and comprised in one, to avoid objections to details. One of this string of resolutions thus covered under general terms, was to divide Texas into two equal parts, by a line drawn North and South, of which the western part was to be subject to the ordinance of '37. A measure, coming from a quarter so hostile and accompanied by such a declaration, was justly suspected, as intending mischief. It was so considered, generally, by the friends of annexation in the Senate, and was assented to reluctantly and only because he had a few supporters, who with him held the balance, and refused to vote for the resolution of the House without the amendment. Among them, if my memory serves me, was his friend Hayward, who was for the covering all Texas and the whole region, North of 36° 30' with the ordinance of '37. *Timco Donaos et dona ferentes.*

What the Administration shamefully omitted to do, I resolved to do through the Senate, if possible, and with that view, and in order to perpetuate our claim of right I moved in the Senate, in 1840, the three following resolutions, and succeeded in passing them by a unanimous vote, with some slight amendment, Col. Benton voting for them, but not standing by me, as he says, for he never uttered a word in their support:

then went for the bill, and was, I believe, for the whole of Oregon. Had the treaty been rejected at the preceding session, the stand I took and the resistance I made to the bill would have been all in vain. It would have passed, and the country precipitated into war; but as it was, time was gained, which was all important. The agitation, however, was kept up about Oregon, and similar bills were introduced the two succeeding sessions, which failed by small majorities. In the meantime, negotiation was commenced and the claim to the whole of Oregon made. The cry was "all or none," and so strong was the current in its favor, that both parties yielded to it in the early part of the session. I had resigned my seat in the senate, but was re-elected a short time before the session commenced, and took my seat several weeks afterwards. I saw and felt the strength of the current, but resolved to breast it, and save the peace of the country if possible. I was arrested and a counter current created. Col. Benton himself yielded to the counter current, and delivered a speech after the battle was won, in which he belabored those who stuck to "all or none" after he found that they were in a minority. It was this chain of causes, of which the Ashburton treaty was the first and indispensable link which averted war, and by it saved the two countries from one of the greatest calamities which could have befallen them, and, I might add, the civilized world. I shall ever remember with proud satisfaction, that I took a prominent and highly responsible part on the side of peace throughout the whole.

I also admit, that the treaty contained no stipulations in favor of the owners of the vessels, nor any to prevent similar outrages in future. It was an objection, and I admitted it to be so in my speech in favor of it not a sufficient one to induce its rejection. But, although the treaty contained no stipulations to guard against like outrages thereafter, much, nevertheless, was done in the negotiation to prevent them and to place the south on much more elevated ground in reference to the subject, than where it stood, when the negotiation commenced. To understand how much was done towards this, a brief statement of facts connected with the case of those reports, is necessary.

They were all coasting vessels having slaves on board, and were all either stranded in their voyage from the Atlantic ports to those on the Gulf or the British possessions, Bermuda and the Bahama Islands, or forced to put into their ports by stress of weather to save themselves from shipwreck, or were carried in by the rising of the slaves and taking the vessel into port. Their fate was the same. The slaves were liberated, under circumstances of more or less violence and indignity, by the local authority. The outrage was enormous, and the insult to the American flag great. The first occurred as early as the year 1830, and all under the administration of General Jackson or Mr. Van Buren, except the Creole. Application was made to the Executive by the owners for redress. After a feebly and tame negotiation of many years, the British Government agreed to compensate the owners in the case of the Comet and Encumbrance, but refused to make any in that of the Enterprize, on the ground, that the two first occurred before her act of abolishing slavery had gone into operation, and the other after it had. The Administration (Mr. Van Buren's) accepted the compensation and acquiesced in the refusal, in the case of the Enterprize, without remonstrance or protest, and thus waived our right and admitted the absurd and dangerous principle, on which the refusal was placed.

What the Administration shamefully omitted to do, I resolved to do through the Senate, if possible, and with that view, and in order to perpetuate our claim of right I moved in the Senate, in 1840, the three following resolutions, and succeeded in passing them by a unanimous vote, with some slight amendment, Col. Benton voting for them, but not standing by me, as he says, for he never uttered a word in their support:

"Resolved, That a ship or a vessel on the high seas, in time of peace, engaged in a lawful voyage, is according to the laws of nations, under the exclusive jurisdiction of the State to which her flag belongs; as much so as if constituting a part of its own domain.

"Resolved, That if such ship or vessel should be forced by stress of weather, or other unavoidable cause, into the port of a friendly power, she would, under the same laws, lose none of the rights appertaining to her on the high seas; but, on the contrary, she and her cargo and persons on board, with their property, and all the rights belonging to their personal relations, as established by the laws of the State to which they belong, would be placed under the protection, which the laws of nations extend to the unfortunate under such circumstances.

"Resolved, That the Brig Enterprize, which was forced unavoidably by stress of weather into Port Hamilton, Bermuda Island, while on a lawful voyage on the high seas, from one part of the Union to another, comes within the principle embraced in the foregoing resolutions; and that the seizure and detention of the negroes on board by the local authority of the Islands, was an act in violation of the laws of nations, and highly unjust to our own citizens to whom they belong."

Such was the condition in which the administration of Mr. Van Buren left these outrageous cases. They never were brought to the notice of the public, and the principle first contended for was surrendered, and that maintained by Great Britain in the case of the Enterprize acquiesced in; and, of course, all claims of compensation on the part of the owners rendered hopeless. The following administration had nothing to stand on, but my resolutions and the vote of the Senate in their favor. If then "the ill fated owners" were sacrificed, it was not by me. Their case was rendered hopeless by the preceding administration, with which Mr. Benton was intimately associated, and in which he acquiesced; for he never raised his voice in their favor, in the long period of ten years, during all which time his voice might have been potent. I turn now to explain what was done in reference to this subject by the negotia-

tion, which ended in the Ashburton treaty, and how much the South, which he accuses me as having abandoned, has gained by it. For that purpose I insert an extract from my speech on the treaty.

"Such was the State of facts, when the negotiations commenced in reference to these cases; and it remains now to be shown in what state it has left them. In the first place, the broad principles of the law of nations, on which I placed our right, in my resolutions have been clearly stated and conclusively vindicated in the very able letter of the Secretary of State, which has strengthened our cause not a little, as well from its intrinsic merit, as the quarter from which it comes. In the next place, we have an explicit recognition of the principles for which we contend, in the answer of Lord Ashburton, who expressly says that, "On the great general principles, affecting this case," (the Creole) "they do not differ; and that is followed by "an engagement that instructions shall be given to the Governor's of her Majesty's Colonies, on the Southern borders of the United States, to execute their own laws with careful attention to the wishes of their government to maintain good neighborhood; and that there shall be no officious interference with American vessels driven by accident or violence into their ports. The laws and duties of hospitality shall be executed." This pledge was accepted by our Executive, accompanied by the express declaration of the President, through the Secretary of State, that the places his reliance on those principles of public law which had been stated in the vote of the Secretary of State."

Here we have a positive acknowledgment of the principle, which the administration of Mr. Van Buren had abandoned and a pledge that necessary measures would be taken to prevent similar occurrences in future, and the laws and duties of hospitality be executed. Now when I add, that all this, thus far, has been faithfully executed, I may assert with truth, that you gain much, far more than I had hoped, considering the state, in which the subject had been left by the preceding administration. So much for the charge, that I had abandoned you on the occasion, and the assertion of Col. Benton that he had stood by "the ill fated owners."

I have now repelled all the charges, intended to shake your confidence in my fidelity to you, in reference to the most vital of all subjects to the South. I have shown that they all rest either on statements that are utterly false, or conclusions that are entirely erroneous or inconclusive. I have also shown, that Col. Benton has involved himself at every step, in false statements, contradictions, inconsistency and absurdities. I will not say, that he made his charges knowing them to be false; for that would brand him as a base calumniator and slanderer; but I will say he ought to have known they were. It may be, however, that he was too much blinded by his passions and prejudice or lacked the discrimination to perceive they were.

I have passed over all that was directed against me personally, and not intended to impeach my fidelity to you and your cause; because it did not fall within the reasons, which induced me to notice him at all. I have also passed over the torrent of abuse, he has poured out against me; not only for the same reason, but because I deem it beneath my notice. He doubtless thinks differently, and regards it, as the finest portion of his speech; for he has used expressions, which pretty clearly indicate, that he anticipates, it will raise him to the level of the great Athenian orator, for indignant denunciation. He mistakes his fate. He will be fortunate, should he escape sinking to the level of Therites. He seems, not to apprehend, that the difference is wide between the indignant eloquence of patriotism and truth and scurrilous defamation. I also pass over his attack on the Southern Address; because it has been too generally read, and is too well understood, by you for him to do any mischief by assailing it. The wonder is, that he should venture to make an attack in open day light. The remote twilight region of the past, lying between truth and fiction best suits his taste and genius.

Passing all these by, I am brought to where he throws off his disguise, and enters the camp of the enemy and openly proclaiming himself an abolitionist, endorses all their doctrines, and steps forth as their champion. In that character, he assumes a dictatorial air, and pronounces that it is absurd to deny the power of Congress to legislate as it pleases, on the subject of slavery in the territories; that it has exercised the power from the foundation without being questioned, until I introduced my resolutions; that slavery is local in its character; that it must be created by law, and cannot be carried an inch beyond the limits of the State that enacted it; that slaves cannot be carried into New Mexico or California, because the Mexican laws abolished slavery there and are still in force, and concludes, that it is a mere abstract question of no importance, because the people there, and especially the foreigners, are opposed to it and will not permit you to emigrate into the territory with your slaves.

I do not propose to enter into a formal repetition of assertions so ostentatiously pronounced. It is not necessary. They were the same that were put forth and relied on by those opposed to you in the discussion on the Oregon territorial bill during the session preceding the last; and which were then fully met and refuted by me and others, who took your side of the question. What I now propose is a very summary and brief notice of those several assertions.

I begin with that which asserts, that Congress has the power to do as it pleases upon the subject of slavery in the territories. I deny the assertion and maintain that Congress has no such power over slavery there or elsewhere, or over any other subject. I deny that Congress has any absolute power whatever; or that it has any of any description except such as are specifically delegated, or that are necessary and proper to carry them into execution. I maintain, that all its powers are delegated and trust powers, and not positive and absolute, and that all of the latter description belongs exclusively to the people of the several States in their

sovereign character. I also hold, that Congress is but their representative and trustee, and that in carrying into execution its powers, it cannot rightfully exercise any inconsistent with the nature and object of the trust, or with the character of the party who created the trust, and for whose benefit it was created. I finally hold, that instead of having the absolute power over the territories of doing as it pleases, that Congress, is restrained by all these limitations, and that its power to exclude you from emigrating with your slaves into them, cannot be maintained without denying that ours is a Government of specific powers; that it is a Government of which States and not individuals are the constituents, and that Congress holds its powers as delegated and trust powers.—Nor can it be maintained, without assuming that ours is a consolidated Government, and holds its powers absolutely in its own sovereign right of doing as it pleases.

I also deny the truth of his next assertion, that it has exercised the power over the territories as it pleased, without being questioned until I introduced my resolutions. I maintain on the contrary, that such power never was exercised by Congress, until he and his associates passed the Oregon territorial bill. That was the first bill containing the Wilmot Proviso, that ever passed, as has been stated—passed solely to assert the absolute right of doing as it pleases. All others, including the ordinances of 1787 were passed as compromises which waived the question of power, as has been frequently shown.—Nor is his assertion more correct, that the power never was questioned, until the introduction of my resolutions. It was questioned from the start, beginning with the ordinance of 1787. Mr. Madison pronounced that it was adopted without a shadow of right. Since then, it has been arraigned in not as a right, but as a compromise until the North refused all compromise, and forced the South to stand on its rights, where it should have stood from the first.

The next assertion that slavery is local in its character; that it must be created by law, and cannot be carried an inch beyond the limits of the State, that enacted it is equally unmaintainable. It is clear that in making it, he intended to affirm, that in these respects, property in slaves stands on very different ground from every other description of property.

I deny the fact, and maintain that there is no distinction between it and other property, in reference to the laws which regulate it by law, or to express it more specifically—to have a positive enactment for its origin, than property in land or any thing else. The relation of master and slave was one of the first and most universal forms in which property existed. It is so ancient, that there is no record of its origin. It is probably more ancient than separate and distinct property in lands, and quite as easily defended on abstract principles. So far from being created by positive enactment; I know of no instance, in which it ever was, or to express it more accurately, in which it had its origin in acts of legislatures. It is older, than the laws which undertake to regulate it, and such is the case with slavery, as it exists with us. They were for the most part slaves in Africa, they were bought as slaves, brought here as slaves, sold here as slaves, held as slaves, long before any enactment made them slaves. I even doubt, whether there is a single State in the South, that ever enacted them to be slaves. There are hundreds of acts that recognize and regulate them as such, but none, I apprehend that undertake to create them slaves. Master and slaves are constantly regarded as pre-existing relations.

Nor is it any more local in its character, than other property. The laws of all countries in reference to every thing, including property of every kind, are local and cannot go an inch beyond the limits to which the authority of the country extends. In case of property of every description, if it passes beyond the authority of the country where it is, into another, where the same description of things are regarded as property, it continues to be so there, but becomes subject to the laws and regulations of the place in reference to such property. But, if it be prohibited, as property, in the country into which it passes, it ceases to be so, unless it has been forced in, under circumstances which placed it under the protection of international laws. Thus, one and the same principle apply in this respect to all property; in things animate or inanimate, and rational or irrational. There can be no exception; as property every where, and of every kind, is subject to the control of the country. Thus far, I hold that there can be no reasonable doubt.

Nor can there be any, that the same principle applies between the several States in our system of government. Slaves or any other property carried from one State, into another, where it is prohibited, it ceases to be so there. This is admitted to be, by all. It is also admitted by all, that the general government cannot overrule the laws of a State, as to what shall or shall not be property, within the limits of its authority. The only question then is, what is the power of the general government where its authority extends beyond the limits of the authority of the States, regarded in their separate and individual character? or to make it more specific, can it determine what shall, or shall not be property in the territories, or wherever else its authority extends, beyond that of the States separately? or to make it still more so, can it establish slavery in the territories? can it enact a law providing that any negro or mulatto found in the territories of the United States shall be a slave and be liable to be seized and treated as such by whoever may choose to do so? According to Col. Benton's doctrine that Congress may legislate as it pleases, upon the subject of slavery in the territories, it would have the power, but I doubt whether there is another individual, who would agree with him. But, if it has not the power to establish slavery in the territories, how can it have the power to abolish it? The one is the counterpart of the other, and where is the provision of the constitution to be found which authorizes the one and forbids the other?

The same question may be propounded as to public and private vessels belonging to the United States and their citizens on the high seas; for the principle, which applies to the territories, equally applies to them, and to all places, to which the authority of the general government extends, beyond the States regarded separately. It is, indeed, a great misconception of the character and object of the general government, to suppose that it has the power either to establish or abolish slavery, or any other property, where its authority extends beyond the limits of the States regarded individually. Its authority is but the united and joint authority of the several States, conferred upon it by a constitution, adopted on mutual agreement, but by the separate act of each State, in like manner in every respect, as each adopted its separate constitution with the single exception, that one was adopted without, and the other on mutual agreement of all the States. It is then, in fact, the constitution of each State, as much so as its own separate constitution, and is only the constituent of all the States, because it is that of each, as

the constitution made the general government, that too, in like manner, as much the government of each state as its own separate government, and only the government of all, because it is the government of each. So likewise are its laws, and for the same reason. Its authority, then, is but the united and common authority of the several States, delegated by each to be exercised for the mutual benefit of each and all, and for the greater security of the rights and interest of each and all. It was for that purpose, the states united in a federal nation, and adopted in common constitution and government.—With the same view, they conferred upon the government whatever power it has of regulating and protecting, what appertained to their exterior relations among themselves with the rest of the world. Each, in brief, agreed with the others, to unite their joint authority and power to protect the safety and rights and promote the interest of each by their united power.

Such is clearly the character and object of the general government, and of the authority and power conferred on it. Its power and authority, having for its object the more perfect protection and promotion of the safety and rights of each and all, it is bound to protect by their united power the safety, the rights, the property, and the interests of the citizens of all wherever its authority extends. That was the object for conferring whatever power and authority it has, and if it fails to fulfill that, it fails to perform the duty for which it was created. It is enough for it to know, that it is the right, interest, or property of a citizen of one of the States, to make it its duty to protect it whenever it comes within the sphere of its authority; whether in the territories, or on the high seas, or anywhere else. Its power and authority were conferred on it, not to establish or to abolish property, or rights of any description, but to protect them. To establish or abolish belongs to the States, in their separate sovereign capacity—the capacity in which they created both the general and their separate state governments. It would be, then, a total and gross perversion of its power and authority to use them to establish or abolish slavery or any other property of the citizens of the U. States, in the territories. All the power it has, in that respect, is to recognize as property there, what ever is recognized as such by the authority of any one of the states, (its own being but the united authority of each and all of the States) and to adopt such laws for its regulation and protection as the state of the case may require. Now is there, the slightest danger, that the recognition of the property of citizens of each and all the states within the territories, would turn them into a label, as Col. Benton contends. All may co-exist without conflict or confusion, by observing the plain and simple rule of duty and justice.

There is another error akin to this, that the Mexican law abolishing slavery is still in force in New Mexico and California when not a particle of its authority or sovereignty remains in either. Their conquest by us and the treaty that followed extinguished the whole, and with it, annulled all her laws applicable to them, except those relating to such rights of property and relations between individuals, as may be necessary to prevent anarchy; and even these are confined to territories, carrying with it the implied authority of the conquering country and not the authority of the conquered, and only from the necessity of the case. Her laws abolishing slavery are not embraced in the exception; and if it were, it would be taken out of it, as the assent of Congress could not be implied to continue a law, which it had no right to establish.

But still higher ground may be taken. The moment the territory became ours, the constitution passes over and covers the whole with its provisions, which, from their nature are applicable to territories, carrying with it the sovereignty and authority of each, and of the States of the Union, and sweeping away every Mexican law, incompatible with the rights, property, and relations, belonging to the citizens of the United States, without regard to what state they belong, or whether it be situated in the northern or southern section of the Union. The citizens of all have equal rights of protection in their property, relations and person in the common territories of each and all the states of Mexico, which swept away all the laws of Mexico, which made the Catholic religion, the exclusive religion of the country, and which let in the religion of all denominations, which swept away all the laws prohibiting the introduction of property of almost every description, some absolutely and others under the condition of paying duties, and letting them in duty free until otherwise provided for, except that which abolished slavery, and let in property in slaves. No distinction can be made between it and any other description of property or thing consistent with the constitution and the equal rights of the several states of the union and their citizens.

But we are told by Col. Benton, that the question has become a more abstraction of no importance; that few have gone into either territory, except citizens of the north and foreigners; and that they are all opposed to us. What! What! What! What! by telling us, we cannot go into them, because foreigners and others have been let in freely, and we kept out by the threat of confiscating our property by himself and his associates, have become sufficiently numerous to keep us out, without the intervention of Congress to aid them! He knew that "property is timid" and could be kept out by threats, and that to keep us out for a short time was one of the ways to exclude us ultimately. What a comment on the equity and justice of the government that we, who have so freely spent our blood and treasure to conquer the country, should be excluded from all its benefits, while it is left open for the use and enjoyment of all that rabble of foreigners, which he enumerates with such zest, as the efficient means of our exclusion. Is there another instance of such an outrage to be found in the history of any other government that ever existed?

His avowal of the doctrines of the abolitionists, will have an effect, he little suspected, when he made it. It furnishes ample evidence to show that he used deception in assigning his reasons for declining to obey the instructions of his legislature. It will be remembered, he offered as his reasons, that their resolutions instructing him were borrowed from mine, and that mine were introduced for disunion purposes, and that there was no difference between them, except that mine aimed directly at disunion, and theirs ultimately at the same thing. He added in effect, that his devotion to the Union would not permit him, to vote for resolutions so deeply tainted with disunion.—That was at the commencement of his speech. We now have in his conclusion, conclusive evidence from himself, that all this was a mere fact, a stratagem to conceal his real motive for declining to obey them. His real motive, as it now appears was that he could not vote for them under any circumstances, for how could an abolitionist be as avowed himself to be, possibly obey resolutions, which are utterly at variance with their doctrines. To obey would have involved him in palpable contradiction, so much so, that it could not fail to prostrate, and to overwhelm him with shame if he is not to shame in utterance. This he saw, and had no alternative left, but to resign or disobey. He determined in favor of the latter; but this of itself, did not relieve him of his dilemma. He knew well, that it would defeat his object to come out boldly, and say that he had abjured his former creed and adopted that of the abolitionists. And hence, he was forced to adopt some other expedient; and for that purpose, adopted the miserable pretext of slanderously charging me and my resolutions and his own

legislature and their resolutions with disunion, and of assailing that as his reason for not obeying them. He knew that his position made it impossible for him to obey them. But these are not the only resolutions adopted by the Legislature of his State to instruct him.—The previous Legislature adopted two others, of which he says, that they truly express the sense of the State, and that they obeyed them, not only in their letter, but spirit. They are in the following words:

"Resolved, That the peace, permanency and welfare of our national Union depend upon a strict adherence to the letter and spirit of the 8th section of the act of Congress of the United States, entitled, "an act to authorize the people of the Missouri territory to form a constitution and State government for the admission of such State into the Union on an equal footing with the original States, and to prohibit slavery in certain territories," approved March 6th 1820."

"Resolved, That our Senators in the Congress of the United States are hereby instructed, and our representatives requested to vote in accordance with the provisions and the spirit of the said 8th section of the said act, in all the questions which may come before them in relation to the organization of new territories of States, out of the territory now belonging to the United States, or which hereafter may be acquired either by purchase, by treaty, or by conquest."

It is proper to observe, that the 8th section to which they refer contains the Missouri compromise, which established 36° 30' as the dividing line between the slave-holding and non-slaveholding States, drawn between the western boundary of the State of Missouri and the western boundary of Louisiana. These resolutions he says he obeyed, in letter and spirit, when in fact he flagrantly violated them, by his vote for the Oregon territorial bill, prohibiting slavery in that territory, without any compromise annexed; and then, too, to assert the principle of unlimited power of Congress over the territories, and in open defiance of all compromise. He calls that bill his proviso, and well he may, for he passed it, when it was in his power to defeat it. A very few remarks will suffice to show that I have not expressed myself stronger than truth warrants.

The first resolution asserts "that the peace, harmony, and welfare of our national Union depends upon a strict adherence to the letter and spirit of the Missouri compromise, and the strict instructions of the Senators and representatives to vote in accordance with its provisions and spirit in all questions which may come up before them in relation to the organization of new territories or States, out of territories now belonging to the United States, or which hereafter may be acquired." No instruction could be more full or explicit, or assign stronger motives for obeying it, especially to one professing so great a devotion, to the Union. There is no mistaking the meaning. He is instructed to vote for all bills in reference to the territories which may conform to the letter and spirit of the Missouri compromise, and against all that do not, that is, to vote for all that extend the line westward from its terminus on the western boundary of Texas, for that is its letter; and to secure to the South that portion of the territory lying on the Southern side of the line, as effectually as that compromise did in fact, all the territory which lay on its northern side, and to vote against all bills, that did not, for that meant by its spirit. There was good reason, not in "spirit" for it was understood, that the doctrine being to be broadened, and extended to Mexico abolishing slavery, and that in force, unless they were repealed, or annulled by some effectual measure, as he now stands committed to the instructions of his legislature, and he himself prides, and which he would pretend to charge with disunion.

I notice in the progress of the discussion, that Col. Benton endeavored to confound the Missouri compromise with all other compromises, and to bring in the Wilmot Proviso. I endeavored to prevent him from doing so, and I succeeded. He desired to screen himself from the charge of voting for the Wilmot Proviso, by saying it with other measures, and I refused to do so; but I said, that there was more powerful reason, which would be met in the sequel. The reason was, that he himself, if possible, against the charge of giving instructions, which he acknowledged, as above exception. If he could possibly establish, that the Missouri compromise and the Wilmot Proviso were identical, as he would have his constituents believe, he would have no objection to obey the other. But I have shown that to be impossible, and thus he is left, without the possibility of escaping the charge of disobeying them.

With a few additional remarks, I shall close this long communication.

Col. Benton assigns devotion to the Union as his motive for taking the course he has; and by implication, charges yours, as being the side of disunion, and his and the abolitionists that of union. In this, he but follows the example of all who have betrayed you; or intend to betray you. It is so common, that it has become proverbial, and a strong demonstration of attachment to the Union, and commendation of what is called the violence and ultraism of the South, accompanied by a volley of abuse of me, and the absence of all censure or condemnation of your assailants are certain signs, that he who utters them is ready to seize the first opportunity to desert your cause.

To these signs may be added another—an appeal to that portion of the farwell address of the Father of his country, quoted by Col. Benton, under circumstances which make its application apply to you, and not to those who assail you. I respond to every word it contains, with a hearty amen. It is indeed deeply to be deplored, that parties should be distinguished by geographical position, and I regard whatever party or individual may have caused it, as deserving of public reprobation. But to avoid geographical designation of parties, it is indispensable that each section of the Union, should respect the rights of the others and carefully abstain from violating them. Unless that is done, it will be impossible to avoid it—aggression will, and ought to lead to resistance on the part of those whose rights are trampled upon and violated. It is indeed deeply to be deplored, that parties should be distinguished on one side and sectional resistance on the other, cannot fail to lead to sectional designation of parties. The blame and responsibility rightfully falls on the section that assails, and not that which repels assaults. Which that is in the present case, admits of no doubt. The South has been on the defensive throughout, and borne for a long series of years, indignities and encroachments on its rights and safety with a patience unexampled, and the North has been its advocate. We must learn to disregard such unfounded and unjust charges, and manfully do our duty, to save both the Union and ourselves, if it can be done consistently with our equality and safety; and if not, to save ourselves at all events. In doing so we should but follow the example of our Washington in the great struggle, which served the union between the colonies and the mother country. He was ardently attached to the Union, and endeavored to preserve it by resisting the encroachments of Parliament on the old and established rights and privileges of the colonies, but the folly and in-fatuation of Parliament, and the vile machinations of Tories among ourselves, rendered all his efforts and those of the patriots, of his day, unavailing. The world knows the consequence. My sincere prayer is, that those who are encroaching on our rights—rights essential to our safety, and more solemnly guaranteed than those of the colonies, may, as well for their sakes as ours, profit by the example.

JOHN C. CALHOUN.
FOUR HILL, July 5th, 1849.