

truths, one of law and the other of fact. The truth of law is, that there does not exist, at this time, slavery in any portion of the territories acquired from Mexico. This truth was the conviction of his own deliberations; he was aware that there were other Senators who entertained different ground; but when those Senators have considered the question more fully, they will perhaps change their opinions. If they should still hold to their opinion, he thought it likely they would find themselves in a small minority. The next truth stated in the resolution was one of fact. It was, that slavery was not likely ever to exist in the Territories acquired from Mexico. It was one evident to all Senators. From all he had heard; from all that had been stated by the witnesses of affairs there; from all that had transpired, and all that would transpire, he was satisfied that slavery would never exist on one single foot of that territory, not even if established there by authority of law. Facts are of importance to the consideration of this subject. He asked Senators, and particularly those from the free States, to pause and consider well upon what had occurred since they had met at the Capitol—what had occurred since they had left their homes and their constituents. It had been repeatedly declared that slavery would never be allowed in California; and California has, in convention, by an unanimous vote, and in a convention where some of the members slaveholders, or from slaveholding States—from Mississippi, and perhaps other Southern States—declared against slavery, and forever excluded it from her limits. From all this he was, he thought, warranted in stating in the resolution, as a truth, that slavery was not likely to exist in any portion of the territory acquired from Mexico.

The latter part of the resolution asserts it to be the duty of Congress to establish territorial governments for the Territories not included in the limits of California, and that no provision should be made either for the prohibition or admission of slavery in those Territories.

Much as he was disposed at all time to high authority, and anxious to find himself in a position to act in harmony with the other branches of the Government, he could not consent to any dereliction of his duty towards the territories by abandoning them, and leaving them exposed to all the dangers of anarchy, if it was possible to prevent anarchy, was the duty of Congress to legislate for the territories, and to extend to them the benefits and protection of a government and laws.

The third and fourth resolutions should be read and considered together. It was not his intention then, nor perhaps at any time, to enter into an examination of the question contained in these resolutions. It was a very complex and somewhat difficult subject to go into the question of what are the true limits of Texas. His own opinion was, that Texas has not a good title to any portion of the territory called New Mexico. Yet, while holding this opinion, he was free to admit, that looking at the grounds stated as the foundation of that title, first at the law of 1836 passed by Texas, then the treaty concluded with Santa Anna, and what has transpired between the commissioners who treated with Mexico, and the fact that all the country has been since given up to the United States by Mexico, and without giving to these facts all the weight and importance attached to them by gentlemen, there was established a plausible show of a claim, but not a good title.

Without now going into the inquiry whether the Nueces or the Del Norte is or was the true boundary of Texas, he had proposed, by his resolution, to fix that boundary at a short distance from the mouth of the Rio del Norte, and running along that river to the Southern line of New Mexico, and thence along the line of New Mexico Eastwardly to the old line established by the United States and Spain. She would then be a country large enough, when peopled, to make three or four States.

The other resolution makes a proposition to Texas. It proposes that the United States will provide for the payment of all that portion of her debts which have been secured by a pledge—made when Texas was a republic and competent to make such a pledge—of the duties arising from her foreign imports. How much that debt was, he could not, with all his efforts ascertain; but it made but little difference. It was the principle he proposed to establish, and in the assertion of a principle the amount was not necessary. The ground on which he proposed that the United States should assume this debt was one which he had more than once advocated, as founded on the principles of truth and justice.

Texas was a free and independent nation; as such she had invited the world to make loans to her to enable her to prosecute the war then existing between her and Mexico, and she told all those whom she had invited to make this loan that she would sacredly pledge the duties on her imports to the payment of that loan. The money is lent, and it is expended in her war for independence. Afterwards she annexes herself to the United States, and the thing pledged to pay

her debts becomes the property of the United States; and the fund pledged to the payment of her debt is now turned into the vaults of the Treasury of the United States. Now, he thought, that by all the principles of honor and justice known amongst men, the United States, the recipients of this pledge, should pay the debts due to the creditors, at least as far as the thing pledged would go to that object. There were three parties to the affair—Texas, the creditor, and the United States; and the United States could not do anything to the prejudice or wrong of third parties.

How much of that debt would now exist if this pledged fund had not been transferred to the United States, is uncertain. The trade to Galveston and the other ports of Texas, was now principally in the hands of coasting vessels, and instead of receiving imports from Europe, the goods were sent there from the other States of the Union. But it is certain that if Texas had not become a State of this Union, the duties on her imports would in a few years have been sufficient to pay her debt. This proposal was made another condition, on the condition that Texas should relinquish any claim to any portion of the Territory called New Mexico. Now, she had no valid title to any portion of that Territory, but merely a claim; and with a general desire to have harmony and peace, she and the United States might do, as is done by individuals, compromise, and the United States pay something even for a disputed claim for the sake of peace.

The fifth and sixth resolutions like the third and fourth, had some connexion, and should be considered together. The fifth asserted substantially no other principle than what was asserted by a resolution of his submitted in the Senate twelve years ago, and then passed by a majority of nearly four-fifths of the Senate. That resolution was passed in 1838, and required that the abolition of slavery in this District should not be done except with the assent of Maryland, the assent of the people of this District, and upon a full compensation to the owners of the slaves.

The sixth resolution is, that the slave trade should be abolished or prohibited in the District. It was that the alienation or transfer of slaves between the inhabitants or between neighbor and neighbor should be prohibited, nor that the rights of property among the residents of the District should be affected by the slave trade, pronounced to be an abominable traffic more than forty years ago by a distinguished son of Virginia, Mr. Randolph, should be broken up at least in this District. It was a mistake on the part of gentlemen from the North if they supposed that the regular traders in slaves are looked upon with particular favor at the South. On the contrary, they were sometimes unjustly excluded from social intercourse on account of the odium attaching to their business.

There was no reason why the trade should be allowed to exist here any longer. There was, if it was desired to have a large number of slaves together for sale, Alexandria, Petersburg, Richmond, Annapolis, and Norfolk, and let them be carried there; let the trader go there and establish his jails and his prisons, and not in this place, the capital of the nation; where too often are shocked the feelings of gentlemen, by seeing slaves in chains, and in long trains, driven down the Avenue, from the Capitol to that house where resides the President of a free Republic. He spoke the sentiments of many Southern men when he declared the slave trade, now carried on in this city, to be abominable.

The object and purport of the seventh resolution had been made plain and obvious by the debate already had upon the bill before the Senate. It was obvious, also, that no legislation is necessary, nor was it intended that any should follow the eighth resolution. It established a truth sustained by law, and would meet with a general acquiescence.

He had thought that a resort to the old custom of our American and English ancestors, of an occasional declaration of great fundamental principles, would be the best plan to pursue, and the Senate now had before them that plan of setting the great difficulties existing.

How far it might prove acceptable to the two parties to this question, it was not for him to say. It should be acceptable to both. There was in the acceptance of it no sacrifice of principle by either. It was founded on mutual forbearance, and originating in mutual concession and conciliation.

At the North he knew there was a deep opposition to slavery, an opposition dictated by the feelings of the purest humanity and philanthropy. But while he believed there was, in these resolutions, about an equal amount of concession, he thought he might have asked more from the North, in the way of concession, than from the South. With the gentlemen from the free States, what was this subject but an abstraction? An abstraction, it is true, based upon the principles of humanity and philanthropy, noble when not dictated or used for party ends and party purposes. The North was also numerically greater than the slave States, and greatness of power and magnanimity should ever go together.

On the part of the North, the opposition to slavery was a sentiment of philanthropy and humanity; and, when sentiments of that kind are entertained with the wish and disposition to make sacrifices to enforce them, they are truly noble. But when the sacrifices are not to be made by you of the North, but by those who cannot sympathize with you, it is not so. On the one side, it is a sentiment without any sacrifice or peril or danger or loss; on the other, there must be a vast and incalculable sacrifice of property—without you of the North being burdened with any portion of it—a sacrifice of all the social relations of property, of life, and of every thing dear.

Look at the storm now raging—upon whom does its fury fall? You of the North are safely housed, and feel none of its force, but at the South how different! Look at that dwelling house wrapt in flames; after after crinkling, breaking, falling; look at those women and children rushing wildly through the flames, shrieking, in their calamities, for help from Heaven.

Is this in the free States? No; but in the slave States, and produced not intentionally, but by the measures introduced by you, and carried further than you had any intention they should proceed: On the one side there was sentiment, sentiment, and sentiment alone. On the other, property, life, and the whole social fabric, likely to be involved in ruin.

He had already stated more than he had intended, but would detain the Senate while he related an incident which occurred this morning. A man had come into his room this morning, (the same person who a few days ago had placed in his hands for presentation to the Senate a petition that Congress would purchase Mount Vernon,) and said to him, "Mr. Clay, I heard you make a remark the other day which induced me to suppose you would be glad to possess a relic of Washington. Allow me to present you with this," handing to him at the same time a fragment of the coffin of Washington—a fragment of that coffin in which reposed the sacred remain of Washington.

Was there anything in the incident? Was it, as it had occurred to him, a sad presage of what is to become of that great fabric which Washington reared?

He then moved that the resolution be made the special order of the day for Tuesday next. He did not intend, Mr. President, to enter into this discussion, and rise simply for the purpose of saying that I regret extremely that the distinguished Senator from Kentucky, in his laudable desire to settle a very troublesome question now agitating the people of the United States, should have seen proper, rather unceremoniously, as I think, to take one-half of the territory of the State I have the honor in part here to represent, to make a peace offering to a spirit of encroachment on the constitutional rights of one-half of this Union. I do not intend to enter into any discussion of that grave and important question, nor do I intend, when the discussion of these resolutions shall arise, to put myself in opposition to the powers of oratory of the distinguished Senator from Kentucky; but I do promise now to prove, when that discussion shall arise, that the boundaries of Texas are to the Rio Grande; that no power at all exists in Congress to take cognizance of that question; and that the Congress of United States cannot interfere with the boundaries of the State of Texas without inflicting a deeper stain on the high reputation of the Government of the United States for justice, than would be done by appropriating the entire amount of territory which was acquired by all for the exclusive benefit of one-half of those who acquired it.

Mr. Foote. Mr. President, I wish it were in my power to act in accordance with the request of the honorable Senator from Kentucky, (Mr. Clay,) who seems so strongly to deprecate debate, at the present moment, upon the resolutions introduced by him, and who has so strongly urged us to deliberate well and dispassionately upon these resolutions before we take ground against them. But indeed, sir, I feel it impossible to remain altogether silent without more or less subjecting myself to misconception, and exposing to serious danger principles which I hold to be indispensable to safety of the Southern States of the confederacy and to the integrity of the Union itself. I know well that the honorable Senator's intentions are pure and patriotic—that he designs only the safety and happiness of the whole republic; and yet I do verily believe that if the resolutions now introduced by him shall be adopted, accompanied by the remarks which he has just uttered in our hearing, without any response, or even suggestion of objection from any Southern Senator, a presumption of acquiescence might arise which would be deeply detrimental to a cause which I hold dearer than life itself. I do not propose to discuss these resolutions in extenso; I will not thus far interfere with the wishes of the honorable Senator from Kentucky; but a few remarks by way of protest, I must be allowed at once to put in. These, though, will be as brief as possible. In offering such remarks, I find myself somewhat embarrassed, in consequence of never having had an opportunity of reading the resolutions of the

honorable Senator, and only having heard them read by him in the course of his comments upon them. If I misconstrue their import in any particular it will not be a matter of surprise to any one, or constitute just ground of complaint against me.

If I understand the resolutions properly, they are objectionable, as it seems to me; 1. Because they only assert that it is not expedient that Congress should abolish slavery in the District of Columbia; thus allowing the implication to arise that Congress has power to legislate on the subject of slavery in the District, which may hereafter be exercised if it should become expedient to do so, whereas, I hold that Congress has, under the Constitution, no such legislative power at all, and that any attempt thus to legislate would be a gross fraud upon all the States of the Union.

2. The resolutions of the honorable Senator asserts that slavery does not now exist by law in the territory recently acquired from Mexico; whereas I am of opinion that the treaty with the Mexican Republic carried the Constitution, with all its guaranties, to all the territory obtained by treaty, and secured the privilege to every Southern slaveholder to enter any part of it, attended by his slave property, and to enjoy the same therein free from all molestation or hindrance whatsoever.

3. Whether it is or is not likely to be introduced into these territories, or into any one of them, is a proposition too uncertain in my judgement, to be at present positively affirmed; and I am unwilling to make a solemn legislative declaration on the point. Let the future provide the appropriate solution of this interesting question.

4. Considering, as I have several times heretofore, formally declared, the title of Texas to all the territory embraced in her boundaries as laid down in her law of 1836 full, complete, and undeniable, I am unwilling to say anything, by resolution or otherwise, which may in the least degenerate draw that title into question, as I think is done by one of the resolutions of the honorable Senator from Kentucky.

5. I am, upon constitutional and other grounds, wholly opposed to the principle of assuming State debts, which I understand to be embodied in one of the resolutions of the honorable Senator from Kentucky. If Texas soil is to be bought (and with certain appropriate safeguards to the sovereignty of Texas the value thereof in money, to be used by her as she pleases. It will be, as I think, more delicate and respectful to let her provide for the management of this matter, which is strictly domestic in its character, in such manner as she may choose—presuming that she will act wisely, justly, and honorably towards all to whom she may be indebted.

6. As to the abolition of the slave trade in the District of Columbia, I see no particular objection to it, provided it is done in a delicate and judicious manner, and is not a concession to menaces or demands of factionists and fanatics. If other questions can be adjusted, this one will, perhaps, occasion but little difficulty.

7. The resolutions which proved for the restoration of fugitives from labor or service, and for the establishment of Territorial Governments free from all restriction on the subject of slavery, have my hearty approval. The last resolution—which asserts that Congress has no power to prohibit the trade in slaves between State and State—I equally approve.

8. If all other questions connected with the subject of slavery can be satisfactorily adjusted, I see no objection to admitting all California above the line of 36° 30' into the Union; provided another new slave State can be laid off within the present limits of Texas, so as to keep up the present equilibrium between the slave and the free States of the Union; and provided further, all this is done by way of compromise, and in order to save the Union, (as dear to me as to any man living.)

Having thus frankly stated my objections to the honorable Senator's resolutions, and having stated also wherein I approve them, I shall cease to occupy the attention of the Senate.

WASHINGTON, Feb. 5.
Mr. Root's Territorial Bill, in which was incorporated the Wilmot Proviso, was voted down in the House of Representatives yesterday, by a considerable majority.

Commodore Daniel Turner, of the United States Navy, died very suddenly at Philadelphia to-day.

Close of the Drury Trial.—The trial of Drury, for carrying or sending a torpedo to blow up Mr. Warner, has come to a close without any exact result. The jury, after being out over twelve hours, came back yesterday morning into court, their foreman saying there was no possibility of their ever agreeing, whereupon the judge immediately dismissed them. It is understood that the vote in the jury stood eight for acquittal and four for conviction, without any prospect of a change in any of the parties. Upon this state of facts the jury were very properly dismissed by the judge.

KEOWEE COURIER

Saturday, Feb. 16, 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. E. HAGOOD, " Twelve Mile.
T. J. WEBB, for Anderson District.

We begin to entertain serious fears that our friend of the Messenger has in fact passed the line that separates the vigor of manhood from the imbecility of age. For it would scarcely be supposed that one "in the full vigor of his intellect," would make such an egregious mistake as to make public debt mean Bank capital. Yet our friend of the Messenger has made this exact mistake in his last week's paper, for in speaking of our article published on the 19th ult., he desires us to inform him how we "came to put down the Revolutionary debt of the State as a part of the Bank capital. Now if our friend had been inclined to do us justice, and had examined that calculation," he could not have failed to perceive that we had charged the Bank with no such thing, and that the statement there given referred entirely to the public debt, and not to the Bank capital. Our words in the article alluded to are, "we give a statement of the public debt, with the rate of interest and the amount of interest," &c. Not a word said about the amount of the Bank capital, or of what funds composed. How unjust and ungenerous the charge! Can any one who can read fail to comprehend our meaning? Why then this second attack upon us, with a silly insinuation "it may be that this is another error in the types?" If our readers have kept pace with us, we think that they will not fail to attribute the error to another quarter. Have we said enough to show that this second onslaught of the Messenger upon one and the same article is more capricious and uncalled for than the first? Have we said enough to satisfy the Messenger that he is equally as much mistaken in his second as in his first charge? Have we given him sufficient explanation? And as he says that he "may probably call the attention of his readers to other matters in this same calculation," we ask him first to set us right before he reads to our matter; and then we will be right in his next position and then go ahead.

We detect these contests and nothing but the necessity of self defense compels our publication of ourselves, and would only add that we agree with the Messenger that some never arrive at years of discretion, and leave our readers to judge between us.

As to this Revolutionary debt, we were aware that the Legislature had made annual appropriations for the payment of this interest. But it seems to us a little strange that our friend first quarrels with us for saying that the Bank does not pay the interest on the State debt, and then secondly to admit that we were right and refer us to the proof. It is nevertheless true, and if our readers will refer to the acts of the Legislature for the last nine years, ending in 1848, they will find that the round sum of \$57,600 in that time has been appropriated to pay the interest on the Randolph, and the three per cent Revolutionary debt. Were we right then in saying that the Bank had not paid the interest on the public debt? Examine for yourselves and be satisfied that no "Bunkum or Humbug stock" is brought in from the other side of the question.

NORTH CAROLINA.

The people of North Carolina are taking firm, decided and unequivocal ground in favor of a Southern Convention. The people are meeting in primary assemblies all over the State for the purpose of appointing delegates to the Convention at Nashville. The Commercial has the following relative to a meeting in Wilmington last week:

"SOUTHERN RIGHTS MEETING.—The meeting at the Court House on Tuesday evening was very full, and great unanimity prevailed. There was no passion, no undue excitement—but a deep and determined feeling was apparent, such as we have repeatedly declared to exist among us. It is not the 'fury of an hour,' but a firm resolve that will bear up under whatever trials may be before us. Mr. Toole and Mr. Reid addressed the meeting with effect; and Judge Strange made an admirable speech, well defining the position of a Southern patriot, a friend to the Union, determined to demand and enforce, at all hazards, his rights under the Constitution."

ABBEVILLE DISTRICT.

The Abbeville Banner of last week contains the Card of the Representatives of that District inviting their constituents to assemble at Abbeville C. H. on Saturday in March, for the purpose of carrying into effect certain resolutions adopted by the legislature of South Carolina, on the 10th December last, relative to the Nashville Convention. As we have heretofore, laid those resolutions before our readers, it is sufficient now to say, that they recommend the people of the State to meet together in the various Parishes and Districts, to nominate as many Delegates as they have members of the Legislature who are to assemble on the first Monday in May next, at some central point in their