

The Sumter Banner.

DEVOTED TO SOUTHERN RIGHTS, DEMOCRACY, NEWS, LITERATURE, SCIENCE AND THE ARTS.

WM. J. FRANCIS, Proprietor.

"God—and our Native Land."

TERMS—Two Dollars Per Annum In Advance.

VOL. V.

SUMTERVILLE, S. C. JULY 16, 1851.

NO. 38.

TERMS.

Two Dollars in advance, Two Dollars and Fifty-cents at the expiration of six months, or Three Dollars at the end of the year.

No paper discontinued until all arrears are paid, unless at the option of the Proprietor.

Advertisements inserted at 75 cents per square, (12 lines or less,) for the first single insertion, and half that sum for each subsequent insertion.

The number of insertions to be marked on all Advertisements or they will be published until ordered to be discontinued, and charged accordingly.

One Dollar per square for a single insertion. Quarterly and Monthly Advertisements will be charged the same as a single insertion, and semi-monthly the same as new ones.

All Obituary Notices exceeding six lines, and Communications recommending Candidates for public offices or trust—padding Exhibitions, will be charged as Advertisements.

Rev. FREDERICK RUSH, is a travelling Agent for this paper, and is authorized to receive subscriptions and receipt for the same.

Political.

Substance of the Remarks of HON. WILLIAM F. COLCOCK,

Delivered before the Convention of Southern Rights Associations, assembled in the Military Hall, Charleston, S. C., May 7, 1851. Mr. President and Gentlemen of the Convention: If a stranger should enter this hall, and see this unusually large assemblage of citizens from all parts of the State, composed as it is, in a great degree, of her wealth, intelligence and influence, he would at once come to the conclusion that some subject far beyond the circle of ordinary topics had brought them together.

A short time since a member of one of your local associations rises in his place, and offers a resolution proposing that a general convention of all the associations in the State should be held in this city for the purpose of consultation and co-operation.

In answer to this call, thus unobtrusively made, and without concert of excitement of any kind, I find you leaving your homes at this busy season of the year, and at much expense and inconvenience assembled here to-day to the number of near five hundred delegates.

This must afford to every one the most convincing proof of the earnestness and sincerity of your purposes, and of the deep and absorbing interest of the subject which brings you together.

I am aware that some of our friends whose judgment I highly respect, are of opinion that the action of this body should be confined strictly and solely to the objects and purposes prescribed in the constitutions of our associations, and that we should carefully abstain from the expression of any opinions which might have a tendency to forestall the action of the constitutional convention which has been recently elected, and into whose hands the safety of the State has been committed. Whilst I am free to confess that those views may have been urged in the first instance with much propriety against the call of this Convention, still I must be permitted to say that it is expecting too much of a popular assembly like this, under the circumstances which now surround us, to tread this narrow path without touching those great questions which lie on either side of it, and which now fill the hearts and minds of our whole people.

For one, therefore, I do not regret that the questions which are presented by the report and resolutions now before us, have been presented for our consideration.

I regard this as a family council, as a meeting of friends bound together by the indissoluble ties of a common destiny, and we should conduct our deliberations here, and our discussions hereafter, with that fairness, candor, and good temper, which are due alike to our own characters, and to the interest of our State, for whose welfare I know we all feel an equal and ardent devotion.

In entering on the discussion of the questions before us, the first thing that strikes the mind is the almost entire unanimity of opinion which pervades this body, and indeed the whole State, upon the subject of a dissolution of our present form of government. I feel myself justified in saying that it is the universal, deliberate, and well considered judgment of the people of South Carolina, that the government under which we

are living, as now administered, is destructive of their rights, property and safety; and that having no hope of reform, they are under the solemn obligations of duty to themselves and their children, to seek for security and protection under some other form of government. Am I wrong in this assertion, or do I state the proposition in terms that are too strong? If I am in error, then it would be idle for me to say another word, as this is the postulate of all the argument I expect to offer, and if it be not true I admit in advance that my conclusions will be false.

If the usurpations of this government; if its entire departure from its original purpose and design; if its hostility to our institutions; if its unjust and unequal administration; in short, if its utter unworthiness of our confidence and support, are still open questions or questions for re-consideration, then I have nothing to say which is worth a moment's attention.

If the people of South Carolina have not made up their minds on these questions, or if they desire to reverse their judgment, then let them exercise the privilege which unquestionably belongs to them as freemen; judge now, or reverse their judgment.

It may be unpleasant, nay it may be even humiliating, to retract opinions long and publicly avowed; but it is better, far better, to do so, than knowingly to persist in error, and to carry out doubtful opinions into decisive action. But I will not presume for a moment that any such state of feeling exists here or elsewhere; that there is any fluctuation of opinion among our people on the great questions connected with the continuance of this Government. I repeat, then, that having no hope of reform, we are all the avowed, deliberate, and sincere advocates of disunion. For this state of public sentiment I take my full share of responsibility, and so must all your public men—your Senators, your Representatives, your members of the Legislature, your public functionaries, you yourselves, the people, all, all are responsible.

The sentiment is unanimous that South Carolina must never submit to the past aggressions of the General Government. Now, whatever significance may be attached to the terms of "submission" and "resistance" elsewhere, I presume they are well defined in South Carolina. By "resistance" we do not mean mere protest and remonstrance, but something actual, practical, organized, forcible, if force be made necessary for defence. Such has always been the usual construction placed by this State on the celebrated resolutions of Kentucky and Virginia. When, therefore, it is said that South Carolina must never submit, I understand all those who hold this language to mean that the State shall, within a reasonable time, adopt some such practical, efficient, and decisive mode of resistance, as will justify the use of all her rights and resources, to relieve herself from the injuries which have heretofore been inflicted upon her.

Such is the seed we have sown.—Are we prepared to eat the fruit which it offers to our lips?

Mr. President, this is not the commencement of a new controversy.—We are in the midst of our old and long-pending contest, and our ground has already been taken. We must advance. We are advancing. We cannot close our eyes to the past. What has been done cannot be undone. The State, under the guidance and direction of her constituted authorities, has already taken the initiative, and entered on important measures. A convention of the people has been ordered and elected, and large supplies have been demanded and are in the course of expenditure.

Although I have heard objections made to the course of our Legislature on these subjects, yet it has never been repudiated by the people. That most delicate power, which every faithful representative exercises with a sparing hand—the taxing power—was freely exercised and as freely responded to by an earnest and intelligent people, who well understood for what purpose their money was demanded. It is now, therefore, too late, I repeat, to retrace the past.—What has been done has deliberately been done, and deliberately confirmed. The people have determined to put the State upon her sovereignty

in convention assembled, and to furnish her with the means of maintaining and defending her final judgment.—Into the hands of that august tribunal the honor, the liberty, and the safety of the State have been committed, and by its decision all must be prepared to abide.

Such, then, are the undisguised sentiments and purposes of the people of South Carolina, and such the present attitude of the State before the world.

Thus far have we advanced with almost perfect unanimity. Thus far have events been allowed to progress without scarcely any organized opposition.

For the present position of the State, then, we are all responsible. No appeal has been taken, and all are concluded by the past. From this high position, therefore, and from no other, we must now survey the whole field before us, and decide what the future demands of us which shall be in harmony and consistency with the present and the past.

Shall the next act in the drama sustain the unity of the preceding ones?

In this deeply interesting conjuncture of our public affairs we find ourselves assembled this day, and for the first time our counsels are divided—divided, too, on the gravest issue which can be presented for our consideration.

To me this division is a source of profound regret. At the very threshold I find myself called upon to differ from those with whom I have been associated all my life, and whose judgment and opinions I highly respect.

Foremost among these stands your senior Senator (Judge Butler)—whose stern devotion to duty and honor of South Carolina, and whose recent decisions on these questions, have been a source of great consolation and advice. Yes, Mr. President, it has been my lot, day after day, to stand upon the floor of the Senate Chamber during that memorable contest, whose history is familiar to you all, and to observe the conduct of that Senator, when after the death of your great statesman he had, single-handed and alone, to contend, in your name, for the cause of "truth, justice, and the Constitution." Few, sir, at a distance from the scene can fully understand and appreciate the cares, the anxieties, the heavy responsibilities of a situation like this to one of his proud spirit and pure integrity. Well and nobly did he discharge his high trust, and richly has he merited your confidence and affection. But although it is painful to differ from one I so much honor and esteem, I must imitate his example, and follow my own convictions of duty. I am consoled too by the reflection, that though we diverge at this point we will soon come together again, and that when the State decides between us, we will cordially unite in carrying out her decision.

Our discussions thus far have brought us to the consideration of two leading measures, both professing to have the same end in view. Before entering on the consideration of these measures, allow me to say that I understand it to be the general judgment of this assembly that the Legislature, at its next regular session, should appoint a time for the meeting of the constitutional Convention, which was elected in February last under its directions. No one that I am aware of proposes that the Legislature should decline this office. As the term of service of the present Legislature will expire on the second Monday in October, 1852, I presume as a matter of course, that the meeting of the Convention will be fixed at some period anterior to that day.—Assuming then that the Convention will be in session sometime between the 1st of January and the 1st of October, 1852, the measures for its consideration may be stated thus:

First Shall South Carolina abandon the preparation for resistance, which she has thus far made separately and on her own responsibility, without promise of co-operation from any State, and declining to carry on any further measures of that sort, announce to the other Southern States her determination not to secede alone, but to wait until a given number of such States shall through their governments pledge the public faith, either to secede in the first instance, or to co-operate with South

Carolina if she will take the initiative?

Second. Having failed up to this time to obtain any pledge of co-operation from the government of any other State, shall South Carolina secede alone?

The first measure, being that of my opponents, I have carefully endeavored to state with accuracy and precision; justice and fair-dealing demand this in every controversy. In one like the present I should despise myself were I capable of doing otherwise.

It may be urged that I have put the first branch of the question in too strong terms—"Shall South Carolina abandon her preparations" &c., for it may be said, she might continue her preparations, even though she determines to wait for co-operation. To this I reply that it is vain—utterly vain—to expect the people to submit to the present extraordinary rate of taxation, if their money is not wanted for immediate purposes. If, therefore, we decide to wait, we must certainly "abandon our present preparations."

I will now proceed to examine this proposition with the attention due to its importance, and the respect due to those who advocate it. I admit, without hesitation, that conjoint action on the part of two or more States, if it could be procured, is preferable to separate action on the part of any one State.

But I distinctly declare it as my deliberate judgment, that co-operation cannot be obtained in the manner proposed, in our day and generation. Is it intended to adjourn the issue to a distant future—to bequeath it to our children? Surely not.—Then we are to do the work ourselves, and it is with this understanding I shall proceed to give my opinion on the subject of co-operation.

It is admitted on all sides, that at present there is no hope of co-operation by any State, on account of the past aggressions of the Government, with the exception of Mississippi; and as her Convention is to meet in November next, her position will be defined previously to the meeting of our Convention.

The governments of all the other States have thus far, under the issues yet made, declined to adopt any measures of resistance. To the future then we must look for events to bring about co-operation. The compromise has failed to do so. If we wait then for new issues to produce co-operation, do we not agree to submit to the past, and to abandon the issue of the compromise as a case for present resistance? Will this not involve a wide departure from our past declarations? Will it not be taking, not only one, but many steps backwards? Caustically and sincerely I think so. But let this pass—let the objection be gotten round.

do not think it is met by saying: We do not submit to the compromise; we only bide our time.' Let us go on and see what the future has in store for us.

It is argued that co-operation will certainly be brought about by future aggressions; that the antislavery party in Congress will commit some open, flagrant, palpable violation of the rights of the slave States; something, I presume of course, worse than has already been done, which will unite these States in a determination to withdraw from the Union, and establish a Southern Confederacy.

I cannot concur in this view. To my mind, all the probabilities are against us. The aggressions, you observe, are to come from Congress, from the Government. They must be palpable, flagrant, invasions of your rights, committed under the forms of law. As it meant that they must be clearly unconstitutional, and such as the Supreme Court will so pronounce? But I will not hold our friends to this admission. Let us say, in general terms, that the measure will be of such a character, as, according to all reasonable presumptions, will unite the South in withdrawing from the Union.

Let us now inquire what are the probabilities that such measures will be adopted by Congress in our day. On looking over the whole field of controversy in which we are at present engaged, I can see no measures of the character referred to which Congress could adopt except two:

the abolition of slavery in the District of Columbia, and the repeal of the fugitive slave law. These are the only two measures which stand out prominently in the foreground. I can think of no others. No slave State is applying for admission, no territory remains for the application of the Wilmot proviso. No one, I presume, would pretend to say that any legislation on the old issues of the tariff, a bank, or internal improvements, would unite the South in any measures of resistance to this Government. The aggressions referred to by our friends, I presume, are to be direct anti-slavery measures.

Let us see, then, if either of the measures I have named are likely to be adopted by Congress.

First, as to the abolition of slavery in the District of Columbia. In my opinion this measure will not be adopted, or, if it is, it will be in such a form as will fail to produce united resistance on the part of the South. These are my reasons for this opinion. Whilst I believe that the antislavery or abolition party is increasing both in Congress and out of it, yet I do not believe that they will have strength enough to accomplish this measure at this time.

Politicians manage these things in Congress. They have the power to do so at present, and understand their business thoroughly. They will permit nothing to be done at this time which will unite the South.—They cannot stop agitation, it is true, either in or out of Congress. Men will talk, and rant, and write, but when it comes to voting, the inventions are numerous for arresting that evil. The authors of the compromise are still upon the stage. That measure is to be made a test question. All others are to yield to it for the present. The Presidential election is at hand, and although it is wanted now, is to keep the South quiet. A peace must be patched with her. She must be let alone for a while, until her back becomes fitted to the burthen which has just been placed upon it. She must be flattered, and courted and cajoled. Liberal offers will be made to induce her to join in the canvass. High places will be promised her; in short, she is wanted and must be won. This is the course things will take, and only let South Carolina give up her purpose of secession—let her say that she will not leave the Union until she obtains co-operation through future aggression, and resistance in any form is at an end. But I have intimated that this measure might be adopted in a form which will fail to produce the result which our friends predict. Let me explain what I mean.

If slavery is abolished in the District of Columbia at the present day, it will be done with the consent of the slaveholders there. That species of property is becoming daily more insecure, and of course less valuable. The facilities for abduction, the spread of abolition doctrines, and the presence of some 8 or 9000 free negroes, against 3 or 4000 slaves, out of a total population of 50,000, all combine to render slave property there of very little value. When the alternative is presented to the people of the District of losing their slaves altogether, or selling out even at a reduced price, it is plain which course they will adopt. The consent of the slaveholder to sell will thus be easily obtained, and then the right of Congress to purchase will be the only remaining difficulty to be overcome. Now, it must be remembered that the general power of Congress to abolish slavery in the District of Columbia is still an open question.—Mr. Clay, and his school of politicians, if I understand them, admit the power, but say that its exercise would be a breach of faith to Virginia and Maryland whilst they remained slaveholding States; and now, since the retrocession of Alexandria to Virginia this objection would be narrowed down, I presume, to a breach of faith to Maryland alone.—If slavery, therefore, should be abolished in the District of Columbia with the consent of the slaveholders, the question then comes up. Will the South unite in dissolving the Union because Congress has done, what, in the judgment of the greatest party leader of the day, and his numerous followers, is only a breach of faith to Maryland? Will Maryland herself, with 78,000 free negroes to 89,000

slaves within her borders, (for such is the astounding fact disclosed by the last census,) be the first to raise the banner of disunion. Will Georgia do so? Before her Convention met I would have answered this question without an instant's hesitation in the affirmative. But the action of that Convention has afforded ground for very grave and painful doubts on this question.

Previously to the meeting of that body it had become the uniform, invariable mode of expression on this subject by all the Southern States to say, if Congress should abolish slavery in the District of Columbia, then, &c. This was the stereotyped formula of words—plain, distinct and unequivocal, which had entered into the vocabulary of the whole South in laying down their platform of resistance. But the Georgia Convention, deliberately, and upon consideration, abandoned the use of these plain terms, which could give rise to no dispute as their true intent and meaning, and adopted this mode of expression: 'That the State of Georgia, in the judgment of this Convention, will and ought to resist, even (as a last resort) to a disruption of every tie which binds her to the Union, any action of Congress upon the subject of slavery in the District of Columbia, or in places subject to the jurisdiction of Congress, incompatible with the safety, the domestic tranquility, the rights, and the honor of the slaveholding States,' &c.

Now, I ask, what does this change of phraseology mean? It must mean something, or why adopt it in preference to the other, which has become as familiar as household words to the whole South. Was it intended to leave a door open for a new issue on this question? 'To abolish slavery' is a simple idea easily understood. 'Any action of Congress on that subject, incompatible with the safety, the domestic tranquility, the rights, and the honor of the slaveholding States' is a very complex proposition, and gives rise at once to doubt and construction.—This action on the part of Georgia justifies, I repeat, very grave doubts as to the course she would pursue if slavery should be abolished in the District of Columbia, with the consent of the slaveholders, or in any other way which it might be argued was not incompatible with the rights, honor, safety and tranquility of the South.

Let it never be forgotten that Virginia, in 1847 and '48, made the abolition of the slave trade in the District of Columbia a measure which she would resist at every hazard and to the last extremity. But, in 1849, she abandoned this ground, and fell back upon the abolition of the slave trade between the States as her 'casus belli.' When asking how this change of position was justified, the only reply I have received was this: 'We found we had taken too high ground, and we abandoned it and took another position.' So I fear it will be found that in ten years from this time the emancipation by Congress of some two or three thousand slaves in the District of Columbia, with the consent of their owners, involving, as many think, no breach of the Constitution, but only a breach of faith to a single State, which State may be the first to excuse it, is too high ground to justify the secession of any member of this Confederacy.

I repeat, therefore, my deliberate opinion, that slavery will not be abolished in the District of Columbia in our day and generation, or, if it is abolished, it will be done in some way which will prevent united resistance on the part of the South.

The next measure to which I have referred is the repeal of the fugitive slave act. It is a matter of infinite surprise to me how any close observer of our political affairs can for a moment suppose that this law will be repealed by the next Congress, or for many years to come. This is the only measure of the compromise whose repeal is threatened. Some of those measures are, in fact, irrepealable by Congress; they need no further help from their friends, but can now take care of themselves. But the issue of repeal is distinctly made on the fugitive slave law, and though the efforts of the Abolitionists may be bold, open, and vigorous, they cannot carry a majority of both houses of Congress and the President. The administration and all the advocates of the

compromise have determined to keep this law upon the Statute Book.—That is the issue. Its execution is another thing. We all know it is practically repealed already. All laws may sometimes require extraordinary means to enforce them, but a law which always requires such means for its enforcement is not worth the parchment it is written on. This is a truth which sooner or later will force itself upon the popular mind, and hence the deep anxiety and embarrassment of the Administration, and the advocates of the compromise in relation to this law. They know in their hearts and consciences that this law is not what every law ought to be, the instrument of cheap and speedy justice; and hence they seek to cover up this glaring fact, and to create a diversion upon the issue of its mere formal repeal by Congress; and upon this issue, I tell you, they will succeed, let Giddings rave, or Seward plot, or Sumner talk heroics as he may.

Although I have a most perfect conviction that this law will not be repealed, I have at the same time a very strong conviction that it may be modified to suit Northern prejudices. I do not mean to say that this is certain. I desire to state my positions with exactness and without the least exaggeration.

The advocates of the compromise declared from the day of its adoption they would oppose the "repeal" or "any essential modification," of the fugitive slave law. Mark you, any essential modification. Now there are several features of that law which its supporters are ready to modify, for the purpose of increasing their strength at the North, if they could venture to do so; and they would say they were not essential modifications. For instance, they would be willing to modify that provision which allows the court to order the return of a fugitive slave, if the claimant, to be used in evidence without further proof, except as to identity, &c. This would be a sop to Cerberus. As to the trial by jury, I presume Mr. Webster himself would be willing to engraft that provision on the law, for it was a provision in the bill which he himself introduced before leaving the Senate.

Repeat, therefore, I regard as out of the question. Modification or amendment may be attempted, but very cautiously.

The abolition of slavery in the District of Columbia, and the repeal of the fugitive slave law, then, are the only overt acts of aggression which, in my judgment can be committed by Congress against the South at this time. I feel the most abiding confidence that neither will be done in our day. Our adversaries will take care that the measure of aggression shall be just so much as will stop short of uniting the South. Your patience shall be their gauge. The advocates of co-operation then must adjourn the question of disunion to another day. If the past, or any issue which may be made upon the past, cannot unite the South, then the future of our day will afford no measure for resistance.

My solemn belief, therefore, is that co-operation is submission to the compromise. Submission to the past, with no hope for the future. Now, in using the term submission, I do not mean to apply it in any offensive sense whatever to our friends who differ from us on this occasion. Far from it. I know they are men who would spurn the idea of voluntary submission, with all the scorn and indignation of unsullied patriotism. I speak to them, as I would have them speak to me, with sincerity and respect.—I must be allowed, therefore, to say to them, your position drifts you with the inevitable certainty of the Gulf Stream to submission. You will ratify the compromise. The voice of South Carolina will be hushed. She cannot go back to feed upon the husks of high sounding resolutions, protests and remonstrances. In two years she will sink down into the attitude of utter non-resistance: no human power can avert this result.—What in others might be tolerated, in her would be derided. She has gone so far that she must now, 'be a law unto herself.' But it may be said, we will be in no worse condition than our friends who are in a minority in the other Southern States. This is a capital error. Our positions are widely different. They are struggling

(CONTINUED ON FOURTH PAGE.)