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THE NATIONAL ERA.

WASHINGTON, SEPTEMBER 30, 1850.

For the National Era.

THE PUBLIC HEART.

THE RULE OF RIGHT—MAN'S MORAL SENSE.

BY ISAAC H. JULLIAN.

"*I will place within them as a guide*
My umpire Conscience."
Gon in Milton.

Oh! listen to the throbbings of the mighty public heart!
Healing strong for Truth and Justice, bidding knave and tyrant start!
God is speaking in its cadence, He gave its earliest tone,
And it still repeats the harmony nearest to his throne!
As, like a front unyielding in purity and force,
It springs and swells eternally, aspiring to its Source.

Is human nature wholly false? Does Mammon reign supreme?
Is there no lingering ray divine, its darkness to redeem?
Let rapt Athens answer, treading there in the dust,
Hending not her great Themistocles, but Aristides Just;
Let Greece united answer, when Plinilius' decree
Awoke the thunder of her voice for new-found liberty!

Let Britain's millions answer, who, forgetting their own wrings,
Stretch eight hundred thousand manacles from slavery's crowding throngs,
And unshackled heavenly bites in grateful freemen's songs!
Yes, the self-same sun whose morning beams shone sadly on the cabin
And melancholy beauty of the slave-thronged lelas of Inlin,
Hoard their song of freedom rise at eve to Heaven like a psalm!

Let fiery France make answer—never call her struggles vain!
Behold her crying unto God for liberty again!
While the tempests on her gather, who, with countenance serene,
With a glory streaming round him, rises up to still the scene?
'Tis the great Christian statesman, immortal Lamartine!
He speaks—and rage and clamor, and the cry for human blood,
Are drowned in cheers of liberty, and songs of brotherhood!

Nation calleth unto nation, as deep answereth unto deep—
And lo, thy soul, Columbia! arouses as from sleep!
Arouses—and the fetters which bound her in her shame,
Part asunder at her rising, as dew before the flame!
Now hind again prisons, living statesmen! if you can,
And quell her pulse's throbbings for the holy rights of man!

Ye are wise in sordid craftiness, ye are men of mighty mind,
But God has your own heartlessness bestowed not to your kind;
And though, like Alpine summits, ye may soar aloft—to freeze,
Yet weight is as the slender reed's, swayed by the evening breeze;
For the fount of human feeling, in an exhaustless tide,
Is pouring forth a lava flood to whelm you in your pride!

Oh! listen to the throbbings of the mighty public heart!
God is speaking in each cadence! "Let your sordid aims depart!
Man is more than food or raiment, more than gold or silver bright;
Wealth and power are worthless bubbles, weighed against my Truth and Right!
Cease your impious machinations—dread the vengeance of my ire—
Stay your insolent rebellion 'gainst the goodness of your God!"

Mount Vernon, Linn County, Iowa.

For the National Era.

APOLONIA JAGIELLO.

BY GRACE GREENWOOD.

During a late visit to Washington, it was my good fortune to become acquainted with Mlle. Jagiello, the Hungarian heroine, who was then staying at the house of her friend, M. Tyssowski. Becoming much interested in her, I requested to be allowed to write a sketch of her "strange, eventful history"—knowing that, in so doing, I should not only give myself a rare pleasure, but gratify my countrywomen, to most of whom the brilliant career of the brave woman-soldier is more a dazzling dream of romance than a simple reality. To assist me in this pleasant work, a friend of Mlle. Jagiello, Major Tochman, of Washington, was so kind as to furnish me with some memoranda of facts, which she had communicated to him; and upon this authority I shall proceed in my brief biography. These notes are not as full as I could desire in regard to the private life and personal relations of the heroine; but I understand that there are reasons why matters of this kind should not now be made public.

Apolonia Jagiello was born in Lithuania, a part of the land where Thaddeus Kosciusko spent his first days. She was educated at Cracow, the ancient capital of Poland—a city filled with monuments and memorials of the glorious past, and full of every Pole the past glory of his native land. There, and in Warsaw and Vienna, she passed the days of her early girlhood. She was about nineteen when the revolution of 1846 broke out at Cracow. "That revolution," says Major Tochman, "so little understood in this country, although of brief duration, must and will occupy an important place in Polish history. It decided the emancipation of the peasantry and the abolition of hereditary rank, all over Poland; proclaimed equality, personal security, and the enjoyment of the fruits of labor, as inherent rights of all men living on Polish soil. It was suppressed by a most diabolical plot of the Austrian Government. Its mercenary soldiery, disguised in the national costume of the peasants, excited against the nobility the ignorant portion of the peasantry in Gallicia, which province, with other parts of ancient Poland, had to unite in insurrection with the republic of Cracow. They were made to believe, by those vile emissaries, that the object of the nobility was to take advantage of the approaching revolution, to exact from them higher duties. In the mean time the civil and military officers of the Austrian Government disclaimed proclamations, at first secretly, then publicly, offering to the peasants rewards for every head of a nobleman, and for every nobleman delivered into the hands of the authorities alive. Fourteen hundred men, women, and children, of noble families, were murdered by the thus excited and misled peasantry, before they detected the fraud of the Government. This paralyzed the revolution already commenced in Cracow.

"The Austrian Government, however, did not reap the full fruit of its villany; for when the peasants perceived it, they arrayed themselves with the friends of the murdered victims, and showed so energetic a determination to insist on the rights which the revolution at Cracow promised to secure to them, that the Austrian Government found itself compelled to grant them many immunities."

This was the first revolution in which Mlle. Jagiello, who was then in Cracow, took an active part. She was seen on horseback, in the picturesque costume of the Polish soldier, in the midst of the patriots who first planted the white eagle and the flag of freedom on the castles of the ancient capital of her country, and was one of the handfull of heroes who fought the battle near Podgorze, against a ten-fold stronger enemy. Mr. Tyssowski, now of Washington, was then invested with all civil and military power in the Republic. He was elevated to the dictatorship for the time being, and by him was issued the celebrated manifesto declaring for the people of Poland the great principles of liberty to which we have already alluded. He is now a draughtsman in the employ of our Government.

After the Polish revolution which commenced in Cracow was suppressed, Mlle. Jagiello resumed female dress, and remained undetected for a few weeks in that city. From thence she removed to Warsaw, and remained there and in the neighboring country, in quiet retirement among her friends. But the revolution of 1848 found her again at Cracow, in the midst of the combatants. Alas! that revolution was but a dream—it accomplished nothing—it perished like all other European revolutions of that year, so great in grand promises, so mean in fulfilment. But their fire is yet smouldering under the ashes covering the Old World—ashes white and heavy as death to the eye of the tyrant, but scarcely hiding the red life of a terrible retribution from the prophetic eye of the lover of freedom.

Mlle. Jagiello then left Cracow for Vienna, where she arrived in time to take a heroic part in the engagement at the faubourg Widen. But her chief object in going to Vienna was to inform herself of the character of that revolution, and to carry news to the Hungarians, who were then in the midst of a revolution, which she and her countrymen regarded as involving the liberation of her beloved Poland, and presaging the final regeneration of Europe. With the aid of devoted friends, she reached Preeburg safely, and from that place, in the disguise of a peasant, was conveyed by the Hungarian peasantry carrying provisions for the Austrian army, to the village of St. Paul.

After many dangers and hardships in crossing the country occupied by the Austrians, after swimming on horseback two rivers, she at last, on the 15th of August, 1848, reached the Hungarian camp, near the village of Kneesey, just before the battle there fought, in which the Austrians were defeated, and lost General Wist. This was the first Hungarian battle in which our heroine took part as volunteer. She was soon promoted to the rank of lieutenant, and, at the request of her Hungarian friends, took charge of a hospital in Comorn. Whilst there, she joined, as volunteer, the expedition of 12,000 troops, under the command of the gallant General Klapka, which made a sally, and took Raab. The heroine in safety to Comorn, where she remained, superintending the hospital, until the capitulation of the fortress.

She came to the United States in December last, with Governor Ladislas Ujhazy and his family, where she and her heroic friends received a most enthusiastic welcome.

I know that some of my gentle and delicate countrywomen may shrink from a contemplation of the martial career of Mlle. Jagiello, or regard it with amazement and a half-fearful admiration. But they must remember for what a country she fought, with what an enemy she contended. Loving Poland with a love which had all the strength and fervor of a religion, contending its haughty and brutal oppressors with all the intensity of a high and passionate nature, when the hour of uprising and fierce struggle came at last, could she do otherwise than join her brothers? To cheer them with her inspiring voice—to strike with them for the one glorious cause—a great purpose, making strong her girlish arm, and the dawn of a great hope brightening in her eye. Ah! those beautiful eyes! How often must her brave followers, when sad and disheartened, have turned to them for cheer and guidance, drinking fresh courage from those fountains of light.

The eagerness with which our heroine took part in the Hungarian revolution, proved that her patriotism was not confined within the narrow limits of her native land; that she loved freedom more than her native Poland. In the station which she so readily filled in the hospital at Comorn, as the patient nurse of the wounded and the comforter of the dying, she revealed beneath the heroism of the soldier the tenderness of the woman—a heart within a heart. The hand which had clenched the sword with a firm grasp, and been stained with the base blood of the Austrian, looked very soft and fair as it smoothed the pillow of the cloie, or held the cooling draught to fever-parched lips; and the eye which had looked steadily on the mad rush, the flame and tumult of the fight, and flashed its beautiful defiance in the face of the advancing foe, grew wondrous pitiful as it gazed upon the bleeding and prostrate patriot, and dropped fast tears on the dead brow of a fellow-soldier.

The daughters of Poland and Hungary are a grand race of women. They do not assume the garb and take the arms of the soldier, nor do his terrible work, because they are stern, and hard, and warlike by nature, but because all that is dear to them on earth—home, honor, liberty, and love—are at stake. They fight with and for the best loved of their hearts—their great hearts, which cannot comprehend a feeling that would cause them to shrink from the side of a father, a husband, or a brother, in the hour of extremest peril. Their courage, after all, is of that quality which

"Is but the tender fierceness of the dove,
Pecking at those who have crossed her young ones."

Many were the heroines actively engaged in serving the cause of Freedom during the Hungarian struggle. Not alone in the saddle and under arms, but in ways and capacities not less honorable, though perhaps less imposing. General Pragay, in his work on Hungary, says:

"No sooner had Windischgrätz gratified himself with executions by the dozen, and guarded the hospitals with his cannon, than he marched his disposable force, amounting to 72,000 men, upon Hungary. It was quite impossible to resist such a power in extended cantonments, and after several unimportant actions, Gorgey ordered a general retreat to Raab, in the middle of December. Here intrenchments were thrown up, *on which the noblest ladies worked with their delicate hands.*"

A sister of Kossuth served during the war as general superintendent of hospitals; Mlle. Mary Lagos served as adjutant in the brigade of General Asherman. She was taken prisoner, and her fate is unknown. Mlle. Cawl served as captain; she was a niece of General Windischgrätz, and fought twice against the Austrians commanded by her uncle. She was taken prisoner in a battle fought against the infamous Haynau, and shot by his order.

Not vainly have those glorious women dared, and struggled, and endured, and died. The world needs such lessons of heroic devotion—of the soul's greatness triumphant over mortal weakness—and their names, wreathed with the rose, the laurel, and the cypress, shall be kept in sweet, and proud, and tender remembrance. Those heroes are honored, and great deeds can rouse human hearts, and while the tyrant is hated of man and accursed of God.

Mlle. Jagiello is now with us. She seems to regard the land of her adoption with admiration and affection, though looking on its beauty and grandeur through the tearful eyes of an exile.

There are many readers who have never seen the Hungarian, or rather Polish heroine, may be interested in hearing something of her *personnel.* She is now about twenty-four, of medium height, and quite slender. Her arm and hand are especially delicate and beautiful, and her figure round and graceful. She is a brunette, with large dark eyes, and black, abundant hair. Her lips have an expression of great determination, but her smile is altogether charming. In *that* the woman comes out; it is arch, soft, and winning—a rare an indescribable smile. Her manner is simple and engaging; her voice is now gentle or mirthful, now earnest and impassioned—sometimes sounds like the utterance of some quiet, homely or pathetic song, and sometimes startles you with a decided ring of the steel. Her enthusiasm and intensity of feeling reveal themselves in almost everything she says and does. An amusing instance was told me when in Washington. An album was one day handed her, for her autograph. She took it with a smile; but on opening it at the name of M. Bodisco, the Russian ambassador, pushed it from her with flashing eyes, refusing to appear in the same book with "the tool of a tyrant!"

Yet, after all, she is one to whom children go, feeling the charm of her womanhood, without being awed by her greatness. She bears herself with no military air; there is nothing in her manner to remind you of the camp, though much to tell you that you are in the presence of no ordinary woman.

The life of a soldier, with its dangers and privations, with all its fearful contingencies, was not sought by Jagiello for its own sake, nor for the glory it might confer, but was accepted as the means to a great end. She believed that the path of her country led through the Red Sea of revolution, to liberty and peace, and stood up bravely by the side of that country. Her young heart fired, and her tender arm nerved with a courage that knew not sex.

As the women of America have given their admiration to her heroism, they will give also, and more abundantly, their sympathy to her misfortune. She bears to our shores a weary and an almost broken heart. May she here find repose and consolation, while awaiting that brighter day, which shall as surely dawn for her unhappy country, as freedom is the primal right of man, or oppression is a falsehood and a wrong, and God is over all.

For the National Era

BESSIE LINDSAY; OR, THE HOYDEN TAMED.

BY MARY IRVING.

"Come to our hearth and home, Charles—we will give you a welcome for your poor mother's sake, as well as your own. They tell us you're pining away off in that pent-up city, and going the way *she* went. Don't kill yourself studying, my boy; it's a sin, besides being a folly. Come out into the country for a bit of fresh air and fresh life! I haven't seen you for many a year, Charley; but if you're alive to the little shaver that used to chase my oxen and hunt my bird nests a dozen years ago, why, you'll still find something to stir your blood on 'Squire Lindsay's old-fashioned place. My poor wife has been dead these nine years come next Christmas; but I have girls enough to keep the old house lively, and not a bit of a 'laddie' among them. Come, Charles, I'm in right down earnest. My girls want a brother, I want a son, and you—you want a home and good nursing. I can't forget that you are Alice Wilson's boy—the child of my own favorite cousin; and there's a sort of rising in my heart when I remember it, that gives me a kind of feeling of claim on you. So come, my boy, now don't refuse an old friend's homely, blunt way of asking. Come to us for the whole summer!"

Thus ran the warm-hearted letter which Charles Franklin read reclining, one pleasant eve of spring-time, by the twilight gleams that glanced through a high western window in a city block. There was a grateful, almost buoyant smile on his countenance, but it was unmistakably "sicklied o'er with the pale cast of thought." Charles Franklin had buried, six months before, a mother almost idolized—a mother whose moonlight smile from her sick chamber had shed a sombre cheerfulness over his whole young life. She was his only remembered parent, and remembered as always a sufferer. He had left his college cares to follow her to the far South, and there soothe her last hours. She had breathed out her calm life on his shoulder, and he had come back to sotive life with the "shadow of a great grief" on his futurity.

Yet he shrank not from the battle-field of Duty into the morass of Melancholy. He felt that her angel eye was watching him from the skies; he knew how she would have striven to nurture in his heart those seeds of patience, fortitude, and disinterestedness, which she had planted there from her own. "I will fulfil a destiny she shall smile upon!" was his resolve. With the vow of a high and holy profession upon his spirit, he threw himself again into the arena of study, and wrestled with the masters of old, as one who was determined to rifle their most hidden treasures. But the conflict with emotions thus nobly conquered had left his spirit's tenement too weak for the weight of duty he laid upon it; and sudden illness came to suspend for a time his plans.

The sharp visage of his "tutelar Esculapius" protruded itself through the doorway just as Charles was thoughtfully refolding his letter.

"Walk in, walk in, Doctor! good evening!" exclaimed he, advancing a chair, toward which the portly Dr. strode with a sort of impatient dignity.

"Books! books again!" growled he, thumping his knuckles upon the well-strewn study table beside him. "What were my orders, young man?"

"Only recreation, Doctor! Positively I was tiring to death of nothing to do, so I took up my Trigonometry for an hour *only.*"

"Trigonometry be hanged! or you will be—worse off!" exclaimed the offended dignitary, frowning fearfully as he rolled up his cuffs for the preparation of some powders. "I wish you were well away from under this roof and my care! These obstinate fellows! they are enough to ruin any clever man's reputation!"

"Aha! well, Doctor, what do you think of despatching me into the country for a month or two? I have just received an invitation from a kind old friend, a connection of my mother."

"Go! go! by all that's hopeful," exclaimed the physician. "There's no rest or respite for you *here*, I see plainly enough. Go upon a farm—hoe corn—dig ruta-bagas—hunt—swim—flirt with the country girls; do anything but study! and you may 'throw physic to the dogs,' with my hearty amen!"

"It is a journey of a hundred miles, Doctor. How soon is it advisable for me to set out?"

"This week—to-morrow—by all means, if you can. Be off with yourself forthwith! and mind! don't let me see you again until you are as ruddy and sunburnt as a Seminole!"

He rose to leave.

"But, Doctor," inquired Charles, laughing, "you are not serious in interdicting *all* study?"

"Yes, youngster! all but the study of botany and black eyes, if you please! As for this rubbish here, I *positively* forbid you to load your trunk with an inch of it. As you value your life, take heed! Take your eye off the valedictory, young man! You may blaze up like the rocket, but your life will be almost as short. Make a lesser star of yourself, and you may chine out your appointed time."

"You mistake me, sir; indeed, I am not ambitious!" replied Charles, with a slight glow suffusing his pale cheek.

"The mistake is in you!" rejoined the Doctor, incredulously. "This a wonderful age, this! Men imagine mind works by steam, like their new-fangled inventions. Why, it would kill an ox to sit bent as you young gentlemen bend over your books, through two-thirds of the blessed twenty-four hours! But I will rick your stumbling upon any mosty tomes in that out-of-the-way corner. Good evening, sir! a pleasant journey to you. Good evening!"

And the Doctor, a wiser worthy than some of his cotemporaries, clammed together his portmanteau, and bowed himself out.

The middle of a sultry afternoon landed Charles, dusty and weary enough with stage jolting, at the door of a low, old-fashioned farmhouse. I shall not attempt its description; for Daguerreotypes of places, as well as of persons, are too likely to turn out only prim caricatures of their originals; and that, too, in proportion to the fascinations of said originals. Charles only saw, at the first glance, three elms that invitingly waved him forward, and, any, two lofty maples which shaded the short and sanded avenue. A grayhaired man, with a calm, kind smile, stood on the door-stone at its extremity to welcome him; and two or three heads were vaguely peeping out from behind the muslin curtain of the "best parlor" window.

"Charles Franklin, I'm sure, and no other!" exclaimed his warm welcomer, with a cordial but courtly grasp of the hand. "Like mother, like son, sure enough. I should have known you among a thousand. Walk in—walk in—never mind your fare!" and, hurrying him through two low doorways, 'Squire Lindsay (for such prefix the plain farmer bore) ushered him into the assemblage of his family.

A dark, thin-featured, sharp-eyed "maiden," of an age beyond the "uncertain," quite formidable in a starched cap and immaculate apron, fixed Charles' eye at entering, as if by mesmeric power. She was whirring a wheel with the velocity of a small wind-mill, and turned upon him with a suddenness quite startling. "Aunt Hetty," as she afterwards learned to call her, or "Miss Lindsay," as she then introduced to him, was a well-meaning virago, whom no one but her all-enduring, imperturbable brother would have retained at the head of his young family. "Every one has a vocation, and that vocation is determined by natural gifts." If this be true philosophy, Aunt Hetty had not mistaken her own; for few could boast greater capabilities in the scrubbing and scolding line.

Mary Lindsay, her father's eldest—an invalid, with a slight veil of capriciousness and unrest over pale, regular features—was next brought to his kindred.

"Milly, the next one, is in the south district, teaching—you should see her proud mother's eye! Bessie, the rogue, is off in the woods, or the sheep in the meadows, as usual!"

"Yes, Aunt Hetty, she's riding Leopold to water," spoke up little Bella. "I spy her! There—now!"

Charles turned to the window by which he was sitting, just in time to see a long brown dash mass at a most alarming pace, ridden by a gipsy-looking girl, without saddle or stirrup—her sunbonnet swinging back in the wind and dust, with her laughed hair.

"Bessie is a sad romp!" observed the father, with a quiet, apologetic smile; "but we hope she will tame down somewhat as she grows. We have only remembered parent, and remembered as always a sufferer. He had left his college cares to follow her to the far South, and there soothe her last hours. She had breathed out her calm life on his shoulder, and he had come back to sotive life with the "shadow of a great grief" on his futurity.

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[CONTINUED FROM FOURTH PAGE.]

of such fugitive from service or labor, or by seizing and arresting such fugitive, where the same can be done without process, and by taking, or causing such person to be taken, forthwith before such court, judge, or commissioner, whose duty it shall be to hear and determine the case of such claimant in a summary manner; and upon satisfactory proof being made, by deposition or affidavit, in writing, to be taken and certified by such court, judge, or commissioner, or by other satisfactory testimony, duly taken and certified by some court, magistrate, justice of the peace, or other legal officer authorized to administer an oath and take depositions under the laws of the State or Territory from which such person owing service or labor may have escaped, with a certificate of such magistracy or other authority, as aforesaid, with the seal of the proper court or officer thereto attached, which seal shall be sufficient to establish the competency of the proof, and with proof, also by affidavit, of the identity of the person whose service or labor is claimed to be due as aforesaid, that the person so arrested does in fact owe service or labor to the person or persons claiming him or her, in the State or Territory from which such fugitive may have escaped as aforesaid, and that said person escaped, to make out and deliver to such claimant, his or her agent or attorney, a certificate setting forth the substantial facts as to the service or labor due from such fugitive to the claimant, and of his or her escape from the State or Territory in which such service or labor was due, to the State or Territory in which he or she was arrested, with authority to such claimant, or his or her agent or attorney, to use such reasonable force and restraint as may be necessary, under the circumstances of the case, to take and remove such fugitive person back to the State or Territory whence he or she may have escaped as aforesaid. In no trial or hearing, under this fact, shall the testimony of such alleged fugitive be admitted in evidence; and the certificates in this and the first section mentioned, shall be conclusive of the right of the person or persons in whose favor granted, to remove such fugitive to the State or Territory from which he escaped, and shall prevent all molestation of such person or persons, by any process issued by any court, judge, magistrate, or other person, whomsoever.

SEC. 7 *And be it further enacted*, That any person who shall knowingly and willingly obstruct, hinder, or prevent such claimant, his agent or attorney, or any person or persons lawfully assisting him, her, or them, from arresting such a fugitive from service or labor, either with or without process as aforesaid; or shall rescue or attempt to rescue such fugitive from service or labor, from the custody of such claimant, his or her agent or attorney, or other person or persons lawfully assisting as aforesaid, when so arrested, pursuant to the authority herein given and declared; or shall aid, abet, or assist such person so owing service or labor as aforesaid, directly or indirectly, to escape from such claimant, his agent or attorney, or other person or persons legally authorized as aforesaid; or shall harbor or conceal such fugitive, so as to prevent the discovery and arrest of such person, after notice or knowledge of the fact that such person was a fugitive from service or labor as aforesaid, shall, for either of said offences, be subject to a fine not exceeding one thousand dollars, and imprisonment not exceeding six months, by indictment and conviction before the district court of the United States for the district in which such offence may have been committed, or before the proper court of criminal jurisdiction, if committed within any one of the organized Territories of the United States; and shall moreover forfeit and pay, by way of civil damages to the party injured by such illegal conduct, the sum of one thousand dollars for each fugitive so lost as aforesaid, to be recovered by action of debt, in any of the district or territorial courts aforesaid, within whose jurisdiction the said offence may have been committed.

SEC. 8. *And be it further enacted*, That the marshals, their deputies, and the clerks of the said district and territorial courts, shall be paid for their services the like fees as may be allowed to them for similar services in other cases; and where such services are rendered exclusively in the arrest, custody, and delivery of the fugitive to the claimant, his or her agent or attorney, or where such supposed fugitive may be discharged out of custody for the want of sufficient proof as aforesaid, then such fees are to be paid in the whole by such claimant, his agent or attorney; and in all cases where the proceedings are before a commissioner, he shall be entitled to a fee of ten dollars in full for his services in each case, upon the delivery of the said certificate to the claimant, his or her agent or attorney; or a fee of five dollars in cases where the proof shall not, in the opinion of such commissioner, warrant such certificate and delivery, inclusive of all services incident to such arrest and examination, to be paid in either case, by the claimant, his or her agent or attorney. The person or persons authorized to execute the process to be issued by such commissioners for the arrest and detention of fugitives from service or labor as aforesaid, shall also be entitled to a fee of five dollars each for each person he or they may arrest and take before any such commissioner as aforesaid, at the instance and request of such claimant, with such other fees as may be deemed reasonable by such commissioner for such other additional services as may be necessarily performed by him or them; such as attending at the examination, keeping the fugitive in custody, and providing him with food and lodging during his detention, and until the final determination of such commissioner; and in general for performing such other duties as may be required by such claimant, his or her attorney or agent, or commissioner in the premises, such fees to be made up in conformity with the fees usually charged by the officers of the courts of justice within the proper district or county, as near as may be practicable, and paid by such claimants, their agents or attorneys, whether such supposed fugitives from service or labor be ordered to be delivered to such claimants by the final determination of such commissioner or not.

SEC. 9. *And be it further enacted*, That upon affidavit made by the claimant of such fugitive, his agent or attorney, after such certificate has been issued, that he has reason to apprehend that such fugitive will be rescued by force from his or their possession before he can be taken beyond the limits of the State in which the arrest is made, it shall be the duty of the officer making the arrest to retain such fugitive in his custody, and to remove him to the State whence he fled, and there to deliver him to said claimant, his agent or attorney. And to this end, the officer aforesaid is hereby authorized and required to employ so many persons as he may deem necessary to overcome such force, and to retain them in his service so long as circumstances may require. The said officer and his assistants, while so employed, to receive the same compensation, and to be allowed the same expenses, as are now allowed by law for transportation of criminals, to be certified by the judge of the district within which the arrest is made, and paid out of the treasury of the United States.

SEC. 10. *And be it further enacted*, That when any person held to service or labor in any State or Territory, or in the District of Columbia, shall escape therefrom, the party to whom such service or labor shall be due, his, her, or their agent or attorney, may apply to any court of record therein, or judge thereof in vacation, and make satisfactory proof to such court, or judge in vacation, of the escape aforesaid, and that the person escaping owed service or labor to such party. Whereupon the court shall cause a record to be made of the matters so proved, and also a general description of the person so escaping, with such convenient certainty as may be; and a transcript of such record, authenticated by the attestation of the clerk and of the seal of the said court, being produced in any other State, Territory, or district, in which the person so escaping may be found, and being exhibited to any judge, commissioner, or other officer authorized by the law of the United States to cause persons escaping from service or labor to be delivered up, shall be held and taken to be full and conclusive evidence of the fact of escape, and that the service or labor of the person escaping is due to the party in such record mentioned. And upon the production by the said party of other and further evidence if necessary, either oral or by affidavit, in addition to what is contained in the said record, of the identity of the person escaping, he or she shall be delivered up to the claimant. And the said court, commissioner, judge, or other person authorized by this act to grant certificates to claimants of fugitives, shall, upon the production of the record and other evidences aforesaid, grant to such claimant a certificate of his rights to take any such person identified and proved to be owing service or labor as aforesaid, which certificate shall authorize such claimant to seize or arrest and transport such person to the State or Territory from which he escaped: *Provided*, That nothing herein contained shall be construed as requiring the production of a transcript of such record as evidence as aforesaid. But in its absence, the claim shall be heard and determined upon other satisfactory proofs, competent in law.

HOWELL COBB,
Speaker of the House of Representatives.
WILLIAM R. KING,
President of the Senate pro tempore.

Approved September, 18, 1850.
MILLARD FILLMORE.

GENERAL CASS RENOMINATED.

The late State Democratic Convention in Michigan re-nominated General Cass for the Presidency in 1852, for the following reasons:

"We believe that no other name can be presented for the next Presidency, which will meet with such a hearty response from the Democracy of the country, that we deem a re-nomination due to his signal public services and the principles of the party for which he has so long and so faithfully struggled."

The Democracy of Michigan must be in love with defeat.

THE NATIONAL ERA.

WASHINGTON, OCTOBER 3, 1850.

☞ As but two months intervene between the adjournment of the present session of Congress and the commencement of the next, we hope no subscriber will permit his subscription to expire during this brief period without renewing it at once.

☞ Congress having adjourned, we shall devote more attention to our Literary Miscellany, and to the discussion of some topics hitherto necessarily neglected. The news department of the paper will also be better cared for.

HON. THADDEUS STEVENS.—A friend writing from Fulton, Lancaster county, Pennsylvania, says:

"We have a well-grounded prospect of sending Thaddeus Stevens to our next Congress. This shows that he has met our expectation."

Mr. Stevens doubtless will be reëlected. He is one of the few Representatives from Pennsylvania who have suffered no interest, no temptation, to impair their devotion to the cause of Freedom.

ADJOURNMENT OF CONGRESS.

Both Houses met last Monday, and adjourned *sine die*, at twelve o'clock, after a session of ten months.

LARD OIL.

We call attention to the advertisement of Mr. Emery, lard oil manufacturer at Cincinnati. Of the value of his manufacture we can speak intelligently, having for some months past been using his Lard Oil. The cost of it, delivered here in Washington, is scarcely more than half that of Sperm Oil, while it burns with as clear and beautiful a light, free from smoke or any unpleasant smell. We prefer it to any other material for lamps for ordinary use.

Mr. Emery has had large experience in the manufacture, and has arrived as near perfection as may be.

OUR CITY.

Washington has received a new impulse within the last twelve months. Indications of a vigorous prosperity everywhere meet the observer. New houses for residences, many of them beautiful edifices, are going up in all quarters. The population of the city is rapidly increasing, having nearly doubled since 1840. It is now over forty thousand. The number of slaves has greatly decreased, and the impression is that there are scarcely more than six hundred in the city. Property is rising in value, and capitalists are busy in making profitable investments.

Quite a liberal disposition was manifested by Congress, during the session just closed, to promote the welfare of the city. Provision was made for the enlargement of the Capitol, so as to afford better chambers to both branches of the National Legislature. An appropriation was also made for certain surveys, with a view to furnishing the city with an abundant supply of pure water—a most desirable object. And, it is hoped, that at the next session donations of lands may be made to aid in the establishment of a system of common school instruction, adequate to the wants of the city. Our excellent Mayor, we learn, will be prepared to submit to Congress a memorial on the subject, which, we doubt not, will be filled with valuable facts and suggestions.

The American People will not be displeased to see the capital city of their Republic fostered by the liberality of their Representatives congregating here from the shores of two oceans.

It is a beautiful city, with but a single blot on its character, and that is steadily disappearing. The slave trade has been abolished, and we look forward to the time, not far distant, when the soil of the District shall be consecrated entirely to Free Labor.

THE PASSENGER IN THE BOOT.

Mr. Benton is apt to be very pithy in colloquial comment. Conversing with a senatorial friend, the other day, about the Compromise or Omnibus, in which he took so tender an interest, he remarked: Sir, there were four inside passengers in that Omnibus—there was California, sir; there was New Mexico; there was Texas; there was Utah, sir!—four inside passengers. There were two outside passengers, sir: There was the fugacious Slave Bill, and the District Slave-trade Abolition Bill. They could not be admitted inside, but they had outside seats, and the inside and outside passengers could be seen and known, sir. But there was another passenger, under the driver's seat, sir; carefully concealed in the boot, sir; breathing though chinks and holes like Henry Box Brown, sir—the Tariff, sir! But he had a worse fate than Box Brown—he was killed—killed in the House, sir—and I hope we shall have no more Omnibuses and no more passengers in the boot, sir!"

We do not vouch for the form of these sententious remarks, but we give the substance. That there was an agreement, written, signed and sealed, that the manufacturers of cotton, iron, and woollen, should be favored with increased protection, we do not undertake to say; but that the Representatives in Congress of these classes, had assurances from Southern friends of the Compromise measure, of alterations in the tariff favorable to their interests, there can be no doubt. The repeated defeat of the protectionists lately in the House of Representatives, shows the value of all such assurances. The "passenger in the boot" has been killed—killed stone dead.

DISUNION MOVEMENTS.

The *Natchez Free Trader* states that a telegraphic despatch has been received in that city from Vicksburgh, announcing that Governor Quitman was in the act of writing a proclamation, convening the Legislature on the 20th October; and a memorial has been sent to Governor Collier of Alabama, signed by Ex-Governor Gayle and some fifty other persons, requesting him to convene the Legislature with a view to calling a convention "to redress Federal outrage and oppression."

There may be more importance in these disunion movements than we have imagined, but it seems to us that they are the work of a few disaffected malignants, who have certain ulterior objects to accomplish, which they do not avow. We do not believe that they will be sustained in any real disunion project by the masses of the People.

A beautiful list of Federal grievances the revolutionary Conventions have to redress! For example—the admission of a free State into the Union—the concession to Texas of ninety thousand square miles, which she never possessed, and the payment of ten millions of dollars for territory to which she never had a title—the organization of Territorial Governments without any restriction as to slavery—the passage of a fugacious bill, as Mr. Benton calls it, converting the free States into hunting grounds for the slave catchers!

They will not venture upon secession—not they. But, they will labor to consolidate the Slave Power, for the purpose of future aggression; to overawe the spirit of Emancipation; to organize a Public Sentiment in the South that by operating on the fears of the two old party organizations, may control the next Presidential election; to effect the introduction of Slavery into the Territories of Utah and New Mexico; and to pave the way for the annexation of Cuba, as slave territory. They cannot be blind to the advantage secured to the slaveholding States by the overthrow of the Wilmot Proviso. Had that measure passed, the conversion of our Territories to the uses of Slavery, and the annexation of Cuba, would have been impossible. Now, both are possible. No positive prohibition stands in the way of their designs upon New Mexico and Utah, and the majority of the Representatives in this Congress from the free States stand pledged to the admission of future States, whether slaveholding or non-slaveholding—a pledge which cannot but embolden the designs of the Slave Power on Cuba. It is well understood, too, that the leading Democratic statesmen of the North are favorable to the acquisition of this island.

With such prospects of growth within the Union, and of regaining their ascendency, Messrs. Quitman, Towns, and their co-laborers, will not go out of it. The purposes of their agitation will soon be revealed.

It is folly to imagine that the Slavery Question will be settled by the measures of the present Congress. Were the Free Soil men to discontinue their efforts, the Southern Extensionists would not. They have not abandoned the idea of an "equilibrium," through which Slavery is to control the operations of the Government. They will not be satisfied with anything short of supreme influence. Anti-Slavery men cannot lay aside their arms—cannot quit the struggle. The whole question of Freedom in the Territories is still undecided; and they will be obliged yet to meet the issue of Cuban annexation. Who doubts that General Cass, if it be necessary to secure his renomination as Presidential candidate, will announce his approbation of the policy of extending the American empire not only over the continent, but the West Indian Archipelago?

The public mind of the North for the time is lulled. Wearied with the struggle, it is willing to rest, in the hope that Freedom may be the gainer from the settlement of the questions in controversy. But, the quiet is transient. It is not in the nature of things that a free and an intelligent People should be long indifferent to the conspiracy of mischievous agitators to enlarge the area of Human Bondage. The Conventions, now in contemplation in the South, will show the North that between the antagonistic elements of Freedom and Slavery, a hollow truce may be occasionally patched up by adroit politicians, but there can be no solid, permanent peace.

☞ The following review of the new volume of Poems by J. G. Whittier is from the pen of one able to do them justice.—*Ed. Era.*

SONGS OF LABOR AND OTHER POEMS.*

Any talk about these poems seems most uncalled for in a journal in which so many of them have appeared, and whose readers so thoroughly understand and appreciate the peculiar powers and excellences of the author. But then, again, the columns to which these poems first gave a rare and attractive grace, should not be the last to hail and chronicle their appearance in a more enduring form—and, from those readers who know our author best, we are assured we may expect the readiest and heartiest response to our word of praise.

Before proceeding with our article, however, we will, if we may be indulged in so unprecedented a digression, give our readers a glimpse of our own present surroundings. We are on the sea shore—the rock-bound coast of our poet's own glorious State. It is the sunniest yet softest of summer mornings, when the glory of heaven seems descending to wed with the beauty of earth. Between us and the ocean stands a dark pine-grove, but beneath and between the long branches swayed by the fresh morning wind, we can see the gleam and dashing of the waves, and the sound they give forth as they beat against the rocks comes softened and rounded to our ear. What time and scene could be chosen so in harmony with our subject—the poetry of the volume before us!—now fresh and invigorating like the airs of morning, clear and cheering as the summer sunlight—now mournful and prophetic, like the murmur of the solemn pines—and now, like the sea itself, rolling in upon us thought after thought of large volume and earnest power. In times of peace they come calm and continuous, with a steady, shoreward march, and with brightness on their crests—but when heaven is darkened by the exhalations of earth's wrongs and ills, when a stiff moral breeze is up and blowing, then they come dashing and surging, flinging their spray about, and making all tremble again with the great shock of their meeting.

The poetry of Whittier is eminently healthful and beneficent in its spirit. It exalts moral truth and sanctifies labor—it is the expression of a great humanity, and is ever in truest harmony with nature. More perhaps than any other poet, Whittier is remarkable for the obviousness of his meaning and the directness of his thought. He decorates little by gilding or garlanding, and conceals nothing in mists and shadows—he never loiters by the way, or suffers himself to be beguiled into pleasant and winding by-paths. He seldom seeks to address our highest, most *cultivated* comprehension—is not exclusively the companion of our exalted moods—his largest thought may be received by a child in knowledge—he is the poet of every-day. He speaks to the hearts of the people a language they never fail to understand—stirring or tranquillizing, sweet or grand, it is always simple. His thoughts do not come to us by slow and subtle ways—they flash upon us—we meet them face to face, and we say: "Ah, we have known you before!—in a dim, unformed state you have floated around us, and been the companion of our best hours, and, though you have taken form and new beauty since then, you are no strangers."

The democratic principles of our poet are most shown in the Songs of Labor—the philanthropic and religious in the poems which follow; but all are characterized by an ardent love of freedom, a deep reverence for humanity, and a great trust in God. Never were poet's gifts more heartily and unreservedly consecrated to the purposes of Heaven and the need of man. Wherever the poet may find himself—into whatever realms of imagination he may rise, into whatever depths of thought he may descend—he never loses himself in the mazes of vague conjecture, or passes beyond the atmosphere of prayer and praise, or sinks away from divine love and reliance; and the bonds of human fellowship are ever strong upon his spirit. It is his intense humanity which makes his enthusiasm so contagious and inspiring. We read with glowing lips and kindling eyes—our thoughts chime to his thoughts—our hearts seem to throb to the measure of his verse, and leap to the bold outbursts of his impassioned feeling. But, then, his poems of contemplation and sentiment have about them an indescribable sweetness—a sort of Sabbath-quiet, most captivating and subduing. They succeed his stern and stormy lyrics of freedom and reform, like the morning-song of birds after a night of tempest, or the evening harping of David after a day of battle.

But it is time we spoke of the volume before us more in detail.

The DEDICATION is one of the sweetest poems in the book; yet there is in it a sort of half-mournful *acceptance* of life which saddens us. While yet in the prime of manhood, with the strength and heat of summer in his heart, and its generous fruits around him, he places himself amid the shadows and scant foliage, and pale few flowers of latest autumn. Thus:

> "Few leaves of Fancy's spring remain:
> But what I have I give to thee,
> The o'er sunned bloom of summer's plain,
> And paler flowers the latter rain
> Calls from the westering slope of life's autumnal lea.
> "Above the fallen groves of green,
> Where youth's enchanted forest stood,
> The dry and wasting roots between,
> A sober after-growth is seen,
> As springs the pine where falls the gay-leaf'd maple wood!"

Now this is very beautiful, but to reverse the old saying, there is in it "*less* truth than poetry."

It is a needless anticipation—a taking of time by the forelock with a most uncalled-for and irreverent haste. The poet may have commenced his descent from the sun-bright summit of life, but while he fancies himself quite under the hill, he is yet on the first slope, where the light is still golden, though more mellow than of old, the flowers warm with a richer than the early bloom, and where the abundant fruits of thought, labor, and experience, are just ripening to his hand. He has yet to gird on the arms of his greatest power—the wells of deepest wisdom and the fountains of refreshment are along his *future* way—a way that broadens, and lengthens, and does not grow barren, and "bleak," and "wintry," but loses itself in light and rest, not in shadow and tempest. The great and faithful soul is never left to know a bare and cold and desolate season, but his going hence, after a large and earnest life, is like a glad and triumphant harvest-home—when he goes from the fields whereon he has toiled in weariness or in hope, in sunshine and in rain, without lingering and without haste, and when like generous sheaves, golden and fully ripe, "his works do follow him."

Of the SONGS OF LABOR, we know not which to praise most; for, in speaking of them, anything less than praise is quite out of the question. Spirit and form—the original idea, the scope given to it and the voice in which it is heard, all gratify and satisfy us. Perhaps THE HUSKERS is the most ballad-like and picturesque, but about all the others there is the true lyric sound and swing—a force and vitality which fill one with as genuine an enthusiasm for honest labor as the lays of Scott ever inspired for feats of arms and knightly encounters. Yes, all honor to the poet who has thus not only assigned to "hardy toil" the attractive grace of his healthful sentiment, and the beauty of Heaven's consecration, through the patient labor of Jesus,

> "A poor man toiling with the poor,"

but claimed for it an almost royal dignity—pride, and courage, and heroic endurance, which put to shame the pretensions and achievements of warriors.

We must indulge ourselves in extracting a few favorite stanzas from THE SONGS OF LABOR. These from the SHIP-BUILDERS strike us as especially spirited and beautiful:

> "Ho! strike away the bars and blocks,
> And set the good ship free!
> Why lingers on these dusty rocks
> The young bride of the sea?
> Look! how she moves adown the grooves,
> In graceful beauty now!
> How lordly on the breast she loves
> Sinks down her virgin prow!
> "God bless her! wheresoe'er the breeze
> Her snowy wing shall fan,
> Aside the frozen Hebrides,
> Or sultry Hindostan!
> Where'er in mart or on the main,
> With peaceful flag unfurl'd,
> *She helps to wind the silken chain*
> *Of commerce round the world!*"

The following verse from THE SHOEMAKERS contains a truth sufficiently well known to some women and all poets:

> "The foot is yours; where'er it falls,
> It treads your well-wrought leather,
> On earthen floor, in marble halls,
> On carpet or on heather.
> *Still there the sweetest charm is found*
> *Of matron grace or vestal's*,
> As Hebe's foot bore nectar round
> Among the old celestials!"

Here is a vivid home picture from THE DROVERS:

> "When snow-flakes o'er the frozen earth,
> Instead of birds, are flitting;
> When children throng the glowing hearth,
> And quiet wives are knitting;
> While in the fire-light strong and clear
> Young eyes of pleasure glisten,
> To tales of all we see and hear,
> The ears of home shall listen."

Here is a verse from THE FISHERMAN, which Campbell would have been proud to own:

> "Where in mist the rock is hiding,
> And the sharp reef lurks below;
> Where the white squall smites in summer,
> And the autumn tempests blow;
> Where, through gray and rolling vapor,
> From evening until morn,
> A thousand boats are hailing,
> Horn answering unto horn."

We have always considered Whittier the happiest of poets in Scriptural figures and allusions. Here is one from the same poem, which charmed us greatly:

> "Our wet hands spread the carpet
> And light the hearth of home;
> From our fish, as in olden time,
> The silver coin shall come."

In THE HUSKERS there are no verses that we can well detach. Its quaint and delicious pictures are seen best in a gallery by themselves. Yet we must break a stanza, to give one rare and pleasant passage:

> "Till broad and red as when he rose, the sun sunk down at last,
> *And like a merry guest's farewell, the day in brightness passed.*"

The verse following may be given entire:

> "And lo! as through the western pines, on meadow, stream and pond,
> Flamed the red radiance of a sky set all afire beyond,
> Slowly o'er the Eastern sea-bluffs a milder glory shone,
> *And the sunset and the moonrise were mingled into one!*"

THE LUMBERMEN, the last, is perhaps the finest poem of the series. The following verse, in the description of the mountain-land where toil the lumbermen of Maine, is one we greatly like:

> "Where are mossy carpets better
> Than the Persian weaves,
> And than Eastern perfumes sweeter
> Seem the fallen leaves;
> And a music wild and solemn
> From the pine-tree's height,
> Rolls its vast and sea-like volume
> On the wing of night."

But *this* is, after all, a greater verse, for in so few lines it impresses us with a moral truth and delights us with an exquisite fancy:

> "Cheerly on the axe of labor,
> Let the sunbeams dance,
> *Better than the flash of sabre,*
> *Or the gleam of lance!*
> Strike! with every blow is given
> Freer sun and sky,
> *And the long-hid earth to Heaven*
> *Looks with wondering eye!*"

Among the poems which follow, ON RECEIVING AN EAGLE'S QUILL FROM LAKE SUPERIOR, is certainly one of our chief favorites. It is a succession of grand pictures—a sort of panoramic poem. Next, we find MEMORIES—earlier written than the others we have mentioned, but unsurpassed by any in sweetness and quiet beauty.

THE LEGEND OF ST. MARK.—Ah, from no poem whatever, have we received so much of strength, and peace, and heavenly consolation! In the lone and weary night-time of the spirit, when thick darkness walls us round—in the hour of extremest agony, when the cry of the forsaken is breaking from our lips—in the strife with wrong, when the arm falls and the heart faints, because the oppressor is strong and the wrongdoer victorious for a season, what wondrous life and power, what renewals of the early faith, are in words like these:

> "Unheard no burdened heart's appeal
> Moans up to God's inclining ear;
> Unheeded by his tender eye
> Falls to the earth no sufferer's tear.
> For still the Lord alone is God!
> The pomp and power of tyrant man
> Are scattered at his lightest breath,
> Like chaff before the winnower's fan.
> Not always shall the slave uplift
> His heavy hands to Heaven in vain;
> God's angel, like the good St. Mark,
> *Comes shining down to break his chain.*
> O, weary ones! ye may not see
> Your helpers in their downward flight;
> Nor hear the sound of silver wings
> *Slow beating through the hush of night.*
> But not the less gray Dothan shone
> With sun-bright watchers, bending low,
> That Fear's dim eye beheld alone
> The spear-heads of the Syrian foe.
> There are, who like the seer of old,
> Can see the helper God has sent,
> And how life's rugged mountain side
> Is white with many an angel tent!
> They hear the heralds whom our Lord
> Send down his pathway to prepare;
> And light from others hidden, shines
> On their high place of faith and prayer."

THE WELL OF LOCH MAREE is a poem of like character—bringing strength and healing from the primal fountains of life to whosoever will drink.

The tribute to his noble sister is one of the few glimpses which the poet has given us of his home-relations and affections—and, perhaps, for that reason especially charming. But it is fine poetry, as well as gentle and touching sentiment.

AUTUMN THOUGHTS, from "Margaret Smith's Journal," is a quaint, mournful, and most musical poem, which chimes on one's ears like distant vesper-bells.

ELLIOTT AND ICHABOD form a most striking contrast as they stand together in this volume. Both are elegiac poems, but that on Elliott is a terrific outburst of indignant grief, of fierce and fiery sorrow, which is more a defiance than a lament, and which peals out, and rings and rattles like a discharge of musketry over the grave of the Corn-Law Poet; while the ICHABOD is a low and solemn dirge, wailing for shrouded honor and perished faith, and the broken promise of a lost manhood. There are strange and awful notes in the requiem which tell you that the death was suicidal.

This wonderful poem, throughout the slow march of its subdued and solemn thought, teaches us the great truth, that genius, however lofty, unsurrounded and unsustained by a rich and beneficent life, is but a cold, and hard, and heaven-defying attribute—a tall pillar in a desert of sand, giving no shelter and casting little shade—a rallying point for tempests and a mark for the lightning.

A bold and strong poem is that entitled THE MEN OF OLD. Of like character is THE PEACE CONVENTION AT BRUSSELS. Then follows THE WISH OF TO DAY, which once read must hymn on in the heart and brain ever after. And yet it is the simplest of poems—gentle and serious, sorrowful, yet earnest—the yearning of a weary heart for the peace which the world cannot give, the pleading of a contrite spirit—the consecration of a life. There seem tears upon the page, and low sighs breathe along the lines. We hear only the meek voice of resignation, unquestioning and unconditional. We see no longer the man struggling and resolving, but the submissive child, yielding his will wholly and forever, and hiding his tearful face in the bosom of his Father.

EVENING IN BURMAH is a thoughtful and touching poem, suggested by a passage in one of the letters of Henry Martyn, the heroic young missionary. The opening stanza is truly grand:

> "A night of wonder! piled afar
> With ebon feet and crests of snow,
> Like Himalaya's peaks, which bar
> The sunset and the sunset's star
> From half the shadowed vale below,
> Volumed and vast the dense clouds lie,
> And over them and down the sky,
> *Paled in the moon, the lightning's eye.*"

SEED TIME AND HARVEST, brief and simple as it is, is one of those poems the writing of which is God's worship; for it embodies that spirit of "grateful service" and cheerful faith which is most acceptable to Him.

The last poem in the volume, some lines to a friend, ON RECEIVING A BASKET OF SEA-MOSSES, is one of great beauty and suggestive thought. It is musical, and light in form, graceful and fanciful, yet through this, as through the stronger and graver poems preceding, flows the reverent, religious soul of the poet—that soul which is never so shadowed by the mysteries of life, or so roughened by its tempests, that it may not reflect heaven, and bear its eternal truths, like stars upon its bosom.

And now, if our readers will indulge us in a few more brief comments, we will leave this volume to their own consideration. They will find it, for a collection of miscellaneous poems, a singularly continuous and compact volume. Yet it is not genius violently projected in one only direction—there are various channels, but one ocean to his thoughts. Here are changes and varieties and phases of feeling, but a certain conscientious earnestness pervades and permeates the entire work. There is in it little of the poetry of fancy, none of passion, except it be moral passion, and in no instance is strength or purpose sacrificed to the mere love of the beautiful. Indeed, beauty seems rather to find expression incidentally, and unavoidably, than to be the aim and intention of the poet. Mr. Whittier has a hearty detestation of all cant and sentimentalism, and his poetry is refreshingly free from the mist and mysticism of the transcendental school, and the sublime guess-work of metaphysics. We are mistaken if he ever makes extensive explorations into the spiritual world: he is no seer of visions, or dreamer of dreams, and his prophecies are given more as interpretations of the will of Heaven, and clear expositions of the immutable laws of God, than as new and special revelations. Nor does he pass into and search through the human soul, with the lamp of his luminous thought, but rather stands before it, and calls on its powers and aspirations to come forth, "as one having authority." It may be that in his firm grasp on the real, our poet too often suffers to escape him, the etherial and fleeting forms of the ideal. In his verse the intellect is always felt, in strong, vigorous strokes—the heart beats through it—it has blood and bone and muscle, but the divine and wondrous mysteries of the spirit find in it more unfrequent and imperfect expression. It leads us into a garden, green and pleasant with the foliage and flowers and fruits of nature, and bright with a clear morning sunlight, rather than gives us torch-light glimpses of spiritual abysses, of cavern hung with strange gems, half in deepest night and half intolerable brightness. It is not poetry for the few—the learned and refined alone; nor are we called by it as by ancient song to recline on the mount of the gods, and partake their delicate and intoxicating food. On a holier mount, and following a diviner example, stands the Christian poet, the poet of the people, and breaks the bread of the poor, and feeds the famishing multitude.

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* Songs of Labor and other Poems. By John G. Whittier. Boston: Ticknor, Reed, & Fields.

HOW IS IT?

The *North Pennsylvanian*, the Anti-Wilmot paper at Towanda, Pa., says—

"The conferees who originally nominated Mr. Lowrey and Mr. Wilmot, having received the declinations of both those gentlemen, have unanimously agreed upon Mr. Grow of Susquehanna county; and he is now regularly and fairly before the Democrats of this district as their only candidate for Congressional honors."

Is this true? If so, Mr. Wilmot has acted, we doubt not, from the best of motives. But, we do not believe he would give place for a moment to a man, not sound in respect to the doctrine and policy which he has so ably and faithfully represented in Congress.

CONVENTION IN GEORGIA.

The last Legislature of Georgia instructed Governor Towns, in the event of the admission of California into the Union, to issue his proclamation for a Convention of the People, to decide upon what measures they might then deem necessary. The Governor has performed his duty in a very solemn style, publishing a proclamation which occupies more than half a column of the *Southern Press*. The *Press* grows exalted in meditating upon its portentous tone, and calls upon the North with words of pregnant warning, to be admonished, and make restitution, prompt and ample, so as to stay the thunderbolt, already winged for its flight. "We advise the North," it cries, "to reflect calmly, to discard the schemes of party, the prejudice of a section, and the arrogance of a majority; and looking to its faith and to its duties, with a solemn recognition of the consequences of fatuity in such an exigency, to remove the aggression it has undertaken." The disciple of Penn closes his warning with a formal prayer that would do no discredit to a "hireling priest: "May the grace, the mercy, and the wisdom of the Most High God prevail in our councils!" The editor of the Washington *Union* is graceless and irreverent enough to style this "fustian," forgetting that in the early part of the session he passed through the same kind of devotional exercises. We see nothing very alarming in the proclamation. The People are called together to consult as to the best mode of action in the premises. The Governor is careful to caution them against extreme measures. He does not even hint at Disunion, so that we may expect the Convention to resolve, on the whole, in a spirit of magnanimous patriotism, to remain in the Union; an act, under the circumstances, of sublime condescension.

The Convention is to meet on the 10th of December next.

THE FRIEND OF YOUTH.

The last number of the first volume of the *Friend of Youth* is just out. It contains a peculiarly interesting letter from its accomplished Paris Correspondent, and a capital story from the pen of Martha Russell. Besides these, the original and the editorial articles are as follows:

Our Visit, The Austrian Butcher, Death of Louis Philippe, Arrival of Jenny Lind, Return of the Dove to the Ark. ORIGINAL POETRY.—*The Beaver, To a Daughter, A Child's Reason why Bachelors have no Wives.* SELECTIONS.—*The Power of Mercy, The Loss of the First Born, Jenny Lind*, by Fredrika Bremer, and a variety of short articles.

The first number of the 2d volume will appear on the 1st of November. *The paper will not be continued to subscribers, unless they renew their subscriptions.* This should be done, and new subscriptions should be sent in during the present month, so that the editor should know how large an edition to issue. It is fifty cents a year, or five copies for two dollars.

Subscribers to the *Era*, who wish a family paper specially for their children, can hardly do better than to order the *Friend of Youth*. All communications concerning it, whether intended for publication or on business, should be addressed to the editor, Mrs. M. L. Bailey, Washington, D. C. Persons remitting moneys for the *Era* and the *Friend of Youth*, in one letter, are requested to insert the business items concerning the *Friend of Youth* on a separate slip of paper, or on a page by themselves.

THE WHIG PARTY IN THE STATE OF NEW YORK.

From the course of a large number of the Representatives from the State of New York on the question of slavery, and from the tone of a few Whig journals in that State, the public has been advised of a serious division of sentiment among the Whigs of New York. Some were disposed to compromise; the majority adhered to the oft-expressed opinion of their State Conventions in favor of the policy of the Wilmot Proviso. Both sections claimed to be friends of the Administration, but the former section pretended to special sympathy with it, while the latter has been supposed to find its principal representative in William H. Seward.

The two parties came into collision at the late Whig State Convention, held at Syracuse on the 26th ult. Mr. Granger (anti-Seward) was chosen President, and Mr. Duer (anti-Seward) was chairman of the Committee on Resolutions. Before these were reported, a State ticket, representing chiefly the Seward views, was put in nomination, as follows:

For Governor, Washington Hunt.
For Lieutenant-Governor, George J. Cornell.
For Canal Commissioner, Ebenezer Blakely.

Mr. Duer then reported a series of resolutions. The following touch the points of difference between the two sections:

"5. *Resolved*, That the Whigs of New York deeply lament the dispensation that removed from the sphere of its great usefulness, our late lamented Chief Magistrate, whose purity of purpose, lofty patriotism, devoted and self sacrificing services, and stern uncompromising resolution in the path of duty, had justly endeared him to his countrymen.

"6. *Resolved*, That the Whigs of this State, have tried, in various capacities, the ability, the wisdom, the patriotism, and the devotion to the best interests of the country, of Millard Fillmore, President of the United States, and that from the experience of the past, and their knowledge of his private and public virtues, they repose the utmost confidence in his administration of the Government, and his maintenance of the well-known principles of the Whig creed.

"7. *Resolved*, That while the Whig party of New York remain unalterably opposed to the extension of slavery over territory now free, and have no doubt of the constitutional power of Congress to prohibit such extension, a liberal spirit of toleration should be exercised in regard to conflicting opinions touching measures which have been adopted by Congress for the adjustment of the questions arising from our late territorial acquisitions; that we rejoice in the admission of California as a free State, and are prepared to acquiesce in the recent action of Congress for the settlement of the boundary line between New Mexico and Texas, and a creation of Territorial Governments for New Mexico and Utah, in the confident belief that these acts of conciliation will result in the exclusion of slavery from the territory ceded by Mexico to the United States, and at the same time tend to restore those cordial sentiments and fraternal ties which ought ever to be cherished between the different sections of our common country.

"8. *Resolved*, That the Whigs of New York have confidence in the honest purpose and patriotic motives which animated the WHIG SENATOR and Representatives from this State in the Federal Legislature, upon the embarrassing questions which have been agitated during the present Congress; that we recognise in their course and conduct an earnest desire to seek the permanence and advancement of the best interests of the Union; and although, in the conscientious discharge of their duty, they have felt constrained to adopt differing and antagonistic views, we admire the honesty and approve the candor and the tolerance with which, upon exciting questions, they have nevertheless differed like brethren."

These resolutions, it will be observed, praise the patriotism, but not the sound judgment, of General Taylor's administration, while they commend the wisdom as well as patriotism of Mr. Fillmore's. They do not re-affirm the creed of the Whigs of New York on the Slavery Question, as heretofore expressed by their State conventions, and through their Legislative resolves, but they do affirm acquiescence in the antagonistic policy adopted by Congress in relation to that question, and equally commend the honesty of purpose and the fidelity of the Whig Senator and all the Whig Representatives from New York, although some of them obeyed, while the rest violated the instructions of their Legislature.

The majority would not assent to these accommodating resolutions, and insisted upon adherence to the creed of the party. Accordingly, substitute resolutions were submitted by Mr. Cornwell. Both sets were referred to the Committee, which was enlarged to the number of sixteen. The Committee reported back the resolutions, not having been able to agree, as they were equally divided in opinion. The substitute resolutions were as follows:

"*Resolved*, That this Convention, respecting those who have sustained Whig principles with equal ardor in prosperity and adversity, rejoice in the opportunity now offered for making expression of renewed confidence in the present National Administration, and in the wisdom and efficiency with which it has been administered under circumstances of unusual embarrassment and difficulty.

"*Resolved*, That while we lament most deeply the irreparable loss of our Chief Magistrate, General Zachary Taylor, at a crisis in our country's history which his clear judgment and Roman firmness seemed so peculiarly designed to meet, we deem it most fortunate for the nation that his place is filled by a successor so distinguished and capable as Millard Fillmore, in whose experience, fidelity, and enlightened statesmanship, the people of New York have learned to repose entire confidence.

"*Resolved*, That our thanks are especially due to the Hon. William H. Seward, for the signal ability and fidelity with which he has sustained, in the United States Senate, those beloved principles of public policy so long cherished by the Whigs of the Empire State, expressed in State and County Conventions, as well as in the votes and instructions of our State Legislature—those principles are eminently national and republican, because they are just and equitable.

"*Resolved*, That the admission of California into the Union as a State, and with a free Constitution, meets with our hearty approbation, and as a Territorial Government is established for New Mexico and Utah, without any prohibitory clause, on the assumption that slavery is excluded by other causes, it is the solemn duty of Congress to extend the Jeffersonian Ordinance over those Territories on the first indication that slavery or involuntary servitude is likely to be introduced into the Territories.

"*Resolved*, That the Whigs of New York have confidence in the honest purposes and particular motives which animated the Whig Representatives from this State in the Federal Legislature, while embarrassing measures have been agitated in the present Congress."

These resolutions are not restricted to praise of General Taylor's motives; they extol his clear judgment and Roman firmness, as being admirably adapted to meet the crisis in which he was placed, and pronounce his loss irreparable. But they also express entire confidence in the present Administration. Nor do they bestow equal commendation on the motives of W. H. Seward, and the Representatives who differed from him, abstaining from the expression of opinion as to their respective policies. On the contrary, they signalize him as being preëminently representative of Whig principles in New York, and reaffirm the devotion of the Whigs of that State to the Jeffersonian policy of Slavery Restriction by positive law. The adoption of the resolutions would be a virtual disapproval of the action of Congress on the Slavery Question, of the policy of Mr. Webster, of the course of Messrs. Duer, Brooks, Briggs, and those Whigs who voted with them. Hence they were stubbornly opposed, but the vote being taken, the substitute resolutions were adopted—yeas 74, nays 42. The question was then put on the resolutions so amended, and the 1st, 2d, 3d, and 4th, were adopted by acclamation.

Mr. Duer and his friends, some forty of the delegates, immediately left the Convention, and the President, Mr. Granger, resigned his seat, stating that doctrines had been advanced as Whig doctrines, which he, and those who thought like him, could not recognise as such. It therefore seemed consistent to resign the chair into other hands. This he did with the best feelings to all.

One of the Vice Presidents took the chair, and the following State Committee was appointed:

John L. Schoolcraft, Franklin Townsend, Sam. Stevens, Benjamin R. Spellman, David Graham, Charles McDonald, James T. M. Bleakley, H. Z. Hayner, Le Grand Cannon, Frederick Hollister, and Allen Monroe.

The bolters organized a separate Convention, under the leadership of Messrs. Granger and Duer; an address was prepared by the latter; and it was resolved to call a Convention, to meet at Utica, Thursday, October 17th.

We have no room for remark on these important events.

THE SLAVERY OF THE WHITE RACE IN THE SOUTH.

The Slavery of the white race in many parts of the South is as ignominious, if not as cruel, as that of the blacks. The following is from the *Southern Press*, which seems to sympathize with Lynch Law as the proper remedy for Freedom of opinion:

"We find the following account of a 'summary process' case, in the Columbus *Times*. The climate of Georgia is getting uncomfortably warm for Southern men with Northern feelings.—*Southern Press.*

"NOTICE TO QUIT.—' At a large public meeting at Eufaula, Ala., last week, one Captain Elisha Betts, of that place, was ordered to leave on short notice—he having been discovered as the author of an aboliton communication from that city to the Washington *Era*, abolition paper.

"We have no doubt, from the character of the meeting and from the temper of the sound Southern city of Eufaula, that this time the public decree will be executed. It is a just decree. Our rights may be *compromised* away in a Free Soil Congress, but it is no time to *compromise* with Abolitionists in our midst.'"

Mr. Betts is an old man, born and raised in the South, in which he has always resided. For the grievous sin of believing that Slavery is an evil, he is "ordered to leave"—that is, exiled from his home and country by a mean, dastardly mob. The "abolition communication" referred to in the foregoing extract is the following, published in the *Era* of August 29th—certainly a very inoffensive article, as everybody, not a monomaniac on the subject of slavery, will admit:

"NEAR EUFAULA, BARBOUR CO., ALABAMA,
July 17, 1850.

DEAR SIR: I have received the *National Era* of the 14th instant, and after carefully examining its contents, like it well, and therefore enclose to you two dollars, agreeable to its terms of subscription for one year. Having been born and raised (being now in the 62d year of my age) amidst slavery, I certainly have had a fair opportunity to judge of the effect of the system on society in this country. There is no doubt but it has a tendency to vitiate and demoralize those who own them, and to degrade those who do not. I am well pleased with the Hon. Charles Durkee's speech on the California question; and what he said respecting slavery was well said. But he did not attempt to portray the evils this unjust institution produces on and among the free white population of the slaveholding States, nor do I suppose he could do it for the want of information. If some of the Southern members in Congress were disposed to do it, they could tell all about it; but if they were to do it they would immediately be denounced as traitors to their country by a large majority of the slaveholders—not all. I thank God that I have yet reason to hope that there are some owners of slaves whose sensibilities are not so blunted and benumbed by what we are told are our highest interests, as to admire the institution of slavery; nevertheless we submit to the laws and customs of the land we live in, not knowing how to rid ourselves of the evil. But the introduction of slavery into the newly acquired Territories is quite another question. It seems to me that the people who inhabit those Territories are altogether right in endeavoring to exclude the evil, and that every Christian, yea, every good man, yes, every one who believes in equality and justice, ought to sanction and encourage those praiseworthy efforts."

Doubly accursed is a system which thus chains two races—enslaving the souls of the whites, and the souls and bodies of the blacks.

The editors of the *Southern Press* are fond of descanting upon the baleful workings of the free institutions of the North. Has any postmaster at the North refused to deliver their paper to subscribers, on the ground that it is an incendiary or disunion sheet, or that it advocates doctrines which, if carried out, would authorize the enslavement of the whole laboring community in the free States? Has any Lynch Law been put in operation against the tribe of Northern miscreants who advocate slavery on Bible grounds, and as the best condition for the black race? There are political hacks at the North who are abolitionists in the most infamous sense of the word—advocating the abolition of Freedom in one-half of the Territories of the Union. No mob ever pretends to send them the insolent message "to leave." Hateful as are their sentiments, a Free Labor Population understands too well the Freedom of Opinion and Speech, to call in question their right to hold and to promulgate just such views as they please. The capitalists and property-holders of the North have their rights denied every day by a large class of men who are seeking to change radically the social fabric, but they are not fools enough to attempt to curb and put down such agitators by the application of brute force. That is the infernal policy of Slavery—not of African Slavery alone, but of every species of Despotism that enthrals and curses the masses of mankind.

THE WASHINGTON UNION.

The rumor for some time past has been current that the Washington *Union* was about to change hands. We suppose negotiations with a view to that end have been on foot, but it would seem from the following paragraph from that paper of Tuesday last, that they have failed:

"The rumors in circulation about the sale of the *Union* are not confirmed by the facts. More upon this point to-morrow. The negotiation has terminated, and the present editor remains at his post, prepared, with his gallant associate, (Mr. Overton,) to do battle against his own enemies or those of his country. We shall address our subscribers to-morrow. If they will stand by us with the same zeal with which we shall stand by our country, our own little *Union* is safe."

We have always strongly condemned the course of the *Union* on the Slavery Question, but the editor hates disunion, and we like him for that. Besides, it is really pleasant to see a man of his years (three score and ten) so fresh in his

feelings, so vigorous with his pen, so frank and fearless in the utterance of his own convictions, unpalatable as they sometimes are to a majority of the American People. He is a hot partisan, and his prejudices lead him to do injustice to his political opponents, especially those of the Free Soil school—but he is no skulker, no hypocrite, no doughface—he does not cry, art thou well, my brother? while he takes you by the beard and plants a dagger under your fifth rib. We prefer him infinitely as an opponent, to any Northern doughface, who might be selected to fill his place, with a view to play a double game in politics, and harmonize contradictions by a humbug.

LITERARY NOTICES.

Gibbon's Decline and Fall. Vol. V and VI. New York: Harper & Brothers. For sale by Franck Taylor, Pennsylvania avenue, Washington, D. C.

We have received the last volumes of this new, neat, and convenient edition of Gibbon's Decline and Fall, by the Harpers. Several times have we had occasion to bring it to the notice of our readers.

The Life and Correspondence of Robert Southey. Part V. Published and for sale as above.

One more number will complete this republication. It is a work full of intellectual entertainment. We observe frequent references to Americans and American authors in this Part, marked by great liberality. His biographer says that he was always rejoiced at an opportunity of showing attention to Americans, especially as he had been unjustly accused of holding and expressing opinions very unfavorable to their country. The anti-American diatribes in the Quarterly Review he protested against privately, condemning the spirit in which they were written.

Dictionary of Mechanics' Engine Work and Engineering. No. 16. Oliver Byrne, Editor. New York: D. Appleton & Co. For sale by R. Farnham, Pennsylvania avenue, Washington, D. C.

This work sustains its character, and its typographical execution is worthy of all praise.

Pictorial Field Book of the Revolution. By Benson J. Lossing. Nos. 5 and 6. New York: Harper & Brothers. For sale by Franck Taylor, Washington.

There is no falling off in this very beautiful publication. The embellishments and illustrations are exquisite. Our readers will remember that it is devoted to illustrations by pen and pencil of the history, scenery, biography, relics, and traditions of the war for independence.

The Illustrated Domestic Bible. By Rev. Ingram Cobbin, A. M. Nos. 3 and 4. New York: Samuel Hueston. For sale by W. Adam, Bookseller, Pennsylvania avenue, Washington, D. C.

We take pleasure in again commending this work to the favor of our readers. Its peculiar features, making it an admirable family Bible, we pointed out a few weeks since. It will be completed in twenty numbers, at 25 cents each.

History of Darius the Great. By Jacob Abbot. New York: Harper & Brothers. For sale by Franck Taylor, Washington.

The series of biographies prepared by Mr. Abbot for the young has been of real service to those who have been so fortunate as to be put in possession of them. They are well adapted to the taste and capacity of youth, and the author labors to imbue them with just and generous sentiments.

Health, Disease, and Remedy. By George Moore, M. D. Published and for sale as above.

Dr. Moore has done much to inform the masses of the People, by presenting professional or abstract truth in a popular and practical form. He is already known as the author of two works on the relations between the mind and the body. The one before us, treating of a subject in which all are deeply interested, in a style suited to the comprehension of all, ought to have an extensive circulation.

Massachusetts Quarterly Review. September, 1850.

A note by the editor informs us that this independent and spirited Review ceases with the present number—a matter of regret, for we do not know precisely what will take its place. We have here the editor's due contribution, in an article, to some persons perhaps more curious than edifying, on the different christologies of the New Testament. This, with one from Mr. Burney, on the political "crisis" we have just survived, will prove the main attraction. For the others, we trust at present to their advertised titles and their authors' names. *

Christian Examiner. September, 1850.

We erred in calling this a quarterly. It comes once in two months, and makes two fair volumes annually, at two dollars each. This number is chiefly remarkable for a capital Editor's Table, near twenty close pages of "Literary Intelligence," or comments in general. There are three excellent theological articles—an address by Dr. Burnap on theological study, an account and criticism of Feuerbach, and one on Furness's book recently noticed by us; the others are more general, and good as usual. An uncommonly pleasant brief one is that on Architecture. *

Westminster Review. July, 1850. New York: Leonard Scott, &c. For sale by W. Adam, Washington, D. C.

We do not undertake to characterize all the articles, but this seems to us an unusually valuable number. The article on Leonardo da Vinci is, perhaps, more laboriously and ambitiously than well done. That on "Prostitution," or the causes, conditions, and victims of immorality in cities, is an eminently able, humane, thoughtful, and practical treatment on a subject, which, from its terror and hopelessness, most moralists have "passed by on the other side." The more one knows of it, the more he feels that it cannot be passed, silently and safely. One of the foreign notices has an excellent discussion of the position and employment of women. In fact, it would be a long task to enumerate all the topics which this admirable review deals with, at once so gravely and hopefully. *

London Quarterly Review. July, 1850. Published and for sale as above.

It is part of the established merit of this review, to have put forth the capital series of papers on the great works of Britain—the Railway, the Tubular Bridge, and now the Mechanism of the Post Office. What can we say more for this number than that it contains one of the series? To tell the truth, for want of time we have read none of the others with proper care, save that on spectacles. The printer will not wait for us to finish those on Condorcet, National Workshops, and the Austrian Revolution, of which we reserve our opinion accordingly. *

Edinburgh Review. July, 1850. Published and for sale as above.

This sober and discreet Quarterly gives us first something apparently very curious and well worth reading, on Probabilities; two good historical articles, on the Roman Empire and Pedro the Cruel; a Defence of the African Squadron, showing the deplorable effects which would follow the abandonment of that stupendous attempted blockade; and the usual complement of sundry topics. In "Göethe's Festival," we commend the excellent statement of the creed of this writer—"of all false religions the most subtle, the most tempting, the most attractive, from its very approximation to the truth." *

Blackwood's Magazine. August, 1850. Published and for sale as above.

"African Sporting," and "Ledru Rollin on England," we have found the most attractive among the contents of this number. Good counsel, we presume, is given in the article on Landscape Painting; and for the rest, including that on Free Trade and on Courtship in the time of James I, we may readily suppose that they are in keeping with the character and credit of this invaluable, wayward and spicy magazine. *

Knickerbocker Magazine for September: New York: Samuel Hueston, publisher.

Our genial friend, "Old Knick," has been on an excursion to the interior lakes and cities of New York, since we last had the pleasure of sitting at table with him, and gives so fresh and good-humored an account of what he saw and heard along the line of the Erie railroad, that we are put into an extremely pleasant mood with him. His table is seldom better spread than at this present feast; and while this is so, we find upon the side tables a great variety of dishes, supplied by his able corps of regular contributors to his own and his readers' entertainment. **

Harper's New Monthly Magazine. No. IV. For sale by Franck Taylor, Washington City.

In the lighter portion of its contents this periodical has sustained the spirit with which it commenced, while in the more substantial department it has improved steadily from the first number. There are several articles in the September issue of real value, and one that is alone worth two or three times the cost of the number. We refer here to a paper on "Shooting Stars and Meteoric Showers," which possesses deep interest, and shows how beautifully, intelligently, and philosophically, modern observation and science deal with ancient record and superstition. **

A DEFENCE OF THE BARNBURNERS.

Washington, *September* 18, 1850.

To the Editor of the National Era:

Your strictures on the action of the recent Convention at Syracuse, I think call for a reply. You charge the Barnburners who participated in the proceedings of that Convention with being guilty of a total abandonment of the principles promulgated in the Buffalo Convention, and contended for in the Presidential election of 1848, and especially by adopting the Baltimore resolutions of 1840–'48, on the subject of slavery. You assume that they openly acknowledge to the world that they were wrong, and the Hunker section were right, in their action on this subject. This is a very serious charge to make against any party, and when it is made against a body of men who, for three years, have been subjected to more insult and misapprehension than any party ever before in our political history, it should be promptly met and refuted—and the statement of a few simple facts will, I think, accomplish this.

The Baltimore resolutions express the position of the Democracy, on the subject of slavery, *past, present, and future*. That is, that Congress should not interfere with slavery in the States, or take any *incipient* steps that may lead to such interference. The Democracy are strict constructionists of the Federal Constitution, and hold that the individual States, with the exception of the few subjects enumerated in the Constitution, are separate sovereignties, and that New York has no more right to interfere with the municipal institutions of South Carolina, either directly or indirectly, than she has with those of Great Britain or Holland. The Barnburners, therefore, are perfectly consistent in adopting this resolution—not only now, but would have been so had they adopted it in 1848.

But this resolution in 1848 did not touch the question in issue. The question was slavery in the *Territories, not in the States*. The Mexican war closed with a vast acquisition of free territory; and the "slave interest" demanded that it should be surrendered to slavery, by a constitutional construction. The nominee of the Baltimore Convention *indirectly* admitted this construction by giving an opinion that it would be a violation of the Constitution to *enforce* an opposite one. His election and endorsement by the people would therefore have been an indirect admission of the demands of slavery.

On this the New York Democracy took their position. It was to defeat such indirect admission, and consequent construction of the Federal Constitution, they placed themselves on a vital principal, immensely transcending in importance the right or wrong of slavery, or even the destinies of the territories in question—a principle, in fact, that involved the whole structure of our government, and that was to decide which was the preponderating element in the Constitution, slavery or freedom. They therefore separated from the National party, and the party and personal friendships of many years—cast behind them all the blandishments of power and the emoluments of office, and subjected themselves to more abuse and persecution than was ever before, in modern times, inflicted upon a political party; and they passed through the fiery ordeal with a constancy and unflinching bravery that challenged the admiration of the very millions opposed to them.

The defeat of Gen. Cass, and consequent safety of the Constitution, accomplished the great leading object for which they had separated from their party and subjected themselves to so severe a trial; but they also wished, as a *practical* question, to exclude slavery from the Territories in question, and in this they were joined by another body of men, who, believing that slavery is a great wrong inflicted upon the black race, and acting wholly upon and always in opposition to the Constitution, were necessarily opposed to its extension into the Territories. The Convention at Syracuse *assume* that the admission of California practically settles the question, and that slavery is or will be wholly excluded from the Territories. The Barnburners therefore, having first decided the great principle involved, and then excluded slavery from the Territories, now assume the position that they have always occupied in regard to slavery in the States; and the causes that separated them from the National party having passed away, they again take their place in the ranks of the National party, with whom they have always fraternized.

This is a statement of the facts in the premises, and you now charge them with an abandonment of their principles and with bad faith to their allies on the Territorial question. You assume, that by acting with the Liberty men in a common object, when that object was accomplished they were bound to adopt the prior creed of their allies, and thus contradict the leading *principles upon which, as political partisans*, they had always acted, and which, with the venerable Ex-President at their head, would have held every man of them up to the scorn and ridicule of the world. There is, I suppose, no doubt that, out of 120,000 votes cast for Mr. Van Buren in the Presidential election in the State of New York, a majority were Barnburners; and, if you had reasoned in a precisely opposite direction, and reached the conclusion that the Liberty men were bound to adopt the Baltimore resolutions, (the prior creed of the Barnburners,) and thus become *useful* and *available* Democrats, your skill as a logician would have been better displayed, although such a conclusion would scarcely have been reached by a

Barnburner.

REMARKS.

We see nothing in the reply of a "Barnburner," to change our opinion of the acts of the Syracuse Convention. His construction of the Baltimore resolution on the subject of slavery is totally incorrect. That resolution expressly recognises the doctrine of non-intervention by Congress with slavery, not only *in the States*, but *in the Territories*. Its language is unmistakable:

"That Congress has no power, under the Constitution, to interfere with or control the domestic institutions of the several States; and that such States are the sole and proper judges of everything appertaining to their own affairs, not prohibited by the Constitution; that all efforts of abolitionists or others, made to *induce Congress to interfere with questions of Slavery, or to take incipient steps in relation thereto, are calculated to lead to the most alarming and dangerous consequences; and that all such efforts have an inevitable tendency to diminish the happiness of the people and endanger the stability and permanency of the Union, and ought not to be countenanced by any friend of our political institutions.*"

The Barnburners admitted the truth of that part of the resolution which related to *slavery in the States*; so did the Liberty men who united with them; but they all opposed that part which related to *slavery in the Territories*. The Baltimore resolutions enjoined Non-Intervention in respect to the question of slavery in the Territories; the Barnburners denied it, and insisted on the right and duty of positive interference by Congress. They voted *against* General Cass, as the representative of Non-Intervention, and *for* Martin Van Buren, as the representative of Wilmot-Provisoism. That was their position in 1848.

Where do we find them in 1850? On precisely the ground they repudiated in 1848—sustaining *now* a policy which *then* they deemed so wrong and mischievous as to justify their separation from the National Democracy! The *Washington Union* understands that matter when it says:

"The best sign in the Syracuse Convention, therefore, is the *readoption of the Baltimore Non-Intervention Platform, and the profound silence which reigned in the Convention about the Buffalo Wilmot-Proviso Platform*, on which the Free-Soilers went off in the late Presidential election. Indeed, it is said that Mr. John Van Buren declared he was no Free-Soiler, and that there was no such party. It is a pity that he had not made the discovery a little earlier. *This Convention also approve of the late measures of Congress which threw overboard the Wilmot Proviso*."

The Territorial Question has undoubtedly been settled by Congress on the Principle of Non-Intervention. The Syracuse Convention by resolution expressly approves of this settlement, and in adopting the Baltimore resolution above quoted, expressly affirms its faith in the doctrine and policy of Non-Intervention with all Questions of Slavery—and that is the Cass platform!

We did all we could to effect a Union between the Liberty men and Barnburners in New York, and to bring about a general union of all the opponents of slavery extension, during the last Presidential canvass. Under the same circumstances, we should do so again. We see nothing in our course then, to regret. The nomination of Martin Van Buren, and the three hundred thousand votes given to him as the representative of the Wilmot Proviso, were links in the chain of causes leading to the passage of the Oregon bill with its inhibitory clause against slavery, and to the exclusion of slavery from the shores of the Pacific. For all that the Barnburners did by word and deed to contribute to these results, we have given them ample credit. Nor were we ready to blame them, when one year ago they adopted the doubtful policy of a union with the Hunkers. Although questioning that policy, we vindicated their integrity, and hoped for the best. But, now, when the State Convention, in which they are equally represented, with shameless profligacy abandons all they contended for in 1848, and adopts all that they then repudiated, as an independent journalist, bound by no party ties or considerations, we are not at liberty to suppress our opinions of the movement.

OUR REPRESENTATIVES VS. TEXAS BOUNDARY BILL.

The question has been again and again asked why no effort was made in the House to amend the Texas Boundary bill; and at last, one member, in reply to the New York *Tribune*, who seems to have in his mind the adage, that "a poor excuse is better than none," says that efforts were made, but were rendered unavailing, because the Speaker would not look at any one who rose upon the Free Soil side. That gentleman had no eye for anything but the Texas appropriation—no eye towards anybody but his own party. Gentlemen rose as numerously, in succession, as the phantom kings did before the eyes of Macbeth, and they spread out their chests, and held out their hands, and even hemmed; but the impassible Speaker looked only to Mr. Boyd; and so the most disgraceful act upon the American statute book was carried.

We admire the simplicity of the man who could adventure this apology for one of the most flagrant neglects of duty, and one of the most glaring exhibitions of supineness and cowardice, that have yet been perpetrated in the House of Representatives; and it would increase our admiration to know whether he believed it satisfactory or not. How would such an apology have sounded from the mouth of John Quincy Adams?

Worcester Spy.

John Quincy Adams, had he been living, could have done no more than was done on the occasion referred to. The editor of the *Worcester Spy* does injustice to the true men from the free States who sought to defeat or amend the bill. The rules of the House, enforced by a Pro-Slavery Speaker, could not be set at nought. It is sheer nonsense to talk of the representatives of freemen betraying their trust, because they did not amend the bill. Men cannot do impossibilities. The Speaker gave the floor to Linn Boyd—how could Judge Allen or Mr. Rockwell deprive him of it? And when Mr. Boyd got the floor, offered his amendments, and sprung the previous question, how could other amendments be introduced? It was an impossibility. And when the previous question was not seconded, the ever-ready Speaker took care to give the floor to somebody who would move to commit, and spring the previous question on that. How could that be helped? Would you have the Speaker lynched, and the somebody on the floor choked off by main force?

There are plenty of Generals who can always plan a better campaign and fight a better fight than the man on whom are the actual responsibilities of the battle field: plenty of heroes, out of harm's way. Once for all we say, essential amendments to the Texas Boundary Bill were rendered impossible by the fact that the Speaker and a decided majority of the House were against them.

The Washington Republic continues to cultivate harmony in the Whig Party by denouncing all those sections of it that dislike the bills lately passed, and by stigmatizing as baleful agitators, Whig journals that venture to differ from it in opinion respecting the adjustment. It is already at loggerheads with the Philadelphia *North American*, the Albany *Evening Journal*, and the New York *Tribune*. This may suit Mr. Webster, but will scarcely advance the interests of the Administration.

Texas.—It seems that the Governor of Texas has vetoed the bill referring to the people the proposition from the United States to purchase territory, &c. The Legislature adjourned till the 3d November.

COLONEL BENTON

ON THE PROPOSED "NATIONAL DEMOCRATIC" ORGAN AND THE MISSOURI ELECTION.

The *St. Louis Union* of the 17th publishes the following letter of Old Bullion to one of his friends, in which he rights certain matters:

Washington City, *Sunday, August* 25, 1850.

Dear Sir: The *New York Evening Post* of the 17th inst. contains a letter from this place, which concerns me, and which it is right that I should notice, to prevent my friends from being led into any mistake or doubt with respect to my future course. The letter says that the Democratic party intend to start a new paper at this place, in order to reorganize the party, and to support me for the Presidency. The *Post* very justly remarks upon this communication, that a paper started to support any particular person for the Presidency cannot be the organ of a party, but of an individual, and could do no good; but agrees that a new Democratic paper ought to be established here. These are my own opinions—a new paper for the party, not for an individual. Gen. Jackson was never more right than when he warned Mr. Polk against bringing Ritchie here, and foretold the ruin of the party if he did. Every day's experience since he was brought, has confirmed the truth of that warning, and if he remains here we shall be ruined, and shall again lose the Presidential election, and shall deserve to lose it, because we know it. But my object in writing this note was to notice what concerned myself in that letter to the *Evening Post*, and to tell my friends what they ought to know, that they may not be misled by any erroneous report. The new paper, if one is established here, is not to support me for the Presidency, or for anything else. This I have told my friends here, and those who know me, know there is nothing more to be said on that point; so that the letter to the *Evening Post*, so far as it concerns me, was dead here before it was known in Missouri.

The election of Senator is considered in the hands of the Whigs and Nullifiers, and the report we have here is that the latter will join the former, and elect a Whig. If so, it will still be a victory in behalf of the Union, and will show that Missouri will not "*coöperate*" with other slaveholding States in establishing a Southern Confederacy. It will also *assort* the party, and fix every man in his right place.

You have done nobly in St. Louis, (city and county,) and have deserved success if you have not commanded it, and have insured it for the next time. You have shown that the antics are a small minority, not one fifth of the party; and of these, I am told there is not above one hundred and fifty real disunion and nullification men among them, the rest who voted with them being in reality good hard money and Union men, but led astray by continual falsehoods. These deceived citizens will find out the truth of themselves during the ensuing election, and will return to the hard money Union Democracy to which they belong. So of other counties. The nullification disunion Democracy are a minority, a miserable minority in every county—in some counties none at all—and of themselves able to do nothing; but by creeping into our party, and by caucus, frauds, and trade in votes, have contrived to make themselves prominent, and often to rule the State, and this year to give it to the Whigs, after having first tried to give it to the Southern Confederacy. But this is about the last harm they will do us. The ensuing elections will give them their proper places in the ranks of the Whigs, and will free us from them forever, and will leave us stronger than ever.

The appeal is now decided and sustained, and the object I had in making it is accomplished. The nullification resolutions of the last General Assembly are condemned; the people waked up to the reality of the plot to dissolve the Union, and the State of Missouri redeemed from the pledge to "*coöperate*" in it. Yours, truly,

Thomas H. Benton.

Mr. John Smith, St. Louis, Mo.

CONGRESS.

THIRTY-FIRST CONGRESS—FIRST SESSION.

SENATE.

Tuesday, September 24, 1850.

A memorial from printers in Washington remonstrating against the present contract system was presented by Mr. Clay, and referred to the Committee on Printing.

The Mexican Indemnity bill from the House was taken up. Mr. Soulé moved an amendment providing for the payment of the instalments by the Secretary of the Treasury. This was rejected, and the bill was then passed.

A bill making temporary provision for the working of the gold mines of California was considered. On motion of Mr. Ewing, it was so amended as to restrict a permit to work a mine to nine hundred square feet, and to allow of the transfer of permits in certain cases. Mr. Seward moved to amend so as to authorize permits to those who shall have declared their intention to become citizens of the United States. This was amended, on motion of Mr. Dodge of Iowa, so as to require testimonials of good character from such persons, and then agreed to—yeas 21, nays 18—as follows:

Yeas—Messrs. Bell, Benton, Bright, Cooper, Davis of Mississippi, Dayton, Dickinson, Dodge of Wisconsin, Dodge of Iowa, Downs, Ewing, Felch, Foote, Hale, Jones, Norris, Seward, Shields, Smith, Soulé, and Walker—21.

Nays—Messrs. Atchison, Badger, Berrien, Clarke, Davis of Massachusetts, Dawson, Fremont, Greene, Gwin, Hunter, King, Morton, Pearce, Sebastian, Spruance, Underwood, Wales, and Winthrop—18.

The Senate soon after adjourned till 6 o'clock, when it met for the transaction of Executive business.

Wednesday, September 25, 1850.

The joint resolution from the House, to authorize the President of the United States to cause a suit to be brought against George W. Crawford, late Secretary of War, was taken up, and read.

The resolution was debated some time—Mr. Crawford's friends endeavoring to vindicate his character. It was laid upon the table—yeas 27, nays 25—Clay and Pearce voting in the affirmative with the Democrats.

The bill to create certain collection districts in California was reconsidered, amended so as to provide for six ports of entry in that State, and then passed.

The bill making temporary provision for working the gold mines, &c., was taken up and passed.

The Senate, after some time spent in the consideration of the Indian Appropriation bill, adjourned till evening, when it went into Executive session.

Thursday, September 26, 1850.

The Senate had under consideration a bill granting bounty lands to officers and soldiers who have been engaged in the service of the United States. It was amended so as to include the representatives of all such officers and soldiers, and to entitle them to bounty lands if they had been exposed to the fire of the enemy. The amendments were ordered to be engrossed for a third reading of the bill.

The Senate took up the bill reported from the Select Committee on the memorial of Miss Dix, making grants of lands to the several States, for the support and relief of the indigent insane.

Mr. Davis of Mississippi opposed the bill as unconstitutional.

Mr. Chase was in favor of the object of the bill, but would like to see it put in a different form.

A motion to lay on the table failed—yeas 23, nays 23.

Mr. Whitcomb said he considered the bill little more than a proposition to distribute the proceeds of the public lands.

Mr. Benton moved to strike out the 3d section; and was proceeding to address the Senate in general opposition to the bill, when Mr. Pearce moved to postpone it till the second Monday in December next.

This motion prevailed, and the Senate then took up the Indian Appropriation bill. Without disposing of the subject, it adjourned.

Friday, September 27, 1850.

The Indian Appropriation bill was again taken up, and various amendments were ordered to be engrossed for a third reading of the bill.

A bill for the examination and settlement of the private land claims in California was debated, and laid upon the table temporarily.

The Fortification bill from the House was passed.

The Navy Appropriation bill was considered, and the Senate then proceeded to the transaction of Executive business.

HOUSE OF REPRESENTATIVES.

Tuesday, September 24, 1850.

The Civil and Diplomatic Appropriation bill, returned from the Senate with amendments, was referred to the Committee of Ways and Means.

A resolution of Mr. Johnson of Arkansas, allowing stationery to the amount of $45 for the long and $25 for the short session of Congress, was adopted. On motion of Mr. Strong, ordered, that the delegates from New Mexico and Utah be paid their mileage, &c., out of the contingent fund.

A few days since, a motion was made to reconsider the vote by which the House referred to the Committee on Commerce the Senate bill authorizing the Secretary of the Treasury to permit vessels from the British North American provinces to lade and unlade at such places in any collection district of the United States as he may designate.

This motion was called up by Mr. Grinnell. Mr. Bayly moved to lay the motion to reconsider on the table. Lost—yeas 86, nays 93. The motion to reconsider then prevailed—yeas 96, nays 86. Mr. Grinnell moved to commit the bill to the Committee on Commerce, with instructions (such as had been proposed by Mr. Ashmun) to report certain sections, which he submitted, providing for an increase of the tariff. The Speaker decided that the amendment was out of order, on several grounds—one being that it was not germane to the bill. Mr. Ashmun appealed, but the appeal was laid upon the table, and the Speaker sustained—yeas 101, nays 85. The bill was then passed.

Two bills granting lands to aid in the construction of railroads in Missouri were then laid upon the table by considerable majorities.

Mr. Preston King said that he had been seeking throughout the session for an opportunity to introduce a bill to abolish slavery in the District of Columbia, but he had not been successful. And he now moved a suspension of the rules for this purpose.

The bill was read. It proposes that all persons held in slavery emancipated by this act shall be paid for out of the Treasury of the United States; and the value and the amount shall be ascertained and determined by the judges of the circuit court for the District of Columbia.

The House refused to suspend the rules—yeas 52, nays 109—as follows:

Yeas—Messrs. Alexander, Andrews, Bingham, Booth, Burrows, Joseph Cable, Calvin, Chandler, Clark, Cleveland, Cole, Corwin, Doty, Duncan, Durkee, Fitch, Fowler, Freedley, Goodenow, Gott, Gould, Grinnell, Halloway, Harlan, Hebard, Henry, Howe, Hunter, James G. King, John A. King, Preston King, Horace Mann, Matteson, Meacham, Moore, Ogle, Otis, Peck, Reed, Reynolds, Risley, Rockwell, Root, Rumsey, Sackett, Schoolcraft, Silvester, Spalding, Sprague, Thaddeus Stevens, Van Dyke, Vinton, Waldo, and White—52.

Nays—Messrs. Albertson, Anderson, Ashe, Ashmun, Bay, Bayly, Beale, Bissell, Bowdon, Bowie, Bowlin, Briggs, Brooks, Albert G. Brown, Buel, Burt, Chester Butler, Thomas B. Butler, E. C. Cabell, George A. Caldwell, Joseph P. Caldwell, Carter, Casey, Clingman, Williamson R. W. Cobb, Daniel, Dimmick, Disney, Dixon, Edmundson, Elliot, Alexander Evans, N. Evans, Featherston, Gilbert, Gorman, Green, Hall, Hammond, Hampton, Isham G. Harris, Sampson W. Harris, Thomas L. Harris, Hay, Haymond, Hibbard, Hoagland, Holliday, Holmes, Howard, Hubbard, Inge, Joseph W. Jackson, Andrew Johnson, Kaufman, Kerr, George G. King, La Sere, Leffler, Littlefield, Job Mann, Marshall, Mason, McClernand, McDowell, McLanahan, Robert M. McLane, McMullen, McQueen, Meade, Miller, Millson, Morris, Morton, Orr, Outlaw, Parker, Peaslee, Phelps, Pitman, Potter, Powell, Richardson, Robbins, Robinson, Ross, Savage, Sawtelle, Seddon, Stanly, Richard H. Stanton, Alex. H. Stephens, Stetson, Strong, Taylor, Jacob Thompson, James Thompson, Venable, Walden, Wallace, Watkins, Wellborn, Whittlesey, Wildrick, Williams, Woodward, and Young—109.

Mr. Johnson of Kentucky came into the Hall after his name had been called, and asked to record it in the negative; but the privilege was denied.

[*Yeas*—Northern Democrats and Free-Soilers—11. Northern Whigs and Free-Soilers—41.

Nays—Northern Democrats—31. Northern Whigs—14. Southern *nays*—64. Northern members absent or not voting—44. A few members avowedly favorable to the principle of the resolution voted against a suspension of the rule, because they deemed the introduction of the resolution unseasonable. Under all the circumstances of the case, the vote in the affirmative was unexpectedly large.]

A resolution authorizing the President to cause suit to be instituted against Mr. Crawford, for the recovery of money paid him on the Galphin claim, was passed—yeas 142, nays 20.

The Fortification bill was passed.

The bill granting lands to the several States for the relief and support of the indigent insane persons was taken up.

Mr. Bissell explained the provisions of the bill. It appropriates 6,000,000 acres of public lands, to be divided among the States in the compound ratio of their geographical limits and their representation in the House of Representatives; the area of no one State to be computed at more than fifty thousand square miles. The lands are not to be sold at less than the minimum price, and the proceeds are to be invested in the United States or State stocks, to be forever kept as a permanent fund.

After remarks by several gentlemen,

Mr. Burt moved to lay the bill on the table; but the motion did not prevail—yeas 48, nays 107.

Pending this question on the engrossment of the bill, the House adjourned.

Wednesday, September 25, 1850.

The House refused to order the bill for the relief of indigent insane to a third reading, but referred it to the Committee of the Whole on the state of the Union.

The House took up the bill amendatory to the act providing for the better security of passengers on vessels propelled in whole or in part by steam.

Mr. McLane, who reported the bill from the Committee on Commerce, suggested various amendments, which were agreed to; and it was passed.

[From the reading of the bill we learned that it requires, among other things, that every steamboat navigating the waters of the United States shall be provided with life-boats, and a life-preserver for every passenger, always to be kept in readiness for use; no light combustible materials shall be taken on board; all boilers to be examined every six months, and no more passengers to be taken than certain superficial dimensions will warrant. This act to take effect from and after the 1st of April, 1851.]

The Army Appropriation bill was taken up in Committee of the Whole on the state of the Union, and a debate took place on the general subject of extravagance, retrenchment, &c.

Mr. Bayly called attention to the condition of the Treasury, and was proceeding to speak of the sums in the several Appropriation bills, when Mr. Bissell asked what was the entire amount appropriated thus far, for everything?

Mr. Bayly replied, forty-one million four hundred and seventy-six thousand dollars. This did not include the ten millions in the Texas Boundary bill, nor the amendments to the Navy bill, nor did it include the million put into the Civil and Diplomatic Appropriation bill by the Senate; nor the amendments to the Indian Appropriation bill. [A voice: "And they amount to a million."] Such being the amount of the appropriations, he turned to the condition of the Treasury. The actual receipts last year, from all sources, were forty-three millions four hundred thousand dollars. The receipts this year (for reasons which he stated) can hardly be as large as they were the last. And this being the condition of the Treasury, if the House did not resist extravagant appropriations, he desired the country to know what would be the consequence.

After a most confused, disorderly, ill-tempered, and barren session, in Committee and out, the House adjourned at a late hour.

Thursday, September 26, 1850.

The Army Appropriation bill was amended in Committee of the Whole on the state of the Union, reported, and finally passed.

The House resolved itself into a Committee of the Whole on the state of the Union, and took up the Civil and Diplomatic Appropriation bill, with the amendments of the Senate. It refused to concur in the Senate's amendment striking out the mileage reform clause. But the further transaction of business was prevented by the want of a quorum, and the House adjourned.

Friday, September 27, 1850.

Mr. Wentworth rose to a privileged question, and asked leave to make a report from the Committee on Printing. It ought, he said, to be read before a certain amendment to the Civil and Diplomatic bill is acted upon, (that relating to compensating the public printer.)

The Speaker said that the report could be made only by unanimous consent.

Mr. Wentworth. I want it read.

Mr. Bayly. I object.

Mr. Wentworth. It is all-important at this time.

Mr. Bayly moved that the House resolve itself into a Committee of the Whole on the state of the Union.

Messrs. Wentworth and Orr expressed the hope that the motion would be voted down.

The question was then taken, and decided in the affirmative—yeas 83, nays 75; and the House resolved itself into a Committee of the Whole on the state of the Union.

After some discussion on the Civil and Diplomatic bill, the Committee rose, and Mr. Bayly submitted a resolution to close debate in a few minutes after the House went again into Committee.

Mr. Orr of South Carolina protested against this attempt to cut off discussion, when one of the amendments of the bill related to the public printing, on which a committee stands ready to make a report containing facts all-important to be known before a vote was taken.

The House, however, passed the resolution, refused to allow the report to be made, and went again into Committee.

The following amendment was non-concurred in, viz:

"For the extension of the Capitol, according to such plan as may be adopted by the Joint Committee on Public Buildings of both Houses of Congress, two hundred thousand dollars. This appropriation to be expended under the direction of the President of the United States, who shall be authorized to appoint an architect to carry out the plans which may be adopted as aforesaid."

On the amendment making an appropriation for surveys on the Ohio river, Mr. Bissell moved a proposition embracing appropriations for rivers and harbors.

The Chair ruled it out of order, and was sustained on an appeal—yeas 73, nays 64.

The amendment was then non-concurred in.

The amendment of the Senate to the Civil and Diplomatic bill being under consideration, to indemnify the public printer for losses sustained in the execution of the printing of the two Houses, and releasing him from his contract, &c., a warm debate ensued, involving the subjects of the losses and profits of Mr. Ritchie, and his general designs in hidding, through his agents, for the work.

Finally, after being amended, the proposition of the Senate was non-concurred in.

The Committee, having disposed of all the amendments, rose; when, under the operation of the previous question, their action was concurred in by the House.

An adjournment took place at half-past twelve o'clock, A. M.

Saturday, September 28, 1850.

Mr. Hunter reported back from the Committee on Finance the Army bill, without amendment.

The Senate took up the Civil and Diplomatic bill, returned from the House with amendments, and resolved to insist upon its own amendments.

The bill relating to the safety of passengers on board steamboats was postponed till next session.

A message was received from the House, announcing its concurrence in the amendments of the Senate to the Land Bounty bill, except 2d and 6th, extending the bounties to the officers and seamen of the navy and marines.

The naval appropriation bill was considered, and several amendments rejected.

Mr. Mason moved to strike out the proviso, inserted by the House, abolishing flogging in the navy.

A short, spirited debate sprung up, in which Mr. Hale made a strong appeal to the Senate against the brutal practice of flogging, and insisted upon the rejection of the amendment. He was sustained by Mr. Hamlin, and opposed by Messrs. Dawson, Yulee, Pearce, Davis of Mississippi, and Butler.

Mr. Yulee, with a view to embarrass the proviso, moved to add after the word "navy," "and on board vessels of commerce." This was adopted—yeas 25, nays 13.

The question on striking out the proviso as amended was then taken by yeas and nays, with the following result:

Yeas—Messrs. Atchison, Badger, Bell, Berrien, Butler, Davis of Mississippi, Dawson, Dayton, Downs, Houston, Hunter, King, Mangum, Mason, Morton, Pearce, Pratt, Rusk, Sebastian, Smith, Spruance, Turney, Wales, and Yulee—24.

Nays—Messrs. Baldwin, Benton, Bright, Cass, Chase, Clarke, Davis of Massachusetts, Dickinson, Dodge of Wisconsin, Dodge of Iowa, Felch, Fremont, Hale, Hamlin, Jones, Norris, Seward, Soulé, Sturgeon, Underwood, Walker, Whitcomb, and Winthrop—23.

Soon after, Mr. Hale rose to a question of privilege. The Journal showed that, in striking out the proviso, twenty-four had voted in the affirmative, and twenty-three in the negative; while the name of Mr. Greene of Rhode Island, who voted no, was not recorded at all. He asked that the Journal be corrected.

Mr. Greene said that when his name was called he responded "No," and he did not know that his name was not recorded till his attention was called to it by one of the reporters.

The point of order was raised, whether the name of the Senator could be recorded at this stage, and was debated.

The Chair decided that the vote could not be recorded, except with unanimous consent.

Objections were made.

Mr. Hunter, to obviate all difficulty, moved, and the vote was reconsidered.

The question was again taken on striking out the proviso, and the motion was rejected—yeas 24, nays 26, as follows:

Yeas—Messrs. Atchison, Badger, Bell, Berrien, Butler, Davis of Mississippi, Dawson, Dayton, Downs, Houston, Hunter, King, Mangum, Mason, Morton, Pearce, Pratt, Rusk, Sebastian, Smith, Spruance, Turney, Wales, and Yulee—24.

Nays—Messrs. Baldwin, Benton, Bright, Cass, Chase, Clarke, Cooper, Davis of Massachusetts, Dickinson, Dodge of Wisconsin, Dodge of Iowa, Ewing, Felch, Fremont, Greene, Gwin, Hale, Hamlin, Jones, Norris, Seward, Shields, Sturgeon, Underwood, Walker, and Winthrop—26.

So the Senate refused to strike out the proviso, abolishing the practice of flogging in the navy and on board vessels of commerce.

[The sectional aspect of this vote is remarkable. Mr. Dayton of New Jersey was the only Senator from a free State who voted in the affirmative, and Messrs. Benton and Underwood were the only Senators from slave States who voted in the negative, except Soulé, who on the first vote recorded his name in the negative, but on the second, his name is not found among either the nays or yeas.]

A Committee of Conference was appointed on the amendments to the Civil and Diplomatic bill.

The Senate resolved to insist on its amendments to the Indian bill.

The Naval Appropriation bill was reported with its amendments to the Senate, and passed.

The Senate resolved to insist upon its amendments to the Bounty Land bill.

The Army bill was finally reported to the Senate with its amendments, and passed.

Committees of Conference were appointed on the Indian and Bounty Land bill.

The Civil and Diplomatic bill was then taken up, when

Mr. Dickinson, from the Committee of Conference, reported that the joint conferees had agreed upon all the disagreed votes, (with three exceptions,) and on motion, the report was concurred in.

The votes on which the committees could not agree were these:

1st. The amendment of the Senate striking out the House provisions regulating mileage.

2d. The Senate amendment, increasing the salary of the chief of the bureau of medicine and surgery to $3,000; and

3d. The Senate amendment respecting an abrogation of the contract for printing.

Mr. Dickinson moved, and the Senate again insisted on these amendments.

The House insisting on its disagreement to them, new committees were appointed to confer.

The bills creating collection districts in California, and extending to that State the judiciary and laws of the United States, returned from the House with amendments, were passed as amended.

A message was received from the House, stating that the amendments of the Senate to the Naval bill had been agreed to with one exception.

Mr. Hunter moved that the Senate recede from the amendment, and the motion was agreed to.

Mr. Shields, from the Committee of Conference on the Bounty Land bill, made a report, that the Senate recede from its amendment, and the report was concurred in.

The House disagreed to the Senate amendments on the Army bill. The Senate insisted, and the House did likewise; Committees of Conference were appointed, and the House receded from its disagreement.

At nine o'clock the Senate went into Executive session, and from that time till one o'clock, A. M., Sunday, remained in such session; the doors being occasionally opened to receive messages from the House and the President of the United States, and from the various Committees of Conference.

Mr. Pearce, from the Committee of Conference on the Indian bill, made a report, which, having been concurred in by the House, was concurred in by the Senate.

The doors were again closed.

Three-and-a-half o'clock.—The doors were opened.

A message was received from the House, stating that they had receded from their disagreement to the first and second amendments of the Senate to the Civil and Diplomatic bill, and had adhered to their disagreement to the third, (printing.)

Mr. Underwood moved that the Senate recede from their amendment.

Messrs. Dickinson, Soulé, and Foote, addressed the Senate in favor of insisting on the amendment; and Mr. Badger urged the Senate to recede.

The question being taken, the Senate, by a vote of yeas 27, nays 25, receded from the amendment.

The doors were then, at twenty minutes past four, again closed for Executive business, and at five o'clock the Senate adjourned to meet on Monday, at nine o'clock, A. M.

Saturday, September 28, 1850.

The House was busily engaged from ten in the forenoon till four in the afternoon, when it took a recess till six, when it again met, and continued in session till four next morning.

The Army, Navy, and Indian Appropriation bills were the subjects of conference between the two Houses, and were finally passed, the House sometimes receding, and sometimes the Senate.

On the amendments to the Civil and Diplomatic bill there were two Committees of Conference. The last report recommended—

1. That the House concur in the first amendment of the Senate, (striking out the mileage reform provision.)

2. That the House concur in the eighteenth amendment of the Senate; and

3. That the House do *not* concur in the amendment of the Senate (indemnifying the public printer, releasing him from his contract, &c.)

Great confusion followed, but at last, after a struggle,

Mr. Stanly moved that the House recede from its disagreement to the Senate's first and second amendments, (the mileage reform, &c.,) and adhere to their third, (striking out the provision relative to public printing;) and he moved the previous question.

Mr. Fitch. Has the gentleman a right to make the motion without a suspension of the rules?

The Speaker. The Committee of Conference were unable to agree. Two of the committee make a report. It is in order for the gentleman to move or adhere.

Under the operation of the previous question, the House receded from the mileage reform and another comparatively unimportant amendment, (relating to the bureau of surgery.)

And they adhered to the third amendment, *striking out* all with regard to the public printing, (refusing to say anything about it,) and, of course, refusing to indemnify Mr. Ritchie, or the public printer, and refusing to release him from his contract, and inviting proposals for the remainder of the printing at certain rates, below the prices of 1819.

This was carried by a vote of—yeas 91, nays 49.

Mr. Stanly moved to reconsider the vote just taken, and at his instance the motion was laid on the table.

This was the ollnober.

Mr. Hall moved that the House adjourn.

Mr. Burt inquired whether a message should not be sent to the Senate, informing them of the action of the House on the amendments.

The Speaker replied in the affirmative.

Mr. Thompson of Mississippi said the bill was passed, so far as the House was concerned.

Mr. Burt. Then it is for the Senate to recede from its (printing) amendment, or defeat the Civil and Diplomatic bill. I hope we will wait for them.

Mr. Hall. I don't see what good object can be attained by waiting for the Senate.

Mr. Disney moved that the House meet on Monday at nine o'clock.

The Speaker ruled the motion out of order.

Various motions continued to be made. At last—

A message was received from the Senate, informing the House that they had receded from the Ritchie Indemnity printing amendment.

Mr. Thompson of Mississippi. I hope that the House will remain in session until the Speaker has signed the Civil and Diplomatic bill.

The Speaker. One or two hours must elapse before this and the Indian Appropriation bill can be signed.

The House, at a quarter past four o'clock, Sabbath morning adjourned, amid general rejoicing.

Members did not linger. They were soon beyond the precincts of the Capitol, leaving a portion of the messengers to place the hall in a proper condition for religious services at eleven o'clock, while the other portion spent some time in waking and leading down stairs spectators who had fallen asleep in the galleries.

☞ The Free Soil men of the Eighth District in Ohio (composed of Ross, Pike, Jackson, Adams, and Scioto counties,) and represented now by John L. Taylor, are requested to observe uniformity in writing the name of our candidate for Congress. James C. Steele is his full name.

David P. Ruckman,

Corresponding Secretary of Executive Committee.

☞ *Fowlers & Wells, Phrenologists and Publishers*, Clinton Hall, 131 Nassau street, New York. Office of the *Water Cure and Phrenological Journals.*

JAMES FULTON, JR.

We lately noticed, with pain, the death of James Fulton, jr., of Ercildoun, Pa., one of the most active philanthropists of the State. A friend, writing to us, says:

"It seems almost impossible to conceive, much less realize, the fact of disease overriding and crushing such a stout, healthy, robust frame in so short a period; but such is the fact. The time of his death, the disease, &c., thou hast, no doubt, been already informed. His illness has been attributed by his friends to excessive activity, both bodily and mental—the latter induced by the present critical position of the slave question before Congress. After hard labor in the field through the day, he would often spend the greater portion of the night, that ought to have been devoted to repose, in writing letters to different individuals in political life, with the view of effecting favorably the settlement of the important questions before Congress.

"Though we feel deeply the responsibility resting upon our shoulders, yet I can hardly realize that he has gone—gone, never to be with us more; but the fact stares us in the face—he has gone the way of all earth; and though we deeply mourn his loss, it is a satisfaction and gratification to believe he died the death of a Christian. Indeed it is full worth living a life of toil and privation to be able and prepared to die the death that he died."

OBITUARY.

To the Editor of the National Era:

I have taken the obituary below, from the Kenosha Telegraph, and would be glad to have you insert it in your paper, if convenient

Charles Durkee.

Died in Kenosha, this September 11th, John Winchester Dana, aged 73 years.

He died, last of a family of thirteen children. His mother was a daughter of Major General Putnam. He settled in Caledonia county, Vt., where for many years he lived, well known as an active business man and politician of the Democratic school. In 1839 he removed to this place, where, free from the perplexities of business, cheerful in his thoughts, reverent in his spirits, he has chiefly occupied himself in the cultivation of a garden. He was a man of singular modesty of deportment; kind in all his relations, full of generous sentiments, keenly alive to every species of oppression, tolerant in his creed, generous of his means and of his strength; and he possessed that rare gift of carrying forward into age the feelings of his youth. *O si sic omnes!*—O. F. D.

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3. Norfolk Island.—*United Service Magazine.*
4. Louis Philippe.—*Spectator.*
5. A Record of Rambouillet—*Gentleman's Magazine.*
6. The Miracle Play in the Ammergau.—*Ladies' Companion.*
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With Short Articles, Poetry, and Notices of New Books.

☞ A New Volume has just commenced.

Washington, *December* 27, 1845.

Of all the Periodical Journals devoted to literature and science, which abound in Europe and in this country, this has appeared to me to be the most useful. It contains indeed the exposition only of the current literature of the English language; but this, by its immense extent and comprehension, includes a portraiture of the human mind in the utmost expansion of the present age.

J. Q. Adams.

Published weekly, at six dollars a year, by E. Littell & Co., Corner of Tremont and Bromfield streets, Boston.

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Ticks of various brands, and a great variety of other goods, all of which they offer as above, and most respectfully solicit purchasers to call and examine their stock.
Aug 3—3m

THE AMERICAN REFORM MEDICAL INSTITUTION,

Of Louisville, Kentucky.

THE General Assembly of the State of Kentucky passed an act of chartering this College with ample powers, and the board of trustees have organized and appointed the following Faculty:

Professor of the Principles and Practice of Surgery, *J. H. JORDAN, M. D.* Ticket, $15.
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Professor of the Institutes and Practice of Medicine, Physical Diagnosis, and Pathology, *J. BEEMAN, M. D.* Tickets, $15.
Professor of Obstetrics and Diseases of Women and Children, *A. H. BALDRIDGE, M. D.* Ticket, $15.
Professor of Legal Medicine and Natural History, *W. W. WALTERS, M. D.* Ticket, $15.
Demonstrator of Anatomy and Pro-sector, to be appointed. Ticket, $5.
Matriculation fee, $5. Graduating fee, $25.

The Lectures will commence the first Monday in November next, and continue twenty weeks. It will be observed that the extraordinary length of the term brings the fee considerably lower than that of most other medical schools.

Those wishing further information will address (postpaid) A. H. Baldridge, M. D., Dean of the Faculty, at Louisville, Kentucky; or Prof. J. H. Jordan, Dayton, Ohio; or Prof. C. J. Childs, Madison, Indiana.
Aug. 29—6t

ECLECTIC MEDICAL INSTITUTE OF CINCINNATI.

Chartered in 1845—*Session of* 1849–'50—*Matriculants*, 224—*Graduates*, 65.

THE Sixth Winter Session of this College will commence on the first Monday of November, 1850, and continue four months. The chairs of the Faculty will be arranged as follows:

HORATIO P. GATCHELL, M. D., Professor of Anatomy and Physiology.
JOSEPH R. BUCHANAN, M. D., Medical Chemistry and Cerebral Physiology.
LORENZO E. JONES, M. D., Materia Medica and Pharmacy.
BENJAMIN L. HILL, M. D., Surgery and Obstetrics.
I. GIBSON JONES, M. D., Theory and Practice of Medicine.
WOOSTER BEACH, M. D., Emeritus Professor of Clinical Medicine.
WILLIAM OWENS, M. D., Demonstrator of Anatomy and Surgical Prosector.

A gratuitous and preliminary course of lectures will commence on the first Monday in October; at the same time the Demonstrator's rooms will be opened, with every facility for the study of Anatomy. Tickets to a full course of lectures, $60 in advance, or well-endorsed note for $70; to two or more full courses of lectures, $100 in advance. Matriculation ticket, $3; Graduation $15; Demonstrator's ticket, $5; (anatomical material abundant;) Hospital ticket, $5, which gives access to the clinical lectures of the extensive Commercial Hospital. Board from $2 to $2.50 per week. Students occasionally board themselves, in clubs, for one-half of this amount.

The leading principles of the College are, that all medical treatment should be of a safe and restorative, instead of a dangerous or debilitant character—that knowledge should be sought freely from all sources, and that no medical creed should be enforced by proscriptive associations. The Eclectic system of practice embraces a great number of medicines and remedial measures not generally known or used, and its success is believed to be unequalled. The average mortality of cholera under Eclectic practice has been less than five per cent.—the average mortality from all diseases, less than two per cent.

Students will call upon their arrival in the city at the office of Prof. B. L. Hill, Secretary of the Faculty, northwest corner of Ninth and Elm. For further information, address, post-paid,

JOSEPH R. BUCHANAN, M. D., Dean.

JOHN W. NORTH,

ATTORNEY and Counsellor at Law, and General Land Agent, Falls of St. Anthony, Minnesota Territory.
Oct. 11.—y

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Aug. 1.

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Oct. 25—tf

[CONTINUED FROM FIRST PAGE.]

I have only to say that the address of the gentleman was an able vindication of Whig principles. It was worthy of himself and worthy of the party in whose behalf it was written. It was universally read, and universally approved; and it had its effect—we did elect an overwhelming majority of Whigs—thirty-two out of thirty-four of the Representatives of that great State are Whigs, elected to vindicate Whig principles, and first and foremost amongst those principles, the glorious Ordinance of 1787, now known in our vernacular as the "Wilmot Proviso." Had the subject of it been wholly unknown, or entirely unbroken front; and I trust that neither principalities, nor powers, nor things present, nor things to come, nor height, nor depth, nor any other creature, can induce us, or any one of us, to be otherwise than true to his party, true to his country, and true to himself. What amusement will seize his adversaries, if they discover that a Whig, that the author of that address wore a mask—that while professing to believe in the necessity of active extension against extending slavery, he believed that all such legislation was idle, useless, nay, vicious and impious, and that the cherished principle of a great party was a mere "useless, mischievous abstraction?" I think they may, but, was sincere—that I profess, believe, and maintain now, the selfsame doctrines that I did then—and first and foremost amongst them this, *that the area of slavery must not be extended.*

Having thus vindicated myself from aspersion, I rehearse to the gentleman his own incantation, and I inquire whether there is any one, or other Whig principle which he is preparing to abjure? Is the principle of a protective tariff safe? How soon is his adversary to become an obsolete idea—a useless, mischievous abstraction.

"That the area of slavery must not be extended" was a national Whig principle then. The Ordinance of 1787 was the Whig creed, and was enunciated in the resolutions and instructions of almost every Legislature in the free States, and indeed in almost every State and Constitutional Convention. A fair sample of those resolutions, I quote from those of the State of Massachusetts, adopted on the last day of April, in the year of Grace 1850:

"*Resolved*, That the people of Massachusetts *earnestly invite the application by Congress of the Ordinance of* 1787, as the fundamental law of human rights, in all the territorial *possessions* of the Union in all parts of the continents and for all coming time.

"*Resolved*, That the people of Massachusetts, in the uninterrupted of these their well-known and invincible principles, *expect that our representatives will adhere to them at all times, on all occasions, and under all circumstances.*"

We shall see, in the progress of these bills and kindred measures now before the Senate, whether it would not have been more suitable for that Legislature to have adopted those emphatic resolutions on the first day of April, rather than on the last. We shall see whether they are to be considered the abiding sentiment of the glorious old Bay State, or only as a good joke, and worthy of All-Fools'-day.

Let us inquire, as become the Representatives of a free and thinking people, what are the terms of the "Wilmot Proviso" and how evince our faithfulness by applying to them the Ordinance of 1787, "*with all possible sanctions and solemnities of law.*"

The whole title of Texas to any territory west of the Nueces, or north of the Red river, consists in her own *assertions*, and the *assertions* of President Polk. Before Texas can establish a validity of that title, it will be necessary to establish the principle *that one alone can make a bargain, and that the President has power to give away the territory of the Republic of Mexico by word of mouth.*

There are three ways in which a nation one acquire territory: by prior occupation, by purchase, and by conquest. Texas I will not say, acquired acquired title to any part of New Mexico in any of those ways. She never occupied, never bought, never conquered, never even squatted there. Texas has, however, possessed a lie by which she claims the Rio Grande was her western boundary, from its mouth to latitude 42° north. Paper is passive, and receives all that ignorance and knavery choose to make. It was just as easy for Texas—nay, just as lawful—to fix her boundary on the Pacific as on the Rio Grande; for Mexico was in as full and undisputed possession of all the territory between the Rio Grande and the Nueces, and all the territory of New Mexico east of the Rio Grande, as she was of the Pacific coast. She had towns, villages, and a city there. Spain, and Mexico after Spain, have claimed and occupied this territory more than two hundred years; have exercised undisputed and undisturbed legislative, judicial, and executive power there. All this is to be overcome by a piece of paper, with a few words in writing thereon, made by Texas. Will it not rise to the dignity of a squat—it is only a constructive squat.

Texas seems never to have learned that "it takes two make a bargain." In the same spirit of wantonness, Texas passed a law extending her boundaries to the Pacific; it is lucky that the Governor of that "*self-denying State*" was so affected with a superabundance of modesty that he did not approve that law. If he had, the statesmen and lawyers around us would be debating claims for Texas all New Mexico and all California, and all the remainder of Mexico *when, under our manifest destiny*, we shall acquire that country. What an excellent thing is the right hand of fellowship! Exactly those which she had March 1, 1845, the date of the resolution of annexation? What territory *was they properly entitled to?* Nothing at all! *Fully belonging to Texas?* Nothing at all! These are the words of the resolution. All that territory which Texas occupied and exercised sovereignty and dominion over, was north of the Nueces, and by occupancy only—it was not a right by treaty or priority of occupation.

The boundaries were the Gulf on the south, the Sabine on the east, the Red river on the north to the one hundredth degree of west longitude from London, thence about southeast by south to a branch of the Nueces, thence down that river to the Gulf; and contained about one hundred and twenty-five thousand square miles. This is Stephen F. Austin's boundary, as designated on his own map in 1835. These are the boundaries of Texas as written down by Mrs. Mary Austin Holly, his relative, in her history of Texas. "The whole province lay between 25° 50' and 42° of west longitude, and between 27° and 33° 30' north latitude. It may not be amiss to say that Austin was one of the fathers of the Republic of Texas, and that his countrymen have created a monument to his memory. These boundaries have never been enlarged by any of those acts which constitute title. They remained the same up to the time of annexation. The battle of San Jacinto did not enlarge, it only secured, these boundaries. They were the same when Texas, adopting those boundaries, was the merest nullity. Santa Anna, as President, and free at home in the capital of the Aztecs, had no power to cede the territory of the Republic of Mexico; and he could he make any treaty while a prisoner of war.

The law of Texas was the merest bulwerque. It is amazing that men should urge either that treaty or that law as a foundation of title. The title of Texas was by conquest and occupation, and did not extend a rood beyond. But it is urged that President Polk, and President Tyler, Mr. Polk, has said in his message of the 8th of December, 1846, that the western boundary of Texas was the Rio Grande from its mouth to its source. The *sayings* of the President do not vary the fact. The boundary of Texas remained the same, no matter what the President said. President Polk had many strong arguments to hold a rare knack of telling stories to suit himself. He said that the northern boundary of Oregon was at 54° 40'. He said that the Rio Grande was in Mexico—that American blood had been shed upon American soil by Mexico. Mr. Polk was not at all particular what he did say.

The title of the Government has been for many years to acquire, right or wrong, the territory east of the Rio Grande. This was admitted in substance by Mr. Shannon, our Minister to Mexico, in that despatch of his which made us all ashamed of our Minister and of our Government. Mr. Shannon furnished a new proof of the old Spanish maxim, "that no cloak is large enough to cover itself."

Mr. Calhoun, when Secretary of State, put the question of annexation upon the ground that slavery was a blessing, and that it was necessary to extend it for the safety of the institution, and for the security of the South, and that it was for the benefit of all the rope. This accounts for those sayings of Mr. Polk, by which it is held we are concluded—estopped. Would treating with Mexico, for what of course claim all he could. And when he discovered that there was danger that the Wilmot Proviso would be applied to the territory we should acquire from Mexico, he did all he could, and said all he could, to extend the boundaries of Texas, because all which could be shown to belong to Texas was shielded from the Wilmot Proviso, and the Wilmot Proviso could not reach it. We had in Mr. Polk an unfaithful agent; we are not bound by his sayings, for they exceed his authority, and if we repudiate the sayings, Texas has no right to complain, for she understood the meditated fraud, and aided and encouraged its perpetration.

I contradict Mr. Polk with the less hesitation, because he contradicts himself. In 1845, Mr. Polk sent Mr. Slidell as Minister to Mexico, and through the Secretary of State, Mr. Buchanan, instructed Mr. Slidell, what everybody else knew before, "that Santa Fe was the capital of New Mexico; that it was settled by the Spaniards more than two centuries ago; and that that province had ever since been in their possession and that of the Republic of Mexico; that Texas had never conquered or taken possession of it; its people had never been represented in any legislative assembly or convention of Texas?" And still Mr. Polk says, in his message of 29th December, 1846, that this very territory was, by the act of annexation, admitted as a part of Texas as a State into this Union. Then, according to the statement of this veracious President, we, the people of the United States, incorporated into this Union a vast territory, containing at least one hundred thousand square miles, which contained towns, villages, and a city, and at least one hundred thousand inhabitants, which had been under the quiet and peaceable dominion of friendly Powers for over two centuries! It is melancholy to reflect, that the sayings of the President upon this subject are only monuments of mendacity, hastily compiled, and that his acts are more strously vicious. We all know that after the annexation of Texas, our Government proposed to buy of Mexico the territory lying east of the Rio Grande, and to pay her about six millions for it. We all know, also, that after the annexation we passed a law directing the duties to be refunded to the Mexican Government, and that we drove in unbroken packages to Santa Fe. The United States had a commercial agent there, accredited to the Mexican Government, and we knew, before. Are not these facts perfectly conclusive that we considered, knew, and admitted New Mexico and Santa Fe to belong to Mexico? Can they be reconciled with common sense upon any other principle.

Now, as Texas in her maps has located her own boundary; as the President has described it; as she does not show a town or village, or even a single squatter, north of the Red river, or anywhere else in New Mexico, and as President Polk, Texas and Texas friend, and Mexico were nearly admits all this, I shall assume as proved that Texas did not, previous to the annexation, own any part of New Mexico. Mexico, Texas, and Polk, by better title to the territory between the Nueces and the Rio Grande.

Will any gentleman inform me the name of any Texan town, village, or even a single squatter, on the west side of the Nueces? I have searched the geography and the history and the maps of Texas in vain. There was no such thing at the time of annexation. At that time the only pretence of settlement on the west side of the Nueces was just at its mouth, at the bay of Corpus Christi. This was used as a military station, and, probably, as the headquarters of General Taylor; his army, of about two thousand men, was encamped upon the beach, and remained there until it marched to Point Isabel. I have it from good authority, that at the time General Taylor encamped on that beautiful beach there were but two houses at Corpus Christi, and that the inhabitants (some) and they were erected by a Colonel McKinney, who had taken the cain of allegiance to Mexico, and that occupation was a flagrant smuggling purpose. Best and ample evidence of the fact that Mexican laws and authority prevailed there.

Mexico, on the contrary, had towns and villages on the east side of the Nueces. The country between it and the Nueces was called New Santander, or Tamaulipas, for the whole length of that province, which runs diagonally from the 26th to the 30th degree of north latitude, there were old Spanish settlements—there were Reinosa, Camargo, Revilla, Grande, Baptista, Monclova, and Aldamas, and Mier, and Guerrero, Mier, Leredo, Dolores, and Enonios, on the east side of the Rio Grande. There were intermediate towns, and Laguniller on the Pacific, and, for ages, a long and very large city. Why, sir, a part of the battle of Palo Alto was fought in a field of Indian corn, the standing and growing crop of a Mexican farmer. Mr. Polk said, in his message, that "*American blood was shed on American soil*"—soil that had been owned and occupied by the Spaniards, and by Mexicans, for more than two hundred years—their peaceable and undisturbed possession. We have no better title to the banks of the Potomac than the Mexicans had to the east bank of the Rio Grande and all east of the Nueces. The law which Texas passed is all her title—she had nothing by possession, nothing by conquest, and nothing by treaty.

It is insisted as a clincher, that the map attached to the treaty of peace with Mexico, made February 2, 1848, shows that all east of the Rio Grande belonged to Texas. The fact is, that what it is J. Disturnel's revised edition of the map of the United Mexican States, of the date of 1847, and does not show any division of the territory portion of the Mexican territory lying east of the Rio Grande, and north of the Red river. That country is designated in large capitals, "Santa Fe." All the best maps of Mexico, of the United States. It is the same province of Santa Fe, which President Polk, in his instructions to Mr. Slidell, says, was settled by the Spaniards more than two centuries ago, and which we have remained in the possession of Spain and the Republic of Mexico; that the Texans had never conquered it, nor taken it, nor any part of it, nor never been represented in any legislative assembly or convention of Texas.

This map also shows Austin's boundary line clearly defined, bounding Texas on the north and west. If any inference is to be drawn from this map, it is clearly proved that Austin's boundaries are true boundaries of Texas.

Let any gentleman trace the dotted lines along the south branch of the Red river to its source, and he will find that it is a continuation of the line what Austin considered, and what President Polk considered, the northern boundary of Texas.

Those who argue in favor of the title of Texas to territory north of the Red river and west of the Nueces, seem to adopt the legal folly, that a great many idle pretences, and numerous unfounded and groundless claims, will, when added together, make a good title.

Shall I be deterred from speaking the truth? Shall I falsely history, in the vain attempt to justify one of the most disgraceful transactions on record? American blood was not shed on American soil—it was shed upon Mexican soil; here I fight, by right, by treaty, by law, I am bound to defend it. Texas avers, that if her treaty with Santa Anna did not give the Rio Grande for her western boundary, nor her own law, that our President had made it was American soil, having marched the army of the United States there under the pretence and allegation that it belonged to Texas, and that Mexico had been concluded or *estopped* from saying it does not belong to Texas. This argument, if it amounted to anything, is only applicable to the territory east of El Paso; it has nothing to do with New Mexico, for it was not pretended that that, or any portion of it, belonged to Texas; expressly the contrary was admitted. The President, in his message and Resses de la Palma are nearly a thousand miles from Santa Fe. But let us examine this doctrine of estoppel. It is a plea in law, and has been acute Presidential jugglery or official legerdemain which has estopped the United States from claiming and owning the territory she has conquered and taken.

The plea of estoppel is a plea in bar, predicated on a man's own act and sayings of a man's agent who transcends his authority, which stope the man not only from claiming that the agent transcended his authority, but also from proving that what he said was false.

Blackstone's definition, in order to apply to the case, should be slightly paraphrased as follows:

A man shall always be estopped by the deed of his agent, who has no authority to make such deed, and not be permitted to aver or prove either that the agent did not make the deed, or that he had no authority to make it.

Gentlemen had better leave this quibble, this piece of official trickery, to the shifftogers—those who know nothing of the philosophy and much of the knaverice of the law.

These sayings of President Polk, on which the plea of estoppel is founded, are untrue in fact; and as he had no power to convey away the territory of the United States directly, still less could he do so by indirect sayings. Texas, by her missions were not the admission of the United States.

Not only was President Polk destitute of authority to cede away the land of the United States, or in any way to invalidate our title, but his admissions and sayings are not entitled to the credit of impeachment.

In his intercourse with Mexico, his drift and evident intention was to provoke a war; and his sayings were made with that intention and object.

After the conquest of Mexico, he was still partial to Texas; because, under the operation of the Wilmot Proviso, all the territory which he had conquered, and which I belong to Texas, would be and remain free. What was yielded to Texas would, of course, be slaveholding. His great object was to extend slavery. Hence his admissions and hence his sayings. They are entitled to no more credence than those of any interested and unscrupulous individual in his own favor.

The President is but the agent of the United States, and his powers are clearly defined by law. Illegal acts cannot be made legal by his sayings, they exceed his authority. The President has no authority to give away or sell a rood of the territory of the United States. The President actually to give would amount to nothing, still less would his talk. If Texas obtains a rood of land of the United States, it must be by a paper title, executed in conformity to law. The title of Texas to all her lands is traced with her own sword. This position is perfectly equitable, for Texas knew and understood the terms on which she understood the power of the President, and knew that the pretence of extending her territory by an act of legislation hardly arrived at the dignity of infantile nonsense. It is no answer to say that the Congress of the United States backed up the President, and voted men and money to sustain his pretensions. The Congress of the United States ordered American troops surrounded by hostile Mexicans; those troops must be succored; they were our countrymen, our friends, and brothers—we could not leave them to be destroyed. General Taylor and his army were in Mexico, in that dangerous position by the command of the President. It was no fault of General Taylor; as a soldier, his first, second, and third duty was to obey. We must not leave the brave old soldier and his army to be out to pieces; the Mexicans had taken possession of the disagreed; "our country, whether right or wrong," was the patriotic watchword; we granted men and money, and we did what we could, we relieved our dishonor by branding the words "this unjust and unconstitutional war" upon the law that granted the supplies; we did not sanction the doings of the President.

But it is alleged that we "*acted as the AGENT of TEXAS?*" in carrying on the war with Mexico; that we conquered and bought for Texas; and that we, "*in her agent?*" Is there any obligation in the article of annexation defining the boundaries of Texas, that the United States should assert those boundaries? Is there any obligation to defend territory annexed? Is territory properly included in and rightfully belonging to the Republic of Texas, and subject to the adjustment by the United States of all questions between Texas and Mexico?

Agency implies a principal who has authority to command, and who is bound, of course, to pay for services rendered. The President is not the AGENT OF AMERICA THE AGENT of Texas! This great Republic under the direction and control of less than fifty thousand inhabitants! When the conscientious Senator from the great State of Ply that lights on it as it rolls—when the giant oak becomes agent for one of its smallest twigs—the Texas agency may be pleaded as a plea.

Well, if we are your agent, come, principal, account with your agent; pay your agent; pay us for the services we have rendered you; pay us for the $150,000,000 which we have expended in your service; pay for the property we have entailed upon us; pay us for the fifty thousand lives we have laid down in the war in which we were involved by your agent; pay us, and then talk of our surrendering the acres we have won, or cease talking of agency. We *have* secured your boundaries that rightfully belonged to you, and our duty is done.

But, says the gentleman from Alabama, [MR. HILLIARD,] here is a map, brought from the capital of Texas, which shows that the territory which we propose to cede, which lies north of the Red river, is not included within the boundaries of New Mexico as laid down on that map. Neither is it included within the boundaries of Texas, as laid down on that map, or any other map. Has it come to this—that Texas owns all the land that she has never been possessed of? Has it so long been taken up and marked as belonging to some particular province? Does Texas acquire territory as a debtor and bankrupt acquires property, by implication? Texas, it seems, claims, as did the greedy farmer, all her own, and all the land adjoining!

It is not a satisfactory answer to say that the land is valueless. First, I do not believe the alleged fact; and if the land is poor, it is as rich for freedom as the best land in the State of Texas; the mountain home, that liberty loves to dwell. The argument that the country is poor, and therefore it is no matter how it is divided, reminds me of a story of a Yankee, who, complaining of the unfair division of a cake by his step-mother was told that it was a poor cake: "It seems to me, mother, that Sam's piece is the biggest bitch out it?" I object to the bill because it proposes to give ten millions of the people's money where not one dollar is due. We all know that we are to be charged with the value of the lands of Texas was, that we should be saddled with her debts. This objection was stoutly resisted by some of those who now propose to do the very thing *we pay.* To provide against the possibility of that contingency, the following clause was inserted in the article of annexation, and without that insertion it never would have passed:

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We are assumed those revenues of Texas which arise from duties on imported articles, and those duties, it is said, were pledged for the payment of her debts. Well, is there any surplus in our hands? I have we not paid Texas? Have we not daily pay out more than the duties amount to? Is not Texas relieved from a war? Are not her revenues increased? Are not her debts relieved of the expense of foreign diplomacy? Are not her Senators and Representatives supported here? Is not Texas relieved from her debt been diminished by annexation? On the contrary, has not her ability been vastly increased? Do we not import, use, and consume her productions? Do we not pay her duties on those productions admitted free of duty? Would they not have been taxed if Texas had remained independent? Do we not pay her duties on imports? Texas? Does it not increase the value of her lands, and of course her ability to pay her debts? Have not her lands quadrupled in value? Her productions, which formerly sold for a copy, have increased with unexampled rapidity. And is not this the result of the peace and security which annexation brought? Has not Texas had no vested right in these revenues—no claim that they could enforce; it was a reliance out of which they had not received the first dollar, and there was no prospect that they would. Their chance on the honor and ability of Texas is far greater now than previous to annexation. We have increased, not lessened her ability to pay.

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The equity is all clearly on the other way. By right, the United States should retain the sovereignty and own the soil of all that territory between the Nueces and the Rio Grande, as some small indemnity for the expenses of the war, the lives it cost, and the pensions it has entailed upon us. I will propound one question to those who insist that we are equitably bound to pay this $10,000,000. It is a plain, searching question, and the honest answer will show whether it is under a profound sense of justice or a less noble motive that we are asked to pay. Texas has been long at peace; made no disloyal threats; was as quiet as the claimants for French spoliations are; would any man think, still less would any gentleman or Senator, vote for a law for Congress to give to Texas $10,000,000 for equity only—for justice? That man is not to be found. Will Congress yield, then, to the harassed cry of Texas, to the clamor of unreasonable bluster, what you would not think of yielding to justice and equity? Will you be frightened from your propriety, because Texas has sent us to war with Mexico? Is that what she calls justice—Texas, that could not furnish Major Neighbors with spending money when he went to see you at the Capitol—Texas, that could not prevent the Indians from scalping her frontier inhabitants? Nothing is further from Texas than the desire to have any collision with the United States. Texas would be the more anxious to remain in the Union. The first nullifier remains to be found. She has no affinity with traitors; her sympathies are with those who have shed their blood, and her brave men would run mad, if division should begin. The idea of such a gammon; it is an invention of the "bulls and the bears"—speculators in Texas land, and speculators in steel pens-in-liers and "terrible-accident writers?"

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