The Patriot and Flag.

VOLUME XIX. GREENSBOROUGH, N. C., FRIDAY, APRIL 2, 1858. NUMBER 978.

Business Cards.

DR. A. A. HILL, LEXINGTON, N. C. 949 tf.

JAMES A. LONG, ATTORNEY AT LAW, GREENSBOROUGH, N. C.

J. C. HEDGECOCK, Attorney at LAW, LEXINGTON, N. C. February 17th, 1858. 972 tf.

WORTH & UTLEY COMMISSION and Forwarding Merchants, Fayetteville, N. C.

JACOB T. BROWN, Attorney at LAW, High Point, N. C., will attend to all business entrusted to his care. March 26th, 1858. 977 1y

DOCTORS C. L. & R. L. PAYNE, copartners in the practice of Medicine, Obstetrics and Surgery, Lexington N. C. March 18th, 1857. 925 tf.

DR. J. T. HUNT OFFERS HIS PROfessional services to the public Office adjoining Andrew Hunt's Store, LEXINGTON, N. C. April 6th, 1857. 928 tf.

N. C. FREEMAN, WITH Abbott, Jones & Co., Importers and Jobbers of Staple and Fancy Silk Goods, No. 153 Market Street, Philadelphia.

GEO. N. HOPE, Plain and Ornamental Plasterer, Lexington, N. C. ☞ Busts and Parlor ornaments for sale. November 20, 1857. 960 tf.

DR. J. T. MATTHEWS HAVING permanently settled at UNION CROSS ROADS, offers his Professional services to the citizens of the surrounding country. March, 1858. 977 3m

ALEX. P. SPERRY, WITH BELL, BROOKS, PACE & CO., Importers and dealers in Staple and Fancy Dry Goods, No. 89 Chambers, and 71 Reade St, New York. Dec. 21, 1865. 862-tf.

LEVI M. & WILLIAM L. SCOTT, ATTORNEYS AT LAW, GREENSBORO', N. C., will regularly attend the Courts of Guilford, Alamance, Randolph and Davidson. 919 tf

DR. JAMES K. HALL, Having removed to Greensborough, N. C., offers his Professional Services to the public. Office on West Market Street, in the house recently occupied as a residence by Hon. John A. Gilmer. Feb., 1858. 973 tf.

DR. W. A. COBLE Having received instruction from Dr. NEAL, of Philadelphia, and Dr. HOWLETT, of Greensborough, is prepared to perform all kinds of **Dental Operations** in the latest and most improved style. Dec., 1857, 964 3m.

LAW COPARTNERSHIP.---J. A. Long & D. F. Caldwell, Greensborough, N. C; having associated themselves in the practice of the law, in the Courts of Guilford county, will promptly attend to all business entrusted to their care. January 15th, 1858. 967 tf

JOHN W. PAYNE, Attorney at LAW, having permanently located in Greensboro' N. C., will attend the Courts of Randolph, Davidson and Guilford, and promptly attend to the collection of all claims placed in his hands. Jan. 9th 1857. 945 tf.

WATSON & MEARES, GENERAL Commission Merchants, 34 Barling Slip, New York.—Special attention paid to the sale of Grain, Cotton and other Southern products. ☞ Liberal advances made on consignments. 915 tf.

E. W. OGBURN, dealer in School Religious, Scientific, Standard, Prose and Poetical Works in General Literature; Law Books, Miscellany, Albums, Music and Writing Port Folio, Writing Desks, Music and Musical Instruments Stationery, &c. Greensborough, N. C. West Street second square from court house

JOHN H. ROWLAND. J. HAMILTON ROWLAND. WM. D. REYNOLDS. ROWLAND & REYNOLDS, SUCcessors to ANDERSON & REYNOLDS, Grocers and Commission Merchants, NORFOLK, Va. ☞ Pay particular attention to the sale of Flour, Grain, Tobacco, etc., avoiding unnecessary charges, and rendering prompt returns. Dec., 1857. 963ti

JAS. STOKELY. ALEX. OLDHAM. STOKELY & OLDHAM, Grocers AND COMMISSION MERCHANTS, WILMINGTON, N. C. Liberal advances made on produce consigned to us, when desired. REFERENCE:—Col. John McRea, President of the Bank of Wilmington. O. G. Parsley, Esq., President of the Commercial Bank. Aug. 28th, 1857. 948 1y.

PETER W. HINTON, Commission Merchant, TOWN POINT, Norfolk, Va. Special attention paid to selling Tobacco, Flour Grain, Cotton, Naval Stores, &c. Also, to receiving and forwarding Goods. Refer to Chas. L. Hinton, Esq., Wake, N. C., G. B. Wallace, Esq., and Geo. W. Haywood, Esq. Raleigh, N.C.; Wm. Plummer, Esq., Warrenton N C. Aug. 25, 1855. 864:1y.

H. C. GORRELL'S Photographic Gallery is now opened, and Cameotypes, Melainotypes, AND Ambrotypes, which cannot be surpassed for DURABILITY and BEAUTY are taken in Lockets, Pins and cases, to suit the tastes and purses of all. Having permanently located in Greensborough, he confidently expects a liberal patronage. ☞ Call and examine Specimens, and learn the Prices. Rooms formerly occupied by A. Starrett, second story of Garrett's brick building, West Market street, Greensborough. March 1st, 1858. 971 tf

COFFINS.—READY MADE COFFINS, of various sizes, kept constantly on hand, by JOSEPH SEARS. Greensborough, N. C. 952 1y.

Business Cards, &c.

MARBLEWORKS, BY GEORGE HEINRICH, Manufacturer of Monuments, Tombs, Head-stones, &c., at reduced prices, four doors North of the Court House, Greensborough, N. C. ☞ Orders from a distance promptly filled. February 11th, 1858. 971 tf.

PAINTING.—The undersigned is prepared to do House, Sign and Ornamental Painting at short notice and on the most reasonable terms. Persons who are desirous of engaging his services in the above business, will please call and see him at his residence at Rich Fork, Davidson county, or address him at that place or Lexington, and their orders will be promptly attended to. ANDREW CALDWELL. July 24, 1857—1 tf

Ambrotypes, Cameotypes and MELANE TYPES in Cases Lockets or Pins taken in the best style of the Art. Immediate application should be made as my stay here may not be long. Gallery in the second story of J. & F. Garrett's New Brick Store. A. STARRETT. Dec., 1857.

I Will Furnish the Best Quality of Dress, Fancy and Water-proof Boots, cheap for cash. So many scattering accounts cannot be made. Flour, &c., to be brought in advance. None but fine work will be undertaken. H. H. BRADY. February 11th, 1858. 971 tf.

R. J. Mendenhall, Land Agent, WILL select and enter Government Land, Locate Land Warrants, make investments for capitalists at Western rates, pay taxes, and transact a general real estate business in Minnesota, Iowa and Wisconsin. Address, Minneapolis, Minnesota. Refer to Hon. J. M. Morehead, George C. Mendenhall, Col. Walter Gwynn and John A. Gilmer. May 16th, 1856. 288 tf.

BLANKS.—A FULL SUPPLY OF Blank Warrants, Deeds, Deeds of Trust, Attachments, Declarations in Ejectment, Administrator's Notices, and many other forms, will always be found at the Store of Adams, Dobson & Grimes, in Lexington, who are our Agents, for the sale of the same; and who are also our Agents to receive and forward to us, all kinds of Job Work. SHERWOOD & LONG

GEO. H. KELLY & BROTHER, Commission Merchants, and Dealers in Family Groceries and Provisions No. 11, north water street, Wilmington, N. C. WILL keep constantly on hand, Sugars, Coffees Molasses, Cheese, Flour, Butter, Lard Soaps, Candles, Crackers, Starch, Oils, Snuffs &c. REFERENCES: O. G. Parsley, Pres. Commercial Bank, Wilmington; John McRae, " Bank of Wilmington; A. M. Gorman, Raleigh; Rev. R. T. Bedlin, Raleigh; L. & F. Garrett, Greensboro'; David McKnight, Greensboro'.

ACCOMMODATION HACKS.--J. F. Pearce is well supplied with comfortable Omnibuses, Hacks, Buggies, &c., for the accommodation of persons arriving on the CARS, and wishing conveyances to surrounding points. His horses are gentle and true, and his drivers careful and experienced. He or his agent will always be at the DEPOT, with a comfortable OMNIBUS, ready to convey passengers to any part of the town, or elsewhere, when desired. **Horses and Buggies** kept on hand, to hire out on reasonable terms. As he has been at a heavy expense to prepare these accommodations, he hopes to receive liberal encouragement. Greensboro', Sept. 1, 1857. 919 tf.

D. P. GREGG, DENTIST, (GRADUATE of the Baltimore College of Dental Surgery having located himself permanently in this village respectfully tenders his professional services to its citizens and those of the surrounding country. He deems it unnecessary to publish long lists of testimonials, as he hopes to have sufficient opportunity to evince personally to those having diseased dentures, whatever qualifications he may have to practice in the varied departments of the profession. **Any call will be promptly attended to** Office on North street, first door, North of Hopkins Hotel. Greensboro', N. C., Dec 5th, 759–1y

J. W. HOWLETT, D. D. S. J. F. HOWLETT. J. W. HOWLETT & SON, Dentists, respectfully offer their professional services to the citizens of Greensborough and all others who may desire operations performed on their teeth in the most approved, modern and scientific manner. They are amply qualified to perform all and every operation pertaining in any way to Dental Surgery, unsurpassed for utility or beauty. The Senior of the firm has in his possession Diplomas from the Baltimore College of Dental Surgery, American Society of Dental Surgeons, and Dr. S. S. Fitch of Philadelphia, and has been in the regular practice of the profession for over twenty years. They have furnished their Operating Rooms, West Street two doors above the Bland House, in a handsome and comfortable manner for the reception of Ladies, where one of the firm may always be found. Ladies will be waited on at their residences if desired. June, 23 18 837:1y

JAS. M. HUGHES, Fashionable Tailor, has just received the latest Paris, New York and Philadelphia **Fashions for Spring, 1857,** embracing among others the following beautiful patterns:

Frock Coat,	Boy's Blouse.
Single breasted Frock Coat,	Traveling Paletot,
Dress Coat,	Gentleman's Dress Riding Costume,
Business Coat,	Ladies' Riding Habit,
Morning "	Ladies' Walking Costume.
Summer Raglan,	Misses Dress,
Youth's Jacket,	Childs Highland Costume.
Sea-side Costume,	
Summer "	

In presenting the public with his SPRING FASHIONS, he would return his thanks for the very liberal patronage heretofore bestowed, and say that no effort will be spared to merit a continuance of the same. He may always be found at his new shop on West Market street, between Thurston's Cabinet Warehouse and Ogburn's Book Store, ready to take measures and make up the various descriptions of clothing in style and durability equal to any establishment in the State. Greensborough, March, 1857. 924 tf.

Business Cards, &c.

W. H. M'RARY & CO., FACTORS AND COMMISSION MERCHANTS, Agents for sale and purchase of Cotton, Flour, Grain, Salt, Groceries, &c., Corner Princess and Water Streets, Wilmington, N. C. ☞ Usual advances on Consignments. REFERENCES: R. SAVAGE, Cashier Bank of Cape Fear, DeROSSET & BROWN, Wilmington, N. C. F. & H. FRIES, Salem, N. C. C. GRAHAM & Co., Marion Court House, S. C. HUNT, ADDERTON & Co., Lexington, N. C.

JAMES M. EDNEY, 56 John st., NEW YORK, buys every kind of Merchandise on the best terms and forwards for 2½ per cent commission. Dealer in Pianos, Parlor Organs, Organ Melodeons, Melodeons, Harps, Guitars, Stools, Covers, Music, &c., Wholesale and Retail. All instruments Warranted. Agent for "Lindsay's Patent Pump," Garden Engine, &c. Circulars of Instruments and Pumps sent free on application. Refers to John A. Gilmer, C. P. Mendenhall, D. L. Swain and others. sept. 11. 950

LEXINGTON JEWELRY STORE. THE SUBSCRIBER HAS ON HAND THE fine Gold Lever Watches, Manufactured by Johnson of Liverpool, and Dixon of London.—Also the Silver Lever Lepine and common Virge Watch, with a variety of Jewelry of all descriptions. All of which will be sold low for cash.—Watches of all descriptions repaired. GEORGE RILEY. July 2 1d. 1855 1–tf.

SPRING TRADE, 1858.--Hamilton & Graham, IMPORTERS and JOBBERS, will exhibit on and after the first of March a full and well selected stock of **Foreign and Domestic Dry Goods,** which will be disposed of at the lowest prices. Merchants from the South and West are invited to call and examine, at the old stand of Paul and McIlwaine, No. 60 Sycamore street, Petersburg, Va. Strict attention given to orders. February 26th. 1858. 973 1y

1857. FALL TRADE. 1857. STEVENSON & WEDDELL, IMPORTERS AND WHOLESALE DEALERS IN FOREIGN AND DOMESTIC DRY GOODS, Nos. 78 and 80 Sycamore St., Petersburg, Va., are now receiving and will have in Store ready for inspection by the first September, a large and commanding stock of **Fancy and Staple Dry Goods** to which they respectfully invite the attention of the NORTH CAROLINA MERCHANTS. Their stock will be kept full and complete during the season, by purchases at auction and from first hands. Orders promptly attended to. JNO. STEVENSON. | JAMES WEDDELL. aug 21 947—

TAILORING—Fall and Winter Fashions.—Geo. W. Harrell takes this method of informing the public that he has received his supply of Paris, New York, and Philadelphia Fashions for the Fall and Winter of 1856. From my long experience, and the many advantages I have had, having been a pupil of Mr. J. W. Vaught, of Philadelphia, celebrated for his skill in the art, I flatter myself that I cannot be excelled in the mode of Cutting in this country. I hereby return my grateful acknowledgements for the very liberal patronage I have received since I have been in business here, and hope to merit and receive a liberal share of public favor. My Shop is up stairs, over the Store of Mr. Wm. S. Gilmer, and immediately opposite the Bland House. Oct. 1856. G. W. HARRELL.

A CARD.--R. G. LINDSAY, (NORTH-EAST CORNER OF ELM and MARKET STREETS) would invite the attention of his customers and the community generally to his well selected and carefully purchased stock of **Fall and Winter Goods** consisting of almost every variety of articles suitable for the season. Cloths, Cassimers, Tweeds and Jeans, N. C. Jeans, cheap for cash, Linsey, &c., Ladies Dress Goods—in variety—Merinoes, Figured de Laines, de Laines, Wool Plaids, Alpacas, Cloaks Shawls and Scarfs, Gingham, Prints, Fine Jet Buttons, Negro Cloth. A full supply Hardware, Cutlery, Nails, Axes, Saddles, Knives and Forks. Coffee, Sugars, Teas, green and black, Carolina Bacon, Flour, Salt, Hats, Caps and Umbrellas, &c., &c., &c. Ready made Jeans and Cassimers, Kerseys—Heavy Jeans, Boot Mill Satinets, Grindstones. Greensboro', Oct 20 1857 956 tf.

A CARD.—W. J. McCONNEL HAS now in his Store one of the largest and most assortment of Goods ever exhibited in Western North Carolina, which he will sell, wholesale and retail, on as favorable terms as any man can afford to do, who expects to pay his debts and support his family. The ladies are invited to call and examine the great variety of articles he has purchased for their accommodation. The gentlemen will find a splendid assortment of Clothes, Casimeres, Vestings, &c., embracing all grades. Boots, Shoes, Brogans, Hats and Caps, in abundance. A good supply of Groceries, Hardware, and Cutlery. Those who wish to purchase any thing in the mercantile line, will find it to their advantage to call on him and ascertain quality and price before making purchases elsewhere, as he will be satisfied with very small profits from punctual dealers; and he believes, from his long experience and knowledge of the mercantile business, that he can lay in a stock of goods for this market on as fair terms as any one. Greensboro', October, 1857.

ECONOMY IS WEALTH.---THE undersigned has a number of Cook, Parlor, and Hall Stoves, on hand, which he offers, with his Tin and Sheet Iron Ware, low for cash, or to punctual customers on a short credit: but when due he wants the money. By the way, if some of those who have owed him for 4, 6, and 8 years do not come up and settle, they may soon have it to do with another. A word to the wise is sufficient. C. G. YATES. Greensboro', Feb. 24, 1858. 973 3m

BLANKS! BLANKS!—A GENERAL Assortment for sale at this Office.

The Patriot and Flag.

PUBLISHED WEEKLY BY M. S. SHERWOOD & JAMES A. LONG, EDITORS AND PROPRIETORS.

TERMS: $2.00 A YEAR, IN ADVANCE: $2.50 after three months, and $3.00 after twelve months from the date of subscription.

RATES OF ADVERTISING.

One dollar per square for the first week, and twenty-five cents for every week thereafter. Fifteen lines or less making a square. Deduction made in favor of standing matter as follows:

	3 MONTHS.	6 MONTHS.	1 YEAR.
One square,	$3 50	$5 00	$8 00
Two squares,	7 00	10 00	14 00
Three " (¼ col)	10 00	15 00	20 00
Half column,	18 00	25 00	35 00

The Farmers' Bank.

The Kinston American Advocate, of yesterday, has the following in regard to this Bank:

In consequence of the hesitation, in some places, to take the bills on the Farmers' Bank, on the suggestion of the gentleman in this place to whom the following letter was addressed, we give it publication, hoping that it may be of mutual benefit to the Bank and to the community.

We see that its bills are quoted at 25 cents below par in Northern markets, and no doubt from the immediate cause stated.

We are willing to receive them in payment for ten, fifteen, twenty, fifty or more subscribers. If any have these bills of the above size, let them get their neighbors to unite with them and send the bills to us, and we will send them therefor the American Advocate at our usual price for one, two or more years:

FARMERS' BANK, N. C., Elizabeth City, March 11th, 1858.

Col. Thos. J. BLAKELEY, Kinston.

Dear Sir:—Your favor of the 8th inst. is received and contents noticed. It affords me pleasure to inform you that the Farmers' Bank is perfectly solvent; that there is not the slightest chance for a noteholder to loose a cent; and no necessity for the stockholders to do so. We have been discredited by brokers for the purpose of making money on it, and some of the Banks in the State that have refused our notes, are not in a better condition than we.

Very respectfully yours, R. F. OVERMAN, Cash'r.

Rev. Moses Brock.

The Memphis Christian Advocate of the 11th inst, speaking of visitors, has this paragraph: "Then our venerable friend, Rev. Moses Brock was here on Saturday, in improved health and spirits." Many of his "old friends" in North Carolina, will be glad to hear of his welfare.

He has married, and is living near Somerville, Tenn. We lately saw a gentleman from that vicinity, who stated that Rev. Moses Brock, is still useful in his retirement. A number of his slaves, being Methodists, are formed into a society; and Mr. Brock holds his own membership as a local preacher, in that same class; devoting the evening of his days to their service, in the Gospel.—*N. C Christian Advocate.*

Important Suit.

A friend in Anson informs that at the recent term of the Superior Court for that county, Judge Manly presiding, a suit was tried wherein the bank of Wadesboro' was plaintiff and Wm. H. Tomlison and others defendants. The bank sued for about $10,000. The defendants pleaded fraud and usury. For the plaintiffs, Messrs. Ashe, Osborne, and Hargrave; for defendants, Messrs. Strange, Gaines, Dargan and McCorkle. All made able speeches, and the jury, after being out about three hours, returned a verdict in favor of the defendants. His Honor granted a new trial.—*Standard.*

Greensboro' Female College.

We are pleased to learn that the College is doing well this session. The names of 126 pupils are on the roll, 115 of whom are boarders. There has been no case of serious sickness.

The agent is at his work—we bespeak for him every where a warm welcome, and liberal donations for the College.—*N. C. Christian Advocate.*

A New Route for Goods.—The Newbern Express of Friday last says that a quantity of goods has just arrived there in a schooner from New York, *for merchants in Salisbury.*

And so the North Carolina Rail Road, in whose success our neighbors of Wilmington took so much interest, and to which they subscribed so liberally, is already diverting the carrying trade from Wilmington.—What will it do when the road is completed to Beaufort?

A road from Fayetteville to the West could never have turned trade away from Wilmington, but the reverse. Wilmington, however, strangely enough, has not aided this route. She will see her mistake some day.—*Fayetteville Observer.*

Trifles.—A gentleman engaged an artist to execute a piece of sculpture for him. Visiting his study after an absence of several weeks, it seemed to him that the artist had made little progress; "What have you been doing?" asked the gentleman of the artist. "Working on this figure." "But I see nothing done since my last visit."—"Why," answered the artist, "I have brought out this muscle; I have altered this part of the dress; I have slightly changed the expression of the lip." "But these are trifles," said the gentleman,—"True, sir," replied the artist; "but *perfection is made up of trifles.*"

SPEECH OF HON. JAS. H. HAMMOND, OF SOUTH CAROLINA,

On the Admission of Kansas, delivered in the Senate of the United States, March 4th, 1858.

The Senate, as in Committee of the whole, having under consideration the bill for the admission of the State of Kansas into the Union, Mr. Hammond said:

Mr. PRESIDENT: In the debate which occurred in the early part of the last month, I understood the Senator from Illinois (Mr. Douglas) to say that the question of the reception of the Lecompton Constitution was narrowed down to a single point. That point was, whether that constitution embodied the will of the people of Kansas. Am I correct:

Mr. Douglas: The Senator is correct with this qualification: I could waive the irregularity and agree to the reception of Kansas under the Lecompton Constitution, provided I was satisfied that it was the act and deed of the people, and embodied their will. There are other objections; but the others I could overcome, if this point were disposed of.

Mr. Hammond: I so understood the Senator. I understood that if he could be satisfied that this Constitution embodied the will of the people of Kansas, all other defects and irregularities could be cured by the act of Congress, and that he himself would be willing to permit such an act to be passed.

Now, sir, the only question with him is, how is that will to be ascertained, and upon that point and that only, we shall differ. I think that the Senator fell into a fendamental error in his report dissenting from the report of the majority of the territorial committee, when he said that the Convention which framed this Constitution was "the creature of the Territorial Legislature;" and from that error has probably arisen all his subsequent errors on this subject. How can it be possible that a Convention should be the creature of a Territorial Legislature? The Convention was an assembly of the people in their highest sovereign capacity, about to perform their highest possible act of sovereignty. The Territorial Legislature is a mere provisional government—a petty corporation, appointed and paid by the Congress of the United States, without a particle of sovereign power. Shall that interfere with a sovereignty—inchoate, but still a sovereignty! Why, Congress cannot interfere; Congress cannot confer on the Territorial Legislature the power to interfere. Congress is not sovereign. Congress has sovereign powers, but no sovereignty. Congress has no power to act outside of the limitations of the Constitution—no right to carry into effect the supreme will of any people, and, therefore, Congress is not sovereign. Nor does Congress hold the sovereignty of Kansas. The sovereignty of Kansas resides, if it resides anywhere, with the sovereign States of this Union.—They have conferred upon Congress, among other powers, the authority of administering such sovereignty to their satisfaction. They have given Congress the power to make all needful rules and regulations regarding the Territories, and they have given Congress power to admit a State.—Udder these two powers, Congress may first establish a provisional territorial government merely for municipal purposes; and when a State has grown into rightful sovereignty, when that sovereignty which has been kept in abeyance demands recognition, when a community is formed there, a social compact created, a sovereignty born as it were upon the soil, then Congress is gifted with the power to acknowledge it, and the Legislature, only by mere usage oftentimes neglected, assists at the birth of it by passing a precedent resolution assembling a convention.

But when that convention assembles to form a constitution, it assembles in the highest known capacity of a people, and has no superior in this government but a State sovereignty; or rather the State sovereignties of all the State alone can do anything with the act of that convention. Then if that convention was lawful, if there is no objection to the convention itself, there can be no objection to the action of the convention; and there is no power on earth that has a right to inquire whether the convention represented the will of the people of Kansas or not. I do not doubt that there might be some cases of such gross and palpable frauds committed in the formation of a convention as might authorize Congress to investigate them, but I can scarcely conceive of any; and I do not think that Congress has any other power when a State knocks at the door for admission, but to inquire if her constitution is republican. That it embodies the will of her people, must necessarily be taken for granted, if it is their lawful act. I am assuming, of course, that her boundaries are settled and her population sufficient.

If what I have said be correct, then the will of the people of Kansas is to be found in the action of her constitutional convention. It is immaterial whether it is the will of a majority of the people of Kansas now, or not. The convention was or ought to have been, elected by a majority of the people of Kansas. A convention elected in April, may well frame a Constitution that would not be agreeable to a majority of the people of a new State, rapidly filling up, in the succeeding January; and if Legislatures are to be allowed to put to vote the acts of a convention, and have them annulled by a subsequent influx of emigrants there is no finality. If you were to send back the Lecompton Constitution, and another was to be framed in the slow way in which we do public business in this country, before it would reach Congress and be passed, perhaps the majority would be turned the other way. Whenever you go outside of the regular forms of law and constitutions to seek for the will of the people you are wandering in a wilderness—a wilderness of thorns.

If this was a minority constitution I do not know that that would be an objection to it. Constitutions are made for minorities. Perhaps minorities ought to have the right to make constitutions, for they are administered by majorities. The constitution of this Union was made by a minority, and as late as 1840 a minority had it in their hands, and could have altered or abolished it; for, in 1840, six out of the twenty-six States of the Union held the numerical majority.

The Senator from Illinois, has, upon his view of the Lecompton Constitution and the present situation of affairs in Kansas, raised a cry a "popular sovereignty." The Senator from New York, (Mr. Seward) yesterday made himself facetious about it, and called it "squatter sovereignty." There is a popular sovereignty which is the basis of our Government, and I am unwilling that the Senator should have the advantage of confounding it with "squatter sovereignty." In all countries and in all time it is well understood that the numerical majority of the people could, if they chose, exercise the soverignty of the country; but for want of intelligence, and for want of leaders, they have never yet been able successfully to combine and form a stable, popular government. They have often attempted it, but it has always turned out, instead of a popular sovereignty, a *populace* sovereignty; and demagogues, placing themselves upon the movement, have invariably led them into military despotism.

I think that the popular sovereignty which the Senator from Illinois would derive from the acts of his Territorial Legislature, and from the information received from partisans and partisan presses, would lead us directly into *populace* and not popular sovereignty. Genuine popular sovereignty never existed on a firm basis except in this country. The first gun of the revolution announced a new organization of it, which was embodied in the Declaration of Independence, developed, elaborated, and inaugurated forever in the Constitution of the United States. The two pillars of it were representation and the ballot-box. In distributing their sovereign powers among the various departments of the Government the people retained for themselves the single power of the ballot box; and a great power it was. Through that they were able to control all the departments of the Government. It was not for the people to exercise political power in detail; it was not for them to be annoyed with the cares of Government; but, from time to time, through the ballot-box, to exert their sovereign power and control the whole organization. This popular sovereignty, the popular sovereignty of a legal, Constitutional ballot-box; and when spoken through that box, the "voice of the people," for all political purposes, "is the voice of God;" but when it is outside of that it is the voice heard of a demon, the *toasin* of the region of terror.

In passing I omitted to answer a question that the Senator from Illinois has, I believe, repeatedly asked; and that is, what were the legal powers of the Territorial Legislature after the formation and adoption of the Lecompton Constitution? That had nothing to do with the Territorial Legislature, which was a Provisional Government almost without power, appointed and paid by this Government. The Lecompton Constitution was the act of a people, and the sovereign act of a people. They moved in different spheres and on different planes, and could not come in contact at a without usurpation on the one part or the other. It was not competent for the Lecompton Constitution to overturn the Territorial Government and set up a Government in place of it, because that constitution until acknowledge by Congress, was nothing; was not in force anywhere. It could well require the people of Kansas to pass upon it or any portion of it; it could do whatever was necessary to perfect that constitution, but nothing beyond that, until Congress had agreed to accept it. I the meantime the Territorial Government always a Government *ad interim*, was entiled to exercise all the sway over the Territory that it ever had been entitled to. The error of assuming, as the Senator did, that the convention was the creature of the territorial government, has led him in to the difficulty and confusion of connecting these two governments together. There is no power to govern in the convention until after the adoption by Congress of its constitution.

If the Senator from Illinois, whom I regard a the Ajax Telamon of this debate, does not press the question of frauds, I shall have little or nothing to say about that. The whole history of "Kansas is a disgusting one, from the begining to the end. I have avoided reading it as much as I could. Had I been a Senator before, I should have felt it my duty, perhaps, to have done so but not expecting to be one, I am ignorant, fortunately in a great measuse, of details; and I was glad to hear the acknowledgments of the Senator from Illinois, since it excuses me from the duty of examining them.

I hear, on this side of the chamber, a great deal said about "gigantic and supendous frauds; and the Senator from New York, yesterday, in portraying the character of his party and the opposite one, laid the whole of those frauds upon the pro-slavery party. To listen to him, you would have supposed that the regiments of emigrants recruited in the purlieus of the great cities of the North, and sent out, armed and equipped with Sharpe's rifles and bowie knives and revolvers, to conquer freedom for Kansas, stood by, meek saints, innocent as doves, and harmless as lambs brought up to the sacrifice. Think of that: General Lane's lambs! They remind one of the famous "*lambs*" of Col. Kirke to whom they have a strong family resemblance, I presume there were frauds; and if there were frauds, they were equally great on all sides; and that any investigation into them on this floor, or by a commission, would end in nothing but disgrace to the United States.

But, sir, the true object of the discussion on the other side of the Chamber, is to agitate the question of slavery. I have very great doubt whether the leaders on the other side of the house really wish to defeat this bill. I think they would consider it a vastly greater victory to crush out the Democratic party in the North, and destroy the authors of the Kansas Nebraska bill; and I am not sure that they have not brought about this imbroglio for the very purpose. They tell us that year after year the majority in Kansas was beaten at the polls! They have always had a majority, but they always get beaten! How could that be? It does seem, from the most reliable sources of information, that they have a majority and have had a majority for some time. Why has not this majority come forward and taken possession of the government, and made a free State constition and brought it here? We should all have voted for its admission cheerfully. There can be but one reason, if they had brought as was generally supposed at the time the Kansas Nebraska act was passed would be the case, a free-State constitution here, there would have been no difficulty among the Northern Democrats; they would have been sustained by their people. The statement made by some of them, as I understood, that that act was a good free-State act would have been verified, and the Northern Democrats would have been sustained. But its coming here a slave State, it is said, will kill that party, and that is the reason they have refrained from going to the polls; that is the reason they have refrained from making it a free State when they had the power. They intend to make it a free State as soon as they have effected their purpose of destroying the Democratic party at the North, and now their chief object here is to agitate slavery. For one, I am not disposed to discuss that question here in any abstact form. I think the time has gone by for that. Our minds are all made up. I may be willing to discuss it—and that is the way it should be and must be discussed—as a *practical thing*, as a thing that *is* and *is to be*; and to discuss its effect upon our political institutions, and ascertain how long those institutions will hold together under its effects.

The Senator from New York entered very fairly into this field yesterday. I was surprised the other day, when he so openly said "the battle had been fought and won." Although I knew, and had long known it to be true, I was surprised to hear him say so. I thought he had been entrapped into a hasty expression by the sharp rebukes of the Senator from New Hampshire; and I was glad to learn yesterday they had been well considered—that they meant all that I thought they meant; that they meant that the South is a conquered province, and that the North intends to rule it. He said that it was their intention to take this Government from unjust and unfaithful hands, and place it in just and faithful hands; that it was their intention to consecrate all the Territories of the Union to free labor; and that, to effect their purposes, they intended to reconstruct the Supreme Court.

Yesterday, the Senator said, suppose we admit Kansas with the Lecompton Constitution—what guarantees are there that Congress will not again interfere with the affairs of Kansas? meaning, I suppose that if she abolished slavery, what guarantee was there that Congress would not force it upon her again. So far as we of the South are concerned you have, at least the guarantee of good faith that never has been violated. But what guarantee have we when you have this Government in your possession, in all its department, even if we submit quietly to what the Senator exhorts us to submit to—the limitation of slavery to its present territory, and even to the reconstruction of the Supreme Court—that you will not plunder us with tariffs; that you will not bankrupt us with internal improvements and bounties on *your* exports; that you will not cramp us with navigation laws, and other laws impeding the facilities of transporation to Southern produce?—What guarantee have we that you will not create a new Bank, and concentrate all the finances of this country at the North, where already, for the want of direct trade and a proper system of banking in the South, they are ruinously concentrated? Nay, what guarantee have we that you will not emancipate our slaves, or, at least make the attempt? We cannot rely on your faith when you have the power. It has been always broken whenever pledged.

As I am disposed to see this question settled as soon as possible, and am perfectly willing to have a final and conclusive settlement—*now*, after what the Senator from New York has said, I think it not improper that I should attempt to bring the North and South face to face, and see what resources each of us might have in the contingency of separate organizations.

If we never acquire another foot of territory for the South, look at her. Eight hundred and fifty thousand square miles. As large as Great Britain, France, Austria, Prussia and Spain. Is not that territory enough to make an empire that shall rule the world? With the finest soil, the most delightful climate, whose staple productions none of those great countries can grow, we have three thousand miles of continental shore line, so indented with islands, that, when their shore lines are added, we have twelve thousand miles. Through the heart of our country runs the great Mississippi, the father of waters, into whose bosom are poured thirty-six thousand miles of tributary streams; and beyond we have the desert prairie waters, to protect us in our rear. Can you hem in such a territory as that?