THE CAROLINA REPUBLICAN.

ASK NOTHING THAT IS NOT RIGHT—SUBMIT TO NOTHING THAT IS WRONG.

VOLUME I.] LINCOLNTON, N C., FEBRUARY 20, 1849. [NUMBER 11.

THE CAROLINA REPUBLICAN,
A Family Newspaper:
DEVOTED TO
Politics, Education, Agriculture, Domestic and Foreign Intelligence, The Markets, and Amusement,
BY
U. M. NEWSON.

TERMS:

For one copy, a year, (paid in advance,) $2 00
If payment be delayed, 2 50
For three copies, by one subscriber, and paid in advance, 4 87 1-2
For five copies, " " 8 00

ADVERTISEMENTS,
of one square or less, first insertion, 1 00
For each continuance 0 25
Merchantable country produce taken in payment.
☞ All letters to the editor must be post paid.

JOB PRINTING.
Neatly executed at this office, on NEW TYPE, and on moderate terms,

Circulars, Hand-Bills,
Horse-Bills, Sale-Bills,
Cards, Labels,
Blank Deeds, And all kinds of COUNTY, and SUPERIOR COURT, and MAGISTRATES and CONSTABLES' BLANKS.

Political.

The Address,
Of Southern Delegates in Congress to their Constituents.

We, whose names are hereunto annexed, address you in discharge of what we believe to be a solemn duty, on the most important subject ever presented for your consideration. We allude to the conflict between the two great sections of the Union, growing out of a difference of feeling and opinion in reference to the relation existing between the two races, the European and African, which inhabit the southern section, and the acts of aggression and encroachment to which it has led.

The conflict commenced not long after the acknowledgment of our independence, and has gradually increased, until it has roused the great body of the North against the South on this most vital subject. In the progress of this conflict, aggression has followed aggression, and encroachment, encroachment, until they have reached a point when a regard for your peace and safety will not permit us to remain longer silent. The object of this address is to give you a clear, correct, but brief account of the whole series of aggression and encroachments on your rights, with a statement of the dangers to which they expose you. Our object in making it is not to cause excitement, but to put you in full possession of all the facts and circumstances necessary to a full and just conception of a deep seated disease, which threatens great danger to you and the whole body politic. We act on the impression, that in a popular government like ours, a true conception of the character and state of a disease is indispensable to effecting a cure.

We have made it a joint address, because we believe that the magnitude of the subject required that it should assume the most impressive and solemn form.

Not to go further back, the difference of opinion and feeling in reference to the relation between the two races disclosed itself in the convention that framed the constitution, and constituted one of the greatest difficulties in forming it. After many efforts, it was overcome by a compromise, which provided, in the first place, that representatives and direct taxes shall be apportioned among the States according to their respective number; and that, in ascertaining the number of each, five slaves shall be estimated as three. In the next, that slaves escaping into States where slavery does not exist, shall not be discharged from servitude, but shall be delivered up on claim of the party to whom their labor or service is due. In the third place, that Congress shall not prohibit the importation of slaves before the year 1808; but a tax not exceeding ten dollars may be imposed on each imported. And finally, that no capitation or direct tax shall be laid, but in proportion to federal numbers; and that no amendment of the constitution, prior to 1808, shall effect this provision, nor that relating to the importation of slaves.

So satisfactory were these provisions, that the second, relative to the delivering up of fugitive slaves, was adopted unanimously, and all the rest, except the third, relative to the importation of slaves until 1808, with almost equal unanimity. they recognize the existence of slavery, and make a specific provision for its protection where it was supposed to be the most exposed. They go futher, and incorporate it, as an important element, in determining the relative weight of the several States in the government of the Union, and the respective burden they should bear in laying capitation and direct taxes. It was well understood at the time, that, without them the constitution would not have been adopted by the southern States, and, of course, that they constituted elements so essential to the system that it never would have existedwithout them. The northern States, knowing all this, ratified the constitution, thereby pledging their faith, in the most solemn manner, sacredly to observe them. How that faith has been kept and that pledge redeemed we shall next proceed to show.

With few exceptions of no great importance, the South had no cause to complain prior to the year 1819—a year, it is to be feared, destined to mark a train of events, bringing with them many, and great, and fatal disasters, on the country and its institutions. With it commenced the agitating debate on the question of the admission of Missouri into the Union. We shall pass by for the present this question, and others of the same kind, directly growing out of it, and shall proceed to consider the effects of that spirit of discord, which it roused up between the two sections. It first disclosed itself in the North, by hostility to that portion of the constitution which provides for the delivering up of fugitive slaves. In its progress it led to the adoption of hostile acts, intended to render it of non-effect, and with so much success that it may be regarded now as practically expunged from the constitution. How this has been effected will be next explained.

After a careful examination, truth constrains us to say, that it has been by a clear and palpable evasion of the constitution. It is impossible for any provision to be more free from ambiguity or doubt. It is in the following words: "No person held to service or labor in one State, under the laws thereof, escaping into another State, shall, in consequence of any law or regulations therein, be discharged from such service or labor, but shall be delivered up on claim of the party to whom such service or labor may be due." All is clear. There is not an uncertain or equivocal word to be found in the whole provision. What shall not be done, and what shall be done, are fully and explicitly set forth. The former provides that the fugitive slave shall not be discharged from his servitude by any law or regulation of the State wherein he is found; and the latter, that he shall be delivered up on claim of his owner.

We do not deem it necessary to undertake to refute the sophistry and subterfuges by which so plain a provision of the constitution has been evaded, and, in effect, annulled. It constitutes an essential part of the constitutional compact, and of course of the supreme law, of the land. As such it is binding on all the federal and State governments, the States and the individuals composing them. The sacred obligation of compact, and the solemn injunction of the supreme law, which legislators and judges, both federal and State, are bound by oath to support, all unite to enforce its fulfilment, according to its plain meaning and true intent. What that meaning and intent are, there was no diversity of opinion in the better days of the republic, prior to 1819. Congress, State legislatures, State and federal judges and magistrates, and people, all spontaneously placed the same interpretation on it. During that period none interposed impediments in the way of the owner seeking to recover his fugitive slave; nor did any deny his right to have every proper facility to enforce his claim to have him delivered up. It was then nearly as easy to recover one found in a northern State, as one found in a neighboring southern State. But this has passed away, and the provision is defunct, except perhaps in two States.*

When we take into consideration the importance and clearness of this provision, the evasion by which it has been set aside may fairly be regarded as one of the most fatal blows ever received by the South and the Union. This cannot be more concisely and correctly stated than it has been by two of the learned judges of the Supreme Court of the United States. In one of his decisions† Judge Story said: "Historically it is well known that the object of this clause was to secure to the citizens of the slaveholding States the complete right and title of ownership in their slaves, as property, in every State of the Union, into which they might escape from the State wherein they were held in servitude." "The full recognition of this right and title was indispensable to the security of this species of property in all the slaveholding States, and indeed, was so vital to the preservation of their interests and institutions, that it cannot be doubted that it constituted a fundamental article, without the adoption of which the Union would not have been formed. Its true design was to guard against the doctrines and principles prevalent in the non-slaveholding States, by preventing them from intermedling with, or restricting, or abolishing the rights of the owners of slaves."

Again. "The clause was therefore of the last importance to the safety and security of the southern States, and could not be surrendered by them without endangering their whole property in slaves. The clause was accordingly adopted in the constitution by the unanimous consent of the framers of it—a proof at once of its intrinsic and practical necessity."

Again. "The clause manifestly contemplates the existence of a positive unqualified right on the part of the ower of the slave, which no State law or regulation can in any way regulate, control, qualify ,or restrain."

The opinion of the other learned judges was not less emphatic as to the importance of this provision and the unquestionable right of the South under it. Judge Baldwin, in charging the jury, said:‡ "If there are any rights of property which can be enforced; if one citizen have any rights of property which are inviolable under the protection of the supreme law of the State, and the Union, they are those which have been set at nought by some of these defendants. As the owner of property, which he had a perfect right to possess, protect, enriched of the privileges of a citizen of citizens of any other State—Mr. Johnson stands before you on ground which cannot be taken from under him—it is the same ground on which the government itself is based. If the defendants can be justified, we have no longer law or goverment." Again, after referring more particularly to the provision for delivering up fugitive slaves, he said: "Thus you see, that the foundations of the government are laid, and rest on the right of property in slaves. The whole structure must fall by disturbing the corner-stone."

These are grave, and solemn, and admonitory words, from a high source. They confirm all for which the South has ever contended, as to the clearness, importance, and fundamental character of this provision, and the disastrous consequences which would inevitably follow from its violation. But in spite of these solemn warnings, the violations which then commenced, and which they were intended to rebuke, has been fully and perfectly consummated. The citizens of the South, in their attempt to recover their slaves, now meet, instead of aid and co-operation, resistance in every form: resistance from hostile acts of legislation, intended to baffle and defeat their claims by all sorts of devices, and by interposing every description of impediment—resistance from judges and magistrates—and finally, when all these fail, from mobs, composed of whites and blacks, which, by threats or force, rescue the fugitive slave from the possession of his rightful owner. The attempt to recover a slave, in most of the northern States, cannot now be made without the hazard of insult, heavy pecuniary loss, imprisonment, and even of life itself. Already has a worthy citizen of Maryland* lost his life in making an attempt to enforce his claim to a fugitive slave under this provision.

But a provision of the constitution may be violated indirectly as well as directly, by doing an act in its nature inconsistent with that which is enjoined to be done. Of this form of violation there is a striking instance connected with the provision under consideration. We allude to secret combinations which are believed to exist in many of the northern States, whose object is to entice, decoy, entrap, inveigle, and seduce slaves to escape from their owners, and to pass them secretly and rapidly, by means organized for the purpose, into Canada, where they will be beyond the reach of the provision. That to entice a slave, by whatever artifice, to abscond from his owner into a non-slaveholding State, with the intention to place him beyond the reach of the provision or prevent his recovery, by concealment or otherwise, is as completely repugnant to it as its open violation would be, is too clear to admit of doubt or to require illustration. And yet, as repugnant as these combinations are to the true intent of the provision, it is believed that, with the above exception, not one of the States within whose limits they exist has adopted any measures to suppress them, or to punish those by whose agency the object for which they were formed is carried into execution. On the contrary, they have looked on and witnessed with indifference, if not with secret approbation, a great number of slaves enticed from their owners and placed beyond the possibility of recovery, to the great annoyance and heavy pecuniary loss of the bordering southern States.

When we take into consideration the great importance of this provision, the absence of all uncertainty as to its true meaning and intent, the many guards by which it is surrounded to protect and enforce it, and then reflect how completely the object for which it was inserted in the constitution is defeated by these two-fold infractions, we doubt, taking all together, whether a more flagrant breach of faith is to be found on record. We know the language we have used is strong, but it is not less true than strong.

There remains to be noticed another class of aggressive acts of a kindred character, but which, instead of striking at an express and specific provision of the constitution, aims directly at destroying the relation between the two races at the south, by means subversive in their tendency of one of the ends for which the constitution was established. We refer to the systematic agitation of the question by the abolitionists; which [illegible] intention is to bring about a state of things that will force emancipation on the South. To unite the North in fixed hostility to slavery in the South, and to excite discontent among the slaves with their condition, are among the means employed to effect it. With a view to bring about the former, every means are resorted to in order to render the South, and the relation between the two races there, odious and hateful to the North. For this purpose societies and newspapers are every where established, debating clubs opened, lecturers employed, pamphlets and other publications, pictures and petitions to Congress resorted to, and directed to that single point, regardless of truth or decency; while the circulation of incendiary publications in the South, the agitation of the subject of abolition in Congress, and the employment of emissaries, are relied on to excite discontent among the slaves. This agitation, and the use of these means, have been continued, with more or less activity, for a series of years, not without doing much towards effecting the object intended. We regard both object and means to be aggressive and dangerous to the rights of the South, and subversive, as stated, of one of the ends for which the constitution was established. Slavery is a domestic institution. It belongs to the States, each for itself, to decide whether it shall be established or not; if it be established, whether it should be abolished or not. Such being the clear and unquestionable right of the States, it follows necessarily that it would be a flagrant act of aggression on a State, destructive of its rights, and subversive of its independence, for the federal government, or one or more States, or their people, to undertake to force on it the emancipation of its slaves. But it is a sound maxim in politics, as well as law and morals, that no one has a right to do that indirectly which he cannot do directly, and it may be added with equal truth, to aid, or abet, or countenance another in doing it. And yet the abolitionists of the North, openly avowing their intention, and resorting to the most efficient means for the purpose, have been attempting to bring about a state of things to force the southern States to emancipate their slaves, without any act on the part of any northern State to arrest or suppress the means by which they propose to accomplish it. They have been permited to pursue their object, and to use whatever means they please; if without aid or countenance, also without resistance or disapprobation What gives a deeper shade to the whole affair is the fact, that one of the means to effect their object, that of exciting discontent among our slaves, tends directly to subvert what its preamble declares to be one of the ends for which the constitution was ordained and established—"to insure domestic tranquillity"—and that in the only way in which domestic tranquillity is likely ever to be disturbed in the South. Certain it is, that an agitation so systematic—having such an object in view, and sought to be carried into execution by such means—would, between independent nations, constitute just cause of remonstrance by the party against which the aggression was directed, and, if not heeded, an appeal to arms for redress. Such being the case where an aggression of the kind takes place among independent nations, how much more aggravated must it be between confederated States, where the Union precludes an appeal to arms, while it affords a medium through which it can operate with vastly increased force and effect? That it would be perverted to such a use, never entered into the imagination of the generation which formed and adopted the constitution; and, if it had been supposed it would, it is certain that the South never would have adopted it.

We now return to the question of the admission of Missouri into the Union, and shall proceed to give a brief sketch of the occurrence connected with it, and the consequences to which it has directly led. In the latter part of 1819, the then territory of Missouri applied to Congress, in the usual form, for leave to form a State constitution and government, in order to be admitted into the Union. A bill was reported for the purpose, with the usual provision in such cases. Amendments were offered, having for their object to make it a condition of her admission, that her constitution should have a provision to prohibit slavery. This brought on the agitating debate which, with the effects that followed, has done so much [illegible] objected to the amendments rested their opposition on the high grounds of the right of self-government. They claimed that a territory, having reached the period when it is proper for it to form a constitution and government for itself, becomes fully vested with all the rights of self-government; and that even the condition imposed on it by the Federal constitution, relates not to the formation of its constitution and government, but its admission into the Union. For that purpose, it provides as a condition, that the government must be republican.

They claimed that Congress has no right to add to this condition, and that to assume it would be tantamount to the assumption of the right to make its entire constitution and government; as no limitation could be imposed, as to the extent of the right, if it be admitted that it exists all. Those who supported the amendment denied these grounds, and claimed the right of Congress to impose, at discretion, what conditions it pleased. In this agitating debate, the two sections stood arrayed against each other; the South in favor of the bill without amendment, and the North opposed to it without it. The debate and agitation continued until the session was well advanced; but it became apparent towards its close, that the people of Missouri were fixed and resolved in their opposition to the proposed condition, and that they would certainly reject it, and adopt a constitution without it, should the bill pass with the condition. Such being the case, it required no great effort of mind to perceive, that Missouri once in possessson of a constitution and government, not simply on paper, but with legislators elected, and officers appointed, to carry them into effect, the grave questions would be presented whether she was of right a State or Territory; and, if the latter, whether Congress had the right, and, if the right, the power, to abrogate her constitution, disperse her legislature, and to remand her back to the territorial condition. These were great, and, under the circumstances, fearful questions—too fearful to be met by those who had raised the agitation. From that time the only question was how to escape from the difficulty. Fortunately, a means was afforded. A compromise (as it was called) was offered, based on the terms, that the North should cease to oppose the admission of Missouri on the grounds for which the South contended, and that the provisions of the ordinance of 1787, for the government of the northwestern territory, should be applied to all the territory acquired by the United States from France under the treaty of Louisiana lying north of 36 30, except the portion lying in the State of Missouri. The northern members embraced it; and although not originating with them, adopted it as their own. It was forced through Congress by the almost united votes of the North, against a minority consisting almost entirely of members from the southern States.

Such was the termination of this, the first conflict, under the constitution, between the two sections, in reference to slavery in connexion with the territories. Many hailed it as a permanent and final adjustment that would prevent the recurrence of similar conflicts; but others, less sanguine, took the opposite and more gloomy view, regarding it as the precursor of a train of events which might rend the Union asunder, and prostrate our political system. One of these was the experienced and sagacious Jefferson. Thus far time would seem to favor his forebodings. May a returning sense of justice, and a protecting Providence, avert their final fulfilment.

For many years the subject of slavery in reference to the territories ceased to agitate the country. Indications, however, connected with the question of annexing Texas showed clearly that it was ready to break out again, with redoubled violence, on some future occasion. The difference in the case of Texas was adjusted by extending the Missouri compromise line of 36 30, from its terminus, on the western boundary of the Louisana purchase, to the western boundary of Texas. The agitation again ceased for a short period.

The war with Mexico soon followed, and that terminated in the acquisition of New Mexico and Upper California, embracing an area equal to about one-half of the entire valley of the Mississippi. If to this we add the portion of Oregon acknowledged to be ours by the recent treaty with England, our [illegible] extent but little less than that vast valley. The near prospect of so great an addition rekindled the excitement between the North and South in reference to slavery in its connexion with the territories, which has become, since those on the Pacific were acquired, more universal and intense than ever.

The effects have been to widen the difference between the two sections, and to give a more determined and hostile character to their conflict. The North no longer respects the Missouri compromise line, although adopted by their almost unanimous vote. Instead of compromise, they avow that their determination is to exclude slavery from all the Territories of the United States, acquired or to be acquired; and of course to prevent the citizens of the southern States from emigrating with their property in slaves into any of them. Their object, they allege, is to prevent the extension of slavery, and ours to extend it, thus making the issue between them and us to be the naked question, shall slavery be extended or not? We do not deem it necessary, looking to the object of this address, to examine the question so fully discussed at the last session, whether Congress has the right to exclude the citizens of the South from immigrating with their property into territories belonging to the confederated States of the Union. What we propose in this connexion is, to make a few remarks on what the North alleges, erroneously to be the issue between us and them.

So far from maintaining the doctrine which the issue implies, we hold that the federal government has no right to extend or restrict slavery, no more than to establish or abolish it: nor has it any right whatever to distinguish between the domestic institutions of one State or section and another, in order to favor the one, and discourage the other. As the federal representatives of each and all the States, it is bound to deal out, within the sphere of its powers, equal and exact justice and favor to all. To act otherwise, to undertake to discriminate between the domestic institutions of one and another, would be to act in total subversion of the end for which it was established—to be the common protector and guardian of all. Entertaining these opinions, we ask not, as the North alleges we do, for the extension of slavery. That would make a discrimination in our favor as unjust and unconstitutional as the discimination they ask against us in their favor. It is

---

* Indianna and Illinois.

† The case of Prigg vs the Commonwealth of Pennsylvania.

‡ The case of Johnson vs Tompkins and others.

* Mr. Kennedy of Hagerstown, Maryland.