# Maletgi Alegister.

## From the Louisiana State Republican. WHICH IS THE NATIONAL PARTY.

The Democratic press, after having, with but few "renegade" exceptions, oppos-ed the great National Compromise measures, socated the constitutional right of State cassion, done its utmost to increase sectionmimosities, attempted to draw lines, and make separate classes of our, "foreign citless seal and energy, endeavored to divide, sectionalize, and break into fragments, this glorious Confederacy of States, now comes out and claims that the Democratic party is the great National party, the party whose principles and measures are broad and com-prehensive as the whole nation, and on which alone the stately fabric of our vast Confederacy can safely repose !

This sudden change of tone and artful manœuvre to smooth over past delinquencies, shows that the untiring and patriotic labors of the Whig party have not been in vain ; shows further, that the Democrats themselves will no longer submit to the dictation and false professions of their leaders. A change for the better is brightening the fu-

It would be most pleasant to see a gener ous rivalry between the Whigs and Demo-crate, is to which could excel in the advocacy of the true principles of the Govern-ment, and the best interests of the whole country. This would indeed be a field for the exhibition of the noblest efforts of patrious exulation. The practice of hunting up issues-wild, theorganizing, and revolution-ary schemes, for the sake of excitement, and to form the basis of party distinctions-is not only disgraceful to those engaged in it, but shocking to the good sense of the great mass of the American people. Men who can thus tamper and sport with the happiness and prosperity of their country, prove themselves un-fit to be trusted-mere reckless adventurers, alike devoid of every impulse of patriotism, and of all respect for the intelligence of those whose favor and support they solicit. That such movements have latterly been eminent-ly characteristic of a portion of the Democratic press, and of certain leaders of the Democratic party, is known to every intelligent observer of passing events, and will not be denied, in the face of the printed proofs, except from interested motives, or from a sense of party vassalage even more disgrace-ful than Concha's chains.

In the late terrible crists which threatened to wreck our good ship of State, which party struggled hardest to steer it clear of dangers, and to guide it on its path of triumph and glory? What orators were most eloquent and earnest in the councils of the nation for the stability, and honor, and prosperity of the Union? To the member of which party. among the citizens, is to be attributed the la-Which party did the better service in allay ing sectional discord and jealousies, and in binding together in fraternal bands the difent sections of the Republic? Under the ministration of which party has the country been preserved from ruin in spite of the malignant and matricidal blows of ambitious demagogues, mercenary scribblers, and their recreast followers? Will the penitent traitors who now howl so lustily the song of CUnich," and cliam for the Democratic party the house of being the "national," answer what party it was that embraced Foote, and Downs, and Dickinson, and their patrotic competers, and defended their names from abase when they were rudely thrust from emocratic conclaves, because they floved Mississippi and Alabama, magnanimously threw up their party organization, and cast their votes for Union Democrats, to testify Whig devotion to a cause for which Democrats had been ostracised and traduced by the press of their own party? To these and like questions stubborn facts admit of but one an swer. Sophistry for selfish ends may weave its web of deception, and those who will believe what they wish, without regard to evidence, may answer in such manner as they deem expedient; yet the deeds performed by the great Whig party, and its able, eloquent, and patriotic guides in the darkest and most perilous hour of our country's history since the Revolution, are known to the nation and to the world. They are deeds of patriotism -of earnest, anxious and sleepless endeavors, truly sublime in moral grandeur-which lay the whole country and the world under obligations to the Whig party; which no mercenary writer, with poisoned pen at the service of every paltry bribe, or recreant, gasconsiding politician, can lessen. The Whig party has proven itself eminently the great national conservative party, the safe reposito- of our duty fearless of consequences and without ry of the great interests of the nation-the friend of constitutional progress, and the greatest true liberry, slike hostile to anarchy and lawless innovation on the one hand, and on the other, to all oppression and usurpation of prerogative in any department of the Gevernment. Let the people consider these facts, and ponder them independently in their own ds, and act the part, not of party tools or slaves, but of fearless and enlightened freemen, looking alone to their consciences and to the country, in the exercise of the elective franchise.

## From the Republic

PROCLAMATIONS OF 1838 AND 1801. Our higher law asighbor of the Union and others of his party, who have lately been so ready to denounce the President for his Proclamation in regard to the invaders of Other many to have forgotten that, on a forsing of the people against the Government of a nation with which we were at peace, and that people received the sympathy of a large number of the unruly spirits in this country, some of whom had ac ually gone and others were about to go and join the insurrectionary forces, the then Executive of the United States, whom it had been the pride of the Democratic party to elevate to his exalted whatever position, issued a Proclamation which was precisely similar in its tenor to that issued by President Fillmore in April last. A number of the persons who made themselves obnoxious to the Proclamation of 1838 were sentenced to be hung by court-martial ; one or more of them, if we remember rightly, actually suffered the extreme penalty; and others were banished for a long period to

only returned years after these troubles were ter of some interest. over and had ceased to be spoken of ; and yet we fancy our neighbor was not at that time heard denouncing the then President because he did not interfere to preserve these unfortunate and deluded men from their dismal and ignominious doom.

In order that our readers may see the similarity of these documents, we lay before them the Proclamation of President Van Buren, certain portions of which we have italicised, and the whole of which is as follows:

#### BY THE PRESIDENT OF THE U. S. OF AMERICA. A Prochanation.

Whereas there is too much reason to believe hat citizens of the United States, in disregard of solemn warning heretofore given to them by the proclamations issued by the Executive of the General Government, and by some of the Governors of the States, have combined to disturb the peace of the dominions of a neighboring and friendly nation: And whereas information has been given to me, derived from official and other sources, that many citizens in different parts of the United States are associating for the same purpose: And whereas disturbances have actually ken out anew in different parts of the two Canadas : And where as a hostile invasion has been made by citizens of the United States, in cunjuncwith Canadians and others, who, after forcibly seizing upon the property of their peaceful neigh-bor for the purpose of effecting their unlawful designs, are now in arms against the authorities of Canada, in perfect disregard of their own obl ga tions as American citizens, and of the obligations of the Government of their country to foreign nations-

Now, therefore, I have thought it necessary and proper to issue this pr clamation, calling upon every citizen of the United States neither to give countenance nor encouragement of any kind to those who have thus forfiled their claim to the prolection of their country; upon those misy uided or

GHARGE OF JUDGE KANE-THE LAW the Enquirer recently endeavoured

to relieve its party from the effects of the publication of the Greer and Donaldson cor-respondence in the New York Herald.by ares the genuineness of the two purporting to have been written by him, and we have not seen a single disclaimier from any one of the many correspondents of the Donaldson letin committee. It was the substance of the letters themselves, that so much amused the public, to whom the existence of Mr. Greer or Mr. Donaldson is a matter of no concern

The New York Express takes the follow ing view of this edifying correspondence :

"THE DONALDSON AND GREEK CORRESPON-DENCE .- that is, a correspondence in which one soi-distant "Nath. Greer, of lowa," and another evi-distant "Charles H. Donaldson, of Texas," figure as addressing letters to and receiving re-plies from, the leading Democrats of the United States,-makes so much noise, now. that what penal colonies, from which some of them are said to be the facts of the case becomes a mat

> Mr. Westcoll, once U. S. Sena or from Flori da, who has been known in Washington for years as a practical joker, and not at all particular about his jokes, or his way of working them out, has be come, it is known, recently connected with a morning paper in this city, not more particular than he is in the mode and manner of practical jok.ng. Rumor save, and it is generally believed that this Mr. Westcott is "Mr. Greer, of lowa," and "Mr Donaldson, of Texas," and that he (Mr. W ) is the real man who has been putting questions to and receiving replies from Gov. Marcy, Mr. Van Buren, Mr. Ritchie, and Mr. every Dem ocratic body of importance in almost every State of the Union. These replies, thus written in good faith, which now so much attract the attention of the Public, found a market in the morning paper with which Mr. W. is connected, and they were ushered into life as genuine throughout. The joke, too, is kept up. Mr. Greer keeps on wri-ting now, and Mr. Donaldson now and then re-plies; and only vesterday, what we have but litde doubt will turn out to be a call for a mock National Convention, turns up as something fresh and new.

These sort of tricks do no credit to the charac ter of Journalism or Journalists, and are of a na ture to tring all real news into disrepute; bu there is no doubt that the Democratic Leaders, more or less, in all the States, have been must beau tifully duped for the purpos . of entrapping them into the writing of letters to be published. Th principal object of the letter writer seems to have been to kill off Sam Houston's chances for the Presidency, for which purpose Giddings of Ohio is made to give him a sort of sanction,-and that the correspondence was started in this city to give an indirect lift to Mr. Douglass, of Hinois, there is no

Against the supposition that Mr. Westcott is Mr. Donaldson, we find the following paragraph in the Republic :

Hun, C. H. DONALDSON .- This worthy, who was iately supposed by some not to have any deluded persons who are engaged in them, to "local habitation or a name," in a letter to the Ben abandon projects dangerous in their own country, ham (fexas) Advertiser, announces that he has fatal to those whom they profess a desire to relieve, retired altogether from the field of political strile. moralicable of execution without foreign and.

GHARGE OF JUDGE KANE—THE LAW OF TREASON. In the United States district court at Philadels phia, in consequence of the determination of the United States district attorney to send bills to the grand jury against the persons bound over for trea-son in an alleged participation in the Christians on threak. Ludge Kane thought proper to offer an outbreak, Judge Kane thought proper to offer an cial, or political morals. opinion in regard to the law of treason for the consideration of the sury before they acted on the bill.

It is a lucid exposition of the law on that subject. We copy the charge from the Philadelphia Bul-

### CHARGE.

GENTLEVEN OF THE GRAND JURT : It has been represented to me that, since we met last, circumstances have occurred in one of the neighboring counties of our district, which should call for your prompt scrutiny, and perhaps for the energetic ac tion of the court.

It is said that a citizen of the State of Mareland who had come into Pennsylvania to reclaim a fugitive from labor, was forcibly obstructed in the attempt by a body of armed men, assaulted, beaten, and murdered; that some members of his family, who had accompanied him in the pursuit, were at Constitution, and involving up injustice to the ac the same time and by the same party maltrreated and grievously wounded; and that an officer of

justice, constituted under the authority of this court, who sought to arrest the fugitive, was impeded and repelled by menaces and violence, while proclaiming his character and exhibiting his warrant. It is said, too, that the time and manner of these outrages, their asserted object, the denuncia tions by which they were preceded, and the simulaneous action of most of the guilty parties, evinced a combined purpose forcibly to resist and make nuratory a constitutional provision, and the sta tutes enacted in pursuance of it ; and it is added in confirmation of this, that for some months back gatherings of people, strangers as well as citizens. have been held from time to time in the vicinity of the p ace of the recent outbreak, at which exhortations were made and pledges interchanged to hold the law for the recovery of fugnive slaves as of no validity, and to defy its execution.

Such are some of the representations that have been made in my hearing, and in regard to which t has become your duly, as the grand inquest of the district, to make legal inquiry. Personally, I know nothing of the facts, or the evidence relating to them. As a member of the court before which the accused persons may hereafter be arraigned and tried, I have s-ught to keep my mind altogether free from any impressions of their guilt or innocence, and even from an extra judicial know-

ledge of the circumstances which must determine the legal character of the offence that has been rpeptrated. It is due to the great interests of pubustice, no less than to the parties implicated in a criminal charge, that their cause shall be in no wise and in nu degree prejudged. And the re erring therefore to the representations which have been made to me. I have no other object than to paint you to the reasons for my addressing you at this advanced period of our sessions, and to enable you to apply with more facility and certainty the principles and rules of law which I shall proceed

te lav before you. If the circumstances to which I have adverted have in fact taken place, they involve the highest crime knows to our laws. Treason against the United States is defined by the Constitution, art 3: sec. 3, cl 1, to consist in "levying war against them, or in adhering to their enemie-, giving them aid and comfort." This definition is borrowed aid and comfort."

tion, and instinctive of revolt-all this is true.

It is declared in the article of the Constitution which I have already cited, that "no person shall be convicted of treason unless on the testimony of two witnesses to the same overt act, or on coefession in open court." This, and the corresponding language in the act of Congress of the 30th of April, 1790, seem to refer to the proofs on the trial, and not to the preliminary hearing before the committing magistrate, or the proceedin; before the grand inquest. There can be no conviction until after arraignment on bill found The previous ac tion in the case is not a trial, and cannot convict, whatever be the evidence or the number of witesses. I understand this to have been the opinon entertained by Chief Justice Marshall, I Burr's Trial, 198; and though it differs from that exessed by Judge Iredell on the indictment of Fries, Whart. Am. St Tr., 480, I feel authorized tocommend it to you, as within the terms of the

I have only to add, that treason against the United States may be committed by any one resident or sojourning within its territory and un-der the protection of its laws, whether he he a cit izen or an alien -Fret. C. L., 183, 5; 1 Hule, 59 60. 62: 1 Havek., 17, 55 , Kel., 38

Besides the crime of treason, which I have thus noticed, there are offences of minor grades against the constitution and the State, some or other of which may be apparently established by the ev-idence that will come before you. These are embraced in the act of Congress of the 30th Sep tember, 1790, ch. 9, s ee, 38, on the subject of obstructing or resisting the service of legal process; the act of the 2nd of March 1831, ch. 99, sec 2. which secures the justors, witnesses, and officers of our courts in the fearless, free, and impartial administration of their respective functions; and the act of the 13th of September, 1850, ch. 60, which relates more particularly to the rescue or attempted rescue of a fugitive from labor. These acts were made the subject of a charge to the grand jury of this court in November last, of which I shall direct a copy to be laid before you, and I do not deem it necessary to repeat their provisions at this

Gentlemen of the Grand Jury, you are about to nter upon a most grave and momentous duty .-You will be careful, in performing it, not to pernul your indignation against crime, or your just appreciation of its perilous consequences, to influice your judgment of the guilt of those who may charged before me with its commission. But will be careful, also, that no misguided charshall persuade you to withhold the guilty from he retributions of justice. You will inquire whe ther an offence has been committed, what was its legal character, and who were the offenders-and this done, and this only, you will make your pre-sentments according to the evidence and the law. Your inquiries will not be restricted to the con-

duct of people belonging to our own State. If in the progress of them you shall find that men have n among us, who under whatever mask of concience and of peace have labored to incite others to reasonable violence, and who after arranging the lements of the nischief, have withdrawn them selves to await the explusion they had contrived, from the ancient law of England Stat. 25, Eucl. 3, to the court ; and however distant may be the



and the first the Ours are the plans of fitir delightful peace. Unwarp'd by party rage to live like brothers



Wednesday, Oct., 8, 1851. A MARLEY WE CONTRACT THE AVAIL

Mr. C. W. JAMES, No. 1, Harrison Street Cincinnati, Ohio, is our General Travelling Agent for the Western States, assisted by J. R. S wITH, J. T. DENT, JASON TAYLOR, J. W. ARMSTRONG, PERRIN LOCKE, W. RAMSAY, Dr. JOSHUA WADSWORTH, ALEX'R. R. LAWS, and A. J.

Mr. HENRY M. LEWIS, of Montgomery In, is our General Travelling Agent for the States of lahama and Tennessee.

SMILEY

Mr. ISRAEL E. JAMES, No. 182, South Tenth Street, Philadelphia, is our General Travelling Agent, assisted by WM. H. WELD, JOHN COL-LINS, JAMES DEERING, A. KIRK WELLING-ON, E. A. EVANS, JOHN T. JUDKINS, P. LOCKE, JOS. BUTTON, GEO. P. BUTTON, and HOS. D. NICE.

#### OUR FIFTY-THIRD YEAR.

The RALEIGE REGISTER enters to day upon the FIFTT-THIRD year of its existence.

In commencing a new Volume, we can but re-

erate our determination to use our constant and anwearied efforts to make the BEGISTER an inter esting vehicle of pa-sing events, and an honest Journal, pledged to good Government, good Laws and whatever is calculated to benefit and enlighten the People.

The reciprocal obligation of the Subscribers to the Paper, will, it is hoped, be duly remembered and acted upon.

## OHIO POLITICS.

Democracy in Ohio is coquetting- with, and ooing Abolitionism in so many forms-that a practical coalition, it may be said, so existents to deprive the Whigs of much chance of electing Vinton Governor.

From Cleveland, we have now some details of the so called National Anti-Slavery Convention recently held there. Dr. Lemoyne, a noted Abolitionist, was President-and Giddings was Chair man of the Committee of Resolutions. The reyou will feel yourselves bound to present the fact solutions, besides re-affirming the Free Soit principles, take decided ground in favor of Land Re-

MISSISSIPPI-GEN. FOOTE. The last number of the Jackson "Flag of the Union" The last minoer of interesting letters from Gen. Fonte. The first is in reply to some interrogatories addressed to him by Messra McLain, Joseph Lowe. ry and others, of Lauderdale County, Miss., and the second is an answer to an attack by A. G. Brown a Secessionist candidate for Congress, on his votes in the Senate during the discussion of the Com roma measures. The questions prepounded to him are first, whether he believes that "a State in this Unior has a right to secole for any cause whatever," and the ther he intends to resign his position as a Senati of Minsissippi before the November election. In reply to the first question, he declares that h is clearly of opinion that there is "no right secured h

the constitution of the United States, to any single State of the Confederacy, at its own pleasure, to se. cede from or to break up the Union," which he un derstands to be the avowed destrine of his opponents in the contest in which he is at present engaged. He agrees with Mr. Madison, whose name is so fra quent y and so unjustly quoted by the Secessionists in justification of their ductrines, that the constitution, in its inception, required an adoption in toto and for. ever. In this connection Gen. Foote . refers to the Union Democratic Convention of Mississippi, held at Jackson, in 1834, one of the resolutions of which body declared that "a constitutional right of secess. sion from the Union, on the part of a single State, as asserted by the nullifying leaders of South Carolina is utterly unsanctioned by the federal constitution" Of this convention Gen. Foste was a member, and ha endorses its proceeding. He also refers with approfation to a resolution adopted in 1888 by the House of Repres atatives of Mississippi, denouncing a nullification and secession speech of Gov. Poundexter, at that time a member of the U.S. Senate. Still farther to enforce his position on the subject, he quotes the following extracts from Gen. Jackson's proclamation, affirming that he does not recollect the time when he did not concur in the sentiments expressed therein

The constitution is still an object of our reverence the bond of our union, our defence in danger, th source of our prosperity and peace. It shall descend as we have received it, uncorrputed by sophistical construction, to our posterity ; and the sacrifices of tocal interests, of State prejudices, of personal ani-mosities, that were made to bring it into existence. will be again pairiotically offered for its support."pact, it is said the parties to that compact may, when they feel themselves aggreeved, depart from it; but it is precisely because it is a compact that they can-not." • • • "The right of the people of a single not." " "The right of the people of a single State to absolve themselves at will, without the con-sent of the other States, from the most solemn obliga-tions, and hazard the liberties and happiness of the millions composing this Union, cannot be acknowledg. ed. Such authority is utterly repugnant, both to the principles upon which the General Government is constituted, and to the objects which it was especial-ity formed to attain." " " " " " That a State of any other great portion of the people, suffering under long and intolerable oppression, and having tried all constitutional remedies, without the hope of redress, may have a ustural right, when their happiness can be in co otherwise secured, and, when they can do so without greater injury to others, to absolve themsel-ves from their obligation to the Government and ap-peal to the last resort, need not on the present occa-sion be denied. The existence of this right, however, must depend upon the causes which may justify in

There are no causes he thinks, at present existing form, and the disbanding of the army and reduc- to justify the States of the South, or any one of them. rights in the Umon have never been so secure as at the pressut moment. In reply to the statement that his position is equivocal. he being represented by some as holding to the right of State secession, and by others as denying it, be asserts that he has never, either in Congress or elsewhere, attempted for a moment to maintam the constitutional right of a State to secede from the Union at her pleasure, always having referred to secession as strictly a revolutionary remedy .--In proof of this assertion he refers to his speeches and ecorded declarations

FROM THE FAR NORTH-SIR JOHN FRANwir -The arrival back at this port of the little schooner Advance from the Arctic seas. and the hourly expected arrival of her consort, the Rescue, are incidents which created, yesterday, among our towns-people, a feeling of mingled gladness and regret.— Everybody was happy to welcome home a-gain our brave and hardy seamen from their perilous but heroic and noble adventure, yet everybody regretted that the Forlorn Hope that had beckoned them to the icy wildernesses of the far North has faded away before despondency and despair. All, we fear, is known that ever will be known of the fate of Sir John Franklin, though there are many who still cling to the belief that renewed ef-

conspiratory efforts of mad zealots, who which they cannot rationally expect to obtain, and aimed to pull down the pedestal of liberty? giving rise to imputations (however unfounded) upon the honor and good faith of their own Government; upon every officer, civil and military. and upon every citizen-iv the veneration due by all free men to the laws which they have assisted commit ourselves upon his representa ions. to enact for their own government-by his regard for the honor and reputation of his country-ty his love of order and respect for that sacred code of laws by which national intercourse is regulated -to use every effort in his power to arrest for trial and punishment every offender against the laws providing for the performance of our obligations to the other Powers of the world. And I hereby warn all those who have engaged in these criminal enterprises. if persisted in. that, whatever may be the condition to which they may be reduced, they must not expect the interforence of this Government, in any form, on their behalf, but will be left, re-proached by every virtuous fellow citizen, to be dealt with according to the policy and justice of that Government whose dominions they have, in defiance of the known wish s and forts of their own Goe

rament, and wi hout the shadow of justification or excuse, nefariously invaded. Given under my hand, at the city of Washing-

on, the 21st day of November, in the year of our Lord one thousand eight hundred and thirty eight, and the sixty third of the independence of the Uniled states.

By the President: M VAN BUREN. JOHN FORSYTA, Secretary of State.

THE "HIGHER LAW" AT RALEIGH.

We copied last week an article from the Raleigh Register, in which the Register showed the Standard and its imitators that in publishing and circulating as they are constantly doing, matter the "evident tendency" of which is to excite insurrection amo g the slaves, they are subjecting themselves, under the laws of North Carolina, to whipping and the pillory for the first offence, and to hanging for the second. The Standard in reply to the Register, says :---

"We now tell that paper and its backers that we hold its abuse in contempt, that nothing which it can say can affect either our feelings or purposes and that we intend to go right on in the discharge regard to consequences."

There's "higher law" with a vengeance! One of the statutes of North Carolina prescribes that certain crimes shall be punished with whipping, the pillory and death. The Standard, when shown that he is violating that statute, says in substance-'We dont

care for your law-it is our duty to disobey it, and we "intend to go right on in the DIS-CHARGE OF DUTY, fearless of consequences and without regard to consequences.

That is precisely the way the North Abolition fanatics talk in regard to the fuginive slave law. "We dont care for it"-they say -"it is our duty to disobey it-there is a HIGHER LAW than any mode by man and we intend "to go right on in the discharge of duty fearless of consequences."

Where is the difference between the Standard and the Northern Abolition fanatic, except that the law which the latter considers it a "duty" to resist is a law passed by Congress, whilst the law which the former considers it his "duty to disobey is a law passed by the Legislature of North Carolina?

N. S. Whig. The new Governor of Kentucky is a very amusing man, and a very clever one for a Democrat. His name is Lazarus W. Pow-

support of Houston on Douaidson's representa as, and might not wholly disagree with Mr. Don aldson upon the subject, we are not inclined to Richmond Times.

From the New York Express, of Sept. 29.

GENERAL SCOTT. being written to some months since by a geutlemen of Pennsylva nia, at the request of eight members of the State Senate, addressing him as the undoubted Whig candidate for the Presidency, and requesting his opinions on the various political questions which have agitated the country, wrote the following characteristic letter in reply:

WASHINGTON, March 26, 1851. Sin: I have received your letter, (marked confidential,") in which, after committing the error of supposing me to be "fully before the country as the Whig candidate for the Presidency," you proceeded to interro gate me on many points of grave public interest.

Permit me to say, that, considering we shall probably only have a Whig candidate for the Presidency through a National Convention, and that I cannot be its nominee except by the force of the unsolicited partial y of large masses of my countrymen-Considering, also, that if my character or principles be not already known, it would now be idle to attempt to supply the deficient information by mere paper professions of wisdom and virtue, made for the occa-

And considering that, if I answer your queries, I must go on and answer others al ready before me, as well as the long series that would inevitably follow, to the disgust of the public-

I will beg permission to close this acknowledgment of your letter by subscribing myself, With great respect, your ob'd't serv't,

WINFIELD SCOTT. , Esq., Harrisburg, Penn.

P. S. | must add that I write and say nothing, on public subjects, which I am unwilling to see published.

# THE WHIG CAUSE.

We think we cannot be mistaken in the signs around us, of a gathering, strong, steady rally to the pure standard of Millard Fillmore as the Whig candidate for the next Presiden. cy; and the name most frequently associated with his, and likely to be most cordially adonted, in N. C. at least, if not by the Whigs of the whole South and of the nation, for the second office in the Republic, is that of William A. Graham.

On this ticket, comprising so much of public virtue and ability, the conservative people of the Union may confidently rely for a firm and righteous administration of the Government, and for every thing which great partriots may honorably do for the perpetuation of our glorious Confederacy. Their stand is on the Constitution of the United States; they have been tried and found true. It will be preceived that there is a call in

treason, he is to commit it.

stal 5, chap. 2, and its terms must be understood of course in the sense which they bure in that law, tions, and says : "Now, though we would be glad and which obtained here when the Constitution to see the next Presidency at the disposal of Trx- was adopted. The expression "levying war," so regarded, embraces not merely the act of formal or declared war, but any combination forcibly to prevent or oppose the execution or enforcement of a provision of the Constitution, or of a public statute, accompanied or followed by an act of forcible op-

position in pursuance of such combination. This in substance has been the interpretation given to these words by the English judges, and it has been uniformly and fully recognised and adopted in the courts of the United States. (See Foster, Hule and Hawkins, and the opinions of Iredell, Patterson, ... ha-e, Marshall and Washington, J. J., of the Supreme Court, and ... Peters, D. J., in United States vs. Vigol, United Stat s vs. Mitchell, United States vs. Fries, United States vs. Bo Iman and Swart. woul, and United States ve. Bury }

The definition, as you will observe, includes two particulars, both of them indispensable elements of the offence. There must have been a combination or conspiring together to oppose the law by force, and some actual force must have been exerted, or the crime of treason is not consummated.

The highest, or at least the direct proof of the combining, may be found in the declared purposes of the individual party before the actual outbresk; or it may be derived from the proceedings of meet ings in which he took part openly, or which he either prompted or made effective by his counte-

nance or sanction-commending, counselling, and usigating forcible resistance to the law I speak. of course, of a conspiring to resist a law, not the more limited purpose to violate it, or to prevent its application and enforcement in a particular case, or against a particular individual. The combina-

tion must be directed against the law itself. But such direct proof of this element of the of fence is not legally necessary to establish its exist ence. The concert of purpose may be deduced from the concerted action itsell, or it may be inferred from facts occurring at the time, or after

wards, us well as before Besides this, there must be some act of violence as the result or consequence of the o mbining. But here, again, it is not necessary to prove that the in the violence. It he was present, directing, aiding, abetting, counselling, or countenancing it, he is in law guilty of the forcible act. Nor is even his per sonal presence indispensable. Though he be ab-

sen at the time of its actual perpetration, yet if he directed the act, devised or knowingly furnished treason there are no accessories.

on this subject among a portion of our people. If it has been thought safe to counsel and instigate others to acts of forcible oppugnation to the provisions of a statute, to inflame the minds of the ignorant by appeals to passion, and denunciations of the law as oppressive, unjust, revolting to the conscience, and not binding on the actions of mento represent the Constitution of the land as a compast of iniquity, which it were meritorious to vio-late or subvert-the mistake has been a grievous one ; and they who have tallen into it may rejoice, it peradventure their appeals and their counsels have been hitherto without effect. The supremacy of the Constitution, in all its provisions, is at the very basis of our existence as a nation. He whose conscience, or whose theories of political or indi vidual right forbid him to support and maintain it in its fullest integrity, may relieve himself from the duties of citizenship by divesting himself of its rights. But while he remains within our borders, all ques ion. he is to remember that, successfully to-instigate

I shall not be supposed to imply in these remarks that I have doubts of the law-abiding character of our people. No one can know them well without the most entire reliance on their fidelity to the Constituti n. Some of them may differ from the mass

place in which the offenders may have sought refuge, we give you the pledge of the law, that its far reaching evergies shall be exerted to bring them up for trial-if guilty, to punishment.

The offence of treason is not triable in this court. By an act of Congress passed on the 8th of Au gust, 1846, chap. 98, it is made lawful for the grand jury empaneled and sworn in the distric court, to take cognizance of all indictments for erimes against the United States within the juris diction of either of the Federal courts of the district. There being no grand jury in attendance at this time in the circuit court to pass upon the accusations I have referred to in the first instance it has fallen to my lot to assume the responsible office of expounding to you the law in regard to them. I have the satisfaction of knowing, that if the views I have expressed are in any respect erroneous, they must undergo the revision of my learned brother of the supreme court who presides

in this circuit, before they can operate to the serious prejudice of any one; and if they are doubt ful even, provisi a exists for their re-examina tion in the highest tribunal of the country.

> RESOLUTIONS OF THE WHIGS OF VIRGINIA.

After having completed its nominations of candidates for State officers, recently, the Whig State Convention of Virginia took up and unanimously adopted the following resolutions, reported by a committee of filteen of its members. They bear witness to Virginia's love for the Union, and record a Hundreds of Democrats, now disgusted with thejust appreciation of the present National Administration:

Resolved, That, although differences of opinion exist amongst the members of the Whig party, a they are known to exist among their opponent in regard to some of the provisions of the new Constitution which has been recommended by the late State Convention, the efforts made in some quarters to represent the Whigs as a party to be

opposed to its ratification by the people are wholly wi hout foundation ; and, on the contrary, it is well ascertained that the great body of the Whigs, dividual accused was a direct, personal actor in approving the effort to obtain an extension of popular rights, and willing to forget sectional

ifferences. will vote for its adopting. Resolved, That the acts of Congress known as the Compromise measures are regarded and ap-proved as a final settlement of the slavery question ; and they will look upon any attempt to dis the means for carrying it into effect, instigated turb those measures of peace as simed at the in. others to perform it, he shares their guilt. In tegrity of the Union. Resolved, That MILLARD FILLMORE, the present

President of the United States; by his just appreciation and faithful discharge of executive duty; his wisdom and skill in the management of our national affairs, amidst the most embarrassing difficulties; his loya'ty to the pledges of the Construction, and firmness in maintaining the laws passed by Congress for their observance; his patriotic devotion to the Federal Union, and his noble efforts to preserve it as a perpetual bond be-tween sister States, has eminently justified the ex-pectations of the Whig party, and entitled himself to its continued confidence, and to the support of the whole country. Resolved, I hat the Whigs of Virginia desire to

o-operate with their brethren of other States in the furtherance of the same national policy which has so signally marked the present Administration;but they cannot support for the next Presidency any candidate whose fidelity to the Constitution and to the measures of adjustment shall not be beyond

R. solved, That whilst the Whigs of Virginia condemn as unwise and unjustifiable the hostility

manifested by a portion of the Southern people, not only to the Compromise, but to the Union itself, we declare our firm determination to uphold the honor and interests of the South. We value the Union and the Federal Constitution as the another column for a Whig meeting in this as to the rightfulness or the wisdom of the or the surest and strongest safeguards of the laberty and ell. In 1848, after a debate with Leslie county, at Superior Court. The best-we other provision that is found in the Federal com-Combs, Col Powell was asked what his had almost said, the only, hope of our now pet-they may be divided in sentiment as to the our brethren of the North-Whigs as well as Dem-

tion of the Navy. The Army, which in case of in appealing to the ultima rate alluded to by Generebellion against the Laws, may be used to en. ral Jackson-the right of revolution-the last resort force them, very much worries all leading Abo- of oppressed communities ; but, on the contrary, our

litionists. Cassius M. Clay improved the occasion to anonnee that he now separated himself entirely from the Whig party, as that party had deceived him. (The Whig party deceives, it seems, both Abolitionists, Secessionists, and Nullifiers.) U. S. Senator Chase, who comes cut now fully for the pure Democratic Ticket of the State, was present, trying to woo the Abolitionists to follow his example

He said, "that the Ohio Democracy were right upon the record-that they proposed to do anything that might constitutionally be done to mitigate the evils and eradicate the sin of Slavery." Giddings & Co., in Northern Ohio, have thrown that once powerful Whig section inte a minor.ty, and with it has gone the State. But, the "N. Y

Express" well remarks, the Coalition of Giddings | \$2,000 & Co., outside Abolitionists, and Chase & Co., inside Abolitionists, will only be of avail to help on the Democracy, until the Whigs plaut themselves thoroughly upon a sound, national, unmistakeable platform, as they are beginning to do .coalitions of their own party, will vote the Whig.

ticket, the moment that is fully done. The State and County Whig Conventions are every where giving the National Administration a hearty endorsement. We quote from one of the Resolutions at a large meeting in Hamilton Counly, recently.

" Resolved, That the patriotic and enlightened administration of our national affairs, by President Filimore and his Cabinet, morts the warmest approbution of the Whigs of this county."

#### MARYLAND ELECTION.

The election for Members of Congress in State of Maryland took place on Wednesday last, The Whigs of the State have done their duty n bly-the returns thus far received indicating the following result :

First District-Richard J. Bowie, Whig, melected.

Second District-William T. Hamilton, Demo crat, re-elected.

Third District.-Edward Hammond, Democrat re-elected.

Fourth District .- Thomas Yates Walsh, Whiggain.

Fifth District .- Alexander Evans, Whig, reelected.

Sixth District-Daniel M. Henry, the regular Whig nominee, elected in this Distnet, over Joseph S. Cottman, independent Whig.

DEATH OF HON. JAMES GRAHAM. We are pained to hear of the death of this Gentle-

man, which took place at his residence in Lincoh County, on the 25th ult. Mr. GRAHAM was the second son of the late General OSEPH GRAHAM, and the last surviving brother of the Secretary of the Navy. He was educated at the University of this State, and bred to the profession of the law, which he practiced successfully for several years. He was frequently a member of the Legisla

THE CUBAN BONDS.

The "National Intelligencer" publishes a copy of one of the bonds which were issued to assist in carrying into effect the late Cuban expedition .-Here it is, says that paper, word and letter :

BE IT KNOWN TO ALL MEN, That I, General

NARCISO LOFE2. Chief of the "Patriotic Junta for

the promotion of the political interests of Cuba," established in the United States of North America, and the contemplated head of Provisional Gor-ernment and Commander-in-Chief of the Revolu-tionary movement, about to be now undertaken through my agency and permissive authority, for the liberation . I the people of Cuba from the tyranny and oppression to which they are now sub-ject by the power of Spain, and to be prosecuted by me till superseded by a superior Executive Officer, or such form of Government and authority as the people by their free-will and choice shall prescribe, do, by these presents, to subserve the cause and object sforeguid, make and execute this obligation, on behalf of the people of Cuba, by whatever designation of nationality or form of body politic they shall hereafter assume, to-wit: I do, by these presents, for and on behalf of the said people of Cubs, and their successors in Goverament forever, and for value received, promise to pay to ment or bearer, in equal annual instalments at one, two, three, four, and five years, the anm of Two Thousand Dollars, with six pe the sum of Two Thomsand Dollars, with six per cent, interest from date, payable rateably on each anotal losisiment, until both principal and interest be fully paid and discharged. And I, the said General Naroiso Lopez, in virue of the authority and for the premotion of the object aforesaid, do by these presents pledge to the said \_\_\_\_\_\_\_, or bearer, the public tands and public property of the membra and discrete rates and from whatthe people and Government of Cuba, from what-ever source to be derived; and do further piedge

ever source to be derived; and do further pledge the good faith of the people and Government of Cuba, in perpetuity, for the faithful and complete discharge of this obligation. In testimony whereof, I, the said General Nar-cise Lopez, do hereto affir my signature and seal of the and Provisional Government, which is fur-ther witherand by Ambrosic Jose Gonzales and Jose Maria Sauchez Fauges, members of said "Pstriotic Junts," and the Hon Cotesworth Pinck-ney Smith, Judge of the Supreme Court of Errors and Appeals of the State of Mississippi." This dous and executed in the City of New Or-leans and States of North America, on this 30th

ted States of North America, on this 30th day of April, A. D. 1850.

NARCISO LOPEZ. J. SANCHEZ YZNAGA, AMBROSIC JOSE GONZALES,

\$2,000 C. P. SMITH.

At the head of this bond (says the "Intelligen cer") is a handsome cut of a shield or soat-of arms, (in one division of the field of which, by the way, is a palmetto and stars, signifying we know not what,) surmounted by a liberty cap, and garnished

There has been, I fear, an erroneous impressi W. S.

