

It was not intended as an invitation to the field. — Green W. Caldwell.

"Sport, which wrinkled care-rides, And laughter, holding both his sides." —

In my recent reply to the attacks of Capt. Caldwell on Dr. Henderson and myself, I promised the public: I would "not willingly appear again." But the indomitable Captain is not yet satisfied. The event has happened, which myself and friends partially anticipated, when I wrote that reply. The Captain is, therefore, raised, once more, and I now come with the closing scenes in the history of his cowardice and infamy. I handle him this time with gloves off.

On the 31st inst. I received another card from the Hon. Gentleman, in which he demands personal satisfaction "for the general bearing and tone of my last communication, published in the Hornet's Nest, and its reiterated charge of corruption against him."

It will be seen, he has at last worked himself up to the sticking point. He is in earnest now and will not *crave* fish this time! While certainly in this humor, it would afford me a great deal of pleasure to give him a *pop*; but my anger, like his courage on the 27th of August last has all evaporated; or rather, like Bob Acre's patriotism is oozing out at the fingers.

The Captain's present position is pitiable indeed. At one time he seems to struggle like a fallen hero:

"Felled, bleeding, breathless, furious to the last!"

At another, his mournful complaints, wailings and lamentations, accompanied with certain desperate, death-like efforts to save himself, gave rise to an opposite feeling, which finds expression in the following effusion:

"On a log sat a frog
Crying for his daughter;
Tears he shed till his eyes were red,
And then jumped into the water—
And drowned himself!"

In order not to treat him with disrespect while in the agony of his *dull* fever, I beg leave to fire at him through the public press the following "paper bullets of the brain," which he can chew the balance of his life as a cure for the disease:

"Hon. G. W. CALDWELL:

Sir:—It seems that you learned after the late Congressional election, that the trumpeting of your mock military fame did not give your name the potency you anticipated. You very justly reflected that your heroism was not quite complete: you must *shoot* somebody!— You resolved too, by a grand flourish of your small artillery, to hush up the mouths of all Whigs for the future, in regard to the famous John Tyler affair. This out of your way, the Governorship or any thing else you might desire, would be within your reach.

Amongst a thousand others, I chanced to have committed the "unpardonable sin," against the sanctity of your immaculate name. You pass over all the rest and select me as "the foeman worthy of your steel."

In the communication you first send me (August 17th, 1849), after referring to the alleged offensive publication, is in the following formal, pointed and distasteful style:

"Now, sir, both of these communications (especially the latter), I consider a gross and unprovoked attack upon my character, for which I demand your satisfaction.

"This note will be handed to you by Mr. E. C. Davidson who will act as my friend in this matter."

In your own language, sir, this was a communication under which I was compelled to "withdraw" or "fight." It was delivered to me at Morganton on the 21st of August. I at once determined to treat it as a challenge; for under such a "demand" I never could and never would open my lips. In the course of my preparations, I had occasion to show it to such gentlemen as H. W. Guion, A. H. Caldwell and B. S. Guion, Esqs., and to Dr. A. M. Henderson; all who concurred with me, (as Dr. H. has stated), that it was "a direct invitation to the field." Your own conduct proves in what light you at first regarded it. Why all your parade, precaution and preparations?— Why send your military friend over to Concord at the hour of *mid night*? Why post him off in such hot haste 80 miles in my pursuit to Morganton? Why did you yourself leave Charlotte and go up to your mother's in Gaston?— Why carry with you "the instruments?" Why your daily practice? The note speaks for itself a language which no gentleman could mistake. Your own conduct condemns you. The world will pronounce it a challenge—a peremptory challenge. And yet, sir, on the 27th of August, at the Catawba Springs before I broke the seal of silence and without one intimation I ever would do so, you sit down, and in the very face of all your own parade and preparations, and with a full knowledge that I was there ready (as Dr. H. states) "to deliver an acceptance and arrange the preliminaries for an immediate meeting in the field,"—you sit down and say under your hand,

"It was not intended as an invitation to the field."

Yes sir! You have done all this! I forced you to "withdraw" or "fight." You choose the former and did it in a notable way! I care not, what you intended—it was a deliberate, cowardly backout in every shape and form.— But, sir, I will know at this time, that if I had been base enough to have explained, with that paper in my pocket, you had determined to publish it to the country as a challenge encircling my withdrawal. If you intended a "fight," I made you begin the work of "withdrawing," yourself, and take back your challenge. If you intended a "bluff," I "out-bluffed" you and made you swallow your own words. I beat you at your own game. On my side a "bluff," was as good as a "bet." Yes, sir, you showed the *white feather* and *vamosed!*

After this could well afford to explain. I really meant nothing personal. I, therefore, said so. But when I came to the bribery and corruption, the following was the best I could do:

"I merely intend charging you with political inconsistencies, particularly in voting while in Congress, for one of the peculiar measures of Mr. Tyler's administration; and I considered that in afterwards accepting office from Mr. Tyler you had yourself open to the imputation of having been more or less influenced by interested motives in giving that vote; but if in this I have done you individually a wrong, I have no hesitation in making you ample reparation!"

I sent you this and you returned it with the request that I would strike out all about the Tyler affair—from the words "political inconsistencies" down. I agreed to modify—but *absolutely refused to strike out what now remains.* I determined to stick to my consistency. You had to accept it as it stands above! Mark you, the word "withdrawing" (about which you prated so much) was not in it at all. But next morn-

ing after the adjustment, you put on the garb of friendship and ask me to walk to the spring, and then solicit me, in order to render the meaning more explicit to common minds, to add the words "by withdrawing all expressions conveying any such imputation."

And yet, sir, with these facts fresh in your mind; with a full knowledge that they were known to Dr. Henderson and Mr. Davidson, and appear from the original letter itself, (in my possession,) you return to Mecklenburg, give your understrappers the cue, and forthwith it is circulated over the whole country that I had backed out—had *withdrawn* every thing! Not only so, you afterwards begin a war of words against Dr. H. and myself, and assert with unblushing effrontery, that you had forced me to "withdraw" or "fight," and that I had made "a clear and unqualified withdrawal of every word" of the Tyler charge! Can any conduct be more cowardly, more dastardly, more black and villainous? These things I have kept back expressly for this occasion?

The pretence which you now set up, sir, for challenging me again, is silly, ridiculous, base and infamous enough! A miserable evasion and falsehood! I have gone over the whole history of this affair, to show you that *per se* (as your friend Capt. Tyler used to say,) your cowardice and rascality have been such as to sink you forever beneath the notice of any honorable man. And on this distinct ground alone, I might refuse to receive your note, at all. But what right have you to challenge me for the matter, which has once been adjusted, and for which you have accepted satisfaction? You profess to be a student of the "code;" I refer you to your books. The satisfaction you accepted, you must be content with. Your mouth is closed. But, sir, if I reiterated the charge in my last publication, you have also said, that I "in substance reiterated it" in my first.— Why did you not then repeat, in substance, your challenge? Why sleep on it three weeks!

No, sir, this is more of your hypocrisy! It is the black guilt of self conviction that is troubling you. You set a trap for me and caught yourself. The publication of the correspondence overwhelmed you with disgrace. Public opinion is the *incubus* that presses upon you. You have seen the remark of a public print, that I "got" the gallant Caldwell; and "that the hero of the rebellion of 1847 has been made to haul in his horns." These are the things that sting you. They are gall and worm wood to your craven spirit. You first tried to "write" out the stain upon your character by defiling mine! You now want to try to "fight" it out. And after all this; after all that has passed between us; after once meeting you and fairly backing you out; then lashing you with contempt, sneer and ridicule, you again coolly ask me to accompany you to the field!— You should remember, that it is boys' play to first run and then bristle up and renew the battle. A meeting on the field would be a pretty affair, indeed, after the paper warfare which you lately begun.

You have once before accepted satisfaction on paper and discussed its merits "in print." I now prefer, that you shall accept the same sort again; but on a more notorious and extensive scale. Neither my conscience, my honor, or my courage require that I should hereafter notice any thing that may come from you or your friends in connection with this subject, in any shape or form. I shall continue to treat you with contempt and ridicule; and you and they may one and all challenge as often as you please; may post, publish and pounce me; may apply to me the whole vocabulary of Fish Market and Billingsgate; may descend to the dogs, and call me "puppy, whelp and hound," but you cannot drive me from my propriety.— I will laugh at your calamities." Every effort to extricate yourself, but plunges you deeper in the mire. You can neither live out, nor wash away the stain. You may fight, as Jackson said of Pakenham, like a "brave fool," but the dye will continue to stick. Through life the awful words will continue to resound in your ears.— *It was not intended as an invitation to the field.*

I am now done with you, I am a man of Peace, but I warn you not to try my "science of self-defence." Take my advice and doff the military, attend to the business of life; and above all,

"Never thirst for gore again;
Resign the Pistol and resume the Pen."

RUFUS BARRINGER.
Concord, Oct. 4, 1849.

P. S.—I told Capt. Hoke, (Capt. C's new friend!) I would return an answer at the Tuskegee Ford on the 6th. I will get the Stage Driver to scatter the "Nest" and "Journal" all along the Road. I hope Capt. C. will not think himself "headed" in this move! I confess I rather "burst up" the technicalities of the code. But in resisting military combinations, I think a *surprise* decidedly the most effectual mode of warfare!

R. B.

STATE OF DESERT.

It has already been announced that the people residing in the Valley of the Great Salt Lake had instituted for themselves a form of Government, which is to be submitted to Congress at its next session. The Editors of the St. Louis Republican, who have been permitted to look at certified copies of the Constitution thus established, and of the proceedings of the Legislature under it, and of the reasons which led to these movements, give the following account of them:

The new State is quaintly styled the STATE OF DESERT, which implies, according to the Mormon history and interpretation, the "Honey Bee," and is significant of Industry and the kindred virtues. It is scarcely necessary to say to our readers that the population of this new State is composed altogether of persons professing the Mormon faith, of whom the number is rapidly increasing every year, that being the State to which all their emigration is tending. In these proceedings, as in every thing else, the peculiarities of this people are preserved, though we cannot see that this will offer any good bar to their application for admission into the Union.

In one respect, at least, the Convention which formed the Constitution for the new State has set a good example. They were employed only one week in action upon it, and we do not see but what it is as good a one as some of our States have been able to form after months of deliberation. We proceed to give some of its main features.

In February last notice was given to all the citizens of that portion of Upper California lying east of the Sierra Nevada mountains that a Convention would be held at the Great Salt Lake city, on the 5th of March, for the purpose of taking into consideration the propriety of organizing a Territorial or State Government.

Accordingly, on the day appointed, the Convention met, "consisting of a large portion of the inhabitants of that part of Upper California lying east of the Sierra Nevada mountains." Daniel Spencer was elected chairman; William Clayton, Secretary; Thos. Bullock, assistant secretary; and Horace S. Eldridge, Marshal.

After several addresses a committee of ten was appointed to draught a Constitution, under which they could govern themselves until the Congress of the United States should otherwise provide. Alfred Carrington, Jos. L. Heywood, William W. Phelps, David Fuller, Jno. M. Birnhsel, and Erastus Snow were appointed said committee. The Convention then adjourned to Thursday, the 5th, when they met, to receive the report of the committee.

This report was then made, in the shape of a Preamble and Constitution for the government of the new State. The first clause is as follows:

"We, the People, grateful to the Supreme Being for the blessings hitherto enjoyed, and feeling our dependence on Him for a continuation of those blessings, do ordain and establish a free and independent Government, by the name of the State of Desert, including all the following boundaries, to wit: Commencing at the 33rd north latitude where it crosses the 108th longitude, west of Greenwich; thence running south and west to, and down the main channel of the Gila river, on the northern line of Mexico, and on northern boundary of Lower California to the Pacific ocean; thence along the coast northwesterly to the 118th 30' west longitude; thence north to where said line intersects the dividing ridge of the Sierra Nevada mountains; thence north along the summit of the Sierra Nevada mountains to the dividing range of mountains that separate the waters flowing into the Columbia river from the waters running into the Great Basin; thence easterly along the dividing range of mountains that separate said waters flowing into the Columbia river on the north from the waters flowing into the Great Basin on the south to the summit of the Wind river chain of mountains; thence southeast and south by the dividing range of mountains that separate the waters flowing into the Gulf of Mexico from the waters flowing into the Gulf of California, to the place of beginning, as set forth in a map drawn by Charles Preuss; and published by order of the Senate of the United States in 1849."

The powers of the Government are then divided into three departments—legislative, executive, and judicial.

The article in relation to the legislative department is not essentially different from the Constitutions of the several States. Members are required to be free white male citizens of the United States, and to take an oath to support the Constitution thereof. The first Senate is to consist of seventeen members, and the House of thirty-five members.

In the Executive Department provision is made for the election of Governor, Lieutenant Governor, Secretary of State, Auditor of Public Accounts, and Treasurer. The judicial power is vested in a Supreme Court and such inferior tribunals as the Legislature shall establish. A Chief Justice and two Associates compose the Supreme Court.

The fifth article provides for the election of all the officers named in the Constitution, on the Monday of May, [last], and for a vote for or against the adoption of the Constitution, "and if a majority of all the legal votes shall be in favor of its adoption, the same shall take effect from and after said election."

In the Declaration of Rights, it is declared "that all men have a natural and inalienable right to worship God according to the dictates of their own consciences, and the General Assembly shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof, or disturbing any person in his religious worship or sentiments—provided he does not disturb the public peace nor obstruct others in their religious worship."

This Constitution was adopted on the 10th March, 1849.

The first General Assembly met on the 3^d of July. Millard Snow was elected Speaker of the House; Alfred Carrington, Clerk; John D. Lee, Assistant Clerk; and Geo. D. Grant, Sergeant at Arms.

After the organization the chairman announced to the House that a majority of all the votes of the people had been given for the adoption of the Constitution; and that Brigham Young had received a majority of all the votes for Governor; Heber C. Kimball for Lieutenant Governor; Wm. Richards for Secretary of State; Wm. Clayton for Auditor of Public Accounts; and Jos. S. Heywood for Treasurer; and they were severally informed thereof.

On the 3^d a resolution was passed providing for a joint committee to memorialize Congress for a State or Territorial Government; which was afterwards reported and adopted.

On the 5th instant, according to previous resolutions, the Legislature met in joint session,

and proceeded to ballot for a Delegate and Representative to Congress, when Almon W. Babbitt, Esq., having received a majority of all the votes, was declared duly elected.

On the 9th the Legislature adjourned sine die. Before doing so they adopted a memorial to Congress, in which they set forth the reasons which have induced them to organize a State Government. They cite the failure of Congress to provide a government for the territory acquired from Mexico, the abrogation of the Mexican law, the anarchy which has followed. "The revolver and the Bowie knife," they say, "have been the highest law of the land—the strong have prevailed against the weak—while persons, property, character, and religion have been unaided, and virtue unprotected." Finally, they represent that there is now a sufficient number of inhabitants residing within the State of Desert to support a State Government, and to relieve the General Government from the expense of a Territorial Government, and they therefore ask that the Constitution accompanying this memorial be ratified, and that the State of Desert be admitted into the Union on an equal footing with the other States, or that such form of Government may be given to them as may be deemed expedient; and that their Delegate may be received and their interests properly represented in the Congress of the U. States.

Not a word is said in the Constitution about slavery or the Wilmot proviso, such things not having entered into the imaginations of the law-givers as important to their welfare. The Constitution will be pressed upon Congress, and, if ratified, two new Senators and a Representative will soon appear in that body from the State of Desert—a State which was without a settled inhabitant four years ago and which is some twenty-five hundred miles from the seat of the General Government.

THE CAROLINA WATCHMAN.
Salisbury, N. C.
THURSDAY EVENING, OCTOBER 18, 1849.

North Carolina Rail Road.

Urox consultation with citizens in this important town, it is deemed advisable to postpone the contemplated Convention heretofore advertised to take place at Greensboro' on the 18th inst. Notice is therefore, hereby given, that said Convention will be held at Greensboro' on Thursday the 29th November, next.

J. M. MOREHEAD, Ch'n Ex. Com.

THE OPPOSITION PRESS.

From all that can be gathered from the conduct and expressions of the Loco-foco papers, it is almost certain, that a systematic, and we may also say, a factious opposition is to be made to the acts of the Administration, in the next Congress. That its conduct in regard to the foreign policy in particular is to be the main subject of attack. That misrepresentation and falsehood are to have full sway, and the Administration, if possible, lied down; not because any thing has happened likely to disturb the peace of the Country, or that its honor has not sacredly been preserved in the case of the *Reg* abduction case—the *Hungarian struggle*—or the *French Minister's difficulty*, but because the "democracy" are out of office—because they have been driven from power in disgrace for their wicked and disorganizing acts. This is the only reason why the enemies of a good government, are arraying themselves and preparing for a general and savage attack upon the Administration of the Patriot TAYLOR, and nothing else.

Such being unquestionably the object and intention of the Loco-foco leaders, we trust every lover of his country—every seeker after peace and prosperity, and every unprejudiced man, will not only heed the hyena-like attacks of this mongrel party politicians, but give a hearty support to the patriotic exertions of President TAYLOR to carry out the reforms in the Administration of the Government so long needed.

The views expressed in the subjoined article from the "Boston Atlas" accords so well with those of our own that we think it unnecessary to prolong these remarks:

From the Boston Atlas.

THE FOREIGN POLICY OF THE ADMINISTRATION.

It has been apparent for some months that, at the ensuing session of Congress, the administration of General Taylor, and especially the public acts of the Secretary of State, are to receive scant justice at the hands of the opposition. Democratic editors, the exponents of the feelings of their political associates, and Democratic resolutions, supposed more generally to exhibit the feelings of the people, have sounded the charge, and a hostility that knows no moderation, and has but little show of reason, is what we have to expect from our opponents. We have not had the good fortune to meet in the Democratic presses, with any commendation of any single act of the Government, and we are sorry to be obliged to add that some professedly neutral papers aid and assist in this wholesale vituperation and abuse.

We may at some future time notice these attacks in detail, but at present, as the country is particularly excited in consequence of the state of our foreign relations, and as a somewhat remarkable state of affairs exists, we propose to review as briefly as possible the acts of the Government with foreign Powers, and see whether there is any thing in them inconsistent with the spirit of our institutions, whether there has been any "bungling negotiations," and whether General Taylor or his Secretary have shown that timidity which would authorize the opinion that they and their associates "could not be kicked into a war" if war at any time becomes necessary or expedient.

The prominent acts of the Government

with foreign Powers may be thus enumerated:

The prevention of the war steamer United States from sailing from New York after her purchase by the Prussian Government.

The proclamation of the President in regard to the Cuban expedition.

Not recognizing the Independence of Hungary.

The proceedings consequent on the abduction and return of *Rey*.

The dismissal of Mr. Poussin, the French Minister.

These are all matters of public notoriety and interest, in which we are able to form opinions from published official documents. They are independent transactions, but they all evince, in our judgment, the determination of the President and Cabinet to preserve the plighted faith of the country according to its laws and the law of nations, and we have the right to infer, from what we now know, that all other necessary measures have been or will be resorted to to preserve peace, the dignity, and the honor of the United States.

We are met in the outset by the resolution passed by the late Democratic Convention of this State:

"That by its [the Government's] delay to recognize Hungary, its proclamation against Germany, and its officious zeal to assure the despots of Europe of its friendly offices, by discouraging in Americans that devotion to liberty which our fathers honored in Lafayette, Kosciusko, and Steuben, it has stricken hands with the unholy alliance of kings and aristocrats against the people, and thrown the moral influence of this republic, with that of apostate France and passive England, into the scale of despotism."

We do not attach much importance to a string of resolutions prepared by some individual prior to the assembling of the meeting at which they profess to have been adopted, hastily read, and imperfectly understood, and the essence of which is hostility to the party in power, without reason and without argument; and we might in this instance be captious on the words "proclamation against Germany," but we prefer to pass to the gist of the charge, which is, "that the Government has stricken hands with the unholy alliance of kings and aristocrats against the people."

The proclamation against Germany consisted in an order to the Collector of New York to stop the war steamer United States from sailing for its port of destination until the owners gave the bond required by the law of 1818; and the evidence that the Government has "stricken hands with kings" is supposed to exist in the proclamation of the President on the subject of the Cuban expedition.

We maintain that in both of these instances the President and his Cabinet were not only right in their action, under the law of the United States, but that they were right under the acknowledged law of nations, and that both Spain and Denmark would have been justified in complaining of bad faith on the part of this country, and perhaps of resorting to something more stringent than complaints, had these measures not been adopted; and that these acts afford no reasonable pretence on which to charge the President and his Cabinet with insensibility to the sufferings of the Cubans, or hostility to the efforts of the Germans.

People who are not totally blinded by political prejudice cannot but be satisfied that the Government was possessed of information which satisfied them that the steamer United States was to be employed as a vessel of war by the Prussian Government against Denmark. The evidence of this, as disclosed in the official correspondence, is full and conclusive, and the argument of Baron Roene to cloak this intention would not deceive or convince a school boy of the second form.

The ingenious sophistry of the Prussian Minister was, fortunately for his reputation, confined to his diplomatic notes. He and his associates took no pains to conceal the fact that the steamer was to hold her character as an American vessel only so long as it would suffice to entitle her to clear from New York, and her Prussian flag was ostentatiously displayed on her quarter deck as what was to be her national emblem so soon as she had passed Sandy Hook. Friends congratulated the "passengers" on their prospect of honor and renown in the service of the Prussian Government, and sad havoc in the navy of Denmark was predicted from the power of the steamer and the prowess of her American Prussian officers.

Taking these facts as proved, it is replied that a former Administration, with equal knowledge of the intentions of the parties, permitted certain work to be done on this steamer at the navy yard at Brooklyn. In our judgment, this furnishes another to the many serious charges against the Administration of the late Mr. Polk, and shows that all the errors of head or heart he may have committed President Taylor is anxious to avoid. Indeed, it shows great moral courage on the part of the President and his Secretary to put an end to such proceedings, instead of heedlessly risking the peace of the country under the influence of republican sympathies.

Mr. Clayton had a high and responsible station, and duties attached to it to perform, and he was bound, by his position as Secretary of State, by his integrity as a statesman, and by his previous public character, to enforce the existing law of the United States, which makes it penal to set on foot any such enterprises as that contemplated by Baron Roene, or the former owners of the German steamship, or the captain who took command of her, or the mongrel characters who were registered as her "passengers."

While it is acknowledged that there is such a law, it is said "that it is old and antiquated," that it has never been en-

forced, and is not in accordance with the spirit of the age." How long it is necessary for a law to exist to deserve the appellation of antiquated we are not advised; but if we apply this term to individuals of the same age of the law we shall be set down for an "ancient people."

The law of 1818, passed during the Administration of Mr. Monroe, the personal and political friend of Jefferson and Madison, and Secretary of State under the latter gentleman, was collated from the prior existing acts of 1794, 1797, and 1817, and from the apparent care with which it is drawn, and the time at which it was passed, it may be presumed that its framers intended that its provisions should be observed so long as it remained on the statute book. Whether or not they so intended, the law is in existence; and the Secretary of State, knowing it, was bound to enforce it, for nowhere in the constitution or laws of the country is given him the power to vary their letter or spirit to keep pace with "progressive democracy."

It remains for some future Congress to repeal this statute, and let it upon the country all the evils which would arise from the disposition of meddling people to interfere in the affairs of foreign nations. The statute is a wholesome one, intended for just such circumstances as have taken place; and, in enforcing its provisions, we not only think the President correct, but we should have thought him treacherous to the great interests he has in charge if he had fathered, or sought to evade his plain and manifest duty.

We may properly extend these remarks, and apply them to the proceedings of the Cabinet, so far as known, in the case of the Cuban expedition. Both are palpably within the express terms of the law. If there was no such plan on foot, if the Government have been incorrectly informed, and needlessly alarmed; then the proclamation has done no harm; otherwise the gathering together of a multitude on Round Island, and the arming of men in various parts of the country for a foray on the Island of Cuba, has been wisely and judiciously stopped.

But we take higher grounds; we say that, in default of the existence of the statute of 1818, the President and his Cabinet will find full justification for their conduct in the cases referred to in the judgment of all of their own citizens who love law and order, who are not mad with love of plunder, and in the judgment of all civilized nations that desire to preserve the honor and integrity of their country and avoid the distresses of war.

It is a principle of law, well established and uniformly acknowledged, that "neutral nations are the common friends of both parties, without favoring the arms of the one to the prejudice of the other." This provision or principle is subject to some exceptions. A nation having a commerce with one belligerent and not with the other may continue it in its ordinary channels, and not violate its neutral obligations; and it may be so situated locally that one of the belligerents may, with its forces, under certain rules, pass through its territory, when the other would have no occasion to avail itself of a like privilege.

There are certain restrictions which are imposed on all neutrals. The trade in all commodities peculiarly useful in war is agreed by all authors to be a contraband trade, and to be in violation of neutrality. The right of searching neutral vessels and of seizing contraband goods is maintained, and nations at war with each other may prevent neutrals from supplying their enemies with contraband goods. We are aware that the "right of search" has been questioned by our most eminent statesmen, but the law as we have stated it, is recognised generally by nations. It is not to be denied for an instant that fitting out an armed vessel for one of two belligerents is in violation of these principles.

So also with the Cuban expedition. No nation has a right to interfere in the Government of another State. It cannot be asked how the Government of the United States interferes with the Government of Spain, when if it is acknowledged that her territory is used as a place of rendezvous for those who would assail her ally and friend. Among the good and justifiable causes of war enumerated by Vattel is "to protect the country from impending danger;" and if the United States is used to raise an armed force, military or naval, for the purpose of assisting a rebellious province, the injured nation is justified in declaring this to be a good cause for war.

The right of a country to assist in a civil war is not the question now to be discussed. The Cubans have not risen and attempted to throw off their yoke—Oppressed and wronged as they may have been, or are, by taxes and other enormities, they are yet as a mass, contented, and they have not, as an independent nation, applied to our Government for knowledge and assistance.

If we can form a correct opinion of the state of affairs in this country in relation to Cuba, among our citizens, it is that a band of mercenary plunderers was about to be organized for the purpose of indiscriminately seizing the property on the island, to be aided by some dissatisfied Cubans, and headed by some military heroes, who are not scrupulous in what advice they enlist; Dougald Dalgetty, who fight for pay and rations, and feel no attachment to principles. It is a shame to the memory of Lafayette, Steuben, Kosciusko, and others of revolutionary glory, to compare them to such bloodhounds.

With direct and positive proofs that such an expedition was on foot against a nation with whom we are free to confess that, on the face of the testimony in the case, a gross indignity has been committed, and that the Government of the nation, we are not prepared to condemn the President or his Cabinet for any deficiency of a proper regard to the honor of the Government, or for not yet been made public. It would be the duty of the Secretary of State to promulgate the notes to which answers cannot have been received.