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BY GEORGE HOWARD.

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POLITICAL.



From the Southern Press.

SPEECH OF

HON. J. R. J. DANIEL, OF NORTH CAROLINA,

On the Texas Boundary Bill. Delivered in the House of Representatives, September 3, 1850.

Mr. Daniel being entitled to the floor, offered the following substitute for the instructions offered by Mr. Root:

"With instructions to report with the said bill an additional section, declaring so much of any and all acts of Congress as prohibit African slavery in any Territory belonging to the United States, which lies between the Mississippi river and the Pacific ocean, and is not included within the limits of any State, null and void from and after the passage of said bill, so as to extend the principle of non intervention to said Territory."

The amendment being objected to, and the Speaker having decided that so much of the amendment as related to other territory than that acquired from Mexico was not in order, Mr. Meade, of Virginia, appealed from the decision; whereupon Mr. Daniel consented to modify his amendment, in conformity with the opinion of the Chair, so as to extend the principle of non-intervention to the Mexican territory only. He also caused to be read at the Clerk's desk a letter from many of his constituents, enclosing a circular found with many others in a post office in his district, as well to give publicity to it, as because he intended to refer to it in the course of his remarks. The following is a copy of the letter:

FRANKLINTON, N. C. July 20, 1850.
Hon. J. R. J. DANIEL: We, a portion of your constituents, find in our post office copies of the enclosed petition. As the subject therein contained is one very delicate in its nature to the South, we have thought proper to send you the enclosed copy; that you may see the attack attempted to be made on the South, through the post office, to be used as you may think proper. Your obedient servants,
(Signed) JOS. A. W. HATKER,
And many others.

N. B. It is said they are being sent to all the post offices in the South.

Copy of the Circular.

Postmasters favorable to the object proposed, will endeavor to obtain signatures, or if they cannot do it, please hand it to some one favorable for that purpose; and forward if possible before the 1st of July, 1850.

To the Senate and House of Representatives in Congress assembled—

The undersigned, citizens of the United States, being anxious to remove from our land, the greatest cause of discord; and to secure the future welfare, harmony, and permanency of the Union—having in view an object upon which we believe the great body of all parties and of every section of the country can unite—would respectfully pray, that Congress pass a bill providing means to remove from our country, all that portion of the African race, who are both willing and ready to emigrate to Africa; that suitable provisions be made for their real wants for one year after their arrival in Africa; and, as a greater inducement for them to emigrate,

that a bounty in land be given them on their arrival, upon which they may with industry and economy support themselves; and make such other provision as may be most desirable."

Mr. Daniel, proceeding with his remarks, then said: Mr. Speaker, my disposition leads me on most occasions to give a silent vote, but the importance of the bill before us, involving perhaps the peace of the country, and it may be the existence of the Union, seems to require a statement of my reasons for the course I feel constrained to pursue. It is due to myself, as well as the generous and confiding constituency whom I represent, and whose good opinion I highly prize. The censure attempted to be cast upon those who cannot approve all the measures brought forward for the settlement of the sectional controversy in which we are involved, imposes additional necessity for an expression of the views and motives which govern me on this occasion. The charge that opposition to all or any of these measures is calculated to endanger the Union, and that those who do not concur in them are unfriendly to its existence, is as short-sighted and illiberal as it is unjust. To me it seems to be the result of a timidity tending in process of time to bring about the very calamity which is deprecated no less by me, than by those from whom I differ.

Sir, I cherish an ardent attachment to the union of the States, and desire not only to preserve it, but, if possible, to place it upon a more secure and durable basis than that upon which it now reposes. If there be disunionists in the South, it is because they have lost all hope of a returning sense of justice from their Northern brethren, and believe their strong and increasing anti-slavery feeling, with controlling majorities here and in the other end of the Capitol, is becoming dangerous and alarming to those rights connected with the institution of slavery and guaranteed by the Constitution. I believe the number to be yet small. But let me tell Northern gentlemen that as their persistence in a course of injustice shall produce the conviction of a settled purpose to make a discrimination against those whose lot has been cast in the slaveholding portion of the Union, and deny them that constitutional equality of right and privilege which lie at the bottom of our political association, by excluding them in effect from territory belonging to all the States, and won by the common blood and treasure of all, the number will increase, to what extent cannot be foreseen. There is a strong attachment to the Union among the people of the South, but they are strongly and inflexibly attached to those rights which it is the object of all Governments to protect, and which the union of the States was intended to render more secure, not to destroy or impair. And they will hold on to the Union, unless they shall be forced to quit it, in order to protect their rights and avoid an inferior and degraded condition attempted to be forced upon them. In that event, I trust and believe they will not hesitate, but will maintain their rights as well of property as of equality and privilege in the Union, if they can—out of it, if they must.

Ours, Mr. Speaker, is a confederation of sovereign States, forming a Federal Republic, and the common Government created by the States as sovereign communities is the result of compact. It is not a consolidated Government for any purpose. Where it seems to operate as such, it is not because it is so, but in pursuance of the compact among the confederate States. To consider it a consolidated Government for any purpose is erroneous, and leads to results dangerous to the whole system, and hazardous to the liberties of the country. We have, through our common Government, in our foreign relations, evinced a just and punctilious regard for our engagements, and a firm adherence to the principles of justice, highly commendable; but I am sorry to say that such has not at all times been the case in the administration of our home affairs. There are admitted peculiarities of interest in the Northern, Western, and Southern sections of the Confederacy, and some supposed diversity of interest between the slaveholding and non-slaveholding States, but not such as to render our common Gov-

ernment oppressive to any section, or to the slaveholding or non-slaveholding States as such, if its action shall be kept within the limits assigned it by the compact between the States, and the principles of justice and good faith shall be strictly adhered to.

To restrict the Federal Government within its constitutional limits, rendered more necessary by the acquisition of additional territory, and, if possible, insure its observance of the rights of the States, and of justice towards the different sections, would be a leading object with all. It is the best and surest method of transmitting the blessings of the Union to remotest ages, and making our Government in all time to come a shining light to those who are immersed in political darkness. But, sir, how is this to be effected, when the majority here, in pursuit of sectional advantages, shall be guilty of a palpable departure from the principles and spirit of the Federal Compact? It can only be effected by union and concert among the States and their representatives whose rights are assailed. By such union and concert, and the advantages afforded by State organization, encroachments may be repelled, and the action of the Federal Government kept within its appropriate limits, and the rights of every section of the Confederacy maintained. It was in this way that the Constitution was rescued and Federal usurpation rebuked, when Virginia, in 1798 and 1799, put forth her celebrated resolutions, and invited the co-operation of her sister States. Nothing has had a more salutary and lasting effect in perpetuating the Union than the firmness which she displayed in that great struggle for the rights of the States and the true principles of constitutional liberty. Had she, and other States that sided with her, been induced, by way of compromise, (since become so frequent in sectional controversies waged against the institutions of the South,) to surrender the important principles for which she contended, our condition might have been far different, if, indeed, the Union would have been preserved to the present time. Sir, we have tried compromises and concessions until the term compromise has almost become synonymous with the surrender of Southern rights, and reminds me of what I have heard said of a practice which grew up under the arbitration law of one of the New England States, (I believe Connecticut,) that compromise, by a division of the property among the claimants, because so frequent, that it was no uncommon thing for one who took a liking to his neighbor's farm, to prefer a claim to it, submit it to arbitration, and thus by compromise obtain one half of what he claimed, but to which he had not the least particle of right. It does really appear to me that this has been somewhat the character and result of those controversies between the North and South in which Southern rights have been favored. Pretensions have been urged utterly at variance with the principles and spirit of the Constitution as well as the principles of justice; and for the sake of peace and the Union, the South has consented to surrender a portion of her just rights, until that fate seems to be fast overtaking her which awaits the aborigines of the country. I think in all conscience the South has gone far enough in her concessions, and that it is time to take a firm and united stand in defence of what has been left her. Concession seems to be but food upon which the spirit of encroachment, stimulated by Northern fanaticism, feeds and grows stronger; and it will never cease in its exactions, as long as a disposition exists on the part of the South to yield to its demands, until African slavery shall be swept from the country. After the outposts shall have been carried by excluding the slaveholding population from the Territories, they will assail the citadel, and commence their attacks upon the rights of slave property in the forts and arsenals within the States, as well as the District of Columbia, and upon the slave trade between the States, and as soon as the requisite number of free States shall be formed, to which the anti-slavery policy of the North is rapidly tending, an amendment of the Constitution will follow, giving to the General Government unlimited control over the institution within the States, involving,

say fifteen hundred millions of slave property. Believing such to be the tendency of things, I submitted some time ago a resolution for an amendment of the Constitution, the object of which was to prevent hereafter any amendment tending to abolish or affect slavery within the States, without the concurrence of the States in which the institution may exist; and could it be adopted by the requisite vote of the two branches of Congress, and receive the sanction of three-fourths of the State Legislatures, it would do more to relieve the South from apprehensions beginning to be felt, and to allay anti-slavery agitation at the North than any other measure; and, in connection with the non-intervention principle applied to the Territories, as proposed in my amendment, constitute the best basis upon which the slavery question could be settled, and place the Union upon a foundation far more secure than that upon which it at present rests. The resolution does not embrace all that I think should be matter of constitutional arrangement between the slave and anti-slave States. I should have preferred to guard against amendments changing the existing provisions respecting representation and taxation, and the restoration of fugitive slaves. But, to try the sense of our anti-slavery brethren, I deemed it best to submit the resolution in the form in which it was offered, that it might be liable to as little objection as possible. Objection being made, however, and it not being in order to suspend the rules, it was not introduced. I should myself prefer such an adjustment to the proposed Missouri compromise line.

The little regard which has been paid by our Northern friends to the principles of compromise, heretofore made for the adjustment of sectional differences, causes me to place no very implicit confidence in their stability, when subsequent Congresses are at liberty to disregard them or not, as feeling and interest may dictate. As soon as the tariff compromise was about to enure to the benefit of the South, we know that pretexts were made for setting it aside, and conferring bounties upon the manufacturers of the North and onerous burdens upon the agriculturists of the South.—And in the annexation of Texas, although the Missouri compromise was firmly insisted upon where its application enured to the benefit of the North, in relation to the territory acquired from Mexico, its principles have been wholly repudiated, and that, too, after Southern gentlemen, in the observance of that compromise, voted for the establishment of a territorial government for Oregon, with the ordinance of 1787 in it. Such conduct on the part of our Northern brethren, connected with a view of the encroachments heretofore made, is not calculated to beget a disposition for further concession on the part of the South.

When we achieved our independence, the area of the original States was 852,197 square miles.—Of that, including Maine as part of Massachusetts, there were within the original States, which soon after abolished slavery, and are non-slaveholding, only 164,081 square miles; and within the original States yet slaveholding including Kentucky and the territory northwest of the Ohio river, within the limits of Virginia, Tennessee, within North Carolina, and Mississippi and Alabama within the limits of Georgia, 698,116 square miles. By the liberality of Virginia, all her territory northwest of the Ohio was ceded to the Federal Government for the purpose of creating free States, now comprehended within the limits of Ohio, Indiana, Illinois, Michigan, and Wisconsin, containing, with that portion of Minnesota Territory lying east of the Mississippi, 312,595 square miles, making the present area of free territory within the limits of the original States, 476,676 square miles, and the area of slave territory only 385,511 square miles. We acquired by our purchase of Louisiana, from France, exclusive of Texas, an estimated area of 1,138,108 square miles. When Missouri, formed out of that territory, applied for admission into the Union, our Northern brethren, towards whom Virginia had been so generous, had the illiberality to deny her application, but upon condition that she would abolish slavery within her limits. This she refused to do, and the matter was subsequently compromised, by

giving up to the non-slaveholding portion of the Confederacy, all of the territory north of 36 deg. 30 min. By that arrangement, most unfortunate for the South, and I believe, the main source of existing difficulties, there is but little prospect that the South will get any more of that extensive and valuable territory, than what is embraced within the limits of Louisiana, Missouri, and Arkansas, being 166,009 square miles; leaving 992,099 square miles from which the people of the slave States are excluded. In the treaty by which Florida was acquired, and I may say Oregon, for our best title to Oregon, is under the Spanish treaty, the large and valuable territory of Texas, a slaveholding portion of the Louisiana purchase, was ceded to Spain; and from Oregon, containing 341,463 square miles, the people of the South have been excluded, leaving to the South Florida only, containing 59,268 square miles. And when we were about to regain Texas, the application of the Missouri compromise was, as I have before stated, inflexibly insisted upon, and the South again yielded, by which about 45,000 square miles were added to the already disproportioned quantity of free soil, making the whole area of our territory, exclusive of that acquired from Mexico, 2,726,556 square miles, of which, 1,834,244 square miles may be regarded as free territory, and but 892,312 square miles as open to the slaveholding population, while the white population of the slave States, according to last census, is 5,444,778, and of the free States, but 8,556,845—being nearly as 5 to 3, without the population of Texas; while their territory is less than one-half the territory assigned to the free States. And if the South shall be excluded from the territory acquired from Mexico, being 526,078 square miles, of which there is a fair prospect, unless the people of the South and their representatives become more united in resisting this current of encroachment, the area of free territory will be 2,360,323 square miles. And should the bill before us pass, and Texas be induced by the bribe held out to her, to surrender 45,000 square miles of her territory south of 36 deg. 30 min., as she will do by the proposed limits, the slaveholding territory will be diminished to that extent, making it but a trifle more than two-thirds of what, in all probability, will be free territory. Although the gigantic limits of California are now insisted upon by our Northern brethren, since the people there have excluded slavery, when the States of Iowa and Wisconsin applied for admission, the wishes of the people of those States were but little consulted, and what were deemed reasonable limits were assigned them, leaving of the territory ceded by Virginia, enough of the former territory of Wisconsin for a sixth State, more than twice as large as Maryland, although the number of States was limited by the deed of cession to five. A project, too, has already been set on foot to carve another State out of the State of Michigan, which may be delayed a short time on account of the excitement and alarm which exists at the South, but which I have no doubt will soon be consummated. Couple with this rapid and it must be designed progress to that state of things which will give to our non-slaveholding brethren unlimited control over existing constitutional guarantees for the institution of slavery, by way of amendment to the Constitution, placing at their disposal fifteen hundred millions worth of property belonging to the Southern States, and I ask, is there any ground whatever for the surprise expressed by the gentleman from Indiana, (Mr. Gorman,) at the steadfastness with which a portion of the Southern representation stand up in defence of Southern rights. Were he a Southern man, I know the sentiments he has expressed, would place him among the foremost, and to see his own words, "most unrelenting" of us. Why, sir, such seems to be the eagerness of the anti-slavery feeling to take jurisdiction of the subject of slavery within the States, that it cannot wait for that amendment of the Constitution which may ultimately be obtained; but under this free-soil administration, blank petitions like that I have caused to be read at the Clerk's desk, are being circulated in the Southern States, even to procure memorialists in favor of a pro-