

# THE STAR AND NORTH CAROLINA GAZETTE.

RALEIGH, N. C. WEDNESDAY, JUNE 13, 1838.

VOL. XXIX NO. 25

THOMAS J. LEMAY,  
EDITOR AND PROPRIETOR.

## TERMS.

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## REMARKS OF MR. STANLY, OF NORTH CAROLINA.

Upon the motion to print the report of the Committee appointed to investigate the causes of the late duel. Delivered in the House of Representatives, April 28, 1838.

Mr. STANLY asked the Speaker if the question before the House was upon the post-mortem and the printing of the report. (The Speaker answered in the affirmative.) Mr. S. then said the debate had taken so wide a range, and so many matters had been discussed, not at all connected with the subject, that it was necessary to inquire, that his remarks might be confined to the matter immediately before the House.

I have not been able (Mr. S. continued) to hear the whole debate upon this subject, and I regret it exceedingly; for I should doubtless have been highly entertained, and materially profited, by the learning, information, and ingenuity of the various gentlemen who have addressed the House upon this matter. I am anxious, sir, to occupy the time of the House but a few minutes, and shall therefore avoid a repetition of arguments which have been advanced and maintained by gentlemen better able to do justice to the subject than I am. I shall proceed to notice the arguments in the order in which they were made. And first, sir, let me thank the able jurist from Tennessee, (Mr. Turney,) for his highly interesting dissertations upon the law, not only of Tennessee, but of almost all the States, relative to grand juries. — From the extent of this gentleman's information, I should, sir, if it were proper to express an opinion, venture to say that he well deserves a place on the Judiciary Committee. His views of the laws of sheriffs & sheriffs' sales—most strangely brought into discussion here—possess the merit of novelty, at least; and I shall not be guilty of the presumption of denying his positions, but will merely say, that if he will take the trouble to look more minutely into the laws of other States, he will find he labors under misapprehension; and, if the gentleman will pardon me, I rather think he had in his mind some of the laws of the republic of Franklin, (or Frankland,) and not those of the enlightened State of Tennessee.

It was urged as an argument against the printing of the report, that the committee had exceeded their powers; that they had passed judgment upon several members of this House without giving them a chance of being heard in their defence; and that to publish their report, under such circumstances, would have the effect of making unfavorable impressions on the public mind as to the conduct of those who were concerned in this transaction.

To this the learned gentleman from the Judiciary Committee replied, that to suppress the report would do much more to "blast the character" of those gentlemen than to publish it; and that it was our duty first to publish the report, and then examine whether the committee have exceeded their powers. Now, sir, I cannot see the force or propriety of this argument. If an idle boy should present a gun at his companion, and be told, "Take care, it may be loaded," he might with as much reason say, "I will shoot first, and then see; here is a report, alleged to have been made from improper testimony—a one-sided report, made by persons opposed, and only opposed, in their political feelings and opinions—well calculated to injure more than one member of this House in public estimation; and we are told, publish this report, and then we are told, publish this report for expulsion, those for censure, and then we will examine if we have been right in so doing. But, sir, I leave the learned gentleman—learned in the laws of most of the States"—and assure him, with all sincerity, that the ingenuity of his argument suits his law opinions, and his law opinions his argument.

Two gentlemen from New York (Messrs. Parker and Forster) have also addressed the House upon this subject, and they both ask who it is that complains of the proceedings of the committee, who asks for time and evidence, who sets up these pleas in a lament, as they are pleased to call those rules in Jefferson's Manual; and they are generous enough to intimate that they would be willing to allow them a little time, upon sufficient cause shown, to provide for their defence, if they come forward and ask it for themselves.

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I have not been able, sir, to sit still during this most extraordinary and unprecedented proceeding, without feeling some excitement. But deeming it my duty not to trespass upon your time, merely to gratify my own feelings, I should have continued silent, as I have hitherto done, but for an argument which has been boldly advanced by more than one gentleman who has taken part in this discussion. It is this, sir: That the petitions which were referred to the committee, praying for the expulsion of several members of this House, gave to this committee the authority to report these resolutions for expulsion and censure. Now, sir, I cannot consent to this; I must protest against it. This argument, coming from some parts of our country, would not surprise me. But, sir, the gentleman from Georgia holds up some of these petitions in his hands; he desired them to be read; and he says, too, that the reference of these petitions conferred the authority to report these resolutions. Does the gentleman from Georgia (Mr. Grantland) not see how this argument, upon other petitions, may be used against him? A gentleman, too, coming from a part of the world representing what we call the interests of our "peculiar institutions," Mr. Speaker, I am not going to discuss this question; I shall observe the resolution of the 21st December strictly: You need not, therefore, be ready to make "suggestions" as to rules; I promise you to keep in order.

Let me suppose that another Congress is in session; that petitions are poured in upon us, praying for the abolition of slavery, not only in the District of Columbia, but for the regulation of commerce between the States to forbid the selling of slaves. These petitions, if the resolution of 21st Dec. is rescinded, may be referred to the Committee for the District of Columbia, or to a select committee. And now, sir, let me suppose that we have an abolition Speaker in that chair, and he appoints a committee to visit his own notions, and these petitions are handed over to them. They not only pray to abolish slavery, but they are sometimes couched in the most indecorous, shameful, and abusive language; they represent slavery as a "wrong and an evil, irreconcilable with the principles of natural justice and humanity, forbidden by the precepts of Christianity, and at war with the free principles of our Government." And to a committee who entertained such opinions, and had such a precedent as is now attempted to be established, it would be regarded as a bounden duty to report a bill granting the requests of the petitioners. And would the gentleman from Georgia then admit that the reference of the petitions conferred the authority? No, sir; I will not do him the injustice to think so for a moment. Yet he could, with as much propriety

say so then as he does now; and let me ask him to think to what extent this authority may be carried. These petitions may pray for the expulsion of those who are guilty of violating the "precepts of Christianity," and there might be "select" committees who would gratify popular clamor, by reporting resolutions to carry into effect the prayer of the petitions.

Mr. Speaker, I have said all that I felt bound to say, in discharge of my duty, as a Southern man. But for this argument just referred to I should not have taken part in this discussion. I have stated it as briefly as possible, and shall, as I promised you, observe the rules, and not express any opinion of the course which I have supposed might be pursued hereafter. I will not, however, resume my seat without noticing some of the remarks which fell from the chairman of this committee. This gentleman commenced his last speech with becoming solemnity, and I confess, sir, I was startled as his sepulchral tones fell upon my ear. It was his solemnity of tone and manner which attracted my attention, no doubt in accordance with his feelings. He said, "lamentably, I thought, when I turned round, I should see Hamlet's ghost, marching down the aisle, with extended arm, telling his friends—

"Is he to what they almost intended purpose." From that gentleman's position, I did expect a moral essay. I did expect some logic in defence of his conduct. But, sir, his whole speech excited the most indignant feelings in my breast. He, too, sir, (and I am not surprised at it,) takes the ground that the petitions conferred the authority on the committee that these petitions pray for the expulsion of certain members of this House, and call them by name. And, sir, let me ask him, if he was so anxious to gratify the desires of these petitioners, why does he not report a resolution for the expulsion of all concerned? The petitions, some of them, pray for the expulsion of the whole. — Was no other member of this House concerned? Did not the petitions pray for the arraignment of James Watson Webb? But these kind judges, so anxious to discharge their duty strictly, measure the punishment, not as the petitioners wished, but as they believed just and expedient. They determine who shall be expelled, and who censured, and who shall be most severely punished, by no further notice. The gentleman from Connecticut did not reply with great courtesy to the venerable gentleman from Massachusetts. He commenced with a gross, I will not say intentional, perversion of his argument. He says the gentleman from Massachusetts (Mr. Adams) said "this committee had committed a greater breach of privilege than one who has imbrued his hands in his brother's blood." No one who heard the remarks of the gentleman from Massachusetts will say that he used language of this sort; it belongs to the chairman alone; no other member has thus spoken. It is not my part to answer this remark of the gentleman from Connecticut; I shall not, therefore, say more of it than to call the attention of the House to the language used by the chairman. "Imbrued his hands in his brother's blood" is language becoming another place and a different business from that in which we are now engaged. I have heard it, sir, in courts where they were trying one who had been "moved and instigated by the devil," and who had, with "malice aforethought," taken away the life of a fellow-creature, from no motive of self-defence, impelled by no respect for the opinion of the world; but to gratify malice, or to acquire the filthy lucre of this world. I say, sir, it is highly improper here. If it is intended to excite passion, and inflame prejudice, it deserves the severest reproof. It is evident, sir, this chairman has mistaken his business. Instead of inquiring into the breach of privilege, he has been seeking out some method of punishing an offence against Divine command. — But, sir, I repeat that this is not all I must notice with disapprobation. The chairman alluded to the "better days" of the gentleman from Massachusetts; as he was pleased to call them. I shall not undertake the defence of the gentleman from Massachusetts; he needs none. He is well able to take care of himself. He has been nearly half a century in the service of his country, and if there was no other consideration, this entitles him to respect. I felt surprise at hearing such remarks from one from the land of steady habits, and I felt indignant at hearing such language applied to an old man—to one who had been the First Magistrate of the first nation in the world. What did he mean by his "better days?" I have been taught to believe that a man's better days were the days of his old age. Sir, his better days are now. The gentleman was mistaken. If he meant his physical powers are decayed, his mind grows stronger, then, as his body decays, I am willing to believe that these words escaped the chairman in the heat of debate, and upon reflection

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