

# Lexington and Padkin Flag.

VOL. I. LEXINGTON, NORTH CAROLINA, FRIDAY, MARCH 7, 1856. NO. 32.

Lexington and Padkin Flag.

PUBLISHED WEEKLY BY  
JAMES B. SHELTON.  
**JAMES A. LONG, Editor.**  
Terms: \$2 a year, in advance;  
\$2.50 after six months, and 3.00 after twelve  
months, from date of subscription.

**Rates of Advertising.**

One dollar per square (fourteen lines) for the first  
week, and twenty-five cents for every week there-  
after. Deductions made in favor of standing ad-  
vertisements as follows:

	3 MONTHS.	6 MONTHS.	1 YEAR.
One square, \$3.50	\$5.00	\$8.00	\$12.00
Two squares, 7.00	10.00	14.00	21.00
Three " (3 col.) 10.00	15.00	21.00	28.00
Half column, 18.00	25.00	35.00	48.00

Occasional renewals without additional charge  
granted to those who advertise regularly through-  
out the year.

Three dollars for announcing candidates for of-  
fice.

Court orders charged 25 per cent higher than the  
above rates. Orders for divorce of husband and  
wife, \$10 each.

Person sending advertisements are requested to  
state the number of insertions required, or they will  
be inserted until forbid; and if it is wished they  
should occupy the least space possible, write upon  
the back "close." Otherwise they will be put up  
in the usual style and charged accordingly.

No discount on these rates.

The Flag has now a weekly circulation of  
over one thousand, affording merchants and busi-  
ness men generally an excellent medium through  
which to make public their business.

## Scraps and Facts.

### Young America.

**OBEDIENT ORDERS.**—Edward, said his  
mother to a boy of eight, who was  
trundling a hoop in the front yard.  
"Edward, you musn't go out of that  
gate into the street."

"No, I won't," was the reply.  
A few minutes afterwards his mother  
had occasion to go to the window. To  
her surprise she saw Edward in the  
street, engaged in the very edifying  
employment of manufacturing dirt pies.

"Didn't I tell you," said she angrily,  
"not to go through the gate?"

"Well, I didn't mother," was the very  
satisfactory reply I elicited over the  
fence!

We love upright men. Pull them  
this way and the other, and they only  
bend; they never break. Trip them  
down, and in a trice they are on their  
feet again. Bury them in the mud, and  
in an hour they would be out and bright.  
You cannot keep them down, you cannot  
destroy them. They are the salt of the  
earth. Who but they start any noble  
project? They build our cities,  
whiten the ocean with sails, and blacken  
the heavens with the smoke of their cars.  
Look to them, young men, and catch  
the spark of their energy.

The Baltimore Patriot says: "The  
wife of a gentleman residing in the west-  
ern section of the city, a few days since,  
presented to her astonished lord four  
little responsibilities at one birth, two  
of each sex. We learn that both moth-  
er and children are doing well. The  
happy papa, though proud of these lit-  
tle pledges, admits that in these hard  
times such a rapid increase of his family  
circle is far from desirable, and a great  
deal more than he bargained for."

**PEORIA TO HAVRE.**—A new avenue of  
trade opened within the last week.  
Messrs Bradley & Co. and Gregg & Co.  
have shipped a thousand barrels of whis-  
key destined for France. The demand  
is caused by the late edict of the French  
Emperor forbidding the distillation of  
grain. The whiskey is shipped by the  
Bureau Valley Road to La Salle, thence  
by the Illinois Central to Cairo, and  
river at New Orleans, were it loaded  
for France.—[Peoria (Ill.) Transcript]

Mr. Jones was in the habit of getting  
occasionally, somewhat "baldy," and  
one night he was discovered by a neigh-  
bor in rather a blue fix leaning against  
the side of a church for support. He  
hailed him with, "Hello, Jones! you  
look serious to-night; think of joining  
the church?" "I g-g-guess I d-d-does"  
replied Jones, "I incline considerably  
that way at present!"

Dr. Johnson, when in the fullness of  
years and knowledge, said: "I never  
take up a newspaper without finding  
something I would have deemed it a  
loss not to have seen; never without  
deriving from it instruction and amuse-  
ment."

The Lancet or some other equally  
edifying paper on the subject of human  
food, says that large quantities of saus-  
ages are made of horse flesh. A friend  
of ours says he believes it, as he invari-  
ably has the night mare when he has  
eaten them for supper.

An Emerald being charged with  
stealing a wagon, swore he had owned it  
ever since it was wheel barrow.

Many young ladies make fools of them-  
selves by the looking-glass, and young  
men by the drinking glass.

Among the curiosities at the Ohio  
Fair was a printer with a five dollar bill  
in his pocket. Barnum has sent for him,

## Political Department.

### Rights and Duties of the States.

At the request of a friend we give  
place to the annexed article from the  
pen of an eminent jurist of Pennsylvania.  
Besides being characterized by research  
and ability, it is written in so calm and  
candid a spirit and embodies such sound  
constitutional views, that we publish it  
with very great pleasure.—Register.

FROM THE HARRISBURGH TELEGRAPH.

"A sober examination of the power of  
Congress over the subject of slavery,  
and of the rights of the States in that  
regard, may not, at this juncture, be in-  
opportune; and the inquiry as to the  
feeling and wishes of prominent and in-  
fluential men about the time of the for-  
mation of the Constitution will furnish  
a key to the intent and object of their  
actions, and especially are the senti-  
ments of Southern men to be regarded  
when they show a strong desire to limit  
the evil of slavery to its existing bounds.

By reference to Jefferson's Notes on  
Virginia, which were written in 1781  
and 1782 and published in 1787, it will  
be seen (pp. 171 and 172) that he con-  
sidered slavery as a "blot on our coun-  
try," a "great political and moral evil,"  
and he even then hoped, (see p. 322)  
that the way was preparing "for a total  
emancipation."

Before the Revolution there had been  
a continual effort, which was thwarted  
by the King, to obtain a law to prevent  
the importation of slaves, and one ob-  
jection made in the Convention of Vir-  
ginia against the Constitution of the U.  
States, was that it tolerated the slave-  
trade for twenty years; and when it was  
suggested that the powers of the Gen-  
eral Government might, in some possible  
way, be exerted in measures tending to  
the abolition of slavery, Gov. Randolph  
hoped "that, at the moment they were  
securing their own rights by that great  
charter of liberty, no one would make  
an objection, dishonorable to Virginia,  
that there is a spark of hope that those  
unfortunate men now held in bondage  
may by the operation of the General  
Government, be made free." And Mr.  
Madison is reported to have said in the  
Convention which formed the Constitu-  
tion, "I object to the word 'slave' ap-  
pearing in the Constitution, which I  
trust is to be the charter of freedom to  
unborn millions; nor would I willingly  
perpetuate the memory of the fact, that  
slavery ever existed in our country."  
"It is a great evil," and under the pro-  
vidence of God, I look forward to some  
scheme of emancipation which shall free  
us from it. Do not, therefore, let us ap-  
pear as if we regarded it perpetual by  
using, in our free constitution, an odious  
word opposed to every sentiment of lib-  
erty." Can it be believed that these  
great men would ever have consented to  
the spread of this "great evil" over ter-  
ritory not already cursed with it, or that  
they would not endeavor to vest in the  
General Government power to restrain it?

In 1784, March 1st, Virginia ceded to  
the U. States the Northwest Terri-  
tory, and on the 9th of September fol-  
lowing, Mr. Jefferson introduced into  
Congress an ordinance for its govern-  
ment, having in it a clause prohibiting  
slavery, but no provision for the deliv-  
ery of fugitives, as there is in the or-  
dinance of 1787. The whole clause was  
therefore stricken out. In 1787, July  
13th, the ordinance, as it now stands,  
was passed, every southern man voting  
for it, and but one northern man voting  
against it. Thus we find the South tak-  
ing the lead, as Colonel Benton says,  
"in curtailing and restricting slavery."

It will be remembered that at this  
moment the Convention which framed the  
Constitution was in session, and its mem-  
bers were doubtless imbued with the  
same sentiments in regard to slavery as  
the members of Congress. Mr. Mad-  
ison's views have already been stated.  
What, then, is the spirit of this famous  
ordinance? It is not an ordinary law  
for the temporary government of the  
territory until it should be prepared to  
form State Constitutions and be admit-  
ted into Union. This, it is true, is pro-  
vided for in the former part of the or-  
dinance, but it then proceeds as follows:  
"And for the purpose of extending the  
fundamental principles of civil and re-  
ligious liberty, which form the basis  
whereon these republics, their laws and  
constitutions are erected; to fix and es-  
tablish those principles as the basis of  
laws, Constitutions and governments  
which forever hereafter shall be formed  
in the said territory; to provide also for  
the establishment of States and perma-  
nent governments therein, and for their  
admission to a share in the federal coun-  
cils on an equal footing with the origi-  
nal States at as early periods as may be  
consistent with the general interest, it  
is hereby ordained and declared, by the  
authority aforesaid, that the following  
articles shall be considered as articles of  
compact between the original States and  
the people and States in the said terri-  
tory, and forever remain unaltered, un-

less by common consent." Then fol-  
lows six articles, the last of which pro-  
hibits slavery or involuntary servitude  
except in punishment of crimes. The  
ordinance of 1784, before mentioned,  
reported by Mr. Jefferson, is then re-  
pealed. A reference to that act will  
give a correct notion of what Congress  
intended to effect, as well as of the  
power it supposed itself to possess. It pro-  
vides "that both the temporary and per-  
manent governments be established on  
these principles as their basis."—Then  
follow seven articles, to which origi-  
nally was added that one prohibiting  
slavery. The conclusion is as follows:  
"That the preceding articles shall be  
formed into a charter of compact, and  
shall be duly executed by the President  
of the United States in Congress assem-  
bled, under his hand and the seal of the  
United States in Congress assembled,  
under his hand and the seal of the  
United States, shall be promulgated, and  
shall stand as fundamental constitutions  
between the thirteen original States,  
and each of the several States now new-  
ly described, unalterable, from and after  
the sale of any part of the territory of  
such State pursuant to this resolve, but  
by the joint consent of the United States  
in Congress assembled, and of the par-  
ticular States in Congress assembled, and  
of the particular State within which such  
alteration is proposed to be made." (1  
Story, Laws U. S., 1815, 478, 481.)

It is thus seen that Congress, under  
the Confederation, even, did not doubt  
its power to impose on the Territories  
term and restrictions which would be  
obligatory upon them when they be-  
came States. And it never entered into  
the imagination of those great men—  
the fathers of the Republic—that the  
6th article of the ordinance of 1786  
"ceased to remain a law" and "was sup-  
erceded" by the adoption of the present  
Constitution of the United States. Presi-  
dent PIERCE'S discovery to this effect  
will take the world by surprise. At  
the very first session of Congress  
under it an act was passed (see 1 Story,  
Laws U. S., 32) recognizing the or-  
dinance of 1787, and adapting some of  
its provisions to the new order of things.  
It recites: "Whereas, in order that the  
ordinance of the United States, in Con-  
gress assembled, for the government of  
the territory northwest of the river,  
Ohio, may continue to have full effect,  
it is requisite that certain provisions  
should be made so as to adapt the same  
to the present Constitution of the Uni-  
ted States." It then provides that the  
Governor shall report to the President  
instead of to Congress, and that the  
Governor and other officers shall be ap-  
pointed by the President and Senate,  
according to the Constitution, instead  
of being appointed by Congress, as pro-  
vided in the ordinance. Ohio was the  
first State formed out of that territory.  
The act of Congress, April 30, 1802, au-  
thorizing the formation of a Constitu-  
tion, in section 5, contains this proviso:  
"That the same shall be republican, and  
not repugnant to the ordinance of the  
13th of July, 1789, between the origi-  
nal States and the people and States of  
the territory northwest of the river  
Ohio." (2 Story, 871.) The Terri-  
tory of Indiana was organized upon the  
ordinance of 1787. (1 Story, 773-5.)  
So Michigan. (2 Story, 6573.) And  
when Congress, April 16, 1819, passed  
an act to enable the people of Indiana  
to form a constitution, the 4th section  
(3 Story, 1567) contains the same pro-  
viso as in the case of Ohio: That the  
same, whenever for red, shall be repub-  
lican, and not repugnant to those arti-  
cles of the ordinance of the 13th of Ju-  
ly, 1787, which are declared to be ir-  
revocable between the original States and  
the people and States of the territory  
northwest of the river Ohio." Michi-  
gan, it is known, formed a constitution  
without leave of Congress; but it being  
in conformity with the ordinance was  
accepted by Congress. The territory  
of Illinois was organized in 1809, on  
the principles of the ordinance, (2 Story,  
1106-11,) and when Congress, April 17,  
1818, authorized her to form a constitu-  
tion, (3 Story, 1679,) the same proviso  
appears in the 4th section, that it shall  
not be repugnant to the ordinance of  
1787. And even so late as 1836, when  
the territory of Wisconsin was organ-  
ized, (act April 20, 1836. 4 Story, 2426-  
2443,) it is enacted, in the 12th section,  
p. 4431: "That the inhabitants of the  
said Territory shall be entitled to, and  
enjoy all and singular the rights, privi-  
leges, and advantages granted and se-  
cured to the people of the territory of  
the United States northwest of the river  
Ohio by the articles of compact con-  
tained in the ordinance for the govern-  
ment of the said territory, passed the  
13th day of July, 1787, and shall be sub-  
ject to all the conditions, restrictions,  
and prohibitions in said articles of com-  
pact imposed on the people of the said  
territory." Squatter sovereignty surely  
could not have been born so early as  
1836; no, nor the new doctrine in re-  
gard to the right of carrying slaves into  
the Territories.

The object in referring to the ordi-  
nance of 1787 was more to show the  
views then prevalent in regard to slavery  
and the probable spirit which would in-  
fluence the framers of the Constitution,  
then sitting, than to show the actual  
exercise of power upon the subject by  
Congress. The extraordinary declara-  
tion of the President, already quoted,  
led to the extended detail of legislation  
recognising and enforcing that ordi-  
nance.

The fact, then, is undoubted, that the  
universal sentiment, South as well as  
North, at that date, was opposed to  
slavery, and that the unanimous deter-  
mination was to stay its spread and lim-  
it its evil within its then existing  
bounds. It should be remembered that  
Virginia, "in the very first session held  
under the republican Government, passed  
a law for the perpetual prohibition of  
the importation of slaves." (Jefferson's  
Notes, 172.) Nor should it be  
forgotten that the territory northwest  
of the river Ohio was the entire terri-  
tory then owned by the United States.

The powers of Congress are enumer-  
ated in the 8th section of the first article  
of the Constitution. The third clause  
in that section gives Congress power "to  
regulate commerce with foreign nations  
and among the second States, and with  
the Indian tribes." The 9th section of  
the same article, however, contains a  
limitation of this power: "The migra-  
tion or importation of such persons as  
any of the States now existing shall  
not be prohibited prior to the year one  
thousand eight hundred and eight, but  
a tax or duty may be imposed on such  
importation not exceeding ten dollars for  
each person." The power to regulate  
commerce among the several States is  
identical and coextensive with the  
power to regulate it with foreign na-  
tions, except so far as it is restricted by  
the 9th section. This restriction is on-  
ly temporary and after 1808 the power  
is complete and unlimited, and even be-  
fore that period it was complete and un-  
restricted, except as to the States exist-  
ing at the adoption of the Constitution.  
The restriction is confined to the "States  
now existing." When, therefore, pro-  
vision was made in 1798 (1 Story, 494-  
5,) for the establishment of a gov-  
ernment in Mississippi Territory, as  
soon as it should be ceded by Georgia,  
the importation of slaves from any  
place without the United States was at  
once prohibited, Congress has precise-  
ly the same power to prohibit the emi-  
gration of slaves from any of the States  
into the Territory.

It is universally admitted, except  
when it comes to a pinch on this ques-  
tion, that the word "persons" in the  
first clause of the 9th section, above  
quoted, means slaves. It can  
mean nothing else; for "persons as such  
are not the subjects of commerce," as is  
decided by the Supreme Court of the  
United States, in the city of New York  
ex. Milne, 11 Peters 102, 136. The  
immigration, as here used, cannot there-  
fore apply to persons "who come vol-  
untarily" from abroad; for it would,  
moreover, result, from that construction,  
that Congress might at once, after 1800,  
have prohibited all immigration. This  
would be in opposition to the very gen-  
ius of our Government. Besides, where  
is the clause in the Constitution giving  
such power? for it will not fall under  
the power to regulate commerce, as free  
persons are not the subjects of commerce,  
and the 9th section does not confer power,  
but limits what was before given. It  
is negative, not positive restraining,  
not enlarging. Congress has power to  
prohibit the "migration" of the same  
"person" and none other, whose im-  
portation may be prohibited. It is im-  
possible to make the terms migration  
and importation apply to a different  
species of "persons." No legal mind,  
nor frightened from its propriety by the  
apparation of slavery, would ever have  
entertained such a thought.

It is palpable, then, that at the time  
of the formation of the Constitution it  
was the policy and design to restrict  
slavery to its then existing limits. The  
restraining clause upon the power of  
Congress is limited to "States now ex-  
isting," leaving the unlimited right to  
regulate commerce with new States as  
they should come into existence, and  
consequently at once to prohibit the  
migration or importation of slaves ("per-  
sons") into such States. The exercise  
of the power is, of course, discretionary.  
Prudential considerations may restrain  
its full exertion, as in the case of the  
Mississippi Territory and of the South-  
ern States formed out of the Louisiana  
purchase. So far as the trade in slaves  
between the States is carried on by sea,  
Congress, by the act of March 2, 1807,  
prohibited it altogether by vessels un-  
der forty tons burden, and laid it under  
stringent guard when carried on by ves-  
sels of over forty tons burden.

The exclusive power of regulating com-  
merce among the States being vested in  
Congress, the States cannot meddle with  
the subject, except so far as it is necessary  
affected by the police or internal govern-  
ment of every several State. They may

declare all persons brought into their jur-  
isdiction as residents free. With transient  
persons, passing peacefully and quietly  
through their territory, they have no right  
to interfere. And so long as a State allows  
its own citizens, or others coming there to  
reside, to bring slaves into its bounds and  
hold them as property, it cannot prohibit  
the citizens of any other State from carry-  
ing them there for sale. Such an attempt  
would not be a police regulation, but a  
regulation of commerce: an attempt to give to its  
own citizens a privilege in regard to this species  
of trade which it denied to the citizens of  
other States. This would moreover come  
in conflict with the first clause of the 2d  
section of the 4th article of the Constitution,  
which declares "the citizens of each State  
shall be entitled to all the privileges and im-  
munities of citizens in the several States."  
This is, it is conceived, the only solid  
ground upon which the validity of the con-  
tract in the case of Groves vs. Slaughter (15  
Peters, 449) can be maintained.

Although Congress has kept far within  
the limits of the powers assigned by the  
Constitution, the States have often and  
grossly transgressed their constitutional rights.  
Very loose and extravagant notions are pre-  
valent among politicians or rather dema-  
gogues. They would seem to think that  
each State might build a Chinese wall upon  
its borders, which no outside barbarian  
should pass under penalty of confiscation.  
They forget that the States have no more  
right to interfere with trade or commerce  
in its transit than in its destination. If the  
citizens of Maryland or Virginia choose to  
carry their slaves to Kentucky for sale,  
Pennsylvania and Ohio have no more right  
to prohibit their transit through their terri-  
tory or to meddle or interfere with them by  
the way, than they have to prohibit or  
interfere with the transport of imported goods  
from New York across their territory to  
other Western States. This seems so plain  
that it is a matter of astonishment that it  
should have been forgotten or overlooked,  
and that an idea should have been adopted  
that the moment a slave, by the permission  
of his master, sets his foot upon the soil of  
a free State, he, by some magic influence  
overriding the Constitution, becomes free.—  
Could the idea have entered into the minds  
of the framers of the Constitution, that a  
citizen of a Southern State could not enter  
into the jurisdiction of a Northern State with  
his servant without that servant becoming  
free? If the proposition had been made in  
the convention to reserve to the States the  
power to enact laws for such purpose, would  
it have been entertained for a moment?—  
Most assuredly not.

The first act passed for the registry of  
negroes and mulattoes then in the State, and  
in the 10th section declares that none but  
these registered shall be deemed slaves  
"except the domestic slaves attending upon  
members of Congress from other American  
States, foreign ministers and consuls, and  
persons passing through or sojourning in  
this State, and not becoming resident  
therein, and sea men employed in ships not  
belonging to any inhabitant of this State,  
nor employed in any ship owned by any  
such inhabitant: provided that such do-  
mestic slaves be not retained in the State  
longer than six months, except in the case  
of members of Congress, foreign ministers,  
and consuls." This exception in regard to  
domestic slaves is explained by the 2d  
section of that act of 1788 not to extend to  
slaves of persons who "are inhabitants of  
or resident in the State, or who shall come  
here with an intention to settle or reside."  
At the passage of this act Pennsylvania and  
five other States had adopted the new Con-  
stitution. It will be observed that these  
acts do not attempt to interfere with tran-  
sient persons, who are protected in all their  
rights as secured to them by the laws of the  
State from which they come, but six months  
was supposed to be as long as they would  
need to tarry in the State.—Along contin-  
uance, except in the case of members of  
Congress, foreign ministers, and consuls,  
might be considered as converting the tran-  
sient person or sojourner into a resident.

What heart burnings and strifes, and  
criminations and recriminations, would have  
been avoided if the present generation, both  
North and South, had adhered to the sober  
and conservative notions of their fathers!  
But passion has dethroned reason and men,  
both North and South, look at the question  
of slavery through so jaundiced a medium  
that the plainest truths are denied and the  
most absurd and heterodox propositions  
maintained. There are doubtless faults on  
both sides. The Southern States have a  
perfect right to maintain their peculiar  
institutions in all their vigor, within their  
respective jurisdictions, as long as they  
may think proper: and citizens of other  
States have nothing to do with those in-  
stitutions, and are under no moral respon-  
sibility for their continued existence. It is  
mere prudery in our Northern fellow citi-  
zens to affect to be disturbed in their con-  
science because their Southern brethren  
permit slavery to continue in their midst.  
Those who cannot rest quietly under the  
compromises of the Constitution as estab-  
lished by our fathers had better case their  
consciences by removing to Mexico or South  
America. At the same time Southern men  
should not strive to spread over territory  
now free an institution admitted by all  
candid and sober men to be a "great polit-  
ical and moral evil;" and Northern men  
should exhibit a determined opposition to  
all attempts to evade or weaken the pro-  
vision in regard to the delivering up of fugitive  
slaves. The States owe more than a passive  
obedience to that injunction of the Con-  
stitution. The term "shall be delivered up"  
implies active operation by the party upon  
whom the obligation is laid. And, finally,  
we should all, first and above all, go for the  
Union "under all circumstances and to the  
last extremity," knowing that the evils

which would inevitably flow from its disso-  
lution would be incalculably greater, more  
prolonged, and more intolerable than any  
which can possibly occur and exist under  
its overshadowing and benign protection.  
We should, therefore, deprecate and cen-  
sure the conduct of all those, whether  
North or South, who undertake to calculate  
the value of the Union or to suggest the  
possibility of its dissolution. Such men are  
fitter for a lunatic asylum than for the  
councils of their country. "Hicet niger,  
hunc tu caveto Romane."

N. EWING.  
UNIONTOWN, (PA.) January, 1856.

### "The Treacherous Six."

Were we not thoroughly aware of the de-  
moralizing and blighting influence of Know  
Nothingism everywhere, we might be dis-  
gusted and pained to see the efforts made  
by Southern Know Nothing presses to apolo-  
gize for H. Winter Davis, of Baltimore,  
and his five "national" Know Nothing col-  
leagues, whose refusal to vote for Aiken,  
really secured the election of the Black Re-  
publican Banks.—Enquirer.

And if we "were not thoroughly aware  
of the demoralizing and blighting influence  
of" Locofocoism, we "might be pained and  
distrusted" at the unblushing impudence  
of an attempt to shift to other shoulders the  
blame due to the "Democratic members of  
the House for refusing with Black Republi-  
canism, and securing the election of Banks by  
the adoption of the plurality rule! What  
claim had the Democracy on the votes of  
the men whom they had outrageously slan-  
dered in their caucus resolutions? What  
reason had any American in the House for  
supposing that the South would derive an  
iota of substantial benefit from the election  
of a Democratic Speaker? Surely there is  
nothing in the antecedents of Locofocoism  
to induce Southern men to put their trust  
in the allies of John Van Buren and Pres-  
ton King! As between Mr. Aiken and N.  
P. Banks, when forced to a choice, we would  
have preferred the former, and, whilst, there-  
fore, we can appreciate and applaud the  
magnanimity of the Americans who voted for  
the Democratic nominee on the final ballot,  
surely no Locofoco had a right to hope for  
such an exhibition of generosity, far less to  
complain of those who did not choose to  
exercise it.

What a reasonable excuse can the Dem-  
ocracy offer for their refusal to vote for Wm.  
Smith, a member of their own party, when  
they knew that they could elect him by the  
aid of American votes? Do our neighbor  
of the Enquirer suppose that the fact that  
Mr. Smith declined to attend the caucus,  
or to endorse the sweeping calumny of the  
caucus resolutions, will be received by the  
Southern people as a justification of the  
course of the Democratic members whose  
votes show that they preferred Banks to  
him? Did not the leading Democratic  
journals,—(and the Enquirer among them)  
proclaim over and over again, that under no  
circumstances could the Democratic mem-  
bers be induced to vote for a "Know Noth-  
ing?" Then why expect these "Know  
Nothings" to do for you what you consid-  
ered a degradation to do for them? We  
have yet to learn what the pretension on  
the part of a portion of the Democracy to a  
right to thank God that they are better than  
other men, has been generally recognized  
even in their own party. On the contrary,  
the epithet of "a pack of hired plunderers,"  
applied by a paper regarded as a high au-  
thority in that party, to the men who are  
known to control the distribution of federal  
patronage, argues rather a low standard of  
morality among the Pharisees who affect  
to scorn the political companionship of  
National Americans.

The truth is, that Locofocoism feels that  
it has betrayed the South anew in this mat-  
ter of the Speakership, and strives in vain  
to hide itself from "the open and apparent  
shame" to which it is exposed by resorting  
to the shadow of device of railing at the  
National Americans, the only party "in  
Congress or out of it," who are wholly in-  
nocent of this great transgression.

### National American.

### Mr. Hilliard's Speech.

We regret that the space we can allot to  
Mr. Hilliard's speech, at Estelle Hall, night  
before last, is so very limited. It was an  
effort of singular beauty in many passages,  
and in the main line of its argument, of  
most convincing force. Disclaiming all  
personal antagonism with the distinguished  
gentleman (M. YANCEY) who stood opposed  
to him, for this portion of the State, on the  
other electoral ticket, and expressing of that  
gentleman's private worth and intellectual  
character the highest respect, he went on  
to demonstrate the inconsistency of his  
position on the slavery question in 1848  
and now, by contrasting Mr. Yancey's  
pamphlet against Cass and Squatter Sover-  
eignty, with the Resolutions of the recent  
civ-dant Democratic Convention held here.  
The batteries which Mr. Yancey leveled  
against Cass and BUCHANAN in '48, Mr.  
Hilliard showed to be directed against  
PIERCE '56. In this connection, Mr. HIL-  
LIARD in a masterly manner proved that the  
American party of Alabama occupied the  
advanced position on the question of slavery.

Mr. H.'s treatment of the other principles  
of the American party was most admirably  
done. The religious intolerance charge he  
met and handled with a luminousness we  
have never heard equalled and it was as  
beautiful as graceful, as it was luminous.  
Montgomery Mail.

The lower branch of the Legislature  
of Nebraska has passed an act extending  
the right of suffrage to women. It pas-  
sed by four majority, but we do not find  
that it was acted on by the other branch.