The Montrose Democrat.

Devoted to Politics, News, Literature, Agriculture, Law, and Morality.

VOLUME VI. MONTROSE, PA., THURSDAY, JUNE 28, 1849. NUMBER 26.

The "Democrat."

S. C. HEMPSTEAD, Editor and Proprietor.

TERMS.—One Dollar and fifty cents a year, payable in advance—or if not paid until the end of the year or if no subscription.

No paper will be discontinued until arrearages are paid, except at the option of the Publisher.

All communications must be Post Paid to receive attention.

RATES OF ADVERTISING

One square three weeks or less than three insertions,	$1 00
Each subsequent insertion,	25
One Square, 3 months,	2 50
" 6 months,	4 00
" 6 months,	5 00
Business Cards, of four lines or less,	2 00
Yearly Advertisers (not owning more than 1 square)	7 00
One column, one year,	50 00

All kinds of JOB WORK neatly and expeditiously done on favorable terms.

Col. Benton's Speech.

TO THE PEOPLE OF MISSOURI,

Delivered in the Capitol.

JEFFERSON CITY, May 26, 1849

CITIZENS!—I have received certain resolutions from the General Assembly of Missouri, denying the right of Congress to legislate upon the subject of slavery in territories—asserting the right of the citizens of every state to remove to the territories acquired by the Blood and treasure of the whole Union, with their property—declaring it to be an insult to the states to expend any of their citizens from or in removing and settling with their property—and giving such insult to be the cause of alienation among the states, and ultimately of dissolution; and instructing the senators of the state, and requesting its representatives to vote in conformity to the resolves so adopted.

These instructions, of which I owe only give the substance, were adopted by the General Assembly after the adjournment of Congress, and after the time that it must have been believed that the subject to which they refer had been disposed of in Congress, and while other resolutions incompatible with them had been given by the previous General Assembly, and had been complied with by me, and were still on hand. They are a mere copy of the Calhoun resolutions offered in the Senate in February, 1847, & moved by me at the time as a side-board, intended for the forcing addition of the previous resolutions and adopted by him in order to introduction, without over-riding a vote upon the other, a measure which will be found in every state, and which them in order to have the chief features of them, and to show them to be the personal of those which I have received from the General Assembly of Missouri

THE CALHOUN RESOLUTIONS

"Resolved, That the territories of the United States belong to the several states composing this Union, and are held by them as their joint and common property.

"Resolved, That Congress, as the joint agent and representative of the states of this Union has no right to make any law, or do any act that shall directly or indirectly, in its effects, make a discrimination between the several states in this Union which any of them shall be deprived of its full and equal right in any territory of the United States acquired by the joint efforts.

"Resolved, That the exercise of any law which should directly or indirectly effects deprive the citizens of any of the states of this Union from emigrating with their property into any of the territories of the United States, will make such discrimination and would directly violate the constitution and the rights of the states from which such citizens may emigrate, and from which such citizens have an equality with the citizens of the states in which the territories belong to them in common as the property and would tend directly to the destruction of the Union itself.

"Resolved, That as a sovereign people in our public character as members of forming a compact and the government the national rights of the several states which [illegible] and that the people of each state in their sovereign capacity are the parties to the compact from which the Federal constitution was derived, and by which the several states became united in the Federal constitution as a state, in order to form and perpetuate the Union, each for that its constitution be not publicans, and that its form of government other by Congress would be fatal to the preservation of the Union [illegible] dissolution of the Union [illegible] conflict with the principles of our compound political system rests."

These resolutions were brought into the Senate February 12, 1847 and are the prototype of those sent in by the General Assembly of Missouri. I see no difference in them but in the time chosen for the dissolution of the Union—Mr. [illegible] saying "*directly*" and those Missouri "*ultimately*" to that point. I notice resolves they are identical, and their difference is not material, as in Missouri as before pledge the state to "to co-operate" with other slaveholding states, and therefore to follow their lead, which may be directly, as the Arkansas resolutions vouched to be the voice of the south, a call for a state Convention, as soon as a bill can be passed for the purpose, to organize the mode of action. I consider the Calhoun resolutions as the parent of those sent to the Legislature and entitled to the first attention; and is that point of view, shall speak to them first; and begin with an argument against the derived from the conduct of that gentleman himself.

In the year 1820, Mr. Calhoun was a member of Mr. Monroe's cabinet, and as such was required, by the President, in common with the rest of the cabinet, to give his opinion in writing, to be filed in the department of State, on the question of the power of Congress to prohibit slavery in territories, and on the constitutionality of the 8th section of the act for the admission of Missouri into the Union, and which section applied the anti-slavery clause of the Ordinance of 1787, to more than half of the whole territority of Louisiana. The questions were momentous. The whole Union was then convulsed on the subject of slavery, growing out of the Missouri controversy. Congress had just passed an act for the admission of Missouri without restriction, but with a prohibition of slavery in all the territory north and west of her.

The act was just coming to Mr. Monroe for his approval or disapproval. If approved by him, it became a law at once; if disapproved, the act was defeated forever; for it was known that the constitutional majorities of two-thirds of Congress could not be obtained for the act if disapproved by the President. The whole responsibility of passing or defeating the act, then rested on Mr. Monroe. He felt the magnitude of that responsibility, and saw that it was an occasion to require the gravest advice of his cabinet. He determined to have their advice and in the most matured and responsible form. The act had passed on the 6th of March. He immediately convoked his cabinet—stated the question as constructed in writing—gave a copy to each member—and requested them to be answered in writing. On the 6th all the answers were given, and all in the affirmative on both questions; and the act immediately approved and signed, and became the law of the land. The law bears date on that day—March 6 1820. Mr Calhoun gave his written opinion with the rest, in favor of the constitutionality of the act, and never was heard from him to the contrary, or in denial of the right of Congress to prohibit slavery in territories and the introduction of its freedmen's population—a period of thirty-seven years after his cabinet opinion had been given. These resolutions were brought to bear the close of the short session of 1846—7, and were intended for general debate at the session of 1847—8, the long session which preceded the Presidential election—and to make a chance for himself at that election by getting up a test which no northern man could stand—But that general debate never came on—Before the time had ripened for it, the cabinet opinions of 1820 had been found out and were produced in the Senate to the confusion of Mr Calhoun, and utter prostration of his resolutions. They were first produced by Mr Westcott, of Florida, and afterwards by Mr Dix, of New York The records were in writing, and to the point and from two different witnesses—and the two above all men in the world the most connected and confidential with the transactions—Mr Monroe and Mr Adams—both of which he [illegible] speaking from the tomb, and in the highest terms to known the law of evidence—that of recorded evidence, written down at the time as the true history of a fact and without the slightest expectation of it was ever to be used against any living [illegible] Mr Monroe's testimony was his own hand writing, obtained from his executor, and consisted of two pieces—a [illegible] of interrogatories propounded to his cabinet, and the other the answer—and [illegible] or draft of a letter to a friend. The interrogatories were endorsed thus: "*Interrogatories. Missouri March 4, 1820.*" "*To the heads of Departments and Attorney General*" The interrogatories themselves were in these words

"1. Is Congress a right under the powers vested in it by the Constitution to make a regulation prohibiting slavery in a Territory?"

"2. Is the 8th section of the act which passed both Houses on the 3d inst. for the admission of Missouri into the Union, consistent with [illegible] Mr Monroe's own hand writing, obtained from his executor, and consisted of two pieces—a [illegible] of interrogatories propounded to his cabinet, and the other the answer—and [illegible] or draft of a letter to a friend. The interrogatories were endorsed thus: "*Interrogatories. Missouri March 4, 1820.*" "*To the heads of Departments and Attorney General*" The interrogatories themselves were in these words

"1. Is Congress a right under the powers vested in it by the Constitution to make a regulation prohibiting slavery in a Territory?"

"2. Is the 8th section of the act which passed both Houses on the 3d inst. for the admission of Missouri into the Union, consistent with [illegible]

Extracts from the Diary of J. Q. Adams.

"March 3, 1820.—When I came this day to my office, I found there a note requesting me to call at one o'clock, at the President's house. It was then one and I immediately went over. He asserted that the two bills, for the admission of Maine, and to enable Missouri to make a constitution, would have been brought to him for his signature; and he had summoned all the members of the administration to ask their opinions in writing, to be deposited in the Department of State, upon two questions: 1. Whether the eighth section of the Missouri bill which interdicts slavery forever in the territory north of 36° 30' latitude) was applicable only to the territorial state, or would extend to it after it should become a state? As to the first question, it was unanimously agreed that Congress have the power to prohibit slavery in the territories."

"March 5th—The President sent me yesterday the two questions in writing, upon which he desired to have answers in writing, to be deposited in the Department of State. He wrote me that it would be in time, if he should have the answers to-morrow. The first question is in general terms, as it was stated at the meeting on Friday. The second was in addition to an inquiry whether the eighth sections of the Missouri bill is consistent with the constitution. To this I can, without hesitation, answer by a simple affirmative and so after some reflection, I concluded to answer both.

"March 6— * * * * I took to the President my answers to his two constitutional questions and he desired me to have them deposited in the department together with those of the other members of the Administration. They did not only assign their reasons for thinking the eighth section of the Missouri bill consistent with the constitution but cause the evidence that it was so by applying to the territories of the United States, and to the states formed out of them, and I barely gave my opinion, without assigning for it any explanation, which it was never to be used against any living person. The President signed the Missouri bill this morning."

This testimony leaves no room for doubt or quibble—is overwhelmingly conclusive. Mr Calhoun could have surrendered His judgment to the [illegible] of his old ones, and the discussion of consistency, on he him hesitate and delay to [illegible] duty, but ar unpenetrated, and if in fact was not a question. He could not remember—and he could not believe that he could have given a written opinion [illegible] and an important matter without remembering it! Unhappily he did not remember that this service [illegible] that this service [illegible] argumentative denial was for stronger than other was! that it would have been for more difficult to [illegible] in Public [illegible] moved to answer! The would have been the thing difficult to have been conceded! sensible of the change he had undergone in his connected ethics, Mr Calhoun undertook to rehabilitate himself by assuming to know all about the transaction, and by giving a statement of it which was intended to convince the Senate that his memory was good, and entitled to credit in opposition to all the testimony against him. He began with characteristic assumption of knowing every thing and ended by showing that he knew nothing. He said:

"I know well all about the compromise which led to it, and the reasons which led to the passage of the act, that the northern men who voted for it were universally sanguine that it would be the last time that slavery would be [illegible] the country. The reasons I will proceed to state. During the session of the committee, Mr Lowndes a distinguished member from South Carolina, died. He was a member of the House of Representatives, and I was Secretary of War. We both left the magnitude of the subject. Missouri, at the preceding session, had presented herself for admission as a member of the Union. She had formed a constitution and government, in accordance with an act of Congress. Her admission was refused on the ground that her constitution admitted of slavery; and she was remanded back to have the objectionable provision expunged. She refused to comply with the requisition, and at the next session again knocked at the door of Congress for admission, with her constitution as it originally stood. This gave rise to one of the most agitating discussions that ever occurred in Congress. The subject was one of repeated conversation between Mr Lowndes and myself. The question was, what was to be done, and what would be the consequence if she was not admitted. After full reflection we both agreed that Missouri was a state—made so by a regular process of law, and never could be remanded back to the territorial condition. Such being the case, we also agreed that the only question was, whether she should be a state in or out of the Union? and it was for Congress to decide, which position she should occupy. My friend made one of his able and lucid speeches on the occasion; but whether it has been preserved or not, I am not able to say. It carried conviction to the minds of all, and in fact settled the question. The question was narrowed down to a single point. All saw that if Missouri was not admitted she would remain an independent state, on the west bank of the Mississippi, and would become the nucleus of a new confederation of states extending over the whole of Louisiana.—None were willing to contribute to such a result; and the only question that remained with the northern members who had opposed her admission was, to devise some means of escaping from the awkward dilemma in which they found themselves.—To back out or compromise, were the only alternatives left; and the latter was eagerly seized to avoid the disgrace of the former; so eagerly, that all who opposed it at the north were considered traitors to that section of the Union, and sacrificed to their votes."

Every part of this statement is erroneous and to such a degree as to destroy all reliance upon Mr Calhoun's memory. He says that during the compromise session he and Mr. Lowndes resided together, and that at the *preceding* session Missouri had presented her constitution, made under the act of Congress, and applied for admission into the Union. Now this is error. The constitution of Missouri followed, and did not precede the compromise act. That act was passed March 6th, 1820, the constitution framed under it was signed July 19th of the same year; and was presented to Congress in the month of November following—Congress in that year having met on the second Monday in November. Here then is an error of a year in point of time and a transposition of events in point of fact. The constitution of Missouri was made after the compromise, and in pursuance of it; and not to know that much was to know nothing at all about it. Mr. Calhoun says the admission was refused, and the constitution remanded back, because it admitted slavery in Missouri This is great error. The act of Congress under which the Missouri constitution was made, admitted slavery in Missouri, and her constitution could not be, and was not, refused on that ground The admission was not refused for that cause, nor for any thing like it, nor for any thing in relation to slavery, but the direct opposite—for a clause in relation to free people of color, and by which it was contended the citizens of other states might be prevented from coming to the state of Missouri The clause was that "*To prevent free negroes and mulattoes from coming to and settling in this state after any person whatever*" The provision was found in clause 4, sect. 26, of art 3-3, of the constitution, and was objected to as being inconsistent with the constitution of the United States and the rights of the states, as in some of the states free people of color might be citizens This was the cause objected to, and not the one stated in saying slavery. Mr Calhoun says the constitution was remanded back to the state to have the slavery clause expunged. It was not remanded for the purpose of having any thing expunged, but for not any—to have something added—to wit, the legislative assent of the state to the joint resolution of the two Houses of Congress, declaring that the clause in question should never be so construed as to exclude from settlement, and the rights of citizenship, the citizens of other states emigrating to Missouri Mr Calhoun says the state refused to comply with the requisition—Congress. This is more error—[illegible] of the obj ectionable [illegible] the 20th day of June, in the same year.—He says the state to acceded again with her constitution at the door of Congress at the next session, and that this gave rise to the most agitating discussion, that ever took place in Congress. This is the very error of the moon. The state never applied to Congress again, but was admitted in the recess, and before next meeting of Congress and by proclamation from President Monroe. The proclamation was issued the 10th of August, 1820 in pursuance to the joint resolution of Congress of the second of March of that year, expressly framed to save the state from applying to Congress again, by referring it to the President to ascertain her admission as soon as she assented to the required construction of the resolutions and the. The fact is, that Congress did not refuse to admit the state at all, but the slavery, passed a joint resolution at her first session of the presentation of the constitution, for her admission "*on a certain condition*"—on compliance with which condition her admission was to take effect without further proceeding on the part of Congress, and was to be so proclaimed by the president All this appears in the legislative history of the country, and was authentically recited in the proclamation issued on the occasion. Thus the proclamation:

Whereas the Congress of the United States, by a joint resolution of the 2d day of March last, entitled "*Resolution providing for the admission of the state of Missouri into the Union on a certain condition*," did determine and declare—"That Missouri should be admitted into the Union on an equal to ding wit the original states, in all respects whatever, upon the fundamental condition that the fourth clause of the 26th section of the 3d article of the constitution submitte on the part of said state to Congress, shall never be construed to authorise the passe of any law, and that no law shall be passed in conformity thereto, by which any citizen of either of the states of this Union shall be excluded from the enjoyment of any of the privileges and immunities to which such citizen are entitled under the constitution of the United States: *Provided* That the legislature of the said state, by solemn public act, shall declare the assent of said state to the said fundamental condition, and shall transmit to the President of the United States, on or before the first Monday in November next, an authetic copy of said act; upon the receipt whereof the President by proclamation shl announce the fact, whereupon, and without any further proceedings on the part of Congress, the admission of the said sta into this Union shall be considered comple: *And Whereas*, by a solemn public act of the said state of Missouri, passed on the 26th of June, in the present year, entitl "A solemn public act declaring the assent of this State to the fundamental condin contained in a resolution passed by the Congress of the United States, providing for the admission of the state of Missouri in the Union on a certain condition," authentic copy whereof has been communicated to me, is solemnly and publicly acted and declared, that that state has assented, and does assent that the 4th clause of the 26th section of the 3d article of the constitution of said state, "shall never be construed to authorise the passage of any law, and that no law shall be passed in conformity thereto, by which any citizen of either of the United States shall be excluded from the enjoyment of any of the privileges and immunities to which such citizens are entitled under the constitution of the United States: now, *therefore*, I, James Monroe, President of the United States, in pursuance of the resolution of Congress aforesaid, have issued this my proclamation, announcing the fact that the said state of Missouri has assented to the fundamental condition required by the resolution aforesaid; WHEREUPON the admission of the state of Missouri into the Union is declared to be complete.

In testimony whereof I have caused the seal of the United States of America to be affixed to these presents, and signed the same with my hand. Done at city of Washington, the 10th day of August, 1821, and of the Independence of the United States of America, the 46th.

JAMES MONROE."

By the President,
JOHN QUINCY ADAMS,
Secretary of State."

Now this proclamation was issued from the cabinet of which Mr Calhoun was a member, and appears to have been as completely forgotten by him as were the cabinet decision of the same year in favor of the power of Congress to legislate upon the subject of slavery in territories, and to abolish it in territories; for that was the effect of the compromise act of 1820 He actually forgets that Missouri was admitted upon a proclamation, issued from the cabinet council of which he was a member! and goes on to substitute the wandrings of his imagination for the legislative history of the country, in giving a supposed circumstantial account of what took place between himself and Mr. Lowndes, after the second rejection of the Missouri constitution, and which led to the conclusion which, are nothing to him, produced the compromise—"*To back out, or compromise, was the only alternative left; and the latter was eagerly seized upon to avoid the disgrace of the former*" So says Mr. Calhoun; and in saying he postpones the compromise a whole year, and couples it with an event to which it does not belong, and makes it the effect of a cause which never existed. It is postponed from the session of 1819-20 to the session of '20-'21; and it is connected with the final admission of Missouri, after she had become a state instead of being connected with the preliminary act which authorized her to form a state constitution. Now I say this! My impression is to the contrary—that Mr Calhoun lived with his family at Washington (session of '20-'21) in Detroit, and Mr Lowndes in a boarding house. It is also questionable wh ther Mr Lowndes did much towards passing the joint resolution under which the state was admitted. He was in declining health at that time; and although he spoke once in favor of the admission after the constitution was presented, and spoke with the manly sense and patriotic feeling which belonged to him, yet he soon ceased to attend, and went abroad for his health, and died. It was Mr Clay, who consulted me about the joint resolution, and with whom I agreed that it would answer the purpose, and gave my opinion that the state would agree to it immediately, which she did. By that joint resolution the question of admission was not to come before Congress again, as it did not and was purposely framed to avoid a second appearance of the state at the bar of Congress; so that this story of Mr Calhoun about the manner in which the compromise was seized, to avoid disgrace, after the rejection of the constitution, is no fit ament of the brain, coined for the purpose of getting out of the cabinet council March 6th 1820 Far better to have confessed what was proper—to have admitted the truth of Mr. Monroe's and Mr. Adam's disinterested testimony—and to have taken the ground of a change of opinion since that time.—That would have been the discreetest course. But, oh, the disease of ex-stency! that malady of his mind! and the hard fate of a leader, almost affecting of a prophet, and bound under all circumstances, to maintain his infallibility in the eyes of his followers, under the awful penalty of losing dominion over them.

Some search has been made in the department of state for the written opinions of the cabinet, without finding them: but of the states of this Union shall be excluded from the enjoyment of any of the privileges and immunities to which such citizen is entitled under the constitution of the [illegible] Provided That the legislature of the said state, by solemn public act, shall declare the assent of said state to the said fundamental condition, and shall transmit to the President of the United States, on or before the first Monday in November next, an authetic copy of said act; upon the receipt whereof the President by proclamation shl announce the fact, whereupon, and without any further proceedings on the part of Congress, the admission of the said sta into this Union shall be considered comple: *And Whereas*, by a solemn public act of the said state of Missouri, passed on the 26th of June, in the present year, entitl "A solemn public act declaring the assent of this State to the fundamental condin contained in a resolution passed by the Congress of the United States, providing for the admission of the state of Missouri in the Union on a certain condition," authentic copy whereof has been communicated to me, is solemnly and publicly acted and declared, that that state has assented, and does assent that the 4th clause of the 26th section of the 3d article of the constitution of said state, "shall never be construed to authorise the passage of any law, and that no law shall be passed in conformity thereto, by which any citizen of either of the United States shall be excluded from the enjoyment of any of the privileges and immunities to which such citizens are entitled under the constitution of the United States: now, *therefore*, I, James Monroe, President of the United States, in pursuance of the resolution of Congress aforesaid, have issued this my proclamation, announcing the fact that the said state of Missouri has assented to the fundamental condition required by the resolution aforesaid; WHEREUPON the admission of the state of Missouri into the Union is declared to be complete.

In testimony whereof I have caused the seal of the United States of America to be affixed to these presents, and signed the same with my hand. Done at city of Washington, the 10th day of August, 1821, and of the Independence of the United States of America, the 46th.

JAMES MONROE."

By the President,
JOHN QUINCY ADAMS,
Secretary of State."

Now this proclamation was issued from the cabinet of which Mr Calhoun was a member, and appears to have been as completely forgotten by him as were the cabinet decision of the same year in favor of the power of Congress to legislate upon the subject of slavery in territories, and to abolish it in territories; for that was the effect of the compromise act of 1820 He actually forgets that Missouri was admitted upon a proclamation, issued from the cabinet council of which he was a member! and goes on to substitute the wandrings of his imagination for the legislative history of the country, in giving a supposed circumstantial account of what took place between himself and Mr. Lowndes, after the second rejection of the Missouri constitution, and which led to the conclusion which, are nothing to him, produced the compromise—"*To back out, or compromise, was the only alternative left; and the latter was eagerly seized upon to avoid the disgrace of the former*" So says Mr. Calhoun; and in saying he postpones the compromise a whole year, and couples it with an event to which it does not belong, and makes it the effect of a cause which never existed. It is postponed from the session of 1819-20 to the session of '20-'21; and it is connected with the final admission of Missouri, after she had become a state instead of being connected with the preliminary act which authorized her to form a state constitution. Now I say this! My impression is to the contrary—that Mr Calhoun lived with his family at Washington (session of '20-'21) in Detroit, and Mr Lowndes in a boarding house. It is also questionable wh ther Mr Lowndes did much towards passing the joint resolution under which the state was admitted. He was in declining health at that time; and although he spoke once in favor of the admission after the constitution was presented, and spoke with the manly sense and patriotic feeling which belonged to him, yet he soon ceased to attend, and went abroad for his health, and died. It was Mr Clay, who consulted me about the joint resolution, and with whom I agreed that it would answer the purpose, and gave my opinion that the state would agree to it immediately, which she did. By that joint resolution the question of admission was not to come before Congress again, as it did not and was purposely framed to avoid a second appearance of the state at the bar of Congress; so that this story of Mr Calhoun's about the manner in which the compromise was seized, to avoid disgrace, after the rejection of the constitution, is no fit ament of the brain, coined for the purpose of getting out of the cabinet council March 6th 1820 Far better to have confessed what was proper—to have admitted the truth of Mr. Monroe's and Mr. Adam's disinterested testimony—and to have taken the ground of a change of opinion since that time.—That would have been the discreetest course. But, oh, the disease of ex-stency! that malady of his mind! and the hard fate of a leader, almost affecting of a prophet, and bound under all circumstances, to maintain his infallibility in the eyes of his followers, under the awful penalty of losing dominion over them.

Some search has been made in the department of state for the written opinions of the cabinet, without finding them: but the fact that they were put there. The wonder would be to find them after 27 years, and so many changes of clerks; and it is to be remembered that no one of Mr. Monroe's cabinet has been Secretary of State since that time but Mr Calhoun.

The fact is established—established by the rules of evidence which convince the human mind, even the most unwilling—that Mr. Calhoun, as a cabinet minister under Mr. Monroe, supported the constitutionality of the Missouri compromise act. This fact being established, let us see what that act was; and that will be shown by the title to the act—by the act itself—and by the actual condition of the territory in which it was to operate. This is the title:

"An act to authorise the people of the Missouri territory to form a constitution and state government, and for the admis ion of such state into the Union on an equal footing with the original states, and to prohibit slavery in certain territories."

A very intelligible title this especially in the concluding cause, and enough to have startled Mr. Calhoun, if he had held the same doctrines on the powers of Congress then which he professes now. The act itself was in those words:

"Sec 8. That in all that territory ceded by France to the United States under the name of Louisiana, which lies north of 36 degrees and 30 minutes north latitude, not included within the limits of the state contemplated by this act, slavery involuntary servitude, otherwise than in the punishment of the crimes whereof the parties shall have been convicted, shall be, and hereby is, forever prohibited.

Such are the words of the act—the very words of the Wilmot Proviso, and if any modern copyist is to supercede Mr. Jefferson in the paternity of that proviso it should be John C Calhoun, and not Davy Wilmot! It should be called the Calhoun Proviso! and that for many and cogent reasons. In the first place, he was nearly thirty years ahead of Davy in the support of this proviso. In the second place, his position was higher, being a cabinet Minister, and his voice more potential, being a southern man. In the third place, he was a part of the very power where those voices were a majority; Davy only a member of the legislative power, where it requires a majority of both houses to do anything. In the fourth place, Calhoun was successful, Davy is not. Finally, Davy's proviso is a weak contrivance to prevent slavery from being where it is not, and where it never will be; Calhoun's proviso was a manly blow to kill slavery, where it then existed, by law, and where it would now exist in point of fact, if that blow had not been struck The proviso of Mr. Calhoun actually abolished slavery where it then existed by law—in all the upper half of Louisiana—from 36—30 to 49, and from the Mississippi to the Rocky Mountains—over a territory nearly a thousand miles square—near a million square miles—enough to make twenty states of 50,000 square miles each—more in fact than all California, New Mexico and Oregon put t gether. Over all this vast territory the proviso, supported by Calhoun, abolished slavery—abolished it, then existing by law—and shut it up from the slave emigration of the south And now what becomes of the *dogma*, in his mouth, and that of his followers, so recently invented, of no power in Congress to legislate upon the subject of slavery in territories? What becomes, in their mouths, of the new fangled point of honor, just left for the first time in thirty years, of insult to slave states in their exclusion from settlement to the territories bought by the whole Union! Louisiana was a territory, and Congress legislated upon slavery in it, and legislated slavery out of a million of square miles of it, and Mr Calhoun supported that legislation. Louisiana was a territory acquired by the treasure, if not by the blood, of the whole Union; and the proviso of 1820 supported by Mr Calhoun was then the blame of that cession. A friend of Mr. Calhoun reproached him with it in the house of representatives. Mr Adams was then alive, and present, and soon vindicated the truth of history. He showed that there was a division in the cabinet upon the point; he was against it—Mr. Calhoun for it—and Mr. Calhoun being a southern man, and the majority of the cabinet southern, he carried the day—and Texas was lost. I was not then in public life, but I wrote against that act, blaming Mr. Adams, when I should have blamed Mr. Calhoun. By that cession, the expansion of slavery was stopped; the growth of slave states in the south-west, was stopped; the hundred and fifty thousand square miles subjected to American slavery, was cut off from American dominion, and presented to a foreign king. This was another great gratification to the abolitionists, but it was not all. There was a strip of land, about large enough for two states, lying upon the Arkansas and Red rivers, and between Texas and the 36 deg. 30 min. north latitude. This strip having escaped the compromise line on the one side, and the Texas cession on the other, was open to the formation of two respectable slave states,—Mr. Calhoun was then still cabinet minister—secretary at war—had the Indians under his care—and was riding the hobby of their civilization. He required this strip to be given up to the Indians for a perpetual abode, and thus, it was also lost to the slave states. All Louisiana was then gone from them except the fragment which was contained in the states of Missouri and Louisiana, and the territory of Arkansas Even this fragment appeared to be too much left to the slave states, and a slice, forty miles wide, and 300 in length was cut off Arkansas and given to the Indians; and the slave holders, with the slaves upon the slice, were required to remove from the cut off part, and fall back within the contracted limits. This was done by Indian treaty, the treaty negotiated by a protege of Mr. Calhoun's. He was then vice president of the United States, and President of the Senate—I was a member of the senate—and opposed the ratification of this treaty—and came within one or two votes of defeating it. The slightest help from Mr Calhoun would have defeated it and saved the slave state of Arkansas that territory, and those salt springs, the loss of which she now has to lament. Taken altogether, the compromise, the Texas cession, the Indian demand, and the slice from Arkansas, and Mr Calhoun did more, in less time to ab lish slavery, diminish its area, and increase that of free soil—than any other man that has ever appeared on the face of the earth; and of this the anti-slavery party of the north were fully sensible, and duly grateful. They gave proof of their gratitude. Mr Calhoun was then a candidate for vice president of the United States, he became the favorite of the north—beating even Mr Adams himself on the free soil track. He beat him six votes in New York—ran head and neck with him through New Hampshire, Vermont, and Rhode Island—was even through Massachusetts—and came out a nose ahead on the northern track. He actually beat Mr. Adams in abolition states—and with justice. He had done more than him for free soil, and with more merit, being himself an inhabitant of slave soil. I told him all this in my first *Columniac*, in the senate of the United States, four days after he put in his firebrand resolutions, in my speech to show him to be the true author of the Mexican war This is what I said to him:

"This conduct of the senator, in giving away Texas, when we had her, and then making war to get her back, is an enigma which he has never yet condescended to explain, and which, until explained, leaves him in a state of self-contradiction, which, whether it impairs his own confidence in himself or not, must have the effect of destroying the confidence of others in him, and wholly disqualify him for the office of champion of the slave-holding states. It was the heaviest blow they had ever received, and put an end, in conjunction with the Missouri compromise, and the permanent location of the Indians west of the Mississippi, to their future growth or extension as slave states beyond the Mississippi. The compromise which was then in full progress, and established at the next session of [illegible] the slave states south of Missouri, and south of thirty-six and a half degrees of north latitude: the treaty of 1819 ceded nearly all south of that degree, comprehending not only all Texas, but a large part of the valley of the Mississippi on the Red river and the Arkansas, to a foreign power, and brought a non-slave holding empire to the confines of Louisiana and Arkansas; the permanent appropriation of the rest of the territory for the abode of civilized Indians, swept the little slave holding territory west of the Arkansas, and lying between the compromise line and the cession line, and left the slave states without one inch of ground for their further growth. Nothing was left. Even the then territory o Arkansas was encroached upon. A breadth of forty miles wide and three hundred long, was cut from her and given to the Cherokees, and there was not as much slave territory left west of the Mississippi as a dove could have rested the sole of her foot upon. It was not merely a curtailment, but a total extinction of slave holding territory, and done at a time when the Missouri controversy was raging, and every effort made by northern abolitionists to stop the growth of slave states. The senator from South Carolina, in his support of the cession of Texas, and ceding a part of the valley of the Mississippi, was then the most efficient ally of the restrictionists at that time, and deprives him of the right of setting up for the champion of the slave states now. I denounced the sacrifice of Texas, then, believing Mr. Adams to have been the author of it. I denounce it now, knowing the senator from South Carolina to be its author; and for this—his flagrant recreancy to the slave interest in their hour of utmost peril—I hold him disqualified for the office of champion of the fourteen slave states. (for Delaware cannot be counted,) and shall certainly require him to keep out of Missouri, and to confine himself to his own bailiwick, when he comes to discuss his string of resolutions."

In these terms I reproached him to his face, for his recreancy to the slave states, when he was entering for free soil votes.—He was forced to answer, and to admit the vote in Mr. Monroe's cabinet in favor of giving away Texas, and in conformity to which vote the treaty was made; but with respect to the Missouri compromise, and the abolition question, he gave an answer which appeared to be plausible then, but which has turned out to be one of the most unfortunate of his life. He said, in his reply to me:

"I have now met, and, I trust successfully repelled, all the charges made by the senator from Missouri, except the one relating to the Missouri compromise, and the abolition question at that period, for which I am no ways responsible. I was not then in Congress. I filled the office of secretary of war at the time, and had no agency or control over it."

This was his answer—the whole that he chose to give. I did not then know of the proofs of the Cabinet consultation, and of his opinion at the council table in answer to Mr. Monroe's two questions. The proofs had not then come to light, and he was safe, for the time, in disclaiming all responsibility