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THE CAPTURED FLAG.

A TALE OF THE MONTEVIDEAN WAR. BY NED BUNTLINE.

"Caramba! Que Involencia!" These words were uttered by a lovely woman, whose flushed cheek, flashing eye and knitted brow, spoke even more than words of the indignation which filled her heart.

She was the young wife of Commodore Coe, the commander of the small navy of Montevideo. The lady was Spanish by birth, as well as in feeling, and the cause of her anger was the sight of a ship which had been for two days standing off and on before the harbor, using every signal of insult and defiance to induce the vessel of Coe to come out and fight him.

The men looked at their officers, the officers glanced at each other, but volunteers for service so desperate seemed scarce.

"What! is there not one of all of you who dare the trial? Is my husband's ship indeed manned with cowards?" exclaimed the lady, while her beautiful lip curled with scorn and her flashing eye gleamed with the fire of contempt.

"I was only waiting for my seniors to speak, Senora. Had any one of them volunteered, I should have begged to accompany him. As it is, I pledge myself to bring you yonder flag before the sun rises again, or to die!"

"It is Frank Bennett, Senora," replied the young man—and he blushed beneath her earnest gaze.

"Go sharpen your cutlasses," said he: "I shall not have a pistol or musket in the boat. If we fight, it must be steel and breast to breast—for we succeed or die!"

Those men answered only with a look. They were of that class whose motto is "Deeds not words." They hurried below, to obey his orders, while others proceeded by his directions to muffle the oars of the boat, to put sails, water, &c., in it.

"One half hour later the sky was covered with clouds, and darkness had set in. Bennett had been careful to take the compass course of the enemy's ship when the last light of the dying day gave opportunity, and by this alone he hoped to find her."

"If I am not on board at sunrise, lady, please send that miniature to the direction of the letter."

The lady looked at the picture. It was the likeness of a young and beautiful girl. A tear filled the Senora's eye.

"You need not go," said she. "No—you love, perchance are beloved. Your life is precious. I will not expose it. This is—"

"My only sister whom I almost adore, interrupted the youth—but one who would scorn me if I played the coward or dishonored my name. Send that letter and likeness to her if I fall. Farewell till to-morrow—or forever!"

The lady was about to answer, and again to entreat him to stay—but ere she could speak he was over the bulwarks and the boat had shoved off.

The night was pitchy dark. A calm was on the sea and in the air, but it was potentous of a storm. A small binnacle light and compass had been placed in the boat, and by these Frank shaped his course, himself taking the tiller and steering.

"Give way cheerily, men!—a long, strong and steady pull!" said he, in a low tone, as he left the ship's side—and he soon felt, by the trembling of the frail boat, that his directions were obeyed.

Out right into the offing he pulled, regardless of the rising clouds—keeping his eye fixed steadily on his compass, until he knew, if the vessel had remained hoist to as she was at sunset, that he must be very near her. But he looked in vain to see her dark hull loom up in the gloom—he looked in vain to see a light which might guide.

At this moment, when he was completely at a loss which way to steer, the dark clouds which had been gathering over him, burst with a long vivid flash of lightning and a peal of deafening thunder. He heard not the thunder, he heeded not the rising storm. That flash of lightning had showed him the vessel, not one cable's length from him.

"Steady, boys—steady!" he whispered, when the thunder ceased—"I shall pull directly under her stern, and get on deck by the carved wood and netting on her quarter."

The men rowed slowly and silently on, and as he had marked well her position, the young officer in a moment found himself close under the vessels stern. At this instant another flash of lightning illuminated sky and water—and then, as he glanced up at the gaff, where the flag had been hoisted, he saw that it was not there! It had been hauled down.

He paused—thought for a moment what could be done—and then formed his resolution.

"I shall go on board alone, men," said he—keep the boat where she is. If that flag is where I think it is, in the admiral's cabin, I will have it. If I am not back in five minutes, and you hear an alarm, shove off, send back to our ship, and tell them that Frank Bennett died like a man. You must be cautious; reef the foresail, for the storm will be down upon us in less than ten minutes."

All this was whispered to the men, whose heads were bent forward to hear their orders which they dared not disobey, which they wished to share their leader's peril.

"Sprung lightly from the boat, Frank, caught the quarter netting with his hands, and noiselessly ascended to the bulwarks.— He could hear the regular tramp of the officer of the deck, who having already had every thing reefed down for the blow, had nothing to do but to pace the deck—but it was so dark that he could not see him."

A second more and the brave boy was down on the deck and at the cabin door which stood slightly ajar. He peeped in through the narrow crack and saw the red faced old Admiral seated at his round table, with two of his officers by his side, engaged over the contents of a square bottle which looked like that usually found to contain schnapps.

A glance at the settee just to the left of this table showed the object of the enterprise. The flag for which he had periled his life lay there, where it had been carelessly thrown after it was hauled down.

"I have come to borrow this banner, sir, to wear to-morrow, if you please."

"Who the devil are you? What does this mean," cried Brown, as he and his officers sprang to their feet.

"I am Midshipman Bennett, sir, of the Montevidean service," replied Frank, who had now seized the flag—and I mean to carry this flag to Commodore Coe!"

As he said this he bounded to the cabin door, followed closely by a bullet from Brown's pistols, which grazed his ear, and ere the alarm became general he stood upon the taffrail of the vessel.

"Look out for me below!" he shouted, and flung himself into the sea, without a moment's hesitation. His boat's crew recognized his voice; he was caught in a moment and dragged into the boat, while a volley of pistol balls were sent down at random by those who were above.

The storm had now broken, and the wind began to come in with fierce and fitful gusts.

"Up forsail! Be in a hurry, lads! up forsail, and let her slide!" cried the young hero, as soon as he could draw breath after his ducking.

The crew did so, and the next moment the little boat was flying in toward the harbor, before the blast, like a glad sea bird winging its way to its young one's nest.

The enemy opened a harmless random fire of grape shot in their direction, but if only served to tell the anxious watchers on board of Coe's vessel that something had occurred. The latter therefore at once showed lights, and enabled Frank to make a straight course to her.

But it was but an half hour after the first gun had been fired by Brown's vessel that the boat of the young adventurer rounded to alongside of his own craft.

AN EXCITING SCENE AND DEBATE ON SLAVERY, IN THE U. S. SENATE. PROTECTION OF PROPERTY IN THE DISTRICT OF COLUMBIA.

Agreeably to notice, Mr. HALE asked leave to introduce a bill relating to riots and unlawful assemblies in the District of Columbia.

Mr. HALE.—I wish to make a single remark, in order to call the attention of the Senate to the necessity of adopting the legislation proposed by this bill. The bill itself is nearly an abstract of a similar law now in force in the adjoining State of Maryland; and also in many other States of the Union. The necessity for the passage of the bill will be apparent to the Senate from facts which are probably notorious to every member of the body. Within the present week large and riotous assemblages of people have taken place in this district, and have not only threatened to carry into execution schemes utterly subversive to all law, with respect to the rights of property, but have actually carried these threats into execution, after having been addressed, upheld, and countenanced by men of station in society, whose character might have led us to suppose that they would have taken a different course, and given wiser councils to those whom they addressed.

Mr. HALE.—I beg the indulgence of the Senate for a few moments. Though I do not exactly anticipate this discussion, yet I do not regret it. Before I proceed further, as the honorable Senator from Mississippi has said, that it has been asserted, and he thinks on good authority, that a Senator of the United States connived at this kidnapping of slaves, I ask him if he refers to me!

Mr. FOOT.—I did.

Mr. HALE.—I take occasion then to say, that the statement that I have given the slightest countenance to the procedure, is entirely without the least foundation in truth. I have had nothing to do with the occurrence, directly or indirectly, and I demand of the honorable Senator to state the ground upon which he has made his allegation.

Mr. FOOT.—It has been stated to me and I certainly believed it, and believing it I denounced it. I did not make the charge directly. My remarks were hypothetical. I am glad to hear the Senator say that he has had no connection with the movement, but whether he had or not, some of his brethren in the great cause in which he was engaged no doubt had much to do with it.

Mr. HALE.—The sneer of the gentleman does not affect me. I recognize every member of the human family as a brother, and if it was done by human beings it was done by my brethren. Once for all I utterly deny either by counsel, by silence, or by speech, or in any way or manner, having any knowledge, cognizance, or suspicion of what was done or might be done until I heard of this occurrence as other Senators have heard of it. And I challenge any one who entertains a different opinion to proof, here, now, and forever.

Mr. BUTLER.—Allow me to ask one question with perfect good temper. The Senator is discussing the subject with some feeling; but I ask him whether he would vote for a bill properly drawn, inflicting punishment on persons inveigling slaves from the District of Columbia?

Mr. HALE.—Certainly not, and why? Because I do not believe that slavery should exist here.

Mr. CALHOUN.—(In his seat.)—He wishes to arm the robbers, and disarm the people of the District.

Mr. HALE.—The honorable Senator is alarmed at my temerity.

Mr. CALHOUN.—(In his seat.)—I did not use the word, but did not think it worth while to correct the Senator.

Mr. HALE.—The Senator did not use that term!

Mr. CALHOUN.—No. I said brazen or something like that.

Mr. HALE.—The meaning was the same. It was brazen then! that I should introduce a bill for the protection of property in this District—a bill perfectly harmless, but which he has construed into an attack upon the institutions of the South.—I ask the Senator and the country wherein consists the temerity? I suppose it consists in the section of the country from which it comes. He says that we seem to think that the South has lost all feeling. Ah! There is the temerity. The bill comes from the wrong side of a certain parallel! Why, did the honorable Senator from South Carolina imagine that we of the North, with our faces bowed down to the earth, and with our backs to the sun, had received the lash so long that we dared not look up? Did he suppose that we dared not ask that the protection of the law should be thrown around property in the District to which we come to legislate?

I desire no war upon the institution of slavery in the sense in which the Senator understands the term. I will never be a party to any encroachments upon rights guaranteed by the constitution and the law—not at all. I wish no war but a war of reason—of persuasion—of argument; a war that should look to convincing the understanding, subduing the affections and moving the sympathies of the heart. That is the only war in which I would engage. But it is said that the time has come—that the crisis has come, and that the South must meet it, in all candor and honesty, then, let me say, that there could not be a better platform on which to meet the question, than that presented by the principles of this bill. There could not be a better occasion than this to appeal to the country. Let

the tocsin sound. Let the word go forth. Let the free North be told that their craven representatives on the floor of the Senate, are not at liberty even to claim the protection of the rights of property! The right of speech was sacrificed long ago. But now is it to be proclaimed, that we cannot even introduce a bill looking to the execution of the plainest provisions of the constitution, and the clearest principles of justice for the protection of personal rights, because gentlemen choose to construe it into an attack upon that particular institution!

I ask again, what is it that has produced this strife, called up these denunciations, excited all this invective which has been poured upon me as if I were guilty of all the crimes in the decalogue? I call upon the Senate and the country to take notice of it. I ask on what do gentlemen of the South rely for the protection of any institutions on which they place any value. It will be answered upon the constitution and the law. Well, then, if the safe guards of the constitution are rendered inadequate to the protection of our species of property, how can it be supposed that there will be protection for any? It is because I desire to maintain in all their strength and utility, the safe guards of the constitution, that I have introduced this bill for the protection of property in this District. And here let me tell the Senator from Alabama, that he will have my full co-operation in any measure to prevent kidnapping. I shall expect him to redeem his pledge. Again; I am shocked to hear the honorable Senator from South Carolina denounce this bill as a measure calculated to repress those citizens from the expression of their just indignation.

Mr. CALHOUN.—If the Senator will allow me, I will explain. I said no such thing. But I will take this occasion to say that I would just as soon argue with a maniac from bedlam, as with the Senator from New Hampshire, on this subject.

SEVERAL SENATORS.—"Order—order."

Mr. CALHOUN.—I do not intend to correct his statements.—A man who says that the people of this District have no right in their slaves; and that it is no robbery to take their property from them, is not entitled to be regarded as in possession of his reason.

Mr. HALE.—It is extremely novel mode of terminating a controversy by charitably throwing the mantle of maniacal irresponsibility over one's antagonist! But the honorable Senator puts words into my mouth which I never used. I did not say that the owners had no property in their slaves. I said that the institution exists, but I have not given any opinion upon the point to which the Senator has alluded. I have never said anything from which the sentiment which he imputes to me could be inferred. It does not become me, I know, to measure arms with the honorable Senator from South Carolina, more particularly since he has been so magnanimous as to give notice that he will not condescend to argue with me. But there is more than one man in this country, who has, whether justly or unjustly, long since arrived at the conclusion, that if I am a maniac, for I am not alone in my madness. But, sir, I am not responsible here or elsewhere for the excitement that has followed the introduction of this subject. I intended simply to give notice of a bill calculated to meet the exigency. The honorable Senator from Florida calls upon me for proof of the necessity of this legislation, and says that no violence has been committed in this District. I don't know what he calls violence.

Mr. FOOT.—The Senator seems to suppose that I wished to decoy him to the State of Mississippi. I have attempted no such thing. I have thought of no such thing. I have openly challenged him to present himself there or any where uttering such language and breathing such incendiary spirit as he has manifested in this body, and I have said that just punishment would be inflicted upon him for his enormous criminality. I have said farther that if necessary, I would aid in the infliction of the punishment. My opinion is, that enlightened men would sanction that punishment. But says the Senator that would be assassination! I think not. I am sure that the Senator is an enemy of the constitutions of his country—an enemy of one of the institutions of his country which is solemnly guaranteed by the organic law of the land—and in so far he is a lawless person.

But, says the Senator, victims have been made and there are victims ready. I am sure that he would never be a victim. I have never deplored the death of such victims and I never shall deplore it. Such officious intermeddling deserved its fate. I believe no good man who is not a maniac, as the Senator from New Hampshire is apprehended to be, can have any sympathy for those who lawlessly interfere with the rights of others. He, however, will never be a victim! He is one of those glib declaimers—a windy speaker—"

Mr. CRITTENDEN.—If the gentleman will allow me, I rise to a question of order. Gentlemen have evidently become excited, and I hear on all sides language that is not becoming. I call the gentleman to order for his personal reference to the Senator from New Hampshire.

Mr. FOOT.—I only said in reply to the remarks of the Senator from New Hampshire—"

Mr. CRITTENDEN.—I did not hear what the Senator from New Hampshire said, but the allusion of the gentleman from Mississippi, I consider to be contrary to the rules of the Senate.

Mr. FOOT.—I am aware of that. But such a scene has never occurred in the Senate—a such a deadly assault of the rights of the country.

Mr. JOHNSTON, of Maryland.—Has the chair decided?

Mr. FOOT.—Let my words be taken down.

The PRESIDING OFFICER.—In the opinion of the Chair, the gentleman from Mississippi is not in order.

Mr. FOOT.—What portion of my remarks is not in order?

The PRESIDING OFFICER.—The gentleman is aware that the question of order is not debatable.

Mr. WESTCOTT.—I ask whether the words objected to are not, according to the rule, to be reduced to writing?

Mr. FOOT.—I pass it over. But the Senator from New Hampshire has said, that if I would visit that State, I would be treated to an argument. Why, I would not argue with him! What right have they of New Hampshire to argue upon this point? It is not a matter with which they stand in the least connected.

Mr. DOUGLAS.—I have listened to this debate with a good deal of interest. But while I have seen considerable excitement exhibited on the part of a few gentlemen around me, I confess that I have not been able to work myself into any thing like a passion. I think that probably the Senator from New Hampshire has done much to accomplish his object. His bill is a very harmless thing in itself; but being brought forward at this time and under the present circumstances, it has created a good deal of excitement among gentlemen on this side of the chamber.

Mr. CALHOUN, (in his seat).—Not the bill—the occurrence.

Mr. DOUGLAS.—On the occurrence I desire to say a word. In the first place, I must congratulate the Senator from New Hampshire on the great triumph which he has achieved. He stands very prominently before the American people, and is, I believe, the only man who has a national nomination for the Presidency. I firmly believe that on this floor to-day, by the aid of the Senator from South Carolina, and the Senators from Mississippi he has more than doubled his vote at the presidential election, and every man in this chamber from a free State knows it! I looked on with amazement for a time, to see whether there could be an understanding between the Senator from New Hampshire and his southern friends, calculated to give him encouragement, strength and power in the contest. A few such exciting scenes sufficed to send that Senator here. I mean no disrespect to him personally, but I say with his sentiments, with his principles, he could never have represented a free State of this Union on this floor, for the aid of southern speeches. It is the speeches of southern men representing slave States going to an extreme, breathing a fanaticism as wild and as reckless as that of the Senator from New Hampshire, which creates abolitionism in the north. The extremes meet. It is no other than southern Senators acting in concert, and yet without design, that produce abolition.

Mr. CALHOUN.—Does the gentleman pretend to say, that myself and southern gentlemen who act with me upon this occasion, are fanatics? Have we done any thing more than defend our rights, encroached upon at the north? Am I to understand the Senator that we make abolition votes by defending our rights? If so, I thank him for the information, and do not care how many such votes we make.

Mr. DOUGLAS.—Well, I will say to the Senator from South Carolina, and every other Senator from the South, that far be it from me to entertain the thought, that they design to create abolitionists in the North, or elsewhere. Far be it from me to impute any such design! Yet I assert that such is the only inevitable effect of their conduct.

Mr. CALHOUN.—(in his seat).—We are only defending ourselves.

Mr. DOUGLAS.—No, they are not defending themselves!—They suffer themselves to become excited upon this question—to discuss it with a degree of heat, and give it an importance, which makes it heard and felt throughout the Union. It is thus that abolition derives its vitality. My friend from Mississippi, [Mr. Foote,] in his zeal and excitement this morning, made a remark in the invitation which he tendered to the Senator from New Hampshire to visit Mississippi, which is worth ten thousand votes to the Senator, and I am confident that that Senator would not allow my friend to retract that remark for ten thousand votes!

Mr. CAMERON.—I rise merely to defend my own State—that great State which I have the honor to present—on a single point which has been alluded to by the distinguished Senator from South Carolina, [Mr. Calhoun.] That the Senator has done injustice to Pennsylvania, (unintentionally, doubtless, in comparing a recent law of hers with an act of the late Legislature of New York. The New York statute, it is said, makes it a penal offence for any of her citizens to aid in the arrest or restoration of fugitive slaves to their owners. The law of Pennsylvania is a widely different affair. Her act of 1826 made it the duty of the State officers to aid in the arrest of slaves; which act, as has been stated by the colleague of the Senator, was rendered null by the decision of the courts. The last act, therefore, is merely a declaratory one, setting forth the fact that those officers were not required by the State laws to render such aid. The duty of the citizens remains unchanged, and is in no way affected.

No attempt has been made by Pennsylvania to interfere, in any way, with the power or authority of the general government, nor the duty of the citizens to that government. The marshal or his deputy can call to his aid a sufficient posse at any time, when it may be necessary to sustain the laws of the Union; and no act in the history of Pennsylvania can be pointed to, which will show that she has, in a single instance, been wanting in a due regard for the guarantees of the constitution, and the compromises under it. Nor will she ever be. The Senator alluded, also, to a disturbance in Carlisle. Undue importance has been attached to that affair, the persons concerned in it were tried, and those found guilty were properly, and I may add, severely punished. They are still incarcerated within the walls of a penitentiary. As to the death of a citizen from another State, I am positively assured that he was the victim of disease, and that his death was not at all attributable to this disturbance.

Pennsylvania has no sympathy with the ultra abolitionists. She has within her borders no fanatics as a body. She may have and doubtless has, a few individuals who join in these movements of the ultra abolitionists; but they have no aid or countenance from the great body of her intelligent people. A very few men—honest and well-meaning no doubt—sympathize with the Senator from New Hampshire in doctrine and feeling; but the masses of the people are entirely willing to leave the domestic institutions of other States where they properly belong—in their own hands. They feel that they have no right whatever, under the constitution, to interfere with them. What they claim for themselves, they cheerfully accord to others—the right to regulate their own affairs. They are opposed to slavery in the abstract, and have long since abolished it within their own borders. They are willing, as they should be, to let other States act for themselves in this and other domestic matters.

I am not surprised at the feeling evinced upon this subject by southern Senators. It is natural, and not to be wondered at. We have seen a vessel come within sight of this capitol, upon which floats the proud flag which, I trust, will ever remain as the emblem of our happy Union, and in the dead of night decoy and carry off nearly a hundred negroes, the property of citizens of the District. They feel that if such a state of things is tolerated here, in the very presence of the government, to them the guarantees of the constitution are utterly useless—the safeguards and compromises upon which they have been relying are only mockery. I differ, in toto from the Senator from Illinois, with regard to the effect of the agitation of this question. If anybody is injured by it, it must be the Senator from New Hampshire, and his friends. Nor do I believe that this body should be deterred from discussing any question, from a fear of its effect upon the presidency. The South, as well as the North, have interests which they value infinitely above the mere question as to who shall fill the presidential chair. And why shall they, therefore, not be excited? In the excitement growing out of the recent outrage, to which I have alluded, the Senator from New Hampshire has gravely introduced a bill, purporting to be a bill to protect the property of citizens of this District, but, rightly viewed it is a bill calculated to encourage similar outrages. What could have induced him to introduce such a measure at this moment of excitement? He has brought forward this question to-day, as he does often, for his own amusement. It can do no good, except perhaps to extend his popularity.

Mr. HALE.—I call the gentleman to order.

The PRESIDING OFFICER.—Will the Senator reduce to writing his point of order.

Mr. HALE.—Certainly. The words are these: "The gentleman from New Hampshire has introduced this measure, as he has many others, for his amusement."

The PRESIDING OFFICER.—In the opinion of the Chair the Senator is not out of order.

Mr. HALE.—I must take an appeal from that decision.

The question being put upon the appeal, the decision of the Chair was sustained—ayes 23, nays 5.

Mr. CAMERON.—The bill itself is wholly uncalled for. No citizen of the District has called for it; and it would be unjust to force upon them a law for which they had not asked—to say nothing of the inapplicability of its provisions to the circumstances of the District. Whenever any such measure is needed, the people of the District will ask for it; and when it is properly digested by the committee through which they are represented here, it will receive the due consideration of Congress.

But I rise only for the purpose of setting my State right on a point or two on which her position seemed to be misapprehended—not to discuss this question at length. She needs no vindication at my hands. Her citizens are an intelligent and reflecting people, strongly attached to the confederacy under which they have prospered so greatly. They will abide by the constitution to the last. An occasional excitement may for a moment have misled a few of her citizens; but it has ever been only momentary, and has faded away with the occasion. Much of the recent excitement on this subject may be fairly attributed to the far-famed Wilmot bill.

That is now numbered among the things that are passed, and its results will be forgotten. Famous as it was, there are none now in Pennsylvania.

[For Continuation see next page.]