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For the Lewisburg Chronicle. JAMES BELL AND HIS UNCLE.

We fear our readers may have almost forgotten a certain idle, truant boy, named James Bell, whose deficiencies in his studies were exposed by good Uncle Grey to the sad mortification of his too confiding parents. If, however, any have borne in mind the idle scholar, and his father's determination to turn over a new leaf, we will ask them to look with us at the results of this determination.

Mr. Bell was a sensible man; though, as we have seen in the case of his son's education, he sometimes acted injudiciously. But still we say he was a sensible man, for, if you would prove to him that any course he had been adopting was wrong, he would endeavor to alter it, instead of blindly and obstinately adhering to it, merely because it was his own. Too many folks adopt the latter plan. We take the liberty of doubting their good sense.

When James appeared at the breakfast table, on the morning after his Uncle's visit, his downcast looks and silent demeanor plainly indicated that his mind was ill at ease. No allusion, however, was made by either his father, or his mother, to the circumstances of the preceding day. All went on as usual, except that when James was collecting his books to start for school, his father said:

"Stop a moment, my boy, I am ready to go down to my office, and we can walk part of the way together."

James changed color, and the prospect of a *tete-a-tete* with his father did not seem very agreeable to him. However, after a ten minutes' walk, they came to Mr. Bell's office, and with a nod and a—

"Remember what we have been talking about," uttered in a kind and pleasant tone, James was left to pursue his way alone.

As he went down the street which led to the school, reflections such as these passed through his mind:

"It certainly would be pleasant to have a good standing in school, and to earn a better character than I now have. I don't much care about pleasing Mr. Smith. He is so cross, I am sure he would never be satisfied if I were to try ever so hard. But father would feel pleased; he said he would. Let me see; what were his exact words? 'Only let me see, James, that you really try to do your best, and I shall feel satisfied.' Oh, if that's all, I will try. I thought father did not care much whether I studied or not. But if he is going to ask me questions himself, I will show him that I am not such a dunce, after all, as Uncle Grey thinks me. I can do as well as George Ashton, or any of the best in school. I think I can, and what is more, I will."

"This was a determination which was easier to form, than to carry into execution. Poor James met with many a check, many a mortification, before he succeeded in his laudable efforts. He did, however, try to do his best. And as the first step in the new path he meant to pursue, he made a full confession to his father of all the articles to which he had resorted in order to impose on his teacher. He even brought home that evening all his school books, exactly as they were, and submitted them to his father's inspection.

Mr. Bell turned over the scrawled and blotted leaves of the books with mingled feelings of grief, of joy, and of self-reproach. Grief, as various instances of duplicity met his eye. Latin and Greek sentences, intended to serve as exercises of the pupil's skill in ready translation, were interlined with pencil translations obtained from some more industrious student. The margins of the cyphering books were covered with minute figures, exhibiting the working out of the more difficult sums, and copied off from the slate of some too accommodating neighbor. In short, all the tricks and devices, which idle scholars are but too ingenious in inventing, were laid open before the eyes of the grieved and astonished father. Yet we said *joy* mingled with his grief. He rejoiced in the thought that his son was thus making a free and full confession of his past misconduct, and in the hopes which this course

inspired that James was really about to turn over a new leaf. The self-reproach was a draught of unmingled bitterness. Mr. Bell felt that he had been greatly to blame. He would have shrunk from the thought of allowing even a choice grape-vine in his garden, to trail its neglected branches on the ground. Yet his son, his eldest son—the choice plant in the garden of home—had been allowed to grow as he listed, with less real and judicious attention from his father, than had been bestowed on the peach tree or the vine.

These thoughts crowded on the mind of Mr. Bell, as he sat alone that evening in his study, with his son's books open before him. He leaned his head on the table, while tears, hot tears, such as a parent alone can weep, fell from his eyes. He remained long buried in thought, and left his study that night a wiser man, a better father.

James, as we have before hinted, found it no easy task to adhere to his newly formed resolutions. The difficulties which he had so ingeniously evaded in days gone by, now stood like mountains in his path, impeding his onward progress. He tried to do his best. But even his most strenuous efforts he found to be wholly unequal to enable him to overtake those who by patient and faithful industry had been for weeks and months far in advance of him. A painful sense of failure and discouragement began to creep over James' heart, and he felt almost inclined to give up his apparently fruitless efforts.

"I can see plainly that Mr. Smith thinks me a mere blockhead, and I am almost inclined to be of his opinion."

Such was James' discouraging exclamation to his friend Frank Hartley, as they walked home slowly together one Friday afternoon. Frank was an intelligent boy; he was greatly attached to James, who was three or four years younger than himself, and he had watched with great interest and anxiety the change which his observing eye had marked in his friend during the last two weeks.

"You are no blockhead, James," was Frank's abrupt reply; "nor does Mr. Smith think that you are."

"How can he help thinking so when he hears me make so many blunders? And why do I hesitate and blunder more frequently than any other boy in the class, except that great dunce, Joe Sims?"

"If you will not feel offended at me for my plain speaking, I can easily answer that question," replied Frank.

"Indeed, I shall not feel offended, but on the contrary I shall be very much obliged to you. I have been lately thinking seriously, and making some good resolutions."

"I felt sure that you had," interrupted his companion, "and I am heartily glad of it. I have noticed a great change in you of late, James, and if I can help you in any way, why, I shall be glad to do so, that's all. The other boys have been trying to do their best for months past, and you have only lately begun the same course. In Greek, most of them are familiar with the declensions and conjugations, and have all the rules of syntax at their finger ends."

"Ah, I wish that I had!" interrupted James, with a heavy sigh.
"That is the very thing," rejoined his friend, "those first difficulties lie in your path. Nominally you have passed them, but, in fact, they are still before you. And now you find them more formidable than you would have found them when we first began. It is the same in your Latin, and the same I think in your arithmetic and algebra, is it not?"

"Yes, indeed!" replied James, "and now, can you help me still farther? Having shown me where the difficulties lie, can you show me how to overcome them?"

"I think that perhaps I can, James. But my first and best piece of advice to you is, go yourself to Mr. Smith, and talk with him upon the subject. He will advise you kindly, and far more judiciously than I could do."

James shrank from the idea of speaking to Mr. Smith. He entertained towards that gentleman those feelings of dislike, with which careless and idle scholars are very apt to regard their instructors. The persuasions of Frank, and the advice of his father, whom he freely consulted on the subject, at length overcame his repugnance; and the following morning he called on Mr. Smith.

As soon as James made known to him the object of his visit, Mr. Smith welcomed him most kindly and cordially. He had been greatly puzzled by his pupil's conduct during the last two weeks. He thought that he perceived in James increased efforts to do right, and greater application to study, but still his recitations were far more imperfect than they had been for a long time previous. Mr. Smith could not account for this seeming contradiction; and it had been his intention to call on Mr. Bell that very afternoon, to have some conversation with him respecting his son. James' visit entirely removed the necessity

for any such conversation; and the honest, open confession which he made of his previous course of wrong-doing, greatly relieved his teacher's mind.

"And now, sir," added James, "I have been trying to do better. But it seems as if the more I try, the less I succeed. Father, I see, feels mortified, though he is very kind in trying to encourage me. But I feel so discouraged I am ready to give up, and go to digging, or ploughing. What do you advise me to do?"

"Don't give up, James," replied Mr. Smith; "don't allow yourself to feel discouraged until you have made regular, systematic efforts to recover your lost ground. If after having pursued for a reasonable time the course I shall recommend to you, you still find your best efforts fruitless, then I will say throw aside your books and give up study. But I fear no such result. You have good abilities, tho' hitherto you have let them run to waste. You know the good old motto, 'Perseverance conquers all things.'"

"Yes, sir," replied James, his countenance brightening; "and if perseverance can conquer my difficulties, they shall be conquered; for I'll persevere."

"Even if I propose studying extra hours, and studying during vacation?"

"Yes, sir," said James, firmly, "I will do anything you advise."

Having once overcome his dislike to speaking with Mr. Smith, James' heart had become entirely won by the kind interest evinced in his teacher's language and manners.

Mr. Smith proceeded to advise him to turn back to the difficulties which he had before eluded, and not to rest satisfied until he had completely mastered them. James knew that he could depend on Frank Hartley's ever ready assistance. And he determined during the approaching vacation to devote four hours of each day to study, and to request Frank to hear him recite.

Encouraged by his father, his teacher, and his young friend, James carried out his plan with steadiness and perseverance. During the vacation, Mr. Bell took all his family to spend a day in the country with Uncle Grey, whose infirmities had prevented him from repeating his visit to his nephew, as he had intended. James asked and obtained his father's permission to stay at home. He was unwilling to lose a day's study, and also felt anxious to be more fully prepared for a second encounter with his Uncle.

On perceiving James' absence from the family party, Uncle Grey shook his head ominously, and drew his own conclusions, which were by no means favorable to the young student.

Mr. Bell adopted the wise and prudent course of saying nothing at all about James. He thought it best to leave it to time to prove the reality of his son's improvement, and looked forward, not without strong hope, to the result of a future visit from Uncle Grey. His wife, however, could not refrain from throwing out sundry hints respecting James' love for his books, which would not let him enjoy even a day's pleasure; for her part, she really feared the boy's health would suffer from studying so hard in vacation.

However, the significant and incredulous smiles with which Uncle Grey received all such remarks, soon caused good Mrs. Bell to desist.

Weeks rolled away; the vacation was over, and the duties of the school were resumed with their usual activity, when one Friday evening Mr. Bell told his wife that he had received a message from Uncle Grey, announcing a visit for the following day. James, who was present, colored on hearing this, but his open brow betrayed no trace of confusion or vexation. On the contrary, looking up in his father's face he exclaimed:

"I am glad to hear it, father. I shall not be afraid this time, even if Uncle does ask me to walk into the library."

Uncle Grey came. He seemed wearied by the ride, and during his stay the conversation turned more on his rheumatism and other ailments, than on any other subject. Mrs. Bell made two or three attempts to lead the conversation to the topic of books. She asked James several times about his studies, his books, or his slate. But all in vain. The old gentleman appeared extremely obtuse. None of her hints took effect. And at last she sunk into mortified silence.

James himself was not insensible to his Uncle's apparent indifference and neglect. But the consciousness of no longer deserv- ing it, preserved him from discouragement.

"Father knows that I am no longer the fellow that I was once. Mr. Smith knows it, too. And, one of these days, perhaps Uncle Grey will have a better opinion of me. But no matter for that. Yet I should like to hear him say, 'Well, I must own I was greatly mistaken in that boy.'"

Perhaps Uncle Grey's seeming indifference was in fact a greater spur to James' exertions than either his blame or his praise at that juncture could have proved. At all events, James' diligence increased rather than slackened.

Several years passed away, and James Bell arrived at an important era in his life. A day dawned to which he had long looked forward. It was commencement day at College, and James' name was on the list of the graduating class. Among the orators of the day, the last place—his post of honor—had been assigned to him. His heart glowed with honest exultation.

Mr. and Mrs. Bell succeeded in obtaining good seats among the crowded audience, and by their side, with his hands crossed on the top of his ivory-headed cane, was seated Uncle Grey. To judge by his countenance, one would have supposed that he had no special interest in the exercises of the day; but Uncle Grey is not apt to allow his features to disclose any more than he chooses to reveal of what is passing within. He listened with grave and earnest attention to all that was passing. But a peculiar flash brightened up his calm blue eyes, as a young man—the last speaker indicated in the list of exercises—appeared on the platform. Mr. and Mrs. Bell almost held their breath, while their hearts beat high with hope and fear.

The valedictory was such as did honor both to the head and the heart of the young speaker. It was listened to with profound attention, and at its close a murmur of applause ran round the hall. The President then rose and addressed the graduating class. After which, the diplomas were conferred.

The eyes of James had more than once sought the spot where his parents and Uncle were seated, and at the close of the exercises, as soon as he could free himself from the crowd of congratulating friends who surrounded him, he approached the little group. Mrs. Bell could scarcely restrain her over excited feelings; his father with a warm pressure of the hand expressed his joy; while Uncle Grey uttered an emphatic "Well done, James!"

"But what of the inheritance? Did old Uncle Grey leave James some substantial evidence of his approbation and his good will?" Ah, gentle reader, on this point your curiosity must remain ungratified. May many a year pass away ere that question is decided! Uncle Grey still lives; hale and hearty as ever. He often says were it not for the rheumatism, he should be as brisk at seventy-five, as he was at seventeen. James has commenced his career as a lawyer, with every prospect of success, and often looks back with a grateful heart to the unpleasant two hours spent in his father's library with Uncle Grey. The thought of the old gentleman's wealth seldom, if ever, crosses his mind; he possesses what is far more valuable than the richest legacy, treasures of knowledge and the power of securing independence by his own efforts.

We may add, however, that when Mrs. Bell, with a mother's honest pride, speaks of her son's talents, or relates some new instance of his love of literature, or of his success in his profession, Uncle Grey no longer receives such remarks with his former incredulous, ominous shake of the head.

FOR THE LEWISBURG CHRONICLE. PARATISM.

The fresh graves of twenty-five hundred persons may be seen at Butler's Mills. * * * If your companion gives out, leave him and rush for the nearest water. * * * Two thousand who have gone before you.—Wm. H. C. C.

"The route across the plains may frequently be traced for miles by the graves and bones of emigrants and their beasts and property."

Humanity: how weak in all its strength and pride! And Wisdom! how strangely they present a deformed front! Time's eye motions are like cobwebs brushed away, and men to ruin rush like tigers on their prey.

"His bread thou shalt earn by the sweat from off thy brow" has been the one command from the fall of man till now: A curse to blessing turned by all who do it best.

How strong his nerve and bright his eye who plows the field! And all they who the skillful tools of mechanism wield! How sweet their simple food, and how welcome is their rest, And happiness reposes within each virtuous breast.

Flush his eyes against the light, and to truth his ears; Shut his eyes against the light, and to truth his ears; 'Tis not that he needs not light, 'tis the tempter's song That draws him like a bird in Fowler's snare along.

And now from California's gem-be sprinkled shore, Where hold and vile impiety a wretched race adore, The cry of Gold is raised—echoed back by scores on scores Who never shall hear the waves of far Pacific roar.

Frantic, a million thus are broke and under now— The faithful husband degrades his solemn plighted vow, The golden sun neglects his grey-haired parent's kind, The sire descends to Heaven's care each one he leaves behind.

His "outh" waxes the fruits of years of toil and care, He quits his hearth with more of rousing than of prayer; By no necessity impelled, nor for the love of God, But by demon Ayrton led, he casts his lot abroad;

By sea around the Cape, or 'cross the Indian's strand, Or nearly o'er the Plains, he seeks the El Dorado land. He toils and faints and wants and bears and sues and dies With no soft hand to pass his brow or close his failing eyes.

(For, themselves to save, his companions on have sped, And left him to rot with the desert for his bed— The wolf of Truth and Knowledge let every boomer burn, And to our "godly heritage" your thro' the' consumed turn.)

Who such the history of numbers now unknown Who but yesterday had breathe within a happy home: One in many hundreds reap a golden harvest there, While thousands gather round but still 'ring and despair.

His Youth! the gilded bait of endless riches opens— From the bosom of the sea, wisdom timely learns; With love of Truth and Knowledge let every boomer burn, And to our "godly heritage" your thro' the' consumed turn. (Approved, March 25, 1850.)

Speech of Hon. Joseph Casey, of Pa., On the President's Message, communicating the Constitution of California.—Delivered in the House of Representatives of the United States, March 18, 1850.

Mr. CHAIRMAN—I have not sought the floor with the expectation of saying anything which will shed new light upon the vexed and difficult question; but more particularly for the purpose of exhibiting to my constituents that I am not indifferent upon a subject, in the settlement of which they, in common with the whole country, feel a deep interest. I shall express, sir, the sentiments I entertain upon these topics as becomes the Representative of freemen, "without fear, favor, or affection," and regardless of denunciations or criticisms here or elsewhere. I am not one of those who assume the extreme ground on either side. I do not regard the institution of slavery as it exists in our Southern States with that degree of horror which some of my Northern brethren express; neither do I regard it as a "great moral, political, and religious blessing" with some gentlemen from the South. I simply view it in the language of Thomas Jefferson, as "a great moral and political evil."

Taking this view of the subject, it could not be expected that I should engage in a crusade for its extinction where it exists on the one hand, or on the other desire, and much less promote its extension to territory now free. I am willing to leave it where the Constitution and the laws under which we live have placed it. I am not responsible either for its continuance there; and if it is a "curse and a disgrace," those who uphold it are to answer it, and not I.

The gentleman from Louisiana, (Mr. Morse), says, we ought to "talk" upon this subject, and misquotes a great author to furnish proof. Sir, we have had too much "talk" already, and too little reason upon this question; the quotation is, "He that will not reason is a bigot, he that dares not is a slave and he that can not is a fool."

The whole difficulty, as I apprehend, originates in the different construction of the power of Congress under the Constitution to legislate on the subject of Slavery in Territories—the North asserting the right, the South denying it. This is, therefore, a fair subject of argument; of sound, calm, dispassionate reasoning. If it should be found that we do not possess that power, the North is bound to submit; if, on the other hand, it is conferred by that instrument, the South are equally bound to bow to its mandates.

Before I proceed to this question, I desire to remark, that so far as the territory acquired from Mexico is concerned, that it is now free. The constitution and laws of Mexico made it so beyond a doubt; and the distinguished gentleman from Georgia (Mr. Toombs) admits this, and insists that we are bound to remove this impediment, and thus enable them to carry their slaves thither. Being, then, free when ceded to the United States, this territory must remain so, until this law is repealed by Congress, or until some local sovereignty, having jurisdiction over the subject shall annul it.

For my own part, I most ardently desire that it shall remain free; and I shall never, by act or vote of mine do ought to make it otherwise.

Slavery I hold exists nowhere in this country, except by local laws and positive regulations. So far as the States are concerned, they have the sole power over it; and so far I agree with the Baltimore platform, that "Congress has no power to interfere with Slavery in the States, or to take even incipient steps tending thereto." But with regard to the Territories, it presents a very different question. They are without local legislatures, and the power of making laws for them must necessarily devolve upon Congress, or else does not exist at all. That Congress has this right, I infer from the very act of acquisition, and that whether acquired by conquest or by cession. Can it be possible, that a country may be transferred, and the right of the conquered or ceding country to govern it be thus extinguished, and the conquering country acquire no right to legislate for that territory? Where I ask is the sovereignty of the country? It resided in Mexico. She certainly neither does nor can claim it now. It is not in the people of New Mexico and California, for they are seeking to acquire that, with your consent, by admission into the Union. According to the logic of gentlemen on the other side, it has not vested anywhere, but is simply in *obeyance*.

These conclusions, which would place this Territory beyond the action of the Congress, I hold to be unsound, and not only not supported by precedent, but in direct conflict with all the action and expectation of not only this, but every other civilized government on the earth. This power has been fully recognized by all the departments of our Government—Legislative, Executive, and Judicial; by a consistent

and uninterrupted train of action, from the foundation of the Government to the present day; and it appears most passing strange that any gentleman should deny it on this floor.

The gentleman from Georgia, (Mr. Toombs) cites the provisions in the Constitution in relation to the importation of slaves, slave representation, and recapture of fugitives, and exclaims, "Gentlemen, deceive not yourselves, you cannot deceive others. Slavery is a pro-slavery Government. Slavery is stamped upon its heart—the Constitution. You must tear that out of the body politic before you can commence the work of its eradication." Now, so far from this being the case, I defy that gentleman, or any other here, to point to any clause or word in that Constitution that confers the right upon any mortal man to own a slave. It confers no right—it merely secures you in the enjoyment of what you before possessed. This was the compromise of the Constitution—nothing more. If by eradication he means its abolition in the States, I agree with him; if he refers to the territories, I join issue with him.

This power is not, in my mind, left to doubtful construction. The clause in the Constitution is full and explicit. "The Congress shall have power to dispose of and make all needful rules and regulations respecting the territory, or other property, of the United States." Now, the gentleman from Ohio, (Mr. Disney) argues that this conferred no other power upon Congress than to dispose of the land. That if the framers of the Constitution had intended to confer upon Congress the right of legislating generally for the Territories, they would have used other expressions, such as "to make laws," "to legislate," &c., and that the terms "rules and regulations" do not apply to the higher objects of government, but merely to some minor and unimportant subjects; and particularly does not apply to persons, but merely to things.

In answer to this permit me, sir, to remark, that if those who framed this Constitution intended merely to confer the power to dispose of the lands, why was it necessary to add "and make all needful rules and regulations respecting the territory"? This instrument was drawn with much care, and is in every part expressed with great terseness and brevity. No redundancies, such as this would present—no amplifications, no repetitions, such as the gentleman's construction shows—are exhibited anywhere in this instrument. And all this, to remember, to express an inferior and subordinate power. The natural, and I have no doubt the correct, construction will strike any man of ordinary judgment at a glance. The power of disposing is conferred in terms; and, in addition, the power to make "all needful rules and regulations."

Let us, now, examine the meaning of those terms "rules and regulations." And in answer to the inquiry why the framers of the Constitution did not use some other mode of conveying their meaning, I can only say, that I know of none more full and expressive, and yet so concise, in the compass of our language. No man will certainly contend that the power of settling, fixing, and controlling the commercial relations of a country, is a matter either of minor importance, or their proper regulation a subordinate power. Yet, sir, this vast power, (and no one has disputed that Congress has not the most full and unlimited control over it,) is conferred in the Constitution by this very same term, "to regulate commerce with foreign nations," &c., embracing in its provisions some of the highest acts of sovereignty which a nation can exercise. The same reasoning applies to the clause which gives the power to Congress "to coin money and regulate the value thereof." Will any person, for a moment, contend that the circulating medium, which forms the basis of all the transactions of society, and measures the value of all property, and the price of every commodity, is an inferior and subordinate subject? If in these instances and in these clauses conveys powers of such vast magnitude and importance, I ask, by what fair rule of interpretation can gentlemen contend that a different rule of construction should obtain, in reference to the clause now under consideration? And that, too, in the face of the fact, that it is used by the same men, in the same instrument, and at the same time.

The gentleman from Ohio, in my humble opinion, is still more unfortunate in reference to the word "rules" used in this clause. If the gentleman inquires, why those who drafted the Constitution did not use the words "to make laws," to legislate," &c., I answer, simply because the word "rules" is a better and more significant word. It has not only in the Constitution, as I shall presently shew from other clauses, a very significant and comprehensive meaning, but had then, and long before, in legal phraseology or instruments, a certain and well-defined import. The

very first sentence the student of law reads is, "Law is defined to be a rule of action, whether animate or inanimate." Whether applied to persons or things, it is still a rule; whether to objects of superior or inferior magnitude and importance, it remains the same. Burke says, "law is beneficence acting by rule." A statute or law is a rule of civil conduct. The greatest lexicographer of the age defines a rule to be "government: sway: empire: control: supreme command or authority." And, to rule, "to have power or command: to exercise supreme authority." This being the ordinary and accepted definition of the terms, let us see in what sense it has been employed by the sages who framed our Constitution, in regard to other powers which are not disputed. It authorizes Congress "to establish a uniform rule of naturalization." Is that to operate upon things and not upon persons? Is it an inferior and subordinate power?—that power which recognizes the right of expatriation, and provides for the transfer of personal obligations, allegiance to country, the most binding and solemn which man can assume upon earth. Of a similar nature is the authority to "make rules concerning captures on land or water." And also, "to make rules for the government of the land and naval forces." I repeat, therefore, that a careful review of the meaning and ordinary acceptation of the terms "rules and regulations," as well as their acknowledged signification in other parts of the same instrument, shew beyond the possibility of a doubt, and even beyond the hope of cavil, that in this connection they were intended in the language of the Supreme Court of the United States, in 5 Peters' U. S. Rep., 44 ("rules and regulations respecting the territory of the United States") they necessarily confer complete jurisdiction. It was necessary to confer it without limitation to enable the new Government to redeem the pledge given to the old, in relation to the formation and power of the new States. And, again, in 14 Peters' U. S. Rep., 537, "this power (of governing the Territories) is vested in Congress without limitation, and has been considered the foundation upon which the territorial governments rest." I might cite many more decisions of the Federal and State courts to the same effect; but I will mention but one more, and that is, the Supreme court of Louisiana (a slave State) decided, as late as 1839, that Congress had the right to exclude slavery from the Northwest Territory; and that a colored person born there, subsequent to the ordinance of 1787, was free, and set him at liberty. 8 Martin's Reps., 699. The elementary writer on our Constitution fully concurs in these judicial decisions. See Kent, 1 vol. Com., page 355, and Rawle, page 327.

It will be remembered too, that the ordinance excluding slavery from the Northwest territory was passed on the 13th July 1787, by Congress; and, at the same time, the Convention, which formed the Constitution, was in session, and remained sitting till 17th September, more than two months after.

Now, I ask, if it is not abundantly clear, with this recent act before them of the exercise of this extensive power by Congress, if they did not intend to confer it, would they not have introduced some restrictive or prohibitory clause, which would have limited and controlled the subsequent action of Congress? With the knowledge of this ordinance before them, and the absence of any disapprobation, it is but a fair and legitimate argument to assume, that they intended to grant and confirm this power to that body. And the fact that Congress has, from the adoption of the Constitution down to the present time, continued to exercise this right in its length and breadth, places its existence beyond all controversy.

The gentleman from Georgia (Mr. Toombs) says: "Until the year 1820 your territorial legislation was marked by the same general spirit of fairness and justice. Notwithstanding the constant assertions to the contrary by gentlemen from the North, up to that period no act was ever passed by Congress maintaining or asserting the primary constitutional power to prevent any citizen of the United States owning slaves from removing with them to our territories and thence receiving legal protection for this property."

I maintain, sir, that Congress, on the 7th of August, 1789, did, in effect, re-affirm the ordinance of 1787; and have no doubt from the preamble, that they felt well assured of their power to do so. When they declared in that preamble that it was in order that the ordinance "might continue to have full effect," the slavery restriction was a part of it, and could not have full effect unless that restriction remained in full force.

To show, however, that Congress possessed full power over this subject, I shall refer to some of the laws in relation to the Territories in which the power to recog-

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