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THE VERMONT JOURNAL,
PUBLISHED EVERY FRIDAY MORNING, BY
THOMAS HALE,
EDITOR AND PROPRIETOR.

TERMS.

Mail subscribers, and those who take it at the office, **$1,50** per annum,if paid within three months, or **$2,00** at the end of the year.

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V. B. PALMER is Agent for the paper in Boston and New York.

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For the Vermont Journal.

TO SCHOOL PARENTS.

NO. XII.

MY DEAR FRIENDS: I proposed in my last article to give you some reasons why the education of your children should receive your *first* attention, and call forth your *greatest* efforts.

Parents are divided into two classes in regard to this subject. 1. Those who aim to accumulate money for their children. 2. Those who aim to secure for them a *good education*. Now, which is the wiser course? Which will secure to the child the greater good? A majority of parents, if their theory is consistent with their practice, would answer "*property*." "I would give my child a handsome property, when he is left to act for himself in the world." If this is the opinion of any whom I address, let me ask such parents to pause and reflect for a moment. You *may* be mistaken. To show that you are, I will first call in the testimony of Ex-Governor Everett, of Massachusetts, now President of Harvard College. In an address delivered a few years ago on the subject of education, he says to parents, "*Save, save, spare, scrape, wiet, starve, do anything but steal, to allowate your children.*" Did not Governor Everett regard education of *paramount* importance? What language could he use to express more strongly the idea that parents should make the education of their children, the *first* object of their attention? As a second idea in favor of a good mental, moral and religious education, instead of money, as a legacy for our children, I would mention the fact, (established by observation,) that property left to *ill-gotten* children, oftener proves a *curse* than a blessing. I assert this without fear of contradiction—I only ask the *objector*, if any make objection, to look out upon society, and read the history of those men who commenced life in affluence, and compare them with the educated children of poverty.—Which class are usually the most virtuous, industrious and wealthy? Enter our Academies and Colleges and enquire, who are the *industrious* students and good scholars? You will almost invariably find the reckless and dissipated among the wealthy. The *poor* student has no time to waste in idleness or dissipation. And who are the men who accomplish the most in the various professions, as clergymen, lawyers, teachers and physicians?—Those whose expenses have all been paid through a course of study, or those who have *educated* themselves? I think the poorer class are generally the most efficient men. You will recollect that I am urging you to give your children a thorough *primary* education. Secure for them the means of thorough mental discipline, of correct moral and religious training, now while they are unable to help themselves. If you can bequeath to them "a sound mind in a sound body," with correct *moral habits*, it will be the richest earthly legacy which they can inherit.

Be not over anxious then to accumulate money for your children, especially to the neglect of their education. You would thus furnish them with the fuel to kindle a fire of *strife* over your grave; or with the means of dissipation and self-destruction. How many families have been ruined in this very way! And are your children more safe than others have been in similar circumstances? If you neglect to govern and educate them, they may bring *your* grey hairs in sorrow to the tomb.

Think not, my friends, that I speak too earnestly on this subject. Every truth I have uttered, has been written in tears and blood on the prison walls of our own State. Our jails and penitentiaries have been filled with *neglected* and *uneducated* victims. They were once children, fondly cherished, and fondly loved, but not *intellectually and morally educated*. Hence their vicious propensities prevailed and they fell. Will your children escape?

Thetford, Sept. 18, 1848. O. H.

At a crowded lecture, the other evening, a young lady, standing at the door of the church, was addressed by an honest Hibernian, who was in attendance on the occasion, with—"Indade, mim, I should be glad to give you a seat, but the empty ones are all full!"

A poor Irishman advertised an old potato-pot for sale. His children gathered around him and asked him why he parted with it? He replied—"Ah, my beauys! I would not be after parting with it, but for a little money to buy something to put in it."

A Witness spoke several times during his testimony, of occurrences about the time of his birth, who a surly judge interrupted him—"Do you mean to say that you can relate occurrences at the time of your birth, from your own recollection?" The laugh which began against the witness turned upon the judge, as the former replied—"Why, sir, I cannot exactly say that I remember every particular, but I am assure your honor *I was there!*"

Everything great is not always good, but all good things are great.

The Old Family Bible.

AN INCIDENT FROM REAL LIFE.

Whoever has travelled among the Scottish hills and dales, cannot have failed to observe the scrupulous fidelity of the inhabitants to the old family Bible. A more honorable trait of character than this, cannot be found; for all men, whether Christians or infidels, are prone to put reliance in those who make the Bible their confidant, and whose well worn pages show the confidence they have reposed in it.

A few years ago, there dwelt in Ayrshire an ancient couple, possessed of this world's gear sufficient to keep them independent, neither want or woe, and a canny daughter to bless their yearly advertisement by stepping. A gallant of a farmer became enamoured of the daughter, and she, nothing loth, consented to be his. As the match was every way worthy of her, the old folks consented, and as they were desirous to see their bairn comfortably settled, the two were married. In a few short years the myrtle of time cut down the old people, and they gave their bodies to the dust, and their souls to the Creator.

The young farmer having buyed much of the promised land beyond the sea, gathered together his duds, and selling such as were useless, packed up those calculated to be of service to him at his new home. Some neighbors, having the same inking for adventure, sold off their homes and household, and with the young couple set sail for America.

Possessed of considerable property in the shape of "siller," this company were not like the generality of emigrants, poor and friendless, but happy, and full of hope of the future. The first thing after the landing, was the taking out of the old family bible, and returning thanks and praise to Him who had guided the barque to a safe haven.

As the farmer's object in coming to this country was to purchase a farm and follow his occupation, but little time was spent in the city he arrived in; and as his fellow-passengers had previously determined on their destination, he bid them farewell, and, with a light heart, turned his face toward the setting sun. Indiana, at this time, was settling fast, and having heard of its cheap and fertile lands, he determined on settling within its borders.

On the banks of the Wabash he fixed on a farm, and having paid down *siller* for one-half, gave a mortgage for the balance, payable in one year. Having stocked his farm, and put seed in the ground, he rested from his labor, and patiently awaited the time when he might go forth to reap the harvest; but, alas! to ears of grain gladdened his heart, or reward his toil. The land of the country attracted him, and at the time when the fields are white with the fullness of the laborer's skill, death called his home, and left his disconsolate wife a widow, and his only child an orphan.

We leave this first sorrow, and pass on to witness the struggles of the afflicted widow in your place ward. The time having arrived when the mortgage was to be paid, she borrowed the money of a neighbor who had been very attentive to her husband and herself, one who knew at the same table with her to renew their professional obligations to the Giver of all good. Hard and patiently did she toil to repay the sum against the promised time; but all would not do; fortune frowned, and she gave way to her accumulated troubles. Disheartened and distracted, she relinquished her farm and stock for less than she owed her Christian neighbor, who, not satisfied with that, put an execution on her furniture.

On the Sabbath previous to the sale, she took courage and strengthening herself with the knowledge of having wronged no one, went to the temple of her Father, and with a heart filled with humanity and love, poured out her soul to Him who treasuredh on earth and having commended the widow and her *Christian* neighbor, returned to her desolate home.

Here her fortitude had like to have forsaken her, but seeing the old "family Bible," she reverently put it to her lips, and sought for consolation in its pages. Slowly she perused its holy and inspiring verses, and gathered hope from its never failing promises; and while the tears flowed freely, her heart seemed to say,

> "Within this holy book I trust,
> Its precepts I adore;
> Its promises are full of grace,
> Its stories rare and hoar love.
> Not earth's, not mine, but heaven above
> The path is there, the track is sure,
> Why sad? Then, these pange endure?
> Why? Because I am a mother!
> Sincere and grateful, I pass to thee."

The day of sale having arrived, her few goods and chattels were, in due course, knocked off to the highest bidder. Unmoved, she saw them pass from possession article after article, without a murmur, till the constable laid up the old family Bible.—This was too much. Tears flowed, and gave silent utterance to a broken heart. She begged the constable to spare her this memento of her revered and departed husband; and the humane man of the law would willingly have given it to her, but her inexorable creditor declared every thing should be sold as he was determined to have all that was owing to him.

The book was, therefore, put up, and about being disposed of for a few shillings, when she suddenly snatched it, and declaring she would have some relic of those she loved, cut the slender thread that held the brown linen cover, with the intention of retaining it. The cover fell into her hands, and with it two flat pieces of thin, dirty paper. Surprised at the circumstance, she examined them, and what was her joy and delight, to find each good for five hundred pounds on the bank of England. On this she laid one, in her mother's hand-writing, were the following words: "*When sorrow overtakes you, send yer Bible.*" And on the other, in her father's hand: "*Yer Father's ears are never deaf.*"

The sale was immediately stopped, and the family Bible given to its faithful owner. The farm sure sold was readily offered to her by those who had purchased, which she gladly took back. Having paid off her relentless creditor to the uttermost farthing, and rented a small house, she placed the balance of her money in such a way as to receive quarterly payments, and thus rendered herself independent. The old family Bible without fear or molestation. Her time is now occupied in bringing up of her bright, blue-eyed Alice; and if the happy smiles of the countenance may be consulted, send an index to the heart and mind little Alice bids fair to be a shining star in the community of which she at present forms but a unit.

At the meeting-house, in the centre of the village, may be seen every Sunday, sitting about half way up the south aisle, a lady about thirty years of age dressed in deep mourning, with a face glowing with the beauty of holiness, but on whom may be seen deep traces of past sorrow. At the public house in the same place, and at the same time, may be seen a being in the garb of a man, blunted, and setting over the poisoning bowl. The one is the pious sing widow, the other the professing neighbor.

The end of a dissolute life is, commonly, a desperate death.

SPEECH OF MR. BANCROFT AT AN AGRICULTURAL-DINNER.

A meeting of the Agricultural Society of England was held at York on the 14th of July, and attended by Prince Albert and a large concourse of the nobility and gentry. He said: Prince Albert being called upon by the Chairman for a sentiment—

Mr. Bancroft rose to comply with the request, and was received with enthusiasm. He said: Your Royal Highness, my Lord Yarborough, and gentlemen, I assure you, I acknowledge the thank you all for the very cordial manner in which you have welcomed me to-day [cheers.] I attach it not as anything personal to myself, but as an evidence on the part of the farmers of Yorkshire, that you too, like the farmers of every other part of England which it has been my lot to visit,—that you too cherish the sentiment of friendship and regard for that other nation beyond the Atlantic [loud cheers]—that other nation whose Charters of language is the mother tongue. But let me seize the opportunity to express my grateful sense of the cordial welcome which I, in connection with others, have received in Yorkshire. The invitation of your President brought me on a pilgrimage to this fair-faced and world-renowned valley of Mowbray, to this land of sheep; and I, in common with others, can testify that if the old mountains are crumbled to dust, the spirit of hospitality still survives, and has lost nothing of its strength [cheers.] And to what an extraordinary honor we been invited! We assemble at the base of the most magnificent monument ever raised by the genius, the delicate taste, and the religious sentiment of our ancestors [loud cheers.] And it has been so carefully preserved and preserved by the pious zeal of their posterity, that, indeed, it seems as if centuries descended round about to welcome this living and moving panorama of the industrious English of to-day—these men of commerce of the past welcomed the results of your farming husbandry—results which it would not be presumption to compare to the snow-white bulls which of yore graced the palaces of pagan Rome. You yourselves, coming together from all parts of England to witness the exhibition here made—you yourselves, farmers of the country, are astonished by you contemplate the stock that is exhibited, and in seeing what can be produced by the skill, the cultivation, and the perseverance of the British farmer [cheers.] Now we are invited to call up the miracles of the wonderful results of ingenuity in the year where the implements have been shown, and which have been accomplished by the workmen of this ingenious nation, enjoying the blessings of liberty without restraint, [loud cheers,] and living in a climate which, for all you may say of it, is one of the very best in the world. It is surprised by no climate in its averting the excesses of heat and cold, and being on that account above all things friendly to industry [loud cheers.] And I, too, as I come here, must add my sentiment of joy in my presence here, as bringing with it a reminiscence of home; for on the other side of the Atlantic we love the cities we establish and the towns we plant but we love to see in our country that mark the line in which the English language proceeds towards the Pacific, names that remind us of our ancient home [cheers.] A beautiful emporium of American commerce, to the city that boasts more than any other in prosperity, that gives the ocean side—that binds together the two hemispheres, and takes for its name that of this city, but it is a "New" York (cheers.) where people are not likely to forget the ties of consanguinity (hear.) And thus I am led by the manner in which you assent to these sentiments of friendship, to congratulate people and to congratulate you, that we live in an age when nations exalt in the prosperity of one another [great cheering.] I rejoice that we live in an age when, while the trees that are planted in the ground, the handsomeness of all lands involves the honest blessing of Providence on the tree of peace [cheers]—praying that its root may strike to the very center of the earth, and that it may be so firmly rooted, that its boughs may be made in the breeze of the stormiest revolutions (loud and reiterated cheers.)

It is with this feeling I, as a foreigner, stand before you to-day The kindness of your greeting forbids me to think of myself as a stranger, but, in putting myself forward as a diplomatist, speak as a privileged spy. Laughter.) I am only say that any one who comes from any quarter of the world to spy out the nakedness of the land of England, will have to go home again for his pains.—He will find nothing but an united people [loud cheers]—he will find nothing but a nation that loves English liberties, and is determined to maintain and advance them under the influence of judgment and reason, as conducing to the general prosperity and good. [Loud cheers.] He will see nothing but society in the finest arch in which the keenest eye cannot detect a crevice. And I, gentlemen, speaking as an American—I, gentlemen, speaking as the representative of my country, tell you that we are given in your prosperity. [Cheers.] I should be denounced by my country if I did not utter this sentiment. [Loud cheers.] I tell you that the greatest delight I have had in this my happy visit to this far-famed valley, this wide, rich, vastly extended valley, which has not its rival till you pass the Alps, and come upon the valley of Normandy—I tell you the greatest pleasure I have had in this visit is to see that everywhere fruits of your industry are likely to be rewarded. To see everywhere your growing valleys promise you a redeeming harvest, before which the sorrows of the past years which I too witnessed, will pass away like the shadow of a summer's cloud. [Loud and long continued cheering.] I think I have in my eye the architect of the bridge over the river Conway, I may say, then, in reference to the industry and perseverance of the English people, that their prosperity is assured: it is like the beautiful framed bridge over the Conway, which by the happy combination of that can be imposed upon it, does not bend so much but that first gleam of Heaven's sunshine restores it to its true level. [Cheers.] And now, gentlemen, that I have thrown to you my sentiment, that your occupations and pursuits, you will allow that the President has not done wrong in giving us the distinguished honor of proposing the health of your President elect. [Cheers.] I shall not attempt to pronounce his eulogy, for there are ears, were you to speak the praises of another, which might be deemed an arrogant presumption. In his present the voice of truth might too likely be interpreted as the language of eulogy. In the name of the society, I say, in making the selection of the succeeding President, the voice of the electors fell upon the Earl of Chichester, not merely because he was a landowner—not because he dwelt upon his noble and cheering.] I think I have in my eye the architect of the bridge over the river Conway, I may say, then, in reference to the industry and perseverance of the English people, that their prosperity is assured: it is like the beautiful framed bridge over the Conway, which by the happy combination of that can be imposed upon it, does not bend so much but that first gleam of Heaven's sunshine restores it to its true level. [Cheers.] And now, gentlemen, that I have thrown to you my sentiment, that your occupations and pursuits, you will allow that the President has not done wrong in giving us the distinguished honor of proposing the health of your President elect. [Cheers.] I shall not attempt to pronounce his eulogy, for there are ears, were you to speak the praises of another, which might be deemed an arrogant presumption. In his present the voice of truth might too likely be interpreted as the language of eulogy. In the name of the society, I say, in making the selection of the succeeding President, the voice of the electors fell upon the Earl of Chichester, not merely because he was a landowner—not because he dwelt upon his noble

how to secure to himself the esteem and affection of all those in his neighborhood. [Cheers.] I therefore i vite your Royal Highness, you, my Lord Yarborough, your lordship, gentlemen and farmers, to join with me in a hearty cheer, as we drink the health of the President-elect of the Royal Agricultural Society of England. [Loud and long continued cheers.]

From the Louisville (Ky.) Examiner.

THE MELUNGENS.

We are free to confess that we have never heard or read of the "Melungens" before this day, and all we can gather from them is what we derive from the following imperfect description, contained in a letter from a travelling correspondent of the Louisville (Ky.) Examiner. The letter bears no date, but the site of the Melungens now appears to be somewhere in Kentucky. The correspondent says:

"You must know that within some ten miles of this owl's nest there is a watering place, known hereabout as "Black-water Springs." It is situated in a narrow gorge, scarcely half a mile wide, between Powell's Mountain and the Cooper Ridge, and is as you may suppose almost inaccessible. A hundred men could defend the pass against a Mexican army. Now this gorge, and the top and sides of the adjoining mountains are inhabited by a singular Species of the human animal called Melungens.

The legend of their history, which they carefully preserve, is this. A great many years ago, these mountains were settled by a society of Portuguese adventurers, men and women, who came from that *long shore* parts of Virginia, that they might be free from the restraints and drawbacks imposed upon them by any form of government. These people made themselves friendly with the Indians and freed, as they were, from every kind of social government, they sprouted all conventional forms of society and lived in a delightful Utopia of their own creation, trampling upon the marriage relation, despising all forms of religion, and subsisting upon corn—the only possible product of the soil—and the game of the woods. These intermarried with the Indians, and subsequently their descendants, (after the first advance of the White Man this part of the State) with the negroes and the whites, thus forming the present race of Melungens. They are slim straight, well formed people, of a dark copper color, with Circassian features but woolly heads, and oth or similar appendages of our negro.

They are privileged voters in the State in which they live, and thus, you will perceive, are recognized citizens of the Commonwealth. They are brave but quarrelsome; and are hospital and generous to strangers. They have no preachers among them, and are almost without any knowledge of a Supreme Being. They are married by the established forms the husband and wife separate for ever, without meeting with any reproach or disgrace from their friends. They are remarkably unchaste, and want of chastity on the part of the females is no bar to their marrying. They have but little association with their neighbors, carefully preserving their identity as a race, or clan, or whatever you may call it; and are in every respect, save that they are under the State Government, a separate and distinct people. Now this is no travelle's story. They are really what I tell you without adding one or nothing down aught in reality. They are behind their neighbors in the arts. They use oxen instead of horses in their agricultural attempts, and their implements of husbandry are chiefly made by themselves, of wood. They are, without exception, poor and ignorant, but apparently happy."

DIGNITY OF LABOR.

We have heard among the idlers, who float like driftwood on the surface of society, contemptuous flings at those whose heritage is toil. They seem at what they term the hard and swarthy hand of labor, but they forget that of all that is useful, ingenious, or beautiful on this earth, toil has been the creator; that from the marble palace to the white tid glores of the sailor's most exquisite walking-sign, all has been wrought out by human hands—much of it, too, at a painful cost to human hearts for more sensitive of the real dignity of manhood than the most bedimmed and perfumed of those recreant employ. It is the toil of hard hands that reared empires in the old, and planted republics in the wilderness of the new world—that has hewn the rock in the quarry, built the temples and monuments of nations—that has achieved whatever belongs to genius, with the sculptor's chisel, the painter's pencil, and the poet's pen—that has made the ocean with white sails, and exchanged the produce of every clime—that has measured the mode of the stars, and planned the lightning to do the send upon wires and be the new Mercury of the world! Labor!—why, man of idleness, labor made yd you in the cradle, and has nourished your passpered life; without it, the woven silks and wool you wear would have been in the shepherd's wool and the flowers in the shepherd's dold. For the heavens think that ministers to human want, save the air of heaven, man is indebted to toil; and even the air, by God's own ordinance, is breathed with labor. It is only the drones who toil not, who infest the hive of activity like masses of corruption and decay. The lords of the earth are the workers, those who can hold a spade down at their will and who retort the sneer of the "soft-handed," by pointing to their trophies, wherever art, science, civilization and humanity are found. Work on, ye sons of toil! thy royalty is yet to be acknowledged by labor rises onwards to the highest throne of power. Work on, and in the language of a true poet, ye

> "A glorious man! and the rubicons shall be
> Your pathway, and your goal, the stars!
> Within you, and without you, is the sea
> Power cities to climb,
> Or core subdue! Whose is the conquest?"

KEEN REPORT.—Atterbury, bishop of Rochester, alluding to a bill brought into the House of Lords and, "he had prophesied that the bill would be attempted in the present session, and he was sorry to find that he had proved a true prophet." Lord Cornington had desired the House to remark that one of the right reverend bishop's prophecies had not proved so true as the first. But he just did not know what prophecies he like him to, unless to that famous prophet, Balaam, who was rebuked by his own ass.

The bishop replied—"Since the noble lord has discovered in our manners such a similitude, I am well content to be compared to the prophet Balaam; but, my lords, I am at loss how to make out the other part of the parallel. I am sure I have been reproved by nobody but his lordship." A burst of laughter followed this contignation.

Gov. Taylor's last letter to Capt. Alston, goes plainly answer the question as to his being a Whig. If he is not Whig enough after writing this letter, the English language is not capable of defining a Whig.

To The Freemen of Vermont.

Holding myself responsible to my constituency for my official conduct, I deem an explanation of my course on a recent occasion due both to that constituency and myself. Much excitement seems to have occurred in relation to the bill for the establishment of Governments in the newly acquired territory, (commonly called the "Compromise Bill,") reported by the Select Committee of the Senate, of which Committee I was a member; and since otherwise, not very favorable, have been made in public and private, my conversation with that measure. I have never doubted that it would vindicate my conduct, on that occasion, in the judgment of all intelligent and impartial men. My reasons for continuing in the Committee, and sustaining it in the Senate, were fully given on the floor of the Senate, but unfortunately my remarks were so imperfectly and incorrectly reported in the papers, I give an intelligible representation of my views. Circumstances have delayed their publication in a more authentic and satisfactory form; but they will be laid before the public in a very few days, as published under my inspection.

In the meantime, I avail myself of the earliest leisure from being released from a most arduous and fatiguing session, to ask a suspension of opinion until the grounds of my action can be understood. At the same time, it will not be improper to express the very great misapprehension which has prevailed in relation to that measure. The bill was in the same grossly misrepresented, and, of course, grossly misunderstood; and, to a great extent, was condemned before its import and effect were known.

I voted for that bill with a settled conviction, that its effect would be utter and absolute exclusion of slavery from all those territories. The sincerity of that conviction, and of my purpose to effect that exclusion, I venture to say, no member of the Senate, of any party, doubts. That such would have been the effect of the bill, had it become a law, so far as the legislation of Congress can effect that object, I maintain now. And I do so by a course of argument used in vindication of my course before the Senate, which no member of that body ventured to controvert. Its soundness was admitted by political friends and political opponents, by those who advocated and those who opposed the bill in my presence, and in my hearing.

The bill, although a long one, contained but two allusions to the subject of Slavery. The first was a prohibition to the territorial legislature to pass any law upon the subject. The 24 gave an appeal from the territorial judiciary, to the Supreme Court of the United States, in all cases where a question of Slavery was introduced. The objectionable features of the bill, if they exist at all, must be found in one or both of these provisions.

Slavery (by which I mean African Slavery) was abolished in all the territories of Mexico.

1st. By a decree of Guerrero, while Dictator, in the year 1829. This was done in the course of a revolution, and might perhaps be considered abrogated by a counter revolution.

2d. By the Constitution of 1834.

3d. By a decree of the Mexican Congress of the 5th of April, 1837. This decree has been obtained from the Department of State, and has been published in the various newspapers of the country. It is not deemed necessary to repeat it here.

4th. The Mexican Government was bound by a treaty with Great Britain, not to allow Slavery in any of the territories of the Republic; which, of course prohibits restoration.

Such was the law of New Mexico and California when the cession to the United States took place By the law of nations and of the civilized world, the laws of a conquered or ceded territory, so far at all events as they relate to rights of property and private rights, remain in force until superseded by the legislation of the acquiring power, or, in other words till that power enacts new laws. If authority is demanded for this position, it may be found in the late decision of the Supreme Court of the United States, in the case of Henderson vs. Poindexter, 12th Peters' Reports.

The decree of the Mexican Congress of the 5th Apr. 1837, was in force when this bill was reported to the Senate, and *is in force yet*. What then did the Committee's Bill propose? It did not propose to repeal the local law of those provinces, but, on the contrary, prohibited the local legislature from changing it. This prohibition originated with me. *I was the first to suggest it, and I did so with a view to preserving the existing law of those provinces which prohibits Slavery.* Little did I imagine, when I made that suggestion, I was laying myself in the charge of misrepresenting my constituency or advocating the extension of Slavery.

But there is another principle which may be noticed here. Slavery is a local institution, existing only by positive law. It cannot be transferred to jurisdiction where no such law exists. The consequence is that a slave taken by his master into a Free State becomes free. The case would be the same with a *fugitive* slave, were it not for the provision for his surrender in the Constitution of the United States, which was intended into the instrument because without it, the relation of master and Slave would not be recognized in a free State. The result is that a Slave taken into one of these territories, would become free.

The bill, then, would exclude Slavery as effectually as the legislation of Congress can do it. It is not effectual to this purpose as the Wilmot Proviso. The language of that Proviso is, that Slavery shall not be permitted in these territories—that of the bill is, slavery is now prohibited there by law, —let that law remain.—It shall not be altered.

The bill has been represented as settling nothing, —as leaving every thing at loose ends,—as really prohibiting the people from excluding Slavery, if they would. All this may be said, *as long as the existing law of these territories is a very great right*—nay, if we assume that the previous law there amounted slavery, such matter might be said. The bill would then perpetuate Slavery. But the question is, what is the legislation of Congress in the state of things upon which it is to operate. It is all-important to know what that law is which is not to be changed. It is not called slavery, and it contained not perpetuated by the bill in question, how can it be said that the bill authorizes the extension of slavery? How can slavery be introduced there consistently with the bill? And how can it be charged with abandoning the principles or misrepresenting the sentiments of my constituents?

Another egregious error in regard to this bill is the idea, that Congress endeavored, to throw off their duty and their responsibility upon the Supreme Court—that the bill would call to the Supreme Court to do their duty. This is a great mistake. The bill *refers nothing* to that Court. It does not mention or allude to that Court; nor is it provided for an appeal from the judicial tribunal proposed to be established in the territories, to the Supreme Court.

It attempts no conferring legislation power on that Court, but, as I have endeavored to show, proposed to enact the full legislative power of Congress to the exclusion of slavery, by enactment and repealing the existing prohibition. What then left to the Court? It is left to Certain Supreme gentlemen, at the bar of which I have to plead, to insist that the Constitution "follows the people of the South their property in Slaves" and if they choose to agitate the question with their claim the guarantee would protect their property there.—They of course insist that, as the Constitution is in force in those newly acquired territories, as it exists and annuls the local law—and further, Congress have no power to interfere with this property in the territories, *as incident or chattels*, that the Wilmot Proviso, if adopted by Congress would be unconstitutional and "void, and of no Ordinance of Law" is equally.

Now if these gentlemen are right, all our legislation, by way of prohibiting slavery, goes for nothing. Certain it is, Congress cannot repeal that Constitution. Nor can they determine its constitutionality. This is its nature a judicial question, and, by the Constitution to the Supreme Judicial tribunal, and there it must remain. We, during the time of Mr. Calhoun absolutely and totally. My own views of that question were fully expressed in reply to Mr. Calhoun and Mr. Hunter. That reply will soon be laid before the public in connection with my remarks on the bill in question.

Dangerous as we do upon this question, there is one tribunal which can decide, and that is the Supreme Court. The Constitution therefore left that question where they finally, and where they were obliged to leave it. We believed, exhausted the legislative power of the judicial we could not assume. We had framed a bill which we thought constitutional—its constitutionality, if passed, was a matter to be decided by another department.

The error probably grew out of the remarks of Mr. Clayton, which were not fully understood—the remarks that the whole controversy was left to the Supreme Court. That was true, because the controversy was reduced to the simple constitutional question. Mr. Clayton, I have reason to know, regarded the bill as I did, and considering the only remaining question to be the validity of our law, he very properly treated the determination of that tribunal, as all that remained to be done, to close the whole controversy.

All that the Committee could do in reference to this question was to see that it should not be left to the final determination of the Territorial Judges appointed by the President. This they did, by providing an appeal, in all cases involving the question to the Supreme Court.

The result of all, which remains is, that the bill excluded slavery from the territories, so far as the legislation power could effect it. Whether Congress possessed the power to do so, I do not undertake to show the whole controversy.

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What more we could have done I have not to learn. The Wilmot Proviso would not have been in judgment, more efficient. That Proviso would not have passed the Senate. Its very name had become odious at the South. It professes to proscribe by the authority of Congress alone, without regard to the wishes of the people of the territories. The Southern doctrine has always been that this subject should be left to them. The bill of the Committee, while it secured the object of the North by excluding slavery, at the same time conformed, in spirit, to Southern views, as it adopted and perpetuated the law, which the people of the territories had previously asserted Southern gentlemen could sustain one but not the other. For myself, considering the practical result to be the same in both cases, I felt at liberty to adopt that form which promised success, rather than that in which defeat was certain.

SAMUEL S. PHELPS.

Middlebury, August 29th, 1848.

RESPONSIBILITY OF SOCIETY.

An excellent divine of this city, a friend of mine, said to us one day:—"We have not yet learned the responsibility of society to individuals." We talk much of the responsibility of individuals to society, but we forget that society has a parent and her children.

I was sometime since dining with a distinguished Judge of the Queen's Bench, in London. The conversation turned, as you may well imagine, on the condition of the poor. I said to the Judge,

"Sir, did you observe those poor children, ragged and uncovered with filth, which you passed to dine by driving from your house to Westminster Hall?"

"No; I observed none."

"Yet you must have passed some hundreds."

"It is very likely; but it did not seem to me to observe them."

"And what must be the fate of those poor children?"

"Some of them will die of *disease*, some will migrate, and some I shall probably hang."

"What would you say, if instead of obtaining an honest and honorable livelihood?"

"I am sure I do not know."

"Is there any alternative for them but to steal or starve?"

"I presume not."

"And have you considered their condition, surrounded their wants, and those who should protect the evils to which they are exposed?"

"Not at all. I have been sheltered enough."

"Let me tell you, then, sir, that I would either take my stand at the day of judgment with those young thieves, or—"

"Sir, do you intend to insult me?"

"By no means. I would simply answer you that those poor children have been, are less guilty than yourself. God has given you talents, education, wealth, a comfortable profession, and yet you can pass daily, unmoved, hundreds of poor beings who are growing up, not to be your friends, but enemies. You do not see them; you do not think of their wretched condition; you are adding to save them from crime, on which you intimately sit in judgment; and as I to repeat from a guilty, and you are innocent!—so who might, and ought to, and will, unless you bestow some time and long serious to accompany and encourage regeneration?"

The rich man, the man of talents and accomplishments occupying an honorable and important post in society, who can forget the poor and ignorant, who observes the thousands growing up for his ruin, and neglects to labor day and night to prevent them from the doom which awaits them in, of all the victims of society, the last—the most easily to yield, and which, the most, bear of all to be cured.—*Boston Cor. Mr. Gospel.*

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