# THE EXAMINER.

"PROVE ALL THINGS; HOLD FAST THAT WHICH IS GOOD."

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[From the Lexington Observer & Reporter.]

## Letter from Mr. Clay on the Subject of Slavery and Plan of Emancipation.

NEW ORLEANS, Feb. 17, 1849.

DEAR SIR—Prior to my departure from home in December last, in behalf of yourself and other friends, you obtained from me a promise to make a public exposition of my views and opinions upon a grave and important question which, it was then anticipated, would be much debated and considered by the people of Kentucky, during this year, in consequence of the approaching Convention, summoned to amend their present Constitution. I was not entirely well when I left home, and owing to that cause, and my confinement several weeks, during my sojourn in this city, from the effects of an accident which befel me, I have been delayed in the fulfilment of my promise, which I now propose to execute.

The question, to which I allude, is whether African Slavery, as it now exists in Kentucky, shall be left to a perpetual or indefinite continuance, or some provision shall be made, in the new Constitution, for its gradual and ultimate extinction?

A few general observations will suffice my present purpose, without entering on the whole subject of Slavery, under all its bearings and in every aspect of it. I am aware that there are respectable persons who believe that slavery is a blessing, that the institution ought to exist in every well organized society, and that it is even favorable to the preservation of liberty. Happily, the number who entertain these extravagant opinions is not very great, and the time would be uselessly occupied in an elaborate refutation of them. I would, however, remark that, if slavery be fraught with these alleged benefits, the principle, on which it is maintained, would require that one portion of the white race should be reduced to bondage to serve another portion of the same race, when black subjects of slavery could not be obtained, and that in Africa, where they may entertain as great a preference for their color as we do for ours, they would be justified in reducing the white race to slavery, in order to secure the blessings which that state is said to diffuse.

An argument, in support of reducing the African race to slavery, is sometimes derived from their alleged intellectual inferiority to the white races; but, if this argument be founded in fact, (as it may be, but which I shall not now examine,) it would prove entirely too much. It would prove that any white nation, which had made greater advances in civilization, knowledge and wisdom than another white nation, would have a right to reduce the latter to a state of bondage.—Nay further, if the principle of subjugation founded upon intellectual superiority be true, and be applicable to races and to nations, what is to prevent its being applied to individuals? And then the wisest man in the world would have a right to make slaves of all the rest of mankind!

If, indeed, we possess this intellectual superiority, profoundly grateful and thankful to HIM who has bestowed it, we ought to fulfill all the obligations and duties which it imposes; and these would require us not to subjugate or deal unjustly by our fellowmen who are less blessed than we are, but to instruct, to improve and to enlighten them.

A vast majority of the people of the United States, in every section of them, I believe, regret the introduction of slavery into the colonies, under the authority of our British ancestors, lament that a single slave treads our soil, deplore the necessity of the continuance of slavery in any of the States, regard the institution as a great evil to both races, and would rejoice in the adoption of any safe, just and practicable plan for the removal of all slaves from among us. Hitherto no such satisfactory plan has been presented. When, on the occasion of the formation of our present Constitution of Kentucky, in 1799, the question of the gradual emancipation of slavery in that State was agitated, its friends had to encounter a great obstacle, in the fact that there then existed no established colony, to which they could be transported. Now, by the successful establishment of flourishing colonies on the Western coast of Africa, that difficulty has been obviated. And I confess, that, without indulging in any undue feelings of superstition, it does seem to me that, it may have been among the dispensations of Providence to permit the wrongs, under which Africa has suffered, to be inflicted that her children might be returned to their original home, civilized, imbued with the begnign spirit of Christianity, and prepared ultimately to redeem that great Continent from barbarism and idolatry.

Without undertaking to judge for any other State, it was my opinion in 1799 that Kentucky was in a condition to admit of the gradual emancipation of her slaves; and how deeply do I lament that a system, with that object, had not been then established! If it had been, the State would now be nearly rid of all slaves. My opinion has never changed, and I have frequently publicly expressed it. I should be most happy if what was impracticable at that epoch could now be accomplished.

After full and deliberate consideration of the subject, it appears to me that three principles should regulate the establishment of a system of gradual emancipation. The first is, that it should be slow in its operation, cautious, and gradual, so as to occasion no convulsion; nor any rash or sudden disturbance, in the existing habits of society. 2d. That, as an indispensible condition, the emancipated slaves should be removed from the State to some Colony. And, thirdly, that the expenses of their transportation to such Colony, including an outfit for six months after their arrival at it, should be defrayed by a fund to be raised from the labor of each freed slave.

Nothing could be more unwise than the immediate liberation of all the slaves in the State, comprehending both sexes and all ages, from that of tender infancy to extreme old age. It would lead to the most frightful and fatal consequences. Any great change in the condition of society should be marked by extreme care and circumspection. The introduction of slaves into the Colonies was an operation of many years duration; and the work of their removal from the U. States can only be effected after the lapse of a great length of time.

I think that a period should be fixed when all born after it should be free at a specified age, all born before it remaining slaves for life. That period I would suggest should be 1855 or even 1860; for on this and other arrangements of the system, if adopted, I incline to a liberal margin, so as to obviate as many objections, and to unite as many opinions as possible. Whether the commencement of the operation of the system be a little earlier or later, is not so important as that a day should be permanently *fixed*, from which we could look forward, with confidence, to the final termination of slavery, within the limits of the Commonwealth.

Whatever may be the day fixed, whether 1855 or 1860 or any other day, all born after it, I suggest should be free at the age of twenty-five but be liable afterwards to be hired out, under the authority of the State, for a term not exceeding three years, in order to raise a sum sufficient to pay the expenses of their transportation to the Colony and to provide them an outfit for six months after their arrival there.

If the descendants of those, who were themselves to be free, at the age of twenty-five, were also to be considered as slaves until they attained the same age, and this rule were continued indefinitely as to time, it is manifest that slavery would be perpetuated instead of being terminated. To guard against this consequence, provision might be made that the offspring of those, who were to be free at twenty-five, should be free from their birth, but upon the condition that they should be apprenticed until they were twenty-one and be also afterwards liable to be hired out, a period not exceeding three years for the purpose of raising funds to meet the expenses to the Colony and their subsistence for the first six months.

The Pennsylvania system of emancipation fixed the period of twenty-eight for the liberation of the slaves, and provided, or her Courts have since interpreted the system to mean, that the issue of all who were to be free at the limited age, were from their births free. The Pennsylvania system made no provision for Colonization.

Until the commencement of the system which I am endeavoring to sketch, I think all the legal rights of the proprietors of slaves, in their fullest extent, ought to remain unimpaired and unrestricted. Consequently they would have the right to sell, devise, or remove them from the State, and, in the latter case, without their offspring being entitled to the benefit of emancipation, for which the system provides.

2d. The colonization of the free blacks, as they successively arrive, from year to year, at the age entitling them to freedom, I consider a condition absolutely indispensible. Without it, I should be utterly opposed to any scheme of emancipation. One hundred and ninety odd thousand blacks, composing about one-fourth of the entire population of the State, with their descendants could never live in peace, harmony and equality with the residue of the population. The color, passions and prejudices would forever prevent the two races from living together in a state of cordial union. Social, moral and political degradation would be the inevitable lot of the colored race. Even in the free States (I use the terms free and slave States not in any sense derogatory from one class, or implying any superiority in the other, but for the sake of brevity) that is their present condition. In some of those free States the penal legislation against the people of color is quite as severe, if not harsher, than it is in some of the slave States.—As no where in the United States are amalgamation and equality between the two races possible, it is better that there should be a separation, and that the African descendants should be returned to the native land of their fathers.

It will have been seen that the plan I have suggested proposes the annual transportation of all born after a specified day, upon their arrival at the prescribed age, to the Colony which may be selected for their destination, and that this process of transportation is to be continued until the separation of the two races is completed. If the emancipated slaves we.e to remain in Kentucky until they attained the age of twenty-eight, it would be about thirty-four years before the first annual transportation began, if the system commence in 1855, and about thirty-nine years, if its operation began in 1860.

What the number thus to be annually transported would be, cannot be precisely ascertained. I observe it stated by the Auditor that the increase of slaves in Kentucky last year, was between three and four thousand. But, as that statement was made upon a comparison of the aggregate number of all the slaves in the State, without regard to births, it does not, I presume, exhibit truly the *natural* increase, which was probably larger. The aggregate was effected by the introduction and still more by the exportation of slaves. I suppose that there would not be less, probably more, than five thousand to be transported the first year of the operation of the system; but, after it was in progress some years, there would be a constant diminution of the number.

Would it be practicable annually to transport five thousand persons from Kentucky? There cannot be a doubt of it, or even a much larger number. We receive from Europe annually emigrants to an amount exceeding two hundred and fifty thousand, at a cost for the passage of about ten dollars per head, and they embark at European ports more distant from the United States than the Western coast of Africa. It is true that the commercial marine, employed between Europe and the United States affords facilities, in the transportation of emigrants, at that low rate, which that engaged in the commerce between Liberia and this country does not now supply; but that commerce is increasing, and by the time the proposed system; if adopted, would go into operation, it will have greatly augmented. If there were a certainty of the annual transportation of not less than five thousand persons to Africa, it would create a demand for transports, and the spirit of competition would, I have no doubt, greatly diminish the present cost of the passage. That cost has been stated, upon good authority, to be at present fifty dollars per head, including the passage, and six months outfit after the arrival of the emigrant in Africa. Whatever may be the cost, and whatever the number to be transported, the fund to be raised by the hire of the liberated slave, for a period not exceeding three years will be amply sufficient. The annual hire, on the average, may be estimated at fifty dollars, or one hundred and fifty for the whole term.

Colonization will be attended with the painful effect of the separation of the colonists from their parents, and in some instances from their children; but from the latter it will be only temporary, as they will follow and be again reunited. Their separation from their parents will not be until after they have attained a mature age, nor greater than voluntarily takes place with emigrants from Europe, who leave their parents behind. It will be far less distressing than what frequently occurs in the state of slavery, and will be attended with the animating encouragement that the colonists are transferred from a land of bondage and degradation for them, to a land of liberty and equality.

And 3d. The expense of transporting the liberated slave to the colony, and of maintaining him there for six months, I think, ought to be provided for by a fund derived from his labor, in the manner already indicated. He is the party most benefited by emancipation. It would not be right to subject the non-slaveholder to any part of that expense; and the slaveholder will have made sufficient sacrifices, without being exclusively burthened with taxes to raise that fund. The emancipated slaves could be hired out for the time proposed, by the Sheriff or other public agent, in each county, who should be subject to strict accountability. And it would be requisite that there should be kept a register of all births of all children of color, after the day fixed for the commencement of the system, enforced by appropriate sanctions. It would be a very desirable regulation of law to have the births, deaths and marriages of the whole population of the State registered and preserved, as is done in most well governed States.

Among other considerations which unite in recommending to the State of Kentucky a system for the gradual abolition of slavery is that arising out of her exposed condition, affording great facilities to the escape of her slaves into the free States and into Canada. She does not enjoy the security which some of tha slave States have, by being covered in depth by two or three slave States, intervening between them and free States. She has a greater length of border on free States than any other slave State in the Union. That border is the Ohio river, extending from the mouth of Big Sandy to the mouth of the Ohio, a distance of near six hundred miles, separating her from the already powerful and growing States of Ohio, Indiana and Illinois. Vast numbers of slaves have fled from most of the counties in Kentucky from the mouth of Big Sandy to the mouth of the Miami, and the evil has increased and is increasing. Attempts to recover the fugitives lead to the most painful and irritating collisions. Hitherto countenance and assistance to the fugitives have been chiefly afforded by persons in the State of Ohio; but it is to be apprehended, from the progressive opposition to slavery that, in process of time, similar facilities to the escape of slaves will be found in the States of Indiana and Illinois. By means of railroads, Canada can be reached from Cincinnati in a little more than twenty-four hours.

In the event of a civil war breaking out, or in the more direful event of a dissolution of the Union, in consequence of the existence of slavery, Kentucky would become the theatre and bear the brunt of the war. She would doubtless defend herself with her known value and gallantry; but the superiority of the numbers by which she would be opposed would lay waste and devastate her fair fields. Her sister slave States would fly to her succor; but, even if they should be successful in the unequal conflict, she never could obtain any indemnity for the inevitable ravages of the war.

It may be urged that we ought not, by the gradual abolition of slavery, to separate ourselves from the other slave States, but continue to share with them in all their future fortunes. The power of each slave State, within its limits, over the institution of slavery, is absolute, supreme and exclusive—exclusive of that of Congress or that of any other State. The government of each slave State is bound, by the highest and most solemn obligations to dispose of the question of slavery, so as best to promote the peace, happiness, and prosperity of the people of the State. Kentucky being essentially a farming State, slave labor is less profitable. If, in most of the other slave States, they find that labor more profitable, in the culture of the staples of cotton and sugar, they may perceive a reason in that feeling for continuing slavery, which cannot be expected should control the judgment of Kentucky, as to what may be fitting and proper for her interests. If she should abolish slavery, it would be her duty, and I trust that she would be as ready, as she now is, to defend the slave States in the enjoyment of all their lawful and constitutional rights. Her power, political and physical, would be greatly increased; for the one hundred and ninety odd thousand slaves and their descendants, would be gradually superseded by an equal number of white inhabitants, who would be estimated per capita, and not by the federal rule of three-fifths prescribed for the colored race in the Constitution of the United States.

I have thus, without reserve, freely expressed my opinion and presented my views. The interesting subject of which I have treated would have admitted of much enlargement, but I have desired to consult brevity. The plan, which I have proposed, will hardly be accused of being too early in its commencement or too rapid in its operation. It will be more likely to meet with contrary reproaches. If adopted, it is to begin thirty-four or thirty-nine years from the time of its adoption, as the one period or the other shall be selected for its commencement. How long a time it will take to remove all the colored race from the State, by the annual transportation of each years' natural increase, cannot be exactly ascertained. After the system had been in operation some years, I think it probable, from the manifest blessings that would flow from it, from the diminished value of slave labor, and from the humanity and benevolence of private individuals prompting a liberation of their slaves and their transportation, a general disposition would exist to accelerate and complete the work of colonization.

That the system will be attended with some sacrifices on the part of slaveholders, which are to be regretted, need not be denied. What great and beneficial enterprise was ever accomplished without risk and sacrifice? But these sacrifices are distant contingent and inconsiderable. Assuming the year 1860 for the commencement of the system, all slaves born prior to that time would remain such during their lives, and the personal loss of the slaveholder would be only the difference in value of a female slave whose offspring, if she had any, born after the first day of January, 1860, should be free at the age of twenty-five, or should be slaves for life. In the mean time, if the right to remove or sell the slave out of the State, should be exercised, that trifling loss would not be incurred. The slaveholder, after the commencement of the system, would lose the difference in value between slaves for life and slaves until the age of twenty-five. He might also incur some inconsiderable expense in rearing, from their birth, the issue of those who were to be free at twenty-five, until they were old enough to be apprenticed out; but as it is probable that they would be most generally bound to him, he would receive some indemnity from their services, until they attained their majority.

Most of the evils, losses and misfortunes of human life have some compensation or alleviation. The slave-holder is generally a land-holder, and I am persuaded that he would find, in the augmented value of his land, some, if not full indemnity for losses arising to him from emancipation and colonization. He would also liberally share in the general benefits, accruing to the whole State, from the extinction of slavery. These have been so often and so fully stated, that I will not, nor is it necessary to dwell upon them extensively. They may be summed up in a few words. We shall remove from among us the contaminating influences of a servile and degraded race of different color; we shall enjoy the proud and conscious satisfaction of placing that race where they can enjoy the great blessings of liberty and civil, political and social equality; we shall acquire the advantage of the diligence, the fidelity and the constancy of free labor, instead of the carelessness, the infidelity and the unsteadiness of slave labor; we shall elevate the character of white labor, and elevate the social condition of the white laborer; augment the value of our lands, improve the agriculture of the State, attract capital from abroad to all the pursuits of commerce, manufactures and agriculture; redress, as far and as fast as we prudently could, any wrongs which the descendants of Africa have suffered at our hands, and we should demonstrate the sincerity with which we pay indiscriminate homage to the great cause of the liberty of the human race.

Kentucky enjoys high respect and honorable consideration throughout the Union and throughout the civilized world; but, in my humble opinion, no title which she has to the esteem and admiration of mankind, no deeds of her former glory, would equal, in greatness and grandeur, that of being the pioneer State in removing from her soil every trace of human slavery, and in establishing the descendants of Africa, within her jurisdiction, in the native land of their forefathers.

I have thus executed the promise I made, alluded to in the commencement of this letter, and I hope that I have done it calmly, free from intemperance, and so as to wound the sensibilities of none. I sincerely hope that the question may be considered and decided, without the influence of party or passion. I should be most happy to have the good fortune of coinciding in opinion with a majority of the people of Kentucky; but, if there be a majority opposed to all schemes of gradual emancipation, however much I may regret it, my duty will be to bow in submission to their will. If it be perfectly certain and manifest that such a majority exists, I should think it better not to agitate the question at all, since that, in that case, it would be useless, and might exercise a pernicious collateral influence upon the fair consideration of other amendments, which may be proposed to our Constitution. If there be a majority of the people of Kentucky at this time, adverse to touching the institution of Slavery, as it now exists, we, who had thought and wished otherwise, can only indulge the hope that, at some future time, under better auspices and with the blessing of Providence, the cause, which we have so much at heart, may be attended with better success.

In any event, I shall have the satisfaction of having performed a duty to the State, to the subject, and to myself, by placing my sentiments permanently upon record.

With great regard, I am your friend and obedient servant, H. CLAY.

RICHARD PINDELL, Esq.

From the Warren Intelligencer.

MR. EDITOR:—I have read with painful interest your leading Editorial of the 31st ult., entitled, "The Convention and the Slave question." You say, "with reference to the slave question, we have but few words to say at present. We are decidedly opposed to its being agitated during the canvass for delegates. It cannot possibly do good, and might, and probably would do harm. The friends of emancipation must see that this is not the time to test the matter. When this subject is brought before the people to be decided at the ballot box, it should come as an isolated question, disconnected and unencumbered from everything else."

Now, sir, my principal object in addressing you this communication is to inquire of you when *the time will come* to ACT in reference to emancipation? You believe that the present is not the proper time; but it may be inferred from your article that you are of opinion that there will be a proper time. Will you be kind enough to tell me *when?*

The Convention that met in 1792 and formed the first constitution for Kentucky discussed the question of slavery. Rev. David Rice, the most prominent Presbyterian Minister in the State at that period, was a member of the Convention. He in a labored argument (which I now have before me) attempted to prove "slavery inconsistent with justice and good policy." He certainly established his position, but it is said that a majority of *two—only two*—thought that *that* was not *the time* to make Kentucky a free State. The Constitution made in 1792 continued in operation only a few years. In 1799 there was a second Convention and the present Constitution was adopted. Every one acquainted with the history of that period knows how earnestly Henry Clay, in all the ardor of youthful eloquence, advocated the cause of gradual emancipation. He was not a member of the Convention, but one of his biographers says that "through the public press and in assemblies of the people, his best powers were exerted for its (the measure of emancipation) success." The Convention, however, thought the time had not come to rid the State of Slavery. Does not every man now know that it would have been highly auspicious to the interests of the Commonwealth if Mr. Clay's policy had prevailed? But it was not the *proper time*. We are about to have a third Convention, and still, it is argued, that the agitation of the question of emancipation would be premature. Singular question, this! fated, it would seem, to perpetual prematurity. I beg pardon, Mr. Editor.—You intimate that the question may be discussed when it can be presented as an "isolated" one. Still a difficulty suggests itself. When will it be, when can it be, an isolated question? If it is not discussed at present, of course the new Constitution will be, to say the least, not more favorable to emancipation than the one we now have, which says, "The General Assembly shall have no power to pass laws for the emancipation of slaves," &c. With such a prohibition in the new Constitution, how can the subject of slavery come before the people as an "isolated question?" Is it not certain that it never can come before them in this way unless they choose at some time in the future to call another convention and establish another constitution? And there must be no desire to change the Constitution then existing in any particular foreign from slavery; for if so, the "slave question" cannot be "isolated." Again, Mr. Editor, you say "the Constitution of the State is the basis of all legislation, and it is desirable that it should be fixed and permanent." The doctrine then seems to be this: The Constitution to be made next October is to contain no clause favorable to emancipation, and it is desirable that that constitution "should be fixed and permanent." Now, Mr. Editor, if you will tell me when the period denoted by the phrase "fixed and permanent" shall expire, then I shall know what point in futurity will be so bright that the hopes of emancipationists may cluster around it.

The cause of emancipation, I am aware, now wears rather a gloomy aspect. It is understood that the Democrats, as a party, are against it; and the reason doubtless is they think it will be most popular to oppose it. For the same reason, unquestionably, the Louisville Journal and Lexington Atlas have recently declared themselves against it, and they of course hope to carry the whigs with them. It is a sad thought that while men entertain the opinion that some changes should be made in the Judiciary system—and while they are disposed to discuss the trivial question whether Sheriffs and clerks [illegible] should be elected by the people, they deliberately conclude that nothing should be done for the removal of slavery. They would make some important external applications to the body politic, but the disease which is preying on its vitals is suffered to become more and more malignant. Sapient doctors truly! Mr. Editor, I intended when I took up my pen to write only a few lines. My apology for writing so much is that whether it be popular or unpopular I am a decided EMANCIPATIONIST.

## Flogging in the Navy.

The practice of flogging in the navy has been the subject of debate in the Senate, with a result which we much regret, notwithstanding that some of the members who disapproved strongly of the mode of punishment, voted against the proposal to abolish it, for the reason that it came before them as an amendment to an appropriation bill on which it was out of place. Congress has not always shown itself so fastidious in regard to the matters with which it has burdened the appropriation bills, and so strong is our horror of the practice of scourging the seamen who navigate our vessels of war, that we could have readily consented to some sacrifice of strict legislative method, for the sake of its immediate abolition.

The question has been discussed, however, which is one important step; the attention of the public has been drawn to the barbarity of the practice, and it will not long survive; another session of Congress, we hope, will put an end to it. The question whether those on whom we rely for faithful, willing and fearless service on the ocean, amidst the most frightful dangers of storm and battle, are to be subjected, like brute beasts, to the lash, is one which will not be long before the American people without a decision in the negative. The very quadrupeds which bear the yoke of man, are indocile to the lash in proportion to their intelligence and spirit; a high spirited horse is spoiled by being flogged.

The opinion of the English Board of Admiralty was adduced in the debate to show that flogging agreed better with the nature of human beings than with horses, and that it was necessary to inflict that mode of chastisement to keep up due discipline of the navy. The opinions of other distinguished English officers, who have declared that in their opinion the infliction of the lash might be advantageously dispensed with, were not alluded to.

The example of the French military service, from which punishments of the grossly degrading nature which such men as Badger, of North Carolina, Butler, of South Carolina, and Yulee, of Florida, defended the other day in the Senate, were long ago excluded, certainly ought to be considered as establishing the position that those punishments are not necessary to discipline. It is the French soldier's sense of honor, and not his fear of the lash, which is appealed to as his motive of action. Under this system the French armies became the conquerors of the world.

Mr. Yulee talked a great deal of nonsense in the Senate chamber the other day, about the necessity of discipline, and asked whether Mr. Hale, who moved the amendment dispensing with the lash, would resolve the government of the navy into a democracy. No man doubts the necessity of discipline; the only question is, concerning the best method of securing it. The government of a navy and of an army must necessarily be a perfect despotism—yet this despotic authority has been long wielded in the French army without corporeal correction. What can be more despotic, more positive and arbitrary, more peremptory in requiring implicit obedience, than the government of a mad-house? Yet it is found that even lunatic asylums are most successfully managed without the infliction of corporeal chastisement.

Mr. Niles said, with great force, in arguing the question on Monday:

"Let those who defend this law, [permitting flogging in the navy,] show by conclusive reasoning that there is a necessity for it, and this necessity can only be shown by experiments, by facts. I desire, for one, to try this question, and if it shall be found, on fair trial, that we cannot get on without using the whip, then we have the alternative presented to us to abandon the whole naval service, or to keep it up with a barbarous law of this character. Sir, I want to make the experiment."

The experiment has been so successfully made elsewhere, that to make it in the American navy also cannot be attended with any material danger. Flogging has been struck from the list of punishments for offences against civil society in the code of almost every civilised nation except Russia. Those whose recollection extends to the period when it was practiced in some parts of this country, remember doubtless that its effect was to harden the offender, to make him shameless in his degradation, and on the watch for new occasions to break the laws of that society which he regarded as his persecutor. A culprit whipped for petty larceny in one neighborhood wandered immediately to another, committed a second theft, and was whipped again.

Mr. Hale, in his remarks in favor of the proposition to abolish corporeal chastisement in the navy, stated that under the exercise of the power to administer it, within a very short time past, the lives of three American sailors had been sacrificed by the infliction of stripes without even the formality of a trial. This, it may be said, is an argument drawn from the abuse of the authority. The reply is, that it is an authority which it is impossible to preserve from abuse. If the strong tendency of opinion at the present time towards the mild exercise of authority be not sufficient to prevent American sailors from being flogged to death, when may we expect the period to arrive? Mr. Hale made the following remarkable statement:

"I may be mistaken about it, but I have been informed from authority on which I can rely, that very lately a subordinate officer has been tried for a violation of the peace, the exercise of which it is alleged is regulated by law. And what was the result? Why the court-martial recommended that he be dismissed from the service; but of such utter insignificance is an offence of that sort considered, that the same power that approves the sentence, remits the penalty, and the officer is allowed to go and repeat the exercise of his discretion."

What can we expect of a class of men whose rights are regarded with this indifference by the tribunals which should protect them? Can we expect anything but that brutality in the officers should generate brutality in the seaman; that the seaman should feel bitterly that he belongs to a class for whom there is no such thing as justice to be expected.

Even if the practice could be kept clear of these abuses, there are hundreds of instances to show that its effect is to create that sense of degradation of which we have already spoken, and which is the fruitful parent of immoralities and crimes. Mr. Hale said well in the debate—

"We have tried what the lash will do; we have tried what brutalising the sailor will do; we have tried what degradation will do; and now let us, in the name of a common humanity, appeal to these generous tars and see if there be any human nature in their hearts; let us see if they do not possess some of the elements of a high, generous and noble character, that we may enlist in our behalf and call to our aid for the establishment of a wholesome discipline in what the Senator from North Carolina has so well termed the right arm of our national defence. Why is it, sir, that, while humanity is lifting up her voice, and that successfully too, for every other class of the unfortunate and oppressed, the sailor alone shall be left to have the finger of scorn pointed at him forever, as the only man, as the only creature that walks erect with the image of God upon his countenance, that is still subjected to that degradation?"

The words of Mr. Benton, who declared that he unwillingly voted against the amendment to the appropriation bill, closed the debate nobly. He said:

"I am not in favor of scourging American citizens. A Roman citizen could not be scourged, and I believe that an American citizen is of as high an order of men as were Roman citizens. Roman citizens were employed both by sea and by land, in the army and in the navy, and there was no scourging; that was reserved for slaves, for barbarians, for those below the dignity of a Roman. It may be that some persons are bad enough to be whipped, but I question if whipping will effect a reform. I also question if it is worth while to make the officers of the navy the instruments or agents to correct the incorrigible part of mankind. It is better, sir, to get them out of the navy and have nothing to do with them. I feel a deep mortification, sir, in seeing a man—one who is brave—one who will die in defence of his country, either in the army or navy—tied up and flogged. I feel humiliated, sir, by such a spectacle; and I should like to have the subject properly examined."

## Electoral Statistics.

Originally, there were two persons voted for, the person receiving the highest vote being declared President, and the other the Vice President.

Jefferson and Burr, having each the same number of votes, and the protracted and exciting scenes that followed, occasioned a change of the Constitution.

There have been sixteen elections by the people, in which Virginia has elected the President eight times—Massachusetts has had the Presidency twice—Tennessee three times—New York, Louisiana, and Ohio, once each.

New York has elected the Vice President seven times, Massachusetts three times, Virginia twice, South Carolina twice, Kentucky and Pennsylvania once each.

From 1804 to 1820, the successful Presidential candidates were nominated by Congressional Caucuses, and since then all parties have selected their candidates by National Conventions.

The electoral Statistics are as follows:

1789—Ten States voted, George Washington, President, received 77, all the votes cast, John Adams, Vice President.

1792—Fifteen States, 135 votes, of which George Washington received 132 votes, and all that were cast, John Adams Vice President.

1796—Sixteen States, 138 votes, of which John Adams received 71, Thomas Jefferson Vice President.

1809—Sixteen States, 188 votes, Thos. Jefferson 70, Aaron Burr 73. No choice by the people, and the House, after six days' ballotting and thirty-six ballots, elected Thomas Jefferson President, and Aaron Burr Vice President.

1804—Seventeen States, 176 votes, of which Thomas Jefferson received 162, George Clinton Vice President.

1808—Seventeen States, 176 votes, of which James Madison received 122, Geo. Clinton Vice President.

1812—Eighteen States, 218 votes, of which James Madison received 128 for President, Elbridge Gerry 131, as Vice President.

1816—Nineteen States, 221 votes, of which James Monroe received 183, D. D. Tompkins Vice President.

1820—Twenty-four States, 232 votes, of which James Monroe received 231, D. D. Tompkins Vice President.

1824—Twenty-four States, 261 votes, of which Andrew Jackson received 99, J. Q. Adams 84, John C. Calhoun Vice President.

1828—Twenty-four States, 261 votes, of which Jackson received 178, Adams 95, Calhoun Vice President.

1832—Twenty-five States, 288 votes, of which Jackson received 219 and Mr. Clay the rest, John C. Calhoun Vice President.

1836—Twenty-six States, 294 votes, of which Martin Van Buren received 170, over Harrison 97, R. M. Johnson Vice President.

1840—Twenty-six States, 294 votes, of which Gen. Harrison received 234, over Van Buren 174, John Tyler Vice President.

1844—Twenty-six States, 275, votes, of which James K. Polk received 170, over Mr. Clay 64, Geo. M. Dallas Vice President.

1848—Thirty States, 290 votes, of which Gen. Taylor received 163, and Lewis Cass 127, Millard Fillmore Vice President.

INCREASE OF VOTES.

The popular vote since 1828 for President has been as follows:

| Years. | Votes. |
|---|---|
| 1828 | 1,162,118 |
| 1832 | [illegible] |
| 1836 | 1,501,298 |
| 1840 | 2,402,665 |
| 1844 | 2,702,549 |
| 1848 | 2,575,284* |

*Not including Texas or South Carolina and omitting some townships in the States from which no returns were received.

## The Homestead in Massachusetts.

The Judiciary committee of the Massachusetts House of Representatives, has been directed by that body to inquire into the expedency of providing by law for the exemption of the Homestead from sale under execution for debt.

*Homestead Exemption* is fast becoming the sentiment of the country. It will still be resisted for a time, perhaps for years, by the conservative feelings of legislators, and fear on the part of business men that it will operate unfavorably in the collection of debts. Enlightened christian law-givers, however, must sooner or later come to the conclusion, that it is unwise, if not barbarous, to strip even of the home that covers them, the wife and children of the man whose indiscretions or misfortunes have immersed him in debt; and sagacious business men, it seems to us, cannot fail finally to perceive, that to take from a debtor *all* he has—to knock from under his feet the last plank he stands upon—to cast out into the street, moneyless and shelterless, the wife of his bosom and the children of his love—is the surest way of all in which completely to unman him, and the least certain of any to inspire him anew with the energy and ambition that are necessary to set him to work again, and the feeling that will induce him to exert every nerve to accumulate new earnings and pay off old debts.

Though there may be no little humbug in many of what are called the "philanthropic movements of the day," there can be none in that legislation which is manifestly *humane*—and of this character, most truly, is that which has for its object the inalienability of the Homestead for debt.—*Cin. Gazette.*

## [...] Resources of California.

Wheat, oats, corn, rye, and all other cereal grains grow luxuriantly. In the more southern parts of the country, the fruits of the tropics flourish side by side with those of the temperate zone.

The forests yield a large supply of timber, not only for the more ordinary purposes of life, but also for ornamental uses.

The grape flourishes in unequalled luxuriance, and both in climate and geographical features, California resembles the wine countries of Europe. The sugar-cane grows so readily, that the southern part of California will, ere many years shall elapse, furnish sufficient sugar for the consumption of the whole territory.

The pasturage afforded by the country is of the most luxuriant description, and is capable of sustaining immense numbers of domestic animals.

The vast herds of cattle and horses which roam the hills and plains of California, were, until recently, and perhaps are still, the most important source of her prosperity. When a more industrious and thrifty race shall take possession of the vacant lands which now invite the settler, the business of raising cattle, horses, sheep, and other useful animals, will be immensely augmented, and every kind of agricultural pursuit will receive an impetus which will make California 'the exhaustless granary of a world.'

The wild animals of the country will for many years yield a large supply of peltries, while the elk, the deer, the hare, and many minor quadrupeds, will furnish large supplies of excellent food.

The numerous varieties of the feathered tribe will do their part in yielding food of the most dainty quality.

The sea will supply inexhaustible quantities of the most delicious shell-fish, and the pearl oyster will yield a double treasure. The rivers and lakes will vie with the ocean in affording supplies of piscatory food; and in short, the resources of nature alone will, for years to come, keep famine from the doors of the most indigent.

The water-power of the country will afford every facility to the manufacturer, and the day will come when the wool, cotton, silk, hemp, and flax, of California, will be woven in her own looms.

The mines and mineral deposits will give employment to thousands of industrious men, and when the present feverish anxiety to dig gold shall subside, the attention of the people will be turned to the other metals which abound in the mountains,

United to all these natural advantages, is the unsurpassed beauty and grandeur of the scenery, which presents an endless series of glorious pictures, to cheer the heart and delight the eye.

But I count most of all upon the race of men who will mainly people and govern the country—that Anglo-Saxon race, which, transplanted to the free soil of America, has acquired new force, new impulses, new enterprise; that Anglo-Saxon race, which seems destined to possess the whole of the North American Continent which is adapted to the wants of civilised man.—*Revere's California.*

INTERESTING NAVAL INTELLIGENCE.—Among the passengers in the Europa is Commodore Foxhall A. Parker, of the United States Navy. It will be recollected that he a short time since went to Europe, on a mission connected with the organization of the German Navy. Since then, the steamships United States, Acadia, and Britannia have been purchased for that service. The return of Com. P. has probably something to do with the outfit of the United States, and securing the services of other American naval officers till German officers become *au fait* in naval tactics. *N. Y. Herald.*

## RELIGIOUS INTELLIGENCE.

SUNDAY SCHOOL IN KENTUCKY.—I have thought, writes an agent of the American Sunday School Union in Kentucky, to a gentleman in this city, that the following description of a scene in the mountains, sent me in reply to a donation, might not be uninteresting to you. The writer is describing a new school which he had organised where none had ever before existed:

"Some of the children walk from four to five miles, and the house is crowded with the old and the young. The parents in the neighborhood have, so far, manifested a great interest in the school. Many of the old and young are often seen to shed tears under the solemn appeals of the superintendent. I heartily wish that you, and those who have contributed to the establishment of this school, could be present on these occasions. I rejoice that I have been privileged to be an instrument in getting up this school, for I believe that it will result in more glory to God, and good to man, than any other christian effort that could be devised for this community.

"I suppose you have a prayer meeting in your city especially for the interest of Sabbath schools. I beseech you, present the claims of this mountain Sabbath school to that meeting. And now, in behalf of these poor children, deprived of many of the rich blessings which the children of your Sabbath schools enjoy—who never saw or enjoyed the privilege of such a school before—who have no spiritual guides qualified to instruct them in the way of salvation—and also in behalf of their poor ignorant parents, who are looking on the movement with deep interest and amazement—I desire to present our united and sincere thanks."

BOOKSELLERS AND BOOK PUBLISHING SOCIETIES.—A pamphlet has been issued in Philadelphia, attributed to a clerical bookseller of that city, with this formidable title: "An Appeal to the Christian Public, on the evil and impolicy of the church engaging in merchandise; and setting forth the wrong done to booksellers, and the extravagance, inutility, and evil-working of charity publication societies."

BERGEN COUNTY BIBLE SOCIETY.—The anniversary of this auxiliary to the American Bible Society was held at Hackensack, New Jersey, on Tuesday morning, Rev. Mr. McFarland, presiding. Rev. J. M. M'Auley, of this city, delivered a discourse from Hebrews I. 1. The annual report was then read, after which, the Rev. S. I. Prime, one of the Secretaries of the American Bible Society, made an earnest appeal for increased interest in the work.

The Thursday lecture in Dr. Frothingham's church, in Boston, February 1st, was the hundredth occasion on which Dr. Pierce had officiated in that service. As each man's turn occurs about twice a year, this would cover over a fifty year's ministry. His subject, the conduct of Hannah, Samuel's mother, in the temple, was handled with unimpaired energy, and with excellent practical deductions. *Perennis et fragrans.*—[*Christian Inq.*

TREASURES OF DIVINE TRUTH.—A handsome copy of the Holy Scriptures, says the Bee, has been presented to the "Boston and California Mining and Trading Company," by John Mears, of Dorchester. We have been permitted to copy the presentation inscription, which reads thus:

To the President, Directors & Co., of the Boston and California Mining and Trading Company:

GENTS:—I present this treatise on mining and the search for hidden treasure. It is the best that has fallen under my observation. Accept [illegible] its contents, follow its instructions—and may the blessing of God, its Author, attend your efforts to obtain durable riches.

Yours, truly,

JOHN MEARS.

*Dorchester*, Mass., Dec. 28, 1848.

The Treasurer of the American Bible Society acknowledges the receipt of five hundred dollars from George Douglas, Esq., of Douglas Farms, now in London, through Rev. Doctor Phillips, for the supply of those destitute of the Scriptures in New York.

## AGRICULTURAL.

AMERICAN APPLES IN ENGLAND.—Mr. Barry, of the Mt. Hope Nursery, and the Horticultural Editor of the Genessee Farmer, writing from London to that paper, makes the following remarks in regard to American and English Apples:

Large quantities of American apples have been brought into Liverpool recently, but the most of them have been of indifferent quality, and badly gathered and picked, and hence they do not command high prices, nor do us any credit—nor can the shippers gain by the operation. There is an unfailing market here for our orchard products, but to make the shipment of them profitable, it is absolutely necessary that select varieties be sent, that they be carefully hand-picked and packed in the best manner.—One barrel will then sell for as much as three or four; and the freight, which is the great item, will be no more on a barrel that will sell more readily for $5, than one that will bring $2.—Many of the apples I see here cried up as 'nice American apples,' 'beautiful American apples,' &c., would scarcely sell at all in our market, yet they are sold here at 3 to 6 cents each.

The English people have fairly given up growing apples for market, unless it be Codlins, &c., that come in early for cooking, and *Beaufins*, &c., for drying. They see it will be impossible for them to compete with American orchardists. Yesterday I examined two or three hundred varieties in the fruit rooms of the London Horticultural Society, and among them all, there was not a single large, clear colored, fine looking specimen. One would suppose, at first sight, that they were all wind-fall gathered from under the trees last August. The *Roxbury Russet*, *Fall Pippin*, and *Rhode Island Greening*, were among the best specimens, and they were not half the size we grow them. The most esteemed varieties pointed out to me, by Mr. THOMPSON, such as *Pearson's Plate*, *Wormsley Pippin*, *Pomme Royal*, [not our Pomme Royal] *Golden Harvey*, *Sturmer Pippin*, &c., are small inferior looking things—in size from that of a small *Pomme Gris* to that of a *Siberian Crab*, but they are generally harder and richer than ours.—The Newtown Pippin and Roxbury Russet come nearer the English taste than any other varieties we cultivate. I had some Northern Spy and Melon with me, that I have here now in London in fine condition. They have elicited the admiration of all who have seen them.—There are indeed no such apples to-day in England. The Northern Spy may be sent to Covent Garden market, just as well as to Fulton or Washington markets, New York.—*Ohio Cultivator.*

SPRING BUDDING OF FRUIT TREES.—It may not be generally known that fruit-trees can be budded in the spring as soon as the bark will slip with ease, with equally as good success as those done in the usual season.

Spring budding possesses some advantages, inasmuch as one year's growth of the bud is obtained in advance of those budded in summer or fall. Scions cut the previous fall or winter may be preserved in moss or saw-dust, so as to perform this operation as late in the season, with safety, as can be with the present year's growth of scions. This is quite a convenience when scions are wanted from a distance, as there is not so much trouble in preserving them perfectly fresh as when cut in the leaf.

The only difference necessary to make betwixt spring and fall budding is, the stock of the former should be cut off at the time of budding, three or four inches above the insertion of the bud, and a coat of shellac or other cement applied to the stock to prevent decay, and for the health of the tree. I think this should be done in all cases.—*N. E. Farmer.*

*Vassalboro*, Vt., 1849. D. TABER.

EXHAUSTION OF THE SOIL.—The Valley Farmer, published at St. Louis, Mo., says, "There is no portion of the globe that is being exhausted of its fertility by injudicious cultivation, so rapidly as the Mississippi Valley, at this present time."