THE MEMPHIS DAILY APPEAL.

BY M'CLANAHAN, TROUSDALE & DILL. MEMPHIS, FRIDAY, MARCH 4, 1859. VOLUME X.—NUMBER 52.

Daily Appeal.

THE GREAT DEBATE ON THE KANSAS RESTRICTION.

POSITION OF MR. DILL.

At one o'clock, on the 24th inst., the debate in the United States Senate turned on the following amendment, offered by Mr. Hale, to the General Appropriation bill:

SEC.—*And be it further enacted*, That the first section of the act entitled "An act for the Admission of the State of Kansas into the Union," approved May 4, 1858, be and the same is hereby amended by striking out the following words, viz.: "whenever it shall be ascertained, by a census duly and legally taken, that the population of said Territory equals or exceeds the ratio of representation required for the members of the House of Representatives in the Congress of the United States," which words are hereby repealed.

THE KANSAS RESTRICTION.

At one o'clock the General Appropriation bill came up as unfinished business, the question being on the amendment offered by Mr. Hale repealing the Kansas restriction.

Mr. Stuart recurred to the fact simply that this subject had been introduced, but as it had been introduced he would vote for the repeal. He had intended to object to the appropriation for taking the census, but since he had thought that in the present state of things as proceeding on the part of the United States Government to take the census of Kansas would eventuate in good.

Mr. Seward was surprised at the opposition of Senators to this amendment. Congress had acceded to the request of Kansas to be admitted into the Union, as far as to consent that she should come in if she would accept the Lecompton Constitution, without any condition or reservation regarding the number of her people. On the other hand, Congress had decided that if she rejected the constitution, she would remain outside of the Union until she should have a population of 93,420, the constituency of a member of Congress. The only ground for this discrimination which he could discover, was that the Lecompton Constitution would make Kansas a slave State, and any other constitution she could prefer would make her a free State. It was therefore a discrimination by Congress in favor of slavery and against freedom. This discrimination was asserted to be the result of a policy excluding every other State, slave or free, of whatever population, from admission into the Union unless it arrived at a population of 92,420. But that policy had been abandoned in the admission of Oregon with a democratic constitution, so that the discrimination against Kansas has been embittered, marked, and distinguished by admitting a Democratic State without regard to population, excluding Kansas and keeping her in a state of subjugation to the Federal Government because her politics are different.

He was grieved, therefore, that he was opportunely again to vote against all such discriminations. He was glad to hear so many Senators declare that that condition was not obligatory upon Congress, and that they would accept Kansas at least a fair hearing if she applied for admission. It showed that the attempt to bind down future Congresses, by requiring them to compel them to accept slavery, was about to be abandoned. He thought the time had come when the applications of new States would be decided upon their merits, without regard to stipulations as to the past, and if hereafter Texas should be divided into four States, and all should apply as free States, he believed they would be admitted.

Mr. Brown had always been opposed to admitting new States until they possessed population enough for at least one Representative. He desired to ascertain that, if was necessary to make a census. But this question had a very important bearing upon the next Presidential contest. Whether the Republican party, at the approaching election, was to succeed in this election, he hoped their success would be the vindication of a principle. He would rather settle one and more principles than one of the spoils of the Federal Government. He wanted, in the coming contest, neither to cheat nor to be cheated; and on this precise question of Kansas was to have an important bearing in the contest. He hoped, if the Republicans succeeded, they would act with the spirit of the age, and press his views freely and frankly, and would call upon other Senators, especially northern Democrats, to stand up to their colors. The Supreme Court declared, in the Dred Scott decision, that slaves are property; that slaveholders have the right to take them to the Territories, and it is the duty of the Government to protect them after they are there.

Mr. Chandler inquired if the same decisions would not extend the right of property in slaves to States, as well as to Territories.

Mr. Brown would come to that in good time. A constitution could no more of itself protect any property than any other piece of paper. Society. What he claimed, and what southern statesmen claimed, was adequate protection for their slaves while in the Territories, and protection suited to the species of property to be protected. The Constitution never gave them rights and then denied them means to protect their rights. The Dred Scott decision of the Supreme Court was therefore virtually that they had a right to call upon somebody for the protection of their slaves in the Territories, upon whom should they call? Under the doctrine of non-intervention they must first call upon the Territorial Legislature, and if that refused adequate protection they must appeal to Congress. The Territorial Legislature was the creature of Congress, and he would say to Congress that its creature had denied him rights that the Constitution gave him; and he asked him, he therefore applied to the master for that protection which the creature denied. He wished to know, in the coming contest, what he should do if Congress should say that it was not in its power to protect property in the Territories. There were inhabitants, but not a people in Territories—inhabitants waiting in the fullness of time to be admitted into the Union as States. Was it the duty of the country, if the country showed that Congress had not hesitated to afford the protection to slave property in the Territories, that it was bound to afford by the Constitution. It was the duty of Congress to discriminate for the protection of that property. If Congress had no right to legislate on the subject, the Territorial Legislature might pass laws to protect property, and should Congress refuse to confirm any law? If Congress attempted to grant away its power in the Kansas-Nebraska bill, Congress exceeded its authority. It could delegate, but could not grant away its legislative trust. How had a Territory power to legislate which Congress could not revise, and which Congress could annul? Was legislation from Congress? He conceded to Congress the power to legislate through the instrumentality of the Territorial Legislature; but the Territorial Legislature was not the creature which he conceded to Congress the power to create, and delegated by Congress. How, then, could it get the power to inhibit slavery? Congress had not that power. He had asked Senator from Illinois himself, argued that all the power of the Territory was derived from the Constitution of the United States and the organic act. They had no power except what was given them by the Constitution, unaided by legislation, gave them only the right to protection, but it did not give them protection itself; that must be accomplished by Congress.

The remedy of the South against enforced obnoxious legislation was in the protection afforded by an appeal to Congress. He, understood the Senator from Illinois (Mr. Douglas) that when they made that appeal, he they certainly would, if he would not respond to it, at least they would know whether other Senators would take the same ground. They would demand positive action from Congress. He understood the opinion of the Senator from Illinois (Mr. Douglas) not to intervene against them, but he never understood that Congress could not intervene in the slave property question, so that he would do if Congress refused to interfere, but he could not say what the South would do. At the very instant when Congress denied to the South rights which constituted the comfortable and expounded by the Supreme Court, he would come to the conclusion that the Constitution is a failure and the Union a despotism, and then he was ready to advise his people to retire from the Union.

Mr. Clark inquired what way and how they would get out?

Mr. Brown replied that when they made up their mind to go they would find a way, and would have such a great behind their backs, that it would be irresistible. He did not mean to threaten a dissolution of the Union if extraordinary demands were not acceded to; they simply asked their constitutional rights, which was certainly extraordinary.

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Mr. Wade reminded the Senator that he had not answered the question of the Senator from Michigan (Mr. Chandler) as to the extension of slavery into the States as well as the Territories.

Mr. Brown replied that he clearly denied and repudiated the whole doctrine of squatter sovereignty. He utterly denied that there was any sovereignty in a Territory.

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The right of transit was the same with slaves as with other property. Slaves were property was subject to the local laws of Territories as well as other property. If there was anything peculiar about slave property, requiring more protection than other property, it was the peculiar relation between slaves and their owners, and the absence of legislation for its protection, or authority for its creation, would be effectually cut off from a Territory as constitutional prohibition. That was just what he avowed in his Freeport speech in Illinois. But the gentleman said he would appeal to Congress for protection of slave property against Territorial legislation, and ask Congress for a slave code in opposition to the wishes of the people. His position was not logical. If the people wanted slavery they would protect it, and if they did not want it they would not protect it. They could not be compelled to have it. He was glad his record made it unnecessary to ask him if he would vote for a slave code for the Territories. He had yet to learn that there was a northern man who would.

Mr. Green inquired, if larceny in general terms was recognized by the Territorial Legislature, and the larceny of slaves was excepted, would the Senator consider that a slave code?

Mr. Douglas said he would call it by any name; he wished only to be clearly understood. The Constitution provided no remedy for stealing slaves, or any other property, and no kind of property could be protected in a Territory without Territorial laws providing remedies and penalties. The question was whether Congress should make a discrimination in favor of slave property, making it higher than other property. He would leave all kinds of property to the action of local Territorial laws. If the climate was such as to admit slave gangs could labor, slavery would be established and protected; otherwise it would not. Slave property had no other right to Territorial protection than the stack of a liquor dealer.

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He knew some men did not like the doctrine as well as they used to, but that the doctrine had long been the fundamental law of the Democratic party, and every one who voted for the Kansas-Nebraska bill voted for it under it as such. He called attention to the fourteenth section of that act, which repealed the Missouri Compromise restriction. They had in that section a State, slave or free, of whatever population, from admission into the Union unless it arrived at a population of 92,420. But that policy had been abandoned in the admission of Oregon with a democratic constitution, so that the discrimination against Kansas has been embittered, marked, and distinguished by admitting a Democratic State without regard to population, excluding Kansas and keeping her in a state of subjugation to the Federal Government because her politics are different.

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24	18 00	25 00	30 00	35 00	40 00	45 00	50 00	55 00	60 00	65 00	90 00	150 00
36	25 00	35 00	40 00	45 00	50 00	55 00	60 00	65 00	70 00	75 00	100 00	175 00

☞ One square, (nonpareil measure) per annum, $40 00; " " " (brevier measure) " " 60 00; ☞ Two squares, (nonpareil measure) per annum, 60 00; " " " (brevier measure) " " 80 00; ☞ Yearly advertisers will be charged extra for inserting upon over contract, and when LARGE TYPE is required to be used, of the advertisement it will be charged double price. ☞ Yearly advertisers will be charged extra at regular rates for Wants, Beds, Removals, Co-Partnership Notices, Patent Medicines, &c. ☞ TRANSIENT ADVERTISING MUST BE PAID FOR IN ADVANCE. ☞ No advertisements will appear in the Weekly paper unless by special contract. ☞ Advertisements to be inserted in the Weekly paper only, or at irregular intervals in either of the papers, will be charged $1 per square for each and every insertion. ☞ Announcing Candidates for State, County and Municipal Offices, $5 each, to be paid in advance in every instance. ☞ All advertisements for Charitable Institutions, Fire Companies, Wood, Town and other Public Meetings, to be charged half price. ☞ Marriages and Deaths are published as news; but Obituaries, Tributes of Respect and Poetry are charged as other advertisements. ☞ All Legal and Transient Advertisements will be charged by the insertion. ☞ Editorial Notices in Local Columns will be charged the regular rates. ☞ No deduction or variation will be made from the foregoing rates.

M'CLANAHAN, TROUSDALE & DILL.

Dental Cards.

B. HOWCOTT, DENTIST, SUCCESSOR TO DR. N. HOWCOTT, ... All dental operations performed at the shortest notice, and guaranteed. Office on Main street, opposite the Worsham House. ... [n14-6]m

Drs. Bryson & Crowell, DENTISTS, 217 MAIN street, opposite Old Settlers' Hall, Memphis, Tennessee. ... [n25-1y]

F. M. SNEED. ... A. T. HORNE. SNEED & HORNE, DENTISTS, Memphis, Tenn. OFFICE corner of Court and Main streets, opposite Mr. Lee's Drug Store, Court street. Teeth inserted on Chloroform. Specimens can be seen at our office. ... [n27-6m]y

Dentistry. DR. J. C. COLLE, late of the firm of Bryan & Colle, will continue the business of Dentistry at the old stand of the firm. Long and fully prepared to perform all operations in Dentistry, which may be required, in a manner not surpassed by any Dentist in the country. I have a new and valuable improvement in artificial work, which requires but a third to supply the place of an artificial tooth, and is the most durable and natural work now in use. Office on Main street, one door south of the Gayoso House. ... [n26-1y]

DR. G. W. ACREE, Dentist, Court Street, opposite A. T. Wells & Bro. ☞ All operations upon the teeth warranted to be a positive pain and in the most skillful manner. Diseases of the gums and extracting teeth a specialty. Artificial teeth inserted upon the most approved plan, with guarantee, and warranted to give satisfaction, or no charge. I offer my services to the public with confidence in my skill, or as an inducement to call at my office. ... [n25-1y]

Pianos, Furniture, AND CARPET ROOMS. PIANOS, from the best manufacturers, warranted for five years, of all the different styles and kinds, from the common to the finest rosewood. Parlor Suites, covered with hair-cloth, plush and damask. Chamber Furniture, Mattresses, Feathers, Tapestry Carpets, and Carpeting, from three ply ingrain two wide. Brussels, Ottoman and Hair Mattresses. Best Spring Bed-bottoms made. For sale by NIROVSENCOR, CAMP & CO. ... [n26-1y] No. 3 Exchange Row, Memp. ... [n25]

To Planters and Others. WE have on hand and are constantly receiving on consignment, the finest quality of Cotton Bagging, which we are selling for cash at the lowest market prices. Also—Rope, Twine, Iron, Corn, Sugar, Coffee, Seed Cotton, Hungarian Grass Seed, Timothy, Blue Grass, Clover, Garden and other seeds. Lime, Wagons, Whitehaven and Lewisburg Coal, Will be pleased to fill bills of lading for Planters and Grocers, of all varieties of the lowest cash prices, free of commission. Please call or address, or call on other pages or other advertisements as to wholesalers. ... [n26]6m-tawtfm W. HOWARD & CO.

The American Dispensatory. BY JOHN KING—The 8th Edition. Just received and for sale by ... [n24] CLEAVES & YADEN.

Removal. P. FLAVIO, Agent for Stodart's Pianos, ... Friends and the public that he has removed his stock of PIANOS to No. 290 MAIN STREET, NEARLY OPPOSITE THE ... Having just received a large addition to its stock, he can offer purchasers a better assortment than ever before. PIANOS sold at New York prices. ... [n16-1y]m

Lost. ON the 18th instant, One Hundred and Forty-One Dollars ($141.00). ... Two Union Bank Bill ..... $100; One Union Bank Bill ..... 10; One Commercial Bank Bill, Ky. ..... 10; One Commercial Bank Bill, Ky. ..... 5; One Bank Charlotte, North Carolina ..... 1; Four other Bank Bills, North Carolina ..... 16; One note not recollected ..... 1-50. The finder will receive a liberal reward if delivered to G. G. ADAMS, Grand Junction, Tenn. ... [n25]3t-tw

Highly Important to PLANTERS AND FARMERS. GRAY'S Grade and Horizontal Leve. WE have for sale a supply of these Levels—the most perfect instruments for running grades, horizontal lines for ditching, draining, &c. Also, a large assortment of cows for garden drains, ditches, etc.; and all other good tools for farming purposes. ☞ Call and see for yourselves. ... [n26]1m-tw

Fine Champagne. 100 BASKETS "MME. SOLIAN" superior Champagne, direct importation just received. HARRIS, WORMLEY & CO., ... [n24-2m] No. 8 Front Row.

$2000 REWARD. THE chest of the Branch of the Union Bank of Tennessee, at Jackson, George R. Miller, was murdered and robbed on the night of sixteen of present month, and the Bank robbed of $36,605—$25,940 in bank notes, and $1,665 in specie. The bank notes are supposed to be all issues of the Union Bank, and payable principally at Nashville. The above reward is offered for the apprehension of the murderer and recovery of the money. JOHN KIRKMAN, President. P. S.—The above reward is increased to Five Thousand Dollars, one thousand of which will be paid for the arrest of the murderer, and the balance for the recovery of the money, or in proportion for any part of it. JOHN KIRKMAN, President. ... [n11]

PIANOS. JUST received from the celebrated factories of Gaston & Ros., and Adam Gerhard, several Brown Cabinet PIANOS. These call and examine before purchasing elsewhere. ... [n22] GROSVENOR, CAMP & CO.

COAL! COAL! COAL! BEST article of Treadwater and Pittsburgh Coal for sale, at W. Wood's People's Feed Store. Also, a full supply of Rio, Corn, Oats, Bran, &c., on Retail. Apply to W. WANT, or J. J. LOVING. ... [n17-3m]

Notice. WE have lately added to our stock a large assortment of PINE SILVER WARE, embracing every kind of articles used in that department. J. E. MERRIMAN & CO., 252 Main street, Memphis, Tenn. ... [n6]3

Jurgensen Watches. A FEW ARTICLES and ONE CHRONOMETER, of this most celebrated maker, just received. These Watches have the first reputation everywhere; the Chronometer with the chronometer, and this week, its accuracy for time, etc., nothing more need be said, then simply to advise them to buy while they can. J. E. MERRIMAN & CO., 252 Main street, Memphis, Tenn. ... [n6]3

W. T. PLUMMER. J. W. ELDRIDGE. WM. L. ANDERSON. Late Plummer, Eldridge & Co. Nashville. PLUMMER, ELDRIDGE & CO., WHOLESALE AND RETAIL DRUGGISTS, No. 261 Main Street. (A little east of the Eagle.) HAVE in store and are now receiving a fresh and extensive assortment of DRUGS, MEDICINES AND CHEMICALS, PATENT AND OILS, FINE TOILET SOAPS AND PERFUMERY, Fancy Articles, Combs, Brushes and Cutlery, Window Glass and Glassware, Paints and Oils, Paints ready mixed (for medicinal purposes.) ROCKING CHAIRS AND LOOKING GLASSES, Garden and Field Seed, and all other articles in the line of Business. They respectfully solicit the customs of Planters, Physicians, Merchants and the public generally. ☞ Their prescription Department complete, having in our employ two of the most careful and skilful prescriptions in the South. Orders from the country promptly attended to. Physicians' Prescriptions Staff Medicines of the best and purest quality. ... [n23-daily]

Co-Partnership. THE undersigned have this day formed GEORGE BASSIELL and JOHN H. TAYLOR, as partners in the practice of his calling. The style of the firm to be ... W. S. MILLER. Memphis, Feb. 16, 1859. ... [n19-2 days]m

To Arkansas Speculators. LANDTRADE'S new Sectional Pocket Map of Arkansas, also, large Township maps, just received and for sale by ... [n22] CLEAVES & YADEN.

St. Louis Business Cards.

EXCLUSIVELY WHOLESALE. CUPPLES & MARSTON, Manufacturers and Wholesale Dealers in CORDAGE, TWINES AND PAPER, Brushes, Matches, Blacking, Wooden and Willow Ware, Nos. 55 and 57 North Second Street, St. Louis, Mo. SOLE AGENTS IN ST. LOUIS FOR RICHARDSON & CO.'S DETROIT NATCHES, MARIETTA TUB AND BUCKET FACTORY, BUTLER'S CELEBRATED BLACKING, WHEELING AND OTHER PAP