THE MEMPHIS DAILY APPEAL.

BY M'CLANAHAN, TROUSDALE & DILL. MEMPHIS, WEDNESDAY, SEPTEMBER 21, 1859 VOLUME X.—NUMBER 222.

Daily Appeal.

SPEECH OF HON. ROBT. TOOMBS, AT AUGUSTA, GEORGIA, THURSDAY NIGHT, SEPTEMBER 8, 1859.

FELLOW CITIZENS: I appear before you tonight, in obedience to the summons of my political friends, to take counsel with them concerning the state of the Republic. I cannot consider your polite invitation to address you on this occasion a mere personal courtesy. It is your right to know my opinions and my actions of public policy or political action which may affect your interests, and it is my duty to give them. I now propose to discharge that duty, and to give you my opinions on those special issues upon which your opponents have thrown themselves upon the country, and seek its verdict at the ballot box.

The Democratic party is now in power, in controlling the destinies of the Republic, in obedience to the public will. Its principles and policy upon all the living questions of the day are clearly defined, and well understood. Claiming to be competent to the task of performing this great trust, it is ready to meet all challengers, in all parts of the Union, upon whatever grounds its adversaries may choose to select. The distinctive differences which have hitherto marked these adversaries, are fast fading away, and they are now in a dangerous ominous warning, to the country that these adversaries, North and South, are laboring to prepare the public mind for the sacrifice, not only of their principles, but their rights, upon the altar of a common hatred to the Democratic party. These adversaries at the North are commonly known as Black-Republicans; they agree in nothing, except their common hostility to slavery, the South, and the Democratic party. Wiser than the southern allies, they know and acknowledge the Democratic organization to be the strongest barrier and surest safe-guard of the South, in the Union, against their wicked and unconstitutional assaults upon our rights and property. And for this reason, they war against it, and desire its overthrow. These enemies of the Republic consider every blow inflicted on the Democratic party, either at the North or the South, as a blow stricken in their service, and for their benefit; hence, they rejoice, and are exceedingly glad at victories over the Democratic party, anywhere and everywhere, and consider the victories of Hale, Winter Davis, Adams, and Etheridge, as "crowning mercies," and as the unpeiled pinions that are promise from without may soon hope for aid and comfort from treachery within.

The opposite to the Democratic party at the South, owes its main strength to the old antagonism and bitter feuds between that party and the old Whig party. When the Whig party of the North marched over in a body into the Abolition camp, either directly and openly or covertly and secretly through the American organization, a very large portion of the old Whigs saw that duty, patriotism, the safety of themselves and country required them to sustain the Democratic party, and they immediately united with it. A sufficient number taking counsel from their party prejudices and antipathies, and wholly distrusting the Democracy, stood aloof for a time, and finally plunged into a crusade against foreigners, Catholics, and all other parties in the country under the appellation of the American party. This organization, at first, notwithstanding States very readily sunk into the bosom of the Black-Republican party, and the remnant of it, which "adhered to Fillmore, abolished their own existence in 1856, and enlisted with their brethren who went before them, under the black banner of Fremont. The southern division exhibited more tenacity of poll leal life and a greater power of endurance under disaster and defeat. They certainly displayed an earnest desire to accommodate their creed to the wishes of the majority of the people. After every defeat, they reconstructed their political platform, and softened or modified their principles to suit what they supposed to be the public taste, and finally, having despaired of success, they have, this spring, abandoned both their name and principles, and have issued a general order, disbanding their organization. If the object of this act of dissolution of the American party, be to prepare the way for the union of the South—for the maintenance of the Constitution, and her own long settled and well defined principles and policy—I cordially approve it, and extend the right hand of fellowship to the authors of the patriotic act, but if it be done with the intent to facilitate a more perfect union and more cordial co-operation with the Black-Republican party for the purpose of overthrowing the Democratic party and seizing the Government, then in the name and in behalf of the Democracy of my country and the people of Georgia, I forbid the base." The alliance will be unholy, unnatural, the progeny "unnumbered woes" to all the people.

This act of dissolution having left the members of the late American party free to form such other political associations, without complaint from their former brethren, as in their judgment will best promote the public good, I invite them to the consideration of the reasons which I shall now proceed to offer them in favor of their earnest co-operation and union with the Democratic party of the South, now arraigned by their adversaries throughout the whole Union, for their position and policy in relation to the rights of the South in the future. They are great questions of Federal policy and will continue such as long as the Government lasts; and the party which is unable or unwilling to deal with them in a bold, catholic and national spirit, and to pace them upon a safe, firm, just and constitutional basis, is unworthy of the confidence of the people. The party that evades any of them, ignores the public danger, the party that "ignores" them confesses its inherility and unfitness to be trusted with the interests of the Republic. The Democratic party for the last seven years, have met and grappled with the slavery question in all of its Federal aspects, and in spite of the most bitter opposition, has never yielded any period of our history, in spite of treachery and desertion, in spite of the fear of the timed and the folly of the rash, it has succeeded in placing it upon a basis, the safest, most practical, and satisfactory to the American people. During the administration at least, no body of men from any portion of the Republic sufficiently numerous to be called a political faction, have sought any additional legislation, whatever, either on the one side or the other, of this question. The people of the South are content with its solution and rest upon it with confidence and security in the conviction that existing remedies are adequate for the redress of all existing wrongs, and the "sufficient unto the day is the evil thereof."

These great results have been achieved by adhering to the safe paths of enlightened precedents and constitutional principles. The opposition at the North denounced the Democracy "as slavery propagandists," as sacrificing the interest of freedom and the North to the interest of slavery, and they swept many a bold and noble patriot from the public councils with such false and fraudulent appeals to the sectional feeling of the North. On the other hand, the Opposition of the South, with the same disregard of truth, and the same appeals to sectional feeling, charged the southern Democracy with sacrificing the interest of the South, and the interest of slavery to the preservation and unity of the Democratic party for the promotion of personal and selfish ends. Both sections of the Union, for a time, and resulted mainly in their own loss of public confidence. The Democratic party disregarding these clamors on the one side and the other, marched steadily along the beaten track of precedent and principle to the goal of peace and of safety. The Opposition were strong in the manhood of the honest differences of opinion on this subject between the North and the South. They were older than the Constitution, they existed during the revolution, but were suppressed by patriotic sacrifice of their rights; they disturbed the harmonious action of the Government under the Confederation, and raged with violence around the council boards of the convention which framed our Constitution. There wisdom and patriotism won its greatest and most enduring victory over the fierce passions engendered by this apple of discord. It was found impossible under the form of government proposed to be adopted, to avoid the introduction of clauses into the Constitution in relation to slavery. The representation in the House of Representatives being based on population, it was indispensable to settle whether or not slaves should be enumerated, and in what proportion; and the slaves in the States were prohibited from keeping standing armies, it was necessary to settle what power in the Government should suppress insurrections.

As the States were forbidden to make any treaty or compact with each other, it became necessary to provide for the rendition of fugitives from labor, by Federal authority, wherever they might be found in the Union. And the African slave trade being then by the law of nations, lawful commerce, was supposed to fall under the general power to regulate commerce, and therefore, under congressional legislation. There was a wide diversity of opinion upon this subject, but it was settled by once threatened the defeat of the Constitution. The duty of the government to suppress insurrection was unanimously admitted and adopted. The South objected and insisted slaves should be counted per capita as a basis of representation. The North objected and replied, that under the confederation we refused to estimate them on that basis, for the purpose of taxation, and that therefore we ought not to do so for the purposes of representation. The North had the argument on their side, and the South gave up the question, and agreed to count them as worth no more in representation than in taxation, and settled the principle, that slaves should be counted at three-fifths, in representation as in taxation. The surrender of fugitives from labor does not seem to have seriously concerted per se, but the North was dissatisfied with the restriction of the commercial power; they wished commerce regulated by a majority instead of a vote of two-thirds, and as soon as they so decided in that, we had no more trouble on the point of the rendition of fugitives from labor.

The only remaining question was not strictly a sectional one. Indeed, Massachusetts displayed much more liberality on this question than even Virginia. She (Massachusetts) seemed to value pretty highly this description of commerce, and on the other side Virginia was charged with favoring a protective tariff. It is difficult at this day to say whether these charges are but the insinuations of the wicked, or were in truth the whispers of a guilty conscience; it is certainly true that at that day the States were very poor, hard pressed and sorely tempted to get little material advantages. But the slave trade would have undoubtedly been prohibited, but for the decisive action of the Representatives from Georgia and South Carolina. These States resisted strongly the immediate prohibition. They were eminently practical, they had vast raw material, and wanted labor at the lowest cost to a commercial value, they therefore boldly declared that there could be no union without commerce with Africa in her only commodity (i. e.) labor. Massachusetts did not think Georgia and South Carolina wholly unreasonable, and as she owned ships which would find employment both in the transportation of labor from Africa, and its products from America to Europe, she readily consented to continue a profitable trade (now called piracy,) for one-fifth of a century. This was not only acceded to by South Carolina and Georgia, but they complimented the representatives from Massachusetts in having acted very handsomely in the business. So by a unanimous vote of the patriots who framed our present Constitution, Congress was prohibited from interfering with this lawful commerce in the then States of the Union for twenty years, to be fully ended and completed. This provision was not acceptable to Virginia, and was exceedingly obnoxious to Maryland, and the history of the times proves that it was made a capital argument against the Constitution in both States, and that history further proves it excited but little hostility to it out of the Northern States. Before the power of Congress over the subject attached, a change came over the spirit of both Georgia and South Carolina, and, in 1798, ten years before the jurisdiction of Congress attached to the subject, Georgia solemnly prohibited the trade by her Constitution, and Carolina followed in her footsteps four years afterwards. So that when the act of Congress of 1807 prohibited it from and after the succeeding 1st of January, the same trade was in fact already prohibited in every State of the Union, and the act of Congress was in fact but an affirmance of the settled policy of all the then States.

The question was thus finally settled under the act of 1807, and the body have against it, especially with all of the act of 1818; but some ominous mutterings of the storm which the bad spirit which prevailed in the year, concluded to stigmatize slavery as well as to prevent the slave trade, and with singular infelicity of misapplied epithet, stamped it with the plain meaning of words and the Constitution of the United States, declared the traffic piracy. Piracy was a crime against the laws of nations, and punishable by the laws of all civilized people; it had a clear, certain, and definite meaning under the laws of nations. The framers of the Constitution used it in that sense, for it had no other. It did not include the African slave trade for the same law of nations, at the same time held that trade to be lawful commerce; therefore when the act of 1820 declared it piracy, it did a stupid thing and attempted to do an impossible thing. It sought to alter the nature of a thing by changing its name, it destroyed all fixed relations language and departed from all sound rules of judicial and constitutional interpretation, and it cannot force the intelligent and judgment of the country to abdicate its prerogative and stultify itself by holding that the Constitution meant to stigmatize as piracy a commerce which it permitted for twenty years.

This act cannot be vindicated; but the question of prohibiting the slave trade has been settled above fifty years; it is in harmony with the judgment and settled policy of the country, and its agitation at this time will produce evil, and evil only, to the country. Let it stand. All these questions were plainly and distinctly settled by the Democracy of the South, and unfortunately for the country, did not expressly settle the powers of Congress over the Territories, in relation to slavery. For this fruitful source of national disquiet, especially for the last fourteen years. During the first thirty years of the Government, the North were managed upon principles as equitable and just as to preclude all just cause of complaint. Virginia ceded to the Confederacy, that vast tract of country lying north of the river, within the then limits of the Union; by her deed of cession, slavery was prohibited within it. The ordinance of 1787 provided a plan of government for the northwest, which that country. The same ordinance excluding the clause prohibiting slavery, and the remnant of it, which "adhered to Fillmore, abolished their own existence in 1856, and enlisted with their brethren who went before them, under the black banner of Fremont. The southern division exhibited more tenacity of poll leal life and a greater power of endurance under disaster and defeat. They certainly displayed an earnest desire to accommodate their creed to the wishes of the majority of the people. After every defeat, they reconstructed their political platform, and softened or modified their principles to suit what they supposed to be the public taste, and finally, having despaired of success, they have, this spring, abandoned both their name and principles, and have issued a general order, disbanding their organization. If the object of this act of dissolution of the American party, be to prepare the way for the union of the South—for the maintenance of the Constitution, and her own long settled and well defined principles and policy—I cordially approve it, and extend the right hand of fellowship to the authors of the patriotic act, but if it be done with the intent to facilitate a more perfect union and more cordial co-operation with the Black-Republican party for the purpose of overthrowing the Democratic party and seizing the Government, then in the name and in behalf of the Democracy of my country and the people of Georgia, I forbid the base." The alliance will be unholy, unnatural, the progeny "unnumbered woes" to all the people.

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Professional Cards.

DR. T. C. GAYLE,
PRESENTS his thanks to the citizens of Memphis and vicinity, for the very liberal patronage extended to him for the past seven years. He is an American of thirteen years in treating all diseases incident to this climate, and by gentlemanly attention to the wants of his patrons, he offers full assurance of satisfaction in all cases committed to his care. Free as heretofore by public custom and paid in cash or its equivalent. Office, 274 Main street. [ad-dawly

J. & H. M. SOMERVILLE,
ATTORNEYS AT LAW, Memphis, Tenn. Office—Gallatin Street, North corner of Main and Monroe streets. [ad-dawly, no-dawly

W. W. HAYNE, [illegible]
ATTORNEYS AT LAW, Memphis, Tenn.—Office, Monroe street, opposite N. S. Bruce & Co.'s Carriage Store, Monroe. [ad-dawly

HOMŒOPATHIC
APOTHECARY!
MEDICINES,
BOOKS AND BOXES,
For sale by
Dr. A. W. WRIGHT.
Without, below Gayoso House, Stewart & Proctor's Block. [ma29-dawly

JAMES E. TEMPLE,
ATTORNEY AT LAW; office at the corner of Main and Gayoso streets, up stairs, over West's Drug Store, opposite the Worsham House. Refers to Hon. Hugh McCullock, Indianapolis, Ind., Hon. Thos. Ewing, Lancaster, Ohio, and Hon. Thos. Corwin, Washington, D. C. [ad-dawly

W. M. INGE, [illegible] N. S. BINSON, [illegible] J. J. BLAIR, Coldwater, Lafayette. [ad-dawly

INGE, KINYON & BLAIR,
ATTORNEYS AND COUNSELLORS AT LAW and Solicitors in Chancery, Holly Springs, Miss. [ad-dly

G. C. PAYNE, [illegible] T. J. LOGWOOD.
PAYNE & LOGWOOD,
ATTORNEYS AT LAW, No. 37 south side of Court Square, Memphis, Tenn. Will practice in all the Courts of West Tennessee, North Mississippi and Arkansas. [ad-dly

T. H. Logwood, Commissioner for Mississippi and Arkansas.

D. M. DuBOSE,
ATTORNEY AT LAW, Memphis, Tenn. Office on the north side of Court Square, in Howard's new block. [ad-dly

JOHN P. FARRELLY,
ATTORNEY AT LAW, Memphis, Tenn. Office on the northeast corner of Court Square, in Howard's Row. [ad-dly

GEORGE DIXON,
ATTORNEY AT LAW, Memphis, Tenn. Office in Lee's Row, Main or Union street, two doors east of entrance of Main and Union streets. [ad-dly

J. W. BUTLER, [illegible] W. A. REVESS
BUTLER & REVESS,
ATTORNEYS AT LAW, Robertsville, Tenn. [ad-dly

F. T. ARES, [illegible] C. STRINGFELLOW.
ARES & STRINGFELLOW,
ATTORNEYS AT LAW, Memphis, Tenn. Office—Up Stairs, on the north side of Court Square. [ad-dly

Dr. Creighton's Office Hours,
FOR DISEASES OF THE
EYE, THROAT AND LUNGS,
AT his from 9 to 12 A. M., and 3 to 4 P. M. The balance of his time he will be found at his residence, Poplar-st.
No. 8—Persons visiting Dr. Creighton's services, must be prepared to pay cash.
Office on Court street, small door east of Court Square. [ad-dly

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