Daily Appeal.

MEMPHIS,

THURSDAY, : : : : : MARCH 7, 1861.

Largest Circulation in the City.

Reading Matter on Every Page.

THE INAUGURAL COMPLETE.

Mr. LINCOLN'S inaugural address may be found in another column of this morning's issue, in full. Its whole tone and tenor, as represented by the telegraphic synopsis previously published, is warlike, and at once crushes the hope which some few had been blind enough to entertain of its breathing pacification and compromise. The opinion universally expressed regarding the cold-blooded atrocity of its sentiments, will not be in the slightest degree ameliorated by the perusal of the complete document. Apart from the misinportant complications of mere side issues there was, properly speaking, but one question for Mr. LINCOLN to decide, and that was the question of peace or war. He has chosen the latter alternative, and in doing so has, doubtless, faithfully responded to the malignant spirit of the party whose principles he professes to reflect. His arrogant threat to assert his authority in the seceded States, under the infatuation that he is their President, and his determination to settle a *Constitutional issue* by force of arms, places the future policy of his Administration in a clear, decided and an unambiguous light. It is another instance of CAESAR-like threatening to wage war upon Rome because she refuses to make him consul. The gauntlet has been thus defiantly thrown down by the doughty champion of the Black-Republican party, and will be taken up with a cheerful alacrity that argues well for the chivalry and patriotism of the Southern people.

There are two points in this manifesto not before elaborated, which deserve our particular attention, as indicating to some extent the prospective dangers by which we are environed. The first is the suggestion "to provide by law for the enforcement of that clause in the Constitution which guarantees that the citizens of each State shall be *entitled to all the privileges and immunities of citizens in the several States.*" Under this clause, as we have shown in a previous editorial, the Republican party claim the right of "free speech" in the slave states, and now they propose boldly to assert it by force of legislative enactments.

The other point is found in the virtual assertion of the power of his party to carry out the SEWARD programme of remodeling the Supreme Court, and the prospective hope that is offered of its decisions being ultimately "overrule," by his judicial appointees who may hereafter come into power. Upon this point, however, we shall have more to say in the future, merely expressing the opinion, at present, that it is nothing more than we anticipated from a man who once publicly proclaimed his willingness to vote for congressional prohibition of slavery in the Territories "*despite the Dred Scott decision!*"

THE FEDERAL HERESIES OF LINCOLN---A LIVING REALITY.

Mr. SEWARD was content with denying the constitutional right of secession. Mr. LINCOLN advances beyond this simple negation of the right, and says that "the constitutional secession is anarchy." The term implies a state or condition of lawless disorder—without any government or political organization to which the obedience of the citizen is due. Mr. LINCOLN means to assert that when a State has dissolved its connection with the Federal Union, its citizens no longer owe allegiance to its laws and State authorities, and consequently, be justified in resisting its authority and disobeying its laws. His views on this subject are in harmony with the opinion uttered at Pittsburg—that "a State derived its sacredness from its connection with the Federal Union." The corollary he would draw from this political theorem, is, that when once this connection is severed, its sacredness is gone; the franchises of its officers are destroyed; the powers vested in them are withdrawn; society is disorganized; the political religious and corporate bond is cut; the allegiance of its laws is determined; that the citizen no longer owes loyalty to the State, or should do reverence to the majesty of its laws. Such are the legitimate inferences which must be drawn, and naturally flow from the political theory of Mr. LINCOLN. His contentious phrase about secession, springs naturally from his crude idea that a State once implies the same attitude to the Federal Government that a county does to a State. The dangerous heresies of Mr. LINCOLN and the Black-Republican party are based upon the theory that the people of all the States were massed into one in order to make a Government, and in effect deny that the States remain as they were when they achieved their independence—FREE, SOVEREIGN, EQUAL AND INDEPENDENT STATES.

By such usurpations of power they crush to the earth the ramparts of the Constitution; they obliterate State lines; and make a *vertical despotism*, that now threatens to make war upon the States for daring to exercise a right reserved to them, the "right (in the language of Mr. MADISON) to resume all their powers, whenever the same shall be perverted to their injury or oppression."

The hour has arrived when their abused theories and misguided doctrines are to be carried into practical operation, armed with all the powers of the Federal Government, which they have thus magnified a thousand fold; and animated by a malicious and revengeful spirit against the South, they have proclaimed a fixed purpose to whip the gulf States back into the Union, in order that they may become serfs of the North. An alliance between the border States of the South, and the hostile States that sustain Mr. LINCOLN'S Administration, is not only unnatural, but its longer continuance is dangerous and disgraceful to us. Action is necessary. We have pledged ourselves in the most solemn form to make common cause with our sister States of the South, in the honorable stand for freedom and independence. The contingency upon which Tennessee tendered her hearty co-operation has happened. The insane heresies and inscribing doctrines of LINCOLN and his Black-Republican hosts are now become a "living reality." The brutal and bloody programme has already been published to the world. In the capital of the nation, surrounded by the highest officials of the country, before a vast assemblage of American citizens, and in the presence of the representatives of every foreign government, this sectional President has arrogantly announced his intention to enforce his Administration upon the freemen of the South, who have erected a distinct Government, with new alliances, in accordance with the inalienable rights of a free people. The first position of Virginia, the defiant resolves of Tennessee, and the calm protest of Kentucky, were alike disregarded and scorned.

The well-known loyalty of these States to the Union, and their recent voice in favor of its preservation, have been construed into a disavowal of their manly resolutions as expressed through their several legislatures. At this moment, the President of the North; who in neither overwise nor distinguished for profound sagacity, believes that the States just named will aid him in subjugating the gulf States, or else he openly defies their joint existence. It matters but little into which of these grave errors he has fallen, the march of inexorable destiny has driven him into madness, and if the freemen of the South have inherited the spirit of their ancestors, if the fires of '76 yet burn in their hearts, LINCOLN and his myrmidons will, ere long, be driven in disgrace from the southern soil! which they now pollute.

THE TENNESSEE RESOLUTIONS.—We publish on our first page this morning, for the benefit of our readers, the resolutions passed by our State legislature, in January last, on federal relations, showing the attitude of Tennessee as assumed at that time. We have commented upon them a sufficient number of times for their complete understanding, and only commend them at present to the careful perusal of men of all parties.

☞ The *New York Sun* (a Black-Republican paper) explains its idea of the late "peace conference" compromise in the following approving language: "It proposes the restoration of the Missouri compromise line, establishing free labor north of it, and popular sovereignty south of it, *a distinctive without difference in the present case.*" In other words, the effect under the present Administration will be the same.

☞ That virulent abolition sheet, the Missouri *Democrat*, whose publication has long been a black spot upon the reputation of St. Louis, comes to us with congratulations to its readers upon the "speedy, and pleasant time" that they will have, "now that Mr. LINCOLN is inaugurated and a REAL GOVERNMENT established at Washington." Comment is unnecessary.

SUPPOSE OF DEED CHEMANDS.—The San Francisco *Herald* of the 26th ult., says:

Another exportation of defiant epistles is to be made soon. They are directed to the Federal Congress on the revenue and tariff questions. In the course of the debate, Mr. Toombs said:

"It is important we should raise a large revenue in the beginning of our political existence. We must provide for an army and a navy sufficiently powerful for the defense of our rights and liberties, and the maintenance of our nationality."

Mr. Barnwell, in reply, said:

"I differ with the gentleman in his views of the subject under discussion. We can very easily make a large reduction in the rates imposed by the tariff act of 1857."

Mr. Miles said:

"I am opposed to the existing tariff. The merchants of Charleston object to it. A duty of ten or fifteen per cent. will be ample."

☞ We are gratified to observe that the peace conference swindle is meeting with the denunciation of all the southern rights press. Among others, the Louisville *Courier* of the 5th says:

Does the proposition of the conference promise no peace? Does it not, if adopted, and made a part of the Constitution, would it stop agitation on the subject of slavery?

Leaving out of the question the utter hopelessnesss of its being accepted, and into the consideration—giving no attention to the idea that it is intended only as a political trick by which to prevent the border slave States from acting now, and thus secure their advantage—what would the result, if adopted, and declaring fairly with it, we submit that it would not result quite so much for a single day; that it would not be a settlement of the slavery question in any sense; that it would give no additional right or privilege, and no additional security for slavery that it does not now possess; that it would stop just the strong and to extent the weak; that it is all the North wants in most respects, and more than they claim in others.

☞ The *Nashville Union and American* of the 5th inst., speaks of LINCOLN'S inaugural manifesto in the following terms:

No man can read the inaugural without coming to the conclusion that it is a declaration of war against the seceded States, and is less than fifty days it will be so if not carried out, we shall have the clangor of resounding arms, all the concomitants of death, carnage and woe. And can this consist a Union of free States based on consent? Can this reconstruct the Government and rebuild its broken columns? Let the responsibility rest as rest it will, in the judgment of posterity and in the verdict of history, upon that responsible party which has agitated for years to revolutionize the Government, upset the Constitution, and destroy the rights of the southern people, and now relies on the sword and the cannon to execute its decrees. Let the bloody crew of coercion be carried out, and the last vestige of hope for the reconstruction of the Union with have vanished. On assuming, after the fratricidal battle that greatly harassed our country to ruin, and forces it into this fathomless abyss?

☞ We submit to an honest and fair-minded people, that Mr. KETCHUM, of Indiana, is a true exponent of northern sentiment, than the Memphis APPEAL.—*Bulletin of yesterday.*

We most hartily agree with our neighbor in the abolition, and would only add that it is that in company with Mr. KETCHUM the Bulletin place itself and the *New York Tribune*.

SUMMARY.

Frederick W. Seward has been confirmed assistant Secretary of State.

Commissioners from the Confederate States reached Washington yesterday.

Captain Lee, of Virginia, has resigned his commission in the United States army.

Ex-President Buchanan left Washington for Wheatland on the afternoon of the 5th.

Norman B. Judd, of Illinois, has been appointed United States minister to Berlin.

Ex-Secretary Floyd's arrival in Washington yesterday is announced by telegraph.

The barque William, of New Orleans, has been seized as a slaver at Port-au-Prince.

It is believed that Col. John C. Fremont will be accredited as United States Minister to France.

It is said that the Hon. Jeremiah Black, Ex-Secretary of State, will resume the practice of law in Washington.

The resignation of Mr. Preston, United State Minister to Spain, has been received by the State Department at Washington.

Texas has ratified the secession ordinance by from forty to forty-five thousand majority. It is said that Gov. Houston contemplates resigning.

President Davis has ordered Gen. Beauregard to Charleston, immediately, to take charge of the forces now raised to invest Fort Sumter.

Seward, on Monday, told a delegation of Republicans from Illinois, that the way to preserve the Republican party, was to preserve the Union.

It is reported in Washington, and said to be generally believed, that Senator Crittenden is to be appointed to fill the vacancy on the Supreme bench.

The steamer Empire City has been chartered by the United States Government, and it is thought she will be sent South immediately, with dispatches.

Efforts are being made to procure the appointment of Major Anderson, in command at Charleston, to the Brigadier-generalship recently held by General Twiggs.

It is understood that Lincoln will decline a conference with commissioners from the Southern Confederacy, on the ground that the seceded States are still in the Union.

Judge Vandersmith's sentence of twenty years in the penitentiary for forging applications for land warrants on the Government, was commuted by Mr. Buchanan to three years.

The telegraph says there was a spirited discussion at the White House yesterday, on the propriety of transferring Edward Bates to the Supreme Court, and of putting Hon. John A. Gilmer, of North Carolina, in the Cabinet.

The committee of conference on patents reported on Monday, at Washington, that all patents here after granted are to continue seventeen years, and prohibiting further extension. The patent bill thus amended, passed.

Advices from California indicate that no U. S. Senator will be elected from that State during the sitting of the present legislature. Fort Point, at the entrance of San Francisco harbor, for the first time was recently occupied by U. S. troops.

Gen'l Traja has been appointed envoy from Mexico to Washington. The difficulties between France and Mexico have been satisfactorily settled. The misunderstanding between Spain and Mexico touching the expulsion of Senor Pacheco has not been arranged.

In the Missouri State Convention, on Monday, resolutions were read approving of the protest of St. Louis against coercion, and that a copy be sent to the President. Resolutions were adopted which kindly, but emphatically, say to the commissioners from Georgia, that Missouri dissents from Georgia and declines to share the honors of secession with her.

The Union men of Louisville qualifedly approve of Mr. Lincoln's inaugural address, while the secessionists condemn it. It is sacrilegious that Hon. John Bell pronounces the inaugural a declaration of war, and that he will urge Tennessee to prepare for a conflict. Thousands of the citizens of Petersburg, Va., heretofore for Union, on the reception of Lincoln's inaugural address, declared for revolution if the convention does not immediately pass an ordinance of secession. The inaugural address was received at Raleigh, N. C., with satisfaction, because the people are in favor of secession. A Goldsboro, in the same State, the telegraph says the inaugural was received with indignation. The Union men at Raleigh received the inaugural address favorably, but do not approve of all of it. The disunionists are satisfied with it for the same reason assigned at Goldsboro. At Charleston the people were not disappointed. Very little feeling is exhibited. They are contented to have Lincoln and his address in the hands of Hon. Jeff. Davis and the Confederate States. The Richmond (Whig (conservative) says: "The policy indicated toward the seceding States in Mr. Lincoln's inaugural address will meet with stern, unyielding resistance from a united South." The *Enquirer* (secessionist) says: "No action of our convention can now maintain peace. Virginia must fight." The *Dispatch* says: "Every border State ought to go out of the Union in twenty-four hours." At Staunton, Va., the inaugural was received with universal dissatisfaction. All parties will resist coercion. It creates intense excitement. The secessionists regard it as a declaration of war; the Union men say but little, but are evidently disappointed. The Alexandria *Gazette* (Union) says: "The inaugural will not satisfy disaffected persons in the South." The *Sentinel* (secession) says: "The inaugural address is a declaration of war."

Tennessee and the Army of the Southern Confederacy.

We find the following paragraph in the Montgomery *Advertiser* of the 24:

We were pleased yesterday to learn that several service men had arrived in the city to report themselves to the governor of Alabama, and the President of the Confederate States of America. Among the number we find the names of Lieut. R. V. Bonneau, late 3d U. S. Artillery, (who, we are informed, telegraphed immediately after his resignation was accepted to the O. P. F.), Cadets Williams, of Tennessee, John Lane, (son of Gen. Joseph Lane,) of Oregon, W. Robertson of Texas, J. P. Martin of Maryland, Capt. Peter Turner, late commander of a rifle corps in Franklin county, Tennessee, J. W. D. Pickett, (an engineer) of Tennessee, Capt. St. Clair. M. Morgan, (late of the regular army, and a native of Alabama, but this, his native State,) and others which we do not now remember. When such metal as this is brought spontaneously into the field," we can safely say to our friends, "be just and fear not."

Southern Congress.

Special Dispatch to the N. O. Delta:]

MONTGOMERY, March 4, 1861.—There was an important debate to-day in the Confederate Congress on the revenue and tariff questions. In the course of the debate, Mr. Toombs said:

LINCOLN'S INAUGURAL ADDRESS.

FELLOW-CITIZENS OF THE UNITED STATES:

In compliance with a custom as old as the Government itself, I appear before you to address you briefly and to take, by your presence, the oath prescribed by the Constitution of the United States to be taken by the President before he enters on the execution of the duties of his office.

I do not consider it necessary, at present, for me to discuss those matters of administration about which there is no special anxiety or excitement. Apprehension seems to exist, among the people of the Southern States, that by the accession of a Republican Administration, their property, their peace, and their personal security are to be endangered. There has never been any reasonable cause for such apprehension. Indeed, the most ample evidence to the contrary has all the while existed and been open to inspection. It is found in all the published speeches of him who now addresses you. I do not quote from one of those speeches, when I declare, that I have no purpose, directly or indirectly, to interfere with the institution of slavery in the States where it exists. I believe I have no lawful right to do so, and I have no inclination to do so. Those who nominated and elected me did so with full knowledge that I had made this, and many similar declarations, and had never recanted them. And more than this, they placed in the platform for my acceptance, as a law to themselves and to me, the clear and emphatic resolution, which I now read:

"*Resolved*, That the maintenance inviolate of the rights of the States, and especially the right of each State to order and control its own judgment exclusively, is essential to that balance of power on which the perfection and endurance of our political fabric depends, and we denounce the lawless invasion by armed force of the soil of any State or Territory—no matter under what pretext—as among the gravest of crimes."

I now reiterate these sentiments, and in doing so, I only press upon the public attention the most conclusive evidence of which the case is susceptible, that the property, peace, and security of no section are to be in any wise endangered by the now incoming administration. I add, too, that all the protection which, consistently with the Constitution and the laws, can be given, will be cheerfully given to all the States, when lawfully demanded, for whatever causes, as cheerfully to one section as to another.

There is much controversy about the delivery up of fugitives from service or labor. The clause I now read is as plainly written in the Constitution as any other of its provisions:

"No person held to service or labor in one State, under the laws thereof, escaping into another, shall, in consequence of any law or regulation therein, be discharged from such service or labor, but shall be delivered up on claim of the party to whom such service or labor may be due."

It seems cannot be questioned that this provision intended by those who made it, for the reclaiming of what we call fugitive slaves, and the intention of the lawgiver is the law. All members of Congress swear that they will support the whole Constitution—to this provision as much as to any other. To the proposition, then, that slaves whose escape comes within the terms of this clause shall be delivered up, their oaths are unanimous.

Now, if they would make the effort in good temper, could they not, with nearly equal unanimity, frame and pass a law, by means of which to keep good that unanimous oath? There is some difference of opinion, whether this clause should be enforced by National or State authority, but surely that difference is not a very material one. If the slave is to be surrendered, it can be of little consequence to him, or to others, by which hand it is put in motion, and should any one, in any case, be content that his oath shall go unkept, on a mere unsubstantial controversy, as to how it shall be kept? Again, in any law upon this subject, ought not all the safeguards of liberty known in civilized and humane jurisprudence, to be introduced so that a free man be not in any case surrendered as a slave? And might it not be well, at the same time, to provide by law for the enforcement of that clause in the Constitution which guarantees that the citizens of each State shall be entitled to all the privileges and immunities of citizens in the several States?

I take the official oath to-day with no mental reservations, and with no purpose to misconstrue the Constitution or law by any hypercritical rules. And while I do not choose now to specify particular rules of Congress as proper to be enforced, I do suggest that it will be much easier for all, be it in official or private stations, to conform to, and abide by, all those acts which stand unrepealed, than to violate any of them, trusting to find impunity in having been held to be unconstitutional.

It is seventy-two years since the first inauguration of a President under our National Constitution. During that period fifteen different and greatly distinguished citizens have, in succession, administered the Executive branch of the Government. They have conducted it through many perils, and yet the general condition of affairs is now more satisfactory, with all this scope for precedents, I now enter upon the same task for the brief Constitutional term of four years, under more favorable circumstances of a dispersion of the Federal Union, heretofore only menaced, is now formidably admitted. I hold that in contemplation of universal law and of the Constitution, the Union of these States is perpetual. Perpetuity is implied, if not expressed, in the fundamental law of National Governments. It is safe to assert that no Government proper ever had a provision in its organic law for its own formation. Continue to execute all the expressed provisions of our National Constitution and the Union will endure, however, it may be impossible to destroy it except by some action not provided for in the instrument itself.

Again, if the United States be not a Government proper, but an association of States in the nature of a contract merely, can it, as a contract be practically unmade by less than all the parties who made it? One party to a contract may violate it—break it, so to speak; but does it not require all to lawfully rescind it? Descending from these general principles, we find the proposition, that, in legal contemplation, the Union is perpetual, confirmed by the history of the Union itself. The Union is much older than the Constitution. It was formed, in fact, by the articles of association in 1774. It was matured and continued by the Declaration of Independence in 1776. It was further matured, and the faith of all the then thirteen States was expressly plighted and engaged to it still more formally, in 1778.

By the Articles of Confederation, in 1776, and finally in 1787, one of the declared objects for ordaining and establishing the Constitution, was to form a more perfect union. But if the destruction of the Union by one, or by a part only of the States, be lawfully possible, the Union is less perfect than before the Constitution, having lost the vital element of perpetuity.

It follows, from these views, that no State, upon its own mere motion, can lawfully go out of the Union—that resolves and ordinances to that effect are legally void, and that acts of violence in any State, or States, against the authority of the United States, are treasonable or revolutionary, according to circumstances. I, therefore, consider that, in view of the Constitution and the laws, the Union is unbroken; and to the extent of my ability I shall take care, as the Constitution itself expressly enjoins upon me to do, that the laws of the Union shall be faithfully executed in all the States. Doing this, I feel that I am but simple duty on my part, and I shall perform it so far as practicable, unless my rightful masters, the American people, shall withhold the requisite means, or in some authoritative manner direct the contrary. I trust this will not be regarded as a menace, but only as the declared purpose of the Union, that it will constitutionally defend and maintain itself.

In doing this, there needs to be no bloodshed or violence, and there shall be none, unless forced upon the national authority.

The power confided to me will be used to hold, occupy and possess the property and places belonging to the Government, and to collect the duties and imports; but beyond what may be necessary for these objects, there will be no invasion, no using of force against or among the people anywhere. Where hostility to the United States in any interior locality shall be so great and universal as to prevent competent resident citizens from holding the Federal offices, there will be no attempt to force obnoxious strangers among the people for that object. While the right of local self-government exist in the Government to enforce the exercise of these offices, the attempt to do so would be so nearly impracticable, without, that I deem it better to forego, for the time, the uses of such offices.

The mails, unless repealed, will continue to be furnished in all parts of the Union. So far as possible, the people everywhere shall have that source of perfect security which is most favorable to calm thought and reflection. The course here indicated will be followed, unless current events and experiences shall show a modification or change to be proper, and in every case and exigency my best discretion will be exercised, according to circumstances actually existing, and with a view to and a hope of a peaceful solution of the national troubles, and the restoration of fraternal sympathies and affections.

That there are proposals in one section or another who seek to destroy the Union at all events, and are glad of any pretext to do it, I will neither affirm nor deny, lest it may be made a basis for charges against me. To those, however, who really love the Union, may I not speak?

Before entering upon so grave a matter as the dissolution of our political frame, let all the memories and its hopes, would it not be wise to ascertain precisely why we do it? Will you hazard so desperate a step, while there still is room for doubt that any portion of the ills you fly from have no real existence? Will you, while the certain ills you fly to, are greater than all the ills you fly from? Will you risk the chances of civil war? Fearful a mistake! All profess to be content in the Union, if all constitutional rights can be maintained. Is it true, then, that any right, plainly written in the Constitution, has been denied? I think not. Happily the human mind is so constituted that no party can reach to the audacity of doing this. Think, if you can, of a single instance in which a plainly written provision of the Constitution has ever been denied.

If, by the mere force of numbers, a majority should deprive a minority of any clearly written constitutional right, it might, in a moral point of view, justify revolution. I certainly would if such right were a vital one. But such is not our case. All the vital rights of minorities and of individuals are so plainly assured to them by affirmations and negations, guarantees and prohibitions in the Constitution, that controversies never arise concerning them. But no organic law can never meet every emergency. No foresight can anticipate, nor any document of reasonable length contain, express provisions for all feasible questions.

Shall fugitives from labor be surrendered by national, or by State authority? The Constitution does not expressly say. Must Congress protect slavery in the Territories? The Constitution does not expressly say.

From questions of this class spring all our constitutional difficulties. Is it not, then, wise to keep into supposition, if the minority will not acquiesce, the majority must, or the Government must cease. There is no other alternative for continuing the Government but acquiescence on one side or the other. If a minority in such case will secede, rather than acquiesce, they make a precedent which, in turn, will divide and ruin them; for a minority of their number will secede from them whenever a majority refuses to be controlled by such minority. For instance, why may not any portion of a new confederacy, a year or two hence, arbitrarily secede again, precisely as portions of the present Union claim to secede? Will you cherish Union sentiments are now being educated to the exact temper of doing this. Is there such a perfect identity of interest among the States to compose a new Union as to produce harmony only and prevent renewed secession? Plainly, the central idea of secession is the essence of anarchy. A majority held in restraint by constitutional check and limitations, and always changing easily with deliberate changes of popular opinions and sentiments, is the only true sovereign of a free people. Whoever rejects it does of necessity fly to anarchy or to despotism; unanimity is impossible. The rule of a minority, as a permanent arrangement is wholly inadmissable, so that rejecting the majority principle, anarchy or despotism in some form is all that is left.

I do not forget the position assumed by some, that constitutional questions are to be decided by the Supreme Court; nor do I deny that such decisions must be binding in any case upon the parties to a suit, as to the object of that suit. While they are also entitled to very high respect and consideration in all parallel cases, by all other departments of the Government, and while it is obviously possible that such decision may be erroneous in any given case, still the evil effect following it being limited to that particular case, with the chances that it may be overruled and never become a precedent for other cases, can hardly be a matter of serious consideration. Moreover, if the decision is to be made the rule of my official action, it is clearly open to me to examine it, and to express my opinion that it is erroneous. If the decision is to be made the rule of action for the people, it is plainly open to them to express their opinion, if they shall think it erroneous, whenever it may become necessary to make it so by their action. Nor is this all. Suppose this court, in the exercise of its jurisdiction, should, in some case, have before it a question involving the constitutionality of a law of Congress, and should decide it in the affirmative, would it be the duty of the President, as a ministerial officer, to execute that decision, by ordering the arrest of a person held by it to be a slave? Such a case would be a very, very, exceptional one, but it is not impossible, and it has been held by a very eminent statesman to be a case in which he would feel himself bound by his official oath to execute the decision. These are only a few of the many questions which will arise in the administration of a government so extensive as that of the United States. Nothing but time and the patient, continued, thoughtful, conscientious action of all, or almost all, can possibly be sufficient to the solution of such complicated and difficult questions. Nothing but the same can preserve our institutions. Upon him who is President the responsibility of the present crisis and of the future does not, at this time, so much depend as upon any other man in the country. Upon you, my fellow-citizens, far more than upon the President, the fate of our country depends. I do not shrink from the responsibility which is upon me, but I feel that I should be more than human if the weight of it did not press heavily upon me. I have been in the habit of relying much upon the Supreme Author of all things, and I feel that I may, with propriety, rely on Him again in this, my hour of need. We are not enemies, but friends. We must not be enemies; though passion may have strained our mutual affections, we must not break our bonds of affection. The mystic chords of memory, stretching from every battle-field and patriot's grave, to every living heart and hearthstone, all over this broad land, will yet swell the chorus of the Union, when again touched, as they will be, by the better angels of our nature.

THIRTY-SIXTH CONGRESS.

SECOND SESSION.

[Conclusion of Sunday Night Session.]

SENATE.—Discussion continued for some time between Mason, Douglas, Pugh and others, on the motion to substitute Crittenden's resolutions for the joint resolutions.

Mr. Morrill said, when the Senator from Illinois shook his head at this quarter, he had a right to object. We are standing at the end of a six years' terrible agitation, and all come now and ask the belief on the part of anybody that we are willing to end the dissolution of the Union; and yet gentlemen propose practice, a new policy, began six years ago on the slavery question.

The Southern slave States united upon it because it was Democratic, and seven of those States are now out of the Union. He disclaimed even the belief on the part of anybody of men at the North that Congress has the right to interfere with slavery in the States.

The Senator from Kentucky says that the whole difficulty is in regard to the Territory of New Mexico. If that be so it is really no difficulty; but there is a proposition to amend the Constitution by recognizing slavery, and it is that against which the Senators protest.

The Senate adopted the House resolutions, 24 to 12.

The Crittenden resolutions were lost, 19 against 20.

Senator Bright killed in the most approved manner a certain gas bill, to-wit: talking it to death. Bills of this character, very recently, matters waxed somewhat dull in the interim.

Adjourned at 4 o'clock till 10 o'clock.

The Senate re-assembled at 11 o'clock. Some unimportant business was transacted, when the Vice-President made a closing address, and the Senate adjourned.

Sunday.—Monday Morning.—The House met at 10 o'clock. The galleries were empty.

Mr. Pennington delivered a feeling farewell address.

Much miscellaneous business of no particular importance was disposed of with the usual noisy accompaniments.

The reports of the committee on conference were made and acted upon.

The proceedings were occasionally interrupted by messages from the Senate, and the announcement by the private secretary, Mr. Glossbrenner, that the President had signed certain bills.

The report of the committee of conference on the bill amendatory of the patent laws, was adopted.

About every member had a proposition or bill to pass.

The struggle for the floor was intensely exciting. Questions of order were now and then raised.

Mr. Hutchins raised his voice above the din, and said, this being a deliberative body, they might know what was going on.

A voice.—"You mistake; this is not a deliberative body."

Cries of "Good!"

A motion was made to clear the galleries. [Laughter.]

As heretofore stated, the visitors' galleries were entirely empty.

At half past eleven o'clock a motion to adjourn, was negatived. Ayes 40 to 117.

Some unimportant business was transacted, and various trifling matters were debated.

Several members moved to adjourn amid the confusion.

☞ Judge Betts, of the United States District Court of New York, has decided that the captured slave bark Kate must be condemned and sold.

SOUTHERN CONGRESS.

MONTGOMERY, Ala., March 2.—Congress met at 10 A. M. The journals of the preceding day were read and confirmed.

Mr. Curry, of Alabama. I have a memorial, Mr. President, from a citizen of this State, in favor of a national foundery and armory, which I desire to present, and the same referred to the Committee on Military Affairs. I took occasion, the other day, to express the opinion that such establishments were very much needed by the Confederate States of America. I believe that from the Administration of Gen. Washington, down to the present Administration, of the United States Government, every single one of those Administrations has, though their Chief Executive, or through some of the departments, urged the necessity of establishments of this kind, for the Government of the United States. While that Government had armories for the construction of small arms, I believe they were compelled in every case to rely upon private manufacturers for their cannon. It seems to me, Mr. President, that the Confederate States of America, which have, I believe, neither armories nor foundries, either of a public or private character, ought to take prompt and efficient measures for the establishment of such enterprises.

A foundery, in order to test and analyze metals, and supply patterns for cannon, which may be required by our Government, as well as to make the guns, is a work of no small importance. The best establishments for the manufacture of small arms, for we are well supplied with them. Cannon is a weapon of great importance, and as the issues of battle are mainly if not solely dependent on them, the necessity of having enterprises of this kind established in our Confederacy is the more urgent. As individuals cannot be expected to embark their capital in the manufacture of cannon, it becomes the duty of Government to provide for their establishment. It seems to me to be absolutely necessary that we should have a national armory. But I do not intend now to go into a labored argument to show the necessity for it. I desire more particularly, at this time, to call the attention of the military committee to some requisites, which, I think, are necessary in determining a location for an establishment of this kind. Due regard should be had to the location—there should be an ample supply of coal, of iron ore, and of wood—it should be so situated as to be free from attack, by any foreign power—it should also have easy communication with the sea-board, and be accessible from all important points of the Confederacy.

The location which is designated in the memorial I present combines all these indispensable requisites. The country is remarkable for its salubrity—iron ore is in inexhaustible quantities—in close proximity to valuable mines of coal, and to abundant supplies of wood; is free from access by foreign foes; is now in close and intimate communication with the sea board, and is of easy access from all important points of our Confederacy. In a word, it seems to me, it will be in communication with the States east of us. I do not think, Mr. President, that it is Congress, or any committee which may be appointed, or any Executive, competent to select a place for a foundery. They cannot be presumed to possess the requisite information or knowledge on such an important subject, and one requiring such varied experience and practical ability. Every intelligent gentleman knows that there are many different qualities or conditions of the same kind of metal, and, according to their character, are adapted to different purposes. I am indebted to a report submitted to you, Mr. President, while you were Secretary of the State authority, but surely that difference is not a very material one. If the slave is to be surrendered, it can be of little consequence to him, or to others, by which hand it is put in motion; and should any one, in any case, be content that his oath shall go unkept, on a mere unsubstantial controversy, as to how it shall be kept? Again, in any law upon this subject, ought not all the safeguards of liberty known in civilized and humane jurisprudence, to be introduced so that a free man be not in any case surrendered as a slave? And might it not be well, at the same time, to provide by law for the enforcement of that clause in the Constitution which guarantees that the citizens of each State shall be entitled to all the privileges and immunities of citizens in the several States?

I take the official oath to-day with no mental reservations, and with no purpose to misconstrue the Constitution or law by any hypercritical rules. And while I do not choose now to specify particular rules of Congress as proper to be enforced, I do suggest that it will be much easier for all, be it in official or private stations, to conform to, and abide by, all those acts which stand unrepealed, than to violate any of them, trusting to find impunity in having been held to be unconstitutional.

It is seventy-two years since the first inauguration of a President under our National Constitution. During that period fifteen different and greatly distinguished citizens have, in succession, administered the Executive branch of the Government. They have conducted it through many perils, and yet the general condition of affairs is now more satisfactory, with all this scope for precedents. I now enter upon the same task for the brief Constitutional term of four years, under more favorable circumstances of a dispersion of the Federal Union, heretofore only menaced, is now formidably admitted. I hold that in contemplation of universal law and of the Constitution, the Union of these States is perpetual. Perpetuity is implied, if not expressed, in the fundamental law of National Governments. It is safe to assert that no Government proper ever had a provision in its organic law for its own formation. Continue to execute all the expressed provisions of our National Constitution and the Union will endure, however, it may be impossible to destroy it except by some action not provided for in the instrument itself.

Again, if the United States be not a Government proper, but an association of States in the nature of a contract merely, can it, as a contract be practically unmade by less than all the parties who made it? One party to a contract may violate it—break it, so to speak; but does it not require all to lawfully rescind it? Descending from these general principles, we find the proposition, that, in legal contemplation, the Union is perpetual, confirmed by the history of the Union itself. The Union is much older than the Constitution. It was formed, in fact, by the articles of association in 1774. It was matured and continued by the Declaration of Independence in 1776. It was further matured, and the faith of all the then thirteen States was expressly plighted and engaged to it still more formally, in 1778.

By the Articles of Confederation, in 1776, and finally in 1787, one of the declared objects for ordaining and establishing the Constitution was to form a more perfect union. But if the destruction of the Union by one, or by a part only of the States, be lawfully possible, the Union is less perfect than before the Constitution, having lost the vital element of perpetuity.

It follows, from these views, that no State, upon its own mere motion, can lawfully go out of the Union—that resolves and ordinances to that effect are legally void, and that acts of violence in any State, or States, against the authority of the United States, are treasonable or revolutionary, according to circumstances. I, therefore, consider that, in view of the Constitution and the laws, the Union is unbroken; and to the extent of my ability I shall take care, as the Constitution itself expressly enjoins upon me to do, that the laws of the Union shall be faithfully executed in all the States. Doing this, I feel that I am but simple duty on my part, and I shall perform it so far as practicable, unless my rightful masters, the American people, shall withhold the requisite means, or in some authoritative manner direct the contrary. I trust this will not be regarded as a menace, but only as the declared purpose of the Union, that it will constitutionally defend and maintain itself.

In doing this, there needs to be no bloodshed or violence, and there shall be none, unless forced upon the national authority.

The power confided to me will be used to hold, occupy and possess the property and places belonging to the Government, and to collect the duties and imports; but beyond what may be necessary for these objects, there will be no invasion, no using of force against or among the people anywhere. Where hostility to the United States in any interior locality shall be so great and universal as to prevent competent resident citizens from holding the Federal offices, there will be no attempt to force obnoxious strangers among the people for that object. While the right of local self-government exist in the Government to enforce the exercise of these offices, the attempt to do so would be so nearly impracticable, without, that I deem it better to forego, for the time, the uses of such offices.

The mails, unless repealed, will continue to be furnished in all parts of the Union. So far as possible, the people everywhere shall have that source of perfect security which is most favorable to calm thought and reflection. The course here indicated will be followed, unless current events and experiences shall show a modification or change to be proper, and in every case and exigency my best discretion will be exercised, according to circumstances actually existing, and with a view to and a hope of a peaceful solution of the national troubles, and the restoration of fraternal sympathies and affections.

That there are proposals in one section or another who seek to destroy the Union at all events, and are glad of any pretext to do it, I will neither affirm nor deny, lest it may be made a basis for charges against me. To those, however, who really love the Union, may I not speak?

Before entering upon so grave a matter as the dissolution of our political frame, let all its memories and its hopes, would it not be wise to ascertain precisely why we do it? Will you hazard so desperate a step, while there still is room for doubt that any portion of the ills you fly from have no real existence? Will you, while the certain ills you fly to, are greater than all the ills you fly from? Will you risk the chances of civil war? Fearful a mistake! All profess to be content in the Union, if all constitutional rights can be maintained. Is it true, then, that any right, plainly written in the Constitution, has been denied? I think not. Happily the human mind is so constituted that no party can reach to the audacity of doing this. Think, if you can, of a single instance in which a plainly written provision of the Constitution has ever been denied.

If, by the mere force of numbers, a majority should deprive a minority of any clearly written constitutional right, it might, in a moral point of view, justify revolution. I certainly would if such right were a vital one. But such is not our case. All the vital rights of minorities and of individuals are so plainly assured to them by affirmations and negations, guarantees and prohibitions in the Constitution, that controversies never arise concerning them. But no organic law can never meet every emergency. No foresight can anticipate, nor any document of reasonable length contain, express provisions for all feasible questions.

Shall fugitives from labor be surrendered by national, or by State authority? The Constitution does not expressly say. Must Congress protect slavery in the Territories? The Constitution does not expressly say.

From questions of this class spring all our constitutional difficulties. Is it not, then, wise to keep into supposition, if the minority will not acquiesce, the majority must, or the Government must cease. There is no other alternative for continuing the Government but acquiescence on one side or the other. If a minority in such case will secede, rather than acquiesce, they make a precedent which, in turn, will divide and ruin them; for a minority of their number will secede from them whenever a majority refuses to be controlled by such minority. For instance, why may not any

FROM WASHINGTON.

Correspondence of the Cincinnati Enquirer.]

WASHINGTON, March 4.—The Capitol grounds were covered by great numbers of people, yesterday, but not half as many as attended the ceremonies at the inauguration of Taylor, Pierce and Buchanan.

Those entitled to seats on the platform having taken the places assigned them, and one having been somewhat delayed, Mr. Lincoln delivered his Inaugural Address. During its delivery he was breathlessly listened to by the assembled mass. At the place where he said that no blood should be spilt, and again that no obnoxious persons should be appointed to office, the speaker was applauded. Several other manifestations of approval were made, but with no enthusiasm. Taking it all in all, the speech was very coldly received. On the conclusion of the delivery of the inaugural