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"Perpetual Vigilance is the Price of Liberty," for "Power is always Stealing from the Many to the Few."

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Speech of Mr. Webster,

IN THE UNITED STATES SENATE,
ON THE COMPROMISE RESOLUTIONS,
March 7, 1850.

Mr. WEBSTER. I beg to express my obligations to my friend from Wisconsin, (Mr. Walker,) as well as to my friend from New York, (Mr. Seward,) for their courtesy in allowing me to address the Senate this morning.

Mr. President. I wish to speak to-day, not as a Massachusetts man, nor as a northern man, but as an American, and a member of the Senate of the United States. It is fortunate that there is a Senate of the United States—a body not yet moved from its propriety, not lost to a just sense of its own dignity, and its own high responsibilities, and a body to which the country looks with confidence for wise, moderate, patriotic, and healing doctrine. It is not to be denied that we live in the midst of strong agitations, and in the midst of very considerable dangers to our institutions of government. The imprisoned winds are let loose. The East, the West, the North, and the stormy South, all combine to throw the whole ocean in a commotion, and to toss its billows to the skies, and to disclose its profound depths. I do not expect, Mr. President, to hold, or to be fit to hold, the helm in the combat of the political elements; but I have a duty to perform and I mean to perform it with fidelity—not without a sense of the surrounding dangers, but not without hope. I have a part to act, not for my own security or safety, for I am looking out for no fragment upon which to flit away from the wreck, if wreck there must be, but for the good of the whole and the preservation of the whole; and there is that which will keep me to my duty during this struggle, whether the sun and the stars shall appear or shall not appear for many days. I speak to-day for the preservation of the Union. "Hear me for my cause." I speak to-day, not of a solution and serious heart, for the restoration to the country of that quiet and that harmony which makes the blessings of this Union so rich and so dear to us all—These are the topics that I propose to myself to discuss; these are the motives, that influence me in the wish to communicate my opinions to the Senate and the country; and if I can do anything, however little, for the promotion of these ends, I shall have accomplished all that I desire.

Mr. President, it may be amies to recollect how, in the events which, equally sudden and extraordinary, have brought the political condition of the country to what it now is. In May, 1846, the United States declared war against Mexico. Her armies, then on the frontier, entered the provinces of the Republic; met and defeated all her troops; penetrated her mountain passes, and occupied her capital. The marine force of the U. States took possession of her harbors and her towns on the Atlantic and on the Pacific. In less than two years a treaty was negotiated by which Mexico ceded to the United States a vast territory, extending seven or eight hundred miles along the shores of the Pacific; reaching back over the mountains, and across the desert, and it joined the frontier of the state of Texas. It so happened that, in the distracted and feeble state of the Mexican Government, before the declaration of war by the United States against Mexico had become known in California, that the people of California, under the lead of American officers, perhaps general, overthrew the existing provincial Government of California—the Mexican authorities—and ran up an independent flag. When the news arrived at San Francisco that war had been declared by the United States against Mexico, this independent flag was pulled down and the stars and stripes of this Union hoisted in its stead. So, sir, before the war was over, the powers of the United States, military and naval, had possession of San Francisco and Upper California, and a great rush of emigrants from various parts of the world took place into California in 1846 and 1847. But now, behold another wonder.

In January 1849, the Mormons, it is said, or some of them, made a discovery of an extraordinary rich mine of gold—or, rather, of a very great quantity of gold, hardly fit to be called a mine, for it was spread so near the surface—on the lower part of the south or American branch of the Sacramento. They seem to have attempted to conceal their discovery for some time; but another discovery, perhaps of greater importance, was made of gold, in another part of the American branch of the Sacramento, and near Sutter's fort, as it is called. The fame of these discoveries spread far and wide. They excited more and more the spirit of emigration towards California, which had already taken place; and persons crowded in hundreds, and flocked towards the bay of San Francisco. This, as I have said, took place in the winter and Spring of 1848. The digging commenced in the spring of that year, and from that time to this the work of searching for gold has been prosecuted with a success not heretofore known in the history of this globe. We all knew, sir, how incredulous the American public was at the accounts which reached us at first of these discoveries; but we all know that these accounts received, and continue to receive daily confirmation, and down to the present moment I suppose the assurances are as strong, after the experience of these several months, of mines of gold apparently inexhaustible in the regions near San Francisco, in California, as they were at any period of the earlier dates of the accounts. It so happened, sir, that, although in the time of peace, it became a very important subject for legislative consideration and legislative decision to provide a proper Territorial Government for California, yet differences in opinion in the councils of

the Government prevented the establishment of any such Territorial Government for California at the last session of Congress. Under this state of things, the inhabitants of San Francisco and California—then amounting to a great number of people—in the summer of last year, thought it to be their duty to establish a local Government. Under the proclamation of General Riley, the people chose delegates to a Convention—that Convention met at Monterey. They formed a constitution for the state of California, and it was adopted by the people of California in their primary assemblies. Desirous of immediate connection with the United States, its senators were appointed and representatives chosen, who have come hither, bringing with them the authentic constitution of the state of California; and they now present themselves, asking, in behalf of their state, that the state may be admitted into this Union as one of the United States. This constitution, sir, contains an express prohibition of slavery or involuntary servitude in the state of California. It is said, I suppose truly, that the members who composed that Convention some sixteen were natives and had been residents of the slave holding states, about twenty-two were from the non-slaveholding states, and the remaining ten members were either native Californians or old settlers in that country. This prohibition against slavery, it is alleged—

Mr. Hale. Will the Senator give any aid order is restored?

The Vice President. The Sergeant at Arms will see that order is restored, and no more persons admitted to the floor.

Mr. Cass. I trust the scene of the other day will not be repeated. The Sergeant at Arms must display more energy in suppressing this disorder.

Mr. Hale. The noise is outside of the door.

Mr. Webster. And it is the circumstance, sir, the prohibition of slavery by that convention, which has contributed to raise—I do not say it has wholly raised—the dispute as to the propriety of the admission of California into the Union under this constitution. It is not to be denied, Mr. President—nobody thinks of denying—that, whatever reasons were assigned at the commencement of the late war with Mexico, it was prosecuted for the purpose of the acquisition of territory, and under the alleged argument that the cession of territory was the only form in which proper compensation could be made to the United States by Mexico for the various claims and demands which the people of this Government had against her. At any rate, it will be found that President Polk's message at the commencement of the session of December, 1847, avowed that the war was to be prosecuted until some acquisition of territory was made. And, as the acquisition was to be south of the line of the United States, in warm climates and countries, it was naturally, I suppose, expected by the south that whatever acquisitions were made in that region would be added to the slaveholding portion of the United States. Events have turned out as was not expected, and that expectation has not been realized; and therefore some degree of disappointment and surprise has resulted. In other words, it is obvious that the question which has so long harassed the country, and at some times very seriously alarmed the minds of wise and good men, has come upon us for a fresh discussion—the question of slavery in this United States.

Now, sir, I propose—perhaps at the expense of detail and consequent detention of the Senate—to review historically this question of slavery, which, partly in consequence of its own merits, and partly, perhaps mostly, in the manner it is discussed in one and the other portion of the country, has been a source of so much alienation and unkind feeling between the different portions of the Union. We all know, sir, that slavery has existed in the world from time immemorial. There was slavery, in the earliest periods of history, in the Oriental nations. There was a slavery among the Jews; the theocratic government of that people made no injunction against it. There was slavery among the Greeks, and the ingenious philosophy of the Greeks found, or sought to find, a justification for it exactly upon the grounds which have been assumed for such a justification in this country; that is, a natural and original difference among the races of mankind, the inferiority of the black or colored race to the white. The Greeks justified their system of slavery upon that ground precisely. They held the African, and in some parts the Asiatic, tribes to be inferior to the white race; but they did not, I think, by any close process of logic, that, if this were true, the more intelligent and the stronger had there a right to subjugate the weaker. The more manly philosophy and jurisprudence of the Romans placed the justification of slavery on entirely different grounds.

The Roman jurists, from the first and down to the fall of the empire, admitted that slavery was against the natural law, by which they maintained that all men, of whatever climate, color or capacity, were equal; but they justified slavery, first, upon the ground and authority of the law of nations—arguing, and arguing truly, that at that day the conventional law of nations admitted that captives in war, whose lives, according to the notions of the times, were at the absolute disposal of the captors, might, in exchange for exemption from death, be made slaves for life, and that such servitude might descend to their posterity. The jurists of Rome also maintained that by the civil law there might be servitude—slavery, personal and hereditary—first, by the voluntary act of an individual, who might all himself into slavery; second,

by his being received into a state of slavery by his creditors in satisfaction of a debt; and, thirdly, by being placed in a state of servitude or slavery for crime. At the introduction of christianity into the world, the Roman world was full of slaves, and I suppose there is to be found no injunction against that relation between man and man in the teachings of the Gospel of Jesus Christ, or by any of his Apostles. The object of the instruction imparted to mankind by the founder of Christianity was to touch the heart, purify the soul, and improve the lives of individual men. That object went directly to the first fountain of all political and all social relations of the human race—the individual heart and mind of man.

Now, sir, upon the general nature and character and influence of slavery, there exists a wide difference between the northern portion of this country and the southern. It is said on one side that, if not the subject of any injunction or direct prohibition in the New Testament, slavery is a wrong; that it is founded merely in the right of the strongest, and that it is an oppression, like all unjust wars, like all those conflicts by which a mighty nation subjects a weaker nation to their will; and that slavery, in its nature, whatever may be said of it in the modifications which have taken place, is not in fact accorded to the meek spirit of the gospel. It is not kindly affectioned. It does not seek another's and not its own. It does not let the oppressed go free. These are sentiments that are cherished, and recently with greatly augmented force among the people of the northern states. It has taken hold of the religious sentiment of that part of the country, as it has more or less taken hold of the religious feelings of a considerable portion of mankind. The south, upon the other side, having been accustomed to this relation between the two races all their lives from their birth; having been taught in general to treat the subject of the bondage with care and kindness—and I believe, in general, feeling for them great care and kindness—have not yet taken this view of the subject which I have mentioned. There are thousands of religious men, with consciences as tender as any of their brethren of the north, who do not see the unlawfulness of slavery; and there are more thousands perhaps that, whatever they may think of it in its origin, and as a matter depending upon natural right, yet take all things as they are, and finding slavery to be an established relation of the society where they live, can see no way in which—let their opinions on the abstract question be what they may—it is in the power of the present generation to relieve themselves from this relation. And, in this respect, candor obliges me to say that I believe they are just as conscientious, many of them, and of the religious people all of them, as they are in the north in holding different opinions.

Why, sir, the honorable senator from South Carolina, the other day, alluded to the great separation of that great religious community, the Methodist Episcopal Church. That separation was brought about by differences of opinion upon this peculiar subject of slavery. I felt great concern as that dispute went on, about the result; and I was in hopes that the difference of opinion might be adjusted, because I looked upon that religious denomination as one of the great props of religion and morals throughout the whole country, from Maine to Georgia. The result was against my wishes and against my hopes. I have read all their proceedings, and all their arguments, but I have never yet been able to come to the conclusion that there was any real ground for that separation; in other words, that no good could be produced by that separation. Sir, when a question of this kind takes hold of the religious sentiments of mankind, and comes to be discussed in religious assemblies of the clergy and laity, there is always to be expected or feared, a great degree of excitement. It is in the nature of man, manifested by his whole history, that religious disputes are apt to become warm, and men's strength of conviction is proportionate to their views of the magnitude of the questions. In all such disputes there will sometimes be people found with whom every thing is absolute—absolutely wrong or absolutely right. They see the right clearly; they think others ought to do it, and they are disposed to establish a broad line of distinction between what they think right and what they hold to be wrong. And they are not seldom willing to establish that line upon their own convictions of the truth and the justice of their own opinions, and they are willing to mark and guard that line by placing along it a series of dogmas, as lines of boundary are marked by posts and stones. There are men who, with clear perceptions, as they think, of their own duty, do not see how to hot a pursuit of one duty may involve them in the violation of others, or how to warm an embracement of one truth may lead to a disregard of other truths equally important. As I heard it stated strongly, not many days ago, these persons are disposed to mount upon some duty as a war horse, and to drive furiously, on and upon, and over all other duties that may stand in the way. There are men who, in times of that sort and disputes of that sort, are of opinion that but man duties may be ascertained, with the precision as with mathematics, and they think what is right may be distinguished from what is wrong with the precision of an algebraic equation. They have, therefore, none too much charity towards others who differ from them. They are apt, too, to think that nothing is good but what is perfect, and that there are no compromises or modifications to be made in submission to difference of opinion, or in deference to other men's judgment. If their perceptive vision enables them to detect a

spot on the face of the sun, they think that a good reason why the sun should be struck down from heaven. They prefer the chance of toning into utter darkness to living in heavenly light, if that heavenly light be not absolutely without any imperfection. There are impatient men—too impatient always to give heed to the admission of St. Paul, "that we are not to do evil that good may come"—too impatient to wait for the slow progress of moral causes in the improvement of mankind. They do not remember that the doctrines and the miracles of Jesus Christ have, in eight hundred years, converted only a small portion of the human race; and among the nations that are converted to Christianity they forget how many vices and crimes, public and private, still prevail, and that many of them, public crimes especially, which are offences against the Christian religion, pass without exciting particular regret or indignation. Thus wars are waged, and unjust wars. I do not deny that there may be just wars. There certainly are, but it was the remark of an eminent person, not many years ago, on the other side of the Atlantic, that it was one of the greatest reproaches to human nature that wars were sometimes necessary. The defence of nations sometimes causes a war against the injustice of other nations.

Now, sir, in this state of sentiment upon the general nature of slavery lies the cause of a great portion of those unhappy divisions, exasperations, and reproaches which find vent and support in different parts of the Union. Slavery does exist in the United States. It did exist in the States before the adoption of this constitution, and at that time.

And now let us consider, sir, for a moment, what was the state of sentiment North and South in regard to slavery at the time this constitution was adopted. A remarkable change has taken place since, but what did the wise and great men of all parts of the country think of slavery?—in what estimation did they hold it in 1787, when this constitution was adopted? Now, it will be found, sir, if we carry ourselves by historical research back to that day, and ascertain men's opinions by authentic records still existing among us, that there was no great diversity of opinion between the North and the South upon the subject of slavery, and it will be found that both parts of the country held it to be a great and a very real evil. It will not be found that either at the North or at the South there was much, though there was some, invective against slavery as inhuman and cruel. The great ground of objection to it was political; that it weakened the social fabric; that, taking the place of free labor, society was less strong and labor was less productive; and therefore we find from all the eminent men of the time the clearest expression of their opinion that slavery was an evil. And they ascribed it, not without truth, and not without some acerbity of temper and force of language, to the injurious policy of the mother country, who, to favor the colonies, had entailed these evils upon the publications of the day. They are matters of history on the record. The eminent men, the most eminent men and nearly all the conspicuous of the South, held the same sentiments; that slavery was an evil, a blight, a blast, a mildew, a scourge, and a curse. There was no term of reprobation of slavery so vehement in the North of that day as in the South. The North was not so much excited against it as the South, and the reason is, I suppose, because there was much less at the North, and the people did not see, or think they saw, the evils so prominently as they were seen, or thought to be seen, at the South.

Then, sir, when this constitution was framed, this was the light in which the Convention viewed it. The Convention reflected the judgment and sentiments of the great men of the South. A member of the other House, whom I have not the honor to know, in a recent speech has collected extracts from these public documents. They prove the truth of what I am saying, and the question then was, how to deal with it, and how deal with it as an evil? Well, they came to this general result. They thought that slavery could not be continued in the country if the importation of slaves were made to cease, and therefore they provided that after a certain period the importation might be prevented by the act of the new Government. Twenty years was proposed by some gentleman, a Northern gentleman, I think, and many of the Southern gentlemen opposed it as being too long. Mr. Madison especially was something warm against it. He said it would bring too much of this mischief into the country to allow the importation of slaves for such a period. Because we must take along with us, in the whole of the discussion, when we are considering the sentiments and opinions in which this constitutional provision originated, that the conviction of all men was that if the importation of slaves ceased, the white race would multiply faster than the black race, and that slavery would therefore gradually wear out and expire. It may not be improper here to allude to that, I had almost said, celebrated opinion of Mr. Madison.—You observe, sir, that the term slave or slavery is not used in the constitution. The constitution does not require that "fugitive slaves" shall be delivered up. It requires that "persons bound to service in one State, and escaping into another, shall be delivered up." Mr. Madison opposed the introduction of the term slave or slavery into the constitution; for he said he did not wish to see it recognised by the constitution of the United States of America that there could be property in men. Now, sir, all this took place at

the Convention in 1787; but connected with this—concurrent and contemporaneous—is another important consideration not sufficiently attended to. The Convention for framing this constitution assembled in Philadelphia in May, and sat until September, 1787. During all that time the Congress of the U. States was in session at New York. It was a matter of design, as we know, that the Convention should not assemble in the same city where Congress was holding its sessions.—Almost all the public men of the country, therefore, of distinction and eminence, were in one or the other of these two assemblies; and I think it happened in some instances that the same gentlemen were members of both. If I mistake not, such was the case of Mr. Rufus King, then a member of Congress from Massachusetts, and at the same time a member of the Convention to frame the constitution from that State. Now, it was in the summer of 1787, the very time when the Convention in Philadelphia was framing this constitution, that the Congress in New York was framing the ordinance of 1787. They passed that ordinance on the 13th July, 1787, at New York, the very month, perhaps the very day, on which these questions about the importation of slaves and the character of slavery were debated in the Convention at Philadelphia. And so far as we can now learn, there was a perfect concurrence of opinion between these respective bodies; and it resulted in this ordinance of 1787, excluding slavery as applied to all the territory over which the Congress of the United States had jurisdiction, and that was all the territory northwest of the Ohio. Three years before, Virginia and other States had made a cession of that great territory to the United States. And a most magnificent act it was. I never reflect upon it without a disposition to do honor and justice—and justice would be the highest honor—to Virginia for that act of cession of her northwestern territory. I will say, sir, it is one of her fairest claims to the respect and gratitude of the United States, and that perhaps it is only second to that other claim which attaches to her; that in her councils, and from the intelligence and patriotism of her leading statesmen, proceeded the first idea put into practice for the formation of a general constitution of the U. States.—Now, sir, the ordinance of 1787 applied thus to the whole territory over which the Congress of the U. States had jurisdiction. It was adopted nearly three years before the Constitution of the U. States went into operation; because the ordinance took effect immediately on its passage, while the Constitution of the U. States, having been framed, was to be sent to the States to be adopted by their Conventions; and then a Government had to be organized under it. This ordinance, then, was in operation and force when the constitution was adopted and this Government put in motion, in April, 1789.

Mr. President, three things are quite clear as historical truths. One is, that there was an expectation that on the ceasing of the importation of slaves from Africa, slavery would begin to run out. That was hoped and expected. Another is, that as far as there was any power in Congress to prevent the spread of slavery in the United States, that power was executed in the most absolute manner and to the fullest extent. An honorable member whose health does not allow him to be here to-day—

A Senator. He is here. (Referring to Mr. Calhoun.)

Mr. Webster. I am very happy to hear that he is—may be long be in health and the enjoyment of it to serve his country—said the other day that he considered this as the first in the series of measures calculated to enfeeble the south and deprive them of their just participation in the benefits and privileges of this Government. He says very properly that it was done under the old confederation and before this constitution went into effect; but, my present purpose is only to say, Mr. President, that it was done with the entire and unanimous concurrence of the whole south. Why there it stands! The vote of every state in the Union was unanimous in favor of the ordinance, with the exception of a single individual vote, and that individual was a northern man. But sir, the ordinance abolishing or rather prohibiting slavery northwest of the Ohio, has the hand and seal of every southern member in Congress.

This was the state of things, sir, and this is the state of opinion under which those two very important matters were arranged, and those two important things done; that is, the establishment of the constitution with a recognition of slavery as it existed in the states, and the establishment of an ordinance prohibiting, to the full extent of all territory owned by the United States, the introduction of slavery into these territories. And here, sir, we may pause. We may reflect for a moment upon the entire coincidence and concurrence of sentiment between the north and the south upon this question at the period of the adoption of the constitution. But opinions, sir, have changed—greatly changed—changed north and changed south. Slavery is not regarded in the south now as it was then. I see an honorable member of this body paying me the honor of listening to my remarks; he brings to me, sir, freshly and vividly the sentiments of his great ancestor, so much distinguished in his day and generation, so worthy to be succeeded by so worthy a grandson, with all the sentiments he expressed in the convention in Philadelphia upon this subject.

Here we may pause. There was unanimity of sentiment, if not a general concurrence of sentiment, running through the whole

community, and especially entertained by the eminent men of all portions of the country, in regard to this subject. But soon a change at the north and the south, and a severance of opinions showed itself—the North growing much more warm and strong against slavery, and the South growing much more warm and strong in its support. Sir, there is no generation of mankind whose opinions are not subject to be influenced by what appears to them to be their present and emergent and exigent interest. I implore to the south, and particularly interested view in the change which has come over her. I implore to her certainly no dishonest view. All that has happened has been natural. It has followed those causes which always influenced the human mind and operates upon it. What, then, have been the causes which have created so new a feeling in favor of slavery in the south—which have changed the whole nomenclature of the state on the subject—and from being thought of and described in the terms I have mentioned and will not repeat, it has now become an institution, a cherished institution there; no evil, no scourge, but a religious, social and moral blessing, as I think I have heard it lately described? I suppose this, sir, is owing to the sudden uprising and rapid growth of the cotton plantations of the south. So far as any motive of honor, justice, and general judgment could act, it was the cotton interest that gave a new desire to promote slavery, to spread it and to use its labor. I again say this is produced by the causes which we must always expect to produce like effects—but their whole interest became connected with it. If we look back to the history of the commerce of this country at the early commencement of this Government, what were our exports? Cotton was hardly, or to a very limited extent, known. The tables will show that the exports of cotton for the years 1790 and '91 were hardly more than forty or fifty thousand dollars a year. It has gone on increasing rapidly until it may now be, perhaps, in a season of great product and high prices, a hundred millions of dollars. Then there was more of wax, more of indigo, more of rice, more of almost every thing exported from the south than of cotton. I think I have heard it said, when Mr. Jefferson negotiated the treaty of 1794 with England, he did not know that cotton was exported at all from the United States; and I have heard it said that, after the treaty which gave to the United States the right to carry their own commodities to England and in their own ships, the custom house in London refused to admit cotton, upon an allegation that it could not be an American production, there being, as they supposed, no cotton raised in America.—They would hardly think so now!

Well, sir, we know what follows. The ego of cotton became a golden age for our southern brethren. It gratified their desire for improvement and accumulation at the same time that it excited it. The desire grew by what it fed upon, and there soon came to be an eagerness for other territory, a new area or new areas for the cultivation of the cotton crop, and measures were brought about, somewhat rapidly, one after another, under the lead of southern men at the head of the Government, they having a majority in both branches of the Government, to accomplish their ends. The honorable member from Carolina observed that there has been a majority all along in favor of the north. It that be true sir, the north acted very liberally and kindly, or very weakly; for they never exercised that majority five times in the history of the Government. Never. Whether they were out generalised, or whether it was owing to other causes, I shall not stop to consider, but no man acquainted with the history of the country can deny that the general lead in the politics of the country for three fourths of the period that has elapsed since the adoption of the constitution has been a southern lead. In 1802, in pursuit of the idea of opening a new cotton region, the United States obtained a cession from Georgia of the whole of her western territory, now embracing the rich and growing state of Alabama. In 1803 Louisiana was purchased from France, out of which the states of Louisiana, Arkansas and Missouri have been framed as slaveholding states. In 1819 in the cession of Florida was made, bringing another cession of slaveholding property and territory. Sir, the honorable member from South Carolina thought he saw in certain operations of the Government, such as the manner of collecting the revenue and the tendency of those measures to promote emigration into the country, what accounts for the more rapid growth of the north than the south. He thinks they were not the operation of time, but the system of government established under this constitution. That is a matter of opinion. To a certain extent it may be so; but it does seem to me that if any operation of the Government could be shown in any degree to have promoted the population and growth, and wealth of the north, it is much more sure that there are sundry important and distinct operations of the Government, about which no man can doubt, tending to promote, and which absolutely have promoted the increase of the slave interest and the slave territory of the south. Allow me to say that it was not time that brought in Louisiana; it was the act of men. It was not time that brought in Florida; it was the act of men. And lastly, sir, to complete those acts of men who have contributed so much to enlarge the area and the sphere of the institution of slavery, Texas, great and vast and illimitable Texas, was added to the Union as a slave state in 1845; and that, sir, pretty much closed the whole chapter—that settled