The Charlotte Journal.

F. DEARMIN LEAK, EDITOR AND PROPRIETOR.

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

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The United States and Texas.

The following is the letter from Gov. Bell, of Texas, to the President:

LETTER OF GOV. BELL.

EXECUTIVE DEPARTMENT,
Austin, Texas, June 14, 1850.

To his Excellency, Z. TAYLOR,
President of the United States:

Sir: By authority of the Legislature of Texas, the Executive of the State, in February last, despatched a special commissioner with full power and instructions to extend the civil jurisdiction of this State over the unorganized counties of El Paso, Worth, Presidio, and Santa Fe, situated upon its northwestern limits.

The commissioner has reported to me, in an official form, that the military officers employed in the service of the United States, stationed at Santa Fe, interposed adversely with the inhabitants to the fulfilment of his object by employing their influence in favor of the establishment of a separate State Government, east of the Rio Grande, and within the rightful limits of the State of Texas. I transmit to you, herewith, the proclamation of Col. John Munroe; acting under the orders of the Government of the United States, under the designation of Civil and Military Governor of the Territory of New Mexico.

I have very respectfully to request, that your Excellency will cause me to be informed, at your earliest possible convenience, whether or not this officer has acted in this matter under the orders of his Government, and whether his proclamation meets with the approval of the President of the United States.

With assurances of distinguished consideration, I have the honor to be your Excellency's most obedient servant,

P. H. BELL.

LETTER OF HON. DANIEL WEBSTER

DEPARTMENT OF STATE,
Washington, August 5, 1850.

To his Excellency, P. H. Bell, Governor of Texas:

Sir: A letter addressed by you to the late President of the United States, and dated on the 14th of June last, has since his lamented decease, been transferred to the hands of his successor, by whom I am directed to address you the following answer:

In that letter you say, that by the authority of the Legislature of Texas, the Executive of that State, in February last, despatched a special commissioner with full power and instructions to extend the civil jurisdiction of that State over the unorganized counties of El Paso, Worth, Presidio, and Santa Fe, situated upon its northwestern limits; and that the Commissioner has reported to you in an official form, that the military officers employed in the service of the United States, stationed at Santa Fe, interposed adversely with the inhabitants to the fulfilment of his object, by employing their influence in favor of the establishment of a separate State government east of the Rio Grande, and within the rightful limits of the State of Texas. You also transmit a copy of the proclamation of Col. John Munroe, acting under the orders of the Government of the United States, under the designation of Civil and Military Governor of the Territory of New Mexico, and respectfully request the President to cause you to be informed whether or not this officer has acted in this matter under the orders of his government, and whether his proclamation meets with the approval of the President of the United States.

In the events which have occurred, the President hardly knows whether your excellency would naturally expect an answer to this letter from him. His predecessor in office, to whom it was addressed, and under whose authority and direction the proclamation of Col. Munroe was issued, is no more, and at this time, the proclamation, whatever may be regarded as its true character, has ceased to have influence or effect. The meeting of the people of New Mexico, by their representatives, which it invited, is understood to have taken place, although this Government has as yet received no official information of it.

Partaking however, in the fullest degree, in that high respect which the Executive Government of the United States always entertains towards the Governors and governments of the States, the President thinks it his duty, nevertheless, to manifest that feeling of respect by acknowledging and answering your letter. And this duty, let me assure your Excellency, has been so long delayed only by uncontrollable circumstances, and is now performed at the earliest practicable moment, after the appointment of those heads of departments, and their acceptance of office, with whom it is usual, on important occasions, for the President of the United States to advise.

In answer therefore to your first interrogatory, viz: whether Colonel Munroe, in issuing the proclamation referred to, acted under the orders of this Government, the President directs me to state, that Col. Munroe's proclamation appears to have been issued in pursuance, or consequence, of an order or letter of instructions, given by the late Secretary of War, under the authority of the late President, to Lieutenant Colonel McCall. Of this order, which bears date on the 19th of November, 1849, your Excellency was undoubtedly informed at the date of your letter. A full and accurate copy, however, is attached to this communication. Colonel McCall is therein instructed, that if the people of New Mexico, for whom Congress had provided no government, should manifest a wish to take any steps to establish a government for themselves, and apply for admission into the Union, it will be his duty, and the duty of others with whom he is associated, not to thwart, but to advance their wishes. This order does not appear to authorize any exercise of military authority, or of any official or even personal interference to control, or affect in any way the primary action of the people, in the formation of a government, nor to permit any such interference by subordinate officers.

Colonel McCall and his associates were not called upon to take a lead in any measure, or even to recommend anything as fit to be adopted by the people. Their whole duty was confined to what they might be able to perform, subordinate to the wishes of the people. In this matter it was evidently contemplated that they were to act as the agents of the inhabitants, and not as officers of this government. It must be recollected that the only government then existing in the territory was a *quasi* military government, and as Congress has made no provision for the establishment of any form of civil government, and as the President doubtless believed that, under these circumstances, the people had a right to frame a government for themselves, and submit it to Congress for its approval; the order was a direction that the then existing military government should not stand in the way of the accomplishment of the wishes of the people, nor thwart these wishes, if the people entertained them, for the establishment of a free, popular, republican, civil government, for their own protection and benefit. This is evidently the whole purpose and object of the order.

The military officer in command, and his associates, and American citizens, acquainted with the forms of civil and popular proceedings, and it was expected that they would aid the inhabitants of the territory, by their advice and assistance in their proceedings for establishing a government of their own. There was no reason to suppose that Colonel Munroe, an officer as much distinguished for prudence and discretion, as for gallant conduct in arms, meant to act, or did otherwise than in entire subordination and subservicncy to the will of the people amongst whom he was placed. He was not authorized to do, nor does the President understand him as intending to do anything whatever in his military character, nor to represent in any way, the wishes of the Executive Government of the United States.

To judge intelligently and fairly of these transactions, we must recall to our recollection the circumstances of the case as then existed.

Previous to the war with Mexico, which commenced in May, 1846, and received the sanction of Congress on the 13th of that month, the Territory of New Mexico formed a Department or State of the Mexican Republic, and was governed by her laws.

Gen. Kearney, acting under orders from this Government, invaded this department with an armed force; the Governor fled at his approach, and the troops under his command dispersed, and Gen Kearney entered Santa Fe, the capital, on the 18th of August, 1846, and took possession of the territory in the name of the United States. On the 22nd of that month he issued a proclamation to the inhabitants, stating the fact that he had taken possession of Santa Fe, at the head of his troops, and announcing "his intention to hold the department with its original boundaries (on both sides of the Del Norte) and under the name of New Mexico."

By that proclamation he promised to protect the inhabitants of New Mexico, in their person and property, against their Indian enemies and all others; and assured them that the United States intended to provide them a free government, when the people would be called upon to exercise the rights of freemen in electing their own representatives to the Territorial Legislature. On the same day he established a Territorial Constitution by an organic law, which provided for executive, legislative, and judicial departments of the government; defined the right of suffrage, and provided for the trial by jury, and at the same time established a code of laws. This constitution declared that "the country heretofore known as New Mexico, shall be known hereafter and designated as the territory of New Mexico, in the United States of America," and the members of the lower house of the legislature were apportioned among the counties established by the decree of the department of New Mexico, of June 17, 1844, which counties, it is understood, included all the territory over which Texas has lately attempted to establish her own jurisdiction.

On the 23d of December, 1847, a copy of this constitution and code was transmitted by President Polk to the House of Representatives, in pursuance of a call on him by that body. In the message transmitting the constitution, he says, that "portions of it purport to establish and organize a *permanent* territorial government over the territory, and to impart to its inhabitants political rights which under the constitution of the United States can be enjoyed. These have not been approved and recognised by me. Such organized regulations as have been established in any of the conquered territories for the security of our conquest, for the preservation of order, for the protection of the rights of the inhabitants and for depriving the enemy of the advantages of these territories while the military possession of them by the forces of the United States continue, *will be recognised and approved.*"

Nearly four years have now elapsed since the *quasi* military government was established by military authority, and received with the exceptions mentioned, the approval of President Polk. In the meantime, a treaty of peace has been concluded with Mexico, by which a boundary line was established that left this territory within the United States, thereby confirming to the U. States by treaty, what we had before acquired by conquest.—The treaty, in perfect accordance with the proclamation of Gen. Kearney, declared that the Mexicans remaining in this territory should be incorporated into the United States, and be admitted at the proper time, (to be judged of by the Congress of the United States,) to an enjoyment of all the rights of citizens of the United States, according to the principles of the Constitution: "And in the meantime should be maintained and protected in the free enjoyment of their liberty and property, and secured in the free exercise of their religion without restriction." Thus it will be received that the authority of the United States over New Mexico, was the result of conquest; and the possession held of it, in the first place, was of course a military possession.

The treaty added the title, by cession to the already existing title by successful achievements in arms. With the peace, there arose a natural expectation that, as early as possible, there would come a civil government to supersede the military. But until some such form of government should come into existence, it was matter of absolute necessity that the military government should continue, as otherwise the country must fall into anarchy. And this has been the course generally in the practice of civilized nations, when colonies or territories have been acquired by war, and their acquisition confirmed by treaty.

The military government, therefore, existing in New Mexico at the date of the order, existed there of inevitable necessity. It existed as much against the will of the Executive Government of the United States, as against the will of the people. The late President had adopted the opinion, that it was justifiable in the people of the territory, under the circumstances, to form a constitution of government, without any previous authority conferred by Congress, and thereupon to apply for admission into the Union. It was under this state of things, and under the influence of those opinions, that the order of the 19th November last, was given and executed in the manner we have seen. The order indicates no boundary, and defines no territory, except by the name of New Mexico; and so far as that indicated any thing, it referred to a known territory, which had been organized under military authority, approved by the Executive, and left without remonstrance or alteration by Congress for more than three years. It appears to the President that such an order could not have been intended to invade the rights of Texas.

Secondly, you ask whether the proclamation of Col. Munroe meets with the approval of the President of the United States?

To determine this question, it is necessary to look at the *object* of the proclamation, and the *effect* of the proceedings it had under it. If the object was to assume the authority to settle the disputed boundary with Texas, then the President has no hesitation in saying, such object does not meet his approbation, because he does not believe that the Executive branch of this Government or the inhabitants of New Mexico, or both combined, have any constitutional authority to settle that question.—That belongs either to the judicial department of the Federal Government or to the concurrent action by agreement of the Legislative departments of the Government of the U. States and Texas. But it has been sufficiently shown that Col. Munroe could have had no such object, and that his intention was merely to act in aid of the people in forming a State constitution to be submitted to Congress.

Assuming then that such a constitution has been formed, what is its effect upon the disputed boundary? If it compromits the rights of either party to that question, then it does not meet the President's approbation, for he deems it his duty to leave the settlement of that question to the tribunal to which it constitutionally belongs. It is sufficient for him that the boundary is in dispute, that the territory east of the Rio del Norte seems to be claimed in good faith, both by Texas and New Mexico, or rather by the United States.—Whatever might be his judgment in regard to their respective rights, he has no power to decide upon them, or even negotiate in regard to them; and therefore it would be improper for him to express any opinion. The subject matter of dispute is between the United States and Texas, and not between the inhabitants of New Mexico and Texas.

If those people should voluntarily consent to come under the jurisdiction of Texas, such consent would not bind the United States, or take away their title to the Territory. So, on the other hand, if they should voluntarily claim the title for the United States, it would not deprive Texas of her rights, whatever those rights might be. They can only be affected by her own acts, or a judicial decision. The State constitution formed by New Mexico can have no legal validity until it is recognized and adopted by the law making power of the U. States. Until this is done it has no sanction, and can have no effect upon the rights of Texas, or of the United States, to the Territory in dispute. And it is not to be presumed that Congress will ever give its sanction to that constitution without first providing for the settlement of this boundary.

Indeed, no government, either territorial or State, can be formed for New Mexico without providing for settling this boundary. Hence he regards the formation of this State constitution as a mere nullity. It may be regarded, indeed, as a petition to Congress to be admitted as a State; but, until Congress shall grant the power of such petition, by legal enactments, it affects the rights of neither party. But as it is the right of all to petition Congress for any law which it may constitutionally pass, this people were in the exercise of a common right when they formed their constitution, with a view of applying to Congress for admission as a State; and as he thinks the act can prejudice no one, he feels bound to approve the conduct of Col. Munroe in issuing the proclamation.

I am directed, also, to state that in the President's opinion, it would not be just to suppose that the late President desired to manifest any unfriendly attitude or aspect towards Texas or the claims of Texas. The boundary between Texas and New Mexico was known to be disputed; and it was equally well known that the Executive Government of the United States had no power to settle that dispute. It is believed the Executive power has not wished—it certainly does not now wish—to interfere with that question, in any manner whatever, as a question of title.

In one of his last communications to Congress, that of the 16th of June last, the late President repeated the declaration that he had no power to decide the question of boundary, and no desire to interfere with it; and that the authority to settle that question resided elsewhere. The object of the Executive Government has been, as I believe, and as I am authorised to say it certainly now is, to secure the peace of the country; to maintain as far as practicable the state of things as it existed at the date of the treaty; and to uphold and preserve the rights of the respective parties as they were under the solemn guaranty of the treaty, until the highly interesting question of boundary should be finally settled by competent authority.

This treaty, which is now a supreme law of the land, declares, as before stated, that the inhabitants shall be maintained and protected in the free enjoyment of their liberty and property, and secured in the free exercise of their religion. It will, of course, be the President's duty to see that this law is sustained; and the protection which it guarantees made effectual—and this is the plain and open path of Executive duty, in which he proposes to tread.

Other transactions of a very grave character, are alluded to, and recited in your Excellency's letter. To those transactions, I am now directed, not more particularly to advert, besides, the only questions propounded by you, respect the authority under which Col. Munroe acted, and the approval or disapproval of his proclamation. Your Excellency's communication and the answer will be immediately laid before Congress, and the President will take that occasion to bring to its notice the transactions alluded to above.

It is, however, known to your Excellency, that the questions growing out of the acquisitions of California and New Mexico, and among them the highly important one of the boundary of Texas, have steadily engaged the attention of both Houses of Congress for many months, and still engage it, with intense interest. It is understood that the Legislature of Texas will be shortly in session, and will have the boundary question before it.

It is a delicate crisis in our public affairs; not free certainly from possible dangers, but let us confidently trust that justice, moderation, patriotism, and the love of the Union, may inspire such counsels, both in the government of the United States and that of Texas, as shall carry the country through these dangers, and bring it safely out of them all, and with renewed assurances of the continuance of mutual respect and harmony in the great family of States.

I have the honor to be, with entire regard, your Excellency's most obedient servant.

DANIEL WEBSTER,
Secretary of State.

SLAVE EXCITEMENT IN BALTIMORE.

Five slaves who had run away from their owners in Maryland, were brought to Baltimore on Friday in the cars of the Susquehanna railroad from Pennsylvania. It appears that there were eleven runaways, from different counties in Maryland, and certain Pennsylvanians, learning that they were secreted on the farm of a negro one mile across Pennsylvania line, proceeded to capture them and succeeded in getting seven of them.

In passing through Strasburg, York county, the abolitionists, headed by Postmaster Brown, endeavored to rescue them, and succeeded in getting two of them. In the struggle Brown was knocked down. The five slaves that remained were then put into the cars and sent to Baltimore.

While in the cars, pistols were fired at the Pennsylvanians. One slave in attemping to shoot his captor, shot himself. The affair produced a great excitement here, as well as all along the railroad. The slaves were lodged in jail, to await the arrival of their owners. —*Richmond Republican.*

HUMBUGGING A MULE.

The Doylestown Democrat says, that at one of our iron mines in Lehigh county, where the water is drawn out of the mine by mule power, one of the mules refuses to work unless he is ridden. To save a hand, they have mounted an artificial monkey upon him, and he works steadily, perfectly satisfied.

The most eminent Physician in the world, at present, is a Doctor Roberts, of Philadelphia, who advertises in the papers of that city, to cure poverty!

For the People.

The following common sense notice of the "*Disputes of the Day*" is taken from the National Intelligencer. It is from a "Farmer," and it deserves the attentive perusal of that class of our citizens:

From an Elderly Maryland Farmer—Sectional Disputes.

To the Editors of the National Intelligencer.

GENTLEMEN: The People of the United States are desirous of knowing what next is to be done. They will not believe it possible that there is so little of the spirit of conciliation, either in the different sections of the Union or in their Representatives in Congress, that the whole session is to be wasted in wrangling, and all needful legislation neglected.

Congress appears to labor under two difficulties: First, no dish of wholesome legislation can be prepared but Northern gentlemen are ready to poison it by thrusting in the so called "Wilmot proviso;" and, second, Southern gentlemen refuse to taste of any thing not seasoned to please their own fastidious appetites. Between these two opposing sections all useful legislation hang suspended, like Mahomet's coffin, in evelasting equipoise.

Northern gentlemen very gravely stand and lecture the South on the sin of slavery, not considering that those who consume the tobacco, the hemp, the rice, the turpentine, the cotton, and the sugar of the South, and the coffee of Brazil, enjoy quite as many of the comforts arising from slave labor and do quite as much to perpetuate slavery as slaveholders themselves. The North swallows the fruit and then reproves the South for the sin of taking it. Northern gentlemen have gazed at the mote in their brother's eye till they cannot see the beam in their own.—They gravely undertake to teach the South its duties, quite forgetting that "it is easier to teach twenty what were good to be done, than be one of the twenty to follow their own teaching."

And, not to be behindhand, the South broaches sundry doctrines which are utterly destructive of all republicanism. Southern gentlemen are exceedingly fond of a republican government, so long as they are in a majority; but, when they are in a minority, it becomes a terrible piece of despotism.—They love that form of government which enables them to fasten their own measures on the North; but they make terrible wry faces when the chalice is commended to their own lips. They quite forget that the very essence of a republican government is "a government of the majority," and they eagerly hunt about *for some means by which the will of that majority may be defeated.*—They do not seem to reflect that if measures are decided by votes, somebody must be in the minority; to day it may be the South—to-morrow the North or the West. *But if minorities are not bound to obey, then all republican government is at an end.* Minorities acquire power in proportion as they are just and reasonable. An unreasonable minority degenerates into a faction.

The Constitution of the United States is an instrument which can scarcely be improved. If we adhere to it, it will confer upon us all those blessings which, in our present state, we are capable of enjoying—as it has for sixty years already done. But if we are weary of it and destroy it, neither we nor our posterity will ever see any thing better.

What is the present situation of Mexico, Guatemala, and the Republics of South America? These States enjoyed constitutions copied from our own, and generally quite as good; but they would never adhere to them. Opposing factions, instead of useful legislation, were constantly employed in attempting to put each other down. Consequently, one revolution followed another until all stability was destroyed, and all regard for the public good was lost. Now they are oppressed by military tyrants, their treasuries are empty, their highways infested with robbers, property is insecure, and all industry is paralyzed. One State is desolated by a wretched servile war; one is tyrannized over by one despot, another by another; another seeks protection from a foreign Power, and all are weak, distracted and wretched. Is there no moral in this picture? Is it not better to

"—Bear the ills we have
Than fly to others that we know not of?"

We are now strong and united. No nation has ever experienced a greater degree of prosperity. We are secure from all external enemies: we suffer from no internal wrongs; every individual in the nation is at liberty to pursue his own happiness in any mode he chooses. All is peace and prosperity, if we choose to enjoy it.

We talk much of our rights but have we no corresponding duties? Do we owe nothing to a form of government which has conferred so many blessings upon us? Can we without guilt of the deepest dye, bequeath to our children the miseries of civil strife, with all the rapine, robbery, murder and desolation which will follow it? Is it not the part both of wisdom and humanity "to let contention alone before it be meddled with?"

Disunion, which some speak of so flippantly, is another name for civil war. *Civil war* comprises every thing which the imagination can conceive—of plantations laid waste, cities plundered, servants rising against their masters, all peaceful pursuits broken up, all manner of vagabonds let loose to plunder and destroy, and all these fiends aroused which can inflame the passions of man against his fellow man.

If we permit jealousy and ill-will to break up our present system of government, it can never be renewed. The experiment of self-government will have utterly failed. No nation can ever make the attempt under more favorable auspices than we have done.—Henceforth the bayonet must be the first, the last, and only argument to all legislation.

But surely the way to conciliate a majority of good and reasonable men is to be easy and plain, and is worthy of another trial. Nothing is wanting but a disposition to act with candor and impartiality, and to laid aside that statesmanship which "cavils on the ninth part of a hair."

The first thing that ought to be done now is to admit California into the Union. We of the South owe it to ourselves to vote for the unqualified admission of California without delay. Every principle of honesty, consistency, and a regard for our own characters demand it. Good policy and statesmanship alike require it.

AN OLD FARMER.

Washington Co., Maryland, Aug 10th 1850.

EXAMPLE FOR TEXAS.

The following opportune statements are furnished in the Providence Journal:

"When Rhode Island claimed a portion of the territory which was under the jurisdiction of Massachusetts, she presented her claim through the Supreme Court. When Massachusetts claimed a portion of the territory under the jurisdiction of Rhode Island, her ultimate threat, negotiation failing, was a resort to the same tribunal. Other States have had boundary questions with each other, and some of them very exciting questions. Heretofore no State has threatened any thing further than a peaceful appeal to the law. It has been reserved for Texas, the youngest member of the confederacy, to reject the tribunal erected for the settlement of such disputes, the tribunal to which all the other States have submitted, and to declare that unless the question is settled in her favor, and to her satisfaction, she will make war upon the General Government. And we are told that unless the General Government submits to Texas, or buys off her claim, we shall within a few weeks, witness the commencement of a civil war. This may be true. It is certainly stated upon very respectable authority; and it may be that there is no other way to preserve the Government than to submit to Texas. But it is very certain that if this be so, the Government is not worth preserving. Deeply as we are attached to the Union, we do not hesitate to say if it is not strong enough to make good its just authority in this instance, it is wholly inadequate to the great purposes of government. We have referred to this subject frequently because we believe it to be of the highest importance. There are many politicians in the South who desire a dissolution of the Union *per se*. There are others who think that the only way to preserve the Union is to yield to every demand that is accompanied by a threat of dissolution. We do not believe this, but if it must be, we are willing to see the question tested, the question which is to settle the value of the Union by settling its strength. Let us know whether it be really held together by a rope of sand; let us know if it exists by the sufferance of a few boastful politicians, who rule opinion in a few discontented States, or whether it is really founded in the affections and in the good sense of the people."

AN IMPROBABLE STORY.

The New York Sun says: "A most extraordinary phenomenon, it is said, has just made its appearance in this city, viz: a slave from the South, who has discovered a secret mode of changing the colored skin to a white one! He has already, according to report, changed the hue of his feet, his hands, and a part of his face, while the rest of his person is gradually undergoing the same wonderful metamorphosis. The story is that while at work upon his master's plantation, he discovered that a certain weed exercised this astonishing effect. He and a number of his fellow slaves vigorously applied the cosmetic, and the result is before us. He expects to be fully white in from eight to ten months."

THE MECHANICAL LABOR ON A NEWSPAPER.

Few persons have any idea of the vast amount of mechanical labor, independent of the mental exertion, which is required in the production of a newspaper. The London Times with its mammoth supplement has 72 closely printed columns, which contain 17,500 lines, making up of more than a million pieces of type. Thirty-four thousand copies of this paper and supplement have been printed in about four hours. The greatest number ever printed in one day was 54,000, and the paper used weighed seven tons, the usual weight being four and a half tons. The surface printed every night, (with a single supplement,) is thirty acres, the weight of type in constant use is seven tons, and 110 compositors and 25 pressmen are constantly employed.

MR. R. B. RHETT.

"It may not be known," says the Mobile Herald and Tribune, "that this gentleman is descended, on the paternal side, from an ancestor of the late John Quincy Adams, on the maternal side. A correspondent informs us that the family name of Mr. Rhett is Smith, and that the mother of Mr. Adams bore the same name. Two brothers emigrated to the U. States. The one fixed his abode in Massachusetts, the other in South Carolina.—These were the ancestors of Messrs. Adams and Rhett."