WILMINGTON JOURNAL.

DEVOTED TO POLITICS, THE MARKETS, AGRICULTURE, FOREIGN AND DOMESTIC NEWS, LITERATURE, AND GENERAL INFORMATION.

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SPEECH OF MR. DOBBIN,

OF NORTH CAROLINA,

On the Oregon Question.—January 15, 1846.

The House being in Committee of the Whole on the state of the Union, Mr. Dobbin addressed the committee as follows:

Mr. Chairman: I do not arise with the design of inflicting an hour's speech upon the committee; and, while I have not the vanity to indulge the hope of entertaining the committee with the charms of splendid declamation, or of illustrating this vexed question more elegantly or more clearly than other gentlemen, yet, sir, such is its magnitude, such the solemn responsibility its decision imposes on every representative; such the deep and intense interest with which our countrymen are all watching our deliberations here, that I feel excused and justified in proclaiming, with undisguised frankness and candor, and as succinctly as possible, at least a portion of the numerous reasons which animate me in the course I feel constrained to pursue. Sir, I believe the present is an interesting crisis in our national history, when legislation should be the offspring of calm, dispassionate, unexcited, patriotic, and statesmanlike deliberation; when the illiberal and contracted suggestions of sectional prejudice should be sternly discarded: when party animosity should be sacrificed and forgotten, and this grave American question, involving American honor and American rights, be settled by the suggestions only of American patriotism. Mr. Chairman, had a stranger entered this hall, and listened to the thrilling and beautiful dessertations on the loveliness of peace; the frightful descriptions of the horrors of war; his mind would surely have been impressed with the opinion that we were really discussing the question of declaring war against England! For myself I avow my determination to vote for the resolution of the Committee on Foreign Affairs, to give notice to Great Britain to terminate the joint occupancy of Oregon, in pursuance of the treaty of 1828. I repudiate the charge that this is a war measure. I fling back the war-cry. If there be a war party and a peace party, I belong to the peace party. But, sir, this incessant alarm-shout of war, war, war, shall not deter me from voting to give this notice, when I entertain the sincere conviction that national honor demands it; good policy demands it; fidelity to treaty stipulation demands it; justice to our adventurous pioneers in Oregon demands it; and, in my humble opinion, the *public peace will be more surely promoted by it.* Mr. Chairman, gentlemen who have ingeniously sought to make this a war measure, may express surprise at the declaration; but here, in my place, before this House and the country, I declare my solemn belief that gentlemen who oppose *this* measure are openly advocating and proposing a course of policy far, far more calculated to plunge our happy country into an early war with England; more evasive and violative of the spirit of our treaty stipulations; more surely to multiply difficulties in the adjustment of this already too long protracted controversy, and more inconsistent with the candid and honorable bearing of this great and proud Republic. What, sir, is the relative position of parties on this question? All, all believe our country's title to Oregon, if not *perfect*, is at least the *best.* All concur in the opinion that the emigration of our citizens and of British subjects to that territory, and the difficulties and confusion necessarily produced by conflicting jurisdiction and laws, loudly call for a termination of the present convention between the two countries. All *now* reject the *formerly* avowed policy of 'masterly inactivity,' and *propose action.* But, sir, I invoke the attention of the House to the character of the policy of gentlemen who discourse so vehemently against this notice as a war measure.

The distinguished gentleman from Virginia, (Mr. Hunter,) whose eloquence and patriotism all admit, proposes, not 'inactivity,' but the passing of 'such measures as may encourage our settlements in the disputed territory without contravening any treaty stipulations. He thinks that thousands of dollars may be judiciously expended for colonizing the territory; and that if our settlements are once firmly planted south of the Columbia, the crack of our American rifles, and the sound of the axe of our western pioneer, will in due time be heard, not only north of that river, but north of the 49th parallel! Another gentleman, opposed to the notice, ventures the hope that soon a hundred thousand American emigrants could be encouraged to settle there, and among them twenty thousand good riflemen! Other gentlemen who concur in this *miscalled* pacific policy, concur also in the opinion that this is the wisest policy, to secure the territory, not only to the 49th degree, but 'the whole of Oregon'—some, even, in their ardor, stoutly scouting the idea of ever allowing to Great Britain a pound of its earth, a rock, a tree, or shrub! And this, Mr. Chairman, is gravely urged by gentlemen as the *peaceful* mode of securing the 'whole of Oregon.' For what are emigrants to be encouraged to go to Oregon? To seize posession of it? What are the implements they bear with them? The axe and the *rifle*, too. What is to be heard after they reach there? The sound of the axe, but the *crack of the rifle, also.* What part are they to occupy? First, they are to settle south of the Columbia, but in due time they are to press on north of the Columbia and north of the 49th parallel! I ask, what means this rush of emigrants, bearing not the olive-branch of peace, but the instrument of war? Does this plan, even at the starting point, wear the aspect of peace? I denounce the scheme while I respect its originators. It doubtless was suggested by a desire for peace; but it is deceptive; and must lead to war. Reject this resolution, and refuse to give the notice in accordance with the treaty, and adopt the other policy, and what will the British government say? What the Hudson Bay Company? What the other powers of the world say? Would not the British minister here inform his government that although the Congress had refused to give notice, not to be lulled into apathy, that the American Congress had discussed the policy of giving the notice, but that some distinguished gentleman, being alarmed lest it might produce war, had persuaded the adoption of another policy, called the peace policy, by which emigrants, under the guise of settling the country, were to go armed with rifles: that they were first to plant themselves south of the Columbia, but that, 'in due season,' the crack of the American rifle was to be heard even north of 59°? And that, by this plan, 'the whole of Oregon' was to be secured!

Think you, sir, that the British cabinet, ever sensitive to British interest, would hear all this and be idle? Would they not promptly and energetically adopt a counteracting policy startled at the development of this new scheme of ours? Would they not encourage British emigrants, and send British soldiers, too, to settle in Oregon to save it from falling into the hands of Americans? Would they not feel aroused, even to excitement, on learning that, instead of giving notice, we had resolved on resorting to a scheme professing peace but ultimately designed for the exclusive seizure of 'the whole of Oregon?'

And, Mr. Chairman, when the American emigrants and the British emigrants reached there, what would follow? The cross of St. George, and the stars and the stripes, would be seen floating in dangerous proximity. Under the one would be seen rallying the Hudson Bay Company, with their savage allies and British soldiers; under the other, the hardy and adventurous Americans, attached to their soil, and bent on its exclusive possession. How long, sir, could such jealous adversaries eye each other as contending rivals for sovereignty in Oregon, and remain unexcited and peaceful? It is not to be expected, sir, under such circumstances, that soon there would be collisions, skirmishes, and violent outbreaks! Would not the report of the first gun be the signal for general conflict? Would not the news be hurried over the mountains to our bold and daring countrymen in the West, who would rush to the defence and aid of their sons and brothers in Oregon? Would not the news fly to England? And then, sir, would not all the horrors of war be the early fruit of this peaceful mode of saving Oregon?

Much has been said in this debate about the importance of having the sympathies of other powers in the event of war.—Would not England, in such a war, have the advantage in that particular? Would she not say to the other powers, when asked what produced the war, that Americans refused to give the notice according to treaty, but avowed a determination to seize it by other means, and that she was bound to defend or be recreant? I appeal, sir, to gentlemen to look calmly at these natural consequences of their policy, and tell me if its peaceful character can commend itself to their judgment. Sir, it would begin in an undignified scramble for land, and end in war.

Again, Mr. Chairman, I cannot avoid the conviction, that if we have resolved on terminating this controversy, and exercising sovereignty over Oregon, or of taking possession of it, we are honorably bound by the treaty of 1828 to give twelve months' notice to Great Britain, or hazard our national reputation for fidelity to treaty stipulation. It is well known that British statesmen, and eminent statesmen in our own country, and in this House, deny that it was a treaty for 'joint occupation,' but a *commercial* convention for the purposes of *trade* and *commerce.* If that be the true construction, I ask, can we, with that treaty staring us in the face, decline giving the notice and pass measures to colonize Oregon for the *avowed purpose* of ultimately *thereby* seizing the 'whole of Oregon,' even to 54° 40'?

The committee will mark the manifest distinction between protecting our adventurous pioneers in Oregon, by throwing the shield of our laws around them, a encouraging them to settle there for the avowed policy of seizing the country, to the ultimate exclusion of the English.

Mr. Chairman, statesmen should ever hesitate and ponder well when national honor and national faith is at stake. And, sir with great defference to the eminent gentlemen who differ with me on this question, I appeal to gentlemen's sense of honor and frank and manly dealing, if the policy of emigration and colonization, for the purpose of taking the territory virtually *before* giving the notice, comports well with the magnanimous, bold, and manly bearing of a proud and high-minded nation. Will not the nations of the world taunt us with it, as an unmanly piece of management, partaking more of the character of an artful game than of candid, independent, undisguised action? And, sir, will they not have too much cause to do it? I beseech gentlemen to pause, to pause long, before our nation is made to act a part even bordering on dishonor.

But, Mr. Chairman, when gentlemen seem convinced of the importance of terminating this dispute with England, and that difficulties are annually accumulating, their imaginations are haunted by the terrific war scenes so ingeniously depicted here, that, while they talk with burning patriotism about "the whole of Oregon," they urge the policy of colonization, and say, if war must come, time, time, time is to achieve our triumph. Sir, this cry of time—wait—negotiation—has been raised and sounded here for twenty-eight years. Difficulties are constantly multiplying, and still the same cry is made. Gentlemen argue as if giving this notice is declaring war. All admit it is of itself *not cause* of war; and, Mr. Chairman, instead of producing war, and shutting the door of negotiation, I advocate it because I firmly believe it tends to *promote* and hasten *negotiation*, and to preserve *peace.* Sir, have we not struggled—yes, *struggled*—for more than a quarter of a century, to negotiate with England *without* giving this notice? And, after the lapse of that time, can it be called rashness, war, madness, to give the notice? May we not, confidently relying on the strength of our title and righteousness of our cause, indulge the hope that, when the notice is given, England will reflect, will appreciate our earnestness, will be aroused by the pressing importance of prompt action, to act the part in negotiation of her own proposals, which her own sense of justice will dictate and the public sentiment of the world will admonish her she ought to do? Sir, I applaud the President for his effort to settle this question in that spirit of liberal concession so creditable to his heart; but I equally applaud the promptness with which he took an independent and firm position, when the British Minister so hastily rejected that liberal offer. With a title which no candid man can hesitate to pronounce better than hers, he still, in the spirit of concession, approached her. She discarded our offer. We have done our part for compromise; if she desires it, let *her* now act. Sir, let us do our duty, and give the notice. Has not negotiation, without the notice, baffled the efforts of our wisest statesmen? Did not Mr. Clay, with his lofty genius, the admiration of so many of his countrymen, try and fail? Did he not suggest the most liberal offer, while he said that England had no "color of title to any portion of the country?" Did not Mr. Monroe, Rush, and the able Gallatin also attempt it, and fail? Has not Mr. Calhoun, whose giant intellect can grasp any subject, and who has evinced so much desire to adjust it, attempted and failed? And have we not all perused with pride the masterly correspondence of our present eminent Secretary of State, who has also failed in his efforts at negotiation? When Lord Ashburton came from England as a special Minister to adjust our controversies, do not gentlemen remember well that the cry *then* was to "hush up discussion"—the notice will be considered a threat, and check negotiation? And do not gentlemen know that his lordship returned home content with the laurels and land he acquired in the north-east, leaving it to some fortunate successor to acquire laurels and land in the north-west? Was not the same suggestion made when it was announced that Mr. Pakenham was coming? And gentlemen know the result of the effort to negotiate with him. And *yet*, Mr. Chairman, after all these liberal concessions, these anxious efforts at negotiation *without notice* by our most eminent and learned diplomatists, struggling in a spirit of compromise for a quarter of a century, we are told to wait a while longer, to pause still, and thereby literally allow Britain, by time, to strengthen her pretensions to title, and increase the difficulties in the way of adjustment. Sir, I think our path of duty is clear and plain. Fidelity to our treaty demands that we should give the notice, for we are bound to protect and defend our people who are daily flocking to that territory, under the belief that it is ours, and that this notice will be given.

Gentlemen say that perhaps war may follow. I trust not, and trust that England will do her duty. But, sir, must we be alarmed, frightened from the discharge of what honor and justice to our people commands us to do, because England may in her folly, without cause, involve us in war? Peace has its charms and war its horrors. The mind delights to contemplate the holy and benign influence which an honorable peace exerts on nations, science, morals, and religion. The man that would recklessly check it in its progress, promoting happiness and prosperity in our beloved country, has neither the heart of a patriot or a christian. All, all shrink with abhorrence from contemplating the carnage, and bloodshed, and wretchedness that mark the desolating track of war. But let us "be just and fear not," as has oft been said. Think you, sir, if the great and gallant Washington and Lafayette could revisit us, they would not blush at our degeneracy in shrinking from duty at this cry of war? Would they not remind us of our early history, and tell us that the "race is not always to the swift, nor the battle to the strong;" but that a just God controls the destiny of nations and of men? Sir, while I listened with pleasure at the charming eloquence of an honorable gentleman this morning, who vindicated so ably our title to Oregon, I was struck with no little surprise at a part of his argument for delay—for time and against the notice—quite evincive of the scarcity of more solid reasons. It was that John Bull was getting older every day, and that already he had gray hairs upon his head, and that therefore time would do much for us! An adversary does us much wrong and keeps from us our own—we must bear it in patience; and if upon observation we discover a few gray hairs on his head, we are to leave him for the present to persist in his wrongs, calmly consoling ourself that as our adversary is already a little gray, he will become older and weaker in the decline of years, and *then* the fight shall be made! And shall an American Congress seriously act upon this principle in reference to our valuable territory in the north-west, in which we have already suffered so much by delay? Surely, surely not, sir. Suppose our ancestors, the glorious sons of '76, when but three millions only, writhing under a sense of unjust oppression, and indignant at the unholy attempts to crush them with still more intolerable burdens, had concluded that "although Great Britain is rudely pressing us down with the yoke of tyranny, we will wait until she gets older!" Instead of this proud independent Republic, America, in all probability, would now be in a state of colonial vassalage. But, sir, such timid counsels prevailed not in the days of Washington, and Adams, and Franklin. No, sir, no; the moment they felt that the principles of true liberty were violated and their remonstrances despised, they flew to arms and spilled their blood on many a battlefield. Suppose, sir, in our last—our second war of independence—our patriot and gallant statesmen in the glorious Congress of that day had listened to such timid counsels of waiting for John Bull to get older, and had been seduced and frightened by the panic cry of the horrors of war! Who, sir, can now conceive of its influence on the reputation and destiny of our happy country? Our hardy tars, perhaps, would still be impressed, our flag still insulted, and our merchant vessels plundered on every sea. But, instead of this, the American feels a thrill of patriotic delight as his mind reverts to the noble triumphs of that war, and the laurels won on land and on sea, by promptly daring to maintain our rights.

Mr. Chairman, gentlemen have said much of our want of preparation for war. I do not expect war; but if it is inevitable, our best fortifications will be found in the noble hearts of our patrtotic countrymen; our best preparation, to let the people understand their rights. A large standing army and navy have heretofore been regarded as contrary to the genius of republics.

Such are a few of the reasons that guide me on this question. I yield to other gentlemen who are eager to participate in this debate, and will add but little more.

I believe, in the present state of this controversy, our national honor will be impaired if we now falter or hesitate to give this notice. Firmness and undaunted courage only can win from England respect, and exact from her justice. An unnecessary war-cry has been thrust into this debate. I do not anticipate it; but if it come, let us begin it in honor, and it will end in triumph; England will be the aggressor.—And if, sir, for the want of preparation, clouds and darkness obscure our horizon awhile, I believe the same protecting power that bore us successfully through the dark and perilous days of the Revolution, will sustain us again. And if history informs us that, in the war of 1812, defeat and disaster cast a gloom over our country for a season, history also informs us that soon, with a host of other gallant spirits, we had a Brown, and a Scott, and a Jackson, to make it terminate in a blaze of glory on land, and our Hulls, and Perrys, and Lawrences, to break the spell of British invincibility on the sea.

Mr. Chairman, I will detain the committee no longer. It is my misfortune to differ on this occasion with many with whom it is my pleasure generally to concur. While I regret it much, I feel animated with a consciousness of the rectitude of my motives. The peculiar crisis, sir, demands firmness as well as prudence, and true patriotism admonishes the statesman, in the glowing language of another:

"Be just and fear not;
Let all the ends thou aim'st at be thy country's, thy God's, and truth's; then, if thou fall'st,
Thou fall'st a blessed martyr."

ANECDOTE OF MR. LEGARE.

The American Review for October contains an interesting biographical sketch of the late Hugh S. Legare, of South Carolina, in which occurs the following anecdote illustrating his power as an advocate:—

'It was the case of Pell and Wife versus the Executors of Ball. The circumstances of the case were these: A Miss Channing, daughter of Mr. Walter Channing, a merchant of Boston, had married a Mr. Ball, of South Carolina, and carried him a large fortune, without any settlement. Mr. Ball, by his last will and testament, bequeathed to his wife all of his fortune. Embarking at Charleston, for a visit to the north, on board the ill-fated steamboat Pulaski, which blew up at sea on the coast of North Carolina, in 1835, they both perished in that awful catastrophe. The question in this case was which survived the other? If Mrs. Ball, then the legacy vested in her, and was transmissable to her sisters; if her husband, then the legacy had elapsed, fell into the residue of the estate, and went to his family.

Mr. Legare was engaged on behalf of Mrs. Ball's sisters. On the one side, it was contended that the husband, being the stronger, must have survived; and the doctrines of civil law on the subject of survivorship were relied on. Here, however, Legare was a master, and showed that all these presumtions must yiely to positive testimony. After the catastrophe, Mrs. Ball was seen flying wildly about the wreck her voice heard above the others, calling for her husband. Availing himself of this single fact—all that in the wild terror of such a scene could be known—Legare converted it by the tragic power of his eloquence, into an irresistible proof that the tender husband, whose name the wife shrieked forth so distractedly, must have already perished. Upon the narrow theatre of that shattered deck, there was enacted a scene, he said to paint which all that the imagination of poetry could invent of the most pathetic must fail. 'She called upon the husband upon whom she had never called in vain—upon whose arm she had ever leaned in danger—her stay, her rescue! She called, but he never answered—no, sir, he was dead!'

Mrs. Ball's sisters gained the suit, as also another point in the case which he argued—that the legacy was general and not specific.'

The Blind Chaplain.—Alluding to Mr. Milburn the recently elected Chaplain of the house of Representatives, the Washington correspondent of the Boston Post says that he "was on his way to the city of New York, where he intended to submit to surgical operation, in the hope of making a last experiment for the restoration of his eyesight. On board the boat, after leaving Lexington, on a fine Sabbath morning, he was requested by a few of the passengers to conduct religious exercises. He consented—sung a hymn, offered up a prayer, and preached a sermon. The audience was not only delighted, but irresistibly enchanted, by his rich and extemporaneous eloquence, and at the conclusion of the services they came forward, as it were, en masse, to learn his past history and future intentions. Among the number were several senators and representatives from the west, who begged the blind preacher to tarry a few days at Washington, and they would endevor to elect him the chaplain of the House. He consented, and they have kept their word. That he will, in all respects, fully justify the generous confidence of his friends, does not admit of doubt."

Thanksgiving Goose.—Turkeys are the general market standard for thanksgiving day, but sometimes a goose is preferred. In a neighboring city a gentleman was attracted by the sight of a plump, extra sized, well cleaned goose.

"Is it a young one?" said he to a bonny, rosy cheeked lass.

"Yes, sir, indeed it is," was the ready reply.

"How much do you want for it?"

"A dollar, sir."

"That is too much, I think; say 87½ cents, and here's your money."

"Well, sir, as I would like to get you for a steady customer, take it away."

The goose was taken home and roasted; but it was found very difficult to carve, and when cut up, so tough as to be uneatable. The gentleman went to market again, on the following day, as usual, and there met his fair poulterer.

"Did you tell me that goose was young, which I bought of you?"

"Yes, sir I did, and it was. Don't you call me a young woman? I am only 19."

"Yes, I do."

"Well, I have heard mother say, many a time, that it was nearly six weeks younger than me."

New York Sun.

A Noble Example.—Mr. Bullen, the proprietor of a coffee house in the city of Louisville, has advertised that he will every morning, till the 1st of March make and serve out, *gratis*, from 25 to 30 gallons of good soup to the poor.

Fresh Shad.—At Savannah they are feasting on fresh shad, at $1,50 a piece.