THE WILMINGTON JOURNAL.

WILMINGTON, N. C., MONDAY, FEB. 1, 1858.

We are now forwarding bills for subscription, &c., due this Office, by letter, with the hope that the amounts will be remitted without delay.

TRANSIENT Advertisers will please bear in mind that their advertisements cannot appear in this paper, without first being paid for in advance. This rule will be strictly carried out, without respect to persons.

No name for either the Daily or Weekly Journal, will hereafter be entered on our list without payment being made in advance, and the paper will in all cases be discontinued when the time paid for expires.

Oct. 29, 1857.

DEMOCRATIC COUNTY MEETING.

Pursuant to usage, a meeting of the Democratic Citizens of New Hanover, will be held at the Court House in Wilmington, on the Evening of TUESDAY, MARCH 9TH, 1858, being the first Tuesday of County Court, for the purpose of appointing delegates to represent the county in the Democratic State Convention, to be held in Charlotte, on Wednesday, April 14th, 1858. Also, for the further purpose of adopting such measures for the organization of the party in this county as the meeting may deem proper and expedient.

A full attendance of Democrats is earnestly solicited.

Mr. McRae's Speech on Last Thursday Night at the Court House.

On last Thursday evening, Duncan K. McRae, Esq., addressed a meeting of the citizens of Wilmington, assembled in the Court House. The published object of the address was to defend himself from the attacks of a portion of the press of the State.

Circumstances prevented our being present and hearing the opening portions of Mr. McRae's remarks. We understood that he complained bitterly that *he* should be singled out for ex-communication from the ranks of the Democratic party because of his difference from the majority of the party on the distribution question, while others similarly offending, were held as amongst the pillars of the party. He was also, we understand, very bitter in his denunciations of the *Raleigh Standard*.

Now, if a gentleman chooses to place himself in opposition to his own party on what he himself says is the only living issue remaining—if he throws himself forward into the arena to receive the plaudits of the opposition for blows adroitly aimed at the avowed principles and recognized organization of the party to which he claims to belong—if he more than hints that he will be a candidate before the people of North Carolina, relying, as he must rely, upon the anti-Democratic vote of the State—assisted by the few Democrats whom he hopes to detach from the true banner of Democracy,—if he does all this, and expects to remain in full fellowship with the Democratic party of North Carolina, he must surely think that the party is too stupid to see, or too deficient in energy and spirit to act. Mr. McRae's course before he left for France, was that of a disorganizer, and opponent of his own party—his first step on his return is in the same direction. He jumps through—breaks down, the lines and limits of the party—gets beyond all recognised or recognisable ground upon which Democrats can stand—assumes a position of hostility to the party from which he has separated on the land question, and then, after all this, finding himself outside of the Democratic pale, he turns round with an air of injured innocence, and seeks the honors of martyrdom. He says he has been proscribed, and an attempt made to turn him out of the Democratic party. To our simple apprehension, Mr. McRae has gone out of his own accord. He may think differently. He may feel like the reasonable juror who was cooped up with eleven fractious persons, who would not agree with *him*, although they accorded between themselves. He will find the Democratic party as stubborn as the eleven jurors.

As to his reference to the Editor of the *Standard*, as we did not hear, so we need say little about that, the more especially as Mr. Holden is abundantly able to take care of himself. Much of it, as we learn, was pretty much the old song of the *Raleigh Register*.

But all this was simply prefatory—the real thing was the making of a land distribution speech, and to some points in that speech we propose to refer. Time and space will prevent us making more than a cursory review of an effort which occupied between two and three hours in the delivery.

Mr. McRae deduces the constitutional power of Congress to distribute the public lands from that provision of the constitution which says that the Congress shall have power to dispose of and make all needful rules and regulations respecting the territory or other property belonging to the United States. He asserts, what we have before asserted, that the public lands are property belonging to the United States, and are to be disposed of like other property belonging to the same proprietor. In what way is this right of disposal to be exercised—how far does it go? What obligations does it impose? These are the questions to be answered, and the questions which Mr. McRae did not answer. Let us turn to the opinions of those expounders of the constitution whom all respect for their ability, learning and patriotism—Calhoun, Webster and Clay, and see what *they* say about it.

Mr. Calhoun, in 1841, spoke as follows:

"Whether the Government can constitutionally distribute the revenue from the public lands among the States, must depend upon the fact whether they belong to them in their united federal character, or individually and separately. If in the former, it is manifest that *the Government, as their common agent or trustee, can have no right to distribute them, for their individual, separate use, a fund derived from property held in their united and federal character, without a special power for that purpose, which is not pretended.* A position so clear of itself, and resting on the established principles of law, when applied to individuals holding property in like manner, needs no illustration. If, on the contrary, they belong to the States in their individual and separate character, then the Government would not only have the right, but would be bound to apply the revenue to the separate use of the States. So far is incontrovertible, which presents the question: In which of the two characters are the lands held by the States?

"To give a satisfactory answer to this question, it will be necessary to distinguish between lands that have been ceded by the States and those that have been purchased by the Government out of the common funds of the Union.

"The principal cessions were made by Virginia and Georgia. The former of all the tract between the Ohio, the Mississippi and the lakes, including the States of Ohio, Indiana, Illinois and Michigan and the Territory of Wisconsin, and the latter, of the tract included in Alabama and Mississippi. I shall begin with the cession of Virginia, as it is on that the advocates of distribution mainly rely to establish the right.

"I hold in my hand an extract of all that portion of the Virginia deed of cession which has any bearing on the point at issue, taken from the volume lying on the table before me, with the place marked, and to which any one desirous of examining the deed may refer.—The cession is 'to the United States in Congress assembled, for the benefit of the said States'. Every word implies the States in their united federal character. That is the meaning of the phrase United States. It stands in contradistinction to the States separately and individually; and if there could be by possibility, any doubt on that point, it would be removed by the expression, 'in Congress assembled'—an assemblage which constituted the very knot that united them. I regard the execution of such a deed to the *United States, so assembled*, so conclusive that the cession was to them in their united and aggregate character, in contradistinction to their individual and seperate character, and, by necessary consequence, that the lands so ceded belonged to them in their former and not in their latter character, that I am at a loss for words to make it clearer. To deny it, would be to deny that there is any truth in language.

"But, strong as this is, it is not all. The deed proceeds and says, that all the lands so ceded 'shall be considered a common fund for the use and benefit of such of the United States as have become, or shall become, members of the *Confederation* or Federal alliance of said States, Virginia inclusive,' and concludes by saying, 'and shall be faithfully and *bona fide* disposed of for that purpose, and for no other use or purpose whatever.' If it were possible to raise a doubt before, those full, clear and explicit terms would dispel it. It is impossible for language to be clearer. To be 'considered a *common* fund' is an expression directly in contradistinction to seperate or individual, and is, by necessary implication, as clear a negative of the latter as if it had been positively expressed. This common fund to 'be for the use and benefit of such of the United States as shall have become, or shall become, members of the confederation or Federal alliance.' This is as clear as language can express it, for their common use, in their united federal character, Virginia being included as the grantor out of abundant caution."

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"The concluding words of the grant are, 'shall be faithfully and *bona fide* disposed of for that use, and no other use or purpose whatsoever.' For that use—that is, the common use of the States, in their capacity of members of the Confederation or Federal alliance—and no other; as positively forbidding to use the fund to be derived from the lands for the seperate use of the States, to be distributed among them for their seperate or individual use, as proposed by this amendment, as it is possible for words to do."

"The residue of the public lands, including Florida, and all the region beyond the Mississippi, extending to the Pacific ocean, and constituting by far the greater part, stands on a different footing. They were purchased out of the common funds of the Union collected by taxes, and belong, beyond all question, to the people of the U. S. in their federal and aggregate capacity. This has not been and cannot be denied; and yet it is proposed to distribute the common fund derived from the sale of these, as well as from the ceded lands, in direct violation of the admitted principle, that the agent or trustee of a common concern has no right without express authority to apply the joint funds to the separate use and benefit of its individual members."

What we have already quoted can, we think, leave no doubt of Mr. Calhoun's opinion upon the question of the constitutionality of distribution, nor, after its perusal, can there remain much doubt in the mind of the reader, that the public lands are the property of the States in their federative capacity—to be disposed of by the States in Congress assembled, for the use and benefit of such of the United States as have become, or shall become, members of the confederation or federal alliance, and for no other use or purpose whatsoever. That is, as clear as language can express it, for their common use, in their united federal character, and no other use or purpose whatsoever. That Congress is positively forbidden to use the fund to be derived from the lands, and *a fortiori*, the lands themselves, for the separate use of the States, or to be distributed among them for their separate or individual use.

Let us now see what Mr. Calhoun, who was accused of thinking too lightly of the Union, said of distribution, viewing it in the light of patriotism or Union feeling. He says:

"When I look, Mr. President, to what induced the States, and especially Virginia, to make this magnificent cession to the Union, and the high and patriotic motives urged by the old Congress to induce them to do it, and turn to what is now proposed, I am struck with the contrast and the great mutation to which human affairs are subject. The great and patriotic men of former times regarded it as essential to the consummation of the Union and the preservation of the public faith that the lands should be ceded as a common fund; but now men distinguished for their ability and influence are striving with all their might to undo their holy work. Yes, sir; distribution and cession are the very reverse, in character and effect; the tendency of one is to union, and the other to disunion. The wisest of modern statesmen, and who had the keenest and deepest glance into futurity, (EDMUND BURKE,) truly said that the revenue is the State; to which I add, that to distribute the revenue, in a confederated community amongst its members, is to dissolve the community—that is, with us, the Union—as time will prove if ever this fatal measure should be adopted."

We pass now to Webster and Clay, who, although they voted for distributing the proceeds, until that issue was finally settled against them by the people, could never bring themselves to assert or submit to the notion that the trustee of a *common* fund acquired by cession or purchase for the *common* objects and uses of the United States in their federative capacity, could alienate that fund to the States in their separate or individual character.

In Mr. Webster's speech on Foote's Resolution, delivered in the Senate of the United States, on the 20th of January, 1830, Mr. Webster said:—

"Again, in September, 1783, Congress passed another resolution, setting forth the conditions on which cessions should be received; and in October following, Virginia made her cession, reciting the resolution, or act, of September preceding, and then transferring to the United States her title to her Northwestern territory, upon the express condition that the lands so ceded should be considered as a common fund for the use and benefit of such of the United States as had become or should become members of the confederation, Virginia inclusive, and should be faithfully and *bona fide* disposed of for that purpose, and for no other use or purpose whatever. The grants from other States were on similar conditions. Massachusetts and Connecticut both had claims to Western lands, and both relinquished them to the United States in the same manner. These grants were all made on three substantial conditions or trusts. First, that the ceded territories should be formed into States, and admitted in due time into the Union, with all the rights belonging to other States; secondly, that the lands should form a common fund, to be disposed of for the general benefit of all the States; and thirdly, that they should be sold and settled, at such time and in such manner as Congress should direct.

"Now, Sir, it is plain that Congress never has been, and is not now, at liberty to disregard these solemn conditions. For the fulfilment of all these trusts, the public faith was, and is, fully pledged. How, then, would it have been possible for Congress, if it had been so disposed, to give away these public lands? How could it have followed the example of other goverments, if there had been such, and considered the conquest of the wilderness an equivalent compensation for the soil? The States had looked to this territory perhaps too sanguinely, as a fund out of which means were to come to defray the expenses of the war. It had been received as a fund, as a fund Congress had bound itself to apply it. To have given it away, would have defeated all the objects which Congress and particular States had had in view in asking and obtaining the cession, and would have plainly violated the conditions which the ceding States attached to their own grants.

"The gentleman admits, that the lands cannot be given away until the national debt is paid; because to a part of that debt they stand pledged. But this is not the original pledge. There is, so to speak, an earlier mortgage. Before the debt was funded, at the moment of the cession of the lands, and by the very terms of that cession, every State in the Union obtained an interest in them, as in a common fund. Congress has uniformly adhered to this condition.—It has proceeded to sell the lands, and to realize as much from them as was compatible with the other trusts created by the same deeds of cession. One of these deeds of trust, as I have already said, was, that the lands should be sold and settled, at such time and in such manner as Congress shall direct. The government has always felt itself bound, in this respect, to exercise its own best judgment, and not transfer the discretion to others. It has not felt itself at liberty to dispose of the soil, therefore, in large masses to individuals, thus leaving to them the time and manner of settlement. It had stipulated to use its own judgment. If, for instance, in order to rid itself of the trouble of forming a system for the sale of those lands, and going into detail, if it had sold the whole of what is now Ohio, in one mass, to individuals or companies, it would clearly have departed from its just obligations. And who can now tell, or conjecture, how great would have been the evil of such a course? Who can say what mischiefs would have ensued, if Congress had thrown these territories into the hands of private speculation? Or who, on the other hand, can now foresee what the event would be, should the government depart from the same wise course hereafter, and, not content with such gradual absorption of the public lands as the natural growth of our population may accomplish, should force great portions of them, at nominal or very low prices, into private hands, to be sold and settled as and when such holders might think would be most for their own interests?

"Hitherto, Sir, I maintain, Congress has acted wisely, and done its duty on this subject. I hope it will continue to do it. Departing from the original idea, so soon as it was found practicable and convenient, of selling by townships, Congress has disposed of the soil in smaller and still smaller portions, till at length it sells in parcels of no more than eighty acres; thus putting it into the power of every man in the country, however poor, but who has health and strength, to become a freeholder if he desires, not of barren acres, but of rich and fertile soil. The government has performed all the conditions of the grant. While it has regarded the public lands as a common fund, and has sought to make what reasonably could be made of them, as a source of revenue, it has also applied its best wisdom to sell and settle them, as fast and as happily as possible; and whensoever numbers would warrant it, each territory has been successively admitted into the Union, with all the rights of an independent State."

Read what Mr. Clay said in 1832, when speaking of the distribution and cession projects then before Congress and the country. We quote his remarks, of course without agreeing with him as to the constitutionality or propriety of a distribution of the proceeds, an issue already decided adversely to the position advocated by Mr. Clay. He says:—

And if there be in the operations of this government one which more than any other displays consummate wisdom and statesmanship, it is that system by which the public lands have been so successfully administered. We should pause, solemnly pause, before we subvert it. We should touch it hesitatingly, and with the gentlest hand. The prudent management of the public lands, in the hands of the general government, will be more manifest by contrasting it with that of several of the states, which had the disposal of large bodies of waste lands.

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To the public lands of the United States, and especially to the existing system by which they are distributed with so much regularity and equity, are we indebted for these signal benefits in our national condition. And every consideration of duty, to ouselves, and to posterity, enjoins that we should abstain from the adoption of any wild project that would cast away this vast national property, holden by the general government in sacred trust for the whole people of the United States, and forbids that we should rashly touch a system which has been so successfully tested by experience.

It has been only within a few years, that restless men have thrown before the public their visionary plans for squandering the public domain. With the existing laws, the great state of the west is satisfied and contented.

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Such is a rapid outline of this invaluable national property, of the system which regulates its management and distribution, and of the effects of that system. We might here pause, and wonder that there should be a disposition with any to waste or throw away this great resource, or to abolish a system which has been fraught with so many manifest advantages. Nevertheless, there are such, who, impatient with the slow and natural operation of wise laws, have put forth various pretensions and projects concerning the public lands, within a few years past.

And again, in 1841, although advocating the distribution of the proceeds, he repudiates the idea that Congress could alienate the lands themselves, consistently with the trust created by the deeds of cession. A trust has been created in the United States which they are not now at liberty to decline or transfer. He says:

"The rival plan is, for the general government to retain the public domain, and make distribution of the proceeds, in time of peace, among the several States, upon equal and just principles, according to the rule of federal numbers, and, in time of war, to resume the proceeds for its vigorous prosecution. We think that the administration of the public lands had better remain with the common government, to be regulated by uniform principles, than confided to the States, to be administered according to various, and, perhaps, conflicting views. As to that important part of them which was ceded by certain States to the United States, for the common benefit of all the States, a trust was thereby created, which has been voluntarily accepted by the United States, and which they are not at liberty now to decline or transfer. The history of public lands held in the United States, demonstrates that they have been wasted or thrown away by most of the States that owned any, and that the general government has displayed more judgment and wisdom in the administration of them than any of the States.—Whilst it is readily admitted that revenue should not be regarded as the sole or exclusive object, the pecuniary advantages which may be derived from this great national property, to both the States and the Union, ought not to be altogether overlooked."

What did General Jackson think of distribution and its effects in 1833. In his veto message of that year he said:

"It is difficult to perceive what advantages would accrue to the old States or the new from the system of distribution which this bill proposes, if it were otherwise unobjectionable. It requires no argument to prove that if three millions of dollars a year, or any other sum, shall be taken out of the treasury by this bill for distribution, it must be replaced by the same sum collected from the people by some other means. The old States will receive annually a sum of money from the treasury, but they will pay in a larger sum, together with the expenses of collection and distribution."

And Mr. Buchanan, in 1841, said:—

"But the absurdity of the measure at this time did not stop here. This bill was made the pretext or the reason why we should pass the tax or revenue bill. The *deficiency* created by the one bill, it is said, must be supplied by the other. And how supplied? By a tax of 20 per cent. upon coffee and tea—articles which the habits of the people of Pennsylvania had rendered necessaries of life, and which entered largely into the consumption of every family, poor or rich. While that bill thus taxed coffee and tea, it left railroad iron imported for the use of corporations free of duty; and yet, strange as it might seem, a Pennsylvania senator was asked to violate the express language of his instructions, and vote for the land bill which it was avowed would render this *odious tax bill* absolutely necessary. The annual distribution under the land bill would be equal to but a little more than an *eleven-penny-bit* to each individual in Pennsylvania, whilst the tax to which each of them would be subjected, in consequence of its passage, on the articles of coffee and tea, alone, must considerably exceed that amount. This, truly, was wise legislation!"

In 1832, Mr. Clay, as Chairman of the Senate Committe on Manufactures, made a report urging the distribution of the proceeds of the sales of the public lands, and accompanied that report by a bill. As the Committee on Manufactures could have nothing to do with the public lands, the whole subject was referred to the Committee on Public Lands, who, through their Chairman, *Hon. Wm. R. King*, of Alabama, submitted an elaborate report in opposition to the whole distribution theory, whether of proceeds or of the lands themselves. It will be found, no doubt, in the Congressional reports, and also in Benton's Thirty Years' View, vol. I, pp. 276, 277, 278 and 279. It is express against distribution in every form and shape, mood and tense.

We have now given—not isolated expressions, detached from their context, or twisted out of their natural meaning, as is the custom with the advocates of distribution—but long and full extracts, which place the sentiments of their authors beyond the reach of doubt or the possibility of misunderstanding. The distribution of the proceeds of the sales of the public lands seems to have been abandoned, and a new thing started. The distribution of the lands themselves, or of bounty land-warrants. Ready as Messrs. Webster and Clay were to advocate a *liberal* construction of the constitution, even they could find no warrant in that instrument permitting the common trustee to alienate the common fund of the federation for the private and individual use of the separate States.

Having thus given as many individual authorities on the subject of the constitutionality and expediency of distribution as our limits will permit—authorities of general acceptation—let us now subjoin a few sentences which ought to have some bearing upon the position of those claiming membership with the political organization known as the Democratic party.

We submit an extract from every national platform of the Democratic party for the last twenty years, and commend it to the attention of those who, like our venerable neighbor of the *Commercial*, think that no *avowed* principle of the Democratic creed is involved. Remember, we do not say that those who advocate distribution have, therefore, ceased to be Democrats on all other points. That would not be stating the case fairly. But it is a point—it is made *the* issue against us. It is the issue we have *now* to meet, and it is the issue we are now meeting, and those who join to oppose us on this issue, lend the influence of their talents and their position to weaken the Democratic party and to strengthen those who seek its prostration. Can they, while thus acting, claim to be with us? Are they not, by their own voluntary act, placed in the ranks of the opposing force?—Can they have any just right to complain if they are so considered and so treated? We put it to the plain, common sense of plain, sensible men. Mr. Leak has gone so far on this track as to tell the "Americans" or Know-Nothings of Richmond county, that if that party places a distributionist in the field, he will not only vote for, but speak for him, in opposition to a Democratic candidate, standing on the platform of the Democratic party! So it is distinctly stated in the Raleigh *Register* of this date, [Jan. 30th, 1858.]

FROM THE DEMOCRATIC NATIONAL PLATFORMS FOR THE LAST 20 YEARS.

"That the federal government is one of limited power, derived solely from the Constitution; and the grants of power made therein ought to be strictly construed by all the departments and agents of the government; and that it is inexpedient and dangerous to exercise doubtful constitutional powers.

"That the Constitution does not confer authority upon the federal government, directly or indirectly, to assume the debts of the several States, contracted for local and internal improvements or other State purposes, nor would such assumption be just or expedient.

"That the proceeds of the public lands ought to be sacredly applied to the NATIONAL objects specified in the Constitution, and that we are opposed to any law for the distribution of such proceeds among the States as alike inexpedient in policy, and REPUGNANT TO THE CONSTITUTION."

Mr. McRae quoted a number of isolated and exceptional cases to prove that gentlemen whose deliberately expressed convictions have uniformly been against distribution, had, one time or another, given votes apparently at variance with the principles they have uniformly advocated. Among these he laid special stress upon the tract of land voted to Lafayette, and the cession to Tennessee of over a million acres of land within her borders, being the whole amount of Government lands in that State. No one ever dreamed that the ebullition of national gratitude to Lafayette could be twisted into an acknowledgment of the propriety of distribution. The lands in Tennessee were so unsaleable that the United States had closed up their land offices there and abandoned the lands as worthless, and there they were useless to the Treasury and a nuisance to the State. The cession only let the State take what the Union had already abandoned.

The grants of school and other lands to the land States have not been donations. They have been given for a consideration, that consideration being the relinquishment of the taxing power by the States. The swamp land grants were simply an abandonment by the General Government of swamp and overflowed lands unfit for cultivation, which the General Government would not improve and could not sell, and which were the fruitful source of disease, dangerous to the surrounding country, and injurious to the neighboring lands of the General Government. They were ceded on contract that their proceeds should be applied, exclusively, as far as necessary, to the purpose of reclaiming said lands.

Mr. McRae alluded to the very rapid growth of the State of Illinois in connection with the grant of lands to the Illinois Central Railroad. Now, the grant of lands to that road was made after the taking of the census of 1850, from which he read, certainly it was made in 1850, the year of the taking of the census, and could have nothing to do with the growth to which he referred. It is a great mistake that the United States derived no advantage from the opening up lands by means of railroads.—Within one year from the location of the Illinois Central Road, the sales in that State increased four-fold, and at enhanced prices. In Mississippi and Alabama, on the Mobile and Ohio Railroad, the benefit to the United States Treasury was equally great.

Ohio, also cited by Mr. McRae, did get some lands for canals, but not for railroads. She is no instance to support his theories. It is also queer doctrine to say that four to five millions can be taken annually from the fund provided for meeting the common expenses without requiring additional taxation to replace it. The talk about lands recently located has no bearing on donations to the new States. The bounty-lands go to North Carolina claimants as well as Illinoisans.

We owe an apology for the extreme lentgth of this article, but we want to get through and be done with a question which is only used for local effect, being a dead issue for all practical purposes. Mr. McRae presents the points relied upon by the distributionists ably and adroitly. It is to these points our article is devoted.

ARRIVAL OF THE STEAMER KANGAROO.

FOUR DAYS LATER FROM EUROPE.

NEW YORK, Jan. 27.—The steamer Kangaroo, bringing Liverpool dates to the 13th inst., arrived this evening.

The steamer Canada arrived out on the 12th.

ENGLAND.—The launch of the Leviathan was daily progressing, and the great undertaking would be completed in a few more days.

The details of the latest Indian news had been received. Sir Colin Campbell had evacuated Lucknow. Gen. Outram remained at Alumbugh with a strong division. Gen. Windham, after defeating the Gwalior contingent, was taken by surprise and his camp destroyed. The Gwalior mutineers were, however, subsequently beaten by Sir Colin Campbell, and again by Gen. Grant, with a loss of all their guns, stores, etc.

The Oude insurgents were pushing southward.

All was quiet in the Punjaub.

CHINA.—The English Admiral, with the chief portion of the fleet, had gone up the Canton river, and the contemplated attack was expected on the arrival of reinforcements. The city was reported to be mined by the Chinese. Lord Elgin had gone to Macao.

The tea market was quiet at Shanghai.

FRANCE.—There is nothing important from France.

SPAIN.—The Spanish Cortes had been opened. The Queen's speech alludes to the mediation of France and England in the quarrel with Mexico. In what strain the allusion is made the dispatch says not.

TURKEY.—Ali Pacha succeeds Redschid Pacha as Grand Vizier.

It is said that the Russians have ceased to interfere in the navigation of the Circassian coast.

CAPTURE OF AN AFRICAN SLAVER.—The British ship Sappho captured a slaver on the west coast of Africa. The slaver ran ashore to prevent the capture, and after throwing overboard 800 negroes, the crew escaped to the shore in boats. Half of the negroes were drowned. Four hundred more were found on board of the vessel, which was subsequently burnt to the water's edge.

Further Foreign Intelligence by the Steamship Kangaroo.

NEW YORK, January 27.—The following is the latest financial news, as telegraphed from London, from the Times, of Wednesday, 13th:

The funds experienced a further reaction to-day, the balance of transactions still showing a preponderance of sales for realization. There is scarcely any demand for discount at bank, and the rate in open market is from 4 to 4½ per cent.

In foreign exchanges there is no alteration of importance.

About £172,000 in gold was taken to the bank today. There was an inquiry to-day for shares of the Atlantic Telegraph Company, the price offered being £500. There are £1,000 shares fully paid up. The three per cent. rates closed on the Paris Bourse yesterday at a decline of nearly one-quarter per cent. for money, and five for account.

The latest political intelligence from Madrid, Spain, is to Tuesday the 12th. M. Bravo Murillo has been elected President of the Chamber.

FRANCE.—PARIS, Tuesday night.—The Congress respecting the principalities has been postponed until February. The project for modifying the usury laws of 1807 has been withdrawn.

INDIA.—The Times describes the general intelligence as highly gratifying. The Daily News bitterly censures the conduct of General Wyndham for neglecting to guard his camp against a surprise. The 64th was left without support. They charged a battery in the left centre of the enemy's line and gained it, the enemy yielding at every step, but they were left alone, and the enemy closing on them with their left wing they suffered very severely, and were compelled to abandon the guns they had gained. The correspondence and documents from India by this mail are of unusual length and interest.

Three Days Later from Europe—Arrival of the Canada—Safety of the Ariel.

HALIFAX, Jan. 28.—The royal mail steamship Canada, Capt. Lang, with English dates of the 16th inst., arrived here this morning, with the happy intelligence that the steamship Ariel had arrived at Cork, Ireland, on the 15th with her main shaft broken only.

The English money market was slightly easier, and the Bank had further reduced its discount rate to 5 per cent. Consols for money, 94⅝ a 94¾.

The Canada reports a decline of 1s. 8d. in cotton on fair and middling qualities. Lower qualities were less affected. Breadstuffs were quiet, with a declining tendency. Provisions were quiet and generally unchanged.

[SECOND DESPATCH.]

The Canada touched off Cork and brought the mails and sixty-six passengers from the Ariel. The accident to the Ariel occurred on the evening of the 6th, and she was able to work only one wheel. The Canada passed the Persia bound into Liverpool.

A further reduction of the Bank rate of interest is anticipated in a week or two.

Napoleon was fired at on the evening of the 14th, while entering the opera house. Three explosions from hollow projectiles took place. Sixty persons were wounded and three killed. The conspirators are Italians.—Many persons were arrested. The Emperor remained till the end of the opera, and was afterwards enthusiastically hailed by the people.

Brigadier Ingles has been promoted to the rank of major general. The garrison of Futtehpore was pressed by the insurgents, and had abandoned part of their entrenchments to take a more secure position. A body of insurgents had been defeated at Genowree, with 150 killed. Three British officers were killed and one wounded. The insurgents near Jubbulpore had been attacked without decisive result: reinforcements were advancing there. The Punjaub, Scinde, and Bombay were quiet.

The Queen of Spain's speech announces that Spain has accepted the meditation of France and England in the Mexican question, but under all circumstances the honor of Spain must be preserved.

Mazzini has issued an address to the Italians, telling them conspiracy is not only a right but a duty.

The Canada arrived at Halifax at 4 o'clock and sailed at 7. She will be due at Boston on Friday evening.

The Ariel experienced very severe weather after leaving Southampton.

An unsuccessful attempt had been made to assassinate the Emperor Napoleon. He was fired at by assassin, and the ball went through his hat.

The Leviathan was nearly at the end of the launching ways, and little else could be done until the high tides of the present month, which are expected to float her.

The American ship Adriatic, which was confiscated by the French courts to pay the damages of her collision with the French steamer Lyonnais, had escaped from Marseilles.

The new Spanish ministry had been organized.

One week later advices had been received from India. There was nothing further from Cawnpore, owing to the interruption of the mails.

The English money market was easy. C. I. Gray & Sons, London, in the Canadian trade, had suspended.

Finance—Trade—Money.

SOUTH CAROLINA STATE BONDS.—At a sale at auction on Tuesday, the 26th inst., State Bonds, redeemable in 1881, 6 per cent., were sold as follows: $1000 at $90½ and Bonds to the amount of $24,000, at 90 per cent. cash.

Napoleon's Defence of the New Slave Trade of France.

Translated from the Paris Constitutionnel, Dec. 29.

We stated, in a late article, in reply to the Times, that the decline of the English colonies should not be attributed to negro emancipation, and that the professional abolitionists of England were alone guilty of that decline, brought about, as it was, by their unjust and systematic hostility to the planters. In order to restore free labor, injured by a trial which was unsuccessful and false in priciple, the Times calls upon us to renew the experiment on a new plan. We have always thought that a complicated plan was unnecessary—all that is required is to give labor in the colonies the same freedom and latitude secured to it in Europe. For instance, the planters have not been free to procure laborers to continue and extend the cultivation of the soil. This is one of the principal errors the abolitionists have committed. In Europe the supply of laborers has always exceeded the demand. In the colonies, on the contrary the demand has exceeded the supply. The population is insufficient and it never can be augmented by a European emigration. In the tropics no European can ventnre to cultivate the soil. To him it yields but deadly emenations, while its richest products bestowed, repay the labor of the African or Asiatic. The white man may, without danger, carry his capital and his industry to the colonies, but his constitution is unfitted to endure great physical fatigue there.

The colonists could have procured laborers from Asia and Africa, that could not be surpassed, if the abolitionists had consented; but this they would not do, and and with their usual mode of reasoning, claimed to act for the interest of the slave, while refusing to this reform the indispensable elements of success. So effectually have they opposed Indian and African emigration, that in the English West India Islands the cultivation of the soil has been left to the caprice of Creole laborers, who, enjoying an undisturbed monopoly, naturally abuse it by charging high for a little labor.

It is the business of Great Britain to bring these fanatical abolitionists to reason. But the consequence of their false doctrines have affected us. Our colonies have suffered from lack of hands as well as the English colonies, and it cannot be any longer endured. If our neighbors choose to submit to the consequences of their abolition theories, the rest of the world is not obliged to adopt them as its rule of conduct. Their code of philanthropy is not a law for us. Thus our government, having recognized emigration as at once useful and moral, has authorized traders to engage laborers in Asia and Africa for the French colonies.

Up to the present time Asia has furnished a very small number of laborers. Will the supply be more abundant in future? We know not. India is not a French colony.

In that vast territory we possess only a few establishments, of a very limited extent. Emigration has not been viewed without jealousy by the Anglo-Indians.—The intolerance of the abolitionists has been made use of there to injure and retard our operations. As for China, it is so distant that we cannot look to it for emigrants; the expense would be too great. Besides, the unsettled condition of the Chinese empire is an obstacle that must not be overlooked.

But Africa continues to be the source whence the colonies first drew their laboring population. It is convenient to our American possessions. Its inhabitants are gentle, robust, sociable and inclined to agricultural pursuits. Then, in addition to this, they are oppressed and subject to the horrors of perpetual anarchy in their own country.

Are not these reasons sufficient to induce us to look to Africa for laborers for our colonies? And our planters, authorized by government careful of their interests, have turned their attention to that quarter. African emigration has commenced; it is pursued with energy; and we hope it will continue until our colonies revive.

But is a great scandal to the superannuated society which was accustomed for twenty-five years to behold the world bow before its decrees in matters of philanthropy. What! lay hand on Africa, the holy ark which has been guarded with such an extreme jealousy, and defended still more by the prestige which it has acquired? Yet the Times thinks the present opportunity fortunate for seizing it again; and, thanks to its proceedings, Parliament already resounds with the declaration of grievances, the most grievous of which is, that they cannot have laborers from Africa except they purchase them again. It is a natural result of the social state of that country. Slavery is the general condition of its working population. As it is not among the merchants, the mechanics nor the landed proprietors that we find emigrant laborers here, so in Africa we do not seek among the free, who enjoy a certain degree of comfort and authority, for laborers willing to expatriate themselves to work for wages under a foreign climate. African emigration would be reduced to the smallest proportion if it were restricted to those only who are free; but it becomes serious when it falls on those who have been redeemed from slavery.

Besides, the philanthropists seem unable to endure the idea of this emancipation. They say that an emigration so conducted is no better than the slave trade. But it is not enough to say so—it remains to be proved. We think this species of emigration does not exhibit even one of the characteristics of the slave trade; in every respect it is different. The slave trade consisted in purchasing Africans in order to transport them into a country where they are sold as slaves, where they are forced to work under fear of the lash, and where they, as well as their children, become the property of a new master.—Emigration, on the contrary, as we carry it on, is based upon the immediate enfranchisement of the African; and, in consequence of this liberation, the black freeman is transported into the country free from bondage, and takes his place in the bosom of a free society. Thus, from a miserable African, emigration makes him a free citizen and an independent workman. He is likewise brought within Christian influence. Looked at in this light, in needs neither jurisdiction nor excuse—it is a work of piety and mercy, as well as of sound policy.

But, says the English, when you buy slaves from the African chiefs you encourage those chiefs to procure others by means of incursions, and thus perpetuate intestine wars in that unhappy country. Unfortunately, the barbarians which reign on that continent is exercised independently of all outside pressure. When an African chief does not sell his slaves he kills them.

To deprive Africa of contact with civilization, under the pretext of preserving peace among her tribes, is to act like a quack, who, to cure an eruption, kills his patient by the internal concentration of the disease. The African chieftains have no motive for making war; they do so out of a pure instinct of destructiveness, and by this alone they prove themselves savages. The poor negro captives destined for human sacrifice on the occasion of some public festival, or on the tomb of a warrior, would hardly call it philanthropy to leave them to their fate, under pretext of a humane objection to their purchase for emigration.

Bible societies have undertaken to submit Africa to a *regime* of preaching, distribution of edifying tracts and saintly communion. Nothing more desirable. Christianity, under whatever banner it may be propagated, is always a benefit. But, whatever their object, the efforts of these societies have not yet been crowned with any distinguished success. They tell us of a tribe here and there, or a territory of some leagues square, in which the words of the missionary are listened to; but what is that in the immense extent of the African continent?—Why will they not, then, leave us to assist in the work of civilization by means which, in our ideas, are more efficacious?

In any case, we cannot see why the ultra abolitionists should impose their particular views upon us. Is not Africa an independent country? Is it confided to the tutelage of Bible Societies? And France, cannot she act according to the dictates of her own conscience?—There exists in this respect no international engagement that can limit her action. The conventions relative to the right of search have been suppressed. Engagements entered into since then abandoned. The treaties of 1815 containing declarations against the slave trade, have nothing in common with an emigration based on the enfranchisement of the laws.

The landed proprietor is then rid of every encumbrance. Following the Times, the philantropists have made some stupid blunders, which should force them into private life, or at least teach them to speak with becoming modesty in future. In this situation of things, when it has proved that the system has utterly failed, it is astonishing that we should try another? This would at least have two good results. It would give new activity to colonial productions, and withdraw thousands of negroes from a miserable condition.

FIRE IN A SCHOOL BUILDING AT BOSTON.—On Friday afternoon one of the female teachers in the Chapman School, East Boston, discovered a fire in the cellar of the building, kindled from the furnace, and with great presence of mind privately informed the several teachers in the building. The scholars in the eight rooms were dismissed, and orderly left the building, without knowing the cause. Soon after, and before the two remaining rooms could be cleared, the alarm was given, but the teachers stationed themselves at the doors and prevented a rush, and passed all the scholars out safely. There were ten teachers and five hundred children in the building. The fire was confined to the basement and was extinguished without serious damage.

A license to marry is often wanted when it can't be had, but a poor one is better than none, when a man is in a hurry—namely, to wit: the following:

"In the early days of Texan independence and youth and eccentric genius, still living and reigning, was clerk of one of the western counties. The village was quite secluded in the prairies, and the squire pastured his cows on the broad acres around, bringing them home at night, and letting them go to grass in the morning. He kept a bell on one of them to help him in finding them; but one morning, as he was letting them loose, he perceived that the clapper of the bell was lost out, and, being unable to find it, he made a substitute by making fast his own office key. Not till he had reached his office did it occur to him that he should want the key, but now finding himself locked out, he betook himself to other matters, proposing to recover the key at night. About noon a rough-and-ready young Texan, in buckskin dress, came riding into town, inquired for the clerk, scared him up, and asked for a marriage license.

"Sorry I can't accommodate you to-day, but it's no go."

"Why not? I'm going to be spliced to-night, and I must have it whether or no."

"But the fact is," said the clerk, "my office is locked up, and *my cow is gone away with the key!*"

"The cow!—what does the cow want with the key?"

So the old fellow told the whole story, and the two set off for the prairie to find the cattle and get the key. But the more they looked the less they found, and finally had to give it up. A bright thought struck the clerk of the county.

"I'll fix you out!" said he, and young Texas jumped a rod, so tickled was he to know that he was to be fixed out of the fix he was in. They proceeded to a store close by the office, and there the county scribe indited the following autograph:—

"*Republic of Texas:* To all who shall see this present, greeting: Whereas I, the undersigned, clerk of this county, having this morning unthoughtedly tied my office key as a clapper into my cow's bell; and whereas, the said cow has gone astray to parts unknown, bearing with her the said key, and therefore the said key is *non inventus est*—that is, can't be had: And whereas, one Abner Barnes has made application to me for a marriage license, and the said Abner persists that he cannot wait until the cow comes back with the key, but is compelled by the violence of his feelings and the arrangements already made, to get married: Therefore these present are to command any person legally authorized to celebrate the rites of matrimony, to join the said Abner Barnes to Rebecca Downs, and for doing so, this shall be your sufficient authority.

"Given under my hand and private seal, on the doorstep of my office—the seal of the office being locked up, and my cow having gone away with the key—this fourth day of October, A. D. 1838.

"HENRY OSBORN, Clerk."

Election Story.

The San Francisco correspondent of the N. Y. Tribune tells the following:—

"The interest attached to the proceedings of the Mormons at San Bernadino has drawn out a number of letters about their present and past conduct, in one of which some revelations are made about the purchase of the Mormon votes by the know nothings in 1855. In the fall of that year a large amount of money was to be raised to make a payment on the San Bernadino ranch, and some of the Mormon leaders thought it would be well to make a portion of the money needed out of the votes of the saints at the coming election. They accordingly dispatched Amasa Lyman, a high dignitary of the church, to San Francisco, and after approaching distinguished representatives of both parties, he found the know nothings would pay most, and a contract was made with them for $7,000. Lyman immediately despatched a messenger to San Bernardino, with a letter to be read in church, directing the saints "by all means" to vote the know-nothing ticket. The messenger passed through Los Angeles, and while there was found by a democrat who suspected was going on, and managed to get the messenger very drunk. The said democrat then took charge of the messenger's letters, found the one from Lyman, altered one word, so that the faithful were directed to vote the know nothing ticket "by no means." He then sealed the letter again; and in due time it was read in the church at San Bernadino. The messengers knowing the bargain made at San Bernadino, declared there was some forgery about it, but Lymans' handwriting was known, and San Bernadino cast 332 for Bigler (dem.) to 14 for Johnson (k. n.) So the democrats got the votes cheap. But the Mormons gained nothing, for the know nothings were distrustful, and would not agree to pay until after they should know the result. They were to pay $7000 if the majority of the Mormons should vote their ticket; $14,000 if the vote were unanimous. This whole story may be untrue, but it is generally believed, and something of the kind was rumored at the time."

Later from California.

NEW YORK, Jan. 27.—The steamship Moses Taylor, from Aspinwall, with the California mails, and a million and a half in specie, has arrived.

The steamer Fulton left Aspinwall on the 7th inst. for San Juan, with Gen. Lamar on board. She passed the Spanish fleet off Havana.

The California Legislature convened on the 4th inst. The Governor would probably recommend taxation of the mining claims. The question will probably cause a serious quarrel in the Democratic party.

The greater part of the town of Downeville has been destroyed by fire. The loss is half a million.

An anti-Mormon meeting at San Angelos memorialized Gen. Clarke for 500 soldiers for protection.

Fever at Port au Prince.

NEW YORK, Jan. 27.—Advices from Port au Prince to the 5th inst., state that the yellow fever is raging violently there. An earnest appeal has been made to our government in favor of the American seamen sick with fever at Lower Hayti, and requiring that they be sent ashore.

From Mexico.

NEW ORLEANS, Jan. 27.—Advices received at this city state that the city of Mexico has been bombarded, and that several day's bloody fighting had taken place, with over a hundred killed. The coalition force was marauding on the city. The partisans of Santa Anna held the Citadel and San Augustine. A civil war had fairly begun.

Gen. Walker.

NEW ORLEANS, Jan. 26.—The grand jury has refused to find a bill against Gen. Walker, for his escape from the custody of the United States officials.

From Kansas.

ST. LOUIS, Jan. 27.—The people of Kansas have decided not to memorialise Congress for an act to enable them to form a Constitution, but to pass one themselves like the Topeka constitution, to submit for the acceptance or rejection of the voters. Mr. Clarkson passed through Booneville yesterday with the Lecompton constitution and the official returns.

WHO IS AFRAID OF A LION?—Dr. Livingston says when the breeding impulse is upon these animals, and a man happens to pass to windward of them, both lion and lioness will rush at him, but under ordinary circumstances the lion is a cowardly animal, and never attacks a man except stealthily, unless wounded. A very curious peculiarity about him is, that at the very last he will not make an attack where he sees any thing to produce the suspicion of a trap. A horse belonging to Captain Codrington ran away, but was stopped by the bridle catching a stump. He remained a prisoner during two days, and when he was found the whole space around was marked by the footprints of lions, which had evidently been afraid to attack the haltered horse from the fear that the whole thing was a snare. It is a common belief (says Dr. L.) that the lion when he has tasted human flesh prefers it to any other, but the real state of the case is that a man-eater is always an old lion; who has grown too infirm to catch game; he resorts to villages for the sake of the goats, and if a woman or child happens to get out they fall a prey too. This being the only source of subsistence he of course continues it until the villagers dispatch him—a work of little difficulty.

ATTIC TALK.—In Boston, the Athens of America, the following elegant conversation took place some days ago between a young lady and a young gentleman of that highly classic and refined city:

"Don't you think I'm a sort of *shanghai gal*, any how?" said the young lady to the young gentleman.—"Don't know, ain't examined your legs to see whether they are feathered or not," was the young Solomon's reply.

The value of buildings constructed in Chicago during the past year is $4,000,000, which is a trifling increase over the previous year.

In 1851 the taxable property in Iowa was valued at only $28,464,559, but now it reaches the enormous sum of $210,044,533.

On Saturday, in the Brooklyn (N. Y.) city court Charles R. Van Pelt, a newsboy, recoverd $7,000 damages from Anson Blake, for injures received by the falling of an awning in 1856 belonging to the defendant, although under lease to another man at the time. It appears the awning fell from an accumulation of snow.

"The Avalanche" is the singular cognomen of a large and handsome daily newspaper just started in Memphis, Tenn.