Alexandria Gazette
SIC SEMPER TYRANNIS
AND VIRGINIA ADVERTISER

ALEXANDRIA:

MONDAY MORNING, DECEMBER 10, 1860.

It is said, in Washington, that the President has explicitly expressed his determination to send no more troops to the forts near Charleston, and said that everything would be done on his part to avoid a collision.—Maj. Alexander has made no request for reinforcements, and it is represented that the best feeling exists between the garrison at Fort Moultrie and the citizens of Charleston.

In relation to the powers and duties of the President, in case of a secession of any State from the Union, Attorney General Black, has given a well considered and ably written opinion, in which he maintains that whilst the President must exercise his lawful authority for the collection of the revenues, &c., he must act strictly under the law, and just as the law provides, and in no other way. He then goes on to say:—

"But what if the feeling in any State against the United States should become so universal that the Federal officers themselves (including judges, district attorneys, and marshals) would be reached by the same influences and resign their places? Of course the first step would be to appoint others in their stead, if others could be got to serve. But, in such an event, it is more than probable that great difficulty would be found in filling the offices. We can easily conceive how it might become altogether impossible. We are therefore obliged to consider what can be done in case we have no courts to issue judicial process, and no ministerial officers to execute it. In that event troops would certainly be out of place, and their use wholly illegal. If they are sent to aid the courts and marshals, there must be courts and marshals to be aided. Without the exercise of those functions, which belong exclusively to the civil service, the laws cannot be executed in any event, no matter what may be the physical strength which the Government has at its command. Under such circumstances, to send a military force into any State with orders to act against the people would be simply making war upon them.

The existing laws put and keep the Federal Government strictly on the defensive. You can use force only to repel an assault on the public property, and aid the courts in the performance of their duty. If the means given you to collect the revenue and execute the other laws be insufficient for that purpose, Congress may extend and make them more effectual to that end.

If one of the States should declare her independence, your action cannot depend upon the rightfulness of the cause upon which such declaration is based. Whether the retirement of a state from the Union be the exercise of a right reserved in the Constitution or a revolutionary movement, it is certain that you have not in either case the authority to recognise her independence or to absolve her from her Federal obligations. Congress or the other States in convention assembled must take such measures as may be necessary and proper. In such an event I see no course for you but to go straight onward in the path you have hitherto trodden, that is, execute the laws to the extent of the defensive means placed in your hands, and act generally upon the assumption that the present constitutional relations between the States and the Federal Government continue to exist until a new order of things shall be established, either by law or force.

Whether Congress has the constitutional right to make war against one or more States, and require the Executive of the Federal Government to carry it on by means of force to be drawn from the other States, is a question for Congress itself to consider. It must be admitted that no such power is expressly given; nor are there any words in the Constitution which imply it. Among the powers enumerated in article 1, section 8, is that "to declare war, grant letters of marque and reprisal, and to make rules concerning captures on land and water." This certainly means nothing more than the power to commence and carry on hostilities against the foreign enemies of the nation. Another clause in the same section gives Congress the power "to provide for calling forth the militia," and to use them within the limits of the State. But this power is so restricted by the words which immediately follow, that it can be exercised only for one of the following purposes: 1. To execute the laws of the Union; that is, to aid the Federal officers in the performance of their regular duties. 2. To suppress insurrections against the States; but this is confined by article IV, sec. 4, to cases in which the State herself shall apply for assistance against her own people. 3. To repel the invasion of a State by enemies who come from abroad to assail her in her own territory. All these provisions are made to protect the States, not to authorize an attack by one part of the country upon another; to preserve their peace, and not to plunge them into civil war. Our forefathers do not seem to have thought that war was calculated "to form a more perfect union, establish justice, insure domestic tranquility, provide for the common defence, promote the general welfare, and secure the blessings of liberty to ourselves and our posterity." There was undoubtedly a strong and universal conviction among the men who framed and ratified the Constitution that military force would not only be useless but pernicious as a means of holding the States together.

If it be true that war cannot be declared, nor a system of general hostilities carried on by the Central Government against a State, then it seems to follow that an attempt to do so would be *ipso facto* an expulsion of such State from the Union. Being treated as an alien and an enemy, she would be compelled to act accordingly. And if Congress shall break up the present Union by unconstitutionally putting strife and enmity and armed hostility between different sections of the country, instead of the "domestic tranquillity" which the Constitution was meant to insure, will not all the States be absolved from their Federal obligations? Is any portion of the people bound to contribute their money or their blood to carry on a contest like that?

The right of the General Government to preserve itself in its whole constitutional vigor by repelling a direct and positive aggression upon its property or its officers cannot be denied. But this is a totally different thing from an offensive war to punish the people for the political misdeeds of their State government, or to prevent a threatened violation of the Constitution, or to enforce an acknowledgement that the Government of the United States is supreme. The States are colleagues of one another, and if some of them shall conquer the rest and hold them as subjugated provinces, it would totally destroy the whole theory upon which they are now connected.

If this view of the subject be as correct as I think it is, then the Union must utterly perish at the moment when Congress shall arm one part of the people against another for any purpose beyond that of merely protecting the General Government in the exercise of its proper constitutional functions."

The New York Times says, of a representation of the character of Richelieu by Mr. Booth, in that city:—"It was curious to notice how every passage of the play which bore upon the love of country, loyalty, patriotism, told upon the feelings of the audience. Especially was this manifest in that memorable passage, when, trying to lift the huge two-handled sword, with which, in his youth, he clove "an Englisher to the waist," the Cardinal found he could not even raise it now in his old age, and causing it to be laid aside, tottered to his chair, and grasping a pen, exclaimed:

"The pen is mightier than the sword!
Take away the sword—
States can be saved without it."

For some minutes after the delivery of these words the progress of the play was stopped by the cheers upon cheers, loud, long and repeated, which arose from all parts of the house. The American heart shrinks from the idea of civil war and bloodshed. Would that we could all unite in the sentiment, and harmoniously labor to bring about the result—

"Our's are the plans of fair, delightful peace
Unwarped by party rage to live like brothers."

Why cannot this great and glorious country be preserved from the ruin which is impending over it, through the machinations of fanatics and traitors at the North, and the impulsive ardor of many of our brethren at the South? If its flag is to be lowered, may it never be dipped in blood? May it be saved from that last and worst of calamities!

Whatever objections may be made to any apparent contradiction in the President's Message, between his theory of the constitutional obligations of the States, and his opinion of the want of Constitutional and legal authority to enforce the same upon a State seceding or going out of the Union, there seems, generally, to be an acquiescence among moderate men, in the belief, that under present circumstances, and in the present condition of affairs, with one section arrayed against the other, any other course than the one he has taken would only increase the evils under which we labor—that any other remedy, would, just now, "be worse than the disease." If there were only one state or two states disposed to Secede, and the rest had no sympathy with them, the case would be different. No man can estimate the direful consequences of a sectional civil war—or an appeal to arms. It is the duty of all men, we hold, to endeavor to preserve the Union, if possible; it is, also, their, duty, to prevent, if possible, in any event, a resort to force, one way, or the other. Theories, in such a conjuncture of affairs as now exists, must give way to practical views, and the exigencies of the times. We must look to what is to follow as well as to what has happened, and not consider alone, *precedents* in what, unhappily, we may term a revolutionary era in our country's history.

The State Convention of the Douglas section of the Democratic party in Maryland, met in Baltimore last week. The resolutions rehearse the wrongs the South has suffered from the sectional action of the North, urgently demand as the terms of pacification the repeal of the Personal Liberty bills, and the recognition of the rights of the South in the Territories. But they are pervaded by a strong Union sentiment. They declare the attachment of Maryland to the Union, and affirm that "they do not think secession or any sectional revolution is the lawful, appropriate, or adequate remedy for our situation." They recommend the formation of Constitutional Leagues in the States, and propose a National Convention, according to the provisions of the Constitution, to which the devising of measures applicable to the crisis shall be entrusted. To further this purpose, they request the Governor, whenever in his discretion it becomes necessary, to convene the Legislature to secure the co-operation of the other States; deprecating, however, any other action on the part of the Legislature when thus convened than the calling of a State Convention, believing that all other objects can best be accomplished by delegates fresh from the people, and untrammelled by party obligations. The action of South Carolina is deplored and protested against as unconstitutional, precipitate, and disorganizing, and she is warned that Maryland will not be *dragged* into secession at her bidding. The Convention, in its resolutions, adopted the title of the Union Democracy of Maryland.

We have received the December number of the Southern Literary Messenger. Its *literary* contents are very good. In the Editor's table, there is a long article on the present condition of the country, in which the editor expresses his "unqualified approbation of the attitude of South Carolina and declares unreservedly in favor of a Southern Confederacy," giving his reasons for his opinions. He says that the "inexorable Fates have *reversed* the famous exclamation of Andrew Jackson and have issued the stern and unchangeable decree, "the Union must and shall be *dissolved*."

Judge Crain, of Charles county, Md., declines being a candidate for re-election to the seat on the Judicial Bench which he now occupies. We notice that he receives deserved compliments in the counties in which he holds his courts, and has been requested to consent to serve for another term of years.—Judge Crain both as a man and a Judge is worthy of all respect and honor, and in his retirement will carry with him the good will of all who know him.

Gen. Walter Mitchell's address before the Agricultural Society, of Charles county, Md., has been published. It is an excellent production, and contains much good advice to farmers. Its sentiments do honor to the heart and head of its author.

The proposition made by the National Intelligencer for a Convention of the Southern States, it is said, was suggested upon consultation with leading Conservative men of the South now in Washington.

NEWS OF THE DAY.

"To show the very age and body of the TIMES."

A great panic was caused in New York city on Thursday last by the announcement of the rupture of the two great pipes or main arteries which bring the Croton water through the Fifth avenue from the upper reservoir to the lower or distributing reservoir, whence it is sent through a great net work of tubes all over the city. The scene of the misfortune was near 64th street, about five squares above the point where a similar accident happened last year to one of the pipes, and from the same cause, viz: The pressure of an enormous superincumbent mass of rocks and earth. The original bed of the pipes was a swamp, or marsh, which furnished a sufficient support for the pipes alone, but sank beneath the heap of huge broken stones, piled twenty-five feet above it. As the pipes—each of them three feet in diameter—could not bend, they broke.—This accident leaves the city entirely dependent on the thirty inch pipes in Third and Fifth avenues, and thus deprives the residents of the whole lower section of the city of their much-prized Croton for three or four days, if not for a week.

The greatest hardship prevails among the naval officers, sailors, sailors' wives, and others, in New York, owing to the non-arrival of the usual monthly money from the Treasury. Officers have been insulted by butchers, grocers, tailors, &c., sailors are daily rebuffed by hungry landsharks and sutlers; and poor women whose husbands, away on the ocean, have left them half pay, are suffering fearfully because of their inability to fulfil their pecuniary obligations. No pen can adequately describe the wretchedness which even a week's delay of payment renders in the Navy. The money for the Savannah's crew was received and paid to them on Friday last.

One of the most appalling and horrible murders that ever was enacted occurred in New York, Saturday morning, at No. 22 East Twelfth street. The victim, an old widow lady named Sarah Shancks, who kept a fancy goods and millinery store at the above number, was found dead in her bedroom, at the rear of the store, with her throat cut from ear to ear, and her head and face mashed to a jelly almost. Robbery seems to have been the motive for the commission of the shocking murder, judging from the ransacked condition of the apartments. The police have thus far been unable to ferret out the assassin.

About 2½ o'clock Saturday morning, a fire was, discovered in the third story of the building 362 Greenwich street, N. Y., owned by Hoffman & Curlis, and occupied by them as a distillery and rectifying establishment. The building and fixtures are damaged to the extent of $5,000, and the stock of alcohol is considerably damaged by the mixture of salt water among it. The loss by that means will probably amount to from $10,000 to $15,000.

The President of the National Convention of the Soldiers of the War in 1812 has issued a notice requesting the "defenders" throughout all the States of the Union to celebrate the anniversary of the battle of New Orleans on the eighth of January next, and at the same time to sign petitions and adopt resolutions to be forwarded to Congress, asking pensions for the old soldiers and aged and infirm widows of such as are dead.

Corn may be scarce in Missouri and Kansas, but it certainly is not in Hancock county, Illinois. The Warsaw Journal of last week says:—"The way corn is coming into the city is cheering indeed. Each distillery receives not less than one hundred wagon loads a day, while our warehouses and temporary cornhouses are receiving to their capacity. The price is twenty cents per bushel."

Recruiting for the Navy has commenced in earnest again. A crew for the corvette St. Mary's, of the Pacific squadron, is to be shipped at once. It is only proper to say that the Navy Department is wrong, in sending men out to a ship whose apartments are actually foeted with a loathsome pestilence. Let the St. Mary's present crew be detached; and the vessel treated as the Susquehanna was.

The Annapolis Gazette is fully authorized to give an emphatic denial to the foolish rumor that Governor Hicks was to be made Collector of the Port of Baltimore, under Lincoln. No man in Maryland, says the Gazette, is more bitterly opposed to Lincoln than Governor Hicks. Not only is there no office at Lincoln's disposal that the Governor would accept, but the tender of one would be resented by him as an insult.

The sad details of the loss of the propeller Jersey City, on the afternoon of Saturday, the 24th of November, have at length been received. The annals of lake disasters present few incidents that can compare in intensity of horror with the simple narrative of the survivors of the wreck. Rarely have there been scenes of suffering and acts of true heroism that could equal the tragedy enacted on Long Point beach.

The Charleston Courier publishes the President's Message with this brief comment:—"*The Last Message.*—The last message of the President of the United States will be found in another place. We have no space or time for comments, and we feel assured that it will be read with attention, and in some places with sympathy for the President."

Sections of Congress street, Boston, are being paved with a new Cellular Iron pavement, which is claimed by its inventors to combine, in a surpassing degree, lightness with durability and firmness. The new pavement has been adopted in St. Louis, and is about to be tested in sections of Chestnut street, Philadelphia.

Letters have been received, says the South Danvers Wizard, from George Peabody, Esq., of London, stating that he has deferred his return to his native home until 1864, when he proposes to make this country his permanent residence. He states that his health never was better than at the time of his writing.

The Croton difficulty in New York no longer exists. The pipes were mended Friday night, and early Saturday morning the usual supply was running into all the houses of the city, both up town and down. The scenes around the pumps have been most amusing.

The banks in Mississippi have all suspended. Those in Alabama will suspend next week, by private agreement. They have pledges from leading secessionists to relieve them from the legal penalties resulting from suspension.

A bitter war is already springing up between the conservative and extreme Republicans in relation to what measures of conciliation and compromise may be granted to the South.

Bryant Moore of Lowell, on trial for several days in that place for killing his wife, was on Friday found guilty of murder in the second degree.

In the Burch divorce case, in Naperville, Ill., Friday, counsel for the defence closed the summing up. It is expected that the case will go to the jury very soon.

POLITICAL.

The Springfield, Illinois, correspondent of the New York Herald, writes:—The story first published in the Chattanooga (Tenn.) Gazette, and now making the rounds, about the interview of a Mississippi planter with Mr. Lincoln, rests on an actual occurrence, and hence is well deserving general notice, as the replies of the President elect to the comprehensive questions of his Southern visitor are unusually explicit and cover all the points at issue. The declaration that "no coercion will be used in case of secession, unless required by special act of Congress," was repeated to several callers within the last few days.

Mr. Clingman's assertion in the Senate the other day that he would be sustained in his extreme views by a majority of the people of North Carolina, is certainly not based upon the popular sentiment of that State, as expressed through the press. The conservative papers of the "Old North State"—and they are neither few nor uninfluential—teem with accounts of mass meetings daily being held in almost every county, the objects of which are to denounce extreme measures likely to result in civil war, and to counsel a resort to all the constitutional remedies within the reach of the people.

Disunionism is not confined to the South. The radicals of the North are as keen for a dissolution as the hot-headed disunionists of South Carolina. They don't want any adjustment. They don't want the Union.—They are still for agitation, agitation, agitation, and nothing would afford them more gratification than to witness the dissolution of the Union by the action of South Carolina and some others of the Southern States.

The Richmond Whig says:—"We believe that the *single district* Electoral system prevailed for some time after the government went into operation, and we have heard it stated that Chief Justice Marshall was so well satisfied that the general ticket system was in violation of the Constitution, that he refused to vote in any Presidential election for many years after the innovation was made."

The New York Herald says:—"It is estimated that the depreciation throughout the country in the values of flour, wheat, cotton, wool, corn, State securities, railroad and bank stocks, negroes, real estate and other property, since the election of Lincoln, is not less than *two hundred millions of dollars.*"

The Richmond Enquirer characterizes the President's Message as "the most remarkable and mischievous message ever sent by a President to Congress.

The conduct of those who planned the John Brown sympathy meeting does not fail to receive the just condemnation of the Boston press, *without distinction* of party.

VIRGINIA NEWS.

A public meeting was held in Rockbridge county, last week. The meeting was unusually large, and was composed of the best men of the several parties. A series of conservative resolutions, that were carefully prepared by a number of citizens, who represented the sentiments of the three parties, were presented by way of compromise, but before any effort was made to take a vote upon them, two other sets of resolutions were offered as substitutes. These brought about a protracted discussion, which was participated in by Judge Brockenbrough, Major Preston, John D. Sterritt, Rev. Mr. Miller, J. D. Morrison, Col. F. H. Smith, Rev. Dr. Pendleton, J. D. Dorman and others, and the resolutions were committed to another committee of fifteen, to be selected by the Chairman from the several parties, who are to report resolutions at an adjourned meeting, to be held on the 15th inst. Mr. Preston rebuked the conduct of the extremists, North and South; expressed his satisfaction with the Union as it is, and thought it best to await further developments before taking any steps that we might hereafter regret. He stated that he would await the action of Virginia, and would, without hesitation, do whatever she thought best. Mr. Dorman coincided pretty much in the conservative views of Major P., but Colonel Smith and Judge Brockenbrough warmly dissented, and contended that the rights of the South be maintained and kept inviolate—that South Carolina had just cause for her present secession or revolutionary proceedings, and that Virginia ought to unite with her and her sister slave States in forming a Southern Confederacy. The whole discussion was listened to with great interest by a large crowd.

A dispatch from Richmond in the Petersburg Express dated Dec. 7, 9 p m. says:—Samuel Marx, esq., for fifteen or twenty years past Cashier of the Bank of Virginia in this city, died very suddenly this evening, from an attack of paralysis.

Ellen Welsh, a sprightly and intelligent little girl, aged eleven years, fell into a vat of hot whiskey, at Stearns' Distillery, yesterday afternoon, and was literally boiled alive. She lingered in great torture through the night, and died this morning.

One-half of the American Hotel property in Harrisonburg, Rockingham county, was sold at auction on Saturday, for $7,000 to Derrick Pennybacker. The other half of the American has been sold by J. R. Koogler, esq., to Messrs. S. M. & R. Bowman, for $8,500. Messrs. Bowman get possession on the 1st of January.

The first Baptist Church of Hampton, having extended a call to the Rev. George F. Adams, recently of Baltimore, to become their pastor, he has accepted, and will enter immediately on the discharge of the duties thereof.

Judge Thompson, of the Wheeling circuit, has decided in favor of the Auditor's construction of the late tax bill, that "The income or salary is on the amount received during the year, whether paid yearly, monthly, weekly, or hourly."

Col. J. W. Ware, of Clarke County, has been elected one of the Vice Presidents of the Maryland State Agricultural Society for next year.

A large Union meeting was held in Greenbrier county, last week. Union resolutions were adopted, as, also, resolutions against secession.

Messrs. Welch & Bauserman have established a large new distillery near Woodstock.

A large fire took place in Providence, R. I., on Thursday, in the large four-story building No. 18 Sabin street, owned by the Providence Dyeing, Bleaching, and Calendering company. The origin of the fire is not determined. But it soon swept through the whole upper part of the building. A large quantity of goods belonging to various parties was on hand, some of which are damaged by water; but a large portion of them removed in safety. The total loss must be at least $80,000, insurance about $35,000.

At the Baltimore Methodist Convention after the majority report and resolutions were adopted, it was resolved to address them also to the East Baltimore and Western Virginia annual conferences.

A letter to Henry Grinnel from C. P. Hall, of the Arctic expedition, details the loss of the Schooner Rescue and the Expedition Boat: says that Frolisher Strait is a Myth, and speaks of Discovery of Coal and Iron.

Letter from Hon. John M. Botts.

RICHMOND, Nov. 27, 1860.

MY DEAR SIR:—I have been endeavoring to *make* an opportunity for some days past, to answer your very friendly and *seductive* letter, but my whole time, day and night, has been so constantly occupied with matters that could not be postponed, that until the present, I have been compelled to defer it—and even now I must be brief.

I speak of your letter as being seductive; I refer, of course, to those portions which hold out promises of future greatness, if I will "seize upon the present occasion with a nervous grasp, and guide the movement in favor of secession." which you think is fixed and inevitable; and many a charming woman has sacrificed her honor and her reputation to the insidious tempter, under far less imposing circumstances than those you present for my consideration; but it was only because they had not the firmness to say, as I do now say to you, in the language of our Saviour—"*Get thee behind me, Satan.*"

I do not concur with you in opinion, that the dissolution of the Union is inevitable; the sky looks threatening I grant you, but so it has done before, and yet the clearest sunshine has succeeded, without a shower of rain or a peal of thunder—so I trust it will be again. But if it should be otherwise, and the government of the United States is to be overthrown, no part of the *folly*, the *wickedness*, or the crime, shall be charged upon me, either by the wise and good men of the present age, or of generations yet to come.

True, South Carolina has rushed on with a head-long impetuosity, wholly unsuited to the gravity of the occasion, as if she were afraid to trust herself with *time* for calm deliberation, relying more upon the passion than the wisdom of her people; and it may be, that under a ridiculous, and false idea of a becoming pride, and true greatness, she may involve herself in very serious difficulty; she may even declare herself out of the Union; she did so by Ordinance in Convention in 1833; but still the Union was not rent asunder, nor will it now be, as I think; no other State is likely to go with her, and what is best, and surest of all, Virginia *certainly will not* in her present state of mind.

If I could see the least semblance of justification in the attitude South Carolina has assumed, I would sympathize with her—but I cannot, for reasons already given in my speech, which you say you have just read. I see nothing in that position but *plain, bold, daring, flat-footed rebellion, against*, and *treason* to the rest of the States, and I cannot, under any contingency, be induced to take sides with her in her disloyalty and treachery. Who can ask it of me when her own most trusted and active leader, Mr. Yancey, in his Montgomery speech, said:

"If I understand my distinguished friend from Virginia, (Mr. Pryor,) the election of a Black Republican President would be an issue for Disunion. I understand my learned colleague, (Mr. Hilliard,) to say that upon that issue he would be ready to dissolve the Union. I say with all deference to my colleagues here, that no more inferior issue could be tendered to the South, upon which we should dissolve the Union, than the loss of an election. When I am asked to raise the flag of *revolution* against an election under the forms of law and the Constitution, *I am asked to do an unconstitutional thing*, according to the Constitution as it now exists. I am asked to put myself in the position of a REBEL, of a TRAITOR; in a position, where, if the government should succeed, and put down the *revolution*, I and my friends can be arraigned before the Supreme Court of the United States, and *there be sentenced to be hanged, for violating the Constitution and laws of my country.*"

Such is the admission of the leader whom you propose to follow, and you make an earnest appeal to me to unite with you in assuming the position of a *rebel* and a *traitor*, for which I may be sentenced to be hanged for violating the Constitution and laws of my country. Pardon me, my respected, but impetuous friend, *but I had rather not;* I am impelled by every consideration of honor and duty to decline your very polite invitation.

Do you doubt, or does any sensible and reflecting man doubt, that Mr. Yancey described truly the situation which every man occupies who favors the movement of South Carolina, because of the election of Mr. Lincoln? for even she does not pretend, that she would have occupied her present position if Lincoln had been defeated, and yet, are you not surprised to see so many of our own people turning "rebels" and "traitors" at her bidding?—are you not indeed surprised at yourself? *Rebel* and Traitor! very imposing and high sounding designations in the estimation of some, perhaps, but I have no particular desire that they should attach to my name—either now, or in after life. *My aspirations do not run in that line.*

South Carolina, spurning the counsels and co-operation of Virginia and other Southern States, has of her own accord, and upon her own hook, chosen to raise a mighty and a fearful issue with the General Government, and upon the General Government rests the responsibility of settling the question. Hands off and fair play to both, say I. In its present stage we have nothing to do with it, and so far as I am concerned, I turn her over to "Uncle Sam," and if she can maintain her position against that respectable and powerful old gentleman, let her have all the honor and glory, and benefit of the achievement to herself. I hope she may have a good and merry time of it. She will still be a State or the Union, IN a state of rebellion, and I have not a shadow of doubt, either of the right, or the power to control her; the only question would be—*Is it worth while?* Would it not be better to let her go out, and stay out, until she had made the experiment, and like the prodigal son, return to her home to eat up the fatted calf.

But that unfortunately would lead to another perplexing difficulty, which is, that it would amount to an acknowledgement, that we have no government, and never had one; that our fathers were a set of old fools and fogies, who thought they were making for their posterity a government that would endure forever, whilst it was nothing more than a mere voluntary association of States, to be *tolerated* only so long as it was *entirely* convenient and agreeable to all the parties to remain in it, but that the moment it became irksome to any one State, it might be broken up, as readily as an ordinary party at whist, whenever one of the partners happened to tire or grow drowsy—and it requires but little reflection to satisfy any reasoning man, that if the doctrine of the right of secession is once recognized by the government, all its powers cease at once, even although the doctrine may not be carried into practical effect. The government is now supported by loans and treasury notes, and has been with the exception of short intervals for the last twenty-five years—What credit would the government be entitled to, and what could it obtain, either at home or abroad, if it were understood that any one State might at any moment break up the government, and thus cancel the debt, as South Carolina now proposes to cancel hers?

When should we be safe in *declaring war* for the defence of our honor, or our rights, or for the protection of our people, if in the midst of the war, the Union could be dissolved, and the government destroyed, whenever some one of the States might be disappointed in the election of her favorite candidate for the Presidency, or because her interest would be promoted by doing so, *or because it would enhance the price of cotton to open a direct trade with the enemy?* What government on earth would thereafter treat with us, as one of the *Nations* of the world? or treat us with respect? I do not wish to be disrespectful to any body—and most surely not to you, but I hope you will pardon me for saying, that one of the inconceivable and irreconcilable things of this world to my mind, is that an idea, of such unmixed and unmitigated nonsense and absurdity as that of the right of a State to secede at pleasure, should ever have obtained a place in the mind of any man, who was not an absolute lunatic. Men's minds are differently organized I know, and we see things through different optics, and I dare say, you and others look upon me, in the same light, as I look upon you and upon them. Well, be it so; *honors are easy*, and we break even.

It has become quite a favorite and fashionable mode of expression to say, "*this is not a government of force; the government was not made by force, and can not be kept together by force.*"

It is very true that the government was not made by force, and it is *for that very reason*, that there is no right to break it up, and that it can be kept together by force; whether that is a desirable mode of doing it is altogether a different question; if *it had been formed by force*, if some tyrannical despot had forced a government upon the people, which had never obtained their approval or assent, then any of the parties would be justified in throwing it off whenever they could get rid of it—but *it is precisely because it was not made by force*, but that on the other hand it was a *free and voluntary compact*, entered into one with another, and each one with all the rest, that there is a power to enforce the compact.

Debts *are* not, and cannot be created by force, but if voluntarily entered into, the payment of the obligation may be enforced by the strong arm of the law, and the compact between the States having been voluntarily entered into may in like manner be *enforced* if necessary by the strong arm of the government, and it is no government at all, if it is not one of *sufficient force* to protect itself against treason and rebellion on the part of its own citizens. If it is not a government of force, why was Congress clothed with the power "to provide for calling forth the militia, to *execute the laws of the Union, suppress insurrection, and repel invasions*," whether they come from within or without? Pshaw! that's all fal lal, to tickle the ears of groundlings. It was a government of force and very efficient force in 1833, when the force bill passed a democratic Congress, in the House by a vote of 149 to 48, and in the Senate by 32 to 1. When and how has the Constitution been changed since that time? or is it only because statesmen have grown more wise of late? Establish this doctrine of secession and it is at once settled that there is an absolute impossibility of ever forming a fixed, permanent and stable government out of two or more States; for if our Constitution does not make this a permanent government as designed by its founders,—then language cannot be employed that would make it so—and our institutions are no better than those of Mexico.

But if a new confederacy were to be formed, I could not go with you, for I should use whatever influence I might be able to exert, against entering into one with South Carolina, that has played the part of a common brawler and disturber of the public peace for the last 30 years, and who could give no security that I would be willing to accept, that she would not be as faithless to the next compact as she has been to this which she is now endeavoring to avoid. In addition to which, the objects and interests of South Carolina as she conceives them, are essentially at variance with those of Virginia; this State will never sanction piracy, and if not, South Carolina does not desire our company, and would get rid of us as soon as possible.

What may be the ultimate condition of things, I do not pretend to be prophetic enough to foretell, but I do not think there is any likelihood that any other State will go out, as South Carolina proposes to do, in a sort of *sky-rocket blaze;* the rest will be disposed to consider matters more carefully, and will take time for consideration and reflection, during which much *may*, and I think will be done, to reconcile existing differences.

The Northern party has succeeded to power; they are therefore deeply interested, *in a political sense*, in keeping the Union together, and can well afford to do all that we have a right to demand, under the Constitution; and if they do not, *we may be able to accomplish all that is essential, through the action of Congress.*

Now as you say to me, "sit down, side by side with me," and let us talk this matter over. Suppose the North, should agree to repeal all their obnoxious legislation, which has for its object the obstruction to the execution of the fugitive slave law, (which they ought not to hesitate to do, even if no Union were at stake) and if not, suppose Congress should so modify that law, as to relieve it of that obnoxious feature to which I referred in my Lynchburg speech, and thereby *add* to, rather than impair its efficiency, and accompanying that legislation, with a bill declaring it to be a felony of the highest grade, and subject to heavy penalties by fine and imprisonment to rescue or attempt to rescue a slave in custody of the officers, or after he had been restored to his master, and making the general government responsible for the value of the slave that may be rescued, and holding it as a charge against the State that shall permit the law to be thus violated within its territory; then suppose in reference to the territories, there should be wisdom and patriotism enough, in both sections of the country, to restore matters to the condition they occupied prior to 1854, by re-establishing the Missouri Compromise line; don't you think, my good friend, you could then be persuaded to agree that all the Southern States, except South Carolina, *would agree* even without the restoration of the Missouri line, to remain a little longer in the Union? although South Carolina might have assumed that she was too good, and high toned, and chivalric to remain where Virginia, Kentucky, Tennessee, Maryland, North Carolina and Missouri, would be proud to stay? And if South Carolina should be deaf to all remonstrance and insist that she would stay out, after that, don't you think she ought to be left to share the fate she had so unnecessarily courted and provoked?

All this I have strong hope may be accomplished, if *reasonable time* is allowed,—a suitable spirit is adopted, and a proper course is pursued; but I do not think it can be done by the system of bullying and bravado, that many of our leading men seem to have a decided passion for. The North and South are equally brave, and a brave people, like a brave man, will always despise and defy a bully, and there has been too much of that game played on both sides.

I believe in the patriotism of reflecting men of all parties and of both sections, and I am confident in the belief that each will, in the spirit that animated our fathers, for the sake of the Union, surrender much that has been claimed on both sides, before they pull down this great temple of liberty on their own heads.

I will not stop to enquire which section would suffer most from a rupture of the Union, because I do not calculate its value by dollars and cents; it is enough for me to know, that both would sustain a calamity that neither time nor labor nor money could repair. But to accomplish anything, reason and persuasion must take the place of threats and taunts and crimination, and recrimination. How all this is to be brought about, is another question, which I leave to those who are in power to bring it about—but I have an abiding trust and confidence in the same Good Spirit that has directed us through every trying difficulty that the way will be prepared to save the great, glorious, thrice-blessed, and God-like work of our Fathers to us, and to our children and to our children's children.

One thing, my friend, you may be assured of, that when the necessity shall arise for Virginia to take up arms against the Government of the United States, she will require no other State to set her an example of what it becomes her honor to do—but she will neither be "*hitched on*" nor "*dragged into*" any rebellious or treasonable movement by the most spoiled child of the whole family. Virginia made the Union; it is chiefly the work of the hands of her children, and she will adhere to, abide in, protect and preserve it, until some stronger reasons than now exists for its destruction.

One word more. Are we to have a State Convention? I hope not; there is no sufficient reason for a Convention: the public mind is not in a condition for a Convention; it is in too excited a state for such deliberation as the public interests demand; and artful means have been used to make it so, and the state of your own mind serves as evidence of that fact.

Men are not made wiser, or more temperate from being sent into a convention, than to any other deliberative body, such as Congress or the Legislature: nor have we any reason to suppose when party spirit runs as high as it does now, that wiser and better men would be selected for such a place and for such a purpose as is contemplated; and would you ordinarily trust, or do you know anybody who would be willing to trust the existence or destruction of this National Government to the hands of those who fill either of these departments? The world was not made in an hour, it is not likely to be destroyed in a day; there is no occasion then for such remarkable haste.

Nobody purposes to fire our dwellings, or steal our substance away from us: there is plenty of time before us,—let us then be patient, be wise, be moderate—give time for the passions excited by the late election and the scenes that now surround us to calm down. Let us act like men, and not like children, and above all, let us take time to *ascertain facts*, and not be led away from the path of duty and honor, by the ten thousand misrepresentations that are scattered broad cast over the country for the purpose of inflaming popular passion.

It takes a great while to build up a government, and it will require a vast deal of labor, reflection, foresight, knowledge, wisdom, and experience to form one that will prove a satisfactory substitute for this which you propose to discard.

Do you feel sure that the State is prepared at a moment's notice to bring all these various and essential elements to bear upon this subject? If you are, *I am not!* and as there is less danger to be apprehended from cautious deliberation, than from inpetuous haste, I beg you to unite with me in urging the people of Virginia not to be in too great a hurry to destroy, or hazard the loss of, what all the world will never be able to give them again.

I am respectfully, your obedient servant and friend, J. M. BOTTS.

To H. B. M., esq., of Staunton, Va.,

[COMMUNICATED.

"The Union Must and Shall be Preserved."

If ever there was a time in the history of the Old Dominion when she could make her influence felt amid her sister States of this Union, more than the present, I am not aware of it. All conservative men, North and South, turn their eyes on Virginia, and my blood tingles with pride when I say it. And why this great confidence? I answer, because the mass of her people are conservative. Her leading sons are devoted to this Union of States, and a shudder comes over them when they contemplate anything beyond. More than all this, on her bosom reposes the remains of many of our greatest patriots and heroes, from WASHINGTON to the gallant MORGAN—men who pledged their lives, their fortunes, and their sacred honor, for this Union of ours. Many of them poured out like water their life's blood for this Union. And now all eyes turn to Virginia. And shall their appeal be made in vain? Oh! ye sons of these Revolutionary worthies, prepare for the conflict, and let your watchword be, "The Union must and shall be preserved!" Aside be thrown all party lines in politics. Together rally, all Christian men, of all denominations, and from your ranks choose good men and true for the leaders of yourselves!

To my mind, the time has arrived when the *staid, conservative* men of our land must be brought together; and let Virginia move off in this great purpose, and take her stand for the Union, and around her will gather all the great and the good, representing every State in this vast Confederacy. We have bad men in this Union, North and South. Our ship of State may have been badly manned. Our State Legislatures have been composed in the main of men utterly unfit to make State laws, (hence the Personal Liberty bills, so unkind, and, more than all, unconstitutional,) with many other grievances we might mention. But, whilst I am willing to acknowledge that these acts against us and our institutions are very wrong, I cannot think that this great and glorious Union is to be broken into fragments.

Fellow-citizens, "*the Lord reigns*," and never will He allow so many praying Christian men (who love this Union dearer than life) to go unanswered. *Their prayers have been heard.* I know scoffers may laugh at such a position as *this*, but the time is fast approaching, when not only in this land, but in all lands, will it not only be written, but everywhere acknowledged, that God hears and answers prayer. Oh! my brethren, this Union was bought too dearly to be destroyed by fanatics and fire-eaters. It is worth more to *religion* and to *mankind* than any of us can calculate, and that body of men who will rally now around each other, trusting sincerely to God for directions, shall even now, in this, the last extremity, come off more than conquerors.

It is not too late. It is only too late for politicians. It is only too late for selfish, designing men. They all are at their wit's ends, and now the great Governor of the Universe will, I believe, interfere, and out of this chaos and confusion, by the use of his own instruments, bring peace and order. And to him shall be all the glory! Then let us up and be doing. Praying men, go on, step by step, in that path we may all agree on to be the path of duty in this dark time, asking every hour for that light which cometh from above; and that God who listened to, and answered the prayers of Washington, will hear and answer ours. We can, with the help of God, do much now. The columns of every respectable journal are open to us, through which we can all reach each other, until some master mind and heart shall, by these appeals, be called forth, and by Providence be prepared for the emergency. But we must, in a crisis like this, cease to look to man alone for help. All our help must come from God; and I have faith to believe he will yet come in this, the hour of our extremity, for our *relief* and comfort. M.

Alexandria, Dec. 8, 1860.

Jose Ramon who was so seriously injured by the explosion on board the Spanish frigate Berenguela on Thursday, died Saturday.