Weekly National Intelligencer.

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THE WEEKLY NATIONAL INTELLIGENCER.

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NATIONAL INTELLIGENCER.

THE STATE OF DESERET?

Mention is frequently made of *Deseret*, as the name of a Territory settled by the people commonly called Mormons, and now praying to be admitted to the Union under the name just stated. It is a matter of suprise that this subject has not attracted a greater degree of public attention. This circumstance can only be accounted for by the fact that other subjects of a more urgent nature have for the last few months occupied the time and thoughts of Congress and the People. Under ordinary circumstances, there are many questions connected with the settlement of the Mormons and their present application to be admitted into the Federal Union, which would have been thought to require very serious consideration.

In the first place, who and what are Mormons? The answer is, they are a sect of fanatics, who have sprung up within the last few years, and who believe in the late Joe Smith as a divine prophet. Since the cruel murder of Joe Smith, they believe that his gift and power of prophecy have passed to his successors, and that Divine revelations are regularly and even frequently made by them to their followers. The "Book of Mormon" is a pretended revelation, which Joe Smith alleged was communicated to him on golden plates, dug up in the State of New York, written in an unknown language, but translated into English by himself. In point of fact, the greater part of this pretended new Bible was a sort of religious romance, written by a clergyman of New York, not with any intention to deceive, but as an effort (a very ill-judged one) at an innocent exercise of the imagination. By some accident it fell into Joe Smith's hands, and was by him made the subject of the abominable fraud just named. The deluded followers of Smith, calling themselves "Latter-day Saints," emigrated, we believe, from New York to the West. Whether their first establishment there was in the State of Missouri, we are not accurately informed. They had not been long in that State before they incurred the ill-will and odium of their neighbors, and were illegally and violently driven out of the State. They took refuge in Illinois, founded the city of Nauvoo, built an abortion of architecture which they called a temple, and grew rapidly in numbers and wealth. Recruits of two descriptions flocked to them; *first*, simple fanatics, who believed in the pretensions of Joe Smith, a considerable number of whom were enlisted by his missionaries, not only in the Middle and Northern States, but in England; and, *second*, adventurers of every kind, who flocked to Nauvoo to speculate upon the credulity of the other portion.

To the disgrace of the age this wretched imposture flourished. As a specimen of its grossness we may mention a fact, stated by an extremely respectable gentleman of this city, as one within his personal knowledge. Being on a tour to the West, he visited Nauvoo from curiosity. In the temple he was shown a collection of curiosities, and among them were one or two mummies, which had been imported from Egypt by Joe Smith. The attention of the visiter was called by Smith to the mummy clothes and the writing upon them. "There," said Smith, "that's the handwriting of the patriarch Abraham, and I am the only man that can read it," which he then proceeded to do!

In the course of a few years the scenes of violence which had occurred in Missouri were repeated, and with still more fatal results, in Illinois, and the Mormons were driven from the State by armed and organized bodies—not acting, however, with any legal authority. We do not, by any means, justify or palliate the manner in which the Mormons were treated, either in Missouri or Illinois. It was illegal and cruel, and this without any reference to the character and conduct of the Mormons. What credit is to be given to the reports which circulated to their disadvantage we have no means of knowing. They were believed to be guilty of the grossest immoralities: it has been constantly stated that they professed and practised on the doctrine of community, or plurality of wives; and it was believed in their neighborhood that they made up their separate and peculiar organization to screen each other in a general violation of the laws of the land and of good morals. Whether this is true, false, or exaggerated, we have no knowledge; but it seems scarcely possible that, unless there had been some foundation for the prejudice, they should in so short a time have become the object of such bitter hostility in Missouri and Illinois.

In the conflict between the Mormons and the neighboring population of Illinois, Joe Smith was murdered in the prison to which he had been committed. His followers fled from the State and formed the resolution to emigrate to California, not then known to abound in gold. Having reached the region of the Great Salt Lake, they halted there, and established a settlement, which has prospered, and is now said to contain twenty thousand persons, one-half of whom are unnaturalized foreigners, principally English. It is probable that their settlement has received a good many recruits from emigrants who had started for California. Their pretended *theocratic* government is still kept up, and revelations are as regularly announced to them as the orders of the day by a commanding general in time of war.

Such is the people who, having thus founded a few straggling settlements on the public land of the United States—of which they do not own an inch; of which the Indian title has not been extinguished—have formed a constitution of government, chosen a Delegate to Congress, and asked admission into the Union as an organized Territory by the name of *Deseret*. As far as we can judge, the region modestly included within the boundaries which they have granted themselves is about as big as all New England and New York. This is "vote yourself a farm" with a vengeance. If Congress admits the pretensions of these people, they allow them to vote themselves to each adult male a domain about as big as Rhode Island; or rather, Congress will, in so doing, grant its sanction to this most monstrous and unexampled appropriation, which has already been made by the Mormons.

Had the Mormons addressed a memorial to Congress praying for a small tract of land, say five or six townships—a quarter section for each head of a family (!)—our individual feeling might have been in favor of complying with their request, and thus allowing them a place of asylum from persecution. We very much doubt, however, whether Congress would have granted such a petition. It is entirely against the spirit of our legislation to bestow any such favor on large organized *sects*. It never has been done, and it may be doubted whether it ever ought to be. There are about twenty thousand Shakers in New York and the Eastern States; they own valuable tracts of land, honestly bought and paid for, or acquired by gift. Suppose they should (with or without reason) become odious to their neighbors, be the subjects of a general persecution, and finally be driven by violence from their present homes; does any man suppose for a moment that Congress would grant them an ample tract out of the public domain? Would such a grant be made to *any sect*—to Mennonites, Moravians, Rappists, to Trinitarians or Unitarians, Orthodox or Liberal? Is there any one of the hundred sects that fill the dictionary of denominations, to which Congress would grant an acre of land, or even a charter of incorporation? We think not.

But Congress is asked to make to this sect, not of Christians but of Mormons, of believers not in Jesus Christ but of Joe Smith, a more than imperial grant; to bestow upon them, not a township, but a region as large as Great Britain; not an act of incorporation, but an act of admission, on terms of equal membership, to this Union of States!

The name by which the Mormons have begun to call their new settlement, and propose to call their new State, is *Deseret*; and if there were no other objection to this name, it would be a sufficient and fatal objection that its adoption by Congress would be a direct recognition of the wretched fraud called the *Book of Mormon*. The following is the account which we find cited from the *Frontier Guardian*: "The name selected for that country 'is borrowed from the Book of Mormon, where a 'description is given of a voyage of the ancient 'Jaredites, from the tower of Babel to the American Continent, more than four thousand years 'ago. It is said that they brought with them seeds 'of all kinds, and also "Deseret," which by interpretation is the "honey-bee." The bee and the 'hive being emblems of industry, the citizens there, 'wishing ever to exhibit those qualifications, have 'chosen the above name, as being adapted to the 'character which they ever wish to sustain."

It is unnecessary to state that this whole attempt to connect the history of the Mormons—a sect of fanatics formed in our own day—with the dispersion of mankind at the tower of Babel is pure fiction. It is a part of the romance to which we alluded above, and which Joe Smith adopted as his revelation. There is not the slightest reason for thinking that the word *Deseret* means *Honey Bee* in any language ever spoken by man. We have seen it stated, and that in a respectable journal, that *Deseret* is the ancient Egyptian word for *Bee*. Of this we have seen no proof. Sir GARDNER WILKINSON does not appear to have known the ancient Egyptian name of the bee, (see his Manners and Customs, second series, vol. 1, p. 81,) and if not known to him, it is not likely to have been known to any one else. If fact, we understand that the Mormons do not themselves pretend that *Deseret* is the ancient *Egyptian* word for *bee*; but that a certain ancient race called Jaredites (existing only in the imagination of Joe Smith and his followers) brought from the tower of Babel a something which they called *Deseret*, and which is, by Mormon interpretation, *honey bee*. The entire Book of Mormon being a forgery out of the whole cloth, it is of course idle to discuss the meaning of any thing contained in it. But we protest against the incorporation of any of this jargon into the statute-book of the United States.

We have lately seen in the Washington papers handsome testimonials to the moral character of the Mormons in their present location; to their thrift, good conduct, and consequent general prosperity. How far these testimonials are well-founded we do not know. We do not at all enter into the question of the morality of the Mormons, nor in the slightest degree apologize for the treatment which they received in Missouri and Illinois. At the same time, however, there is reason for believing that they hold some dangerous principles of practical morality, which should make Congress pause before they constitute them a coequal sovereign member of this Union. If their future history is to resemble the past, Congress, in taking steps to organize them into a permanent political community, will be laying the foundation of convulsions of a most dangerous character. If they were, or were believed to be, a community which neither Missouri nor Illinois would tolerate, even to the number of a few thousands, is it likely that they can live in peace and harmony with neighboring States, when they themselves have grown into a powerful State, wielded by artful chiefs who pretend to add Divine to human power?

It has been publicly stated by seceding members of the Mormon body that their leaders already threaten vengeance for the wrongs they have suffered; and among the wild visions of Joe Smith's heated brain was that of acting over again the part of Mahomet, and founding a new Mormon caliphate on this continent. We may smile at the egregious absurdity of these delusions, and yet not think it prudent to assist his followers, already boasting of their tens of thousands, to plant themselves on the high-road to California, and give them complete control of our line of communication between the Atlantic and Pacific oceans.

FRANKLIN.

FROM IRELAND.

Another appalling catastrophe has happened in one of the auxiliary workhouses in the Southwest of Ireland, of which the Limerick Chronicle gives the following account:

It is our painful duty to record a fatal casualty which took place last night at Clare street auxiliary workhouse, by which twenty-seven human beings lost their lives, and twenty-eight were seriously injured. Between eight and nine o'clock, shortly after the inmates (five hundred females) had retired to rest, on the loftS of the store set apart for sleeping apartments, a false alarm of fire was given by one of the women, whether with the intention of causing annoyance, or by design, is unknown, but so electric was the panic created that almost instantaneously the females on the first loft leaped from their beds, and, in the darkness, rushed in a body to the staircase or ladder leading from that portion of the building to the ground floor. Ultimately the paupers on the other loft congregated in the narrow passage, when the ladder broke, and numbers were precipitated to the ground, from a height of ten feet. The shrieks from those below induced those from above to press more eagerly toward the staircase, and as they came to the verge of the passage they fell over each other. The city police, with the mayor, were in prompt attendance, and all united in relieving the sufferers, and extricating the dead bodies. At ten o'clock the number of dead bodies received into Barrington's hospital was twenty-seven, and a more heartrending spectacle never presented itself. The majority were young and well-looking females. The number received into the hospital seriously injured was twenty-eight, and of these there are three not expected to recover. No blame is attached to the officers of the institution, as the melancholy occurrence originated with the paupers themselves.

EXPLOSION.—On Saturday night last James Howe's powder mill, on the Sawkill, was blown up, caused by the acceleration of the machinery through the freshet in the creek. There was some 600 pounds of powder burnt. The building was scattered to the winds. Loss $4,000. This is *the seventh blow up there within fifteen months.*

[*Kingston (Ulster Co.) Journal.*

ABOLITION OF SLAVERY IN MEXICO.

IN SENATE—FEBRUARY 27, 1850.

The Senate resumed the consideration of the resolutions submitted by Mr. CLAY, in relation to the adjustment of the questions in controversy between the States of the Union arising out of the institution of slavery.

Mr. BENTON. Mr. President: It has been affirmed and denied on this floor that slavery was abolished in Mexico. I am one of those who affirm its abolition; and I propose now to read some passages from Mexican law, for the purpose of supporting my opinion. In doing this, I shall have recourse to authentic law publications in Mexico, and shall produce the laws on which I rely, both in the original language and in an English translation. I begin with the decree of the President Guerrera in 1829, and read from a book which was printed in the city of Mexico in the year 1838, and which is the eleventh volume of the laws of Mexico, officially published under the orders of the Supreme Government. I will read the title page to show its authentic and official character. This is it:

"Recopilacion de leyes, decretos, bandos, reglamentos, 'circulares y providencias de los supremos poderes, y otras 'autoridades de la republica Mexicana. Formada de orden del 'Supremo Gobierno por al lic. Basilio Jose Arrillaga."

In English this title reads thus: "Collection of laws, decrees, proclamations, regulations, circulars, and official orders 'of the supreme powers, and other authorities of the Mexican 'republic, made by order of the Supreme Government by the 'lawyer Basilio José Arrillaga."

From this title it will be seen that this volume, from which I propose to read the decree of 1829, is not only authentic and official, but that it is the work of a lawyer acting under the orders of the Supreme Government, and supposed to know what were and what were not the laws of his country. With this exposition of the character of the work, and its title to credit, I proceed to read the decree. It stands thus on page 213, under the month of September, 1829:

"*Dia* 15.—*Decreto del Gobierno en virtud de facultades* '*estraordinarias.*

"*Abolicion de la esclavitud en la república.*—1°. Queda 'abolida la esclavitud en la republica. 2°. Son por consiguiente libres los que hasta hoy se habian considerado como 'esclavos. 3°. Cuando las circumstancias del erario lo permitan, se indemnizará á los proprietarios de esclavos en los 'terminos que dispusieren las leyes. (Se circulo el mismo 'dia por la secretaría de relaciones, y se publico en bando de '16.")

IN ENGLISH: "*Day* 15.—*Decree of the Government in* 'virtue of extraordinary powers.

"*Abolition of slavery in the republic.*—1°. Slavery is 'abolished in the republic. 2°. Consequently those are free 'who until now have been considered as slaves. 3°. When 'the circumstances of the treasury permit it, the owners of 'slaves shall be indemnified in the manner prescribed by the 'laws. (*Circulated the same day from the Department of* 'Relations, and published in the proclamation of the 16th.")

This is the decree of Guerrero, the validity of which has been disputed, and not without reason, if nothing further had been done. It was a decree, and not a law; and a decree upon a legislative subject. It was an executive decree upon a matter of legislation, and its validity was questioned at the time. Two years afterwards (that is to say, in the year 1831) the General Congress occupied itself with reviewing all the acts of the President Guerrera in virtue of the extraordinary powers conferred upon him, and on the 15th of February of that year passed a law in relation to them. This law classified the whole of these acts, annulled some classes, confirmed others, and reserved some for the future revision of the General Congress. This latter class appears to have comprehended the decree of the 15th September, 1829, in relation to the abolition of slavery, and was in these words:

"9. Todas las leyes, decretos, reglamentos, ordenes y 'providencias que en virtud de las citadas facultades extraordinarias expidió el gobierno, y son del resorte del poder 'legislativo, se sujetan á la calificacion del Congreso General, 'quedando desde ahora sin valor, hasta su revision por las 'camaras."—p. 38.

In English: "9. All the laws, decrees, regulations, 'orders, and instructions issued by the Government in virtue 'of its extraordinary powers, and which are of legislative cognizance, will be subject to the qualification of the general 'Congress, remaining from this time without force until their 'revision by the chambers."

This act is cautiously drawn. It does not annul the decree of the 15th of September: it does not confirm it: it admits its validity up to that time, but suspends it until the General Congress should act upon it. This action took place—took place in April 1837—and I will now read the act which was then passed. It is in the same authentic collection of the laws of Mexico—Arrillaga's collection—from which I have already read, and is volume thirteenth of that collection. At page 270 of this volume, under date of April 5th, 1837, we find this act of the General Congress:

"*Dia* 5.—*Queda abolida la esclavitud en la republica sin* 'excepcion alguna.

"1°. Queda abolida, sin excepcion alguna, la esclavitud 'en toda la republica. 2°. Los dueños de esclavos manumitidos por la presente ley, ó por el decreto de 15 de Setiembre 'de 1829, (*Recopilacion de ese mes, p.* 213,) seran indemnizados del interes de ellos, estimandose este por la calificacion que se haga de sus calidades personales; a cuyo efecto 'se nombrará un perito por el comisario general, ó quien 'haga sus veces, y otro por el dueño; y en caso de discordia 'un tercero, que nombrará el alcalde constitucional respectivo, sin que pueda interponerse recurso alguno de esta determinacion. La indemnizacion de que habla este articulo, 'no tendrá lugar respecto de los colonos de Texas que hayan 'tomado parte en la revolucion de aquel departamento. (*Se* 'circulo en el mismo dia por el ministerio del interior y se 'publicó en bando de 7.)"

IN ENGLISH: "*Day* 5.—*Slavery is abolished in the Republic, without any exception.*

"1. Slavery is abolished, without any exception, in the 'whole Republic. 2. The masters of slaves manumitted by 'the present law, or by the decree of the 15th of September, '1829, (Recopilacion of that month, p. 213,) shall be indemnified for their value, (*del interes de ellos,*) according to 'the estimate which shall be made of their personal qualities; 'to which effect there shall be named a competent person '(*un perito*) by the commissary general, or whoever occupies 'his place, and another by the master; and in case of disagreement a third, who shall be named by the respective constitutional alcalde, without any recourse from this determination. The indemnification of which this article speaks, 'shall not have operation with respect to those colonists of 'Texas who may have taken part in the revolution of that 'department. (*Circulated the same day by the Minister of* 'the Interior, and published in proclamation of the 7th.)"

This act of the General Congress is a full confirmation of the Presidential decree of September, 1829, and that without reference to the meaning of the verb "*queda*," twice used, and which signifies literally "*remains.*" The literal translation would be, "*slavery remains abolished,*" &c., which would imply that it had been abolished before. I translate it idiomatically, and as equivalent to "*is;*" but consider it of no importance here, as the law expressly confirms the abolition decree of Guerrera.

Thus far we have a decree, disputed, abolishing slavery in Mexico, and a law, not disputable, confirming that decree; and here I might stop; but the case requires me to go on, and I produce other law, and still higher than that which I have quoted. I allude to the constitution of the republic of Mexico of the year 1843. I have a copy of the Mexican constitution of that year—an authentic copy—printed under the license which the law requires. For, to avoid errors in the editions of that fundamental law, it is forbid, by law, to be reprinted except by the permission of the Supreme Government or of the General Congress. This copy is printed in the city of Mexico the 12th day of June, 1843—the day of the signature and promulgation of the constitution—and bears its authorization upon its title page. I consider it authentic, and produce it as such; and in article 9, title 2, of this constitution, and under the head which treats of the rights of the inhabitants of the republic, and at the head of the enumeration of those rights, stands this declaration:

"1. Ninguno es esclavo en el territorio de la nacion, y el 'que se introduzca se considerará en la clase de libre, quedando bajo la proteccion de las leyes."

In English: "1. No one is slave in the territory of the 'nation, and any introduced shall be considered free, and shall 'be under the protection of the laws."

This is the declaration of the constitution of Mexico, and applies both to the present and the future. It declares that there are no slaves in the territory of the nation, and if any are brought in they shall be free. This is surely enough—enough to satisfy all minds, that slavery has been abolished in Mexico, and that there is not the least ground for fearing, or hoping, that it can ever exist in California or New Mexico by virtue of Mexican law. It is enough, I think; but I have more authority yet, and will produce it, though a work of supererogation. For this is a case to multiply authorities until doubt is extinguished—to heap up and pile up—to put Pelion upon Ossa—until all beneath is crushed into atoms and expunged from view. Behold this formidable quarto! [holding up a large book] It is a Spanish law dictionary, printed in Madrid, reprinted in Mexico, gone through several editions in each country, and authority in both. It is the law dictionary of *Escriche*, in Spain, and of *San Miguel*, in Mexico; and here is one, and there is the other. The Spanish edition is full upon the subject of *slaves* and *slavery* definitions: the Mexican reprint of the same work (1837) omits the head, and says, under the head "*esclavitud*," it is not necessary to occupy a couple of columns with slavery and the slave trade—that the trade was abolished by treaty with Great Britain, and slavery itself by the laws of the republic—and then speaks of Guerrera's decree of 1829, and of the confirmatory act of 1837, in these words:

"El decreto de 15 de Setiembre de 1829, dió libertad á los 'esclavos que ya existen en la república, bajo indemnizacion 'á sus duenos ó poseedores para que no apareciese atacada la 'propiedad: y últimamente en Abril de 1837, se ha publicado nueva ley sobre abolicion de la esclavitud."

In English: "The decree of the 15th of September, 1829, 'gave liberty to the slaves then in the republic, with indemnity to their owners or possessors, that property might not 'seem to be attacked: and finally, in April, 1837, a new law 'has been published on the abolition of slavery."

This is the historical account of the abolition of slavery in Mexico. The reprint was in the year 1837, and therefore could not mention the constitutional declaration of 1843. The law dictionary of *Escriche*, and its reprint with notes and additions by *San Miguel*, to adapt it to the Mexican jurisprudence, are of as high authority in Spain, and in the American States of Spanish origin, as the law dictionary of *Jacob* is with us.

I quote no more upon this head. I think every one must see that slavery was abolished throughout the Mexican territory before the cession of California and New Mexico to the United States, and that slavery cannot exist there now by virtue of Mexican law. This is as far as I propose to go upon that point at present. I limit myself to showing its abolishment, by Mexican law, before we acquired the countries; and that is enough, in my opinion, to show the Wilmot proviso, in relation to these countries, to be a thing of nothing—an empty provision—a cloud without rain—unless it be a rain of blood.

But there is another view of this point which I mean to touch, and that is, to show that African slavery never did exist in Mexico in the form that it now exists in any State of this Union; that there were differences in the Mexican law while it existed, and that to such a degree that it nearly prevented slavery in Mexico; and that, if that law was now in full force in New Mexico and California, not a single slaveholder in any State of this Union would carry a slave there except to set him free. These differences went to the facilities and the rights of manumission, and arose from the opposite policy of the two countries; in the United States to discourage emancipation, in Mexico to promote it. To show these differences I will read from Humboldt's essay on New Spain, and from the law dictionary of *Escriche*. I use Humboldt first, and read from the Paris, quarto edition, of 1808:

"D'ailleurs, les esclaves, qui heureusement se trouvent en très-petit nombre au Mexique, y sont, comme 'dans toutes les possessions espagnoles, un peu plus protégé par les lois que les nègres qui habitent les colonies 'des autres nations européenes. Ces lois sont toujours interprétées en faveur de la liberté. Le Gouvernement désire voir augmenter le nombre des affranchis. Un esclave 'qui par son industrie, s'est procuré quelque argent, peut 'forcer son maitre de l'affranchir en lui payant la somme 'modique de),500 ou 2,000 livres. La liberté ne sauroit 'être refusée au négre sous prétexte qu'il a couté le triple en 'l'achetant, ou qu'il possède un talent particulier pour exercer un métier lucratif. Un esclave qui a été cruellement 'maltraité, acquiert par la même son affranchisement d'après 'la loi, si toutesfois le juge embrasse la cause de l'opprimé. 'On concoit que cette loi bienfaisante doit être bien souvent 'éludée. J'ai vu cependant à Mexique même, au mois de 'juillet, 1803, l'example de deux négresses à qui le magistrat qui fait les fonctions *d'alcalde de corte*, donna la 'liberté, parceque leur maitresse, une dame native des iles, 'les avoit couvertes de blesseures faites avec des ciseaux, des 'épingles et des canifs."—*Page* 133-'4.

"Le royaume de la Nouvelle Espagne est, de toutes les 'colonies des Européens sous la zone torride, celle dans la 'quelle il y a le moins de négres. On peut presque dire 'qu'il n'y a point d'esclaves. On parcourt toute la ville de 'Mexico sans trouver un visage noir. Le service d'aucune 'maison ne s'y fait avec des esclaves. Sous ce point de vue 'surtout, le Mexique offre un contraste bien grand avec la 'Havane, avec Lima et Caraccas."—*Page* 130.

In English: "Moreover, the slaves, who happily find 'themselves in very small number in Mexico, are there, as in 'all the Spanish possessions, a little more protected by the 'laws than the negroes who inhabit the colonies of other European nations. The laws are always interpreted in favor of liberty. The Government desires to see the number of enfranchised augmented. A slave who, by his industry, may have procured money, can compel his master to enfranchise him 'by paying him the moderate sum of 1,500 or 2,000 livres.* 'Liberty cannot be refused a negro under the pretext that he 'cost the triple in purchasing him, or that he possesses a special talent for exercising a lucrative trade. A slave who 'has been cruelly maltreated acquires thereby his enfranchisement according to the law, provided always the judge 'embraces the cause of the oppressed. One may conceive that 'this beneficent law is often eluded. I saw, nevertheless, 'in Mexico itself, in the month July, 1803, the example of 'two negresses to whom the magistrate, who exercised the 'functions of *alcalde of the court*, gave their liberty, because their mistress, a native woman of the islands, had 'covered them with wounds made with scissors, pins, and 'knives."—Page 133-'4.

"The kingdom of New Spain is, of all the colonies of the 'Europeans under the torrid zone, that in which there are 'the fewest negroes; one may almost say that there are no 'slaves. One may go all over the city of Mexico without 'meeting a black face. No house is there served with slaves. 'Under this point of view, above all, Mexico offers a great 'contrast with Havana, with Lima, and Chrracas." Page 130.

I will now read from *Escriche*, who, as a law writer, is more full and precise, and shows such a multitude of cases in which a slave could easily obtain or actually force his freedom, that, under such laws, in a country where slaves were of any value, no man would or could hold them. I read from the dictionary, under the words, *Esclave, Esclavitud:*

"El señor hace suyo todo cuanto ganan y adquieren por 'cualquier titulo sus esclavos; y si los pusiere al frente de 'tienda, nave ú otro cualquiera establecimiento, queda obligado á guardar y cumplir los contratos que hicieren, como 'si él mismo hubiese intervenido en ellos."—*Ley* 7, *tit.* 21, *Part.* 4.

"El señor que fuere mayor de catorce años puede dar libertad á su esclavo en testamento; y el que fuere mayor de 'veinte puede darsela en instrumento, ó ante el juez, ó bien 'ante amigos, con asistencia de cinco testigos; mas el minor 'de veinte y mayor de diez y siete puede darla ante el juez 'con otorgamiento de su curador, á su hijo habido en esclava, 'á su padre, madre, hermano y maestro, á su nodriga, á la 'persona que le hubiere criado, á la que hubiese criado el mismo, y á su hermano de leche, al siervo que le hubiese librado 'de muerte ó de deshonra, al que quisiere hacer administrador 'extrajudicial de sus cosas siendo de diez y siete años, y á 'la esclava con quien tratare de casarse."—*Ley* 1, *tit.* 22, *Part.* 4.

"Si dos ó mas señores tuvieren un esclavo, puede libertarlo 'cualquiera de ellos, dando á los otros el justo precio de la 'parte que á cada uno correspondiente; y aun puede comprarío un tercero con objeto de darle libertad."—*Ley* 2, *tit.* 22, *Part.* 4.

"Merece la libertad el esclavo en los cuatro casos siguientes: 1° Si delatase al raptor ó forzador de muger virgen:—2° Si descubriese al que hace moneda falsa: 3° Si descubriese al gefe militar que abandonó su 'puesto: 4° Si acusare al homicida de su señor, ó vengare 'su muerte, ó descubriere traicion contra al rey ó el reino. 'En los tres primeros casos debe el rey dar el precio de esclavo á su dueño.—*Ley* 3, *tit.* 22, *Part.* 4."

"Si el dueño prostituyere públicamente á su esclava, queda esta libre por el mismo hecho, y no puede aquel recobrar 'ni tener derecho alguno sobre ella.—*Ley* 4, *tit.* 22, *Part.* 4.

"Adquiere par fin libertad el esclavo, por el matrimonio 'que contrajere con persona libre, ó por las órdenes sagradas 'que recibiere, con noticia y consentimiento de su señor; 'como tambien por la prescripcion, cuando con buena fé se 'tratare como libre por diez años en la tierra donde mora su 'señor ó por veinte en otra, ó sin buena fé por espacio de 'treinta."—*Leyes* 5, 6, *and* 7, *tit.* 22, *Part.* 4.

In English: "The master makes his own whatever his 'slaves gain and acquire, by whatever title; and if he puts 'them at the head of a shop, stall, or other establishment 'whatsoever, he shall be obliged to attend to and fulfil all 'contracts they may make, as if himself had entered into 'them."—*Law* 7, *tit.* 21, *Part.* 4.

"The master who may be above the age of fourteen years 'may liberate his slave by testament; and he who may be 'above the age of twenty, may liberate him by instrument, or 'before the judge, or even before friends, with the aid of five 'witnesses; moreover, the minor of twenty and over sixteen, 'may give liberty, with consent of his guardian, to his child 'had by a slave woman, to his father, mother, brother and 'teacher, or to his nurse, or to the person who shall have 'brought him up, or whom he shall have brought up, and to 'his foster-brother, to the servant who may have saved him 'from death or from dishonor, to him whom he may wish to 'make extrajudicial administrator of his goods, being of 'seventeen years, and to the slave woman with whom he 'may propose to marry."—*Law* 1, *tit.* 22, *Part.* 4.

"If two or more masters have a slave, either of them may 'liberate him, giving to the others the just price which belongs to each; and even a third party may purchase him 'for the purpose of setting him free."—*Law* 2, *tit.* 22, *Part.* 4.

"The slave shall deserve his liberty in the four following 'cases: 1. If he shall inform on the ravisher or forcer of a 'virgin woman; 2. If he discovers the maker of false money; '3. If he shall discover a military chief who abandons his 'post; 4. If he shall inform on the murderer of his 'master, or shall avenge his death, or discover treason against 'the king or the kingdom. In the three first cases the king 'shall give the price of the slave to his master.—*Law* 3, *tit.* '22, *Part.* 4.

"If the master publicly prostitutes his slave woman, she 'is thereby freed, and he cannot recover her, or have any 'right over her.—*Law* 4, *tit.* 22, *Part.* 4.

"Finally, a slave will acquire his liberty by contracting 'matrimony with a free person, or by receiving sacred orders, 'with the knowledge and consent of his master; as likewise 'by prescription, when in good faith he shall be called a free 'man for ten years in the country where his master lives, or 'for twenty years in another, or without good faith for the 'space of thirty."—*Laws* 5, 6, 7, *tit.* 22, *Part.* 4.

I conclude this exposition of Mexican law in relation to slavery by producing the definition of that word in Spanish law. For this purpose I quote from the same law dictionary, *Escriche*, where we find it thus: "*Esclavitud: El estado de* 'un hombre que es propiedad de otro contra el derecho 'natural." In English: "*Slavery: the condition of a man* 'who is the property of another against natural right." I quote this definition for the purpose of showing that, under the laws of Spain, in force in Mexico, slavery was held to be against natural right—therefore, not derived from nature, or divine law, but founded in municipal law, and only existing by positive enactment—and, by consequence, that no argument in favor of slavery in New Mexico or California as an institution of divine origin, or of any origin in any place, independent of positive law, can derive any countenance from Spanish law. Further than this I do not go at present. I limit myself to the three points, which, I believe, I have established; *first*, that slavery was abolished in California and New Mexico before we acquired those countries; *secondly*, that, even if not abolished, no person would carry a slave to these countries to be held under such law; *thirdly*, that no slavery can hereafter exist in either of those countries, except by virtue of positive law, yet to be passed. The practical application which I make of this exposition of law is, that the proviso of which we have heard so much is of no force whatever—unnecessary in any point of view—and of no more effect, if passed, than a piece of blank paper pasted on the statute book.

* $300 to $400.

FROM OUR EUROPEAN CORRESPONDENT.

LONDON, FEBRUARY 4, 1850.

The great event as respects ENGLAND, since we wrote last, has been the opening of Parliament on the 31st ultimo. The session was opened by commission, the Commissioners being the Lord Chancellor, the Marquis of Lansdowne, the Earl of Minto, the Bishop of London, and the Marquis of Breadalbane. The tone and temper of the QUEEN's speech are very generally approved of, except by the radical reformers, who do not find enough in it about the extension of the suffrage or the paring down of expenditures; and by the agricultural protectionists, who say that the landed interest and the whole community of landlords and tenants do not engage enough of Royal attention, and that the words "regret" and "lament" are a very inadequate expression of sympathy for their sufferings.

[Our correspondent here gives us a long account of a debate in Parliament, for which we have not room at present. It sprang up on the Address to the QUEEN, and was founded upon an amendment proposed to the Address, expressive of regret at the depression and distress of the agricultural interests of the Kingdom, owing principally to recent free-trade legislation, in abolishing the corn laws, &c. The amendment was eventually rejected, and the Address carried by a large majority, viz: 49 in the House of Lords and 119 in the House of Commons.]

Nothing of consequence has taken place in Parliament since the division on the address; but notice has been given of several very important motions. Many questions of consequence will be mooted before Parliament during the present session. There is the great and almost overwhelming one of the Colonies, and their future government. The electoral franchise has to be purged from some of its most startling anomalies and rankest abuses. Her Majesty's speech pointedly alludes to Ireland as needing an increased elective franchise. The emancipation of the Jews must come before the House in some shape or other. Financial reform, and a general revision of the whole system of taxation, will be pressed from more quarters than one. National education will be eloquently advocated, and we trust some satisfactory plan will be adopted. Ireland will require prompt and efficient attention. A general system of sanitary measures, especially for the metropolis, must be devised; and the church, and all her various interests, and all her strongly charged abuses, will furnish matter for many long debates. Surely these things, without saying a word about our foreign relations, will supply plenty of business for our legislators to attend to.

FEBRUARY 7.—There has been very little news from the continent of Europe during the last fortnight. Some stir has taken place in France about agitations in Lyons, and elsewhere, in consequence of the intrigues of the socialist and revolutionary refugees who have found a temporary home in Switzerland. The conspirators at Lyons and in the department of the Rhone are said to have been baffled in an attempt to effect a movement in Paris. There have been riots there, however, in which Gen. LAMORICIERE was struck, and obliged to take refuge in a house, escaping thence by the roof; and several *sergens de ville* severely wounded. This has led to the cutting down the trees of liberty in the Boulevards, &c., which had been decorated with revolutionary emblems. The last news from Paris is that all was quiet, excepting in the Assembly, where a regular riot had taken place during the debate upon the bill for public instruction: more duels were spoken of. M. EDGAR NEY, the personal friend of LOUIS NAPOLEON, has been elected to the Chamber by the department of the Charente. The statement of the revenue of France for the month of December is highly satisfactory. The navigation returns of France for 1849 show a great increase over 1848, but a falling off of something approaching *one-third* when compared with 1847. The *Edinburgh Review* and the *Times* both express the opinion that the leading men of France are not on the right path, and further disturbances, collisions, and disorganizations are spoken of as inevitable. The essential want of the French is material prosperity, and hence exists the necessity, above all other things, of removing the obstacles to the industry and progress of the people. The agriculture is said to be deteriorating; the trade, particularly the shipping, declining; and the prosperity of the little landowners, composing the great majority of the nation, at nearly its lowest ebb. This sad condition of France did not commence with the revolution of February, 1848; but it probably led to, and occasioned it; and unless it be not remedied, there will be no peace for France, or for Europe. Socialism may be diminishing in Paris, but it is rapidly increasing in the provinces. Money is plentiful in Paris, but it has vanished from the provinces. Landed property and agricultural produce have scarcely any money value. The funds keep rising because nobody will lock up money in either land or any other investment which would not be immediately available.

FROM PARIS DIRECT.

We add to the above the following late Letter from Mr. WALSH to the Journal of Commerce:

PARIS, FEBRUARY 7, 1850.

Monday and Tuesday of this week were days of *emeute*, or insurrectionary demonstration. At the beginning of the last week, the police, with the approval of the Minister of the Interior, undertook to cut down the dead, and some of the living Liberty trees, for the most part unsightly objects and unpleasant mementoes. But the operation was protracted through five or six days, and time thus improvidently given to the revolutionary journals for exciting the multitude against "this war on the sacred emblems, waged out of hatred to the Republic." Paris operatives make the Monday their Sabbath, as far as this means abstinence from work and enjoyment of frolic. Something must be done, and the resolution followed to interfere with the police by assemblages near the trees threatened, but not yet reached by the axe. A grand movement took place on Monday afternoon, in the quarters which Louis Philippe denominated his *amiable faubourgs*—those of St. Martin and St. Antoine. The police force, numerous as it is, was partially overpowered: the Prefect summoned the Government to his aid; regiments were marched to the battle grounds; the whole garrison received orders to keep within the barracks, equipped for street action.

In the evening, the mobs were dispersed; they consisted of very large masses, stimulated by furious demagogues. At midnight quiet returned. The traders in the Faubourgs, and on the Boulevards near, had closed their shops about five o'clock. On the following afternoon, about the same hour, the concourse of men and women—indignant champions of the Democratic cause—was greater than before, at several of the profaned localities. *Gamins*, by hundreds, gathered about the trees—climbed up and suspended red flags and caps, and defied the official enemy. Bodies of troops cleared the obstructed *emplacements*, without shedding blood; and the Government vindicated its supremacy by immediately prostrating two of the trees of which the maintenance had been especially concerted in the councils of the faubourgs. Yesterday no mob appeared; tranquillity prevailed every where. Intelligence came that the regiments in the barracks of the adjacent towns were under orders to start at a moment's warning, to support the garrison of Paris.

Three hundred and fifty of the rioters were arrested in the two days and nights; thirty-five of the *sergens de ville*, police retainers, armed with swords, were grievously wounded by bludgeons and missiles.

The most remarkable incident was the extreme danger of Gen. Lamoriciere, one of the heroes in the conquest of Algeria, who recently returned from his mission as envoy extraordinary to the Emperor Nicholas. In one way or other, his coachman drove into the midst of one of the most angry of the convocations; his carriage door was violently opened, and the cry raised, "Ah, it is you who shot us in June; we have you now!"

The General leaped out; underwent the fiercest hustling and buffeting; lost his hat and portions of his dress; and would have lost his life had he not been heroically protected by some of his former soldiers, and two or three of the ex-Garde Mobile. They escorted him into a circulating library, thence to the garret, through a casement broken open to let him pass, thence by the roof—a most perilous treading—to an adjoining house, from the attic of which he descended into the yard, where a horseman happened just to arrive. The horse was yielded; he dashed through a crowd