

SPEECH

OF

HON. LEWIS D. CAMPBELL, OF OHIO,

IN THE HOUSE OF REPRESENTATIVES, DECEMBER 14, 1854.

The House being in the Committee of the Whole on the state of the Union, and Mr. STEPHENS, of Georgia, having concluded his remarks—

Mr. CAMPBELL obtained the floor and said:

I regret, Mr. Chairman, that an occasion for discussion like this has presented itself now. This is the short session, and there is a large amount of unfinished business, involving the just private claims of American citizens, as well as national interests, which was postponed at the last session, by the prolonged consideration of the Nebraska bill. Sir, there is important work to do. Whatever we may think about the consequence of speeches, the country says it is time for work! But the discussion is upon us: I did not bring it: in six years of continuous service I have never introduced a discussion involving the "vexed question of slavery;" though, when introduced, I never shrink from a proper participation in the debate.

Although not in good health, sir, I cannot, consistently with my ideas of the duty I owe my immediate constituents, if not to the country at large, unprepared, refrain from taking my part in the contest, or from sharing in the responsibilities of its results.

Mr. Chairman, the question involved furnishes, indeed, a fertile field for thought, and for the display of a true American patriotism. It is one which, when discussed here too often, excites unkind feelings amongst those who should dwell together as brothers, in harmony. Although I may be regarded as one of those who ride back to this Hall upon the very crest of that triumphal wave of popular sovereignty which has so lately swept over the free States, I have no words of selfish exaltation to utter over such as have been dashed by its power against the rocks, and have gone down. No, sir, I rise this morning with no unkind feelings in my heart towards any member on this floor, from the North or the South, the East or the West. Incidents of past debate here, which exasperated the feelings, are not forgotten; but all of my wrongs, real or imaginary, are freely forgiven.

Whilst the eloquent words of the gentlemen from Kentucky, [Messrs. COX and BRISTOW,] the gentleman from California, [Mr. LATHAM,] and the gentleman from Alabama, [Mr. SMITH,] portraying the high attainments and social virtues of the lamented PRESLEY EWING, (whose desk, during his last session, adjoined mine,) still linger upon our ears, ought we not to cultivate sentiments of mutual good will. There is something in a higher law which whispers to us "in the midst of life we are in death."

Enter the field of this discussion, therefore, with the kindest feelings. Should I utter a word,

in the hour allotted to me, personally offensive to any one, I hope it will be attributed rather to the impulsive expression of a heart devoted to a great cause, than a willful design to injure a fellow member.

The remarks of the honorable gentleman from Georgia, [Mr. STEPHENS,] who has just taken his seat, present many themes for discussion. I shall not attempt to follow him in his wanderings over so many fields, or through the various mazes in which he has groped his way. I will, for the present, touch but cursorily upon some of his points, in my approach to the prominent theme of his remarks. He alludes to the tariff, and says the South has never asked protection to her industrial pursuits. When the readjustment of the revenue laws is properly before us, I am willing to meet the gentleman, and delve with him to the bottom of that great subject. He reminds the free States that they had sought, and obtained, a little protection to iron and coal, &c., omitting the fact that the slave States have protection in their important product of sugar. He seems to have forgotten that General JACKSON, a great southern statesman, whose whole heart (whatever his errors of head) was wedded to the interests of that country for which he so often periled his life, supported, in 1828, the highest protective tariff ever made; and even now, he ought to know that a southern Secretary of the Treasury recommends the principle of protection.

The gentleman forgets, too, that the prominent page in the history of the lamented statesman of Kentucky—Henry CLAY—under whose banner he fought gallant battles in by-gone days, is that which records him as the author of that great "American system," which embraced protection to American industry.

The gentleman says the South has never asked anything from our Government, and reminds us that the West and North ask for the improvement of their rivers and lakes. I am prepared, if it becomes necessary, to go fully into that question at the proper time. That, too, is a fruitful subject—a great national question—not involving the interests of the people of the West alone, but of the North, the East, and the South—of every section of our common country, so richly endowed by a generous Providence with all the natural elements of a true national independence. Whenever the President shall furnish his twice-promised reasons for vetoing what we have already done on this subject, a more suitable occasion will be presented for a discussion of the question. The gentleman says:

"All that we ask of you is, keep your hands out of our pockets. That is all that the South asks, and we do not get even that."

We are told "the South gets nothing"—

nothing!" Certainly not! Let us take a glance at what we have done in the way of acquisition, of territory, and for the extension of the area of her institution of slavery. When the Union was formed, one of its objects was declared to be the restriction, if not the extinction, of African slavery. The preamble to the Constitution which our fathers made, and which we are sworn to support, declares its object: "to form a more perfect union" and "secure the blessings of liberty." In no part of it is there any express provision for slavery—certainly none to extend it or acquire for it new territory. The contemporaneous events prove that the framers desired to rid the nation of it. Since the free States agreed to this bond of union, they have asked no acquisition of foreign territory. In one instance, sir, we yielded a just claim to territory. We vauntingly raised over Oregon the banner of "54° 40' or fight!" Our cause was in the hands of a southern President, and when Britain's lion growled, with humbled flag, we were ordered to take the backward step down to 49°!

"The South asks nothing!" In 1803, we paid fifteen millions to get Louisiana.

"The South asks nothing!" In 1819, we paid five millions to get Florida.

"The South asks nothing!" In 1845, her policy brought Texas into the Union, with a promise that she might carve herself up into five States.

"The South asks nothing!" Her Texas annexation brought the war with Mexico, and more territory was demanded as "the fruits of that war!" I cannot now correctly state the thousands, and tens of thousands, and hundreds of thousands, and millions, and tens of millions of dollars paid out of our Treasury to prosecute it; but oh, Mr. Chairman, may I not point the honorable gentleman to the stained battle-fields of Monterey, of Buena Vista, of Cerro Gordo, of Chepultepec, and Cherubusco, to prove that the North poured out freely her purest and best blood to satisfy your demands.

"The South asks nothing!" Did she not get about thirty-five millions to prosecute the Florida war? How many millions more it will take to capture that celebrated chief, old "Billy Bowlegs," God only knows.

"The South asks nothing!" I pass over the millions upon millions she has received at various times, either in money or lands, and come down to recent dates. In 1850, the gentleman himself, voted to give Texas \$10,000,000, under pretext that we got from her territory, which she never owned, because she had neither conquered nor occupied it.

"The South asks nothing!" Why, Mr. Chairman, in this very Hall, ten millions were voted away last session for the purchase, from bankrupt Santa Anna, of the Mesilla valley. It was done, under whip and spur, when even the appeals of the venerable gentleman from Missouri, [Mr. BENTON,] for light and information, in regard to that Gadsden treaty, were of no avail.

"The South asks nothing!" Who but the South, in the midnight hours of last session, asked \$10,000,000, as pocket change for the President, during our short recess, to be expended, doubtless, with a view to get Cuba, and who has sought \$200,000,000, and even war with Spain, if necessary, to acquire that rich island?

"The South asks nothing!" The gentleman's bill, sir, is a bill for the improvement of the Cape Fear river, which has comparatively no com-

merce? Did they not get it, too, with the approbation of the President, just after he had vetoed the bill granting land to every State in the Union, to aid in the construction of hospitals for the indigent insane, and just before he vetoed the river and harbor bill, which appropriated money for the improvement of the natural thoroughfares in every section of this broad land?

"The South asks nothing!" Does she not get her full share of appropriations for her navy-yards, for improvements on the sea-coast, for harbors, piers, breakwaters, light-houses, life-boats, &c.? Are not our people taxed for the Navy which protects her cotton on the high seas? And do we not pay largely more than our just proportion for the transportation of your southern mails?

"The South asks nothing!" She never asks for any of the offices! She never gets any—certainly not! This proposition will be better demonstrated by the Blue Book, if gentlemen will turn to it!

Mr. Chairman, the honorable gentleman's memory is not clear this morning. I advert to these things hastily and cursorily, by way of refreshing it—not in any spirit of unkindness to the South, for I vote most cheerfully for her measures of improvement, and would be the last man to interfere with her constitutional rights. I mention them in a defensive spirit, under a necessity which the gentleman has created, by his course of remark in representing the free States of this Union as dependent upon the liberality of the slave States, who, he says, "ask nothing."

Mr. Chairman, the honorable gentleman discusses the causes which have produced the result of the late elections—a result unprecedented in the political annals of this country. Every where, sir, as I predicted on this floor when the great wrong of repealing the Missouri compromise was about to be consummated, by what we regarded as a fraud upon the law and the rules of the House, the people have discarded all party ties, and have sent back a rebuke in the thunder tones of a true "popular sovereignty!" The gentleman need not flatter himself with the idea he has expressed, that "the Nebraska bill" was not the issue, and has had nothing to do in producing this result. He instances the case of yourself, Mr. Chairman, [Mr. CHANDLER in the chair.] I am not fully advised of the causes which produced the election of the honorable gentleman who is to occupy the place you have filled for many years with so much ability. But I assert that he is as much opposed to the repeal of the Missouri compromise as either you or I. If it is not so, let me be corrected. Again, he refers to your colleague from the Lancaster district, [Mr. HESTER,] and would draw the inference that his defeat was occasioned by his vote against the Nebraska act. Such is not the fact. His successor, too, as the gentleman will learn in due time, will come here pledged to aid in undoing that great wrong.

In every free State, where an election has been held, the result has been the same. Take the State of New York, to which the gentleman has referred. Notwithstanding the complex condition of old parties there, she returns thirty-two members pledged against the repeal of the Missouri compromise, and one whose opinions, it is said, have not been made known.

In regard to the character of the contests in other States, I can speak from personal knowledge as to three of them, in which I participated before the people—Indiana, Michigan, and Ohio. The Nebraska question was the great question in Indiana, and every inch of ground was contested vigorously by both parties. The result is known.

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In Michigan how stands the case? I had the pleasure of passing through that State for a fortnight during the canvass. Everywhere on the stump, the Nebraska bill was the prominent topic. It brought to its aid all the power and long established influence of the distinguished Senator, [Mr. Cass,] who honors us with his presence and attention this morning. And, sir, he not only passed from point to point, all over the State, exerting all his personal influence, but he argued to his people that they should support the measure, because, under its provisions, slavery could not exist in these Territories under this act, whilst the gentleman from Georgia, and the southern friends, advocate it upon the ground that it secures them the right to take the institution there. (See his "speech at Romeo.") But even his power could not control the spirit of his people. They condemned the act, returning three anti-Nebraska men to the next Congress, and placing in the Governor's chair, by a majority of five thousand votes, Kingsley S. Bingham, who was a member of this body in the memorable Congress of 1849 and 1850, and left here an unmistakable record of his position on the principles of the Nebraska bill.

Then, sir, there is my own native Ohio. The gentleman's attention has been attracted to the number of bushels of potatoes her free-born sons produce, but, in his flourish about the elections, he omits to notice the character of their votes on the Nebraska bill. There's the record of "the young giant of the West—the first born under the Jefferson ordinance of '87." Look at it! A majority of eighty thousand; which might have been more, but is certainly enough for all practical purposes, as her delegation to the Thirty-Fourth Congress is a *unit* against the repeal of the Missouri compromise. That is the verdict of Ohio. I point to it with as much pride as I shall take in meeting the challenge of the gentleman, and showing that her "step in progress" is unlike the gentleman's great step in repealing the Missouri compromise, which was a step backwards of thirty-four years. Ohio's march, thank God, morally, intellectually, and in "physical development," from the day she was born into this Union, has been onward and upward, with the strides of a mighty, young giant. Looking to her with filial affection, for all that I have been in the past, and all I hope for in the future, may I not say, in the language of a distinguished statesman, "There she stands! God bless her!"

The honorable gentleman seems to challenge a comparison of the products of Ohio with those of Georgia. I should be false to my State in declining to take up the gauntlet in her defense. He proposes, by this line of argument, to show that the labor of an African slave is better calculated to develop the natural resources of our great country than the labor of an American freeman. If that be a true proposition, would it not be better that we should all be slaves? It involves higher considerations than those prompted by mere State pride in a comparison of the products of turnips, &c. Holding, as I understand the gentleman does, that slavery improves the African race, his proposition, if substantiated, would lead to the reopening of the African slave trade, with all its train of atrocities, now made piracy by laws upon your statute-book. If gentlemen from the slave States seriously believe that enslaving the African makes him happy—is a moral, a social, and a political blessing, both to the master and the slave, and that it develops more successfully those rich elements with which the God of Nature has endowed this, "our native land," why do they

not meet the great question boldly at once by introducing "a bill to repeal all laws prohibiting the African slave trade?" and tendering bounties for natives brought from Africa to slavery, as we do for codfish taken from the bed of the ocean?

Mr. Chairman, I did not desire to travel over the whole ground of the slavery question. The gentleman parades, in this contest, slave labor against free labor! He has presented his case with that marked ability which characterizes all his efforts—an ability which has, more than once, commanded my admiration. In presenting the other side, I will not be charged with making improper, or even voluntary war on the institutions of the South, in calling his attention briefly, again, as I have done heretofore, to high authority, *exclusively southern*. Let us look at the ancient doctrine of the fathers, compared with the modern ideas of the gentleman. In the early period of our history, the opposition to slavery was of the most unrelenting character, for reasons then asserted. I give but a few references on this point.

In 1774, a spirited effort was made by the slave-holding colonies to check the further progress of slavery. They did not regard it as the best means of improving the country. A meeting of the people of Culpepper county, Virginia, adopted the following resolution:

"Resolved, That the importing slaves and convict servants is injurious to this Colony, as it obstructs the population of it with free men and useful manufacturers; and that we will not buy any such slaves or convict servants hereafter to be imported."—*American Archives*, 1st vol. 4th series, page 523.

We find similar resolves in July, 1774, in Prince George's county, (p. 493;) Nansemond county, (p. 530;) Caroline county, (p. 541;) Surry county, (p. 593;) Fairfax county, Washington presiding, (p. 600;) Harrison county, (p. 616;) in Princess Anne county, (p. 641.) Also, the Virginia Provincial Convention, (p. 687;) the North Carolina Provincial Convention, (p. 735;) the first convention of Provinces to form a Union, meeting at Philadelphia, (p. 740.)

On this point, of free and slave labor, I quote Georgia sentiments, (p. 1136,) as she uttered them in 1774, when her revolutionary men appealed to the God of battles to aid them. By the side of them I present the sentiments of the gentleman, [Mr. STEPHENS,] as uttered here this morning:

*Georgia on slavery in 1774. Georgia on slavery in 1854.*

"In a general philanthropy for ALL MANKIND, of whatever climate, language, or complexion, we hereby declare our disapprobation and abhorrence of the unnatural practice of slavery in America, (however the uncultivated state of our country or other specious arguments may plead for it,) a practice founded in injustice and cruelty, and highly dangerous to our liberties, as well as lives, debasing part of our fellow-creatures below men, and corrupting the virtue and morals of the rest, and is laying the basis of that liberty we contend for, (and which we pray the Almightly to continue to the latest posterity,) upon a very wrong foundation. We therefore resolve, at all times, to use our utmost endeavors for the manumission of our slaves in this colony, upon the most safe and equitable footing for the master and themselves."

"I believe, too, that the system of government, as adopted by the South, defining the status or relation of these two races, is the best for both of them; and I am prepared to argue that question with the gentleman, here or anywhere. \* \* \* \* \* Could Howard, the philanthropist, who has left an undying fame for his deeds of humanity, have taken the same number of Africans from their native country and raised them from their barbarous condition to that of the slaves of the South, he would have added much to that stature of immortality which, in his day, he erected to himself. It would have greatly added to that reputation, which now sanctifies his memory in the hearts and affections of mankind."

And Thomas Jefferson (page 696) said: "THE ABOLITION OF DOMESTIC SLAVERY IS THE GREATEST OBJECT OF DESIRE IN THESE COLONIES, where it was unhappily introduced in their infant state."

And Henry Clay, after witnessing its effects until 1830, said in this Hall:

"Our friends who are cursed with this greatest of human evils, deserve the kindest attention and consideration. Their property and their safety are both involved. But the liberal and candid among them will not, cannot, expect that every project to deliver our country from it is to be crushed because of a possible and ideal danger."

I might quote volumes of such declarations to disprove the gentleman's position. If they are "Abolition doctrines," let him denounce, if he chooses, those who uttered them. I refer him to the record they have left behind.

The gentleman may tell me that these are but the opinions of men, and that experience has proven them fallacious. They are the opinions of wise men—of patriots—of the best men America has ever produced; of the men who periled all for American independence. In quoting them, I only echo, in feeble tones, the voice of our Washington, our Jefferson, our Madison, our Patrick Henry, our Hoopers and Caswells, our Pendletons, and Lees, and Harrisons, and Middletons, and Rutledges, and a host of other southern patriots, whose names are engraven upon the grateful hearts of the American people. But feebly; indeed, do I now repeat the sentiments uttered in the trying hour of our national history, by the old Colonies of Virginia, of North Carolina, of South Carolina, of Maryland, and of Georgia. They declared that the effect of slavery upon our common country was to "obstruct the population of it with freemen and useful manufacturers." But Georgia, this morning, as represented by the honorable gentleman, who comes before the House with his "grand step of progress"—with "the great movement made by the National Legislature on this question" of repealing the Missouri compromise—uttering the high sounding declaration that "revolutions never go backwards," brings up statistics to prove the declarations of the old Continental men untrue! He tells us, in effect, that it is now demonstrated that slavery, rather than freedom, is the true principle on which to trust "physical development." He parades Georgia against Ohio. I know his State exhibits a degree of prosperity as great, if not greater, than any other where slavery prevails. I rejoice that her people are prosperous, and am willing to vote her all proper aid to facilitate her onward march. Similarity in the character of climate, soil, productions, &c., would have furnished a more just criterion on which to predicate the test of a great principle like this. Virginia and Ohio, separated only as they are by the river Ohio, (which is regarded here as insignificant when compared with Cape Fear!) would have furnished a fairer field for comparison. Had the gentleman selected Virginia as the soil upon which he would display his great point of "physical development," I should have contented myself by saying to him, "go to the city of Pittsburg, and as you descend upon the smooth surface of the beautiful Ohio, cast your piercing eye to the left, and then to the right. On the one hand behold "physical development" under the institution which your southern men of the Revolution said they would abolish—on the other, witness the fruits of Jefferson's ordinance of 1787. There you see the "Old Dominion," and the "mother of presidents," as she now is. Her proud history tells you what she once was; and her rivers and plains—her mines, and her mountain streams show that the old Commonwealth embraces as

many of the natural elements of wealth as the most favored portions of the footstool of the Almighty! Here you see the State called the "giant of the West." From the embryo which seems to have slumbered from the morning of creation, she sprang into active life when the megal pen of Jefferson wrote, and the wise patriotism of the Continental Congress solemnly declared, "slavery shall not go there!" And as the gentleman should descend to the city of Cincinnati, the "Queen of the West," (although she has no works of antiquity to charm the wayfarer,) I would whisper in his ear, "look upon this picture, and then upon that." I would not, Mr. Chairman, show him these comparative results by way of exultation over Virginia, or in a spirit of selfish State pride. Oh, no! My most sacred memories are identified with her. My ancestors, from the highlands of Scotland, first enjoyed American liberty there. The blood of one whom memory makes dear to me, stained her soil in the battle of Eutaw. I have an affectionate regard for her, sir. Although, as a native Ohioan, I do not feel much like singing:

"Oh carry me back to Old Virginia,  
To Old Virginia's shore,"

yet I have the hope in my heart there is "a good time coming," when the true spirit of that ancient Commonwealth will, in reality, make some "great movement," and "a grand step in that progress which characterizes the age!"

The honorable gentleman in vites, perhaps forces me, to Georgia, for comparison. I go cheerfully; even further than the sunny fields of his constituents, am I ready to follow him on this question. With the brief history of young Ohio in my hand, I will go with him, in this examination, to the remotest corners of the earth, and with true statistics as the test, assert, that within the same period of time, no people can make a better exhibit in the "grand step in that progress which characterizes the age," than hers.

Upon the subject of physical development, let me say that the gentleman, in showing the agricultural products of my State, has probably selected a particular year when the drouth has swept over it, destroying the products of our labor. If the gentleman wishes to institute a fair comparison between the two States, let him take any five or ten years and exhibit the aggregate results, and there will be more justice in it.

Mr. STEPHENS, of Georgia. I did not "pick out" any particular year either for Ohio or Georgia. I said that I took the census returns for 1850 for both States. The gentleman knows that I opposed the collection of such statistics in the census. I have never thought such returns very accurate, but they were taken though against my vote, and I referred to them as I found them so returned and published. I did not "pick out" any particular year.

Mr. CAMPBELL. I have no time now to examine the correctness of the gentleman's statistics; but I will prepare and publish with my remarks a full statement of the facts.

I make reference to the annexed tables, which are taken from the census. [See appendix.] On minute examination of the gentleman's statistics, I find he adopts a most singular system of getting up the comparative value of agricultural products. It reminds me of England's old system of the "sliding scale," in levying duties on corn. The census gives the number of bushels of wheat, corn, &c., and the quantity of agricultural products, but it does not furnish the market value. The gentleman fixes the price himself, and does not give Ohio the ben-

of equality, and besides, he puts those articles, in the product of which Ohio excels, at very low figures. In exposition of his system, I will instance the important items to Ohio of wheat, corn, and oats, three of her greatest staples:

He credits Georgia with wheat at	\$1 00	per bushel.
Ohio	80	"
Georgia with corn at	50	"
Ohio	30	"
Georgia with oats at	37½	"
Ohio	25	"

These being among Ohio's chief products, the gentleman arranges his "sliding scale," makes up a particular aggregate, and then boastingly presents the result. Why, sir, he slides the price up in Georgia, and then slides it down in Ohio! I ought, perhaps, to thank him for not sliding so far on this scale as to show that my State, under her system of free labor, is making beggars of her citizens, and that they would make a more "grand step" in "physical development," to convert a portion of her freemen into slaves!

Again, the gentleman throws "hay" entirely out of his estimate—an important agricultural product in Ohio—on the ground that no return is made in the census for Georgia "fodder!" He omits to state that no return of fodder is made for Ohio, and Indian corn being her great staple, it must follow that her crop of fodder is vastly greater than that of Georgia. But, "fodder or no fodder," I must bring the gentleman's argument up to the "rack" of a just test. He forces me to do so.

In the tables I present, I adopt equality in the value, and take the quantity of agricultural products as returned by the census. In fixing the prices for items of Ohio produce, I have rated them considerably below the market value at New York; while for the staples of Georgia and the South, such as cotton, sugar, tobacco, rice, &c., I give him the benefit of the highest average prices of that city. I have taken the current prices of the present time, too, because they are more easily ascertained, and the comparison will be more satisfactory to the country than the rates of 1850; and, besides, the public is more concerned to know the relative advantages of free and slave labor now, than then.

Upon this equitable basis of calculation, the result shows (see the table) that, in agriculture, Ohio produces.....\$145,838,232  
Georgia produces..... 65,488,267

Ohio ahead, (annually)..... \$80,349,965

Again, the gentleman kept out the value of live-stock, which must be considered as products of the farmer and planter. Our fat hogs and cattle, that formerly were slaughtered and sent from Ohio in barrels, are now sent by our railroads alive, by thousands and tens of thousands, to Baltimore; Philadelphia, New York, and Boston markets, and driven on foot to Georgia and the South.

By the census the value of live-stock in Ohio is.....\$44,121,741  
In Georgia..... 25,728,416

Ohio ahead.....\$18,393,325

Which, added to the other excess, puts Ohio, young as she is, ahead of Georgia, her elder sister; annually, near one hundred million of dollars!

I said that in the year in which the census was taken, there was a failure in Ohio crops. I find I was correct; for the report of our State auditor shows that fact. The next year our wheat crop

was doubled to 28,769,139 bushels, instead of—as returned by the census—14,487,351 bushels. But I need not pursue agricultural products further, since I show, by fair figures, that Ohio labor, with half a crop, so far exceeds Georgia.

We have another class of industry in this country besides agriculture, which statesmen should foster and look to—*manufactures and the mechanic arts*. The gentleman seems to have forgotten them in his speech. As he has set up the labor of his slaves in Georgia against that of the free working men of Ohio, he cannot complain if I "carry the war into Africa!" A short table from the census will show up our two States in these branches of industry.

## MANUFACTURES, ETC.

	Capital invested.	Raw material.	Annual product.	Per cent. profit.
Ohio.....	\$29,019,538	\$34,677,937	\$62,647,259	49.97
Georgia.....	5,460,483	3,404,917	7,086,525	36.06
Ohio ahead.....	\$23,559,055	\$31,273,020	\$55,560,734	13.91

The gentleman will observe that in manufacture we have five times as much capital as Georgia, use ten times as much raw material, and make a much greater per cent. profit.

But he has omitted another evidence of "physical development"—internal improvement. I submit a table from the census:

## PUBLIC IMPROVEMENTS.

	Miles Canal.	Railroads, in operation.	miles Railroad in construction.	Total. Railroads.
Ohio.....	921	2,367	1,778	3,945
Georgia.....	28	824	445	1,329
Ohio ahead.....	893	1,483	1,133	2,616

Ohio has, therefore, about three times the amount of running railroads as Georgia, and only about thirty-three times the miles of canal!

There is another sort of development to be considered—that of mind. Having taken the gentleman over our two thousand miles of railroads, along our canals, through our fertile fields and busy workshops, I now invite him to the schools and colleges, churches, libraries, and printing offices, where we develop faculties which look less to the consequences of Time than to the realities of Eternity. They furnish the best and truest exponents of public intelligence and virtue.

	No. of Colleges.	No. of vols. in college libr's.	No. of vols. in pub'c libr's.
Ohio.....	26	56,573	186,126
Georgia.....	13	21,500	31,788
Ohio ahead....	13	35,073	154,338

	No. of public schools.	No. of pupils.	Income.
Ohio.....	11,661	481,153	\$743,074
Georgia.....	1,251	32,705	182,331
Ohio ahead....	10,410	351,448	\$560,843

	No. of churches.	Accommodation.	Value.	Average value.
Ohio.....	3,936	1,457,294	\$5,793,089	\$1,471
Georgia.....	1,862	627,197	1,369,359	679
Ohio ahead....	2,074	830,097	\$4,423,740	\$792

	No. of newspapers and periodicals.	No. of Circulation.
Ohio.....	961	30,473,407
Georgia.....	51	4,070,861
Ohio ahead.....	910	26,402,546

These statistics of intelligence show that Ohio has twice as many colleges as Georgia, with one hundred and fifty-four thousand more volumes in her libraries!—that she has tenfold the number of

schools, with three hundred and fifty-one thousand more pupils attending them!—that she has two thousand more churches, with accommodations in them for nearly a million more people, and which are worth four millions and a half more dollars than those of Georgia—that we have five times the number of regular periodicals, &c., and circulate twenty-six millions more newspapers! With such an exhibit, I present my native State to the eye of the world. If she suffers by the comparison which the gentleman has instituted, I only ask it to be borne in mind that Georgia is an old State, always having enjoyed the institution of slavery, which the gentleman has so eloquently described as the true system of "physical development," whilst Ohio is a young State, peopled with those who do their own work, and from which that institution has always been excluded.

Before I leave the gentleman's statistics, I must redeem a promise. I said I would show the comparative number of adult free persons who cannot read or write. I find Ohio has only one to twenty-nine, while Georgia has one to twelve! Here, for the first time, the census puts "Georgia ahead!" There I leave her, with sentiments of affectionate regard, and go forward to other branches of the discussion.

Mr. Chairman, I enter upon the merits of the "repeal of the Missouri compromise," and the proposition of the gentleman from Indiana, [Mr. MACE,] which has followed, to exclude slavery from the Territories of Kansas and Nebraska. And I would desire the attention of the gentleman from Georgia, [Mr. STEPHENS,] if he remains in the Hall, whilst I discuss it. That repeal was either right or wrong. The eighth section of the Missouri act, interdicting slavery north of 36° 30', was either constitutional or unconstitutional. Mr. Monroe approved the act, and Messrs. Calhoun, Crawford, and Wirt, southern members of his Cabinet, indorsed its constitutionality. This is high authority, not adding that of Webster, the "Great Expounder," and Adams, and a host of others of like character, in the North. But great men die as well as small ones. In childhood, I was taught that

"Time cuts down all,  
Both great and small."

I do not stop now to shed tears over the graves of the dead, to descant upon their wisdom, or to eulogize their virtues. I deal, this morning, with the living, with their opinions and actions, and with questions vital to our national harmony and prosperity.

The Constitution says:

"Congress shall have power to dispose of, and make all needful rules and regulations respecting, the territory or other property, belonging to the United States."

This I regard as sufficient authority for the eighth section of the Missouri act. If Congress had the power in 1820, it has had it, as it was exercised ever since, and must have it now, to pass, if it pleases to do so, such a bill as that introduced by the gentleman from Indiana.

But, Mr. Chairman, as I am always willing to be enlightened, and have great confidence in the gentleman from Georgia as a constitutional lawyer, I desire to ask him whether he believes Congress has power to exclude slavery from a Territory?

Mr. STEPHENS, of Georgia. The gentleman knows very well that I have said before, that this question I have never discussed, either here or before my constituents. I will, however, take this occasion to repeat, what I have often said before, that, in my opinion, the government of the Terri-

tories devolves primarily upon Congress. But not from that clause of the Constitution cited by the gentleman; that has nothing to do with it; that relates to the disposal of the territory as property. The right I speak of is not derived from any express power of the Constitution of the United States, but the duty to govern, or provide governments for them, devolves upon the General Government, from a sort of resulting power. The Constitution itself is silent upon the subject—there is no express grant or denial of the power. But, in my opinion, all implied or resulting powers should be exercised under like limitations and restrictions as those expressly delegated. And in governing the Territories in the first instance, or in providing governments for them, any such exercise of power as that stated by the gentleman, and by which a large portion of the people of one section of the Union would be excluded from a fair and equal participation in the public domain, would be manifestly unjust, and a gross abuse of power, if not tantamount to a direct usurpation.

Mr. CAMPBELL. The gentleman seems to evade my question. Will he not answer it directly? I doubt not that he has an opinion upon the subject, and it is a question to which "yes," or "no," would be an answer. Does he, I again ask, believe that Congress has the power to exclude slavery from a Territory? Will he answer me?

Mr. STEPHENS. I told the gentleman at the last session, that, upon the question of power on this subject, I stood where Chatham stood in the British Parliament upon the subject of taxing the Colonies without representation. Chatham looked not so much to the question of power as he did to the justice and propriety of its exercise. And with these views, without discussing the power, he said if he were an American he would resist the measure. I give the gentleman the same answer now that I gave him then.

Mr. CAMPBELL. You quoted Chatham when I put this question to you in the opening of the debate on the Nebraska bill, last session. It did not then, nor does it now, answer my question.

Mr. STEPHENS. That is my answer to the gentleman.

Mr. CAMPBELL. I submit that it is not a pertinent answer to a fair question. I understand the gentleman to decline to give me an unequivocal answer. I shall, therefore, upon my high estimate of his intellect, assume that he does believe that Congress has the power, and that the question resolves itself, in his judgment, into one of expediency. Why, sir, the gentleman cannot very well take any other ground that I can see. He has a most remarkable record here. Whilst he maintains this great principle of the right of the people of a Territory to establish a constitution for themselves, and either to exclude or to establish slavery, he, at the same time, refers to the action of 1850, when, he says, the South stood under a flag upon which was inscribed that great principle of popular sovereignty. Sir, it was in 1849 that I first took my seat upon this floor, and I shall never forget how the gentleman appeared in the contest of that ever-memorable session, when he acted as the standard-bearer. There stood the State of California knocking at the door for admission into the Union, with a representation here asking seats in this Hall. We had never given to her people even the benefit of a territorial government, and, in the spirit of manly dignity, they rose up and adopted a constitution for themselves, and sought admission into the Confederacy. What happened then? Why,

when an honorable member from Wisconsin [Mr. Doty] introduced a resolution instructing the Committee on the Judiciary to bring in a bill admitting California—when a majority of Congress were in favor of the admission, too, and there was no other way to prevent it, except by making rotary motions, such as were resorted to by the anti-Nebraska men last session—then it was that, through sleepless nights, the honorable member from Georgia paced round these aisles, waking up his fifteen, or twenty, or thirty men, for the purpose of preventing the admission of the State of California. Here is his record. That is the character of the principle of "popular sovereignty" which was inscribed upon the banner which he bore so proudly!

Mr. STEPHENS. Will the gentleman allow me to set him right?

Mr. CAMPBELL. Oh, certainly; I will hear what you have to say.

Mr. STEPHENS. When California came here with her constitution prohibiting slavery, I defended her right to form such a constitution preparatory to her admission into the Union as a State. But, at the same time, I was unwilling to admit California, while the North—the gentleman himself amongst others—proclaimed that the same right to determine the question of slavery for themselves, which the people of California had exercised, should not be allowed to the people of Utah and New Mexico. I opposed the admission of California by "dilatatory motions" only until I could bring the gentleman and the North to acknowledge the same principle of "popular sovereignty," if he chooses so to call it, in behalf of the people of Utah and New Mexico. It was not in denial of the right of the people of California to do what they had done, that I spent "sleepless nights" here, but that I might, in granting that, secure the same principle to Utah and New Mexico. Nay, more, I said to the gentleman and to the North then, that I was willing to extend the Missouri compromise line to all the newly acquired Territories, if they would agree to it, but they would not do it.

Mr. CAMPBELL. No. We refused to divide and cut in two California, because the people there had settled the question for themselves, before Congress exercised its powers over the Territory. We believed then, as we believe now, that neither the true policy of the Government, nor the spirit in which the Federal Union was formed, required us to provide for the extension of slavery. As to the power, we thought if—as the gentleman voted in 1845—it justified its exclusion north of 36° 30', it did so south of that line.

Mr. STEPHENS. Not necessarily. But it was not a question, sir, of the division of California—it was a question of settling a territorial principle. We of the South, or at least I and those who acted with me, said then, that, whenever the Representatives from the North would secure to the citizens of New Mexico and Utah the same right which the people of California had exercised, we would not further resist the admission of California; and until the North would agree to that, or some other equitable settlement, we did resist the admission of California. Everywhere throughout my State I have defended the right of California to frame her constitution as she pleased; and when the North agreed that Utah and New Mexico should have the same right, from that day to this I advocated the whole arrangement and settlement.

Mr. CAMPBELL. Mr. Chairman, the whole amount of the gentleman's explanations is this:

He admits that the people of California had adopted for themselves a constitution excluding slavery; and he admits further, that a condition, precedent to her admission, was set up by himself and his friends, to wit: that they should be allowed to cut a sovereign State in two, and do what? Why, sir, exercise this very power of Congress to legislate slavery out of one part of it and into the other? "Popular sovereignty" was then reduced to *dependency* on a condition imposed by a minority in Congress.

Mr. STEPHENS. No, sir.

Mr. CAMPBELL. So much for California. But that is not all.

Mr. STEPHENS. But I say no, sir. The gentleman has entirely misunderstood me.

Mr. CAMPBELL. I understood the gentleman to say, that he proposed to run the Missouri compromise line through California; and, as a matter of course, the principle of that compromise would have excluded slavery from all that part of the State lying north of 36° 30'.

Mr. STEPHENS. The latter part of what the gentleman now states I grant. Had the Missouri line been extended, slavery would have been excluded north of 36° 30', with the right of the people south of that line to do as they please upon the subject. This would have been an exercise of the power alluded to by the gentleman, based upon the principle of an equitable division of the Territory. But it was no question of "cutting a sovereign State in two." California had no sovereignty as a State until our assent was given; nor did we in any way propose to trammel the "popular sovereignty" of her people, in the formation of their constitution, on this subject, by insisting that the same right which we defended in her should be secured to the people of the other Territories—at least south of 36° 30', if we could not get it north of it. But we did get it north, as well as south, and left it in California depending upon no condition but the will of the people constitutionally expressed.

Mr. CAMPBELL. I am not mistaken. Your course did subject the right of the people of California to be admitted as a State, under which "popular sovereignty" had settled the question in its own way, dependent upon a plan of adjustment, by which you would exclude, by act of Congress, slavery from a portion of the territories acquired from Mexico, and by which the Missouri line should run through to the Pacific.

Mr. STEPHENS. It would, sir, based upon the principle of an equitable division of the public domain.

Mr. CAMPBELL. I do not make this a matter of contest with the gentleman alone. I turn to the Senate. How was it there in relation to the proposition to admit California? How did the friends of "popular sovereignty" and "squatter sovereignty"—those who claim now to stand upon the principle that the people have a right to frame their own constitution as they please—then stand? Why, sir, we find nearly the whole southern delegation in the Senate of the United States, including Mr. Calhoun himself, in favor of dividing the State of California by running the line of 36° 30' through it. And even after the measures called "the compromise of 1850" passed, a protest was entered on the Journal against the passage of the bill admitting California into the Union—the protestants gave as a reason why they opposed its admission, that the friends of the measure would not permit them to run that Missouri line through California to the Pacific, whereby slavery would be excluded on the one side, with a chance to get

it into the other. That protest was signed by Messrs. HUNTER, of Virginia, BUTLER and BARNWELL, of South Carolina, TURNEY, of Tennessee, SOULE, of Louisiana, DAVIS, of Mississippi, ARCHISON, of Missouri, and MORTON and YULEE, of Florida.

But, in relation to this question of popular sovereignty, there is another chapter in the record of the gentleman from Georgia, [Mr. STEPHENS,] and others, to which I invite their especial attention, and the attention of the country.

Mr. STEPHENS. What is that?

Mr. CAMPBELL. Texas! Mr. Chairman, this proposition of the gentleman from Indiana is no new proposition. This power of Congress to exclude slavery, and the expediency of excluding it from the Territories, originated with Jefferson, in 1784, and was first carried into effect by the ordinance of 1787; and it has been exercised by the various administrations of this Government from that day to the present. But I take up the particular case of Texas annexation.

I read, Mr. Chairman, one of the Texas annexation resolutions:

"New States, of convenient size, not exceeding four in number, in addition to said State of Texas, and having sufficient population, may hereafter, by consent of said State, be formed out of the Territory thereof, which shall be entitled to admission under the provisions of the Federal Constitution. And such States as may be formed out of that portion of said Territory lying south of 36° 30' north latitude, commonly known as the Missouri compromise line, shall be admitted into the Union, with or without slavery, as the people of each State asking admission may desire. And in such STATES or STATES as shall be formed out of said Territory north of said Missouri compromise line, slavery or involuntary servitude (except for crimes) SHALL BE PROHIBITED."

This resolution embraces the identical language of the bill of the gentleman from Indiana, which has caused this commotion. The gentleman from Missouri [Mr. OLIVER] calls it "your pitiful prohibition." "Slavery shall be prohibited!"—not in a Territory—no, sir; not whilst in the territorial form of government merely; but it provides that even when the people came to frame a State constitution, they should not have a right to "decide upon their domestic institutions" for themselves. By this provision the right of the people of the Territory was not merely taken from them, but even the right of the people to exercise their sovereignty as a State was taken away. And who, Mr. Chairman, do we find voting for that principle? The honorable gentleman from Georgia himself stood out prominently in the support of it. Here is the record! He talks now most eloquently about giving to the people of a Territory and of a State the right to control their own institutions! "Go back, sir, before you repeal the Missouri compromise—go back and undo your own work in this matter, if you act consistently upon high principles."

Mr. STEPHENS. I suppose that the gentleman from Ohio, in this reference to me, as well as to others, has one object in view.

Mr. CAMPBELL. Of course I have!

Mr. STEPHENS. And his only object, I suppose, is to show inconsistencies on my part.

Mr. CAMPBELL. Not exclusively that, but to show—

Mr. STEPHENS, (interrupting.) Well, sir, I have but a short showing to make in reply to the gentleman. We have gone back and undone our work in this matter. He knows, and the country knows that, so far as the Missouri line was concerned on the annexation of Texas, (the continuation or extension of the old line of 36° 30', excluding slavery from the country north of

that line, and leaving the people to do as they please south of it,) that was not a favorite measure either with me or the South, as an original proposition. It was only as an *alternative* that it was supported by the South in 1820, when it was first established on the application of Missouri for admission, and only as an *alternative* did we advocate it in 1845 and in 1850. And the gentleman [Mr. CAMPBELL] knows that the anti-slavery sentiment, which he represents on this floor, did not agree to it then, never have agreed to it since, and did not give it their sanction on the annexation of Texas.

Mr. CAMPBELL. I do not represent the anti-slavery sentiment alone. I represent the people of my district. I am a national American, and I come here to legislate for, and protect the constitutional rights of all sections of the country. I cannot appreciate the force of an "alternative" which would require me, as a legislator, to support a measure that is either "unjust" to any portion of the American people, or "tantamount to usurpation."

Mr. STEPHENS. You represent that particular sentiment at the North which utterly excludes, or would have excluded, slavery from every State and Territory south, as well as north, of 36° 30'. I do not mistake the gentleman. He knows I do not mistake him. He would never, since he has been on this floor, vote for the admission of a single State with a constitution tolerating slavery south of 36° 30', or north of it. He has never, on this floor, recognized the obligation of the Missouri line of 36° 30'—never.

Mr. CAMPBELL, (interrupting.) I would have no objection to the gentleman from Georgia taking up so much of my little hour as he wishes, if I can thereby get a sort of lien, of a few minutes longer, upon the next hour, and with the notice that I will amplify my points in my printed speech. I do recognize the validity of the eighth section of the Missouri act, and shall so argue when I reach that point.

Mr. STEPHENS. Well, sir, only a word or two more. I, and the whole South, on the annexation of Texas, were just as much in favor of giving to the people of the Territories, north and south of 36° 30', the right to regulate their own domestic affairs, and form their State constitutions as they pleased, as we are now. It was the North that insisted upon an exclusion of slavery over part of the Territory; and, therefore, although it was contrary to my own sentiment on public policy, still, as the measure was founded on the principle of an equitable division of the territory between the two sections of the country, I gave it my support for peace, for harmony, for love of Union. That was the ground, I believe, on which the South generally stood. It was not that we approved of it as an original proposition, but as a compromise. That is the way the record was made up.

Mr. CAMPBELL. Why did you not let the Missouri compromise stand?

Mr. STEPHENS. Why did we not? Because you of the North utterly abrogated it, and said you would have all south as well as all north. And when this line was swept away in 1850, and refused to be extended through our late acquisitions, then it was that the South was thrown back upon her original ground—ground occupied by her at the beginning of the Missouri agitation—and said that the people should have the right to control their institutions throughout the whole of the country, up to 42°. This is what we succeeded in establishing in 1850. And this is the reason



why we voted to take the restriction off of Kansas and Nebraska, which had been put on in 1820.

Mr. CAMPBELL. The Missouri line proper, was not "swept away" in 1850. The Missouri act was untouched until 1854. It was regarded as a "finality," after the struggle of 1820, and so considered by the authors of the measures of 1850. It settled the question for that Territory alone, and imposed on us no obligations as to subsequent acquisitions. Besides, you had pledged yourself to the "finality" platforms and resolves that the whole question had been settled in 1850.

Mr. STEPHENS. Yes, sir. I considered all these questions as settled—finally settled, "in principle and substance," by the action of Congress in 1850. By that action, the people in the Territories were to be left without congressional restriction in the formation of their constitutions—this is what was carried out in the Nebraska bill.

Mr. CAMPBELL. The originators of the measures of 1850 did not think that they were disturbing the old settlement of 1820. Besides, there is a wide difference, in my opinion, between the principles of the act of 1850 and the Nebraska act. By the Utah and New Mexico acts the old Mexican law excluding slavery is not expressly repealed, and slavery cannot, therefore, lawfully exist there. You claim it to be otherwise now, in Kansas, under the act organizing that Territory.

Mr. STEPHENS. I considered, in 1850, that the measures then passed did do away with the settlement of 1820. And the principle established in 1850 was, that the people were to settle the question of slavery for themselves, and be admitted into the Union either with it, or without it, as they please.

Mr. CAMPBELL. I have the authority of southern Senators and Representatives, most prominent in what is called the "adjustment" of 1850, for saying that they did not, by those acts, contemplate any disturbance of the Missouri settlement. The radical difference between us is this: the gentleman thinks the Constitution authorizes, allows, or permits the extension of slavery; I think it was made to leave slavery to be managed exclusively by the States in which it existed, as a local institution, and to pledge the Federal Government, as the preamble asserts, to form "*a more perfect union, establish justice, insure domestic tranquillity, provide for the common defense and general welfare, and secure the blessings of LIBERTY to ourselves and posterity.*"

I brought this matter of Texas up, Mr. Chairman, not merely for the purpose of showing that the gentleman and his friends had exercised the power here over the Territories, but that they had done so under the solemnities of their oaths to support the Constitution, over the people of a sovereign State. The Constitution has not been changed since 1845—not at all. By his vote a part of the people of the State of Texas are prevented from enjoying an institution which, he says, is best calculated to develop the rich agricultural resources of a country. Why did the gentleman from Georgia not move to amend that joint resolution of annexation by striking out that provision? No "squatter sovereignty" member of the House, or of the Senate, opened his mouth at the time they were passed, in favor of taking from the annexation resolutions that provision. It was introduced by Senator DOUGLAS, the ostensible author of the Nebraska bill, and voted for by Senator ARCHIBOX, (who, in his reported speech in Kansas,) claims to have filed a "caveat" upon the glory of the measure, and tendered, as the fee, the Presidency of the Senate.

Mr. STEPHENS. I dislike very much to interrupt the gentleman from Ohio, but as he is a candidate for the Presidency, his inquiries ought not, perhaps, to be permitted to pass without notice. In reply to what he says about that feature in the Texas annexation resolutions which excluded slavery, I wish to say—

Mr. CAMPBELL, (interrupting.) The gentleman from Georgia is mistaken, and, by such taunts, might trespass upon my courtesy. I am a candidate for no office—seek none in man's gift! I have been sent here against my personal desires, for the purpose of helping to expose these fallacies and inconsistencies of the gentleman and others, and to serve, as well as I can, our common country. So help me God I will discharge the duty without regard to consequences.

Mr. STEPHENS. The gentleman will pardon my allusion to his candidacy for the Presidency. I have seen his name mentioned in the papers—

Mr. CAMPBELL, (in his seat.) I thank the papers for the compliment. I am no aspirant in that field of trouble—it will be full enough without me.

Mr. STEPHENS. The gentleman will find his labor will never pay him when he undertakes to expose my inconsistencies. [Laughter.] Now, he says that this resolution, which originally prohibited slavery in Texas north of 36° 30', has not been amended or repealed. And he asks why we did not undo this work before we repealed the Missouri restriction or compromise, as he called it. Why, sir, in 1850, when the gentleman was a member of this House, the new Mexican bill was passed, though not with the aid of his vote or influence; and in that bill there is an express provision that the people north of the line of 36° 30' in Texas should come into this Union with or without slavery, according as the people may determine when they come to frame their State constitution. The restriction on that part of Texas which was put on in 1845, on the basis of a division of the Territory, was taken off in 1850, when the principle of division was abandoned.

Mr. CAMPBELL. I regret that the gentleman does not give a better explanation. He does not relieve himself from my point. If this Texas resolution was not unconstitutional, it would follow, from his own admissions, that it was an act "*tantamount to usurpation*" upon the people of part of Texas, although he may have voted a remedy in 1850. The act of 1850 did not remove the proviso from all of Texas.

Mr. STEPHENS. Mr. Chairman, have I ever said that such a measure was unconstitutional?

Mr. CAMPBELL. The gentleman did not say anything on the point of constitutionality. That is the trouble—his non-committalism. I have for two or three years tried to get the gentleman to put himself on the record, and to give his opinions on this great subject, whether Congress has the power to exclude slavery from the Territories; but I have never been able to get them, and he admits his constituents are equally unfortunate. Last session I put the question, and gave him my time to answer. He gave me Chatham's reply. I have put it again to-day, and he tells us again what Lord Chatham said.

Mr. STEPHENS. Very well, then, Mr. Chairman, if the gentleman has never got me to say that it is unconstitutional, where is my inconsistency?

Mr. CAMPBELL. I will tell the gentleman. His inconsistency is marked by his declaration here to-day, that he has always been for this great principle of leaving the people to settle this question for themselves; and I have shown, by his

Texas annexation vote, that such were not his sentiments in 1845. I submit to him whether that does not look very like inconsistency?

Now, Mr. Chairman, this is not the result of unkindness on my part toward the gentleman. If there is a man on this floor for whom I have desired, in our six years' service together, to cherish feelings of personal kindness, on terms of honorable reciprocity, it is the distinguished gentleman from Georgia.

Mr. STEPHENS. Will the gentleman from Ohio yield me the floor for a moment?

Mr. CAMPBELL. Of course I will; as many as you wish.

Mr. STEPHENS. Only for a moment. I duly appreciate the gentleman's feelings of personal kindness, and have fully reciprocated them. But he says that my inconsistency is marked by my declarations here to-day, that I have always been in favor of leaving the people of the Territories everywhere, to settle the question of slavery for themselves, without congressional restriction, and yet I voted for the Texas annexation resolutions, whereby slavery was to be excluded over part of that country. And he submits to me whether I do not think this looks very like inconsistency? I tell him, frankly and respectfully, no. I have, upon all occasions, said that I was in favor of the principles this day advocated on this subject, as an original question. In 1845 I could not get the North to agree to adopt them over the whole of Texas, but enough of them did as to a part, to secure the passage of the measure upon the basis of a division of the Territory on the line of 36° 30'. I voted for that measure, not because I did not believe it right that the people everywhere, north of 36° 30', as well as south of it, should be at liberty to frame their constitutions on this subject as they pleased, but because I desired the acquisition, and considered the security of this right guaranteed south of the line, in the nature of an equivalent for its exclusion north of it. This was a concession to the North. A compromise for the sake of harmony and union. And if the North had adhered to this principle, or basis of settling this territorial controversy between the sections, I should never have disturbed it. But when they refused to recognize it, we of the South were thrown back upon our original principles. This, at least, is my position; and if there be inconsistency in it the gentleman may make the most of it he can.

Mr. CAMPBELL. I have no ambition to establish the gentleman's inconsistency, *per se*. I started out to discuss a principle of constitutional power, and sought to fortify myself by the opinion of the gentleman. He declined to give it, and I have been searching his record for it—that's all. I regret that the honorable gentleman does not give a better reason for the position he has taken. I can admire his devotion to the Union. I love it, too. But if I believed that, under the Constitution of my country, which I am sworn to support, the people in our Territories had this right, or that Congress would be guilty of a gross act of usurpation upon popular rights to take it from them, no compromise to save ten thousand such Unions as ours, could induce me to violate the solemnities of that oath. No, never!

Mr. STEPHENS, of Georgia. The gentleman does not mean to say, or intimate, that I ever held, under the solemnities of an oath, or otherwise, that Congress had not the power rightfully to pass any measure I ever voted for? or that any measure I ever voted for was a gross act of usurpation upon popular rights?

Mr. CAMPBELL. I do not say or intimate more than I prove by your record here; but I have sought, as I said before, for two or three years, to get the opinion of the distinguished gentleman upon this constitutional point placed plainly upon record; and the House will bear me witness to-day, that I have sought, and sought it in vain.

Mr. STEPHENS. The result, then, of the gentleman's efforts to unravel and expose my inconsistencies, has ended in his entanglement in his own web. He set out with asking me a question. He was not satisfied with my answer, but assumed that my opinions were such as suited him; then works himself up to a high strain of fervid declamation because he can find nothing in the record inconsistent with what I have ever said or done; and now ends where he began, with wanting a more explicit answer to his first question.

Mr. CAMPBELL. There is no "entanglement," no "web," that troubles me; nothing but the mist occasioned by the gentleman's declining a direct answer to the fair question with which I "set out." His confessed evasion drove me to an exploration of the record of his votes. I think I have found him just where a German farmer boy, in my district, found the stray colt that his father sent him out to catch. He pursued him down the meanders of a crooked stream—first here, and then there. He finally brought him back to the barnyard, announcing to the old gentleman the particular place where he had caught him, thus: "Well, I finds him on both sides of the creek!"

I will now read the names of those "squatter sovereignty" gentlemen—members of this House from the South—who voted for that which would be now stigmatized as the "Wilmot proviso in its most odious form," in the Texas annexation resolutions:

Georgia—Edward J. Black, Alexander H. Stephens, Hugh A. Haralson, John H. Lumpkin, Howell Cobb, and William H. Stiles.

South Carolina—James A. Black, Richard F. Simpson, Armistead Burt, Isaac E. Holmes, and R. Barnwell Rhett.

North Carolina—Thomas L. Clingman, Daniel M. Barringer, David S. Reid, Edmund Deberry, Romulus M. Saunders, James J. McKay, John R. Daniel, and Archibald H. Arrington.

Mississippi—Jacob Thompson.

Louisiana—John Slidell, Alcee Labranche, and J. B. Dawson.

Missouri—Gustavus M. Bower, James B. Bowlin, James H. Relfe, and James M. Hughes.

Arkansas—Edward Cross.

Virginia—Archibald Atkinson, Geo. C. Dromgoole, Edmund W. Hubard, William L. Goggin, John W. Jones, Thomas H. Bayly, Willoughby Newton, Samuel Chilton, William Lucas, William Taylor, Augustus A. Chapman, George W. Hopkins, and Lewis Steenrod.

Kentucky—Linn Boyd, &c.

Mr. Chairman, there are others, besides the honorable gentleman from Georgia, pledged to these principles, to whom I pay my respects on these points. I will venture to look into the record. These same Texas resolutions went from the House to the Senate for concurrence. Senators well knew that Mr. Jefferson had said:

"The Constitution has made no provision for our holding foreign territory, much less for incorporating foreign nations into our Union!"

Senators well knew, too, that these joint resolutions recognized a stronger power in Congress on the subject of slavery than the "Wilmot proviso!" Who, in the Senate, voted for that proviso which

in 1845, was introduced in the House by the Hon. STEPHEN A. DOUGLAS? Let the Journal answer:

"YEAS.—Messrs. Allen, Ashley, Atchison, Atherton, Bagby, Benton, Breese, Buchanan, Colquitt, Dickinson, Dix, Fairfield, Hannegan, Haywood, Henderson, Huger, Johnson, Lewis, McDuffie, Merrick, Niles, Semple, Sevier, Sturgeon, Tappan, Walker, and Woodbury."—27.

Some of these Senators have paid the debt of nature. Of each of such I utter from the depths of a heart of sympathy, "quiescat in pace!" Of those who, in full life and vigor, are with the gentleman from Georgia in his "grand step of progress," or who have raised the flag of "squatter sovereignty," I only say, I hope "they'll have a good time of it" in explaining their record!

Mr. Chairman, my proposition in the outset was, that, whether the eighth section of the Missouri act was constitutional or unconstitutional, its repeal was wrong. It was wrong, because it was a national measure—an act to produce harmony—a statute of repose—which had been acquiesced in, for the third of a century, by the people North and South, and which they did not wish to disturb.

The validity of even unconstitutional acts, thus acquiesced in for a long period of time by the parties originally in conflict, has never before been set at defiance. The precedent the gentleman calls on the free States to establish, might lead to dangerous consequences. An act to drive from the Union Louisiana, Florida, Texas, California, &c., because the Territories had been acquired without authority under the Constitution, would not receive much favor from the true "friends of the Union," either North or South.

During the excitement of 1850, the Senate appointed a compromise committee of thirteen, with Mr. Clay at its head. The committee reported the measures termed the "compromise of 1850," which the gentleman subsequently supported.

Mr. STEPHENS. Do I understand the gentleman to say that I was in favor of Mr. Clay's report?

Mr. CAMPBELL. You supported the compromise measures as they passed, which originated with that committee.

Mr. STEPHENS. I desire to say to the gentleman that I was not in favor of Mr. Clay's report; and was, moreover, opposed to the measures reported by his committee, until they were amended. The reason of my opposition was, that Mr. Clay's proposed measures did not have a guarantee as to Utah and New Mexico, that those States should come into the Union with or without slavery, just as the people should determine for themselves; and it was never until that amendment was adopted, on the 17th of June, that I was for the compromise measures, and when that amendment was inserted, my whole soul was enlisted in its support.

Mr. CAMPBELL. The gentleman's "whole soul" support did not come up to the work in 1845, when he voted to force the "Wilmot proviso" upon the people of Texas, when they might wish to adopt a constitution without it. Besides, there is a wide difference in the principles as settled by the territorial acts of 1850, and the Nebraska bill. Slavery is excluded from Utah and New Mexico by the old Mexican law which you did not repeal in 1850. By the Nebraska act you claim that you made a "tabula rasa," on which you claim the Constitution, "proprio vigore," carries slavery with you into those Territories.

The gentleman interrupted me at the point where I was in the act of reading the report of the compromise committee of 1850, of thirteen, with Mr.

Clay at its head. I read from their report, on the point of validity of acts of doubtful constitutional authority, long acquiesced in by the people:—

"The committee are aware that it has been contended that the resolution of Congress annexing Texas was unconstitutional. At a former epoch of our country's history, there were those (and Mr. Jefferson, under whose auspices the treaty of Louisiana was concluded, was among them) who believed that the States formed out of Louisiana could not be received into the Union without an amendment of the Constitution. But the States of Louisiana, Missouri, Arkansas, and Iowa, have been all, nevertheless, admitted. And who would now think of opposing the admission of Minnesota, Oregon, or other new States formed out of the ancient Province of Louisiana, upon the ground of an alleged original defect of constitutional power? In *gross national transactions, while yet in their earlier or incipient stages, differences may well exist; but when once they have been decided by a constitutional majority, and are consummated, or are in a process of consummation, there can be no other safe and prudent alternative than to respect the decision already rendered, and to acquiesce in it.*"

The gentleman calls me back so often to the paths he has trodden, that I must read a word from the record of the principles he has uttered in regard to the power of Congress over our Territories.

In July, 1850, the gentleman said on this floor—I heard him—here he is reported:

"I hold that when this Government gets possession of territory, either by conquest or treaty, it is the duty of Congress to govern it until the people are prepared to be admitted as a State into the Union, at the discretion of Congress."

The honorable gentleman refers me often to his course in 1850. There is another passage in his speech of that year, which I indorse as peculiarly appropriate to the present occasion. I read it:

"We live, Mr. Chairman, in a strange world. There are many things of a strange character about us, but *nothing seems stranger to me than the rapid change which sometimes takes place in men's opinions upon great questions.*"

Mr. STEPHENS. One word, if the gentleman please. I do not wish to be misunderstood. I am to-day as much opposed to what he calls "squatter sovereignty" as I was in 1850. What I understand by this term, "squatters sovereignty," is the inherent right of the people of a Territory of the United States to set up governments for themselves, independently of Congress, and without looking to this Government for permission or authority to do it. This I denied in 1850, and deny now. I said then, and now, that the government of the Territories devolved upon Congress in the first instance. It is the duty of Congress either to make laws for them, or to provide for their making laws for themselves. There is no sovereignty in the Territories, except that which flows from us; so long as they belong to this Government their powers are not original and absolute, but derivative. And those rights in the people there, to form such institutions for themselves, which I advocate, are such rights as I think it wise, proper, prudent, and republican for us to permit them to enjoy. The governments of Kansas and Nebraska, which permit the enjoyment of these rights, were provided or established by Congress. All the powers under them emanated from Congress; we granted them. This is wholly inconsistent with the idea of territorial sovereignty, or sovereignty in the people there, independent of Congress. It was against this doctrine that the speech was made from which the gentleman quotes. As to the quotation about change of opinion, I reiterate the same now; and, for illustration, the gentleman will pardon me for expressing my great surprise at hearing him to-day making a speech seemingly against the "Wilmot proviso," and in favor of the sanctity of the Missouri compromise, and

quoting, with apparent approbation, the language of Mr. Clay's report, that grave national questions, which had once been settled by constitutional majorities should be acquiesced in. These sentiments did not seem to meet with the gentleman's approbation in 1850, else why did he not then acquiesce in the settlement of 1820, and go for the Missouri line?

Mr. CAMPBELL. The settlement of 1820 affected only the Territory and questions then under consideration. In 1850, we dealt with new acquisitions, and I acted upon a principle which was prominent when the Constitution was formed.

In 1850, when the gentleman made his speech, from which I have read, he was taking the honorable gentleman from Virginia [Mr. BAYLY] to task for his supposed heresies in regard to "sovereignty in Territories." I am right glad to give him an opportunity to show that he is coming up to the position which I maintain on this point of the controversy. He takes opposite ground from that assumed before their constituents by his numerous Nebraska-bill cooperators, to wit: Senators CASS, DOUGLAS, SHIELDS, PUGH, "*et id omne genus*." I leave him and his allies to reconcile these conflicting elements on a principle, to produce "conciliation and harmony," to "regulate their domestic affairs in their own way," with this parting quotation, which my Sunday school education in childhood prompts: "*A house divided against itself cannot stand!*" As to change, Mr. Chairman, the gentleman has failed to show—cannot show any crooked tracks in my course, by vote or speech, "here or elsewhere." My record, public and private, here and before my constituents, is open to him. I planted myself, in early manhood, on the platform erected by Washington, Jefferson, and their compeers. I have only quoted, not condemned, the gentleman's vote; by way of defending my position against the fire from his own battery. The principle, both as to power and expediency, of excluding slavery from Territories by congressional action, is one which I do not "seemingly," but positively defend.

Mr. Chairman, other gentlemen justify their support of the Nebraska act, on the assumption that it secures a great principle of Democracy—a popular right—*squatter's right*—that it secures to the people of those Territories the right to govern themselves, and "regulate their domestic institutions in their own way." Sir, I do not subscribe to the doctrine of squatter sovereignty thus asserted. I stand now, and have always stood, where the gentleman from Georgia stood in 1850, when, following the lights of the greatest statesmen of the country, he made the declarations on this floor which I have quoted. I cannot indorse all that my good friend from Indiana [Mr. MACE] has said on this subject; I regard this new-fledged doctrine of "squatter sovereignty" as the veriest humbug of the age, and I repudiate it. It could not have originated elsewhere than in the disordered brain of some aspiring politician. I draw the distinction, sir, between that *true popular sovereignty* which retains to the people of all the States, through their Congress, the right to "make all needful rules and regulations respecting the Territory," and the "squatter sovereignty" which claims for the small number of persons who might chance to get into these Territories, either from romance, or from a spirit of speculation, or from fear of constables, sheriffs, or marshals, set before or just after the act repealing the Missouri compromise passed, such important powers over so vast a domain, covering an area larger than that of the old original thirteen States of North

America. The idea strikes me as ridiculous, and I protest against it.

Why, sir, when the bill was passed, the soil there belonged to the Indians. They were the true sovereigns, "Native, to the manor born"—"the red men," perhaps the real "Sams" of whom we hear so much, though "Know-Nothing." Our Government has recognized their rights by solemn treaties. If, by honest and fair purchase, or by practicing upon them again the frauds of the past, we obtain the right to occupy that soil, it will become the property of the twenty-five millions of people in the States, whose money will be paid to extinguish the Indian title, and whose money will be expended for territorial government. In the people of the States, and those to whom they delegate their powers, through the ballot-box, ought to remain the sovereignty of making, under the Constitution, "all needful rules and regulations," until State sovereignty may assert its rights. That "squatter sovereignty" that claims these great privileges and immunities, for the first few men, who go there either before or after the passage of the Nebraska act, from honest or dishonest motives, whilst they demand, from the Treasury of the Federal Government, the money to make the very roads upon which they travel to the ballot-box and go to mill, strikes me as an absurdity, and I so mark it to-day in this House, in the face of whatever may be the off-hand expression of public sentiment.

But I proceed a step further. There is no sovereignty over the question of slavery, secured by the Nebraska bill, either to the people of the States or of the Territories it provides for. It is most true, sir, that the fourteenth section declares that:

"It is the true intent and meaning of this act not to legislate slavery into any Territory or State, nor to exclude it therefrom, but to leave the people thereof perfectly free to form and regulate their domestic institutions in their own way, subject only to the Constitution of the United States."

This provision, as an isolated part of the act, looks fair at first glance. It looks like vesting sovereignty in the people there. But we must investigate the matter to ascertain whether this declaration is not a shadow rather than a substance. This Nebraska bill is, in my judgment, a cheat, sir. Its northern friends contend that slavery cannot go there now; its southern friends claim that it can. Both know that slavery could not enter under the eighth section of the Missouri act. If it is still excluded, what is gained by the repeal? Why this renewal of strife? *Cui bono?* Who is cheated? It is said by its friends in the North that the people of the Territory "are left perfectly free" to exclude it by an act of the Territorial Legislature, and this is what they call "squatter sovereignty." Its southern friends do not so understand the bill, and hence they voted down the amendment offered by Mr. CHASE, in the Senate, and by the gentlemen from Indiana and Maine, [Messrs. MACE and FULLER.] in this House, giving to the people, in express terms, power to exclude slavery.

The southern friends of the bill hold that the people of the Territories are not left "perfectly free," by the terms of the fourteenth section, whilst in a territorial form, to exclude it, and that they are prohibited from so doing. Their acts must be "*subject to the Constitution*." The southern doctrine claims that, into Territories which are the common domain of the States, where slavery is not expressly inhibited, they may take and hold their slaves under the Constitution, and that any territorial law excluding slavery would not be "*subject to the Constitution*," but in violation

of a right "resulting from it," and, therefore, void. This, I understand, is the view of the gentleman from Georgia, [Mr. STEPHENS,] and hence it follows that, by his Nebraska act, he as effectually exercises congressional power to prevent the people of these Territories from excluding slavery, as the joint resolutions of 1845 prevented a part of the people of the State of Texas from introducing it. It is another case the gentleman's record furnishes, which would seem to be "tantamount to usurpation!" I ask again, who is cheated? The southern view of the Nebraska act has the advantage in this, to wit: that it seems to recognize slavery as an institution there by authority of law, as the ninth section expressly provides for writ of error in cases "involving title to slaves!"

Mr. Chairman, upon the hypothesis, (most favorable to the northern view of the question,) that, through a territorial law, the people may exclude slavery, I propose to examine whether the people are, by the machinery which the act imposes on them, left "perfectly free." I will submit it to analysis, and ascertain what per cent. of its component parts gives to the people sovereign power—how much of it is "democracy," and how much despotism!" We have heard many elegant speeches upon the popular theme of "man's power to govern himself"—one of the ablest was "that speech at Romeo," by the distinguished Senator from Michigan.

What is a Democracy? Where the people govern. The gentleman from Missouri [Mr. OLIVER] truly remarked, yesterday, that a mass meeting of the people, to make laws, would be impossible. There is no such Government as that on earth. Ours is a Representative Democracy—the people delegating, through the ballot-box, to their agents, their power to govern. What are the powers, or elements, of a government? They are comprised in three subdivisions: the Legislative, to make the law; the Judiciary, to expound it; the Executive, to enforce it. The beauty of our system, in its purity, consists in the fact that each one of these departments, though a coordinate part, is independent of the others. If all were concentrated in one man, whatever the name given to it, the government would be a practical despotism.

Now, sir, in this crucible I proceed to ascertain the real power of the people in Kansas and Nebraska, under this act, over the question of slavery, and to "regulate their domestic institutions in their own way."

Who is to execute law there? The Governor. Who selects him? Not the people, but the President, who can put him in or kick him out, at will, independently of the will of the people of the Territory. (Section 2.) Who constitute the judicial power? The judges selected by the President, (section 12;) and, for the present, "all township, district, and county officers" shall be appointed by the President's Governor. (Section 7.)

The only remaining branch of governmental power is the Legislature. Section four provides for a Council of thirteen, and a House of twenty-six members. It says: "previous to the first election the Governor shall cause a census or enumeration of the inhabitants and qualified voters of the several counties and districts of the Territory to be taken by such persons, and in such mode, as the Governor shall designate and appoint." On this "enumeration of inhabitants," (which of course includes blacks, old and young, for southern gentlemen will not take the position that "a nigger" shall not be regarded an "inhabitant,") the Governor districts the State and apportions the representation.

(Section 4.) This gives the Governor great powers; the people none, to regulate their affairs. Nor can I see why the honorable gentleman from Missouri [Mr. OLIVER] should complain about emigrants from New England, whilst the negro child sent from his district, which adjoins Kansas, would weigh just as heavily in these census tables as the honorable member from Massachusetts, [Mr. GOODRICH,] who has been paraded as president of some society, would, if there; and whilst his constituent, who goes into one county with ninety-nine negroes, would count as much in the legislation as any hundred live emigrant Yankees!

Next comes the election. The President's Governor appoints the "time and place" for that, and it is to be conducted in such manner as he shall designate. When the people meet at the polls to settle this matter of slavery, the qualified voters may cast their suffrages. But, the ballots are to be received, the election superintended, the qualifications of electors decided upon, the votes counted, and the returns made, by such persons as the Governor may appoint, (section 4.) And the act does not even require that these persons shall be sworn to the honest and faithful discharge of these high duties, involving the destiny of an empire. With such powers over the ballot-box of South Carolina, a Governor might easily, if he chose, send into this Hall, to represent her, such men as my colleague, [Mr. GIDDINGS,] or Garrison, and others, more obnoxious to her people. Yet, this is the character of the machine recently invented and patented as "squatter sovereignty!"

Fear of accidents has stationed another guard over the people's will, armed with a more formidable weapon—one which has often made its deadly strokes upon true popular sovereignty. It is the veto power, in the sixth section, which enables the President's Governor to defeat any legislative act in regard to slavery, or any other "domestic affair," unless passed in both branches by two thirds of the representatives of the people. Is it not, Mr. Chairman, bad enough to clothe any one man with power like this, over the Representatives' will, and call it democracy? Is it not an outrage to give it to a Governor, appointed by the President, and beyond the control of the governed, at any time; but especially when you say that their will shall settle the question between freedom and slavery in these vast Territories? Is it not an insult to American intelligence to call such provisions "popular sovereignty," and bellow "Man's power to govern himself?"

I have briefly passed over and analyzed this act. I denounce it as transferring the just power of the people of the States to the national Executive, already swelled with its enormous powers of Federal patronage and the veto. The transfer is to me a bitter pill, sugar-coated, as it is, with the words "squatter sovereignty." There is not in all the Russias a province where the people have not as much power to "regulate their domestic institutions in their own way," as is guaranteed to the people of Kansas and Nebraska by this act, independent of presidential power, to exclude slavery from their soil.

There is one other provision of the act that challenges attention. It is that which gives foreigners the right to vote on condition.

The fifth section provides:

"That the right of suffrage and of holding office shall be exercised only by citizens of the United States, and those who shall have declared on oath their intention to become such, and shall have taken an oath to support the Constitution of the United States and the provisions of this act."

In this connection I quote the constitutional pro-

vision, that Congress shall have power "to provide a uniform rule of naturalization!" Upon what principle of just popular sovereignty Congress may allow a foreigner, in a Territory the highest right of a citizen—that of suffrage—the day he arrives on our shores from Baden, when it has declared by its acts that he must reside five years and make certain proof of attachment to our institutions before he can be a citizen, and make the rule "uniform," is not clear to my mind. I do not propose, however, to discuss this matter of naturalization now. There will, no doubt, be time for work on that subject in the future, when the question is more appropriately before us. Besides, my friend from Tennessee [Mr. TAYLOR] has given notice of a bill to reform the naturalization laws. He may be "one of 'em," of whom the *disclosures* speak, and it would be manifestly wrong in me, an "outsider," to trench on his ground. My only purpose is to look into the "foreign sovereignty" of this Nebraska act; and I would inquire, if it was the intention to give a foreigner who seeks liberty in this land the right of a sovereign, why did you impose on him the humiliating condition of swearing to the principles of such an act, as we show this to be?

Mr. Chairman, by way of illustrating this matter, I hope to be pardoned for relating an incident, in my personal observation, a few months since. After the Nebraska act passed, the weather was hot, and we were all jaded and wearied. Availing myself of the recess, I went to Boston to spend the fourth of July. In company with the learned Attorney General, [Mr. CUSHING,] I passed through Boston Common at sunrise of that morning. There was a scene to make the heart glad. All was animation and life—the busy preparations of the city authorities to accommodate the million, upon the Common, the fluttering of the stars and stripes at every point, the roar of artillery, the clear, sweet chimes from the church bells, announced that it was Independence morning. To avoid the heat, I afterwards took a steamer to cross to Nahant. Passing over the waters of that harbor, viewing a thousand national flags from shipping and house top, amid the roar of cannon from Boston Common, with Bunker Hill's monument in the distant view, (musing over the incidents that had occurred thereabout in the good olden time,) my attention was directed to a large ship which lay at anchor. We passed within an hundred yards, and I saw her decks crowded with human beings, her crew scouring and cleaning the vessel, and the surface of the water, for a great distance, strewn with old beds, bedding, chests, &c., &c. My first idea was that it formed a part of the celebration of the fourth, and that there had been a casting overboard of a sham cargo, by way of reviving a recollection of the old Boston harbor tea party! My curiosity was soon satisfied on inquiry. The ship, I was told, was one of those engaged in the "carrying trade"—that is, she was in the employment of foreign Governments or their agents, to bring over, at a fixed rate per head, their paupers and felons. She had just arrived with a large cargo, and disease had broken out. She was on quarantine; and the crew were at work in the business of purification preparatory to another voyage. I was pointed to the hospital, to which these persons had to be sent at public expense, until the health officers pronounced them in condition to be put on shore without danger. Subsequently, a gentleman who had been aboard gave me a description of the condition of the persons of some of these poor beings, which was too loathsome to be repeated. Now, sir, by the pro-

vision of the act I have quoted, each of these paupers and felons thus forced to America, if in Kansas, could be made a sovereign in ten minutes, wielding as much power, through his vote, as "Sam. Adams," who threw the tea into Boston harbor could have if there. Those who supported this bill may make Buncombe speeches in regard to their liberality to foreigners; but the wind is somewhat taken out of that sail amongst intelligent emigrants, who, coming here for liberty, and from choice of Governments, find they cannot vote until they degrade themselves by swearing to the principles of an act they cannot approve.

In this connection I would put a proposition to those who voted for this bill, and through them, to their confiding constituents, who indorse it on their recommendation. If the act is a proper exponent of the true theory of self-government, why do you not advocate the engrafting upon your several State constitutions and laws just such provisions? Why not have "popular sovereignty" of the same sort in Virginia? Why not in South Carolina? In Alabama, &c., &c.? If it is Democracy for Kansas, why not make it Democracy for Georgia? I can understand why Senators voted for or against the provision separately, with a view to weigh down and kill the bill; but why anybody could vote for the final passage of such a bill with such a weight, remains with me a mystery.

Aside from all considerations which I have passed over, the manner in which the bill was introduced, and passed through this House, is, of itself, sufficient reason to induce us to retrace our steps speedily. The motion of the gentleman from New York, [Mr. CUTTING,] which prevailed, and carried it to the Committee of the Whole on the state of the Union, was a legitimate proceeding. The various motions subsequently made to set aside other measures of importance on the Calendar, in order to reach it, were unusual, and repugnant to the general course of parliamentary proceedings. The general principles of the bill were fully discussed under the hour rule; but under that rule the details of no measure are acted upon. Hence the laws for the regulation of our proceedings have wisely provided, by the 127th rule, as follows:

"Upon bills committed to a Committee of the Whole House, the bill shall be first read throughout by the Clerk, and then again read and debated by clauses, leaving the preamble to be last considered; the body of the bill shall not be debated nor interlined; but all amendments, noting the page and line, shall be duly entered by the Clerk on a separate paper, as the same shall be agreed to by the committee, and so reported to the House."

The Nebraska bill never was "again read and debated by clauses" in committee. Your Clerk only read the first section, under the rule, and there are thirty seven sections to the bill. The honorable gentleman from Georgia, by what was called "a most ingenious proceeding"—one that, it was said, was suggested by my honorable colleague, [Mr. OLDS,] who was chairman of the Committee of the Whole, but for the originating of which the gentleman from Georgia had the credit—struck out the eracting clause. Then a motion was made to report the bill from committee to the House before it was "read and debated by clauses." On this motion there was not a majority of the House voting, and the Constitution provides that "less than a majority can do no business." Yet, sir, in face of this Constitution, in violation of the letter and spirit of the law of the House, the bill was forced from the committee. The point was made to the Speaker, at the time, who, with great propriety, in my judgment, said, in substance, that he had no power, under the rules, to go be-

And the report of the chairman to ascertain what had been done in committee. In a few minutes, those very members who, in committee, had voted to cut the head off the bill, voted in the House to put it on again, and, under the screw of the "previous question," and the remarkable rulings of the Chair, and of the majority, we were brought to the vote on the final passage of the bill.

It is no time now to review the inconsistencies of those rulings. The record is here now, and the time to produce it will come hereafter. I should not wonder, sir, if the day should come to prove the statement of the Charleston editor true, who said that the proceedings on the Nebraska act presented the worst chapter for the South that had ever been made in congressional proceedings, when the lawful rights of a minority were crushed under the iron heel of the power of numbers. Though the gentleman from Georgia, at midnight hour, hurled at us the charge of "faction," because we but exercised the power under the rules which he used when, in 1850, he was standard-bearer in resisting a recognition of the sovereignty of California, we were no mean minority. The vote on the great question of its passage stood—yeas 113, nays 100; and this, too, when many members voted for it on the alleged ground that the measure was tendered by the free States!

Mr. Chairman, "there is a North!" These election returns prove it. That North comes back to this Hall in the next Congress to claim a redress of the wrong, and she will be backed by the fair-minded people of the South who never demanded the repeal of the Missouri compromise. She will come, I trust, with firmness, and with no disposition to remedy one wrong by perpetrating another. She will come, I hope, with a determination to vindicate and restore her rights, and yet to maintain the majesty of the law. To me, sir, it will be a proud spectacle when the unbroken delegation of twenty-one members from my native Ohio, approach that Speaker's desk to take the oath prescribed, and pledged before their sovereigns to restore that which has been so wantonly taken away.

I am no prophet, have no vision into the mists of futurity; yet, sir, allow me to predict that slavery never can become a fixed institution in Kansas and Nebraska—I care not who may be sent as Delegate, with power only to talk on this floor. If "God's law," upon which Daniel Webster based his celebrated speech of March 7, 1850, does not keep it out, independent of human action, "popular sovereignty" will make a law to do the work. The free States will decree it; the friends of union, and peace, and harmony—the supporters of solemn compacts in the slave States will affirm the decree.

Mr. Chairman, I fear there is a spirit of disunion somewhere lurking under these propositions to carry slavery everywhere—North and South. When the free States raised their opposition to annexing Texas, very many meetings were held in the slave States. They passed threatening resolves. The following, from a meeting "numerously attended" in Alabama, I present as a specimen:

"Resolved, That the possession of Texas is infinitely more important to us by this section of the Union than a longer annexation and friendship with the northeastern States, and if we have to yield either, it cannot and SHALL NOT BE TEXAS!"

It was then that the venerable gentleman from Missouri [Mr. BENTON] sounded the tocsin of alarm from his place in the Senate Chamber. In his speech of 1844 he said:

"DISUNION IS AT THE BOTTOM OF THIS LONG CON-CEALED TEXAS WAGINATION. Injurious and speculative enterprises, but disunion is at the bottom; and I denounce it to the American people. Under the pretext of getting Texas into the Union, the scheme is to get the South out of it. A separate confederacy, stretching from the Atlantic to California, (and hence the secret of the Rio Grande del Norte frontier), is the cherished vision of disappointed ambition: and for this consummation every circumstance has been carefully and artfully contrived."

Texas was annexed—the free States yielded. In 1850, new demands were made, accompanied with similar threats; and on this floor the *promissio-camento* was declared; yield, or "let discord reign forever!" The measures passed—the mass of the people acquiesced.

In 1854, people in the slave States are seeking the acquisition of Cuba—they take our money to buy the Mesilla valley; the Sandwich Islands are demanded; and mysterious proceedings are going on at the proposed "naval depot in St. Domingo." These things look like a desire for a "separate confederacy." In the mean time you repeat the old Missouri compromise, and declare a principle, which, if carried out consistently, must take slavery into the Territories of Minnesota, Oregon, Washington, Utah, and New Mexico. More than that, it pledges the Government, before the eye of the civilized world, to extend and strengthen African servitude. Do the people of the slave States demand this? Will the people of the free States submit? Upon the authority of their voice in the late elections, I answer, emphatically, No. I answer as I did the charge of "faction" made by the gentleman from Georgia at the midnight close of the longest sitting ever known to Congressional Journals: "We will resist this great wrong, with all the power God has given us, to the last extremity—to the bitter end."

On the other hand, in the North, men driven into a phrenzied condition by those acts, forgetting that northern avarice had much to do with the original introduction of slavery, and that it has become almost inseparably interwoven with the very fibers of society in some of the States, look to disunion as the only means of abolition. They meet on the 4th of July, and celebrate it by burning the Constitution!

Sir, I am against disunion, and would strike it down. But, if union is to carry with it the proposition to extend slavery, to commit the General Government to the principle of increasing wrong, its moral power and its value cease. The free States have taken a stand. Neither a renewal of the cry of "Disunion," nor the taunt of "Abolitionism," will drive them from it.

Let it bring to me, if it must, the taunts of fellow-members here, and the jeers of the million elsewhere; I shall remain firmly upon the ground that I have always occupied: That slavery is local, not national; that the States where it exists have a constitutional right to enjoy it, accompanied by the right to reclaim fugitives, and may themselves dispose of it in their own way, yet must support it without further aid, direct or indirect, from the balance of the Union. These, I believe, were the sentiments of Washington, of Jefferson, and of Madison. Where such men lead, I follow, with confidence, condemning equally "filibustering" in the South and "Constitution-burning" in the North.

As to the remedy. It is not now in our hands. Let some patriotic southern man, who voted for the repeal of the eighth section of the Missouri act, on the ground that the "North tendered it," come up with bold, manly, patriotic voice, and propose to restore it, as a response to northern

demand. Until it is restored, you will have no promise of harmony in this Hall. I repeat, sir, in conclusion, in reference to the Administration. I did not come here to make war upon it. It is wrong to make the fallen! The Administration has done it. A year ago the 4th of last March, we entered in that broad and beautiful avenue the magnificent pageant ever displayed in the history of the nation. The President was elected by an overwhelming majority of the people's votes—the "greatest captain of the age"—one who served most gallantly on many battle-fields; who was borne triumphantly by the masses, amidst the shouts of thousands, from the west end of Pennsylvania avenue to the eastern front of the Capitol. There, apparently in manly style, he delivered an inaugural address, which was generally excepted to by even those opponents who sought causes of objection. He solemnly renewed the pledge which two years before had been signed by the gentleman from Georgia, [Mr. STEPHENS,] to wit, "that slavery agitation in Congress and out of Congress should cease." Thence he was ushered into the White House with the greetings of the people's glad buzzes!

Congress again met and opened its last session in harmony. The Administration threw this apple of discord among us. It pressed upon us the consideration of the Nebraska bill, and through its organs, sought to influence the Representatives of the people both through fear of punishment and hopes of reward:—

It vetoed the bill passed by a Congress of its own friends, granting lands to the several States to support those stricken poor whose intellects have been taken from them by the Almighty. At the same time, under very peculiar circumstances, it approved the Minnesota bill, granting near a million of acres of these lands to a New York Wall street company. A bill, sir, which, after a base forgery had been made upon it, passed the Senate on the 28th of June. The President's signature, of immediate approval, was necessary in order to take from the pioneer people of Minnesota that immense grant, and secure it to Wall street brokers. On the 29th of June he approved it. So speaks the record:—

Thousands of voices broke upon our ears from the laborers of the interior, asking appropriations to improve their rivers and lakes—the means which God had given to bear from the arm of American

industry its products to the place where Necessity demanded them. These appeals were not sectional, but national. The appropriations were voted by the President's friends in Congress—by wise constitutional lawyers, by statesmen of long experience in the Senate—under the solemnities of their oaths. The Administration, whilst asserting the doctrine of "popular sovereignty" to be its prominent characteristic, responded to the public will, "*I veto!*"—

It cast from high places of trust and from low ones—from the foreign court and from the village post office—men, "honest, capable, and faithful," who dared, in defiance of its dictation, to exercise, independently, the sovereign rights of American freemen; and appointed, in their stead, those who were neither fitted by birth, by education, nor by other high qualities of manhood, to fill the stations:—

It repealed the Missouri compromise. Yes, sir, it tore from the record that great act of our fathers, rendered sacred, as it had been to the people of the North, and of the South, by the great cause of our national Union, in which it originated, and the long acquiescence of all the States. It has reopened, in violation of its solemn vows, the "bleeding wounds" which the "healing measures" of 1850 were designed to cure. It has thrown wide open the sluices of sectional strife, as the late elections and this discussion fully prove.

I repeat it, sir, in no spirit of personal unkindness to its members, this Administration has fallen—"fallen like Lucifer!" The unerring pen of History will record, in small space, an account of its works, and its achievements: *It repealed the Missouri compromise, it struck at the Know-Nothing, not knowing where to strike—it captured Grey-town! and went down:—*

"Like the snow-flake on the river,  
A moment white—then gone forever."

Looking at its incoming, its condition, and its approaching inevitable outgoing, I repeat, "more in pity than in anger," the words of the poet:

"—How are the mighty fallen!  
And by the people's hand! Low lie the proud!  
And smitten with the weapons of the poor—  
THEIR TALE IS TOLD; and for that they were rich,  
And robbed the poor; and for that they were strong,  
And scourged the weak; and for that they made laws  
Which turned the sweat of labor's brow to blood—  
FOR THESE, THEIR SINS, THE NATION CASTS THEM OUT!"

## APPENDIX.

Georgia.—Agriculture—Including value of Animals slaughtered, Wheat, Rye, Indian Corn, Oats, Rice, Tobacco, Cotton, Wool, Peas and Beans, Irish Potatoes, Sweet Potatoes, Barley, Buckwheat, Orchard products, Garden produce, Wine, Butter, Cheese, Hay, Cloverseed, other Grass Seed, Hops, Flax, Flaxseed, Silk Cocoons, Maple Sugar, Cane Sugar, Molasses, Bees wax, Home-made Manufactures, at highest current prices in New York, amount to.....\$65,488,267  
Add value of Live Stock..... 25,728,416

\$91,216,683

Ohio.—Agriculture—Including value of Animals slaughtered, Wheat, Rye, Indian Corn, Oats, Tobacco, Wool, Peas and Beans, Irish Potatoes, Sweet Potatoes, Barley, Buckwheat, Orchard products, Garden produce, Wine, Butter, Cheese, Hay, Cloverseed, other Grass Seed, Hops, Hemp, Flax, Flaxseed, Silk Cocoons, Maple Sugar, Molasses, Bees-wax and Honey, Home made Manufactures, at average prices in New York.....\$145,838,339  
Add value of live stock..... 44,121,741

Total, Ohio.....\$189,959,973

Total, Georgia..... 91,216,683

Ohio ahead annually..... \$98,743,290