PRICE TWENTY-FIVE CENTS.

THE LIFE
OF
STEPHEN A. DOUGLAS

UNITED STATES SENATOR FROM ILLINOIS.

WITH

Selections from his Speeches and Reports.

BY A MEMBER OF THE WESTERN BAR.

NEW YORK:
DERBY & JACKSON, PUBLISHERS,
1860:

W. H. Tinson, Printer and Stereotyper, 43 & 45 Centre St., N. Y.

[AUTHORIZED EDITION.]

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The proofs of this work having been submitted to several of Mr. Douglas' most judicious friends, it is believed by them to be a true and faithful exposition of the leading incidents of his career, and is by them cordially recommended as authentic and reliable.

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LIFE AND SPEECHES

OF

STEPHEN A. DOUGLAS.

INTRODUCTORY CHAPTER.

The object of the author of this book is to present to the people of the United States a truthful delineation of the character and qualities of the greatest American statesman now living.

The public life of Mr. Douglas naturally divides itself into five periods. The first, from his entrance into Congress in 1843, to the close of the war against Mexico, in 1848. Second, from the close of the Mexican War to the passage of the Compromise measures of 1850. Third, from the passage of the Compromise of 1850, to the passage of the Nebraska Bill in 1854. Fourth, from the passage of the Nebraska Bill, to the third election of Mr. Douglas to the Senate, in the fall of 1858. Fifth, from the commencement of his third Senatorial term, in March, 1859, to the meeting of the Charleston Convention in April, 1860.

During the first period, Mr. Douglas appears among the most active and influential friends of the re-annexation of

Texas to the United States, and causes to be run through Texas the Missouri Compromise line of 36° 30′; and when the war with Mexico breaks out, he is found among the ablest supporters of the administration, and one of the foremost of our statesmen in upholding the honor of our flag and in prosecuting the war with a vigor and prudence that led to an honorable and satisfactory peace. In this period, too, Mr. Douglas is seen endeavoring to carry out in good faith the principles of the Missouri Compromise, by extending the line of 36° 30′ westward through our acquisitions from Mexico to the Pacific Ocean; in which attempt he was frustrated by northern Freesoilers.

GREAT MEASURES OF MR. DOUGLAS.

The second period was one of the most important in the whole life of Mr. Douglas. He is seen at this time, shaping and molding for the territories of the United States, those institutions of government upon which his fame as a statesman rests, and upon which depend the happiness of millions of American citizens, and the prosperity of a dozen new States. In treating of this period of the life of Mr. Douglas, I have shown that he is the real author of the Compromise measures of 1850, so generally attributed to Henry Clay. In this period, too, we see Mr. Douglas coming home to his constituents, and in the presence of an infuriated mob, proclaiming the propriety and expediency of those measures with such matchless eloquence, that the voices of faction and fanaticism were hushed, and the citizens of Chicago passed resolutions declaring their adherence to those very measures which they had the day before denounced.

Toward the close of the third period, we see Mr. Douglas bringing forward the details of his great plan for the government of the territories, in the shape of the Kansas and

Nebraska bills; explaining and elucidating the principles upon which they are based, and urging their adoption by Congress. And when these measures were passed, we see him coming home to a constituency that refused to hear him vindicate their justice and propriety.

During the fourth period, we see the evils that resulted in Kansas, from attempts to evade or disregard the principles of the Nebraska Bill. We see the President of the United States exerting the whole strength of his administration in attempting to force a constitution repugnant to their wishes on the people of Kansas; and Mr. Douglas energetically and with all his might resisting the tyrannical proceeding, and vindicating the right of the people of the territories in all time to come, to form and regulate their domestic institutions in their own way. When the British also, in 1858, attacked no less than thirty-three of our vessels in the space of four weeks, and when the Senate were about to pass the customary resolutions, declaring that such acts were very annoying to the United States, and ought not to be committed, we see Mr. Douglas urging upon Congress the instant adoption of such energetic measures on our part as should compel Great Britain not only to cease such outrages in future, but also to make reparation for those she had committed.

"THE RETURN FROM ELBA."

During this period also, we see the great campaign in the autumn of 1858, the election of a senator from Illinois for the next six years, the gallant stand made by Mr. Douglas, and the unscrupulous efforts made by federal officials and Abolitionists to crush him. Like Napoleon on his return from Elba, Mr. Douglas, on his return to Illinois, inspired his numerous friends with unbounded enthusiasm. We see the momentous struggle between Mr. Douglas and the

Democratic party on the one side, and the allied forces of the Republicans, Abolitionists, and office-holders on the other. We see the battles and skirmishes of the campaign; in every engagement, we see the utter discomfiture of the unholy alliance, and the triumph of the right—and always, in the forefront of the battle, we hear the clarion voice of the great leader of the democracy. Finally, we see his victory over all his enemies, and witness his triumphant return to the Senate, bearing high aloft the glorious banner of the Democracy, unstained and untarnished.

During the last period, we see the hostility of the Executive manifested in the removal of Mr. Douglas from the chairmanship of the Committee on Territories; the war of the pamphlets; the Senate proceedings following the horrible plot of John Brown; and the ridiculous attempt on the part of a few senators to make a platform for the Charleston Convention entirely incompatible with the known principles of Mr. Douglas. We see the uprising of the people all over the nation in favor of Mr. Douglas for the Presidency, the proceedings of the several State conventions, and their unanimity in designating Mr. Douglas as their choice above all other men. Finally, we see the meeting of the Charleston Convention; and we may reasonably hope to see the nomination of Judge Douglas for the Presidency, and his triumphant election.

PERSONAL APPEARANCE.

The Rev. Wm. H. Milburn, the blind preacher, in his interesting book, "Ten Years of Preacher Life," gives the following graphic sketch of his impressions of Mr. Douglas:

"The first time I saw Mr. Douglas was in June, 1838, standing on the gallery of the Market House, which some of my readers may recollect as situate in the middle of the square of Jacksonville. He and Colonel John J. Hardin were engaged in canvassing Morgan County for Congress. He

was upon the threshold of that great world in which he has since played so prominent a part, and was engaged in making one of his earliest stump speeches. I stood and listened to him, surrounded by a motley crowd of backwood farmers and hunters, dressed in homespun or deerskin, my boyish breast glowing with exultant joy, as he, only ten years my senior, battled so bravely for the doctrines of his party with the veteran and accomplished Hardin. True, I had been educated in political sentiments opposite to his own, but there was something captivating in his manly straightforwardness and uncompromising statement of his political principles. He even then showed signs of that dexterity in debate, and vehement, impressive declamation, of which he has since become such a master. He gave the crowd the color of his own mood as he interpreted their thoughts and directed their sensibilities. His first-hand knowledge of the people, and his power to speak to them in their own language, employing arguments suited to their comprehension, sometimes clinching a series of reasons by a frontier metaphor which refused to be forgotten, and his determined courage, which never shrank from any form of difficulty or danger, made him one of the most effective stump-orators I have ever heard.

"Less than four years before, he had walked into the town of Winchester, sixteen miles southwest of Jacksonville, an entire stranger, with thirty-seven and a half cents in his pocket, his all of earthly fortune. His first employment was as clerk of a 'Vandu,' as the natives call a sheriff's sale. He then seized the birch of the pedagogue, and sought by its aid and by patient drilling, to initiate a handful of half-wild boys into the sublime mysteries of Lindley Murray. His evenings were divided between reading newspapers, studying Blackstone, and talking politics. He, before long, by virtue of his indomitable energy, acquired enough of legal lore to pass an examination, and 'to stick up his shingle,' as they call putting up a lawyer's sign. And now began a series of official employments, by which he has mounted within five and twenty years, from the obscurity of a village pedagogue on the borders of civilization, to his present illustrious and commanding position. In the twelve or thirteen years that had elapsed from the time of his entering the State, a friendless, penniless youth, he has served his fellow-citizens in almost every official capacity, and entered the highest position within their power to confer.

"No man, since the days of Andrew Jackson, has gained a stronger hold upon the confidence and attachment of his adherents, or exercised a more dominating authority over the masses of his party than Judge Douglas. Whether upon the stump, in the caucus, or the Senate, his power and success in debate are prodigious. His instincts stand him in the stead of imagination, and amount to genius.

"Notwithstanding the busy and boisterous political life which he has led with all its engrossing cares and occupations, Mr. Douglas has, neverthe less, by his invincible perseverance, managed to redeem much time for self-improvement. He has been a wide and studious reader of history and its kindred branches. Contact with affairs has enlarged his understanding and strengthened his judgment. Thus, with his unerring sagacity, his matured and decisive character, with a courage which sometimes appears to be audacity, but which is in reality tempered by prudence, a will that never submits to an obstacle, however vast, and a knowledge of the people, together with a power to lead them, incomparable in this generation, he may be accepted as a practical statesman of the highest order.

The correspondent of the New York "Times" describes Mr. Douglas as follows: "The Little Giant, as he has been well styled, is seen to advantage on the floor of the Senate. He is not above the middle height; but the easy and natural dignity of his manner stamps him at once as one born to command. His massive head rivets undivided attention. It is a head of the antique, with something of the infinite in its expression of power: a head difficult to describe, but better worth description than any other in the country. Mr. Douglas has a brain of unusual size, covered with heavy masses of dark brown hair, now beginning to be sprinkled with silver. His forehead is high, open, and splendidly developed, based on dark, thick eyebrows of great width. His eyes, large and deeply set, are of the darkest and most brilliant blue. The mouth is cleanly cut, finely arched, but with something of bitter and sad experience in its general expression. The chin is square and vigorous, and is full of eddying dimples—the muscles and nerves showing great mobility, and every thought having some external reflexion in the sensitive and expressive features. Add now a rich, dark complexion, clear and healthy; smoothly shaven cheeks; and handsome throat; small, white ears; eyes which shoot out electric fires; small white hands; small feet; a full chest and broad shoulders;

and with these points duly blended together, we have a picture of the Little Giant.

"As a speaker, Mr. Douglas seems to disdain ornament, and marches right on against the body of his subject with irresistible power and directness. His rhetorical assault has nothing of the cavalry slash in its impressiveness, rather resembling a charge of heavy infantry with fixed bayonet, and calling forcibly to mind the attack of those 'six thousand English veterans" immortalized by Thomas Davis:

"'Steady they step adown the slope,
Steady they climb the hill;
Steady they load—steady they fire—
Marching right onward still.'

His voice is a rich and musical baritone, swelling into occasional clarion-blasts toward the close of each important period. He is heard with breathless attention, except when now and again the galleries feel tempted to applaud—these demonstrations appearing to give particular uneasiness to the Administration, Secession, and Republican senators."

Mr. Douglas has been twice married. He has two little sons, the children of his first wife, who was a southern lady. In 1857, he married Miss Adele Cutts, daughter of James Madison Cutts, Esq., second Controller of the Treasury, a beautiful and accomplished woman, and well known in Washington for the amiability of her disposition, and the goodness of her heart. He has had one child, a daughter, since his second marriage.

CHAPTER II.

Parentage, Birth, and early Life of Stephen A. Douglas—He Studies Law—Goes to the West—Teaches School—Admitted to Practise Law—His Success as a Lawyer, and the Causes of it—Becomes Attorney General of Illinois—Elected to the State Legislature—Electioneers for Martin Van Buren for President, in 1840—Makes 207 Speeches in that Year, and carries Illinois for the Democracy—Becomes a Judge of the Supreme Court—Is Elected to Congress in 1843.

Stephen A. Douglas was born in the town of Brandon, Vermont, on the 23d day of April, 1813. His father was a native of the State of New York, and a physician of high repute. His grandfather was a Pennsylvanian by birth, and a soldier in the Revolutionary War. He was one of those soldiers of Washington who passed that terrible winter at Valley Forge, and was present at the surrender of Lord Cornwallis. His great-grandfather was also an American by birth, but his ancestors came originally to this country from Scotland. Dr. Douglas died when his little son Stephen was only three months old. From the age of ten to that of fifteen years, Stephen was sent to the common schools of the neighborhood. During the last two years of this term, he was noted for remarkable aptitude for his studies, and was extremely diligent and attentive. His quick perception, excellent memory, and determination to excel in his studies, were subjects of remark by his teachers, even at that early period. His disposition was amiable and kind, of which fact there are numerous instances related by those who were his school

fellows. His temper, however, was naturally quick and vivacious.

At the age of fifteen, he expressed to his mother his earnest desire to prepare for college; but it was decided at a family council that the expense of a collegiate education would make that idea impossible. "Well, then," said Stephen, "I will earn my own living;" and he immediately engaged himself as an apprentice to the trade of cabinet-making, which was then an excellent and lucrative business. He worked at this trade for eighteen months, and then abandoned it altogether, as it proved entirely too severe for his constitution. His master has since jocularly remarked, that during the time Stephen was with him, he displayed his greatest ingenuity in the construction of *bureaus, cabinets, and secretaries.* At the age of seventeen, he entered the academy at Brandon, and pursued his studies there for more than a year. His mind was extremely active at this time, and he made rapid advancement in those branches of learning to which he directed his attention. When the family removed to Canandaigua, New York, he attended the academy there as a student. Having decided to make the law his profession, he entered the office of Mr. Hubbell, and studied law till 1833.

EARLY LIFE.

In the spring of that year he went to the West, in search of an eligible place in which to establish himself as a lawyer. He went to a number of cities and towns in the West, among them Cincinnati, Louisville, St. Louis, and Jacksonville, Illinois. At Winchester, a little town sixteen miles from Jacksonville, he found there was no school, and immediately opened one. He obtained forty pupils without any difficulty, whom he taught for three months, at $3 00 per

quarter. He devoted his evenings, during this time, to the prosecution of his law studies. In March, 1834, he was admitted to practise law, by the judges of the Supreme Court of the State. He at once opened a law office, and became remarkably successful as a legal practitioner.

Within a year after his admission, and while not yet twenty-two years of age, he was elected by the legislature of Illinois, attorney-general of the State. In 1836, he was elected to the legislature by the Democrats of Morgan County, and resigned the office of attorney-general. At the time he took his seat in the legislature, he was the youngest member of that body. In 1837, he was appointed by President Van Buren register of the land-office at Springfield, Illinois. In November of the same year, he received the Democratic nomination for Congress, although he was then under twenty-five years of age, and consequently ineligible. He attained the requisite age, however, before the day of election, which was in August, 1838. At this election upward of 36,000 votes were cast, of which Mr. Douglas received a majority. About twenty votes were rejected by the canvassers, because in them the name of Mr. Douglas was spelled incorrectly. The quibble was a most unworthy one, and would not stand at this day. As it was, the Whig candidate was declared to be elected by a majority of only five votes; and the election was everywhere regarded as a triumph of Mr. Douglas.

MR. DOUGLAS AS A LAWYER.

Retiring now from political life, Mr. Douglas devoted himself with assiduity to the practice of his profession. He was an able and successful lawyer, and his business increased rapidly. There are many persons now living, who were clients and neighbors of Mr. Douglas at this time, and who

remember well his demeanor as an advocate. He was noted, among other things, for the careful preparation of his cases, and for his tact and skill in the examination of witnesses. He never went into court with a case until he thoroughly understood it in all its bearings. His addresses to the jury were generally plain and clear statements of the matters of fact, the arguments logical and conclusive, and his manner earnest and impressive. He rarely failed to enlist the feelings and sympathies of a jury.

In the year 1840, Mr. Douglas entered with ardor into the celebrated "Hard Cider and Log Cabin" campaign, and threw the whole weight of his influence in favor of Martin Van Buren, the democratic candidate for President, and against the "Tippecanoe and Tyler too" candidates of the Whig party. During seven months of that year, he traversed the State of Illinois in all directions, and addressed 207 meetings of the people. General Harrison was elected President, but Illinois was carried for the Democratic candidates, and Mr. Douglas was mainly instrumental in bringing about this result.

MR. DOUGLAS ELECTED TO CONGRESS.

In December, 1840, Mr. Douglas was appointed secretary of state of Illinois. In February, 1841, he was elected by the legislature a judge of the Supreme Court of the State. This was only seven years after he had received, from the judges of that court, his license to practise law. He remained upon the bench of the Supreme Court for three years. In 1843 he was elected to Congress by 400 majority; and in 1844 by a majority of 1,900 votes. He was elected a representative a third time in 1846, by a majority of 3,000 votes.

CHAPTER III.

Mr. Douglas' First Session in Congress—His Speech upon the Improvement by Congress of Western Rivers and Harbors—His Great Speech on the Bill to Refund General Jackson's Fine—General Jackson's Opinion of the Speech—Mr. Douglas Reëlected to Congress.

On taking his seat in Congress, Mr. Douglas did not at once rush into the debates of the House. He was perfectly informed concerning the interests of his constituents, over which he exercised a watchful care. But for the first session or two of Congress, he spoke rarely, and briefly; familiarizing himself, by study and observation, with the rules of debate, and the usages of parliamentary bodies. When he did rise to address the House, it was on some practical question; and his remarks were always forcible, and to the point.

IMPROVEMENT OF WESTERN RIVERS.

His first speech in Congress was upon the improvement of western lakes and harbors, delivered December 19, 1843. He had moved that so much of the President's message as referred to that subject, be referred to a select committee. He insisted upon a select committee, "because the question involved important interests requiring an accurate knowledge of the condition of the country, its navigable streams, and the obstructions to be removed. A thorough examination of subjects so various, extensive, and intricate

and requiring so much patient labor and toil, could not be expected from those who reside at a great distance. He desired a full, elaborate, and detailed report from those whose local positions would stimulate them. Let this be granted, and the friends of the measure would be content to leave its policy and propriety to the judgment of the House." While Mr. Douglas has never ceased to take a lively interest in river and harbor improvements and the protection of inland navigation, experience soon convinced him that the practice of appropriating from the federal treasury for such purposes had utterly failed to accomplish its object, and that a system of tonnage duties which he matured, and on several occasions has introduced into the Senate, should be substituted for Congressional appropriations. Since the system of tonnage duties has been elaborated in Congress, and is becoming understood by the public, the most enlightened friends of the navigating interests are becoming satisfied that the substitute proposed by Mr. Douglas would prove not only more economical, but more effective and beneficial in the accomplishment of their views.

In connection with this subject, it should be added, that Mr. Douglas was mainly instrumental in securing the passage of the law by which the maritime and admiralty jurisdiction of the federal courts was extended over the northern lakes.

SPEECH IN FAVOR OF REMITTING GEN. JACKSON'S FINE.

On the 7th of January, 1844, he delivered an eloquent speech on the bill to refund to Gen. Jackson, the fine unjustly imposed on him by Judge Hall, of New Orleans. From this speech we make the following extracts:

"I maintain," said Mr. Douglas, "that in the exercise of the power of proclaiming martial law, Gen. Jackson did not violate the Constitution, nor assume to himself any authority

not fully authorized and legalized by his position, his duty, and the necessity of the case. Gen. Jackson was the agent of the government, legally and constitutionally authorized to defend the city of New Orleans. It was his duty to do this at all hazards. It was then conceded, and is now conceded, that nothing but martial law would enable him to perform that duty. His power was commensurate with his duty, and he was authorized to use the means essential to its performance. This principle has been recognized and acted upon by all civilized nations, and is familiar to all who are conversant with military history. It does not imply the right to suspend the laws and civil tribunals at pleasure. The right grows out of the necessity. The principle is, that the commanding general may go as far, and no further than is absolutely necessary to the defence of the place committed to his protection. There are exigencies in the history of nations, when necessity becomes the paramount law, to which all other considerations must yield. If it becomes necessary to blow up a fort, it is right to do it. If it is necessary to sink a ship, it is right to sink it. If it is necessary to burn a city, it is right to burn it."

* * * * * * * * *

Mr. Douglas then gave a graphic description of the state of affairs at New Orleans in December, 1814, and January, 1815; concluding thus: "The enemy, composed of disciplined troops, four times as numerous as our own force, were in the immediate vicinity of the city, ready for the attack at any moment; the city, filled with traitors, anxious to surrender; spies transmitting information to the enemy's camp. The governor of the State, the judges, the public authorities, and all the chief citizens, earnestly entreated Gen. Jackson to declare martial law, as the only means of maintaining the safety of the city. Gen. Jackson promptly issued the order, and enforced it by the weight of his authority. The city

was saved. The country was defended by a succession of the most brilliant military achievements that ever adorned the annals of any country or any age. Martial law was continued no longer than the danger existed. Judge Hall himself had advised, urged, and solicited Gen. Jackson to declare it."

* * * * * * * * *

"The last of the high crimes and misdemeanors imputed to Gen. Jackson at New Orleans, is that of arresting Judge Hall, and sending him beyond the limits of the city, with instructions not to return till peace was restored. The justification of this act is found in the necessity which required the declaration of martial law, and its continuance and enforcement until the enemy should have left, or the treaty of peace be ratified. Judge Hall, who was by birth an Englishman, had confederated with Louallier's band of conspirators. Their movements were dangerous. Gen. Jackson took the responsibility, and sent the judge beyond the lines of his camp. Was this a contempt of court?"

* * * * * * * * *

"I envy not the feelings of the man who can calmly reason about the force of precedents in the fury of the war-cry, when 'booty and beauty' is the watchword. Talk not to me of 'forms, and rules of court' when the enemy's cannon are pointed at the door! The man who could philosophize at such times, would fiddle while the Capitol was burning. There was but one form necessary on that occasion, and that was, to point cannon and destroy the enemy."

* * * * * * * * *

"I grant that the bill is unprecedented: but I desire, on this day, to make a precedent that shall command the admiration of the world. Besides, sir, the government has repeatedly recognized and sanctioned the doctrine, that in cases of necessity, the commander is fully justified in super

seding the civil law; and that Congress will make remuneration, when the commander acted with the view of promoting the public interests. The people demand this measure, and they will never be satisfied till their wishes shall have been respected, and their will obeyed."

JACKSON'S OPINION OF THIS SPEECH.

The bill was passed, and the fine refunded. A year afterward, Mr. Douglas, in company with several other members of Congress, paid their respects to the venerable hero and patriot, at the Hermitage. When Mr. Douglas was introduced, the old general grasped him warmly by the hand, and requested him to step with him into a private room. There, in the presence of two other gentlemen now living, and from one of whom we have received this relation, the venerable soldier, in a voice trembling with emotion, thus addressed the young statesman: "Mr. Douglas, I read, with feelings of lively gratitude, your speech in Congress last winter, in favor of remitting the fine imposed on me by Judge Hall. I knew when I proclaimed and enforced martial law, that I was doing right. But never, until I had read your speech, could I have expressed the reasons which actuated my conduct. I knew that I was not violating the Constitution of my country. When my life is written, I wish that speech of yours to be inserted in it, as my reasons for proclaiming and enforcing martial law in New Orleans."

CHAPTER IV.

RE-ANNEXATION OF TEXAS.

Speech in Favor of the Re-Annexation of Texas—Mr. Douglas reports Joint Resolutions, declaring Texas to be one of the United States—Texas Annexed.

Mr. Douglas was among the earliest advocates of the annexation of Texas; on which subject he made an able speech on the 6th of January, 1845. In this speech he showed that the Texas question was not at that time a new one: that it did not originate with Mr. Tyler: that one of first acts of the administration of Gen. Jackson had been to re-open negotiations with Mexico for the annexation of Texas: that Mr. Van Buren, then secretary of state, had addressed a long dispatch to Mr. Poinsett, our minister to Mexico, instructing him to endeavor to secure Texas, and directing him to give $5,000,000 for it: that the attempt had been renewed by President Jackson in 1833, and again in 1835. He showed by the authority of John Quincy Adams, in his official letters, especially the one dated March 12, 1818, that the western boundary of Louisiana extended to the Rio del Norte: that the settlements made between the rivers Sabine and Rio del Norte, by La Salle, in 1685, under the authority of Louis XIV., king of France, together with those on the Mississippi and the Illinois, formed the basis of the original French colony of Louisiana, which was ceded to the United States in 1803; and quoted the language of Mr. Adams, "that the claim of the United

States to the boundary of the Rio Bravo del Norte was as clear as their right to the island of New Orleans."

He then went on to show that as the Rio del Norte was the western boundary of Louisiana, and Texas was included in the cession of 1803, all the inhabitants of that country were, by the terms of the treaty, naturalized, and became citizens of the United States; and all who migrated there between 1803 and 1819 went there under the shield of the Constitution and laws of the United States, and with the guaranty that they would be forever protected by them; and quoted from the treaty of cession as follows: "The inhabitants of the ceded territory shall be incorporated into the Union of the United States, and admitted as soon as possible, according to the principles of the Constitution, to the enjoyments of all the rights of the United States."

"To the fulfillment of these stipulations," said Mr. Douglas, "the sacred faith and honor of this nation were solemnly pledged. Yet, in violation of one of them, Texas was ceded to Spain by the treaty of 1819. The American Republic was severed by that treaty, a part of its territory joined to a foreign kingdom, and American citizens were transformed into the subjects of a foreign despotism. Texas did not assent to the separation; she protested against it promptly and solemnly. The protest and declaration of independence of Texas, in June, 1819, says, 'The recent treaty between Spain and the United States has dissipated an illusion, and has aroused the citizens of Texas. They see themselves abandoned to the dominion of Spain; but, spurning the fetters of colonial vassalage, they resolve, under the blessing of God, to be free and independent.'

"Most nobly have they maintained that righteous resolve; first, against the despotism of Spain, and then the tyranny of Mexico, until, on the plains of San Jacinto, victory established their independence and made them free."

Mr. Douglas proceeded to enumerate the advantages that would attend the annexation of Texas, and then went on to show that it must be done in accordance with the principles of the Constitution; proving the doctrine to have been sanctioned and settled, that foreign territory may be annexed, organized into territories and States, and admitted into the Union on an equal footing with the original States. In concluding his remarks upon this point, Mr. Douglas said, "The conclusion is irresistible that Congress, possessing the power to admit a State, has the right to pass a law of annexation. I do not say that territory cannot be acquired in any other way than by act of Congress. We may acquire it by conquest, or by treaty, or by discovery. We claim the Oregon Territory by virtue of the right of discovery and occupation. But if we wish to acquire Texas without making war or relying upon discovery, we must fall back upon the power to admit new States, and acquire the territory by act of Congress, as one of the necessary and indispensable means of executing that enumerated power. Our federal system is admirably adapted to the whole continent; and while I would not violate the laws of nations, nor treaty stipulations, nor in any manner tarnish the national honor, I would exert all legal and honorable means to drive Great Britain, and the last vestiges of royal authority, from the continent of North America, and extend the limits of the Republic from ocean to ocean. I would make this an ocean-bound republic, and have no more disputes about boundaries or red lines upon maps."

The treaty for the annexation of Texas having failed in the Senate, Mr. Douglas, among others, introduced joint resolutions in the House of Representatives for the annexation of Texas to the United States; and at the next session, being chairman of the Committee on Territories, reported the bill by which Texas was declared one of the States

CHAPTER V.

WAR WITH MEXICO.

Speech in Vindication of the Administration—Mr. Douglas elected to Congress a third time.

Mr. Douglas vigorously supported the administration of President Polk, in the measures it adopted for the prosecution of the war against Mexico; and on the 13th of May, 1846, made a long and able speech in favor of the bill making appropriations for the support of the army. The object of this speech was to vindicate our government, and to demonstrate that it had not been in the wrong, in the origin and progress of the war. It will be remembered that the war was denounced by the Whig party as unholy and damnable, and the government of the United States was vilified and traduced without measure, for taking the only course that could be taken, in order to preserve the national honor. Henry Clay, the great leader of the Whigs, did not, indeed, join in this shameful cry. His eldest son, Henry Clay, jr., fought gallantly in the war, and fell at Buena Vista: and the old patriot was not one of those who gave aid and comfort to the enemy. But Thomas Corwin, and others like him, declared in Congress that while the President could command the army, they thanked heaven that *they* could command the purse, and that he should have no funds to prosecute this war; and called upon the Mexicans to welcome the soldiers

of the American army, with "bloody hands and hospitable graves!"

In reply to this, Mr. Douglas presented a mass of evidence from official documents, showing that for years past we had had ample cause for war against Mexico, and quoting the declaration of President Jackson's last special message, that the wanton character of the outrages upon the persons and property of our citizens, upon the officers and flag of the United States, independent of recent insults to this government and people, would justify in the eyes of nations, immediate war.

MEXICAN OUTRAGES.

"Aside from the insults to our flag," said Mr. Douglas, "the indignity to the nation, and the injury to our commerce, not less than ten millions of dollars are due to our citizens, for these outrages which Mexico has committed within the last fifteen years. The Committee on Foreign Relations of the U. S. Senate, said in their report in 1837, that they might 'with justice recommend an immediate resort to war or reprisals;' and the House Committee, at the same session, reported that 'the merchant vessels of the United States have been fired into, and our citizens put to death.' It should be borne in mind that all those insults and injuries were committed before the annexation of Texas—before the proposition of annexation was ever seriously entertained by this government. For offences much less aggravated, France made her demand for reparation, and proclaimed her ultimatum from the deck of a man-of-war off Vera Cruz. Redress being denied, the French fleet opened their batteries on the Castle of San Juan de Ulloa, compelled the fortress to surrender, and the Mexican government to accede to their demands, and to pay $200,000 in addition, to defray the expenses of enforcing the payment of the claim. Our wrongs are ten

fold greater than those of France, in number and enormity; yet her complaints have been heard in tones of thunder from the mouths of her cannon.

"When the question of annexation was recently agitated, Mexico gave notice to this government that she would regard the consummation of the measure as a declaration of war. She made the passage of the resolution of annexation the pretext for dissolving the diplomatic relations between the two countries."

HOUSTON'S TREATY WITH SANTA ANNA.

Mr. Douglas then briefly related the facts relative to Mr. Slidell's appointment as minister to Mexico, the contemptuous reception that he met with there, and his final rejection by the government of Paredes; and also gave a brief sketch of the early military operations on both sides. By references to the documentary archives of the government, he proved that the Rio Grande was the western boundary of Texas, and cited the fact that immediately after the battle of San Jacinto, Santa Anna proposed to General Sam Houston, commander of the Texan army, to make a treaty of peace by which Mexico would recognize the independence of Texas with the Rio del Norte as the boundary, and that such a treaty was made, in which the independence of Texas was acknowledged by the government *de facto* of Mexico, and the Rio del Norte recognized as the boundary. He showed that according to the well-established principles of international law, the acts of the government *de facto* are binding on that nation in respect to foreign states: and concluded by a defence of the course pursued by President Polk, in ordering General Taylor to occupy with his forces territory that was as much ours as Florida or Massachusetts.

Mr. Douglas was prominent among those who, in the Oregon controversy with Great Britain, maintained that our

title to the whole of Oregon was clear and unquestionable. He declared in the House of Representatives, that he would never, now or hereafter, yield up one inch of Oregon, either to Great Britain or to any other foreign government. He advocated the policy of giving notice to Great Britain to terminate the joint occupation; of establishing a territorial government over Oregon, protected by a sufficient military force; and of putting the country at once into a state of preparation, so that if war should result from the assertion of our just rights, we might drive Great Britain and the last vestige of royal authority from the continent of North America.

CHAPTER VI.

THE WAR WITH MEXICO: 1847–1848.

Mr. Douglas Elected to the United States Senate—He opposes the Wilmot Proviso—Speech on the Ten Regiment Bill—Bill for the Establishment of the Territory of Nebraska—Pass to Gen. Santa Anna—Exertions of Mr. Douglas in procuring Grants of Land to the Illinois Central Railroad—He endeavors to extend the Missouri Compromise Line to the Pacific Ocean—The Design defeated by Northern Votes—Bill for the Admission of California—Indian Titles in the Northwest—Protection to Emigrants.

THE WILMOT PROVISO.

Mr. Douglas had been reëlected to Congress in 1846; but before Congress met, the legislature of the State of Illinois elected him a senator for six years from the 4th of March, 1847.

So far as the question of slavery was involved in the organization of territories and the admission of new States, Mr. Douglas early took the position that Congress ought not to interfere on either side; but that the people of each Territory and State should be allowed to form and regulate their domestic institutions in their own way. In accordance with this principle, he opposed the Wilmot Proviso whenever it was brought up.

SPEECH ON THE TEN REGIMENT BILL.

On the 30th of January, 1848, Mr. Douglas made a speech in the Senate on the Ten Regiment Bill, which provided for the

raising, for a limited time, of an additional military force. In this speech, Mr. Douglas alluded to the fact that the war with Mexico had been in progress nearly two years. The campaign of 1846 had resulted in the most brilliant victories that ever adorned the annals of any nation. The States of California, New Mexico, Chihuahua, New Leon, and Tamaulipas, besides many towns and cities in other Mexican States, had been one after another reduced to our possession. After a defence of President Polk from the charge of changing his grounds in regard to the causes of the war and the objects of prosecuting it, he showed that the war was not one of conquest, but of self-defence forced on us by Mexico; and that the declaration of the President, that the first blood of the war was "American blood shed upon American soil," was the simple truth. "That in order to compel Mexico to do us justice, it was necessary to follow her armies into her territory, to take possession of State after State, and hold them until she would yield to our reasonable demands. Indemnity for the past, and security for the future, was the motive of the war." When Mr. Douglas rose to make this speech, his desk was piled with original Mexican documents, all official, from which he proved that the Rio Grande always was the western boundary of Texas. After first defeating the Mexicans, the Texans on the 2d of November, 1836, adopted a declaration of independence, and on 17th published their constitution. In both of these documents, the Rio Grande was stated as the boundary. After the memorable victory of San Jacinto, on the 21st of April following, a treaty was made and ratified May 12th, between Santa Anna on the part of the Mexican government, and Gen. Houston on the part of Texas, which prescribed the boundary of Texas, the Rio Grande being the western line.

Mr. Douglas then proceeded to show that the war had been commenced by the act of Mexico, and cited the official

instructions from President Paredes to the Mexican general commanding on the right bank of the Rio Grande, in which he says, April, 18, 1846, "It is indispensable that hostilities be commenced, yourself taking the initiative against the enemy." In closing this speech, Mr. Douglas paid a glowing tribute to the volunteers who had so gallantly rushed to the standard of their country, and especially to the 7,000 volunteers from Illinois.

PASS TO SANTA ANNA.

Gen. Santa Anna had been an exile from his country when the Mexican War began; and, desiring to return to Mexico, he was permitted to pass through our squadron. This was done in pursuance of orders from the War Department to the commander of our fleet in the Gulf of Mexico. The Government was violently assailed for having permitted this; Mr. Clayton of Delaware having charged the President, by giving this pass to Santa Anna, with being guilty of a blunder worse than a crime. On the 17th of March, Mr. Douglas, in a brief, but comprehensive speech, defended the policy of the administration in this matter, and showed that the admission of Santa Anna, so far from being a blunder, was a wise and politic measure. The results of the war proved that he was right, and that Mr. Clayton was mistaken.

ILLINOIS CENTRAL RAILROAD.

The bill granting to the State of Illinois the right of way through the lands of the United States, which had been originally introduced into the Senate by Mr. Douglas, April 10, 1848, was passed on the 31st of May: the measure owing its success mainly to his exertions. The object of the bill was to construct a railroad connecting Chicago and the

great lakes of the North, with the Mississippi River at Cairo. The road was built, and it has proved to be of incalculable benefit, not only to the State of Illinois, but to the whole country.

In the debate on the bill, Mr. Douglas explained that the proposed road was to be the entire length of the State from north to south, not far from 400 miles. The bill proposed to grant the land in alternate sections, increasing the price of the other sections to double the minimum price. It was following the same system that had been adopted in reference to improvements of a similar character in Ohio, Indiana, Alabama, Iowa, and Wisconsin, by which principle each alternate section of land was ceded, and the price of the alternate sections not ceded was doubled, so that the same price is received for the whole. These lands had been in the market about twenty-three years; but they would not sell at the usual price of $1 25 per acre, because they were distant from any navigable stream. A railroad would make the lands salable at double the usual price. The road was begun by the State of Illinois in 1836, and about a million of dollars were expended upon it by the State. With the exception of the county at the northern end of the road, more than one-half of the whole of the lands along the line were then vacant; in most of the counties, it was so. Around the towns the land was all taken up and cultivated, but there were large prairies where the land was in all its original wildness.

ITS BENEFIT TO ILLINOIS.

It must be remembered that this was twelve years ago. Illinois twelve years ago was very different from the Illinois of to-day. There was then not a single mile of railroad in the State; and the greater part of the line of the proposed railroad passed for miles and miles without coming in sight

of a house, or any other indication of civilized life. What a contrast now! The proposed road built, known even in Europe as one of the most prosperous in America; other railroads crossing it in all directions; the reserved alternate sections of land nearly all sold, at prices ranging from two dollars and a half to seven and a quarter per acre, thus yielding to the government a much larger sum for one half than was before asked for the whole; the whole of the soil of Illinois, acknowledged to be the richest in the world, redeemed from its primitive wildness, blooming and blossoming like a garden, and teeming with abundant harvests; a market brought to every farmer's door; and this prosperity owing its origin and material progress to the exertions of Mr. Douglas in securing the passage of this bill.

It is but an act of simple justice to those illustrious states men to add, that John C. Calhoun, Henry Clay, Danie Webster, Thomas H. Benton, and Lewis Cass, seconded the efforts of Mr. Douglas by able and eloquent speeches in favor of this great measure.

MISSOURI COMPROMISE REPUDIATED.

In August, 1848, Mr. Douglas offered an amendment to the Oregon Bill, extending the Missouri Compromise line to the Pacific Ocean, in the same sense and with the same understanding with which it was originally adopted in 1820, and extended through Texas in 1845. The amendment was adopted in the Senate, but was rejected in the House of Representatives by northern votes.

It is important to mark well this fact. The first time that the principles of the Missouri Compromise were even abandoned, the first time they were ever rejected by Congress, was by the defeat of that provision in the House of Representatives, in 1848. That defeat was effected by northern

votes with Freesoil proclivities. It was that defeat which reopened the slavery agitation in all its fury, and caused the tremendous struggle of 1850. It was that defeat which created the necessity for making a new compromise in 1850. Who caused that defeat? Who was faithless to the principles of the compromise of 1820? It was the very men who in 1854, insisted that the Missouri Compromise was a solemn compact that ought never to be violated. The very men who, in 1854, arraigned Mr. Douglas for a departure from the Missouri Compromise, were the men who successfully violated it, repudiated it, and caused it to be superseded.

CALIFORNIA, INDIAN TITLES, ETC.

By the time the next session of Congress assembled, California had been settled by an enterprising people, whose numbers entitled them to admission into the Union as a State. A bill "for the admission of California as a State into the Union," was introduced by Mr. Douglas on the 29th of January, 1849; but was not acted on till long afterward.

On the 18th of December, 1849, Mr. Douglas was reëlected chairman of the Senate Committee on Territories, by 33 out of 40 votes; a position to which he was constantly thereafter reëlected, until December, 1858.

The tribes of Indians which had, until a few years before, occupied the lands in Minnesota, Oregon, California, and New Mexico, had never been fully divested of their title to the same; and their constant presence there, and their depredations on the settlers, were very annoying; so much so that the settlement of those new Territories was much impeded. In order to remove the cause of all the trouble at once, Mr. Douglas, on the 7th of January, 1850, offered a resolution providing for the complete extinguishment of the Indian

title in the Territories above named. The resolution was debated at some length, but it was adopted; and the measures proposed have been faithfully carried out. Ample provision was made for treating the Indians with fairness and justice: and while their rights have been respected, and their comforts secured, the vast regions which they occupied have been secured for all time to come for the abodes of civilized men; and for the spread of those great fundamental principles on which our national prosperity rests.

At the time that Mr. Douglas introduced his resolution, however, the emigrants to those Territories, and especially to those of Oregon and California, were annoyed and attacked to such an extent, by roving bands of Indians, that it was considered positively unsafe for emigrants to go any further west than the Missouri River. It was clearly the duty of the Government to afford protection to its citizens on its own soil; and accordingly, on the 31st of January, Mr. Douglas offered a resolution, instructing the committee on military affairs to inquire into the expediency of providing, on the usual emigrant line from the Missouri River to the South Pass of the Rocky Mountains, a sufficient movable military force to protect all emigrants to Oregon and California.

To the legislation growing out of this resolution, many hundreds of families now living in comfort and even in affluence in the smiling villages of Oregon, California, and Minnesota, are indebted, not only for their safety, but their very lives. The instances of emigrant trains saved from the attack and spoliation of the savages, by our gallant troops on the frontier, from 1851 to 1857, are numerous and well authenticated. The settlers in those new countries owe a debt of gratitude to Mr. Douglas which they will not soon forget.

CHAPTER VII.

COMPROMISE OF 1850.

Mr. Douglas supports the Compromise Measures of Henry Clay—Great Speech on the 13th and 14th of March—Speech in favor of the Omnibus Bill, June 3—The Nicholson Letter of General Cass—Mr. Douglas returns to Chicago—He is Denounced by the Local Authorities—He beards the Lions in their Den—Speech to the Citizens of Chicago—Its Effect.

When the Compromise measures of Mr. Clay were brought forward in 1850, Mr. Douglas supported them with zeal and vigor. On the 13th and 14th of March, he delivered a speech on the general territorial questions, which has scarcely been surpassed by any of his subsequent efforts. It was by far the ablest speech that had ever been delivered in the Senate by any western man. It was in this speech that Judge Douglas first enunciated the doctrine of which he has ever since been the most distinguished advocate, that it is the true Democratic principle in reference to the Territories, that each one shall be left to regulate its own local and domestic affairs in its own way.

In the beginning of this great speech, Senator Douglas showed that all the acts of the Tyler administration in reference to the annexation of Texas (including the proposed treaty with Mexico for that object, and the correspondence between our secretary of state on the one part, and Mr. King, minister to France and Mr. Murphy, chargé d'affaires

in the republic of Texas, on the other part), had been indignantly and contemptuously rejected by the Senate; and that this had been done in order to repudiate and rebuke the administration of Mr Tyler, and in order that the Democratic party might come to the support of the annexation of Texas as they did come, and consummated the annexation upon broad, national grounds, elevated far above and totally disconnected from the question of slavery.

ORDINANCE OF 1787 HAD NO EFFECT ON SLAVERY.

A distinguished southern senator having said that the South had been deprived of its due share of the territories, Mr. Douglas responded, "What share *had* the South in the territories? or the North? I answer, none at all. The territories belong to the United States as one people, and are to be disposed of for the common benefit of all, according to the principles of the Constitution. No geographical section of the Union is entitled to any share of the territories. What becomes of the complaint of the senator, that the Ordinance of 1787 excluded the South entirely from that vast fertile region between the Ohio and the Mississippi? That ordinance was a dead letter. It did not make the country to which it applied, free from slavery. The States formed out of the territory northwest of the Ohio, did not become free by virtue of the Ordinance, nor in consequence of it. Those States became free by virtue of their own will, recorded in the fundamental laws of their own making. That is the source of their freedom. In all republican states, laws and ordinances are mere nullities, unless sustained by the hearts and intellects of the people for whom they are made, and by whom they are to be executed.

SLAVES IN ILLINCIS.

"The Ordinance of 1787 did the South no harm, and the North no good. Illinois, for instance, was a slave territory. Even in 1840, there were 331 slaves in Illinois. How came these slaves in Illinois? They were taken there under the Ordinance, and in defiance of it. The people of Illinois, while it was a territory, were mostly emigrants from the slaveholding States. But when their convention assembled at Kaskaskia in 1818, to form the constitution of the State of Illinois, although it was composed of slaveholders, yet they had become satisfied, from experience, that the climate and productions of Illinois were unfavorable to slave labor. They accordingly made provision for a gradual system of emancipation, by which the State should become eventually free. These facts show that the Ordinance had no practical effect upon slavery. Slavery existed under the Ordinance; and since the Ordinance has been suspended by the State governments, slavery has gradually disappeared under the operation of laws adopted and executed by the people themselves. A law passed by the national legislature to operate locally upon a people not represented, will always remain a dead letter, if it be in opposition to the wishes and interests of those who are to be affected by it.

"In regard to the effects of the Missouri Compromise on the question of slavery, I do not think that it had any practical effect on that question, one way or another: it neither curtailed nor extended slavery one inch."

A GLANCE AT THE FUTURE.

"We recognize the right of the South, in common with our right, to emigrate to the Territories with their property,

and there hold and enjoy it in subordination to the laws in force there. The senator from South Carolina desires such an amendment to the Constitution as shall stipulate that in all time to come, there shall be as many slaveholding States in the Union as there are States without slaves. The adoption and execution of such a provision would be an impossibility. We have a vast territory which is filling up with an industrious and enterprising population, large enough to form seventeen new States, one-half of which we may expect to see represented in this body during our day. Of these, four will be formed out of Oregon, five out of our late acquisition from Mexico, including the present State of California, and two out of Minnesota. Each of these will be free Territories and free States, whether Congress shall prohibit slavery in them or not. Where are you to find the slave territory with which to balance these seventeen free Territories? In Texas? If Texas should be divided into five States, at least three of them will in all probability be free."

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ADMISSION OF CALIFORNIA.

Mr. Douglas then proceeded to advocate, at great length, the immediate admission of the State of California under her constitution; and concluded his speech by declaring that "this nation owes to the venerable senator from Kentucky (Mr. Clay) a debt of gratitude for his services to the Union on this occasion. The purity of his motives cannot be doubted. He has set the ball in motion which is to restore peace and harmony to the Union."

THE OMNIBUS BILL.

On the 3d of June, 1850, Mr. Douglas spoke in favor of the Omnibus Bill, and in the course of his remarks said: "In

respect to African slavery, the position that I have ever taken has been, that this, and all other questions relating to the domestic affairs and domestic policy of the Territories, ought to be left to the decision of the people themselves. I would therefore have much preferred that the bill should have remained as it was reported from the Committee on Territories, with no provision on the subject of slavery; and I do hope that that clause in the bill will be stricken out. It ought not to be there, because it is a violation of principle I do not see how we who have argued in favor of the right of the people to legislate for themselves on this question, can support such a provision without abandoning all the arguments which we urged in the Presidential campaign of 1848, and the principles set forth by the senator from Michigan in the Nicholson letter.

"And, sir, is an institution to be fixed upon a people in opposition to their unanimous opinion? I, for one, think that such ought not to be the case. I desire no provision whatever in respect to slavery in the Territories. I wish to leave the people of the Territories free to enact such laws as they please. But on this one point, I am not left to follow my own judgment, nor my own desire. I am to express the will of my constituents. My vote will be in accordance with their instructions."

We give, in a subsequent part of this work, the Nicholson letter referred to by Mr. Douglas, and commend it to the perusal of our readers. It will amply repay the time thus spent.

On the 6th of June, and also on the 26th, Mr. Douglas addressed the Senate in support of the Compromise measures.

ABOLITIONISM IN CHICAGO.

The Compromise measures of 1850 having been adopted by Congress, and that body having adjourned, Mr. Douglas

proceeded to Chicago, where he had recently purchased property, with a view of making that city his permanent residence. It is a well known fact that Chicago has always been the hot-bed of abolitionism, and a prominent station on the Underground Railroad. There are many men there who have never bowed the knee to the Baal of fanaticism and treason, but the majority of the people have always been abolitionists. These restless beings had been violently opposed to the Compromise measures, and they raised a storm of execration and abuse against Mr. Douglas, because he had been prominent in procuring their adoption. The excitement was fierce and terrific. A venal press, and pulpits disgraced by crazy fanatics, joined in the work of misrepresentation, abuse, and denunciation. The city council met, and passed resolutions denouncing the Compromise and Fugitive Slave Law as violations of the law of God and the Constitution of the United States; enjoined the city police to disregard the law, and called upon the citizens not to obey it. On the next evening a meeting was held, composed of twenty-five hundred citizens, and in that meeting, in the midst of terrific applause, it was determined to defy "death, the dungeon, and the grave," in resistance to the execution of the law. Mr. Douglas was then in Chicago: he knew that this meeting was to take place; and he knew, from the character of the men who composed it, what the nature of the resolutions would be. He walked into the meeting, and from the stand gave notice that on the next evening he would appear there and defend every measure of the Compromise, and especially the Fugitive Slave Law, from every objection: and he called upon the entire people of the city to come and hear him. The announcement was made in the midst of profound silence, but was immediately followed by a storm of groans and hisses. Mr. Douglas, however, calmly stood his ground till the noise subsided, and then, addressing those who had

hissed and groaned, told them that he was right and they were wrong, and that if they would come and hear him he would prove it to them.

MR. DOUGLAS SPEAKS IN CHICAGO.

On the next evening, in the presence of 4,000 people, with the city council and abolitionists in front of the stand, which was surrounded in the rear by a large body of armed negroes, including many fugitive slaves, Mr. Douglas made a speech in which he vindicated the Compromise measures and the Fugitive Slave Law, and proved that the latter was both necessary and constitutional; and he answered every objection that had been urged against them. The objections relating to the right of trial by jury, to the writ of habeas corpus, to records from other States, to the fees of the commissioners, to the pains and penalties, to the "higher law"—every objection which the ingenuity and fanaticism of abolitionism could invent, was brought up by different persons in the meeting, and fully and conclusively answered by Mr. Douglas. What was the effect of that speech upon that meeting, comprising three-fourths of all the legal voters of the city of Chicago? The people composing that meeting, a majority of whom had, the night previously, pledged themselves to open and violent resistance to the law, after the conclusion of the speech of Mr. Douglas, unanimously adopted a series of resolutions in favor of sustaining and carrying into effect every provision of the Constitution and laws in respect to the surrender of fugitive slaves. The resolutions were written, and submitted to the meeting by Mr. Douglas, and cover the entire ground. The city council having nullified the law and denounced Mr. Douglas as a traitor, the Hon. Buckner S. Morris offered the following resolution, which was also adopted: "*Resolved*, That we, the people of Chicago, repudiate the resolutions

recently passed by the Common Council of Chicago upon the subject of the Fugitive Slave Law."

EFFECT OF THE SPEECH.

On the following evening, the city council met again, and repealed their nullifying resolutions by a vote of twelve to one.

This speech of Mr. Douglas was the first one ever made in a free State in defence of the Fugitive Slave Law, and that Chicago meeting was the first public assemblage in any free State that determined to support and sustain it. In the very nest of rebellion and treason, the rebels and traitors received their first check: the fanatical spirit was rebuked, and the supremacy of the Constitution and laws asserted and maintained. Such is the power of eloquence and the force of truth, even in modern times.

In the Appendix to this work, will be found the two documents referred to by Senator Douglas in his speech of the 13th and 14th of March, 1850; namely, the official dispatch of John C. Calhoun, secretary of state under John Tyler, to the Hon. Wm. R. King, our ambassador to Paris: and the Nicholson letter of Gen. Cass. The former is valuable as a part of the history of the Tyler administration, and as showing their views on the subject of the annexation of Texas. It is a rare document, and as curious as any State paper in the history of the country.

CHAPTER VIII.

1851–1854.

Speech in favor of making Gen. Winfield Scott a Lieutenant-General—Speech on the Fugitive Slave Law—Speech on the Foreign Policy of the United States—Retrospective View of the Course of Mr. Douglas in Congress up to this Time (1852)—Mr. Douglas the real Author of the Compromise Measures of 1850—Bill for the Organization of the Territories of Kansas and Nebraska—Mr. Douglas opposes the Oregon Treaty with England—Opposes the Peace Treaty with Mexico—Speech on the Clayton and Bulwer Treaty—Report on the Organization of Nebraska and Kansas—The Nebraska Bill—Debate on it—The bill passed.

On the 12th of February, 1851, Mr. Douglas spoke in favor of conferring the rank of Lieutenant-General on General Winfield Scott. In the course of his remarks, he said, "I would have preferred, however, to have seen this proposition put in a shape which would have been more consistent with the organization of the army, with reference to what may occur in the future. I think that the highest grade in the army of the United States should be always vacant in time of peace, to be filled when war should occur, by a commission to expire at the end of the war. I think that when a war occurs, the President of the United States should be at liberty to look through the whole line of the army, and through the whole line of the citizen soldiery, to select a commander-in-chief to conduct that war. I would, therefore, like to see the office of lieutenant-general created, to be

filled when a war arises, and to become vacant at its termination."

SPEECH ON THE FUGITIVE SLAVE LAW.

On the 22d, in the debate on the execution of the Fugitive Slave Law, shortly after the riot at Boston, Mr. Douglas said: "The laws of Illinois have always discouraged negroes from coming there. In regard to runaway slaves coming into the State, we have a law imposing penalties at the discretion of the court, upon any citizen of Illinois who would harbor a runaway slave. It has been my fortune, in the course of my brief judicial experience, to impose severe penalties upon citizens of Illinois for a violation of that law: it remains upon the statute book at this day. The senator from Ohio looks upon this matter of the rescue of a fugitive at Boston, as a trivial transaction. I do not. It is well known that there is a systematic organization in many of the free States of this Union, for the purpose of evading the obligations of the Constitution, and to prevent the enforcement of the laws of the United States in relation to fugitive slaves. It has, at its head, men of daring and of desperate purpose; and the opposition to the Fugitive Slave Law is a combined and concerted action. It is in the nature of a conspiracy against the government. I say, therefore, that these conspirators, be they in Boston or in Illinois, are responsible for all that any of their number may do in resistance to this law. Sir, I hold white men now in my sight responsible for the violation of the law at Boston. It was done under their advice, under their teaching, under the influence of their speeches. The negroes in the free States have been armed by the abolitionists during the last six months, for the express purpose of violating the Fugitive Slave Law. I have stood in a meeting of 2,000 men, and heard white men tell the negroes to kill the first white

man who attempted to execute this law. I have seen the weapons that have been prepared by white abolitionists, to enable the negroes to resist. I trust the penalty will fall upon the white abolitionists."

On the 26th of August, 1852, Mr. Sumner, of Massachusetts, made a most violent speech against the Fugitive Slave Law, and in favor of its repeal.

Mr. Douglas said in reply: "The arguments against the Fugitive Slave Law, are arguments against the Constitution of our country. Gentlemen should pass over the law, and make their assaults directly upon the Constitution of the United States, in obedience to which the law was passed. Let them proclaim to the world that they feel bound to make violent resistance to the Constitution which our fathers have transmitted to us. The Constitution provides that no man shall be a senator unless he takes an oath to support the Constitution. And when he takes that oath, I do not understand that he has a right to have a mental reservation, or entertain any mental equivocation that he excepts that clause which relates to the surrender of fugitives. I know not how a man reconciles it to his conscience to take that oath to support the Constitution, when he believes that Constitution is in violation of the law of God. A man who thus believes, and yet takes the oath, commits perjury before God for the sake of the temporary honors of a seat on this floor."

KOSSUTH.

On the 11th December, 1851, when the resolution giving a national welcome to Louis Kossuth, of Hungary, was pending before the Senate, Mr. Douglas said: "I regret that this resolution has been introduced, not because I do not cordially sympathize in the proposed reception, but because it cannot pass unanimously. Its discussion and a divided vote deprive

it of its chief merit. I do not deem it material whether the reception of Gov. Kossuth will give offence to the crowned heads of Europe, provided it does not violate the laws of nations, and give just *cause* of offence. The question with me is, whether the passage of this resolution gives just cause of offence according to the laws of nations. I would take no step which would violate the law of nations, or give just cause of offence to any power on earth. Nor do I think that a cordial welcome to Gov. Kossuth can be properly construed into such cause of offence. Shall it be said that democratic America is not to be permitted to grant a hearty welcome to an exile who has become the representative of liberal principles throughout the world, lest despotic Austria and Russia shall be offended? I think that the bearing of this country should be such as to demonstrate to all mankind that America sympathizes with the popular movement against despotism. The principle laid down by Gov. Kossuth as the basis of his action, that each state has a right to dispose of her own destiny, and regulate her internal affairs in her own way, is an axiom in the laws of nations which every state ought to recognize and respect. The armed intervention of Russia to deprive Hungary of her constitutional rights, was such a violation of the laws of nations as authorized England or the United States to interfere and prevent the consummation of the deed. To say in advance that the United States will not interfere in vindication of the laws of nations, is to give our consent that Russia may interfere to destroy the liberties of an independent nation. I will make no such declaration. On the other hand, I will not advise the declaration in advance that we *will* interfere. Something has been said about our alliance with England. I desire no alliance with England."

RETROSPECTIVE VIEW.

Let us now take a brief retrospective view of the Congressional life of Mr. Douglas, up to this time. The first important vote he ever gave in the House of Representatives was in favor of excluding abolition petitions, and his vote stands so recorded. His action, ever since he has been a member of the Senate, has been governed by the same principle. Whenever the slavery agitation has been forced upon Congress, he has met it fairly, directly and fearlessly, and endeavored to apply the proper remedy. When the stormy agitation arose in connection with the annexation of Texas, he originated and first brought forward the Missouri Compromise as applicable to that territory, and had the gratification to see it incorporated in the bill which annexed Texas to the United States. He did not deem this a matter of much moment as applicable to Texas alone; but he did conceive it to be of vast importance in view of the probable acquisition of New Mexico and California. His preference for the Missouri Compromise was predicated on the assumption that the whole people of the United States would be more easily reconciled to that measure than to any other mode of adjustment; and this assumption rested upon the fact that the Missouri Compromise had been the means of an amicable settlement of a fearful controversy in 1821, which had been acquiesced in cheerfully by the people for more than a quarter of a century, and which all parties and sections of the Union respected and cherished as a fair, just and honorable adjustment.

COURSE OF MR. DOUGLAS IN CONGRESS.

Mr. Douglas could see no reason for the application of the Missouri line to all the territory owned by the United States

in 1821, that would not apply with equal force to its extension to the Rio Grande, and also to the Pacific, as soon as we should acquire the country. In accordance with these views, he brought forward the Missouri Compromise at the session of 1845 as applicable to Texas, and had the satisfaction to see it adopted. Subsequently, after the war with Mexico had commenced, and when, in August, 1846, Mr. Wilmot first introduced his proviso, Mr. Douglas proposed to extend the Missouri Compromise to the Pacific, as a substitute for the Wilmot Proviso. The Wilmot Proviso not only designed to prohibit slavery in the territories while they remained territories, but proposed to insert a stipulation in the treaty with Mexico, pledging the faith of the nation that slavery should never exist in the country acquired, either while it remained a territory, or after it should have been admitted into the Union as States. Mr. Douglas denounced this proviso as being unwise, improper, and unconstitutional: he never voted for it, and more than once declared that he never would vote for it. When California and New Mexico had been acquired without any condition or stipulation in respect to slavery, the Wilmot Proviso was disposed of for ever.

At the time that the question began to be discussed, what kind of territorial governments should be established for those countries, a severe domestic affliction called Mr. Douglas from Washington, and detained him several weeks. On his return to the Senate he supported the Clayton bill, which passed the Senate, but was defeated in the House of Representatives. Mr. Douglas then brought forward his original proposition, to extend the Missouri Compromise to the Pacific, in the same sense and with the same understanding with which it was originally adopted. This proposition passed the Senate by a large majority, but was rejected, as we have seen, by the House of Representatives. Mr. Doug

las then conceived the idea of a bill to admit California as a State, leaving the people to form a constitution, and to settle the question of slavery afterward to suit themselves. This bill was introduced by Mr. Douglas with the sanction of President Polk. It recognized the right of the people of California to determine all questions relating to their domestic concerns in their own way; but the Senate refused to pass the bill. All this took place before the Compromise measures of Mr. Clay were brought forward. During the period of five years that Mr. Douglas had been laboring for the adoption of the Missouri Compromise, his votes on the Oregon question, and upon all questions touching slavery, were given with reference to a settlement on that basis, and were consistent with it.

MR. DOUGLAS THE AUTHOR OF THE COMPROMISE OF 1850.

When Congress met, in December, 1849, Mr. Douglas was again placed by the Senate at the head of the Committee on Territories, and it became his duty to prepare and submit some plan for the settlement of those momentous questions, the agitation of which had convulsed the whole nation. Early in December, within the first two or three weeks of the session, he wrote and laid before the Committee on Territories, for their examination, two bills: one for the admission of California into the Union, and the other containing three distinct measures; first, for the establishment of a territorial government for Utah; second, for the establishment of a territorial government for New Mexico; and third, for the settlement of the Texas boundary. These bills remained before the Committee on Territories from the month of December, 1849, to the 25th of March, 1850. On that day Mr. Douglas reported the bills, and they were, on his motion, ordered to be printed. These

printed bills having laid on the tables of all the senators for four weeks, the Senate appointed a committee of thirteen, Henry Clay, of Kentucky, chairman. That committee took the two printed bills of Mr. Douglas, pasted them together, and reported them to the Senate as one bill, which was thenceforth known as the Omnibus Bill. Mr. Douglas made this statement to the Senate on the 23d of December, 1851, while the original Omnibus Bill was yet upon the clerk's table. The Committee of Thirteen had drawn a black line through the words, "*Mr. Douglas, from the Committee on Territories*," and in place of them, interlined these other words, "*Mr. Clay, from the Committee of Thirteen*, reported the following bill."

The report of the committee will be found in a subsequent part of this work.

Mr. Douglas supported the Omnibus Bill as a joint measure; but the Senate refused to pass the measures together. Each one, however, was passed separately; and each one was supported by Mr. Douglas. Well might Mr. Polk remark in the House of Representatives, in April, 1852, after speaking of the eminent services of Mr. Douglas: "History will cherish the record of such fearless and faithful service, and administer the proper rebuke to those who from malice or envy may seek to detract from his fair fame."

We give the material features of these bills as they were passed, as a part of the history of the times, in the Appendix.

THE RIGHT OF INSTRUCTION.

On the 23d of December, 1851, Mr. Douglas made a speech in the Senate, on the resolutions declaring the Compromise measures of 1850 to be a definitive and final settlement of all the questions growing out of the subject of

domestic slavery, in the course of which he took a brief review of the votes he had given since the introduction of the Compromise measures, and showed that he had supported them all. In this speech he said:

Mr. President: I claim no merit for having originated and proposed the measures contained in the Omnibus Bill. There was no remarkable feature about them. They were merely ordinary measures of legislation, well adapted to the circumstances, and their merit consisted in the fact that separately they could and did pass both Houses of Congress. Being responsible for these bills, as they came from the hands of the Committee on Territories, I wish to call attention to the fact that they contained no prohibition of slavery—no provision upon the subject. And now I come to the point which explains my object in stating my votes. The legislature of Illinois had passed a resolution instructing me to vote for a bill for the government of the territory acquired from Mexico, which should contain an express prohibition of slavery in that territory while it remained as territories, leaving the people to do as they pleased when they became a State. The instruction was designed in order to compel me to resign my seat and give place to a Freesoiler. The legislature knew my inflexible opposition to the principles asserted in the instructions, and wished me to give place to a Freesoiler, who would come here and carry out abolition doctrines. Notwithstanding these instructions, I wrote the bills and reported them from the Committee on Territories without the prohibition, in order that the record might show what my opinions were; but, lest the trick against me might fail, a Freesoil senator offered an amendment in the language of my instructions. I knew that the amendment could not prevail, even if the vote of Illinois was recorded in its favor. But if I resigned my place to an abolitionist, it was almost certain that the bills would fail on their passage. I came to the conclusion that duty required me to retain my seat. I was prepared to fight and defy abolitionism in all its forms, but I was not willing to repudiate the settled doctrine of my State, in regard to the right of instruction. Before the vote was taken, I defined my position. I denounced the doctrine of the amendment, declared my unalterable opposition to it, and gave notice that any vote which might be recorded in my name seemingly in its favor, would be the vote of those who gave the instructions, and not my own. Under this protest, I recorded a vote for this and two other amendments embracing the same principle, and then renewed my protest against them, and gave notice that I should not hold myself responsible for them. Immediately on my return

home, and in a speech to my constituents, I renewed my protest against these votes, and repeated the notice to that infuriated meeting, that they were their votes, and not mine. In that speech at Chicago, I said of the territorial bills: 'These measures are predicated on the great fundamental principle that every people ought to possess the right of forming and regulating their own internal concerns and domestic institutions in their own way. If those who emigrate to the territories have the requisite intelligence and honesty to enact laws for the government of white men, I know of no reason why they should not be deemed competent to legislate for the negro. If they are sufficiently enlightened to make laws for the protection of life, liberty, and property, of morals and education, to determine the relation of husband and wife, of parent and child, I am not aware that it requires any higher degree of civilization to regulate the affairs of master and servant. My votes and acts have been in accordance with these views in all cases, except in the instances in which I voted under your instructions. Those were your votes, and not mine. I entered my protest against them at the time, before and after they were recorded, and shall never hold myself responsible for them.' I made a good many speeches of the same tenor, the last of which was at the capital of Illinois. A few weeks afterward the legislature of Illinois assembled, and one of their first acts was to repeal the resolution of instructions to which I have referred, and to pass resolutions approving of the course of my colleague, General Shields, and myself, on the Compromise measures. From that day Illinois has stood firm and unwavering in support of the Compromise measures, and of all the compromises of the Constitution.

Mr. President, if I have said anything that savors of egotism, the Senate will pardon me. If I had omitted all that was personal to myself, my defence would have been incomplete. I am willing to be held responsible for all my acts, but I wish to be judged by my acts, and not by malicious misrepresentations. I may have committed errors; but when I am convinced of them, I will acknowledge them like a man, and promptly correct them. The Democratic party is as good a Union party as I want, and I want to preserve its principles and its organization, and to triumph upon its old issues. I desire no new tests, no interpolations upon the old creed."

In December 1853, Mr. Douglas reported the bill to organize the Territories of Kansas and Nebraska, which formed the issues upon which the Democratic and Republican parties became arrayed against each other. He opposed the treaty

with England in relation to the Oregon boundary, contending that England had no rights on that coast. He opposed the Trist peace treaty with Mexico upon the ground that the boundaries were unnatural and inconvenient, and that the provisions in relation to the Indians could never be executed. The United States government has since paid Mexico ten millions of dollars to change the boundaries, and to relinquish the stipulations in regard to the Indians. He opposed the Clayton and Bulwer treaty, because it pledged the United States in all time to come, never to annex Central America. He declared that he did not desire to annex Central America at that time, but maintained that the isthmus routes must be kept open as highways to the American possessions on the Pacific; that the time would come when the United States would be compelled to occupy Central America, and that he would never pledge the faith of the republic not to do in the future what its interests and safety might require. He also declared himself in favor of the acquisition of Cuba, whenever that island can be obtained consistently with the laws of nations and the honor of the United States. We give this speech entire in a subsequent part of this work.

On the 4th of January 1854, Senator Douglas made the following Report relative to the organization of the Territories of Nebraska and Kansas:

The Committee on Territories, to whom was referred a bill for an act to establish the Territories of Nebraska, have given the same that serious and deliberate consideration which its great importance demands, and beg leave to report it back to the Senate, with various amendments, in the form of a substitute for the bill:

The principal amendments which your committee deem it their duty to commend to the favorable action of the Senate, in a special report, are those in which the principles established by the Compromise measures of 1850, so far as they are applicable to territorial organizations, are proposed to be affirmed and carried into practical operation within the limits of the new Territory.

The wisdom of those measures is attested, not less by their salutary and beneficial effects, in allaying sectional agitation and restoring peace and harmony to an irritated and distracted people, than by the cordial and almost universal approbation with which they have been received and sanctioned by the whole country. In the judgment of your Committee, those measures were intended to have a far more comprehensive and enduring effect than the mere adjustment of difficulties arising out of the recent acquisition of Mexican territory. They were designed to establish certain great principles, which would not only furnish adequate remedies for existing evils, but, in all time to come, avoid the perils of similar agitation, by withdrawing the question of Slavery from the halls of Congress and the political arena, committing it to the arbitration of those who were immediately interested in, and alone responsible for, its consequences. With a view of conforming their action to what they regard as the settled policy of the government, sanctioned by the approving voice of the American people, your Committee have deemed it their duty to incorporate and perpetuate, in their Territorial Bill, the principles and spirit of those measures. If any other consideration were necessary to render the propriety of this course imperative upon the Committee, they may be found in the fact that the Nebraska country occupies the same relative position to the slavery question, as did New Mexico and Utah, when those Territories were organized.

It was a disputed point, whether slavery was prohibited by law in the country acquired from Mexico. On the one hand, it was contended, as a legal proposition, that slavery, having been prohibited by the enactment of Mexico, according to the laws of nations, we received the country with all its local laws and domestic institutions attached to the soil, so far as they did not conflict with the Constitution of the United States; and that a law either protecting or prohibiting slavery, was not repugnant to that instrument, as was evidenced by the fact that one-half of the States of the Union tolerated, while the other half prohibited, the institution of slavery. On the other hand, it was insisted that, by virtue of the Constitution of the United States, every citizen had a right to remove to any Territory of the Union, and carry his property with him under the protection of law, whether that property consisted of persons or things. The difficulties arising from this diversity of opinion, were greatly aggravated by the fact that there were many persons on both sides of the legal controversy, who were unwilling to abide the decision of the courts on the legal matters in dispute; thus, among those who claimed that the Mexican laws were still in force, and, consequently, that slavery was already prohibited in those Territories by valid enactment, there were many who insisted upon Congress

making the matter certain, by enacting another prohibition. In like manner, some of those who argued that Mexican law had ceased to have any binding force, and that the Constitution tolerated and protected slave property in those Territories, were unwilling to trust the decision of the courts upon the point, and insisted that Congress should, by direct enactment, remove all legal obstacles to the introduction of slaves into those Territories.

Such being the character of the controversy in respect to the territory acquired from Mexico, a similar question has arisen in regard to the right to hold slaves in the Territory of Nebraska, when the Indian laws shall be withdrawn, and the country thrown open to emigration and settlement. By the 8th section of "an act to authorize the people of Missouri Territory to form a constitution and State government, and for the admission of such State into the Union on an equal footing with the original States, and to prohibit slavery in certain Territories," approved March 6th, 1820, it was provided; "That in all that territory ceded by France to the United States under the name of Louisiana, which lies north of 36 degrees 30 minutes north latitude, not included within the limits of the State contemplated by this act, slavery and involuntary servitude, otherwise than in the punishment of crimes whereof the parties shall have been duly convicted, shall be, and are hereby, prohibited: *Provided always*, That any person escaping into the same, from whom labor or service is lawfully claimed in any State or Territory of the United States, such fugitive may be lawfully reclaimed, and conveyed to the persons claiming his or her labor or services as aforesaid."

Under this section, as in the case of the Mexican law in New Mexico and Utah, it is a disputed point whether slavery is prohibited in the Nebraska country by *valid* enactment. The decision of this question involves the constitutional power of Congress to pass laws prescribing and regulating the domestic institutions of the various Territories of the Union. In the opinion of those eminent statesmen who hold that Congress is invested with no rightful authority to legislate upon the subject of slavery in the Territories, the 8th section of the act preparatory to the admission of Missouri is null and void; while the prevailing sentiment in large portions of the Union sustains the doctrine that the Constitution of the United States secures to every citizen an inalienable right to move into any of the Territories with his property, of whatever kind and description, and to hold and enjoy the same under the sanction of law. Your Committee do not feel themselves called upon to enter upon the discussion of these controverted questions. They involve the same grave issues which produced the agitation, the sectional strife, and the fearful struggle of 1850. As

Congress deemed it wise and prudent to refrain from deciding the matters in controversy then, either by affirming or repealing the Mexican laws, or by an act declaratory of the true intent of the Constitution, and the extent of the protection afforded by it to slave property in the Territories, so your Committee are not prepared to recommend a departure from the course pursued on that memorable occasion, either by affirming or repealing the 8th section of the Missouri act, or by any act declaratory of the meaning of the Constitution in respect to the legal points in dispute.

Your Committee deem it fortunate for the peace of the country, and the security of the Union, that the controversy then resulted in the adoption of the Compromise measures, which the two great political parties, with singular unanimity, have affirmed as a cardinal article of their faith, and proclaimed to the world as a final settlement of the controversy and an end to the agitation. A due respect, therefore, for the avowed opinions of senators, as well as a proper sense of patriotic duty, enjoins upon your Committee the propriety and necessity of a strict adherence to the principles, and even a literal adoption of the enactments of that adjustment, in all their territorial bills, so far as the same are not locally inapplicable. Those enactments embrace, among other things less material to the matters under consideration, the following provisions:

When admitted as a State, the said Territory, or any portion of the same, shall be received into the Union, with or without Slavery, as their constitution may prescribe at the time of their admission;

That the legislative power and authority of said Territory shall be vested in the Governor and a Legislative Assembly;

That the legislative power of said Territory shall extend to all rightful subjects of legislation, consistent with the Constitution of the United States, and the provisions of this act; but no law shall be passed interfering with the primary disposal of the soil; no tax shall be imposed upon the property of the United States; nor shall the lands or other property of non-residents be taxed higher than the lands or other property of residents.

Writs of error and appeals from the final decisions of said Supreme Court shall be allowed, and may be taken to the Supreme Court of the United States in the same manner and under the same regulations as from the Circuit Courts of the United States, where the value of the property or amount in controversy, to be ascertained by the oath or affirmation of either party, or other competent witness, shall exceed one thousand dollars; except only that, in all cases involving title to slaves, the said writs of error or appeals shall be allowed and decided by the said Supreme Court, without regard to the value of the matter, property, or title in controversy; and except, also

that a writ of error or appeal shall also be allowed to the Supreme Court of the United States from the decision of the said Supreme Court by this act, or of any judge thereof, or of the district courts created by this act, or of any judge thereof, upon any writ of *habeas corpus* involving the question of personal freedom; and each of the said district courts shall have and exercise the same jurisdiction, in all cases arising under the Constitution and laws of the United States, as is vested in the circuit and district courts of the United States; and the said supreme and district courts of the said territory, and the respective judges thereof, shall and may grant writs of *habeas corpus*, in all cases in which the same are granted by the judges of the United States in the District of Columbia.

To which may be added the following proposition affirmed by the act of 1850, and known as the Fugitive Slave Law.

That the provisions of the "act respecting fugitives from justice, and persons escaping from the service of their masters," approved February 12, 1793, and the provisions of the act to amend and supplementary to the aforesaid act, approved September 18, 1850, shall extend to, and be in force in, all the organized Territories, as well as in the various States of the Union.

From these provisions it is apparent that the Compromise measures of 1850 affirm, and rest upon, the following propositions:

First: That all questions pertaining to Slavery in the Territories, and the new States to be formed therefrom, are to be left to the decision of the people residing therein, by their appropriate representatives, to be chosen by them for that purpose.

Second: That "all cases involving title to slaves," and "questions of personal freedom," are to be referred to the adjudication of the local tribunals, with the right of appeal to the Supreme Court of the United States.

Third: That the provisions of the Constitution of the United States, in respect to fugitives from service, is to be carried into faithful execution in all "the original Territories," the same as in the States.

The substitute for the bill which your Committee have prepared, and which is commended to the favorable action of the Senate, proposes to carry these propositions and principles into practical operation, in the precise language of the Compromise measures of 1850.

The bill thus reported was considered in Committee of the Whole, and then made the special order for the following Monday. The debate was continued Jan. 31st, Feb. 3d, 5th, and 6th.

On the 23d of January, Mr. Douglas, from the Committee on Territories, reported a substitute for the original bill, in nearly the same terms, in which, after defining the limits of the territory, it was proposed to constitute it a Territory, to be afterward admitted as a State, with or without slavery, as their constitution may prescribe at the time of their admission. It was declared to be the true intent and meaning of the act to carry into practical operation the principles of the Compromise measures of 1850, to wit, That all questions pertaining to slavery in the Territories, and in the new States to be formed therefrom, are to be left to the decision of the people residing therein; and that the provisions of the Constitution and laws of the United States, in respect to fugitives from service, are to be carried into faithful execution in all the organized Territories. To the words "the Constitution and all laws of the United States not locally inapplicable, shall have the same force and effect within the said Territory as elsewhere in the United States," the substitute proposed to add these words: "Except the 8th section of the Act for the admission of Missouri into the Union, approved March 6, 1820, which was superseded by the Compromise measures of 1850, and is declared inoperative.'

DEBATE ON THE NEBRASKA BILL.

On the 30th of January, Mr. Douglas made his first speech in favor of the Nebraska Bill. We give the speech in a subsequent part of this work.

On the 15th of February, Mr. Douglas moved to strike out of his substitute the assertion that the Missouri restriction "was superseded by the Compromise measures of 1850," and insert instead the following:

"Which, being inconsistent with the principle of non intervention by Congress with Slavery in the States and Territories, as recognized by the

legislation of 1850 (commonly called the Compromise measures), is hereby declared inoperative and void; it being 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,"

which prevailed—yeas 35, nays 10—as follows:

YEAS—*for Douglas' Amendment*: Messrs. Adams, Atchison, Bayard, Bell, Benjamin, Brodhead, Brown, Butler, Cass, Clayton, Dawson, Dixon, Dodge of Iowa, Douglas, Evans, Fitzpatrick, Geyer, Gwin, Hunter, Johnson, Jones of Iowa, Jones of Tenn, Mason, Morton, Norris, Pierce, Pettit, Pratt, Sebastian, Slidell, Stuart, Thompson of Ky. Toombs, Weller. Williams—35.

NAYS—*against the Amendment:* Messrs. Allen, Chase, Dodge of Wisc., Everett, Fish, Foote, Houston, Seward, Sumner, Wade—10.

The vote on this amendment is significant, and we invite to it the attention of the reader. Here we have the emphatic declaration of every Democratic senator, especially of every Democratic senator from the slave States, in favor of the great peace measure of non-intervention with slavery in the States and Territories, avowing "the true intent and meaning of this act to be, not to legislate slavery into any *Territory* or *State*, nor to exclude it therefrom, but to leave the *people thereof* free to form and regulate their domestic institutions in their own way, subject only to the Constitution of the United States." How this doctrine, deemed sound, then, contrasts with the late shibboleth of the Senate caucus, that *if the people of a Territory want slavery, Congress shall not interfere, but if they do not want it, Congress is to legislate it on them.*

Mr. Badger of N. C. moved to add to the aforesaid section:

"*Provided*, That nothing herein contained shall be construed to revive

or put in force any law or regulation which may have existed prior to the to the act of 6th of March, 1820, either protecting, establishing, prohibiting, or abolishing Slavery."

Carried—yeas 35, nays 6.

It had been charged by Edmund Burke, of New Hampshire, and other Abolition enemies of the measure at the north, that the repeal of the restriction would revive slavery in Kansas and Nebraska, by putting in force the old French laws. The object of Mr. Badger was to set this slander at rest. Every Southern Democrat voted for the proviso.

The question on the engrossment of the bill was now reached, and it was carried—yeas 29, nays 12—as follows:

YEAS—*To engross the bill for its third reading:* MESSRS. Adams, Atchison, Badger, Benjamin, Brodhead, Brown, Butler, Clay, Dawson, Dixon, Dodge of Iowa, Douglas, Evans, Fitzpatrick, Gwin, Hunter, Johnson, Jones of Iowa, Jones of Tenn., Mason, Morton, Norris, Pettit, Pratt, Sebastian, Shields, Slidell, Stuart, Williams—29.

NAYS—*against the engrossment:* Messrs. Chase, Dodge of Wisc., Fessenden, Fish, Foot, Hamlin, James, Seward, Smith, Sumner, Wade, Walker—12.

On the night of the 3d of March, 1854, Mr. Douglas closed the debate in a speech of great eloquence and ability. The attention of the reader is particularly directed to those passages in which Mr. Douglas speaks of the necessity for the organization of these Territories; and to his elucidation of what had generally been called the Missouri Compromise, in which he proves that Missouri was not admitted into the Union under the Missouri restriction, the Act of 1820, but under Mr. Clay's compromise, or joint resolution, of March 2, 1821; and also to the broad nationality of the views of the whole speech. We give it entire in a subsequent part of the work.

The vote was then taken, and the bill passed—yeas 37, nays 14. So the bill was passed, and its title declared to be "An Act to organize the Territories of Nebraska and Kansas." The bill being approved by the President, became a law. We give it entire, in a subsequent part of this work.

CHAPTER IX.

MR. DOUGLAS AT CHICAGO, 1854.

It is difficult to give a full idea of the excitement that prevailed at Chicago, at the time of the passage of the Nebraska bill. It far surpassed the excitement in 1850, relative to the Compromise measures. The ranks of the Abolitionists, always full there, had been largely recruited during the last three years: and among the new converts were many professed ministers of the Gospel. These men eagerly seized on any pretext that would give them a little notoriety, and as the public mind, that is to say, the Abolition sentiment in Chicago, was already worked up to a high pitch, they conceived the idea of treating Senator Douglas as a delinquent schoolboy. Accordingly, they addressed to him, and published in the Chicago daily papers at the same time, a most scurrilous and abusive letter, in which they impiously arrogated to themselves the authority to speak "in the name of Almighty God," and soundly berated Mr. Douglas for his course in the Senate. With admirable temper, Mr. Douglas wrote them a letter, which will be found in a subsequent part of this work.

In the autumn of 1854, Mr. Douglas returned to Chicago. The city was convulsed with excitement. The Nebraska Bill, and its author, were denounced in the most bitter and violent manner. Neither were understood. The opposition organs, the "Tribune," the "Journal," and the "Press," had

for months teemed with articles written in the most savage style, in which the Nebraska Bill and its provisions had been studiously misrepresented and misquoted, and Mr. Douglas vilified and abused as the author of countless woes to generations yet unborn. It is no compliment to the intelligence of the readers and supporters of these papers to state what is, nevertheless, the fact, that these statements were swallowed with eager credulity, and that Mr. Douglas was regarded by the Abolitionists as a monster in human form.

In a few days after his arrival in Chicago, Mr. Douglas caused the announcement to be made that he would address the citizens in vindication of the Nebraska Bill. A meeting was accordingly appointed, to take place at North Market Hall. At the hour of meeting, the vast space in front of the Hall was filled with men, the crowd numbering nearly ten thousand persons. Probably one-third of the number were really desirous to hear the senator's speech; but by far the greater part of the crowd were violent and radical Abolitionists, who were determined that he should not speak.

HIS SPEECH THERE.

Mr. Douglas appeared before the meeting, on an open balcony, and commenced his address. He alluded to the excitement that prevailed, but asked a patient hearing, and promised his audito to be as brief as he could be, consistently with a full exposition of the subject. He spoke of the sacred rights of the people of the Territories to form and regulate their domestic institutions in their own way; the great principle that lay at the foundation of the Nebraska Bill. At this part of his remarks, several prominent Abolitionists commenced to groan and hiss. Others followed the example. The noise and tumult increased.

The senator stopped speaking, and stood calmly, with his

arms folded upon his breast, and his eye surveying the angry and excited multitude. He waited patiently till the noise subsided, and then, stretching forth his hand, he proceeded. He described the Territories of Kansas and Nebraska, and alluded to the fact that for the last ten years, he had endeavored, at every session of Congress, to have them organized. Here the groans and hisses were redoubled in violence, and came from all parts of the meeting. The most opprobrious epithets were applied to Mr. Douglas, and the most insulting language used to him by rowdies in the crowd. In vain several gentlemen endeavored to restore order. The Abolitionists were determined that Mr. Douglas should not be heard; and they succeeded. For nearly four hours after this did Mr. Douglas essay to make himself heard; and each time did the yells and hootings of the infuriated multitude drown his voice. At last, it being Saturday night, he deliberately pulled out his watch under the gaslight, and observing that it was after twelve o'clock, he said in a stentorian voice, which was heard above the din of the crowd: "Abolitionists of Chicago! it is now Sunday morning. I will go to church, while you go to the devil in your own way."

A SCENE FOR A PAINTER.

In her whole history, Chicago has never witnessed so disgraceful a scene as this. There was a parallel occurrence in the life of Rienzi, the last of the Roman Tribunes, thus described by the great English novelist:

"On they came, no longer in measured order, as stream after stream—from lane, from alley, from palace, and from hovel—the raging sea received new additions. On they came—their passions excited by their numbers—women and men, children and malignant age—in all the awful array of aroused, released, unresisted physical strength and brutal wrath: 'Death to the traitor—death to the tyrant—death to him who has taxed the peo

ple!' 'Mora 'l traditore che ha fatta la gabella!—Mora!' Such was the cry of the people—such the crime of the senator! They broke over the low palisades of the capitol—they filled with one sudden rush the vast space—a moment before so desolate—now swarming with human beings athirst for blood!

"Suddenly came a dead silence, and on the balcony above stood Rienzi—his face was bared, and the morning sun shone over that lordly brow, and the hair grown grey before its time, in service of that maddening multitude. Pale and erect he stood—neither fear, nor anger, nor menace—but deep grief and high resolve upon his features! A momentary shame—a momentary awe, seized the crowd.

"He pointed to the gonfalon, wrought with the republican motto and arms of Rome, and thus he began:

"'I too am a Roman and a citizen; hear me!'

"'Hear him not; hear him not! his false tongue can charm away our senses!' cried a voice louder than his own; and Rienzi recognized Cecco del Vecchio.

"'Hear him not; down with the tyrant!' cried a more shrill and youthful tone; and by the side of the artisan stood Angelo Villani.

"'Hear him not; death to the death-giver!' cried a voice close at hand, and from the grating of the neighboring prison glared near upon him, as the eye of a tiger, the vengeful gaze of the brother of Montreal.

"Then from earth to Heaven rose the roar—'Down with the tyrant—down with him who taxed the people!'

"A shower of stones rattled on the mail of the senator—still he stirred not. No changing muscle betokened fear. His persuasion of his own wonderful powers of eloquence, if he could but be heard, inspired him yet with hope. He stood collected in his own indignant but determined thoughts; but the knowledge of that very eloquence was now his deadliest foe. The leaders of the multitude trembled lest he *should* be heard; '*and doubtless*,' says the contemporaneous biographer, '*had he but spoken he would have changed them all.*'"

Thus it was at the meeting at the North Market Hall. The leaders of the multitude trembled lest Douglas should be heard; they remembered the effect of his eloquence in 1850, and they knew that if he was permitted to speak now, he could and would convince the citizens of Chicago, for the second time, that he was right and they were wrong.

SPEECH AT THE TREMONT HOUSE.

After the close of the canvass of that year, in which Mr. Douglas had addressed the people in every portion of Illinois, he returned to Chicago, and on the 19th of November, two hundred and fifty gentlemen of that city, personal and political friends of Senator Douglas, tendered him the compliment of a public dinner at the Tremont House. After the repast, and in response to a toast in compliment to the "distinguished guest, the originator and successful advocate of the Illinois Central Railroad, and the champion of State Rights and Constitutional Liberty," Mr. Douglas made the speech which we give in a subsequent part of this work.

In this speech, Mr. Douglas takes up and critically examines the Nebraska Bill, and proves the soundness of the principles on which it is founded: he fastens upon the House of Representatives in 1848 the responsibility for all the subsequent slavery agitation, by their rejection of the Missouri Compromise line, after it had passed the Senate: he proves that the Abolitionists and Freesoilers, by supporting Van Buren, pledged themselves to blot out the Missouri Compromise line: he calls to the recollection of his hearers the fact, that he was abused and vilified in the year 1848, and called "Stephen A. Douglas the solitary exception," meaning that he was the only northern member of Congress who was in favor of adhering to the Missouri Compromise line; and the other fact, that the same Abolitionists and Freesoilers *now* pretend to support a measure which they *then* declared infamous. He graphically describes the manner in which the Compromise measures of 1850 were formed; and then, passing again to the Nebraska Bill, he shows that its great principle was to guarantee to the people of all the new Territories the right (which the Constitution of the United States had already

secured, but which the Missouri Compromise had taken away) of determining the question of slavery for themselves. He proves, by the unequivocal testimony of the oldest and wisest patriots of the country, that the Abolitionists have proved to be the very worst enemies of the slaves, have riveted stronger their chains, taken away some of the privileges which they had before enjoyed, and actually put a stop to their owners emancipating them.

THE "REPUBLICAN" PARTY ANALYZED.

The last part of the speech is a complete and searching exposition of the platform and principles of the new "Republican party" which had just been formed. He proves it to be purely an abolition party, the principles of which were entirely sectional, arraying the North against the South, and which, of course, could never be a national party. We give this speech entire in a subsequent part of this work.

CHAPTER X.

TERRITORIAL POLICY OF MR. DOUGLAS, 1856.

Report of Mr. Douglas on the Territorial Policy of the Government—Speech in Reply to Trumbull, and in Support of the Bill authorizing the People of Kansas to form a Constitution and State Government—Speech in Reply to Mr. Collamer—The Bill passed by the Senate—Report of Mr. Douglas on the House Bill.

AFFAIRS IN KANSAS.

The 34th Congress met on the first Monday in December, 1855, but the House of Representatives was unable to organize or to choose a Speaker for nine weeks. On the 31st of December, President Pierce transmitted his Annual Message to Congress, in which he only slightly alluded to the recent troubles in Kansas. On the 24th of January, however, he sent a special message to Congress in regard to the affairs in Kansas, which will be found in a subsequent part of this work.

On the 12th of March, 1856, Mr. Douglas made his great report on the affairs of Kansas Territory. In this report, he elucidates the constitutional principles under which new States may be admitted, and Territories organized. He exposes the designs of the Massachusetts Emigrant Aid Society; traces from their inception the treasonable acts of that secret military organization, the "Kansas Legion;" and

proves that all the troubles in Kansas originated in attempts to violate or circumvent the principles and provisions of the Nebraska Bill. This report will be found in a subsequent part of this work.

Mr. Jacob Collamer, of Vermont, who constituted the minority of the committee, made a minority report on the same day.

TRUMBULL'S SPEECH.

Two days afterward, on the 14th of March, Mr. Lyman Trumbull, who had taken his seat a few days before, as a senator from Illinois, in the place of General Shields, addressed the Senate in opposition to the views expressed in the report of Mr. Douglas. Mr. Douglas was absent from the Senate chamber at the time, but notwithstanding his knowledge of this fact, Mr. Trumbull was offensively personal. It might have been supposed that in making his first speech in the Senate, Mr. Trumbull would have had some regard to common decency and propriety. But in point of fact, he was so violent and coarse in his invective as to disgust the whole body of senators. As soon as the rules of the Senate would permit, he was stopped by Mr. Weller of California, who called for the special order of the day, which was the bill to increase the efficiency of the army. But as this was his first speech, he had the effrontery to insist upon continuing his rigmarole of abuse, and did go on till nearly 4 o'clock. Shortly before that time, Mr. Douglas entered the Senate chamber, and when Mr. Trumbull had exhausted the vials of his wrath, and sat down, Mr. Douglas said:

Mr. President, I was very much surprised when it was communicated to me this afternoon that my colleague was making a speech on the Kansas question, in which he was arraigning my own conduct and the statements and principles set forth in the report which I had the honor to submit to the Senate two days since from the Committee on Territories.

The feeble state of my own health, which is well known to the Senate, rendered it imprudent for me to be in the Senate chamber to-day, and I stayed away for that reason. I never dreamed that any man in this body would so far forget the courtesies of life, and the well known usages of the Senate, as to make an assault in my absence in violation of the distinct understanding of the body when the subject was postponed.

My colleague says that he did not know that I was not here. Now, I am informed that my friend from Texas (Mr. Rusk), when the morning hour expired, suggested, among other reasons for a postponement, that I was absent. The senator from Texas told my colleague that I was absent, and, therefore, according to the courtesies of the Senate, his speech should have been postponed. In the face of a fact known to every man present, my colleague now dares to say that he did not know I was absent.

Sir, I believe in fair and free discussion. Whatever speeches I may have to make in reference to my colleague or his political position, or in reference to other senators, will be made to their faces. I do not wish to avoid the responsibility of a reply to the points that shall be made. I will not attempt to reply to my colleague upon hearsay, having been absent, from the causes which I have stated during the delivery of the greater portion of his speech. I desire, however, to ask him, with a view to fix the time for the discussion of the subject, at what period of time I may reasonably look for his printed speech? I desire to reply to its statements, and I ask the question with a view to have the subject postponed until the time which he may name.

Mr. Trumbull.—I think my remarks will be published on Monday.

Mr. Douglas.—If I can rely on seeing the speech published in the "Globe" on Monday, I will reply to it on Tuesday; and I shall ask the Senate to accord to me that courtesy. I propose to reply on the next day after its publication.

Mr. Seward and Mr. Trumbull.—Take your own time.

Mr. Douglas.—Sir, I understand this game of taking my own time. Last year, when the Nebraska Bill was under consideration, the senator from Massachusetts (Mr. Sumner) asked of me the courtesy to have it postponed for a week, until he could examine the question. I afterward discovered that, previous to that time, he had written an exposition of the bill—a libel upon me—and sent it off under his own frank; and the postponement thus obtained by my courtesy was in order to take a week to circulate the libel. I do not choose to take my own time in that way again. I wish to meet these misrepresentations at the threshold. If I am right, give me an opportunity to show it. If my colleague is right, I desire to give him the fullest and fairest opportunity to show it.

TRUMBULL REBUKED.

I desire now to say a word upon another point. I understand that my colleague has told the Senate, as being a matter very material to this issue, that he comes here as a Democrat, having always been a Democrat. Sir, that fact will be news to the Democracy of Illinois. I undertake to assert there is not a Democrat in Illinois who will not say that such a statement is a libel upon the Democracy of that State. When he was elected, he received every Abolition vote in the Legislature of Illinois. He received every Know Nothing vote in the Legislature of Illinois. So far as I am advised and believe, he received no vote except from persons allied to Abolitionism or Know Nothingism. He came here as the Know-Nothing-Abolition candidate, in opposition to the united Democracy of his State, and to the Democratic candidate. How can a man who was elected as an Abolition-Know Nothing, come here and claim to be a Democrat, in good standing with the Democracy of Illinois? Sir, the Illinois Democracy have no sympathies or alliances with Abolitionism in any of its forms. They have no connection with Know Nothingism in any of its forms. If a man has ever been a Democrat, and becomes either an Abolitionist or Know Nothing, or a Free Soiler, he ceases that instant to be a Democrat in Illinois.

Sir, why was the statement of my colleague being a Democrat made, unless to convey the idea that the Illinois Democracy would harbor and associate with a Know Nothing or an Abolitionist? Sir, we do no such thing in Illinois. There is a high wall and a deep ditch between the national Democracy of that State, including the old national Whigs, on the one side, and all Know Nothing and Abolition organizations on the other. I can say to senators that Know Nothingism and Abolitionism in Illinois are one and the same thing. Every Know Nothing lodge there adopted the Abolition creed, and every Abolition society supported the Know Nothing candidates. It may be different in the South; but in the Northwest, and especially in Illinois, a Know Nothing or an Abolitionist means a Rebublican. My colleague is the head and front of Republicanism in Illinois in opposition to Democracy. You might as well call the distinguished senator from New York (Mr. Seward), or the member from Massachusetts (Mr. Sumner), or any other leader of the Republican forces, a Democrat, as to call my colleague a Democrat. Why has that assertion been brought into this debate? Did it prove that my report was wrong? Did it prove that it was courteous to make an assault on that report in my absence?

On the 17th of March, Mr. Douglas reported from the Committee on Territories, "A bill to authorize the People

of the Territory of Kansas to form a Constitution and State government, preparatory to their admission into the Union when they have the requisite population."

On the 20th of March, Mr. Douglas addressed the Senate in support of this bill, and in reply to the tirade of Mr. Trumbull. In this speech, he vindicates his report; shows that the report of Mr. Collamer keeps out of sight the material facts of the case; and proves that it was the design of the reckless leaders of the Freesoil party, to produce a conflict with the Territorial government. He defends the Missourians from the charge of invading and conquering Kansas, and proves that the whole responsibility of all the disturbances in Kansas, rests upon the Massachusetts Emigrant Aid Society. When he reached the concluding paragraph of his remarks, he turned to where Trumbull uneasily sat, and fixing upon him his eagle eye, pronounced in a clear and sonorous voice, and in emphatic tones, those words referring to the certainty of the fact that even in the United States, the traitor's doom would fall upon the traitor's head. Trumbull turned pale, and his head sank upon his breast. He *felt* that he was convicted.

The speech will be found in a subsequent part of this work.

REPUBLICAN HYPOCRISY EXPOSED.

Mr. Collamer made a speech upon the same subject, on the 3d of April, and on the 4th, Mr. Douglas responded. Mr. Collamer had labored hard to show that the free State men in Kansas were not such bad fellows after all. But in this speech Mr. Douglas shows by incontestable evidence, their blood-thirsty nature, their determination to *conquer* all who did not believe with them, and to resist the constituted authorities to a bloody issue, and their preparations of arms and munitions of war, with which to resist. He raises the

specious veil of "peaceful emigration," which concealed the movements of the free State party in Kansas, and exposes the secret springs by which they were really actuated, showing that they were guilty of rebellion and treason. This speech is a full and complete exposition of the real history of Kansas, up to that time. The reader will not fail to observe, toward the conclusion of the speech, how completely Mr. Douglas exposes the hypocrisy of the Black Republican party; and how conclusively he shows the hollowness and insincerity, as well as the inconsistency and heartlessness, of their professions of regard for the negro. Strong in the consciousness of the rectitude of the principles of the Democratic party, he delineates, with withering scorn, the inconsistent and jarring elements that make up the creed of the Republican faith, and dares the leaders of that party to the fight. Like some experienced general, at the head of a numerous and well disciplined army, an army which loves, idolizes, and trusts in their leader—knowing his own strength and confident of victory because he knows that his cause is just, he throws down the gage of battle, and challenges the onset of the opposing squadrons. The leaders of the Republican party quailed before him in the Senate; as that party itself afterward quailed under the irresistible charge of the Democracy. The speech will be found in a subsequent part of this work.

On the 30th of June, Mr. Douglas reported to the Senate on several bills submitted for the pacification of Kansas, as also most decidedly against Mr. Seward's proposition to admit Kansas as a State under the bogus "Topeka" constitution.

Mr. Seward then moved to strike out the whole of Mr. Douglas' bill, and insert instead, one admitting Kansas under the Topeka constitution. This motion was defeated—ayes 11, nays 36.

The bill was now reported as amended, and the amendment made in Committee of the Whole concurred in. The bill was then (8 A.M. on the 3d, the Senate having been in session all night), ordered to be engrossed and read a third time; and, on the question of its final passage the vote stood —yeas 33, nays 12—as follows:

YEAS—Messrs. Allen, Bayard, Bell of Tennessee, Benjamin, Biggs, Bigler, Bright, Brodhead, Brown, Cass, Clay, Crittenden, Douglas, Evans, Fitzpatrick, Geyer, Hunter, Iverson, Johnson, Jones of Iowa, Mallory, Pratt, Pugh, Reid, Sebastian, Slidell, Stuart, Thompson of Kentucky, Toombs, Toucey, Weller, Wright, and Yulee—33.

NAYS—Messrs. Bell, of New Hampshire, Collamer, Dodge, Durkee, Fessenden, Foot, Foster, Hale, Seward, Trumbull, Wade, and Wilson—12.

So the bill passed the Senate. We give it, in the shape in which it was sent to the House, in a subsequent part of this work.

On the 8th of July, Mr. Douglas reported back from the Committee on Territories the House bill to admit Kansas as a State, with an amendment striking out all after the enacting clause, and inserting instead the Senate bill (No 356) just referred to.

Mr. Trumbull, of Illinois, moved that all the Territorial laws of Kansas be repealed and the Territorial officers dismissed: rejected—yeas 12, nays 32.

Mr. Collamer of Vermont, proposed an amendment, prohibiting slavery in all that portion of the Louisiana purchase north of 36° 30′ not including the Territory of Kansas. rejected—yeas 12, nays 30.

The amendment reported by Mr. Douglas (*i. e.* the Senate bill as passed) was then agreed to—yeas 32, nays 13—and the bill in this shape passed the Senate. But the House of Representatives, where the majority was composed of a *fusion* of Republicans, Abolitionists, Know Nothings, Freesoilers, Freethinkers, Free-lovers, and Freemonters, refused to act upon it, or to concur in it, and the session terminated without the concurrence of the House.

CHAPTER XI.

RETROSPECTIVE.

A Retrospect—Origin and Causes of Disagreement with the President—Not Provoked by Mr. Douglas—Mr. Buchanan owes his Nomination at Cincinnati to Mr. Douglas—Telegraphic Dispatches—His Efforts to Elect Mr. Buchanan in 1856—Speech at Springfield in 1857, defending the Administration—President's Instructions to Governor Walker—Constitution to be Submitted—Executive Dictation—Differences of Opinion tolerated on all Subjects except Lecompton—Mr. Douglas' Propositions for Adjustment—Resolutions of Illinois Democracy—Controversy terminated by the English Bill—War Renewed by the Administration—Coalition between the Federal Officeholders and the Abolitionists—Mr. Douglas' last Speech in the Senate preparatory to Illinois Canvass.

In order that the reader may appreciate the nature and importance of the issues involved in the memorable senatorial canvass in Illinois in 1858, it is but proper we should state distinctly the origin and causes of the unfortunate disagreement between Mr. Douglas and the administration of Mr. Buchanan.

It will be remembered that Mr. Buchanan owed his nomination at Cincinnati to the direct and personal interposition of Mr. Douglas. But for the telegraphic dispatches which he sent to his friends urging the withdrawal of his own name and the unanimous nomination of Mr. Buchanan, that gentleman could never have received the nomination by a two-thirds vote, according to the rules of the convention and the usages of the party.

These dispatches are important, serving to show the magnanimity of Mr. Douglas, and his anxiety to promote the union and harmony of the Democratic party.

The names of James Buchanan, Franklin Pierce, Lewis Cass, and Stephen A. Douglas, were put in nomination by their respective friends. There were 296 votes in the Convention. On the first ballot Buchanan received 135½, Pierce 122½, Douglas 33, and Cass 5. Judge Douglas' votes were from the following States: Ohio, 4; Kentucky, 3; Illinois, 11; Missouri, 9; Iowa, 4; Wisconsin, 2. There were very few changes in the ballotings until after the fourteenth, when Pierce was withdrawn. The two succeeding ballots were about the same. The sixteenth was as follows: Buchanan, 168; Douglas, 122; Cass, 6. When this ballot was announced, Col. Richardson, of Illinois, arose, and after making a short explanatory speech, said that he had just received a dispatch from Judge Douglas, which he sent to the chair to be read, after which, he said he would withdraw that gentleman's name from before the Convention. This dispatch is so characteristic of Senator Douglas, that we cannot refrain from reproducing it here. Its self-sacrificing spirit, its conciliatory tone, and its pure Democracy, commend it to the attention of the country at the present state of political affairs. It breathes the spirit of devotion to the Democratic party which has ever characterized the public life of its great author. It applies to the Presidential Convention system the great principle for which his whole life has been devoted —the principle that the majority should rule. Let it be remembered, that in the Cincinnati Convention he would not allow his name to be used one moment after any other statesman had received a *majority of the votes!* But here is Judge Douglas' letter, and we ask for it the careful perusal of every Democrat in the nation:

WASHINGTON, *June* 4, 1856.

DEAR SIR: From the telegraphic reports in the newspapers, I fear that an embittered state of feeling is being engendered in the Convention, which may endanger the harmony and success of our party. I wish you and all my friends to bear in mind that I have a thousand fold more anxiety for the triumph of our principles than for my own personal elevation.

If the withdrawal of my name will contribute to the harmony of our party, or the success of our cause, I hope you will not hesitate to take the step. Especially is it my desire that the action of the Convention will embody and express the wishes, feelings, and principles of the Democracy of the republic; and hence, if Mr. Pierce, or Mr. Buchanan, or any other statesman, who is faithful to the great issues involved in the contest, *shall receive a majority of the Convention, I earnestly hope that all my friends will unite in insuring him two-thirds, and then in making his nomination unanimous.* Let no personal considerations disturb the harmony or endanger the triumph of our principles.

S. A. DOUGLAS.

To HON. W. A. RICHARDSON, Cincinnati, O.

The reading of this dispatch was interrupted by frequent and tremendous applause. The other dispatches are as follows:

June 5, 1856, 9 A.M.

DEAR SIR: I have just read so much of the platform as relates to the Nebraska Bill and slavery question. The adoption of that noble resolution by a unanimous vote of all the States, accomplishes all the objects I had in view in permitting my name to be used before the convention. If agreeable to my friends, I would prefer exerting all my energies to elect a tried statesman on that platform to being the nominee myself. At all events do not let my name be used in such manner as to disturb the harmony of the party or endanger the success of the work so nobly begun. S. A. DOUGLAS.

HON. W. A. RICHARDSON, of Illinois,
Burnet House, Cincinnati, Ohio.

WASHINGTON, *June 5th*—9½ A.M.

Mr. Buchanan having received a majority of the convention, is, in my opinion, entitled to the nomination. I hope my friends will give effect to the voice of the majority of the party.

S. A. DOUGLAS.

HON. W. A. RICHARDSON.

(See "Washington Union," June 7th, 1856.)

Many of Mr. Douglas' warmest friends complained of him bitterly for having thus withheld his own name and secured

the nomination of his rival, at the critical moment, when it became evident the latter could not possibly have been nominated without the positive and efficient aid of the former; and this withdrawal in favor of Mr. Buchanan, is, at this time, used in some quarters as a point of objection to Mr. Douglas' nomination at Charleston. But the whole political course of Mr. Douglas, for a quarter of a century, has been in harmony with the sentiment enunciated and enforced in those despatches, that he felt "a thousand fold more interest in the success of the principles of the Democratic party than in his own individual promotion."

Immediately after the adjournment of the convention, Mr. Douglas entered the canvass with that energy and vigor for which he is so remarkable, and it is but fair to add that to his herculean efforts, in Illinois, Indiana, Pennsylvania, and other States in the campaign of 1856, is Mr. Buchanan indebted for his election, more than to any other man living or dead.

When the election was secured, and the inauguration had taken place, Mr. Douglas had no personal favors to ask of the President for either himself or friends, and hence had no grievances to complain of or disappointments to resent. Before he left Washington for his home, it is well known that he was personally consulted by the President, and approved of the policy of his administration in regard to Kansas affairs, to be promulgated by Governor Walker in his message and address to the people of that Territory, viz., that the constitution which was about to be formed at Lecompton should be submitted to and ratified by the people, at a fair election to be held for that purpose, before the State could be admitted into the Union.

Subsequently, when Governor Walker was on his way to Kansas, he called on Judge Douglas at Chicago by direction of the President, as he himself says, and read to him the inaugural address which he was to publish on his arrival in

the Territory, in which the governor stated that he was authorized by the President and his cabinet to give the assurance that he and they would oppose the admission of Kansas into the Union as a State under any constitution which was not first submitted to and ratified by the people.

After copying his instructions from the President in favor of the submission of the constitution to the people, Governor Walker added: "I repeat, then, as my clear conviction, that unless the convention submit the constitution to the vote of all the actual resident settlers of Kansas, and the election be fairly and justly conducted, the constitution will be and ought to be rejected by Congress."

In this interview, Judge Douglas assured Governor Walker, as he had previously assured the President, that he might rely on his cordial and hearty coöperation in carrying out the policy that Kansas should not be forced into the Union with any constitution which had not been previously submitted to and ratified by the people at a fair election regularly held for that purpose.

A short time afterward, June 12th, 1857, Mr. Douglas made his celebrated Springfield speech, in which he warmly defended the administration of Mr. Buchanan, commended his territorial policy, and predicted for him a successful and brilliant administration. We have the best reasons for the assertion that his friendly relations with, and kind feelings toward Mr. Buchanan continued uninterrupted and undiminished until after their well-known interview in Washington city, about the first of December of that year, upon the question of admitting Kansas into the Union under the Lecompton constitution, *without* submitting the constitution to the people for ratification or rejection. Mr. Douglas insisted that he was bound in honor, good faith, and due regard for the fundamental principles of all free government, to resist the measure at every hazard and under all circumstances. Here we

find the origin and sole cause of the disagreement between the President and Mr. Douglas, so far as the friends of the latter have ever been able to discover. The difficulty was not of Mr. Douglas' own seeking or procurement. He only claimed that so far as he was concerned it was his right and duty to carry out in good faith the policy to which he, Governor Walker, the President, and every member of his cabinet, stood publicly and irrevocably pledged. The President claimed that it was his right and duty, in a message to Congress, to recommend the admission of Kansas under the Lecompton constitution. Mr. Douglas did not question either the right or the duty of the President, provided "he thought the Lecompton constitution was the act and deed of the people of Kansas, and a fair embodiment of their will." While conceding to the President entire freedom of action according to his sense of duty, Mr. Douglas claimed the same privilege for himself, as a senator representing a sovereign State.

The President, however, would tolerate no difference of opinion among friends on this question. Upon the tariff—upon specific and ad valorem duties—upon the Pacific Railroad—upon the Homestead Bill—upon the Neutrality Laws—and, indeed, on any and every other question, Democratic senators and representatives, and cabinet officers, were at liberty to think and act as they pleased, without impairing their personal or political relations with the President. But on the Kansas question, having determined to abandon the principles and reverse the policy to which he had pledged the administration and the party, he regarded Mr. Douglas' refusal to follow him in his change of principles and policy as a serious reflection upon his own conduct. All freedom of judgment and action was denied. Implicit obedience to the behests of the President was demanded. The senator was required to obey the mandate of the Executive, instead of to represent the will of his constituency. The representa-

tives of the States and of the people were required to surrender their convictions, their judgments and their consciences to the Executive, and to receive instructions from him instead of them.

These were the terms and the only conditions upon which Mr. Douglas could preserve friendly relations with the President. He met the issue with characteristic alacrity and boldness. He denounced the Lecompton constitution in firm but respectful terms, not because it provided for a slave State, but because it was not the act and deed of the people of Kansas, and did not reflect their will.

Foreseeing the rent the agitation of this unfortunate question was likely to make in the Democratic party, and the irreparable damage to which it would be likely to lead, Mr. Douglas was anxious to heal the breach and settle the difficulty on any fair and just terms, that were consistent with fidelity to his own constituency, and to those principles of popular rights and self-government to which he was so solemnly pledged, and upon which he believed the peace and harmony of the country depended. He submitted various propositions in a spirit of conciliation and fraternal feeling for the pacification of the difficulty.

He proposed to refer the Lecompton constitution back to the people of Kansas, for their adoption or rejection, at a fair election, to be held in pursuance of law for that purpose, and if ratified by a majority of the legal votes cast at such election, Kansas was to be declared a State of the Union without further legislation.

He proposed to pass an act of Congress authorizing the Territorial legislature to call a new convention and form a constitution, and submit the same to the people for adoption at the polls, and if ratified at such election, Kansas should be received into the Union, with or without slavery, as such constitution should prescribe, as provided in the case of Min-

nesota, to which the President had referred as affording an example to be followed in all future cases of admission of new States.

He offered to accept what is known as the "Crittenden-Montgomery Amendment," as a satisfactory solution of the question, in harmony with the fundamental principles of self-government.

And finally, he proposed a general law, which would not only settle the existing difficulty, but prevent all future controversies on the subject, providing that "neither Kansas nor any other Territory shall be admitted into the Union as a State, until it shall have been ascertained, by a legal census, to contain population requisite for a member of Congress, according to the existing ratio of representation for the time being; and that the example of the Minnesota case shall be a rule of action in the future, as recommended in the President's message."

This proposition was offered substantially at a later period of the session in the House, by General Quitman, of Mississippi, who intended to have called it up in the event of the failure of the English bill. It would have been happy for the Democratic party and the country had it been accepted. Besides thoroughly uniting the party, it would have laid the foundation of a sound and healthy principle governing the admission of new States, and have saved the present Congress from acting on the Kansas Wyandot constitution.

These several propositions and all others for conciliation and harmony, were unceremoniously rejected by the partisans of the President, and the unconditional submission of the rebels demanded under the penalty of having all their friends removed from office and made victims of Executive vengeance. The system of proscription and persecution which followed is too fresh in the public mind to require recapitulation.

The wisdom and forecast evinced by Mr. Douglas in opposing the admission of Kansas under the Lecompton constitution, has been amply vindicated by succeeding events. The immense vote by which it was rejected when submitted under the temptations of the English bill—the subsequent confession of actors in the fraudulent voting—the discovery of the bogus election returns—the statements of Governor Denver, and other well-authenticated facts and circumstances attest the correctness of Mr. Douglas' position; while the declaration of Senator Hammond, who voted for the measure, that "the constitution ought to have been kicked out of Congress," and the high repute in which Governor Wise and other leading southern statesmen who opposed the project enjoy in the respect and confidence of the Southern people, clearly indicate that their "sober second thought" does justice to the statesmanlike view which Mr. Douglas took of this unfortunate issue.

RESOLUTIONS OF ILLINOIS DEMOCRATIC CONVENTION.

Notwithstanding the ferocity with which the warfare was continued against Mr. Douglas and his friends during the Lecompton controversy, all fair-minded men took it for granted that hostilities would cease with the settlement of the question out of which the contest arose. Mr. Douglas and the Illinois Democracy seem to have entertained this reasonable expectation, as appears from the proceedings of the Illinois Democratic State Convention, which assembled at Springfield, on the 21st of April, 1858, for the nomination of candidates for State officers. While the resolutions were explicit and firm in the assertion of the principles on which they had rejected the Lecompton constitution, they were conciliating in spirit and respectful in language. They contain no assault on the President, no attack upon the adminis

tration, and indulge in no complaint at the unprovoked, and vindictive warfare which had been waged against them. They maintain a dignified and manly silence, a generous forbearance on all these points, with a view to the preservation of the organization, the usages, and the integrity of the Democratic party upon its time-honored principles, as enunciated in the Cincinnati Platform. The resolutions adopted by the Convention were introduced into the Senate by Mr. Douglas on the 25th of April, "AS FURNISHING THE PLATFORM ON WHICH THE ILLINOIS DEMOCRACY STAND, AND BY WHICH I MEAN TO ABIDE."

They were as follows:

Colonel McClernand, from the committee to prepare solutions for the consideration of the convention, made the following report; which was read, and, on motion, each resolution was separately read and unanimously adopted:

1. *Resolved*, That the Democratic party of the State of Illinois, through their delegates in general convention assembled, do re-assert and declare the principles avowed by them as when, on former occasions, they have presented their candidates for popular suffrage.

2. *Resolved*, That they are unalterably attached to, and will maintain inviolate, the principles declared by the national convention at Cincinnati in June, 1856.

3. *Resolved*, That they avow, with renewed energy, their devotion to the Federal Union of the United States, their earnest desire to avert sectional strife, their determination to maintain the sovereignty of the States, and to protect every State, and the people thereof, in all their constitutional rights.

4. *Resolved*, That the platform of principles established by the national democratic convention at Cincinnati is the only authoritative exposition of Democratic doctrine, and they deny the right of any power on earth, except a like body, to change or interpolate that platform, or to prescribe new or different tests; that they will neither do it themselves nor permit it to be done by others, but will recognize all men as democrats who stand by and uphold Democratic principles.

5. *Resolved*, That in the organization of States the people have a right to decide, at the polls, upon the character of their fundamental law, and

that the experience of the past year has conclusively demonstrated the wisdom and propriety of the principle, that the fundamental law under which the Territory seeks admission into the Union should be submitted to the people of such Territory, for their ratification or rejection, at a fair election to be held for that purpose; and that, before such Territory is admitted as a State, such fundamental law should receive a majority of the legal votes cast at such election; and they deny the right, and condemn the attempt, of any convention, called for the purpose of framing a constitution, to impose the instrument formed by them upon the people against their known will.

6. *Resolved*, That a fair application of these principles requires that the Lecompton constitution should be submitted to a direct vote of the actual inhabitants of Kansas, so that they may vote for or against that instrument, before Kansas shall be declared one of the States of this Union; and until it shall be ratified by the people of Kansas, at a fair election held for that purpose, the Illinois Democracy are unalterably opposed to the admission of Kansas under that constitution.

7. *Resolved*, That we heartily approve and sustain the manly, firm, patriotic, and democratic position of S. A. Douglas, Isaac N. Morris, Thomas L. Harris, Aaron Shaw, Robert Smith, and Samuel S. Marshall, the Democratic delegation of Illinois in Congress, upon the question of the admission of Kansas under the Lecompton constitution; and that, by their firm and uncompromising devotion to Democratic principles, and to the cause of justice, right, truth, and the people, they have deserved our admiration, increased, if possible, our confidence in their integrity and patriotism, and merited our warm approbation, our sincere and hearty thanks, and shall receive our earnest support.

8. *Resolved*, That in all things wherein the national administration sustain and carry out the principles of the Democratic party as expressed in the Cincinnati platform, and affirmed in these resolutions, it is entitled to, and will receive, our hearty support.

By the adoption of the English bill a few days afterward, the Lecompton controversy was at an end so far as Congress was concerned. By that act the question was banished from the halls of Congress and remanded to the people of Kansas to be determined at an election to be held on the first Monday in August, 1858.

In a speech in the Senate after the passage of the English

bill, Mr. Douglas referred to the Lecompton controversy as at an end—a dead issue which should no longer distract and divide the Democratic party, in these words:

But when the bill became a law, the whole question was remanded to Kansas, to be decided at an election, which has been fixed for the first Monday in August. Whichever way the people of Kansas may decide the question at that election will be final and conclusive. If they reject the proposition submitted by Congress, the Lecompton constitution is dead, and there is an end of the controversy. If, on the contrary, they accept the 'proposition,' Kansas, from that moment, becomes a State of the Union, and thus the controversy terminates. Whether they shall accept or reject the proposition is a question for the people of Kansas to decide for themselves, and with which neither Congress nor the people of the several States, nor any person, official or otherwise, outside of that Territory, has any right to interfere. Hence, the Lecompton controversy is at an end; for all men, of all parties, must be content with and abide by whatever decision the people of Kansas may make.

NO POINT OF DIFFERENCE NOW BETWEEN DEMOCRATS.

And again, in the same speech, Mr. Douglas said:

Under these circumstances the question naturally arises, what controverted principle is there left for Democrats to differ and divide about?

In the first place, we all agree, not only Democrats, but men of all parties, that whatever decision the people of Kansas may make at the election on the first Monday in August must be final and conclusive.

Now, if we can agree, as I have always avowed my willingness to do, to sustain President Buchanan's recommendation, that in all future cases the constitution shall be submitted to the people, as was required in the Minnesota case, all matters of dispute and controversy will be at an end, and our Territorial policy will be firmly placed on a wise and just basis.

Whatever justification or excuse may be urged for the warfare upon Mr. Douglas and his friends during the Lecompton controversy, no patriotic reason can be assigned after the passage of the English bill and the adoption of the magnani-

mous and conciliating resolutions of the Illinois State convention, for forming a coalition in that State with the Abolitionists to defeat the regular Democratic nominee for State officers, members of the legislature, congressmen, and a United States senator, and filling their places with abolitionists. No other reason can be assigned for keeping up the warfare after the question had been finally settled than an insatiable desire for revenge. No administration can be justified in dividing and destroying the party by which it was elevated to power upon the plea of resentment for real or imaginary grievances growing out of a past political issue. The coalition between the Republicans and the federal officeholders in Illinois, for the purpose of electing Mr. Lincoln to the Senate in the place of Mr. Douglas, by violating all the usages and bolting the regular nomination of the Democratic party, must form a dark page in the history of Mr. Buchanan's administration. Having been voted down and defeated by overwhelming majorities in the regular organization in every county in the State for the election of delegates to the State convention, the federal officeholders called a new convention at Springfield on the 9th of June, 1858, and formed a separate ticket to be supported by the bolters, for the avowed purpose of defeating the regularly nominated ticket of the party, and securing the ascendency of Black Republicanism in Illinois by means of the division thus produced in the Democratic ranks.

On the 15th of June, 1858, Mr. Douglas made a speech in the Senate, in which he exposed the combination between the federal officeholders and the Abolitionists in Illinois, and called the attention of the Democratic party in Congress, and of the whole country, to this unholy and unnatural alliance; and also showing that the federal officials professed to have the authority of the President and his cabinet for the course they were pursuing.

CHAPTER XII.

On the 2d of February, 1858, President Buchanan transmitted to Congress a copy of the proposed constitution of Kansas, framed by the convention at Lecompton; accompanied by a message from himself, from which we make the following remarkable extracts:

The Kansas convention, thus lawfully constituted, proceeded to frame a constitution; and having completed their work, finally adjourned on the 7th day of November last. They did not think proper to submit the whole of this constitution to a popular vote; but they did submit the question whether Kansas should be a free or a slave State to the people. No person thought of any other question. For my own part, when I instructed Governor Walker in general terms in favor of submitting the constitution to the people, I had no object in view except the all-absorbing question of slavery.

I then believed, and still believe, that under the organic act the Kansas convention were bound to submit this all-important question of slavery to the people. It was never, however, my opinion that, independently of this act, they would have been bound to submit any portion of the constitution to a popular vote in order to give it validity.

It has been solemnly adjudged, by the highest judicial tribunal known to our laws, that slavery exists in Kansas by virtue of the Constitution of the United States. Kansas is therefore, at this moment, as much a slave State as Georgia or South Carolina. Without this, the equality of the Sovereign States composing the Union, would be violated, and the use and enjoyment of a Territory acquired by the common treasure of all the States, would be closed against the people and the property of nearly half the members of the Confederacy. Slavery can, therefore, never be prohibited in Kansas, except by means of a constitutional provision, and in no other manner can this be obtained so promptly, if a majority of the people desire it, as by admitting it into the Union under its present constitution.

On the other hand, should Congress reject the constitution, under the idea of affording the disaffected in Kansas a third opportunity of prohibiting slavery in the State, which they might have done twice before if in the majority, no man can foretell the consequences. If Congress, for the sake of these men who refused to vote for delegates to the convention, when they might have excluded slavery from the constitution, and who afterward refused to vote on the 21st December last, when they might, as they claim, have stricken slavery from the constitution, should now reject the State, because slavery

remains on the constitution, it is manifest that the agitation upon this dangerous subject will be renewed in a more alarming form than it has ever yet assumed.

DOUGLAS INTERROGATES THE PRESIDENT.

Two days after the reception of this extraordinary message by Congress, Senator Douglas called on the President for more definite information regarding the facts to which the message alluded, as follows:

MR. DOUGLAS—I desire to offer a resolution, calling for information which will hasten our action on the Kansas question. I will read it for information; but if it gives rise to debate, of course it will go over:

Resolved—That the President be requested to furnish all the information within his possession or control on the following points:

1. The return and votes for and against a convention at an election held in the Territory of Kansas, in October, 1856.

2. The census and registration of votes in the Territory of Kansas, under the provisions of the act of the said legislature, passed in February, 1857, providing for the election of delegates and assembling a convention to frame a constitution.

3. The returns of an election held in said Territory on the 21st of December, 1857, under the schedule of the Lecompton constitution, upon the question of "constitution with slavery" or "constitution without slavery."

4. The returns of an election held in the Territory of Kansas on the 4th day of January, 1858, under the authority of a law passed by the legislature of said Territory, submitting the constitution formed by the Lecompton convention to a vote of the people for ratification or rejection.

5. The returns of the election held in said Territory on the 4th day of January, 1858, under the schedule of the Lecompton constitution, for Governor and other State officers, and for members of the legislature, specifying the names of each officer to whom a certificate of election has been accorded, and the number of votes cast and counted for each candidate, and distinguishing between the votes returned within the time and in the mode provided in said schedule, and those returned subsequently and in other modes, and stating whether at either of said elections any returns of votes were rejected in consequence of not having been returned in time, or to the right officer, or in proper form, or for any other cause, stating specifically for what cause.

6. All correspondence between any of the Executive departments and Secretary or Governor Denver relating to Kansas affairs, and which has not been communicated to the Senate.

Resolved—That in the event all the information desired in the foregoing resolution is not now in the possession of the President, or of any of the Executive departments, he be respectfully requested to give the proper orders and take the necessary steps to procure the same for the use of the Senate.

MR. SLIDELL objected, and the resolutions, under the rules, were laid over.

MINORITY REPORT ON KANSAS AFFAIRS.

The majority of the Committee on Territories being in favor of the admission of Kansas under the Lecompton constitution, submitted through Mr. Green a report to that effect. On the same day, February 18, 1858, Mr. Douglas submitted a Minority Report, which will be found in a subsequent part of this work.

This report is a most vigorous argument, showing that there was no evidence that the Lecompton constitution was the act of the people of Kansas, or that it embodied their will; that the right of admission accrued to a Territory only when they had sufficient population; that the President and his cabinet had solemnly assured the people of Kansas that the constitution should be submitted to them for their free acceptance or rejection; that the 60 delegates composing the Lecompton convention were chosen by 19 of the 38 counties of the Territory, while the other 18 counties were entirely disfranchised; he tears away the thin veil that covered the designs of the members of the Lecompton convention, and shows that while knowing that an immense majority of the people of Kansas were opposed to the introduction of slavery they yet determined that they *would* form a constitution sanctioning slavery, and submit it in such a form as to render it impossible for them to reject it; that the election held in Kansas on the 21st of December, 1857, was not valid and binding on the people of the Territory, for the reason that it was not held in pursuance of any law; that the election of January 4, 1858, was lawful and valid, having been fairly conducted under a valid law of the Territorial legislature; and that there was a majority of 10,000 votes against the Lecompton constitution.

DEBATE ON LECOMPTON.

During the month of March, 1858, the proposition to admit Kansas under the Lecompton constitution was warmly debated in the Senate. On the 22d, Mr. Douglas made a speech which was one of the ablest efforts of his life, and will be read with interest and admiration, as long as a vestige of the political history of the Union exists. In this speech, after a rapid and brief review of his course in Congress, he shows that it was the chief merit of the Compromise measures of 1850, that they provided a rule of action which should apply everywhere, north and south of 36° 30′, not only to the territories we then had, but to all we might afterward acquire; and thus prevent all strife and agitation in future. He shows that the Lecompton constitution is not the act and deed of the people of Kansas, and does not embody their will. In concluding, he alludes to the approaching termination of his senatorial term, and to the efforts that the Executive would make to prevent his reëlection. In tones that rang through the Senate chamber clear and sonorous as the blast of a trumpet, he gave utterance to these noble sentiments:

"I do not recognize the right of the President to tell me my duty in the Senate chamber. When the time comes that a Senator is to account to the Executive, and not to his State, what becomes of the sovereignty of the States? Is it intended to brand every Democrat as a traitor who is opposed to the Lecompton constitution? Come what may, I intend to vote, speak, and act, according to my own sense of duty. I have no vindication to make of my course. Let it speak for itself. Neither the frowns of power nor the influence of patronage will change my action, or drive me from my principles. I stand immovably upon the principles of State Sovereignty, upon which the campaign was fought and the election won. I will stand by the Constitution of the United States, with all its compromises, and perform all my obligations under it. If I shall be driven into private life, it is a fate that has no terrors for me. I prefer private

life, preserving my own self-respect, to abject and servile submission to executive will. If the alternative be private life, or servile obedience to executive will, I am prepared to retire. Official position has no charms for me, when deprived of freedom of thought and action."

We give this great speech entire in a subsequent part of this work. It was delivered in the evening, the Senate chamber being brilliantly illuminated, and the galleries crowded, many ladies being admitted to seats on the floor of the Senate.

On the next day, however, March 23, the bill admitting Kansas into the Union under the Lecompton constitution, passed the Senate by a vote of 33 to 25. Previous to taking this vote, Mr. Crittenden, of Kentucky, moved a substitute for the bill, to the effect that the Constitution be submitted to the people of Kansas at once; and if approved, the State to be admitted by the President's proclamation. If rejected, the people to call a convention and frame a constitution to be submitted to the popular vote. Special provisions made against frauds at elections. The substitute was lost—yeas 24, nays 34.

On the first of April, the bill as passed was taken up in the House of Representatives, and Mr. Montgomery, of Pennsylvania, offered, as a substitue, the same one proposed by Mr. Crittenden. This was adopted in the House, ayes 120, nays, 112.

THE ENGLISH BILL.

The Senate refused to concur in this substitute, and a committee of conference was appointed by each House, who reported what has since been known as the English bill, which passed both Houses of Congress, and became a law. But in the debate in the Senate on the Crittenden-Montgomery amendment, Mr. Douglas spoke in its favor and

against the English bill, and in the course of his remarks said:

"I had hoped that the principle of self-government in the Territories, the great principle of popular sovereignty which we all profess to cherish, on which all our institutions are founded, would have been carried out in good faith in Kansas. I believe, sir, that if the amendment inserted by the House of Representatives be concurred in by the Senate to-day, and become the law of the land, the great principle of popular sovereignty, on which all our institutions rest, will receive a complete triumph, and there will be peace and quiet and fraternal feeling all over this country.

"We are told that this vexed question ought to be settled; that the country is exhausted with strife and controversy; and that peace should be restored by the admission of Kansas. Sir, why not admit it? You can admit it in one hour, and restore peace to the country, if you will concur with with the House of Representatives in what is called the Crittenden amendment. This amendment provides that Kansas is admitted into the Union on the fundamental condition precedent that the constitution be submitted to the people for ratification, and if assented to by them, it becomes their constitution; if not assented to, they are to proceed to make one to suit themselves, and the President is to declare the result, and Kansas is to be in the Union without further legislation. Concur with the House of Representatives, and your action is final; Kansas is in the Union, with the right to make her constitution to suit herself; and there is an end to the whole controversy."

The English bill, as passed, will be found in a subsequent part of this work.

On the 29th of April, Mr. Douglas again addressed the Senate on the same general subject, with more particular reference to the English bill, for the admission of Kansas, which had passed the House of Representatives. In this speech, he says:

Mr. President: I have carefully examined the bill reported by the committee of conference as a substitute for the House amendment to the Senate bill for the admission of Kansas, with an anxious desire to find in it such provisions as would enable me to give it my support. I had hoped that, after the disagreement of the two houses upon this question, some plan, some form of bill, could have been

agreed upon, which would harmonize and quiet the country, and reunite those who agree in principle and in political action on this great question, so as to take it out of Congress. I am not able, in the bill which is now under consideration, to find that the principle for which I have contended is fairly carried out. The position, and the sole position, upon which I have stood in this whole controversy, has been that the people of Kansas, and of each other Territory, in forming a constitution for admission into the Union as a State, should be left perfectly free to form and mold their domestic institutions and organic act in their own way, without coercion on the one side, or any improper or undue influence on the other.

The question now arises, is there such a submission of the Lecompton constitution as brings it fairly within that principle? In terms, the constitution is not submitted at all; but yet we are told that it amounts to a submission, because there is a land grant attached to it, and they are permitted to vote for the land grant, or against the land grant; and, if they accept the land grant, then they are required to take the constitution with it; and, if they reject the land grant, it shall be held and deemed a decision against coming into the Union under the Lecompton constitution. Hence it has been argued in one portion of the Union that this is a submission of the constitution, and in another portion that it is not. We are to be told that submission is popular sovereignty in one section, and submission in another section is not popular sovereignty.

Sir, I had hoped that when we came finally to adjust this question, we should have been able to employ language so clear, so unequivocal, that there would have been no room for doubt as to what was meant, and what the line of policy was to be in the future. Are these people left free to take or reject the Lecompton constitution? If they accept the land grant they are compelled to take it. If they reject the land grant, they are out of the Union. Sir, I have no special objection to the land grant as it is. I think it is a fair one, and if they had put this further addition, that if they refused to come in under the Lecompton constitution with the land grant, they might proceed to form a new constitution, and that they should then have the same amount of lands, there would have been no bounty held out for coming in under the Lecompton constitution; but when the law gives them the six million acres in the event they take this constitution, and does not indicate what they are to have in the event they reject it, and wait until they can form another, I submit the question whether there is not an inducement, a bounty held out to influence these people to vote for this Lecompton constitution?

It may be said that when they attain the ninety-three thousand population, or if they wait until after 1860, if they acquired the population required by the then ratio—which may be one hundred and ten thousand, or one hundred and twenty thousand—and form a constitution under it, we shall give then the same amount of land that is now given by this grant. That may be so, and may not be

so. I believe it will be so; and yet in the House bill, for which this is a substitute, the provision was that they should have this same amount of land, whether they came in under the Lecompton constitution or whether they formed a new constitution. There was no doubt, no uncertainty left in regard to what were to be their rights under the land grant, whether they took the one constitution or the other. Hence that proposition was a fair submission, without any penalties on the one side, or any bounty or special favor or privilege on the other to influence their action. In this view of the case, I am not able to arrive at the conclusion that this is a fair submission either of the question of the constitution itself, or of admission into the Union under the constitution and the proposition submitted by this bill.

There is a further contingency. In the event that they reject this constitution, they are to stay out of the Union until they shall attain the requisite population for a member of Congress, according to the then ratio of representation in the other House. I have no objection to making it a general rule that Territories shall be kept out until they have the requisite population. I have proposed it over and over again. I am willing to agree to it and make it applicable to Kansas if you will make it a general rule. But, sir, it is one thing to adopt that rule as a general rule and adhere to it in all cases, and and it is a very different, and a very distinct thing, to provide that if they will take this constitution, which the people have shown that they abhor, they may come in with forty thousand people, but if they do not, they shall stay out until they get ninety thousand; thus discriminating between the different character of institutions that may be formed. I submit the question whether it is not congressional intervention, when you provide that a Territory may come in with one kind of constitution with forty thousand, and with a different kind of constitution, not until she gets ninety thousand, or one hundred and twenty thousand? It is intervention with inducements to control the result. It is intervention with a bounty on the one side and a penalty on the other. I ask, are we prepared to construe the great principle of popular sovereignty in such a manner as will recognize the right of Congress to intervene and control the decision that the people may make on this question?

I do not think that this bill brings the question within that principle which I have held dear, and in defence of which I have stood here for the last five months, battling against the large majority of my political friends, and in defence of which I intend to stand as long as I have any association or connection with the politics of the country.

Mr. President, I say now, as I am about to take leave of this subject, that I never can consent to violate that great principle of State equality, of State sovereignty, of popular sovereignty, by any discrimination, either in the one direction or in the other. My position is taken. I know not what its consequences will be per

sonally to me. I will not inquire what those consequences may be. If I cannot remain in public life, holding firmly, immovably, to the great principle of self-government and state equality, I shall go into private life, where I can preserve the respect of my own conscience under the conviction that I have done my duty and followed the principle wherever its logical consequences carried me.

SUBSEQUENT AFFAIRS OF KANSAS.

On the next day, however, April 30, the Senate passed the English bill. So far as the action of Congress was concerned, Kansas was admitted: that is, provided the people there chose to come in under the English bill.

But they did not so choose. In order to give completeness to this view of affairs in Kansas, we will state, though in doing so we greatly anticipate the order of time, that when the election took place, under the provisions of the English bill, the people of Kansas indignantly rejected the propositions of the bill, and at the election held on the 3d of August, 1858, trampled the odious Lecompton constitution under their feet, by a majority of 10,000 votes. Soon after the election, Gov. Denver resigned, and Samuel Medary of Ohio was appointed governor. The Territorial legislature met in January, 1859, repealed many of the laws of the previous session, passed a new apportionment act; and an act referring to the people the question of a new constitutional convention, the election to be held March 21. The people decided for a constitutional convention by a majority of 3,881. The convention met at Wyandot, on the 5th of July, 1859, and adopted a constitution by a small majority, the minority protesting against its adoption.

MR. DOUGLAS ON BRITISH AGGRESSION.

On the 29th of May, 1858, Mr. Douglas addressed the Senate, on the general subject of the recent British aggression on

our ships, in a speech which made a most powerful impression, not only on the Senate, but on the whole country. He ridiculed the idea of simply passing resolutions on the subject; and urged the importance, nay, the necessity, of at once adopting such energetic measures as should convince England that the time had come at last when this nation would no longer submit to her aggressions. He urged that the President of the United States should be clothed with power to punish instantly and effectually, all outrages on our flag, as soon as committed: "confer the power, and hold him responsible for its abuse." He showed that the President of the United States was utterly powerless abroad, and that unless some such measures as he proposed should be adopted, the outrages of Great Britain would be continued. He then proceeded to prove, from his own observation, that the coast of America was not defenceless; that indeed, the coast of the United States is in a better condition of defence than that of Great Britain; that New York was at this day better defended than London or Liverpool: and that it is easier for a hostile fleet to enter the harbor of either of those cities than the harbor of New York.

"While I am opposed to war," said Mr. Douglas, "while I have no idea of any breach of the peace with England, yet, I confess to you, sir, if war should come by her act, and not ours; by her invasion of our rights, and our vindication of the same; I would administer to every citizen and every child Hannibal's oath of eternal hostility as long as the English flag waved, or their government claimed a foot of land upon the American continent, or the adjacent islands. Sir, I would make it a war that would settle our disputes forever, not only of the right of search upon the seas, but the right to tread with a hostile foot upon the soil of the American continent or its appendages."

The reader will find the whole of this eloquent and patri-

otic speech, in a subsequent part of this work. It electrified the whole nation. Men breathed freer and easier when they read it: and no one with a spark of American feeling in his breast failed to respond to the noble sentiments of the gallant senator from Illinois.

CHAPTER XIII.

Mr. Douglas returns to Chicago—Brilliant Reception—Makes his Speech opening the Campaign—Lays down Principles on which he conducted it.

Soon after Congress adjourned, in June, 1858, Mr. Douglas returned to Illinois to engage in his canvass for reëlection to the Senate, and to vindicate the line of policy which he had felt it his duty to pursue. He arrived at Chicago on the 9th of July, and was welcomed by such a reception as no public man has ever received in this country. The newspapers of that city, of all shades of political opinions, concur in representing it as one of the most magnificent orations on record. Many columns of their sheets were filled with descriptions of the arrangements for the reception, the vast concourse of people—estimated at 30,000—the processions, illumination of houses, fireworks, banners, cannon, etc., etc., which greeted Mr. Douglas' return to his home.

The great event of this imposing pageant, however, was the speech of Mr. Douglas, in reply to the address of welcome. After an appropriate and feeling acknowledgment of the honor done him in this grand testimonial, he proceeded to a discussion of the principles involved in the great controversy in which he was engaged. As this was the opening speech of the canvass, and clearly defines the principles on which it was afterward conducted through a series of more than one hundred joint and separate debates, we shall make such copious extracts as may enable the reader to understand the points in issue in that memorable campaign.

PRINCIPLES OF SELF-GOVERNMENT, AS APPLICABLE TO THE LECOMPTON CONSTITUTION.

If there is any one principle dearer and more sacred than all others in free governments, it is that which asserts the exclusive right of a free people to form and adopt their own fundamental law, and to manage and regulate their own internal affairs and domestic institutions. (Applause.)

When I found an effort being made, during the recent session of Congress, to force a constitution upon the people of Kansas against their will, and to force that State into the Union with a constitution which her people had rejected by more than 10,000 majority, I felt bound, as a man of honor and a representative of Illinois, bound by every consideration of duty, of fidelity, and of patriotism, to resist to the utmost of my power the consummation of what I deemed fraud. (Cheers.) With others I did resist it, and resisted it successfully until the attempt was abandoned. (Great applause.) We forced them to refer that constitution back to the people of Kansas, to be accepted or rejected, as they shall decide at an election, which is fixed for the first Monday of August next. It is true that the mode of reference and the form of the submission was not such as I could sanction with my vote, for the reason that it discriminated between free States and slave States; providing that if Kansas consented to come in under the Lecompton constitution it should be received with a population of 35,000; but if she demanded another constitution, more consistent with the sentiments of her people and their feelings, that it should not be received into the Union until she had 93,420 inhabitants. (Cries of "hear, hear," and cheers.) I did not consider that mode of submission fair, for the reason that any election is a mockery which is not free—that any election is a fraud upon the rights of the people which holds out inducements for affirmative votes, and threatens penalties for negative votes. (Hear, hear.) But whilst I was not satisfied with the mode of submission, whilst I resisted it to the last, demanding a fair, a just, a free mode of submission, still, when the law passed placing it within the power of the people of Kansas at that election to reject the Lecompton constitution, and then make another in harmony with their principles and their opinions (Bravo, and applause), I did not believe that either the penalties on the one hand, or the inducements on the other, would prevail on that people to accept a constitution to which they are irreconcilably opposed. (Cries of "glorious," and renewed applause.) All I can say is, that if their votes can be controlled by such considerations, all the sympathy which has been

expended upon them has been misplaced, and all the efforts that have been made in defence of their right to self-government have been made in an unworthy cause. (Cheers.)

NO RIGHT TO FORCE EVEN A GOOD THING ON AN UNWILLING PEOPLE.

I will be entirely frank with you. My object was to secure the right of the people of each State and of each Territory, North or South, to decide the question for themselves, to have slavery or not, just as they choose; and my opposition to the Lecompton constitution *was not predicated upon the ground that it was a pro-slavery Constitution* (cheers), nor would my action have been different had it been a free-soil Constitution. My speech against it was made on the 9th of December, while the vote on the slavery clause in that Constitution was not taken until the 21st of the same month, nearly two weeks after. I made my speech solely on the ground that it was a violation of the fundamental principles of free government; on the ground that it was not the act and deed of the people of Kansas; that it did not embody their will; that they were averse to it; and hence I denied the right of Congress to force it upon them, either as a free State or a slave State. (Bravo.) I deny the right of Congress to force a slaveholding State upon an unwilling people. (Cheers.) I deny their right to force a free State upon an unwilling people. (Cheers.) I deny their right to force a good thing upon a people who are unwilling to receive it. (Cries of "Good, good," and cheers.) The great principle is the right of every community to judge and decide for itself whether a thing is right or wrong, whether it would be good or evil for them to adopt it; and the right of free action, the right of free thought, the right of free judgment upon the question is dearer to every true American than any other under a free government. My objection to the Lecompton contrivance was that it undertook to put a constitution on the people of Kansas against their will, in opposition to their wishes, and thus violated the great principle upon which all our institutions rest. It is no answer to this argument to say that slavery is an evil, and hence should not be tolerated. You must allow the people to decide for themselves whether it is a good or an evil. You allow them to decide for themselves whether they desire a Maine liquor law or not; you allow them to decide for themselves what kind of common schools they will have; what system of banking they will adopt, or whether they will adopt any at all; you allow them to decide for themselves the relations between husband and wife,

parent and child, and guardian and ward; in fact, you allow them to decide for themselves all other questions, and why not upon this question? (Cheers.) Whenever you put a limitation upon the right of any people to decide what laws they want, you have destroyed the fundamental principle of self-government. (Cheers).

ORIGIN OF THE IRREPRESSIBLE CONFLICT.

The Republican convention which nominated Mr. Lincoln for United States senator in opposition to Mr. Douglas, was held in the city of Springfield, on the 15th of June, 1858. Immediately after Mr. Lincoln's unanimous nomination was announced, he read to the convention a carefully elaborated speech accepting the nomination which he had prepared in anticipation of that event, and which was published for circulation by order of the convention, as an authoritative exposition of the principles of the Republican party. Mr. Douglas referring to this speech, said:

Mr. Lincoln made a speech before that Republican convention which unanimously nominated him for the Senate—a speech evidently well prepared and carefully written—in which he states the basis upon which he proposes to carry on the campaign during this summer. In it he lays down two distinct propositions which I shall notice, and upon which I shall take a direct and bold issue with him. (Cries of "Good, good," and great applause).

His first and main proposition I will give in his own language, Scripture quotation and all (laughter). I give his exact language:

"In my opinion it [the slavery agitation] will not cease until a crisis shall have been reached and passed. 'A house divided against itself cannot stand.' I believe this government cannot endure permanently half slave and half free. I do not expect the house to fall, but I do expect it will cease to be divided. It will become all one thing or all the other. Either the opponents of slavery will arrest the further spread of it, and place it where the public mind shall rest in the belief that it is in the course of ultimate extinction, or its advocates will push forward till it shall become alike lawful in all the States—old as well as new, North as well as South."

In other words, Mr. Lincoln asserts as a fundamental principle of this government, that there must be uniformity in the local laws and domestic institutions of each and all the States of the Union; and he therefore in-

vites all the non-slaveholding States to band together, organize as one body, and make war upon slavery in Kentucky, upon slavery in Virginia, upon slavery in the Carolinas, upon slavery in all the slaveholding States in this Union, and to persevere in that war until it shall be exterminated. He then notified the slaveholding States to stand together as a unit and make an aggressive war upon the free States of this Union with a view of establishing slavery in them all; of forcing it upon Illinois, of forcing it upon New York, upon New England, and upon every other free State, and that they shall keep up the warfare until it has been formally established in them all. In other words, Mr. Lincoln advocates boldly and clearly a war of sections, a war of the North against the South, of the free States against the slave States—a war of extermination—to be continued relentlessly, until the one or the other shall be subdued and all the States shall either become free or become slave.

Now, my friends, I must say to you frankly, that I take bold, unqualified issue with him upon that principle. I assert that it is neither desirable nor possible that there should be uniformity in the local institutions and domestic regulations of the different States of this Union. The framers of our government never contemplated uniformity in its internal concerns. The fathers of the Revolution, and the sages who made the Constitution, well understood that the laws and domestic institutions which would suit the granite hills of New Hampshire, would be totally unfit for the rice plantations of South Carolina (cheers); they well understood that the laws which would suit the agricultural districts of Pennsylvania and New York, would be totally unfit for the large mining regions of the Pacific, or the lumber regions of Maine. (Bravo.) They well understood that the great varieties of soil, of production, and of interests, in a republic as large as this, required different local and domestic regulations in each locality, adapted to the wants and interests of each separate State (cries of "bravo" and "good,") and for that reason it was provided in the federal Constitution that the thirteen original States should remain sovereign and supreme within their own limits in regard to all that was local, and internal, and domestic, while the Federal Government should have certain specified powers which were general and national, and could be exercised only by the federal authority. (Cheers).

IF UNIFORMITY WERE EITHER DESIRABLE OR POSSIBLE, HOW IS IT TO BE ACCOMPLISHED?

How could this uniformity be accomplished if it were desirable and possible? There is but one mode in which it could be obtained, and that must be by abolishing the State legislatures, blotting out State sovereignty, merging the rights and sovereignty of the States in one consolidated empire, and vesting Congress with the plenary power to make all the police regulations, domestic and local laws, uniform throughout the limits of the Republic. When you shall have done this you will have uniformity. Then the States will all be slave or all be free; then negroes will be free everywhere or nowhere; then you will have a Maine liquor law in every State or none; then you will have uniformity in all things local and domestic by the authority of the Federal Government. But, when you attain that uniformity you will have converted these thirty-two sovereign, independent States into one consolidated empire, with the uniformity of disposition reigning triumphant throughout the length and breadth of the land. ("Hear," "hear," "bravo," and great applause.)

From this view of the case, my friends, I am driven irresistibly to the conclusion that diversity, dissimilarity, variety in all our local and domestic institutions, is the great safeguard of our liberties; and that the framers of our institutions were wise, sagacious, and patriotic when they made this government a confederation of sovereign States with a legislature for each, and conferred upon each legislature the power to make all local and domestic institutions to suit the people it represented, without interference from any other State or from the general Congress of the Union. If we expect to maintain our liberties we must preserve the rights and sovereignty of the States, we must maintain and carry out that great principle of self-government incorporated in the Compromise measures of 1850; indorsed by the Illinois legislature in 1851; emphatically embodied and carried out in the Kansas-Nebraska Bill, and vindicated this year by the refusal to bring Kansas into the Union with a constitution distasteful to her people. (Cheers.)

NO CRUSADE AGAINST THE SUPREME COURT—THE DRED SCOTT DECISION THE LAW OF THE LAND AND MUST BE OBEYED.

The other proposition discussed by Mr. Lincoln in his speech consists in a crusade against the Supreme Court of the United States on account of the Dred Scott decision. On this question, also, I desire to say to you

unequivocally, that I take direct and distinct issue with him. I have no warfare to make on the Supreme Court of the United States (Bravo), either on account of that or any other decision which they have pronounced from that bench. ("Good, good," and enthusiastic applause.) The Constitution of the United States has provided that the powers of government (and the constitution of each State has the same provision) shall be divided into three departments, executive, legislative and judicial. The right and the province of expounding the Constitution, and construing the law, is vested in the judiciary, established by the Constitution. As a lawyer, I feel at liberty to appear before the court and controvert any principle of law while the question is pending before the tribunal; but when the decision is made, my private opinion, your opinion, all other opinions must yield to the majesty of that authoritative adjudication. (Cries of "it is right," "good, good," and cheers.) I wish you to bear in mind that this involves a great principle, upon which our rights, and our liberty and our property all depend. What security have you for your property, for your reputation, and for your personal rights, if the courts are not upheld, and their decisions respected when once firmly rendered by the highest tribunal known to the Constitution? (Cheers.) I do not choose, therefore, to go into any argument with Mr. Lincoln in reviewing the various decisions which the Supreme Court has made, either upon the Dred Scott case, or any other. I have no idea of appealing from the decision of the Supreme Court upon a constitutional question to a tumultuous town-meeting. (Cheers.) I am aware that once an eminent lawyer of this city, now no more, said that the State of Illinois had the most perfect judicial system in the world, subject to but one exception, which could be cured by a slight amendment, and that amendment was to so change the law as to allow an appeal from the decisions of the Supreme Court of Illinois, on all constitutional questions, to two justices of the peace. (Great laughter and applause.) My friend, Mr. Lincoln, who sits behind me, reminds me that that proposition was made when I was judge of the Supreme Court. Be that as it may, I do not think that fact adds any greater weight or authority to the suggestion. (Renewed laughter and applause.) It matters not with me who was on the bench, whether Mr. Lincoln or myself, whether a Lockwood or a Smith, a Taney or a Marshall; the decision of the highest tribunal known to the Constitution of the country must be final until it has been reversed by an equally high authority. (Cries of "bravo" and applause.) Hence, I am opposed to this doctrine of Mr. Lincoln, by which he proposes to take an appeal from the decision of the Supreme Court of the United States upon these high constitutional questions to a Republican caucus. (A voice—"Call it Freesoil," and cheers.) Yes, or to

any other caucus or town-meeting, whether it be Republican, American, or Democratic. (Cheers.) I respect the decisions of that august tribunal; I shall always bow in deference to them. I am a law-abiding man. I will sustain the Constitution of my country as our fathers have made it. I will yield obedience to the laws, whether I like them or not, as I find them on the statute book. I will sustain the judicial tribunals and constituted authorities in all matters within the pale of their jurisdiction, as defined by the Constitution. (Applause.)

OURS A WHITE MAN'S GOVERNMENT—NEGROES NOT CITIZENS.

But I am equally free to say that the reason assigned by Mr. Lincoln for resisting the decision of the Supreme Court in the Dred Scott case does not in itself meet my approbation. He objects to it because that decision declared that a negro descended from African parents who were brought here and sold as slaves, is not, and cannot be, a citizen of the United States. He says it is wrong, because it deprives the negro of the benefits of that clause of the Constitution which says that citizens of one State shall enjoy all the privileges and immunities of citizens of the several States; in other words, he thinks it wrong because it deprives the negro of the privileges, immunities, and rights of citizenship, which pertain, according to that decision, only to the white man. I am free to say to you that in my opinion this government of ours is founded on the white basis. (Great applause.) It was made by the white man, for the benefit of the white man, to be administered by white men, in such a manner as they should determine. (Cheers.) It is also true that a negro, or any other man of an inferior race to a white man, should be permitted to enjoy, and humanity requires that he should have all the rights, privileges and immunities which he is capable of exercising consistent with the safety of society. I would give him every right and every privilege which his capacity would enable him to enjoy, consistent with the good of the society in which he lived. ("Bravo.") But you may ask me what are these rights and these privileges. My answer is that each State must decide for itself the nature and extent of these rights. ("Hear, hear," and applause.) Illinois has decided for herself. We have decided that the negro shall not be a slave, and we have at the same time decided that he shall not vote, or serve on juries, or enjoy political privileges. I am content with that system of policy which we have adopted for ourselves. (Cheers.) I deny the right of any other State to complain of our policy in that respect, or to interfere with it, or to attempt to change it. On the other hand, the State of Maine

has decided, as she had a right to under the Dred Scott decision, that in that State a negro may vote on an equality with the white man. The sovereign power of Maine had the right to prescribe that rule for herself. Illinois has no right to complain of Maine for conferring the right upon negro suffrage, nor has Maine any right to interfere with, or complain of, Illinois because she has denied negro suffrage. ("That's so," and cheers.) The State of New York has decided by her constitution that a negro may vote, provided that he owns $250 worth of property, but not otherwise. The rich negro can vote, but the poor one cannot. (Laughter.) Although that distinction does not commend itself to my judgment, yet I assert that the sovereign power of New York had a right to prescribe that form of the elective franchise. Kentucky, Virginia, and other States have provided that negroes, or a certain class of them in those States, shall be slaves, having neither civil nor political rights. Without indorsing or condemning the wisdom of that decision, I assert that Virginia has the same power, by virtue of her sovereignty, to protect slavery within her limits as Illinois has to banish it forever from our borders. ("Hear, hear," and applause.) I assert the right of each State to decide for itself on all these questions, and I do not subscribe to the doctrine of my friend, Mr. Lincoln, that uniformity is either desirable or possible. I do not acknowledge that the States must all be free or must all be slave.

I do not acknowledge that the negro must have civil and political rights everywhere or nowhere. I do not acknowledge that the Chinese must have the same rights in California that we would confer upon him here. I do not acknowledge that the Coolie imported into this country must necessarily be put upon an equality with the white race. I do not acknowledge any of these doctrines of uniformity in the local and domestic regulations in the different States. ("Bravo," and cheers.)

Thus you see, my fellow-citizens, that the issues between Mr. Lincoln and myself, as respective candidates for the U. S. Senate, as made up, are direct, unequivocal, and irreconcilable. He goes for uniformity in our domestic institutions, for a war of sections, until one or the other shall be subdued. I go for the great principle of the Kansas-Nebraska Bill, the right of the people to decide for themselves. (Senator Douglas was here interrupted by the wildest applause; cheer after cheer rent the air; the band struck up "Yankee Doodle;" rockets and pieces of fireworks blazed forth; and the enthusiasm was so intense and universal that it was some time before order could be restored and Mr. Douglas resume. The scene at this period was glorious beyond description.)

STANDS BY THE DEMOCRATIC ORGANIZATION AND THE CINCINNATI PLATFORM.

My friends, you see that the issues are distinctly drawn. I stand by the same platform that I have so often proclaimed to you and to the people of Illinois heretofore. (Cries of "That's true," and applause.) I stand by the Democratic organization, yield obedience to its usages, and support its regular nominations. (Intense enthusiasm.) I indorse and approve the Cincinnati platform (renewed applause), and I adhere to and intend to carry out as part of that platform the great principle of self-government, which recognizes the right of the people in each State and Territory to decide for themselves their domestic institutions. ("Good, good," and cheers.)

In conclusion, he denounces the "unholy alliance:"

Fellow-citizens, you now have before you the outlines of the propositions which I intend to discuss before the people of Illinois during the pending campaign. I have spoken without preparation, and in a very desultory manner, and may have omitted some points which I desired to discuss, and may have been less explicit on others than I could have wished. I have made up my mind to appeal to the people against the combination which has been made against me. (Enthusiastic applause.) The Republican leaders have formed an alliance, an unholy, unnatural alliance, with a portion of the federal officeholders. I intend to fight that allied army wherever I meet them. (Cheers.) I know they deny the alliance while avowing the common purpose; but yet these men who are trying to divide the Democratic party for the purpose of electing a Republican senator in my place, are just as much the agents, the tools, the supporters of Mr. Lincoln as if they were avowed Republicans, and expect their reward for their services when the Republicans come into power. (Cries of "That is true," and cheers.) I shall deal with these allied forces just as the Russians dealt with the allies at Sebastopol. The Russians when they fired a broadside at the common enemy did not stop to inquire whether it hit a Frenchman, an Englishman or a Turk, nor will I stop (laughter and great applause), nor shall I stop to inquire whether my blows hit the Republican leaders or their allies, who are holding the federal offices and yet acting in concert with the Republicans to defeat the Democratic party and its nominees. (Cheers, and cries of "Bravo.") I do not include all of the federal officeholders in this remark. Such of them as are Democrats and show

their Democracy by remaining inside of the Democratic organization and supporting its nominees, I recognize as Democrats, but those who, having been defeated inside of the organization, go outside and attempt to divide and destroy the party in concert with the Republican leaders, have ceased to be Democrats, and belong to the allied army whose avowed object is to elect the Republican ticket by dividing and destroying the Democratic party. (Cheers.)

Immediately after his reception at Chicago, Mr. Douglas entered actively on his canvass over the entire State, making more than one hundred speeches in less than four months, and enduring an unparalleled amount of physical exertion and fatigue. History fails to cite any public man who ever received such continued ovations at the hands of his people as greeted Mr. Douglas all through *his* Illinois campaign. We make room for a letter which appeared in one of the Chicago papers of the day, descriptive of his journey from that city to Bloomington, to fill his first appointment, with the remark that the same demonstrations of popular enthusiasm and manifestations of popular admiration and love met Mr. Douglas everywhere through his canvass. The picture of the correspondent does but bare justice to the facts as they existed.

SENATOR DOUGLAS AMONG THE PEOPLE—I ASSAGE FROM CHICAGO TO SPRINGFIELD—GREAT ENTHUSIASM ALONG THE LINE OF THE ST. LOUIS AND ALTON RAILROAD—GLORIOUS DEMONSTRATIONS OF THE POPULAR FEELING.

BLOOMINGTON, *July* 16, 1858.

If there was ever any doubt that Senator Douglas possessed the popular heart of the people of Illinois, that doubt has been dispelled to-day. His passage from Chicago to this place has been a perfect ovation. There was not a station or cottage that the train passed from which there was not a greeting and a "God speed" sent forth; and the evidences of popular feeling evinced in his favor are conclusive that the result in November will be one of the most glorious triumphs of the Democracy ever achieved in this State.

Senator Douglas, as you are aware, left Chicago in the 9 o'clock train this morning, on the St. Louis, Alton and Chicago Railroad, to meet an appointment which he made at Springfield for to-morrow. The train which bore him was tastefully decorated with flags, the engine being almost hid beneath them, and banners were also displayed on the cars with the inscription "Stephen A. Douglas, the Champion of Popular Sovereignty." As the train passed along, the crowds who had assembled to give a parting cheer to the "Little Giant" performed their labor of love energetically and well. The train was soon out of Chicago and flying along the track; and now Mr. Douglas, having a few moments to devote to those "on board," shook hands and exchanged compliments with a number of impatient passengers who crowded around him, anxious to evince their respect and high admiration of the man.

As the train swept through Bridgeport, the employees of the road stationed there had assembled together, and greeted Senator Douglas with three hearty cheers.

A little incident occurred as we passed Bridgeport which is perhaps worthy of notice. One of the flags with which the train was decorated caught on the branches of a tree, and a gentleman seeing it, exclaimed, "See, Judge Douglas, there is one of your flags waving from that tree." "Yes," replied the Judge, "and before this campaign is over, my flags will be seen waving from every tree in the State."

At every station on the road—at Brighton Course, Summit, Athens and Lockport—the people were out waiting an opportunity to testify their respect to their patriot senator; and not a little interest was added to these demonstrations by the number of pretty girls and blooming matrons who took part in them, and testified by the waving of handkerchiefs and smiles of approval that there was one besides their lovers and husbands who had a place in their hearts.

As the train approached Joliet, the shrill whistle of the engine to "break up" was answered by the roar of artillery from the town; and when we reached the station, about 11 o'clock, we found some four or five hundred people awaiting us. The thunders of the guns were answered by the cheers of welcome by the crowd, who pressed around the cars anxious to get a glimpse of Senator Douglas. There being a delay at this place of twenty minutes for dinner, the senator spent it in shaking hands with and receiving the congratulations of those who had assembled to see him. The beaming countenances of the sturdy yeomanry, whose faces were lighted up with joy at meeting the man whom they delighted to honor, showed that the heart felt what the mouth uttered. One fine looking specimen of human nature, whose strong, sturdy frame, and sunburnt

healthy cheek, bore testimony to his having spent the best part of his days in the open air, exclaimed, after shaking hands with the senator, "By G—d, that did me good!"

At Joliet, a platform car, decorated with thirteen flags, and bearing a twelve-pounder and gun-carriage, was hitched on to the train, and after we left that town, as we approached each station, "Popular Sovereignty," as the gun was called, gave lively notice that we were on hand. At Elwood, a crowd was awaiting us, and as the train passed through, cheer after cheer went up, whilst two or three individuals expressed their enthusiasm by the discharge of their revolvers.

As the train approached Wilmington, "Popular Sovereignty's" note was echoed by a piece of artillery in the town, and as we reached the station, we found the citizens, accompanied by a fine brass band, awaiting Senator Douglas. The cars had hardly stopped, when a gentleman, whose head was silvered o'er with age, jumped on the train, and seizing Senator Douglas by the hand, cried, "Welcome, Judge Douglas, welcome to Wilmington," and then three hearty cheers, such as only the farmers of the Prairie State can give, rose in the air, and the people crowded around to shake Mr. Douglas by the hand. The train was delayed here several minutes, in order to afford the people an opportunity of seeing their senator.

At all the other stations—Stewart's Grove, Gardner, Dwight, Odell, Cayuga, Pontiac, Rook Creek, Peoria Junction, Lexington, and Towanda, the people were out awaiting the train, and greeted Senator Douglas with loud hurrahs. At each of these stations large numbers got on board for Bloomington. As we approached Bloomington, "Popular Sovereignty" gave notice that we were about, and his roar was answered by another of welcome from the town. About 5,000 people had assembled here to meet Senator Douglas, and the whole town and surrounding country were present on horseback, in vehicles, and on foot, to welcome his arrival. The train was overrun with people who clambered on top of the cars, and tumbled in on all sides, and the enthusiasm manifested was similar to that shown on his arrival at Chicago on Friday last. The thunders of the guns, the music of the band, and the shouts of the multitude filled the air. The scene can better be imagined than described. The crowd closed in around the cars in an impenetrable mass, and, taking possession of Senator Douglas, they carried him over to the platform, where he received their personal welcomes. After some time spent in this manner, the senator was placed in an open carriage, provided by the Committee of Arrangements, and the escort, composed of the Bloomington Rifles, a cavalcade of horsemen, and citizens on foot, headed by the Bloomington brass band, took up its march for the London House where rooms had been engaged by

the committee for their guest. Flags were displayed from the house, and strips of muslin ran along the balconies, bearing the inscription, "S. A. Douglas, the champion of Popular Sovereignty." Arriving at the house, the procession was dismissed, and after giving three times three cheers for Senator Douglas, gradually dispersed, to re-assemble at 7½ o'clock, P.M., in the court-house square, for the purpose of listening to his address.

At 7 o'clock, the roar of the cannon, and the firing of rockets, the ring- of the court-house bell, and the music of the band attached to the Bloomington Guards, who attended the meeting in uniform, gave notice to the people to assemble; and in half an hour the large square surrounding the court-house was crowded with people, whilst Washington, Jefferson, and Madison streets were in the same condition; and the windows and doors of the houses fronting the square were thronged with ladies and gentlemen. There were about 10,000 persons in attendance, and the committee of arrangements expected a much larger number, who were prevented from coming in from the country by the heavy rain which fell in this neighborhood all last night and to-day. The court-house was illuminated, and a stage was erected on the west side for the meeting.

At about 8 o'clock, Allen Withers, Esq., chairman of the Committee of Arrangements, called the meeting to order. Dr. E. R. Roe, in a very eloquent speech, welcomed Senator Douglas, and assured him, on behalf of the people of McLean County, that his course, during the last session of Congress, was fully approved by them, and that they were ready to show that approval, in a substantial manner, at the polls in November next.

SPEECH AT BLOOMINGTON.

In the course of his speech at Bloomington, Mr. Douglas referred to the Compromise measures of 1850, and the instructions of the Illinois legislature of 1851 to carry out the same principle of self-government in the organization of new Territories, as follows:

Illinois stands proudly forward as a State which early took her position in favor of the principle of popular sovereignty, as applied to the Territories of the United States. When the Compromise measures of 1850 passed, predicated upon that principle, you recollect the excitement which prevailed throughout the northern portion of this State. I vindicated those measures then, and defended myself for having voted for them, upon the ground

that they embodied the principle that every people ought to have the privilege of forming and regulating their own institutions to suit themselves—that each State had that right, and I saw no reason why it should not be extended to the Territories. When the people of Illinois had an opportunity of passing judgment upon those measures, they indorsed them by a vote of their representatives in the legislature—sixty-one in the affirmative, and only four in the negative—in which they asserted that the principle embodied in the measures was the birthright of freemen, the gift of Heaven, a principle vindicated by our Revolutionary fathers, and that no limitation should ever be placed upon it, either in the organization of a Territorial government, or the admission of a State into the Union. That resolution still stands unrepealed on the journals of the legislature of Illinois. In obedience to it, and in exact conformity with the principle, I brought in the Kansas-Nebraska Bill, requiring that the people should be left perfectly free in the formation of their institutions, and in the organization of their government. I now submit to you whether I have not in good faith redeemed that pledge, that the people of Kansas should be left perfectly free to form and regulate their institutions to suit themselves. ("You have," and cheers.) And yet, while no man can rise in any crowd and deny that I have been faithful to my principles, and redeemed my pledge, we find those who are struggling to crush and defeat me, for the very reason that I have been faithful in carrying out those measures. ("They can't do it," and great cheers.) We find the Republican leaders forming an alliance with professed Lecompton men to defeat every Democratic nominee, and elect Republicans in their places, and aiding and defending them in order to help them break down Anti-Lecompton men whom they acknowledge did right in their opposition to Lecompton ("They can't do it.") The only hope that Mr. Lincoln has of defeating me for the Senate rests in the fact that I was faithful to my principles, and that he may be able, in consequence of that fact, to form a coalition with Lecompton men who wish to defeat me for that fidelity. ("They will never do it. Never in the State of Illinois"—and cheers.)

He again refers to the coalition between the federal office-holders and the abolitionists, to break down the Democratic party

This is one element of strength upon which he relies to accomplish his object. He hopes he can secure the few men claiming to be friends of the Lecompton constitution, and for that reason you will find he does not say a word against the Lecompton constitution or its supporters. He is as

silent as the grave upon that subject. Behold Mr. Lincoln courting Lecompton votes, in order that he may go to the Senate as the representative of Republican principles! (Laughter.) You know that the alliance exists. I think you will find that it will ooze out before the contest is over. ("That's my opinion," and cheers.)

Every Republican paper takes ground with my Lecompton enemies, encouraging them, stimulating them in their opposition to me, and styling my friends bolters from the Democratic party, and their Lecompton allies the true Democratic party of the country. If they think that they can mislead and deceive the people of Illinois, or the Democracy of Illinois, by that sort of an unnatural and unholy alliance, I think they show very little sagacity, or give the people very little credit for intelligence. ("That's so," and cheers.) It must be a contest of principle. Either the radical abolition principles of Mr. Lincoln must be maintained, or the strong, constitutional, national Democratic principles with which I am identified, must be carried out.

There can be but two great political parties in this country. The contest this year and in 1860, must necessarily be between the Democracy and the Republicans, if we can judge from present indications. My whole life has been identified with the Democratic party. (Cheers.) I have devoted all my energies to advocating its principles, and sustaining its organization. In this State the party was never better united and more harmonious than at this time. (Cheers.) The State Convention which assembled on the 2d of April, and nominated Fondey and French, was regularly called by the State Central Committee, appointed by the previous State Convention for that purpose. The meetings in each county in the State for the appointment of delegates to the convention, were regularly called by the county committees, and the proceedings in every county in the State, as well as in the State Convention, were regular in all respects. No convention was ever more harmonious in its action, or showed a more tolerant and just spirit toward brother Democrats. The leaders of the party there assembled declared their unalterable attachment to the time-honored principles and organization of the Democratic party, and to the Cincinnati platform. They declared that that platform was the only authoritative exposition of Democratic principles, and that it must so stand until changed by another National Convention; that in the meantime they would make no new tests, and submit to none; that they would proscribe no Democrat, nor permit the proscription of Democrats because of their opinions upon Lecomptonism, or upon any other issue which has arisen; but would recognize all men as Democrats who remained inside of the organization, preserved the usages of the party, and supported its nominees. (Great applause.) These bolt-

ing Democrats who now claim to be the peculiar friends of the national administration, and have formed an alliance with Mr. Lincoln and the Republicans, for the purpose of defeating the Democratic party, have ceased to claim fellowship with the Democratic organization, have entirely separated themselves from it, and are endeavoring to build up a faction in the State, not with the hope or expectation of electing any one man who professes to be a Democrat, to office in any county in the State, but merely to secure the defeat of the Democratic nominees, and the election of Republicans in their places. What excuse can any honest Democrat have for abandoning the Democratic organization, and joining with the Republicans ("None!") to defeat our nominees, in view of the platform established by the State Convention? They cannot pretend that they were proscribed because of their opinions upon Lecompton or any other question, for the Convention expressly declared that they recognize all as good Democrats who remained inside of the organization, and abided by the nominations. If the question is settled, or is to be considered as finally disposed of by the vote on the 3d of August, what possible excuse can any good Democrat make for keeping up a division for the purpose of prostrating his party, after that election is over, and the controversy has terminated.

DRED SCOTT DECISION—NEGRO EQUALITY.

But I must now bestow a few words upon Mr. Lincoln's main objection to the Dred Scott decision. He is not going to submit to it. Not that he is going to make war upon it with force of arms. But he is going to appeal and reverse it in some way; he cannot tell us how. I reckon not by a writ of error, because I do not know where he would prosecute that, except before an Abolition Society. ("That's it," and applause.) And when he appeals, he does not exactly tell us to whom he will appeal, except it be to the Republican party, and I have yet to learn that the Republican party, under the Constitution, has judicial powers; but he is going to appeal from it and reverse it either by an act of Congress, or by turning out the judges, or in some other way. And why? Because he says that that decision deprives the negro of the benefit of that clause of the Constitution of the United States which entitles the citizens of each State to all the privileges and immunities of citizens of the several States. Well, it is very true that the decision does have that effect. By deciding that a negro is not a citizen, of course it denies to him the rights and privileges awarded to citizens of the United States. It is this that Mr. Lincoln will not submit to. Why? For the palpable reason that he wishes to confer upon the negro all the rights

privileges, and immunities of citizens of the several States. I will not quarrel with Mr. Lincoln for his views on that subject. I have no doubt that he is conscientious in them. I have not the slightest idea but that he conscientiously believes that a negro ought to enjoy and exercise all the rights and privileges given to white men; but I do not agree with him, and hence I cannot concur with him. I believe that this government of ours was formed on the white basis. (Prolonged cheering.) I believe that it was established by white men—(applause)—by men of European birth and descended of European races, for the benefit of white men and their posterity in all time to come. ("Hear, hear.") I do not believe that it was the design or intention of the signers of the Declaration of Independence or the framers of the Constitution to include negroes or other inferior races with white men as citizens. (Cheers.) Our fathers had at that day seen the evil consequences of conferring civil and political rights upon the negro in the Spanish and French colonies on the American continent, and the adjacent islands. In Mexico, in Central America, in South America, and in the West India Islands, where the negro, and men of all colors and all races are put on an equality by law, the effect of political amalgamation can be seen. Ask any of those gallant young men in your own county, who who went to Mexico to fight the battles of their country, in what friend Lincoln considers an unjust and unholy war, and hear what they will tell you in regard to the amalgamation of races in that country. Amalgamation there, first political, then social, has led to demoralization and degradation until it has reduced the people below the point of capacity for self-government. Our fathers knew what the effect of it would be, and from the time they planted foot on the American continent, not only those who landed at Jamestown, but at Plymouth Rock and all other points on the coast, they pursued the policy of confining civil and political rights to the white race, and excluding the negro in all cases. Still Mr. Lincoln conscientiously believes that it is his duty to advocate negro citizenship. He wants to give the negro the privileges of citizenship. He quotes Scripture again, and says: "As your Father in Heaven is perfect, be ye also perfect," and he applies that Scriptural quotation to all classes, not that he expects us all to be as perfect as our Master, but as nearly perfect as possible. In other words, he is willing to give the negro an equality under the law, in order that he may approach as near perfection or an equality with the white man as possible. To this same end he quotes the Declaration of Independence in these words: "We hold these truths to be self-evident that all men were created equal, and endowed by their Creator with certain inalienable rights, among which are life, liberty, and the pursuit of happiness," and goes on to argue that the negro was included, or

intended to be included, in that declaration by the signers of the paper. He says that by the Declaration of Independence, therefore, all kinds of men, negroes included, were created equal, and endowed by their Creator with certain inalienable rights, and further, that the right of the negro to be on an equality with the white man is a Divine right conferred by the Almighty, and rendered inalienable according to the Declaration of Independence. Hence no human law or constitution can deprive the negro of that equality with the white man to which he is entitled by Divine law. ("Higher law.") Yes, higher law. Now, I do not question Mr. Lincoln's sincerity on this point. He believes that the negro by the Divine law is created the equal of the white man, and that no human law can deprive him of that equality thus secured; and he contends that the negro ought, therefore, to have all the rights and privileges of citizenship on an equality with the white man. In order to accomplish this, the first thing that would have to be done in this State would be to blot out of our State Constitution that clause which prohibits negroes from coming into this State and making it an African colony, and permit them to come and spread over these charming prairies until in midday they shall look black as night. When our friend Lincoln gets all his colored brethren around him here, he will then raise them to perfection as fast as possible, and place them on an equality with the white man, first removing all legal restrictions, because they are our equals by Divine law and there should be no such restrictions. He wants them to vote. I am opposed to it. If they had a vote I reckon they would all vote for him in preference to me, entertaining the views I do. (Laughter.) But that matters not. The position he has taken on this question not only presents him as claiming for them the right to vote, but their right, under the Divine law and the Declaration of Independence, to be elected to office, to become members of the legislature, to go to Congress, and to become governors, or United States senators (laughter and cheers), or judges of the Supreme Court; and I suppose that when they control that court that they will probably reverse the Dred Scott decision. (Laughter.) He is going to bring negroes here, and give them the right of citizenship, the right of voting, the right of holding office and sitting on juries, and what else? Why, he would permit them to marry, would he not? and if he gives them that right, I suppose he will let them marry whom they please, provided they marry their equals. (Laughter.) If the Divine law declares that the white man is the equal of the negro woman; that they are on a perfect equality; I suppose he admits the right of the negro woman to marry the white man. (Renewed laughter.) In other words, his doctrine that the negro by Divine law is placed on a perfect equality with the white man, and that that equality is recognized by the

Declaration of Independence, leads him necessarily to establishing negro equality under the law; but whether even then they would be so in fact, would depend upon the degree of virtue and intelligence they possessed, and certain other qualities that are matters of taste rather than of law. (Laughter.) I do not understand Mr. Lincoln as saying that he expects to make them our equals socially, or by intelligence, nor, in fact, as citizens, but that he wishes to make them equal under the law, and then say to them "as your Master in Heaven is perfect, be ye also perfect." Well, I confess to you, my fellow-citizens, that I am utterly opposed to that system of abolition philosophy. ("So am I," and cheers.)

MIND YOUR OWN BUSINESS AND LET YOUR NEIGHBORS ALONE—CLAY AND WEBSTER.

In Kentucky they will not give a negro any political rights or any civil rights. I shall not argue the question whether Kentucky in so doing has decided right or wrong, wisely or unwisely. It is a question for Kentucky to decide for herself. I believe that the Kentuckians have consciences as well as ourselves; they have as keen a perception of their religious, moral and social duties as we have, and I am willing that they shall decide this slavery question for themselves, and be accountable to their God for their action. It is not for me to arraign them for what they do. I will not judge them lest I shall be judged. Let Kentucky mind her own business, and take care of her negroes, and we attend to our own affairs, and take care of our negroes, and we will be the best of friends; but if Kentucky attempts to interfere with us, or we with her, there will be strife, there will be discord, there will be relentless hatred, there will be everything but fraternal feeling and brotherly love. It is not necessary that you should enter Kentucky and interfere in that State, to use the language of Mr. Lincoln. It is just as offensive to interfere from this State, or send your missiles over there. I care not whether an enemy, if he is going to assault us, shall actually come into our State or come along the line and throw his bomb-shells over to explode in our midst. Suppose England should plant a battery on the Canadian side of the Niagara River, opposite Buffalo, and throw bomb-shells over, which would explode in Main street, in that city, and destroy the buildings, and that when we protested, she should say, in the language of Mr. Lincoln, that she never dreamed of coming into the United States to interfere with us, and that she was just throwing her bombs over the line from her own side, which she had a right to do, would that explanation satisfy us? ("No;" "Strike him again.") So it is with Mr. Lincoln. He is not going into Kentucky

but he will plant his batteries on this side of the Ohio, where he is safe and secure for a retreat, and will then throw his bomb-shells—his abolition documents—over the river, and will carry on a political warfare and get up strife between the North and South until he elects a sectional President, reduces the South to the condition of dependent colonies, raises the negro to an equality, and forces the South to submit to the doctrine that a house divided against itself cannot stand, that the Union divided into half slave States and half free cannot endure, that they must all be slave or they must all be free, and that as we in the North are in the majority we will not permit them to be all slave, and, therefore, they in the South must consent to the States all being free. (Laughter.) Now, fellow-citizens, I submit whether these doctrines are consistent with the peace and harmony of this Union. ("No, no.") I submit to you, whether they are consistent with our duty as citizens of a common confederacy; whether they are consistent with the principles which ought to govern brethren of the same family. I recognize all the people of these States, North and South, East and West, old or new, Atlantic and Pacific, as our brethren, flesh of one flesh, and I will do no act unto them that I would not be willing they should do unto us. I would apply the same Christian rule to the States of this Union that we are taught to apply to individuals, "do unto others as you would have others do unto you," and this would secure peace. Why should this slavery agitation be kept up? Does it benefit the white man or the slave? Who does it benefit except the Republican politicians, who use it as their hobby to ride into office. (Cheers.) Why, I repeat, should it be continued? Why cannot we be content to administer this government as it was made—a confederacy of sovereign and independent States. Let us recognize the sovereignty and independence of each State, refrain from interfering with the domestic institutions and regulations of other States, permit the Territories and new States to decide their institutions for themselves as we did when we were in their condition; blot out these lines of North and South and resort back to those lines of State boundaries which the Constitution has marked out and engraved upon the face of the country; have no other dividing lines but these and we will be one united, harmonious people, with fraternal feelings and no discord or dissension. (Cheers.)

These are my views and these are the principles to which I have devoted all my energies since 1850, when I acted side by side with the immortal Clay and the godlike Webster in that memorable struggle in which Whigs and Democrats united upon a common platform of patriotism and the Constitution, throwing aside partisan feelings in order to restore peace and harmony to a distracted country. And when I stood beside the death

bed of Mr. Clay and heard him refer with feelings and emotions of the deepest solicitude to the welfare of the country, and saw that he looked upon the principle embodied in the great Compromise measures of 1850, the principle of the Nebraska Bill, the doctrine of leaving each State and Territory free to decide its institutions for itself, as the only means by which the peace of the country could be preserved, and the Union perpetuated, I pledged him, on that death-bed of his, that so long as I lived my energies should be devoted to the vindication of that principle, and of his fame as connected with it. ("Hear, hear," and great enthusiasm.) I gave the same pledge to the great expounder of the Constitution, he who has been called the "godlike Webster." I looked up to Clay and him as a son would to a father, and I call upon the people of Illinois, and the people of the whole Union to bear testimony that never since the sod has been laid upon the graves of those eminent statesmen have I failed on any occasion to vindicate the principle with which the last great, crowning acts of their lives were identified, or to vindicate their names whenever they have been assailed; and now my life and energy are devoted to this great work as the means of preserving this Union. (Cheers.) This Union can only be preserved by maintaining the fraternal feeling between the North and the South, the East and the West. If that good feeling can be preserved the Union will be as perpetual as the fame of its great founders. It can be maintained by preserving the sovereignty of the States, the right of each State and each Territory to settle its domestic concerns for itself, and the duty of each to refrain from interfering with the other in any of its local or domestic institutions. Let that be done and the Union will be perpetual; let that be done, and this republic, which began with thirteen States, and which now numbers thirty-two, which when it began only extended from the Atlantic to the Mississippi but now reaches to the Pacific, may yet expand North and South until it covers the whole continent and becomes one vast ocean-bound confederacy. (Great cheering.) Then, my friends, the path of duty, of honor, of patriotism is plain. There are a few simple principles to be preserved. Bear in mind the dividing line between State rights and federal authority; let us maintain the great principles of popular sovereignty, of State rights, and of the Federal Union as the Constitution has made it, and this republic will endure forever.

UNITY OF THE DEMOCRATIC PARTY.

In the course of Mr. Douglas' speech at Edwardsville, on the 6th of August, an old Democrat sprang to his feet and

exclaimed, "These are the principles of all us Douglas Democrats!" To which Mr. Douglas replied:

My friend—you will pardon me for telling you that there is no such term in the Democratic vocabulary as Douglas Democrats. Let there be no divisions in our ranks—no such distinction as Douglas Democrats, or Buchanan Democrats, or any other peculiar kind of Democrats. Let us retain the old name of Democrat, and under that name recognize all men as good Democrats who stand firmly by the principles and organization of the party, and support its regular nominations. Let us have no divisions in our ranks on account of past differences, but treating bygones as bygones let the party be a unit in the accomplishment of the great mission which it has to perform.

This sentiment was received with rapturous applause.

SPEECH AT WINCHESTER—TOUCHING INCIDENTS.

At Winchester, where he settled when he first emigrated to Illinois, in 1833, he responded to the address of welcome, thus:

To say that I am profoundly impressed with the keenest gratitude for the kind and cordial welcome you have given me, in the eloquent and too partial remarks which have been addressed to me, is but a feeble expression of the emotions of my heart. There is no spot in this vast globe which fills me with such emotions as when I come to this place, and recognize the faces of my old and good friends who now surround me and bid me welcome. Twenty-five years ago I entered this town on foot, with my coat upon my arm, without an acquaintance in a thousand miles, and without knowing where I could get money to pay a week's board. Here I made the first six dollars I ever earned in my life, and obtained the first regular occupation that I ever pursued. For the first time in my life I then felt that the responsibilities of manhood were upon me, although I was under age, for I had none to advise with, and knew no one upon whom I had a right to call for assistance or for friendship. Here I found the then settlers of the country my friends—my first start in life was taken here, not only as a private citizen, but my first election to public office by the people was conferred upon me by those whom I am now addressing, and by their fathers. A quarter of a century has passed, and that pen-

niless boy stands before you, with his heart full and gushing with the sen timents which such associations and recollections necessarily inspire.

In the midst of that portion of his speech, in which he was vindicating the doctrine of popular sovereignty, applicable to the Territories, one of his early friends exclaimed, in a loud voice, "Stephen, you shall be the next President;" to which Mr. Douglas instantly replied:

My friend, I appreciate the kindness of heart which makes you put forth that prediction, but will assure you that it is more important to this country, to your children and to mine, that the great principles which we are now discussing shall be carried out in good faith by the party, than it is that I or any other man shall be President of the United States. (Three cheers.) I am also free to say to you that whenever the question arises with me whether I shall be elevated to the Presidency or any other high position, by the sacrifice of my principles, I will stand by my principles and allow the position to take care of itself. (Three cheers.) I have always admired that great sentiment put forth by the illustrious Clay, that he would rather be right than be President. ("Good.") I say to you that I have more pride in my history connected with the vindication of this great principle of popular sovereignty than I would have in a thousand Presidencies. (Three cheers.)

Mr. Douglas, again advocating that "by-gones be by-gones," when Kansas rejected the English bill, said, in a speech at Pittsfield:

By the rejection of the Lecompton constitution the controversy which it caused is terminated forever, and there will be no cause for reviving it, and it never will be revived unless it is brought up in an improper and mischievous manner, for improper and mischievous purposes. I say that the controversy can never rise again if we act properly, and for this reason: the President of the United States, in his annual message, declared that he regretted that the Lecompton constitution had not been submitted to the people. I joined him in that regret, and thus far we agreed. He further declared in that message, that it was a just and sound principle to require the submission of every constitution to the people who were to live under it, and to this I also subscribed. He then declared that, in his opinion, the example set in the Minnesota case, wherein Congress required

the submission of the constitution to the people, should be followed hereafter forever as a rule of action; in which opinion I heartily concurred. So far we agreed perfectly, and were together. Well, then, what did we differ about? He said that while it was a sound principle that the constitution should be submitted to the people, and while he hoped that hereafter Congress would always require it to be done, yet that there were such circumstances connected with Kansas as rendered it politic and expedient to admit her unconditionally under the Lecompton constitution. I differed with him on that one point, and it was the whole matter at issue between him and me, his friends and mine. That point is now decided. The people of Kansas have set it at rest forever, and I trust that he is satisfied with their decision as well as myself. That being the case, why should we not come together in the future and stand firmly by his recommendation—that hereafter Congress shall, as in the Minnesota case, require the constitution of all new States to be submitted to the people in all cases? If we only do stand by that principle in the future, another Lecompton controversy can never arise—the friends of self-government will then all be united, and there will be no more discord or dissensions in our ranks. Why not rally on that plank as the common plank in the platform of our party, upon which not only all Democrats, but all national men, all friends of popular sovereignty, can stand together, shoulder to shoulder.

THE FREEPORT SPEECH.

In the joint debate at Freeport, Mr. Lincoln propounded to Mr. Douglas a series of questions, and among them was the following, to which he desired an explicit reply:

"Can the people of a Territory of the United States in any lawful way, against the wishes of any citizen of the United States, exclude slavery from its limits prior to the formation of a State constitution?"

To this question Mr. Douglas gave an affirmative reply, in accordance with the opinions which he had so often expressed, in 1850, during the pendency of the Compromise measures, and in 1854, in support of the Kansas-Nebraska Bill, and in harmony with the known opinions of the most eminent men of the Democratic party, and especially of

General Cass, in his Nicholson letter, and of Mr. Buchanan, in his letter accepting the Cincinnati nomination.

It being a joint debate, in which his time was limited, and having a large number of other questions to answer, Mr. Douglas contented himself with a direct and unequivocal answer, without entering into any argument in support of the propositions. His reply, as published in the unrevised report of the debate, is as follows:

The next question propounded to me by Mr. Lincoln is, can the people of a Territory in any lawful way against the wishes of any citizen of the United States, exclude slavery from their limits prior to the formation of a State constitution? I answer emphatically, as Mr. Lincoln has heard me answer a hundred times from every stump in Illinois, that in my opinion the people of a Territory can, by lawful means, exclude slavery from their limits prior to the formation of a State constitution. (Enthusiastic applause.) Mr. Lincoln knew that I had answered that question over and over again. He heard me argue the Nebraska Bill on that principle all over the State in 1854, in 1855 and in 1856, and he has no excuse for pretending to be in doubt as to my position on that question. It matters not what way the Supreme Court may hereafter decide as to the abstract question whether slavery may or may not go into a Territory under the constitution; the people have the lawful means to introduce it or exclude it as they please, for the reason that slavery cannot exist a day or an hour anywhere, unless it is supported by local police regulations. (Right, right.) Those police regulations can only be established by the local legislature, and if the people are opposed to slavery they will elect representatives to that body who will by unfriendly legislation effectually prevent the introduction of it into their midst. If, on the contrary, they are for it, their legislation will favor its extension. Hence, no matter what the decision of the Supreme Court may be on that abstract question, still the right of the people to make a slave Territory or a free Territory is perfect and complete under the Nebraska Bill. I hope Mr. Lincoln deems my answer satisfactory on that point.

MR. DOUGLAS AT ALTON—REBUKES EXECUTIVE DICTATION.

And now this warfare is made on me because I would not surrender my convictions of duty, because I would not abandon my constituency, and receive the orders of the Executive authorities how I should vote in the

Senate of the United States. ("Never do it," three cheers, etc.) I hold that an attempt to control the Senate on the part of the Executive is subversive of the principles of our Constitution. ("That's right.") The Executive department is independent of the Senate, and the Senate is independent of the President. In matters of legislation the President has a veto on the action of the Senate, and in appointments and treaties the Senate has a veto on the President. He has no more right to tell me how I shall vote on his appointments, than I have to tell him whether he shall veto or approve a bill that the Senate has passed. Whenever you recognize the right of the Executive to say to a senator, "Do this, or I will take off the heads of your friends," you convert this government from a republic into a despotism. (Hear, hear, and cheers.) Whenever you recognize the right of a President to say to a member of Congress, "Vote as I tell you, or I will bring a power to bear against you at home which will crush you," you destroy the independence of the representative, and convert him into a tool of Executive power. ("That's so," and applause.) I resisted this invasion of the constitutional rights of a senator, and I intend to resist it as long as I have a voice to speak, or a vote to give. Yet, Mr. Buchanan cannot provoke me to abandon one iota of Democratic principles out of revenge or hostility to his course. ("Good, good, and three cheers for Douglas.") I stand by the platform of the Democratic party, and by its organization, and support its nominees. If there are any who choose to bolt, the fact only shows that they are not as good Democrats as I am. ("That's so," "good," and applause.)

UNION OF NATIONAL MEN FOR SAKE OF THE UNION.

My friends, there never was a time when it was as important for the Democratic party, for all national men, to rally and stand together as it is to-day. We find all sectional men giving up past differences and combining on the one question of slavery; and when we find sectional men thus uniting, we should unite to resist them and their treasonable designs. Such was the case in 1850, when Clay left the quiet and peace of his home and again entered upon public life to quell agitation and restore peace to a distracted Union. Then we Democrats, with Cass at our head, welcomed Henry Clay, whom the whole nation regarded as having been preserved by God for the times. He became our leader in that great fight, and we rallied around him the same as the Whigs rallied around old Hickory in 1832, to put down nullification. (Cheers.) Thus you see that

whilst Whigs and Democrats fought fearlessly in old times about banks, the tariff distribution, the specie circular, and the sub-treasury, all united as a band of brothers when the peace, harmony, or integrity of the Union was imperilled. (Tremendous applause.) It was so in 1850, when abolitionism had even so far divided this country, North and South, as to endanger the peace of the Union; Whigs and Democrats united in establishing the Compromise measures of that year, and restoring tranquillity and good feeling. These measures passed on the joint action of the two parties. They rested on the great principle that the people of each State and each Territory should be left perfectly free to form and regulate their domestic institutions to suit themselves. You Whigs and we Democrats justified them on that principle. In 1854, when it became necessary to organize the Territories of Kansas and Nebraska, I brought forward a bill for the purpose on the same principle. In the Kansas-Nebraska Bill you find it declared to be the true intent and meaning of the act not to legislate slavery into any State or Territory, nor to exclude it therefrom; but to leave the people thereof perfectly free to form and regulate their domestic institutions in their own way. ("That's so," and cheers.) I stand on that same platform in 1858 that I did in 1850, in 1854 and 1856.

The Washington "Union," pretending to be the organ of the administration, in the number of the 5th of this month, devotes three columns and a half to establish these propositions: First, that Douglas, in his Freeport speech, held the same doctrine that he did in his Nebraska Bill in 1854; second, that in 1854 Douglas justified the Nebraska Bill, upon the ground that it was based upon the same principle as Clay's Compromise measures of 1850. The "Union" thus proved that Douglas was the same in 1858 that he was in 1856, in 1854 and in 1850, consequently argued that he was never a Democrat. (Great laughter.) Is it not funny that I was never a Democrat? (Renewed laughter.) There is no pretence that I have changed a hair's breadth. The "Union" proves, by my speeches, that I explained the Compromise measures of 1850 just as I do now, and that I explained the Kansas and Nebraska Bill in 1854 just as I did in my Freeport speech, and yet says that I am not a Democrat, and cannot be trusted, because I have not changed during the whole of that time. It has occurred to me that in 1854 the author of the Kansas and Nebraska Bill was considered a pretty good Democrat. (Cheers.) It has occurred to me that in 1856, when I was exerting every nerve and every energy for James Buchanan, standing on the same platform then that I do now, that I was a pretty good Democrat. (Renewed applause.) They now tell me that I am not a

Democrat, because I assert that the people of a Territory, as well as those of a State, have the right to decide for themselves whether slavery can or cannot exist in such Territory. Let me read what James Buchanan said on that point when he accepted the Democratic nomination for the Presidency in 1856. In his letter of acceptance, he used the following language:

"The recent legislation of Congress respecting domestic slavery, derived, as it has been, from the original and pure fountain of legitimate political power, the will of the majority, promise ere long to allay the dangerous excitement. This legislation is founded upon principles as ancient as free government itself, and in accordance with them, has simply declared that the people of a Territory, like those of a State, shall decide for themselves whether slavery shall or shall not exist within their limits."

Dr. Hope will there find my answer to the question he propounded to me before I commenced speaking. (Vociferous shouts of applause.) Of course no man will consider it an answer who is outside of the Democratic organization, bolts Democratic nominations, and indirectly aids to put Abolitionists into power over Democrats. But whether Dr. Hope considers it an answer or not, every fair-minded man will see that James Buchanan has answered the question, and has asserted that the people of a Territory, like those of a State, shall decide for themselves whether slavery shall or shall not exist within their limits. I answer specifically, if you want a further answer, and say, that while under the decision of the Supreme Court, as recorded in the opinion of Chief Justice Taney, slaves are property like all other property, and can be carried into a Territory of the United States the same as any other description of property; yet, when you get them there, they are subject to the local law of the Territory just like all other property. You will find in a recent speech, delivered by that able and eloquent statesman, Hon. Jefferson Davis, at Portland, Maine, that he took the same view of this subject that I did in my Freeport speech. He there said:

"If the inhabitants of any Territory should refuse to enact such laws and police regulations as would give security to their property or to his, it would be rendered more or less valueless, in proportion to the difficulties of holding it without such protection. In the case of property in the labor of man, or what is usually called slave property, the insecurity would be so great that the owner could not ordinarily retain it. Therefore, though the right would remain, the remedy being withheld, it would follow that the owner would be practically debarred, by the circumstances of the case, from taking slave property into a Territory where the sense of the inhabitants was opposed to its introduction. So much for the oft-repeated fallacy of forcing slavery upon any community."

You will also find that the distinguished speaker of the present House of Representatives, Hon. James L. Orr, construed the Kansas and Ne-

braska Bill in this same way in 1856, and also that that great intellect of the South, Alex. H. Stevens, put the same construction upon it in Congress that I did in my Freeport speech. The whole South are rallying to the support of the doctrine that, if the people of a Territory want slavery, they have a right to have it; and if they do not want it, that no power on earth can force it upon them. I hold that there is no principle on earth more sacred to all the friends of freedom than that which says that no institution, no law, no constitution, should be forced on an unwilling people contrary to their wishes; and I assert that the Kansas and Nebraska Bill contains that principle. It is the great principle contained in that bill. It is the principle on which James Buchanan was made President. Without that principle he never would have been made President of the United States. I will never violate or abandon that doctrine if I have to stand alone. (Hurrah for Douglas.) I have resisted the blandishments and threats of power on the one side, and seduction on the other, and have stood immovably for that principle, fighting for it when assailed by northern mobs, or threatened by southern hostility. ("That's the truth," and cheers.) I have defended it against the North and the South, and I will defend it against whoever assails it, and I will follow it wherever its logical conclusions lead me. ("So will we all," "hurrah for Douglas.") I say to you that there is but one hope, one safety for this country, and that is to stand immovably by that principle which declares the right of each State and each Territory to decide these questions for themselves. (Hear him, hear him.) This government was founded on that principle, and must be administered in the same sense in which it was founded.

The Democracy of Illinois determined at the opening of their campaign, in view of their relations toward the administration, to invite no speakers from abroad to participate in the labor of their canvass. In the event of any gentlemen volunteering their services, they would be most gratefully accepted. A few exceptions, however, were made to this rule, at the suggestion of friends in other States. Private letters had been received by numerous gentlemen in the State, to the effect that Vice-President Breckinridge warmly sympathized with the Illinois Democracy in their fierce struggle with their confederated enemy, and that his feelings were painfully exercised by the imminent dangers that environed

the prospects of Mr. Douglas' reëlection to the Senate. Indeed, it was suggested that the Vice-President had expressed a desire to lend the weight of his great talents and exertions in the good cause; and, if invited, would cheerfully engage in the canvass, as he had done before when himself a candidate in the contest of 1856. Accordingly, invitations were sent to Mr. Breckinridge, and Governor Wise of Virginia, who, it was understood, warmly sympathized with Judge Douglas in his struggle, as he had done through his whole anti-Lecompton course in Congress; to which invitations these gentlemen sent characteristic replies, which we think of sufficient importance to here insert.

LETTER OF MR. BRECKINRIDGE.

VERSAILLES, Ky., Oct. 4, 1858.

DEAR SIR: I received this morning your letters of the 28th and 29th ult., written as chairman of the Democratic State Committee of Illinois, also one of Mr. V. Hickox, who informs me that he is a member of the same committee. My absence from home will account for the delay of this answer.

In these letters it is said that I am reported to have expressed a desire that Mr. Douglas shall defeat Mr. Lincoln in their contest for a seat in the Senate of the United States, and a willingness to visit Illinois and make public speeches in aid of such result; and if these reports are true, I am invited to deliver addresses at certain points in the State.

The rumor of my readiness to visit Illinois and address the people in the present canvass is without foundation. I do not propose to leave Kentucky for the purpose of mingling in the political discussions in other States. The two or three speeches which I delivered recently in this State rested on peculiar grounds, which I need not now discuss.

The rumor to which you refer is true. I have often, in conversation, expressed the wish that Mr. Douglas may succeed over his Republican competitor. But it is due to candor to say, that this preference is not founded on his course at the late session of Congress, and would not exist if I supposed it would be construed as an indorsement of the attitude which he then chose to assume toward his party, or of all the positions he has taken in the present canvass. It is not necessary to enlarge on these things.

I will only add, that my preference rests mainly on these considerations: that the Kansas question is practically ended—that Mr. Douglas, in recent speeches, has explicitly declared his adherence to the regular Democratic party organization—that he seems to be the candidate of the Illinois Democracy, and the most formidable opponent in that State of the Republican party, and that on more than one occasion during his public life he has defended the union of the States and the rights of the States with fidelity, courage, and great ability.

I have not desired to say anything upon this or any other subject about which a difference may be supposed to exist in our political family, but I did not feel at liberty to decline an answer to the courteous letter of your committee.

With cordial wishes for the harmony of the Illinois Democracy, and the hope that your great and growing State, which has never yet given a sectional vote, may continue true to our constitutional Union,

I am, very respectfully, your obedient servant,

JOHN C. BRECKINRIDGE.

HON. JOHN MOORE, Chairman of the Committee.

LETTER OF GOVERNOR WISE.

RICHMOND, VA., 1858.

TO HON. JOHN MOORE, Chairman of the Democratic State Committee of Illinois:

DEAR SIR: I cannot express to you the emotions of my bosom, excited by your appeal to me for aid in the warm contest which your noble Democracy is waging with abolitionism. Every impulse prompts me to rush to your side. Your position is a grand one, and in some respects unexampled. In the face of doubt and distrust attempted to be thrown upon your Democracy, and its gallant leader, by the pretext of pretenders that you were giving aid and comfort to the arch enemy of our country, peace and safety, and our party integrity, I see you standing alone—isolated by a tyrannical proscription, which would, alike foolishly and wickedly, lop off one of the most vigorous limbs of national Democracy, the limb of glorious Illinois! I see you, in spite of this imputation, firmly fronting the foe, and battling to maintain conservative nationality—against embittered and implacable sectionalism—constitutional rights, operating *propriâ vigore*, and every way against all unequal and unjust federal or territorial legislation;

The right of the people to govern themselves against all force or fraud;

The right of the sovereign people to look at the "returns," and behind

the "returns," of all their representative bodies, agents, trustees, or servants;

The responsibility of all governors, representatives, trustees, agents, and servants, to their principals, the people, who are "the governed," and the source of all political power;

Utter opposition to the detestable doctrine of the absolutism of conventions to prescribe and proclaim fundamental forms of government at their will, without submission to the sovereign people—a doctrine fit only for slaves, and claimed only by legitimists and despots of the old world;

Powers of any sort not expressly delegated to any man, or body of men, are expressly "reserved to the people;"

No *absolute* or dictatorial authority in representative bodies. The representative principle as claiming submission and obedience to the will of the constituents;

The sovereignty of the organized people supreme above all mere representative bodies, conventions, or legislatures, to decide, vote upon, and determine what shall be their supreme law;

Justice and equality between States and their citizens, and between voters to elect their agents and representatives, and to ratify or reject any proposed system of government;

Submission to the constitution and laws of the federal Union, and strict observance of all the rights of the States and their citizens, but resistance to the dictation or bribes of Congress, or any other power, to yield the inalienable right of self-government;

Protection in the Territories, and everywhere, to all rights of persons and of property, in accordance with the rights of the States, and with the constitution and laws of the Union;

Equity and uniformity in the mode of admitting new States into the Union, making the same rules and ratios to apply to all alike;

The rejection of all compromises, conditions or terms which would discriminate between forms of republican constitutions, admitting one, with one number of population, and requiring three times that number for another form equally republican;

The great law of settlement of the public domain of the United States, free, equal, and just, never to be "temporized" or "localized" by temporary or partial expedients, but to be adjusted by permanent, uniform and universal rules of right and justice.

Maintaining these and the like principles, I deem it to be the aim of the struggle of the devoted Democracy in this signal contest. And so understanding them, I glory in their declaration and defence. I would sacrifice much and go far to uphold your arms in this battle. I would most gladly

visit your people, address them, and invoke them to stand fast by the standard of their faith and freedom, and never to let go the truths for which they contend, for they are vital and cardinal, and essential, and can never be yielded without yielding liberty itself.

But, sir, I am like a tied man, bound to my duties here; and, if my office would allow me to leave it, I could not depart from the bedside of illness in my family, which would probably recall me before I could reach Illinois; and my own state of health admonishes me that I ought not to undertake a campaign as arduous as that you propose. I know what the labors of the stump are, and am not yet done suffering bodily from my efforts for Democracy in 1855. For these reasons, I cannot obey your call; but, permit me to add: Fight on! fight on! fight on!—never yield but in death or victory! And, oh! that I was unbound and could do more than look on, throbbing with every pulse of your glorious struggle—with its every blow and breath—cheered with its hopes, and chafed by its doubts—You have my prayers, and I am,

Yours truly,

HENRY A. WISE.

The Democracy of Illinois were not satisfied with the spirit and tone of Mr. Breckinridge's letter, nor did they acknowledge the justice of the Vice-President's insinuation, that their position was no better than Black Republicanism, contained in the following paragraph:

I have often, in conversation, expressed the wish that Mr. Douglas may succeed over his competitor; but it is due to candor to say, that this preference is not founded on his course at the last session of Congress, *and would not exist* if I supposed it would be construed as an indorsement of the attitude which he then chose to assume toward his party, or of all the positions he has taken in the present canvass.

The speeches of Mr. Breckinridge, in favor of the Nebraska Bill, while that measure was pending in Congress, and in 1856, when a candidate for the Vice-Presidency, in each of which he advocated the doctrine of popular sovereignty, in terms quite as explicit as those employed by Mr. Douglas in his Freeport speech, were too fresh in the minds of Illinoisans to permit this implied rebuke from a gen-

tleman whom they had so recently aided in electing to the second office in the gift of the people to pass without hard thoughts. Nor did the Illinois Democrats exactly relish the ambiguous and equivocal language in which the Vice-President gave his reasons for preferring Mr. Douglas to Mr. Lincoln.

The tone and temper of the noble letter of Governor Wise, replete with fervid interest in the struggle, is in striking contrast with that of Mr. Breckinridge, and the two letters appearing about the same time, produced a profound impression on the minds and feelings of the Illinois Democracy.

MR. DIXON'S LETTER.

Pending the campaign, the Hon. Archibald Dixon, late United States senator from Kentucky, addressed a letter to the Hon. Henry S. Foote, under date of September 30, 1858, in which the public career of Mr. Douglas was referred to, his position on the Lecompton constitution sustained, and his course on the Nebraska Bill vindicated. Mr. Dixon is an Old Line Whig, and will be remembered as having first moved the repeal of the Missouri restriction in the Senate, an amendment which was modified and accepted by Mr. Douglas, and subsequently incorporated into the Nebraska-Kansas Bill.

The following extract will show in what estimation Mr. Douglas is held by one of the retired statesmen of the country, no longer influenced by partisan feeling and personal rivalry:

Of Judge Douglas, personally, I have a few words to utter which I could not withhold, without greatly wronging my own conscience. When I entered the United States Senate a few years since, I found him a decided favorite with the political party then dominant both in the Senate and the country. My mind had been greatly prejudiced against him, and I felt no disposition whatever to sympathize, or to coöperate with him. It soon

became apparent to me, as to others, that he was, upon the whole, far the ablest Democratic member of the body. In the progress of time my respect for him, both as a gentleman and a statesman, greatly increased. I found him sociable, affable, and in the highest degree entertaining and instructive in social intercourse. His power, as a debater, seemed to me unequalled in the Senate. He was industrious, energetic, bold, and skillful in the management of the concerns of his party. He was the acknowledged leader of the Democratic party in the Senate, and, to confess the truth, seemed to me to bear the honors which encircled him with sufficient meekness. Such was the palmy state of his reputation and popularity on the day that he reported to the Senate his celebrated Kansas and Nebraska Bill.

On examining that bill, it struck me that it was deficient in one material respect; it did not in terms repeal the restrictive provision in regard to slavery embodied in the Missouri Compromise. This, to me, was a deficiency that I thought it imperiously necessary to supply. I accordingly offered an amendment to that effect. My amendment seemed to take the Senate by surprise, and no one appeared more startled than Judge Douglas himself. He immediately came to my seat and courteously remonstrated against my amendment, suggesting that the bill which he had introduced was almost in the words of the Territorial acts for the organization of Utah and New Mexico; that they being a part of the Compromise measures of 1850, he had hoped that I, a known and zealous friend of the wise and patriotic adjustment which had then taken place, would not be inclined to do anything to call that adjustment in question or weaken it before the country.

I replied that it was precisely because I had been, and was, a firm and zealous friend of the Compromise of 1850, that I felt bound to persist in the movement which I had originated; that I was well satisfied that the Missouri restriction, if not expressly repealed, would continue to operate in the Territory to which it had been applied, thus negativing the great and salutary principle of *non-intervention*, which constituted the most prominent and essential feature of the plan of settlement of 1850. We talked for some time amicably, and separated. Some days afterward Judge Douglas came to my lodgings, while I was confined by physical indisposition, and urged me to get up and take a ride with him in his carriage. I accepted his invitation and rode out with him. During our short excursion we talked on the subject of my proposed amendment, and Judge Douglas, to my high gratification, proposed to me that I should allow him to take charge of the amendment and ingraft it on his Territorial Bill. I

acceded to the proposition at once, whereupon a most interesting interchange occurred between us.

On this occasion, Judge Douglas spoke to me, in substance, thus: "I have become perfectly satisfied that it is my duty, as a fair-minded national statesman, to coöperate with you as proposed in securing the repeal of the Missouri Compromise restriction. It is due to the South; it is due to the Constitution, heretofore palpably infracted; it is due to that character for *consistency*, which I have heretofore labored to maintain. The repeal, if we can effect it, will produce much stir and commotion in the free States of the Union for a season. I shall be assailed by demagogues and fanatics there, without stint or moderation. Every opprobrious epithet will be applied to me. I shall be probably hung in effigy in many places. It is more than probable that I may become permanently odious among those whose friendship and esteem I have heretofore possessed. This proceeding may end my political career. But, acting under the sense of the duty which animates me, I am prepared to make the sacrifice. I will do it."

He spoke in the most earnest and touching manner, and I confess that I was deeply affected. I said to him in reply: "Sir, I once recognized you as a demagogue, a mere party manager, selfish and intriguing. I now find you a warm-hearted and sterling patriot. Go forward in the pathway of duty as you propose, and though all the world desert you, *I never will.*"

The subsequent course of this extraordinary personage is now before the country. His great speeches on this subject, in the Senate and elsewhere, have since been made. As a true national statesman—as an inflexible and untiring advocate and defender of the Constitution of his country—as an enlightened, fair-minded, and high-souled patriot, he has fearlessly battled for principle; he has with singular consistency pursued the course which he promised to pursue when we talked together in Washington, neither turning to the right nor to the left. Though sometimes reviled and ridiculed by those most benefited by his labors, he has never been heard to complain. Persecuted by the leading men of the party he had so long served and sustained, he has demeaned himself, on all occasions, with moderation and dignity; though he has been ever earnest in the performance of duty, energetic in combating and overcoming the obstacles which have so strangely beset his pathway, and always ready to meet and to overthrow such adversaries as have ventured to encounter him. *He has been faithful to his pledge;* he has been true to the South and to the Union, and I intend to be faithful to my own pledge. I am sincerely grateful for his public services. I feel the highest admiration for

all his noble qualities and high achievements, and I regard his reputation as part of the moral treasures of the nation itself.

And now, in conclusion, permit me to say that the southern people cannot enter into unholy alliance for the destruction of Judge Douglas, if they are true to themselves, for he has made more sacrifices to sustain southern institutions than any man now living. Southern men may, and doubtless have, met the enemies of the South in the councils of the nation, and sustained, by their votes and their speeches, her inalienable rights under the Constitution of our common country; northern men may have voted that those rights should not be wrested from us; but it has remained for Judge Douglas alone, northern man as he is, to throw himself "into the deadly imminent breach," and like the steadfast and everlasting rock of the ocean, to withstand the fierce tide of fanaticism, and drive back those angry billows which threatened to ingulf his country's happiness.

I have the honor to be, very respectfully and cordially, your friend and fellow-citizen,

ARCH. DIXON.

Our limits will not allow us to refer further to the incidents of the Illinois campaign. The canvass on both sides was conducted with unparalleled spirit and energy until the day of the election. The result is well known. The Republicans were completely routed, and a Democratic legislature chosen. Mr. Douglas' majority on joint ballot was eight, three in the Senate and five in the House. Most of the federal office-holders voted the Republican ticket, and the reason assigned for this act of treachery to the party was, that the entire Catholic vote had remained faithful to the party with which they had usually acted.

CHAPTER XIV.

Mr. Douglas leaves Chicago for New Orleans—Received at St. Louis and Memphis—Brilliant Reception at New Orleans.

Soon after the close of the Illinois campaign, in November, 1858, Mr. Douglas, with his family, left Chicago for the purpose of making a brief visit to New Orleans, to attend to some pressing private matters which his public duties had constrained him too long to neglect. He gave no notice of his intention to make the trip, desiring to perform the journey as speedily and quietly as possible. Remaining in St. Louis a day, for a boat to convey him down the river, the news of his presence soon spread through the city, and that night he was honored with a serenade by a large concourse of citizens, who assembled around the hotel and insisted on a speech. Mr. Douglas acknowledged the compliment in a few appropriate remarks, and expressed his gratification that the people of Missouri, who were so deeply interested in the institution of slavery, so justly appreciated the nature and importance of the contest through which he had recently passed in Illinois.

Proceeding down the river without giving any public notice of his destination, Mr. Douglas was surprised when, nearly a hundred miles above Memphis, he was notified that

the Democracy of that city had learned by telegraph of his intended visit to New Orleans, and had appointed a committee of one hundred persons and chartered a steamer to proceed up the river and meet him, for the purpose of inducing him to stop a day at Memphis and accept of the hospitalities of that city. Not feeling at liberty to decline so flattering an invitation, Mr. Douglas placed himself in the hands of the committee, and on the following day addressed a large meeting of the citizens of Memphis on the political topics of the day. In this speech Mr. Douglas confined himself mainly to a discussion of the points presented in the Illinois campaign, prefacing it with the declaration, that no political creed was sound which could not be proclaimed equally as well in one State of the Union as in the other. On a comparison of the published report of this speech, as it appeared in the newspapers of the day, we find that he asserted the same views on the Territorial question in Memphis as he had done in Illinois.

The cordial and enthusiastic approbation with which his audience received his speech, must have satisfied Mr. Douglas that Democracy was the same in Tennessee as in Illinois.

At New Orleans, Mr. Douglas' reception was truly grand and magnificent. Approaching the Crescent at 9 o'clock at night, he was received by the city authorities, the military and the citizens, amidst the firing of cannon and in the glare of a brilliant illumination. He was escorted to the St. Charles Hotel, where he was lodged as the guest of the city, and addressed by the mayor on behalf of the municipal authorities, and by Hon. Pierre Soulé on behalf of the citizens, in eloquent speeches of congratulation on his brilliant victory in Illinois over the enemies of the Constitution and the Union, to each of which he made an appropriate response.

CHAPTER XV.

Mr. Douglas again in Washington—Experiences a Change of Atmosphere—Scene shifts—Removed from Post of Chairman of Territorial Committee—His Services as Chairman—Pretext of Removal—Freeport Speech—Letter to California in reply to Dr. Gwin.

When Mr. Douglas reached Washington, where Executive power and patronage stifles popular sentiment, he found himself suddenly plunged into a very different atmosphere from that which he had been breathing in the past few weeks. Failing in their efforts to defeat his reëlection to the Senate by a disreputable coalition with the abolitionists of Illinois, his enemies contrived a new scheme to humble and degrade the unsubdued rebel. For thirteen years previous, he had been chairman of the Committee on Territories, two years in the House and eleven in the Senate. In that capacity, he had reported and successfully carried through Congress bills for the admission of the following States: Texas, Iowa, Wisconsin, California, Oregon, and Minnesota.

During the same period, he had reported and successfully carried through Congress bills to organize the following Territories: Oregon, Minnesota, New Mexico, Utah, Washington, Kansas, and Nebraska. In that time, he had met and mastered every intricate question which had arisen connected with the organization of the Territories and the admission of new States. Confessedly, he was more familiar with all subjects pertaining to Territorial legislation, than any other living man. His peculiar qualifications and acquaintance with

the subject, induced the Senate, on the day of his first entrance into that body, to put him at the head of the Territorial Committee. He had been unanimously nominated in the Democratic caucus, and reëlected chairman of that committee each succeeding year. With a full knowledge on the part of every senator of his views and opinions on Territorial policy, what excuse can be given for the removal of a man from a position which he had so long filled with such distinguished ability, and for which he was so eminently qualified? With or without excuse, however, the deed was consummated in a secret caucus, and in Mr. Douglas' absence. The public indignation at his removal was almost universal. Indeed, so heavily has it fallen on those engaged in it, but three or four senators have ever had the boldness to confess themselves parties to the act, and ever these have assigned a reason as a pretext for the deed, which is an insult to the intelligence of the American people, and but a poor compliment to their own understanding; because they affect to call in question Mr. Douglas' political orthodoxy for the expression of an opinion in his Illinois campaign, which he had advanced and elaborated in his speeches on the Compromise measures of 1850, and upon the passage of the Kansas-Nebraska Bill, and indeed upon every discussion of the slavery question in which he had participated for the ten years previous to his removal.

Notwithstanding Mr. Douglas, in all his joint debates with Mr. Lincoln, in Illinois, had taken direct issue with him on all his abolition propositions—assuming bold ground against negro citizenship—reasserting his old position, that uniformity in the institutions of the various States was neither possible nor desirable—treating negro-slavery as purely a question of climate, production, and political economy, to be regulated by their inexorable laws—sustaining the Fugitive Slave Law, and avowing his willingness, if not strong enough, to vote to

make it stronger—maintaining the binding force of all supreme judicial decisions—vindicating the equality of all the States, and proclaiming the right of all their citizens to emigrate into the common Territories on the basis of an entire equality under the local law, with their property of all descriptions, whether horses, clocks, negroes or what not—denouncing the doctrines of the "irrepressible conflict," when advanced by Lincoln four months prior to Seward's Rochester speech—sustaining the regular organization of the Democratic party, and maintaining the Democratic creed as enunciated in the Cincinnati platform;—notwithstanding all these facts, they seize on an answer of Mr. Douglas to a question propounded by Mr. Lincoln at Freeport, garble it from its context and present it to the country as the reason for his removal from the chairmanship of the Committee on Territories.

It went for nothing that Col. Jefferson Davis had uttered, a few weeks before, at Portland, similar views touching the power of the people of the Territories, which Mr. Douglas quoted and indorsed in a joint debate with Mr. Lincoln at Alton, as containing his own views—nothing that Stephens, Orr, Cobb, and a host of Democratic lights, great and small, were committed to the same proposition—nothing that Mr. Douglas was simply repeating as the Washington "Union" at that time in an elaborate article charged and proved (alleging that he was consistently unsound), what he had uttered frequently in the debates on the Compromise measures of 1850—nothing that Col. Richardson, when the Democratic candidate for Speaker, in 1855, had expressed similar opinions, and received, afterward, every Democratic vote in the House—it booted nothing that Mr. Douglas was on record one hundred times advocating the same doctrine while these very men (his present accusers) were his advocates for the Presidency. These things all stood for nothing.

MR. DOUGLAS' CALIFORNIA LETTER.

It is a remarkable fact, that while Mr. Douglas was removed from the Committee on Territories in December, 1858, no senator ever publicly assigned Mr. Douglas' Freeport speech as a cause for it, until in July, 1859, Dr. Gwin gave this reason in a speech in California. Mr. Douglas promptly replied to Dr. Gwin's speech, in a letter addressed to the editor of the San Francisco "National," from which we extract so much as relates to this subject:

The country is now informed for the first time that I was removed from the post of chairman of the Committee on Territories because of the sentiments contained in my "Freeport speech." To use the language of Mr. Gwin, "The doctrines he had avowed in his Freeport speech had been condemned in the Senate by his removal from the chairmanship of the Territorial Committee of that body." The country will bear in mind this testimony, that I was not removed because of any personal unkindness or hostility; nor in consequence of my course on the Lecompton question, or in respect to the administration; but that it was intended as a condemnation of the doctrines avowed in my "Freeport speech." The only position taken in my "Freeport speech," which I have ever seen criticised or controverted, may be stated in a single sentence, and was in reply to an interrogatory propounded by my competitor for the Senate: "That "the Territorial legislature could lawfully exclude slavery, either by non-action or unfriendly legislation." This opinion was not expressed by me at Freeport for the first time. I have expressed the same opinion often in the Senate, freely and frequently, in the presence of those senators who, as Mr. Gwin testifies, removed me "from the chairmanship of the Committee on Territories," ten years after they knew that I held the opinion, and would never surrender it.

I could fill many columns of the "National" with extracts of speeches made by me during the discussion of the Compromise measures in 1850, and in defence of the principles embodied in those measures in 1851 and 1852, in the discussion of the Kansas-Nebraska Bill in 1854, and of the Kansas difficulties and the Topeka revolutionary movements in 1856, in all of which I expressed the same opinion and defended the same position which was assumed in the "Freeport speeech." I will not, however, bur

den your columns or weary your readers with extracts of all these speeches, but will refer you to each volume of the "Congressional Globe" for the last ten years, where you will find them fully reported. If you cannot conveniently procure the the "Congressional Globe," I refer you to an editorial article in the Washington "Union" of October 5, 1858, which, it was reported, received the sanction of the President of the United States previously to its publication, a few weeks after my "Freeport speech" had been delivered. The "Union" made copious extracts of my speeches in 1850 and 1854, to prove that at each of those periods I held the same opinions which I expressed at Freeport in 1858, and, consequently, declared that I never was a good Democrat, much less sound on the slavery question, when I advocated the Compromise measures of 1850, and the Kansas-Nebraska Bill in 1854.

In the article referred to, the Washington Union said:

"We propose to show that Judge Douglas' action in 1850 and 1854 was taken with especial reference to the announcement of doctrine and programme which was made at Freeport. The declaration at Freeport was, that in his opinion the people can, by lawful means, exclude slavery from a Territory before it comes in as a State;' and he declared that his competitor had 'heard him argue the Nebraska Bill on that principle all over Illinois in 1854, 1855, and 1856, and had no excuse to pretend to have any doubt on that subject.'"

The Union summed up the evidence furnished by my speeches in the Senate in 1850 and 1854, that the "Freport speech" was consistent with my former course, with this emphatic declaration.

"Thus we have shown that precisely the position assumed by Judge Douglas at Freeport had been maintained by him in 1850, in the debates and votes on the Utah and New Mexican Bills, and in 1854 on the Kansas-Nebraska Bill; and have shown that it was owing to his opposition that clauses depriving Territorial legislatures of the power of excluding slavery from their jurisdictions were not expressly inserted in those measures."

The evidence thus presented by the Washington "Union"—the evidence of an open enemy—is so full and conclusive, that I have uniformly advocated for ten years past the same principles which I avowed at Freeport, that I cannot refrain from asking you to spread the entire article before your readers, as an appendix, if you choose, to this letter.

The question whether the people of the Territories should be permitted to decide the slavery question for themselves, the same as all other rightful subjects of legislation, was thoroughly discussed and definitively settled in the adoption of the Compromise measures of 1850. The Territorial bills, as originally reported on by the Committee on Territories, extended the

authority of the Territorial legislature to all rightful subjects of legislation consistent with the Constitution, *without excepting African slavery.* Modified by the Committee of Thirteen, they conferred power on the Territorial legislature over all rightful subjects of legislation, *except African slavery.* This distinct question, involving the power of the Territorial legislature over the subject of African slavery, was debated in the Senate from the 8th of May until the 31st of July, 1850, when the limitation was stricken out by a vote of yeas 33, nays 19; and the Territorial legislature authorized to legislate on all rightful subjects, *without excepting African slavery.* In this form and upon this principle, the Compromise measures of 1850 were enacted.

When I returned to my home in Chicago, at the end of the session of Congress, after the adoption of the measures of adjustment, the excitement was intense. The City Council had passed a resolution nullifying the Fugitive Slave Act, and releasing the police from all obligations to obey the law or assist in its execution. Amidst this furious excitement, and surrounded by revolutionary movements, I addressed the assembled populace. My speech, in which I defended each and all of the Compromise measures of 1850, was published at the time, and spread broadcast throughout the country. I herewith send you a copy of that speech, in which you will find that I said—

"These measures are predicated on the great fundamental principle that every people ought to possess the right of forming and regulating their own internal concerns and domestic institutions in their own way. It was supposed that those of our fellow-citizens who emigrated to the shores of the Pacific and to our other territories, were as capable of self-government as their neighbors and kindred whom they left behind them; and there was no reason for believing that they have lost any of their intelligence or patriotism by the wayside, while crossing the Isthmus or the Plains. It was also believed that after their arrival in the country, when they had become familiar with its topography, climate, productions, and resources, and had connected their destiny with it, they were fully as competent to judge for themselves what kind of laws and institutions were best adapted to their condition and interests, as we were, who never saw the country, and knew very little about it. To question their competency to do this was to deny their capacity for self-government. If they have the requisite intelligence and honesty to be intrusted with the enactment of laws for the government of white men, I know of no reason why they should not be deemed competent to legislate for the negro. If they are sufficiently enlightened to make laws for the protection of life, liberty, and property —of morals and education—to determine the relation of husband and wife, of parent and child—I am not aware that it requires any higher degree of civilization to regulate the affairs of master and servant. These things are all confided by the Constitution to each State to decide for itself, and I know of no reason why the same principle should not be extended to the Territories."

This speech was laid on the desk of every member of the Senate, at the

opening of the second session of the 31st Congress, in December, 1850, when, with a full knowledge of my opinions on the Territorial question, I was unanimously nominated in the Democratic caucus, and reëlected by the Senate chairman of the Committee on Territories. From that time to this I have spoken the same sentiments, and vindicated the same positions in debate in the Senate, and have been reëlected chairman of the Committee on Territories at each session of Congress, until last December, by the unanimous voice of the Democratic party in caucus and in the Senate, with my opinions on this Territorial question well known to, and well understood by every senator. Yet Mr. Gwin testifies that I was condemned and deposed by the Senate for the utterance of opinions in 1858, which were put on record year after year so plainly and so unequivocally as to leave neither the Senate nor the country in doubt. Thus does Mr. Gwin, in his eagerness to be my public accuser, speak his own condemnation, for he voted for me session after session, with my opinions, the same that I spoke at Freeport, staring him in the face.

On the 4th of January, 1854, I reported the Nebraska Bill, and, as chairman of the Committee on Territories, accompanied it with a special report, in which I stated distinctly "that all questions pertaining to slavery in the Territories, and in the new States to be formed therefrom, are to be left to the decision of the people residing therein, by their appropriate representatives to be chosen by them for that purpose." And that the bill proposed "to carry these propositions and principles into practical operation in the precise language of the Compromise measures of 1850." The Kansas-Nebraska Act, as it stands on the statute book, does define the power of the Territorial legislature "in the precise language of the Compromise measures of 1850." It gives the legislature power over all rightful subjects of legislation not inconsistent with the Constitution, without excepting African slavery. During the discussion of the measure it was suggested that it was necessary to repeal the 8th section of the act of the 6th of March, 1850, called the Missouri Compromise, in order to permit the people to control the slavery question while they remained in a Territorial condition, and before they became a State of the Union. That was the object and only purpose for which the Missouri Compromise was repealed.

On the night of the 3d of March, 1854, in my closing speech on the Kansas-Nebraska Bill, a few hours before it passed the Senate, I said: "It is only for the purpose of carrying out this great fundamental principle of self-government that the bill renders the 8th section of the Missouri Act inoperative and void." The article of the Washington "Union" of October

5, 1858, to which I have referred, quotes this and other passages of my speech on that occasion, to prove that the author of the Nebraska Bill framed it with express reference to conferring on the Territorial legislature power to control the slavery question. And further, that I boldly avowed the purpose at the time in the presence of all the friends of the bill, and urged its passage upon that ground. I have never understood that Mr. Gwin, or any other senator who heard that speech and voted for the bill the same night, expressed any dissent or disapprobation of the doctrines it announced. That was the time for dissent and disapprobation; that was the time to condemn, if there were cause to condemn, and not four or five years later. The record furnishes no such evidence of dissent or disapprobation; nor does the history of those times show that the Democratic party, in the North or in the South, or in any portion of the country, repudiated the fundamental principle upon which the Kansas-Nebraska Act is founded, and proscribed its advocates and defenders.

If Mr. Gwin did not understand the Kansas-Nebraska Bill when it was under consideration, according to its plain meaning as explained and defended by its authors and supporters, it is not the fault of those who did understand it precisely as I interpreted it at Freeport, and as the country understood it in the Presidential canvass of 1856. Mr. Buchanan, and leading members of his cabinet, at all events, understood the Kansas-Nebraska Act in the same sense in which it was understood and defended at the time of its passage. Mr. Buchanan, in his letter accepting the Cincinnati nomination, affirmed that "this legislation is founded upon principles as ancient as free government itself, and, in accordance with them, has simply declared that the people of a Territory, like those of a State, shall decide for themselves whether slavery shall or shall not exist within their limits." General Cass, now secretary of state, has always maintained, from the day he penned the "Nicholson Letter" to this, that the people of the Territories have a right to decide the slavery question for themselves whenever they please. In 1856, on the 2d day of July, referring to the Kansas-Nebraska Act, he said: "I believe the original act gave the Territorial legislature of Kansas full power to exclude or allow slavery." Mr. Toucey, the secretary of the navy, interpreted that act in the same way, and, on the same occasion in the Senate, said:

"The original act recognizes in the Territorial legislature all the power which they can have, subject to the Constitution, and subject to the organic law of the Territory."

Mr. Cobb, the secretary of the treasury, in a speech at West Chester, Pennsylvania, on the 19th of September, 1856, advocating Mr. Buchanan's election to the Presidency, said:

"The government of the United States should not force the institution of slavery upon the people either of the Territories or of the States, against the will of the people, though my voice could bring about that result. I stand upon the principle—the people of my State decide it for themselves, you for yourselves, the people of Kansas for themselves. That is the Constitution, and I stand by the Constitution." And again, in the same speech, he said: "Whether they" (the people of a Territory) "decide it by prohibiting it, according to the one doctrine, or by refusing to pass laws to protect it, as contended for by the other party, is immaterial. The majority of the people, by the action of the Territorial legislature, will decide the question; and all must abide the decision when made."

Here we find the doctrines of the Freeport speech, including "non-action" and "unfriendly legislation" as a lawful and proper mode for the exclusion of slavery from a Territory clearly defined by Mr. Cobb, and the election of Mr. Buchanan advocated on those identical doctrines. Mr. Cobb made similar speeches during the Presidential canvass in other sections of Pennsylvania, in Maine, Indiana, and most of the northern States, and was appointed secretary of the treasury by Mr. Buchanan as a mark of gratitude for the efficient services which had been thus rendered. Will any senator who voted to remove me from the chairmanship of the Territorial Committee for expressing opinions for which Mr. Cobb, Mr. Toucey, and General Cass were rewarded, pretend that he did not know that they or either of them had ever uttered such opinions when their nominations were before the Senate? I am sure that no senator will make so humiliating a confession. Why, then, were those distinguished gentlemen appointed by the President and confirmed by the Senate as cabinet ministers if they were not good Democrats—sound on the slavery question, and faithful exponents of the principles and creed of the party? Is it not a significant fact that the President and the most distinguished and honored of his cabinet should have been solemnly and irrevocably pledged to this monstrous heresy of "popular sovereignty," for asserting which the Senate, by Mr. Gwin's frank avowal, condemned me to the extent of their power?

It must be borne in mind, however, that the President and members of the cabinet are not the only persons high in authority who are committed to the principle of self-government in the Territories. The Hon. John C. Breckinridge, the Vice-President of the United States, was a member of the House of Representatives when the Kansas-Nebraska Bill passed, and in a speech delivered March 23, 1854, said:

"Among the many misrepresentations sent to the country by some of the enemies of this bill, perhaps none is more flagrant than the charge that it proposes to legislate slavery into Kansas and Nebraska. Sir, if the bill contained such a feature it would not

receive my vote. The right to establish involves the correlative right to prohibit, and denying both I would vote for neither. . . . . .

"The effect of the repeal, (of the Missouri Compromise,) therefore, is neither to establish nor to exclude, but to leave the future condition of the Territories dependent wholly upon the action of the inhabitants, subject only to such limitations as the federal Constitution may impose. . . . . It will be observed that the right of the people to regulate in their own way all their domestic institutions is left wholly untouched, except that whatever is done must be done in accordance with the Constitution—the supreme law for us all."

Again, at Lexington, Kentucky, on the 9th of June, 1856, in response to the congratulations of his neighbors on his nomination for the Vice-Presidency, Mr. Breckinridge said:

"The whole power of the Democratic organization is pledged to the following propositions: That Congress shall not interpose upon this subject (slavery) in the States, in the Territories, or in the District of Columbia; that the people of each Territory shall determine the question for themselves, and be admitted into the Union upon a footing of perfect equality with the original States, without discrimination on account of the allowance or prohibition of slavery."

Touching the power of the Territorial legislature over the subject of slavery, the Hon. James L. Orr, late speaker of the House of Representatives, on the 11th of December, 1856, said:

"Now, the legislative authority of a Territory is invested with a discretion to vote for or against the laws. We think they ought to pass laws in every Territory, when the Territory is open to settlement and slaveholders go there, to protect slave property. But if they decline to pass such law, what is the remedy? None, sir, if the majority of the people are opposed to the institution; and if they do not desire it ingratted upon their Territory, all they have to do is simply to decline to pass laws in the Territorial legislature for its protection, and then it is as well excluded as if the power was invested in the Territorial legislature to prohibit it."

Mr. Stephens, of Georgia, in a speech in the House of Representatives on the 17th of February, 1854, said:

"The whole question of slavery was to be left to the people of the Territories, whether north or south of 36° 30', or any other line. . . . . .

"It was based upon the truly republican and national policy of taking this disturbing element out of Congress and leaving the whole question of slavery in the Territories to the people there to settle it for themselves. And it is in vindication of that new principle—then established for the first time in the history of our government—in the year 1850, the middle of the nineteenth century, that we, the friends of the Nebraska Bill, whether from the North or South, now call upon this house and the country to carry out in good faith, and give effect to the spirit and intent of those important measures of Territorial legislation."

Again, on the 17th of January, 1856, he said:

"I am willing that the Territorial legislature may act upon the subject when and how they may think proper."

Mr. Benjamin, of Louisiana, in a speech in the Senate on the 25th of May, 1854, on the Nebraska Bill, said:

"We find, then, that this principle of the independence and self-government of the people in the distant Territories of the confederacy harmonizes all these conflicting opinions, and enables us to banish from the halls of Congress another fertile source of content and excitement."

On February 15, 1854, Mr. Badger, of North Carolina, said of the Kansas-Nebraska Bill:

"It submits the whole authority to the Territory to determine for itself. That in my judgment, is the place where it ought to be put. If the people of the Territories choose to exclude slavery, so far from considering it as a wrong done to me or to my constituents, I shall not complain of it. It is their business."

Again, on March 2, 1854, one day before the passage of the bill through the Senate, Mr. Badger said:

"But with regard to that question we have agreed—some of us because we thought it the only right mode, and some because we think it a right mode, and under existing circumstances the preferable mode—to confer this power upon the people of the Territories."

On the same day Mr. Butler, of South Carolina, said:

"Now, I believe that under the provisions of this bill, and of the Utah and New Mexico bills, there will be a perfect carte blanche given to the Territorial legislature to legislate as they may think proper. . . . . I am willing to trust them. I have been willing to trust them in Utah and New Mexico, where the Mexican law prevailed, and I am willing to trust them in Nebraska and Kansas, where the French law, according to the idea of the gentleman, may possibly be revived."

In the House of Representatives, June 25, 1856, Mr. Samuel A. Smith, Tennessee, said:

"For twenty years this question had agitated Congress and the country without a single beneficial result. They resolved that it should be transferred from these halls, that all unconstitutional restrictions should be removed, and that the people should determine for themselves the character of their local and domestic institutions under which they were to live, with precisely the same rights, but no greater than those which were enjoyed by the old thirteen States."

And further;

"In 1854, the same question was presented, when the necessity arose for the organiza-

tion of the Territories of Kansas and Nebraska, and the identical principle was applied for its solution."

In the Senate, on the 25th of February, 1854, Mr. Dodge, of Iowa (now Democratic candidate for governor of that State), said:

"And, sir, honesty and consistency with our course in 1850 demand that those of us who supported the Compromise measures should zealously support this bill, because it is a return to the sound principle of leaving to the people of the Territories the right of determining for themselves their domestic institutions."

And in the House of Representatives, December 28, 1855, Mr. George W. Jones, of Tennessee, said:

"Then, sir, you may call it by what name you please—non-intervention, squatter sovereignty, or popular sovereignty. It is, sir, the power of the people to govern themselves, and they, and they alone, should exercise it, in my opinion, as well while in a Territorial condition as in the position of a State."

And again, in the same speech, he said:

"I believe that the great principle—the right of the people in the Territories, as well as in the States, to form and regulate their own domestic institutions in their own way—is clearly and unequivocally embodied in the Kansas-Nebraska Act, and if it is not, it should have been. Believing that it was the living, vital principle of the act, I voted for it. These are my views, honestly entertained, and will be defended."

I could fill you columns with extracts of speeches of senators and representatives from the North and the South who voted for the Kansas-Nebraska Bill and supported Mr. Buchanan for the Presidency on that distinct issue; thus showing conclusively that it was the general understanding at the time that the people of the Territories, while they remained in a Territorial condition, were left perfectly free, under the Kansas-Nebraska Act, to form and regulate all their domestic institutions, slavery not excepted, in their own way, subject only to the Constitution of the United States. This is the doctrine of which Mr. Gwin spoke when he said:

"To contend for the power—and a sovereign power it is—of a Territorial legislature to exclude by non-action or hostile legislation is pregnant with the mischiefs of never-ending agitation, of civil discord, and bloody wars.

* * * * * * * * * * *

"It is an absurd, monstrous, and dangerous theory, which demands denunciation from every patriot in the land; and a profound sense of my duty to you would not permit me to do less than to offer this brief statement of my views upon a question so vital to the welfare of our common country."

Why did not the same "profound sense of duty" to the people of California require Mr. Gwin to denounce this "absurd, monstrous, and dan

gerous theory when pronounced and enforced by General Cass, in support of the Compromise measures of 1850, and thence repeated by that eminent statesman at each session of Congress until 1857, when Mr. Gwin voted for his confirmation as secretary of state? Why did not Mr. Gwin obey the same sense of duty by denouncing James Buchanan as the Democratic candidate for the Presidency, when he declared, in 1856, that "the people of a Territory, like those of a State, shall decide for themselves whether slavery shall or shall not exist within their limits?" Why did he not perform this imperative duty by voting against Mr. Cobb, who made northern votes for Mr. Buchanan by advocating this same "absurd, monstrous and dangerous theory of 'non-action' and 'unfriendly legislation'" when he was appointed secretary of the treasury? And, in short, why did he not prove his fidelity to a high sense of duty by protesting against my selection as chairman of the Senate's Committee on Territories in the Democratic caucus by a unanimous vote, at every session that he has been a senator, from 1850 to 1858, with a full knowledge of my opinions? The inference is, that Mr. Gwin, from his remarks on the "Dred Scott decision," is prepared to offer it as an excuse for the disregard for so many years of that profound sense of duty which he owed to the people of California. It may be that before the decision his mind was not clear as to the sense of duty which now moves him. Of that decision he said:

"In March, 1857, the Supreme Court decided this question, in all its various relations, in the case of Dred Scott. That decision declares that neither Congress nor a Territorial legislature possesses the power either to establish or to exclude slavery from the Territory, and that it was a power which exclusively belonged to the States; that the people of a Territory can exercise this power for the first time when they form a constitution; that the right of the people of any State to carry their slaves into a common Territory of the United States, and hold them there during its existence as such, was guaranteed by the Constitution of the United States; that it was a right which could neither be subverted nor evaded, either by non-action, by direct or indirect Congressional legislation, or by any law passed by a Territorial legislature."

Surely Mr. Gwin had never read the opinion of the Court in the case of "Dred Scott," except as it had been perverted for partisan purposes by newspapers, when he undertook to expound it to the good people of California.

It so happens that the court did not decide any one of the propositions so boldly and emphatically stated in the "Grass Valley" speech!

The court did not declare that "neither Congress nor a Territorial legislature possessed the power either to establish or exclude slavery from a

Territory, and that it was a power which exclusively belonged to the States."

The court did not declare "that the people of a Territory can exercise this power for the first time when they come to form a constitution.

The court did not declare "that the right of the people in any State to carry their slaves into a common Territory of the United States, and hold them there during its existence as such, was guaranteed by the Constitution of the United States."

The court did not declare "that it was a right which could neither be subverted nor evaded, either by non-action, by direct or indirect Congressional legislation, or by any law passed by a Territorial legislature."

Neither the decision nor the opinion of the court affirms any one of those propositions, either in express terms or by fair legal intendment.

This version of the "Dred Scott Decision" had its origin in the unfortunate Lecomptou controversy, and is one of the many political heresies to which it gave birth.

PROTECTION TO AMERICAN CITIZENS ABROAD.

On the 18th of February, 1859, President Buchanan had sent to Congress a special message, in which he urged the necessity of passing "a law conferring upon the President of the United States the authority to employ a sufficient military or naval force, whenever it might be necessary to do so, for the protection of American citizens when out of the immediate jurisdiction of the United States. Mr. Douglas spoke in favor of such a law, and said: "I think sir, that the President of the United States ought to have the power to redress sudden injuries upon our citizens, or outrages upon our flag, without waiting for the action of Congress. The Executive of every other powerful nation on earth has that authority. Our merchants are now being driven out of the trade in the Mexican and South American ports, for the want of authority in the Executive to demand and enforce instant redress the moment the outrage is perpetrated. I go further, sir; I would intrust the Executive with the authority, when an outrage is perpetrated upon our ships or commerce,

to punish it instantly. I desire the President of the United States to have as much authority to protect American citizens, American property, and the American flag, abroad, as the Executive of every other civilized nation on earth possesses."

SLAVE PROPERTY IN THE TERRITORIES.

On the 23d of February, in a debate on the Legislative Appropriation Bill, Mr. Brown, of Mississippi, made a speech in the Senate, insisting on a code of laws protecting slavery in the Territories. Admitting that, if the people of the Territories did not want negroes, they could lawfully legislate so as to accomplish their purpose, he assumed that it was the right and duty of Congress to enact laws to sustain it against the popular will. Taking Mr. Douglas' position on the question (as he said) for granted, Mr. Brown declared that he wished to hear from other Democratic senators from the free States, and to know whether they would vote to protect the rights of slaveholders in the Territories. No one rising for several minutes after, Mr. Brown concluded his remarks, and the Senate being about to proceed to the consideration of other subjects, Mr. Douglas arose and observed that if no other northern Democratic senator desired to be heard on the points presented by the senator from Mississippi, he craved the attention of the Senate for a while. He thanked Mr. Brown for taking his position for granted on the question presented to the other northern Democrats. He had yet to know that there was one Democrat in the free States who would vote to protect slavery in the Territories by Congressional enactment against the popular decision. In this speech he shows that all property in the Territories, including slaves, is, and must be, subject to the local law of the Territorial legislature: that the Territorial legislature has the same power over slaves in the Territory, as it has over all other property; and

no more: he explains his Freeport speech; reminds the Senate that his past record shows that he would never vote for a Congressional slave code for the Territories; shows the absurdity of such a code; and demonstrates that if the people of a Territory want slavery there, they will enact laws for its protection: he shows that it was the intent of the Nebraska Bill to confer on the Territorial legislature all the power that Congress possessed on the subject of slavery, to let them wield it as the people of the Territory chose: he elucidates the truly equitable and just provisions of that bill, and shows that it expressly forbids the enactment of a Congressional slave code for the Territories.

In the course of his remarks he said:

The senator from Mississippi and myself agree that under the decision of the Supreme Court, slaves are property, standing on an equal footing with all other property; and that consequently, the owner of slaves has the same right to carry his slave with him to a Territory, as the owner of any other species of property has to carry *his* property there. The right of transit to and from the Territories is the same for one species of property as it is for all others. Thus far the senator from Mississippi and myself agree—that slave property in the Territories stands on an equal footing with every other species of property. Now, the question arises, to what extent is property, slaves included, subject to the local law of the Territory? Whatever power the Territorial legislature has over other species of property, extends, in my judgment, to the same extent, and in like manner, to slave property. The Territorial legislature has the same power to legislate in respect to slaves, that it has in regard to any other property, to the same extent, and no further. If the senator wishes to know what power it has over slaves in the Territories, I answer, let him tell me what power it has to legislate over every other species of property, either by encouragement or by taxation, or in any other mode, and he has my answer in regard to slave property.

But the senator says that there is something peculiar in slave property, requiring further protection than other species of property. If so, it is the misfortune of those who own that species of property. He tells us that, if the Territorial legislature fails to pass a slave code for the Territories, fails to pass police regulations to protect slave property, the absence of such legislation practically excludes slave property as effectually as a constitutional prohibition would exclude it. I agree to that proposition. He says, furthermore, that it is competent for the Territorial legislature, by the exercise of the

taxing power, and other functions within the limits of the Constitution, to adopt unfriendly legislation which practically drives slavery out of the Territory. I agree to that proposition. That is just what I said, and all I said, and just what I meant by my Freeport speech in Illinois, upon which there has been so much comment throughout the country.

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The senator from Mississippi says they ought to pass such a code; but he admits that it is immaterial to inquire whether they ought or ought not to do it; for if they do not want it, they will not enact it; and if they do not do it, there is no mode by which you can compel them to do it. He admits there is no compulsory means by which you can coerce the Territorial legislature to pass such a law; and for that reason he insists that, in case of non-action by the Territorial legislature, it is the right and duty of southern senators and representatives to demand affirmative action by Congress in the enactment of a slave code for the Territories. He says that it is not necessary to put the question to me, whether I would vote for a Congressional slave code. He desire to know of all other northern Democrats what they will do; he does not wish an answer from me. I am much obliged to him for taking it for granted, from my past record, that I never would vote for a slave code in the Territories by Congress; and I have yet to learn that there is a man in a free State of this Union, of any party, who would.

The senator from Mississippi defined it very well in his speech. His position was, that while the Constitution gave him the right of protection in a Territory for his slave property, it did not, of itself, furnish adequate protection. He drew a distinction between the right and the fact, and said that the protection could only be furnished by legislation; that legislation could only come from one of two sources—the Territorial legislature or the Congress of the United States. He would look to the Territorial legislature in the first instance. If he got adequate legislation there, he was content; but if the Territorial legislature failed to act, and give him that adequate legislation, in the form of what is commonly called a slave code, such non-action was equivalent to a denial of his rights; and, losing his rights, it was no consolation to him that he had been deprived of them by the non-action of a Territorial legislature; and hence he would demand of Congress the passage of laws to protect his slaves, and to punish men for running them off; to furnish such remedies for the violation of his rights as he thought he was entitled to from the Territorial legislature. He said he would demand this from Congress. He further said that he would base his demand on Congress to pass this slave code on the ground that the Territorial legislature was the creature of Congress; and, if it did not do its duty, Congress should pass such laws as were necessary to protect slave property in the Territories.

All I have to say, on the point presented by the senator from Mis-

souri, is this: while our Constitution does not provide remedies for stealing negroes, it does not provide remedies for stealing dry-goods, or horses, or any other species of property. You cannot protect any property in the Territories, without laws furnishing remedies for its violation, and penalties for its abuse. Nobody pretends that you are going to pass laws of Congress making a criminal code for the Territories, with reference to other species of property. The Congress of the United States never yet passed an act creating a criminal code for any organized Territory. It simply organizes the Territory, and leaves its legislature to make its own criminal code. Congress never passed a law to protect any species of property in the organized Territories; it leaves its protection to the Territorial Legislatures. The question is, whether we shall make an exception as to slavery? The Supreme Court makes no such distinction. It recognizes slaves as property. When they are taken to a Territory, they are on an equal footing with other property, and dependent upon the same system of legislation, for protection, as other property. While all other property is dependent on the Territorial legislation for protection, I hold that slave property must look to the same authority for its protection.

SLAVERY DEPENDENT ON THE LOCAL LAW.

I leave all kinds of property, slaves included, to the local law for protection; and I will not exert the power of Congress to interfere with that local law with reference to slave property, or any other kind of property. If the people think that particular laws on the subject of property are beneficial to their interests, they will enact them. If they do not think such laws are wise, they will refrain from enacting them. They will protect slaves there, provided they want slavery; and they will want slavery, if the climate be such that the white man cannot cultivate the soil, so as to render negro compulsory labor necessary. Hence, it becomes a question of climate, of production, of self-interest, and not a question of legislation, whether slavery shall, or shall not exist there.

But the senator from Mississippi says he has a right to protection. The owner of every other species of property may say he has a right to protection. The man dealing in liquors may think that, inasmuch as his stock of liquors is property, he has a right to protection. The man dealing in an inferior breed of cattle, may think he has a right to protection; but the people of the Territory may think it is their interest to improve the breed of stock by discrimination against inferior breeds; and hence they may fix a higher rate of taxation on the one than on the other.

I am willing to test this question by the illustration the senator presents of a Maine liquor law. I shall not stop to inquire whether the Maine liquor law is constitutional or not; first, because Congress is not the tribunal to decide it; and secondly, because, by the platform

to which the senator from Mississippi and myself both stand pledged as the rule for our political action, it is provided that that question shall be sent to the court to test the constitutionality of the law, and we shall not come to Congress to repeal the law. When the Nebraska Bill was first pending in the Senate, it contained the old clause that the Territorial laws should be sent here, and, if disapproved by Congress, should be void. The discussion proceeded on the basis that we were conferring the whole power of legislation on the Territory, subject only to the Constitution of the United States, with the right in the Territorial legislature "to form and regulate their domestic institutions in their own way;" and that if any man was aggrieved by such legislation, he should have a right to appeal to the Supreme Court of the United States to test its validity, but should not come to Congress to repeal the obnoxious law. When that argument was made, a distinguished senator from Ohio, not now here (Mr. Chase), asked us why we kept that clause in the bill requiring the laws of the Territory to be sent here for approval or disapproval. We could not answer the inquiry, and hence we struck out the provision requiring the Territorial laws to be sent here for approval or disapproval, upon the avowed ground, at the time, that the Territorial legislature might pass just such laws as they wanted, with the right of appeal by any one aggrieved to the Supreme Court to test their constitutionality, but not to Congress to annul them. I undertake to say that this was the distinct understanding among the northern and southern Democrats at that time, and among all the friends of the Kansas Nebraska Bill. It was agreed, that while we might differ as to the extent of the power of the Territorial legislature on these questions, we would make a full grant of legislative authority to the legislature of the Territory, with the right to pass such laws as they chose, and the right of anybody to appeal to the court to decide upon the validity and constitutionality of such laws, but not to come to Congress for their annulment. Hence, if the Territorial legislature should pass the Maine liquor law, and anybody was dissatisfied with the provisions of that act, and thought it violated his constitutional right, he could not come to Congress for its annulment, but could appeal to the Supreme Court of the United States; and if that court decided the law to be constitutional, it must stand, no matter how obnoxious it might be to any portion of the American people. If it was unconstitutional, it became void without any interference by Congress, or any other legislative body. The Kansas Nebraska Bill was thus amended for the avowed purpose, at the time, of striking out the appeal to Congress, and substituting the appeal to the court.

SUPREME COURT TO SETTLE DIFFERENCES OF OPINION ON TERRITORIAL POWER.

After we had gone that far, a senator from New Hampshire

pointed out in the Nebraska Bill the fact, that no appeal could be taken to the Supreme Court of the United States unless the amount of property in controversy was $2,000 in value, and hence that a negro could not appeal for his freedom, nor could the owner of a single slave appeal to the Supreme Court to establish his title, if he thought that his rights were violated. In order to obviate that objection, we amended the bill by providing that where the title to property in slaves, or any question of personal freedom was the point in issue, the right of appeal to the Supreme Court should exist without reference to the amount in controversy.

Thus the Kansas Nebraska Bill stood, granting all rightful power of legislation on all subjects whatsoever to the Territorial legislature, subject only to the Constitution of the United States, provided they should not pass any law taxing the property of non-residents higher than that of residents, nor any law interfering with the primary disposition of the soil, nor impose any tax on the property of the United States; but there was no exception made as to slavery. The intent was to confer on the Territorial legislature all the power we had on the subject of slavery, to let them wield it for or against slavery as the people of the Territory chose; and the understanding was, that we would abide by whatever laws they might make, provided they did not violate the Constitution of the United States; and the Supreme Court was the only tribunal that could decide that question.

STANDS BY THE NEBRASKA BILL.

Now, sir, I stand on the Kansas-Nebraska Bill as it was expounded and understood at the time, with this full power in the Territorial legislature, with the right of appeal to the Supreme Court to test the validity of its laws, and no right whatever to appeal to Congress to repeal them in the event of our not liking them. I am ready to answer the inquiry of the senator from Mississippi, whether, if I believed the Maine liquor law to be unconstitutional and wrong, and if a Territorial legislature should pass it, I would vote here to annul it? I tell him no. If the people of Kansas want a Maine liquor law, let them have it. If they do not want it, let them refuse to pass it. If they do pass it, and any citizen thinks that law violates the Constitution, let him make a case and appeal to the Supreme Court. If the court sustains his objection, the law is void. If it overrules the objection, the decision must stand until the people, who alone are to be affected by it, who alone have an interest in it, may choose to repeal it. So I say with reference to slavery. Let the Territorial legislature pass just such laws in regard to slavery as they think they have a right to enact under the Constitution of the United States. If I do not like those laws, I will not vote to repeal them; if you do not like them, you must not vote to

repeal them; but anybody aggrieved may appeal to the Supreme Court, and if they are constitutional, they must stand; if they are unconstitutional, they are void. That was the doctrine of non-intervention, as it was understood at the time the Kansas-Nebraska Bill was passed. That is the way it was explained and argued in the Senate, and in the House of Representatives, and before the country. It was distinctly understood that Congress was never to intervene for or against slavery, or for or against any other institution in the Territories; but leave the courts to decide all constitutional questions as they might arise, and the President to carry the decrees of the court into effect; and, in case of resistance to his authority in executing the judicial process, let him use, if necessary, the whole military force of the country, as provided by existing laws.

NON-INTERVENTION A DEMOCRATIC SHIBBOLETH.

I know that some gentlemen do not like the doctrine of non-intervention as well as they once did. It is now becoming fashionable to talk sneeringly of "your doctrine of non-intervention." Sir, that doctrine has been a fundamental article in the Democratic creed for years. It has been repeated over and over again in every national Democratic platform—non-intervention by Congress with slavery in the States and Territories. The Nebraska Bill was predicated on that idea—the Territorial legislature to have jurisdiction over all rightful subjects of legislation, not excepting slavery, with no appeal to Congress, but a right to appeal to the courts; and the legislation to be void, if the Supreme Court said it was unconstitutional; and valid, no matter how obnoxious, if the court said it was constitutional. Let me call attention to the language of the Kansas-Nebraska Bill. Its fourteenth section provides:

"That the Constitution and all laws of the United States, which are not locally inapplicable, shall have the same force and effect in the said Territory of Nebraska as elsewhere within the United States, except the eighth section of the act 'preparatory to the admission of Missouri into the Union,' approved March 6, 1820, *which, being* INCONSISTENT WITH THE PRINCIPLE OF NON-INTERVENTION BY CONGRESS WITH SLAVERY in the States AND TERRITORIES, *as recognized by the legislation of* 1850, *commonly called the Compromise measures*, IS HEREBY DECLARED INOPERATIVE *and* VOID; *it being the true intent and meaning of this act not to legislate slavery into any State or* TERRITORY, *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."

Thus, in the Nebraska Bill, it is declared that a Congressional enactment on the subject of slavery was inconsistent with the principle of non-intervention by Congress with slavery in the States and Territories. This same article of faith has gone into the various Democratic platforms, and especially into the Cincinnati platform. Every

Democrat, therefore, is pledged, by his platform and the organization of the party, against any legislation of Congress in the Territories for or against slavery, no matter how obnoxious the Territorial legislation may be. If it is unconstitutional, you have your remedy; go to the court and test the question. If it is constitutional, you agreed that the people of a Territory may have it. I hold you to the agreement.

The whole legislative power possessed by Congress over a Territory was, by that act, conferred on the Territorial legislature. There were exceptions on three points; but slavery was not one of the exceptions. I say, then, the intent was to give to the Territorial legislature all the power that we possessed; all that could be given under the Constitution; and the understanding was, that Congress would not interfere with whatever legislation they might enact.

Now, the senator from Alabama asks me whether the southern people, under the Constitution, have not the right to carry their slaves there? I answer, yes—the same right that you have to carry any other property. Then you ask, have they not a right to hold it there when they get it there? I answer, the same right that you have to hold any other property, subject to such local laws as the local legislature may constitutionally enact. Can you hold any other property without law to protect it? No. Then, can you hold slave property without law to protect it? No, is the answer. Then, will Congress pass laws to protect other property in the Territories? I answer, no. We have created Territorial legislatures *for that purpose.* We agreed that this government should not violate the principles of our Revolution, by making laws for a distant people, regulating their domestic concerns and affecting their rights of property, without giving them a representation. The doctrine that Congress is to regulate the rights of person and property, and the domestic concerns of a Territory, is the doctrine of the Tories of the Revolution. It is the doctrine of George III., and Lord North, his minister. Our fathers then said that they would not consent that the British parliament should pass laws touching the local and domestic concerns of the colonies, the rights of person and property, the family relations of the people of the colonies, without their consent. The parliament of Great Britain said they had the power. We said to them, "you may have the power, but you have not the moral right; it is violative of the great principles of civil liberty; violative of the rights of an Englishman, not to be affected in his property without his consent is given through his representatives." Because Great Britain insisted on exercising that identical power over these colonies, our fathers flew to arms, asserted the doctrine that every colony, every dependency, every Territory, had a right in its own domestic legislature to pass just such laws as its people chose touching their local and domestic concerns, recognizing the right of the imperial parliament to regulate imperial affairs, as I do the right of Congress to regulate the national and federal concerns of the people of a Territory.

Sir, I am asserting, on behalf the people of the Territories, just those rights which our fathers demanded for themselves against the claim of Great Britain. Because those rights were not granted to our fathers, they went through a bloody war of seven years. Am I now to be called upon to enforce that same odious doctrine on the people of a Territory, against their consent? I say, no. Organize a Territorial government for them; give them a legislature, to be elected by their own people; give them all the powers of legislation on all questions of a local and domestic character, subject only to the Constitution; and if they make good laws, let them enjoy their blessings; and if they make bad laws, let them suffer under them until they repeal them. If the laws are unconstitutional, let those aggrieved appeal to the court—the tribunal created by the Constitution to ascertain that fact. That is the principle on which we stood in 1854. It was on that principle and that understanding we fought the great political battle and gained the great victory of 1856. How many votes do you think Mr. Buchanan would have obtained in Pennsylvania if he had then said that the Constitution of the United States plants slavery in all the Territories, and makes it the duty of the Federal Government to keep it there and maintain it at the point of the bayonet and by federal laws, in opposition to the will of the people? How many votes would he have received in Ohio, or any other free State, on such a platform? Mr. Buchanan did not then understand the doctrines of popular sovereignty and self-government in that way.

I assert that in 1856, during the whole of that campaign, I took the same position I do now, and none other; and I will show that Mr. Buchanan pledged himself to the same doctrine when he accepted the nomination of the Cincinnati Convention. In his letter of acceptance, he says, referring to the Kansas-Nebraska Act:

"The recent legislation of Congress, respecting domestic slavery, derived, as it has been, from the original and pure fountain of legitimate political power, the will of the majority, promises ere long to allay the dangerous excitement. This legislation is founded upon principles as ancient as free government itself, and, in accordance with them, has simply declared that the people of a Territory, like those of a State, shall decide for themselves whether slavery shall or shall not exist within their limits."

This extract from Mr. Buchanan's letter, shows that he then understood that the people of a *Territory*, *like those of a State*, should decide for themselves whether slavery should or should not exist within their limits. I undertake to say, that wherever I went that year, his cause was advocated on that principle, as laid down in his letter of acceptance. The people of the North, at least, certainly understood him to hold the doctrine of self-government in Territories as well as in States, and as applicable to slave property as well as to all other species of property. I undertake to say, that he would not have carried one-half the Democratic vote in any free State, if he had not been thus understood; and I hope my friend

from Mississippi had no allusion to this letter, when he said that in the next contest he did not desire "to cheat nor be cheated." I am glad that the senator from Mississippi means to have a clear, unequivocal, specific statement of our principles, so that there shall be no cheating on either side. I intend to use language which can be repeated in Chicago as well as in New Orleans, in Charleston the same as in Boston. We live under a common Constitution. No political creed is sound or safe which cannot be proclaimed in the same sense wherever the American flag waves over American soil. If the North and the South cannot come to a common ground on the slavery question, the sooner we know it the better. The Democracy of the North hold, at least, that the people of a Territory have the same right to legislate in respect to slavery, as to all other property; and that, practically, it results in this: if they want slavery, they will have it; and if they do not want it, it shall not be forced upon them by an act of Congress. The senator from Mississippi says that doctrine is right, unless we pass an act of Congress compelling the people of a Territory to have slavery whether they want it or not. The point he wishes to arrive at, is whether we are for or against Congressional intervention. If you repudiate the doctrine of non-intervention, and form a slave code by act of Congress, when the people of a Territory refuse it, you must step off the Democratic platform. We will let you depart in peace, as you no longer belong to us; you are no longer of us when you adopt the principle of Congressional intervention, in violation of the Democratic creed. I stand here defending the great principle of non-intervention by Congress, and self-government by the people of the Territories. That is the Democratic creed. The Democracy in the northern States have so understood it. No northern Democratic State ever would have voted for Mr. Buchanan, but for the fact that he was understood to occupy that position.

Gentlemen of the southern States, I tell you in all candor that I do not believe a Democratic candidate can ever carry any one northern Democratic State on the platform that it is the duty of the Federal Government to force the people of a Territory to have slavery when they do not want it. But if the true principles of State rights and popular sovereignty be maintained and carried out in good faith, as set forth in the Nebraska Bill, and as understood by the people in 1856, a glorious future awaits the Democracy.

CHAPTER XVI.

WAR OF THE PAMPHLETS.

Letters to Dorr and Peyton—Speeches in Ohio, and Cincinnati Platform—Charleston Convention—Presidental Aspirants—The Harper Article—Black's Reply—Appendix of Attorney General—Rejoinder of Senator Douglas—The Chase and Trumbull Amendments—Consistency of Senator Douglas.

During the spring and summer of 1859, Mr. Douglas received many letters from his personal friends, soliciting the use of his name as a candidate for the Presidency before the Charleston Convention, to one of which he replied as follows:

Washington, *Wednesday, June* 22, 1859.

My dear Sir: I have received your letter inquiring whether my friends are at liberty to present my name in the Charleston Convention for the Presidential nomination.

Before the question can be finally determined, it will be necessary to understand distinctly upon what issue the canvass is to be conducted. If, as I have full faith they will, the Democratic party shall determine, in the Presidential election of 1860, to adhere to the principles embodied in the Compromise measures of 1850, and ratified by the people in the Presidential election of 1852, and re-affirmed in the Kansas-Nebraska Act of 1854, and incorporated into the Cincinnati platform in 1856, as expounded by Mr. Buchanan in his letter accepting the nomination, and approved by the people—in that event my friends will be at liberty to present my name to the Convention, if they see proper to do so. If, on the contrary, it shall become the policy of the Democratic party—which I cannot anticipate—to repudiate these, their time-honored principles, on which we have achieved so many patriotic triumphs, and if, in lieu of them, the Convention shall interpolate into the creed of the party such new issues

as the revival of the African slave-trade, or a Congressional slave code for the Territories, or the doctrine that the Constitution of the United States either establishes or prohibits slavery in the Territories, beyond the power of the people legally to control it as other property, it is due to candor to say that, in such an event, I could not accept the nomination if tendered to me. Trusting that this answer will be deemed sufficiently explicit, I am, very respectfully, your friend,

S. A. DOUGLAS.

To J. B. DORR, Esq., Dubuque, Iowa.

The publication of this letter produced immense enthusiasm among Mr. Douglas' friends all over the country, and particularly throughout the Northwest, and was followed by a pressing invitation from the Democratic State Central Committee of Ohio to visit that State and address the people in their pending canvass. In consequence of the ill-health of Mr. Douglas and his family, he was only able to make three speeches in Ohio—at Columbus, Cincinnati and Wooster, in each of which places the Democracy made immense gains at the fall election, averaging one thousand votes in each county. He was met in Cincinnati by large numbers of Democrats from Kentucky, Indiana, and other adjacent States, and wherever he went was greeted with the wildest enthusiasm.

We omit to insert extracts from these speeches, which are among the ablest and best of his political life, for the reason that they relate chiefly to the line of argument which has been so fully illustrated in the previous pages of this work. These speeches appeared in the columns of the New York press the morning after their delivery, having been deemed of sufficient consequence to be telegraphed entire. A marked feature of these addresses was his solemn protest against the incorporation of any new tests of faith into the Democratic creed which would tend to divide and defeat the party, insisting upon "the re-adoption of the Cincinnati platform without the addition of a word or the subtraction of a letter."

THE HARPER ARTICLE.

In the September (1859) number of "Harper's Magazine," Mr. Douglas published over his own name, an article entitled "Popular Sovereignty in the Territories: The Dividing Line between Federal and Local Authority." This article was read with avidity by the public, and for some days after its appearance, nothing else was talked of in political circles. It is a clear elucidation of the line that divides the authority of the Federal Government from that of local authorities; and of the great principle that every distinct political community, loyal to the Constitution and the Union, is entitled to all the rights, privileges, and immunities of self-government in respect to their local concerns and internal polity, subject only to the Constitution of the United States. He exposes the erroneous views entertained by the "Republican" party on these points: shows that the courts in a Territory derive all their powers from the Territorial legislature: that all powers conferred on Congress by the Constitution, must be exercised by Congress in the manner prescribed in the Constitution; but that Congress may establish local governments, and invest them with powers which Congress itself cannot constitutionally exercise.

He shows by the records of the provincial legislature of Virginia, that in 1772, the Virginians were unwilling to have slavery forced upon them: that in 1776, the inhuman use of the royal negative, in refusing the colony of Virginia permission to exclude slavery from her limits by law, was one of the reasons for separating from Great Britain: and that in all the thirteen colonies, slavery was regarded as a domestic question, to be considered and determined by each colony to suit itself, without the intervention of the British parliament. He proves that the principle of popular sovereignty was at

the very foundation of the causes that led to the Revolution: showing that the patriots of 1776 fought for the inalienable right of local self-government, with the clear understanding that when the despotism of the British parliament was thrown off, no Congressional despotism was to be substituted for it.

He proves by a citation of Jefferson's plan for the government of the first Territory ever owned by the United States, that by it, the right of Congress to bind the people of the Territories without their consent was emphatically ignored; and the people therein recognized as the source of all local power: that in forming the Constitution of the United States in 1787, the Convention took the British constitution for their model, conferring upon the Federal Government the same powers which, as colonies, they had been willing to concede to the British government, and reserving to the States and to the people, the rights for which the Revolution had been fought. He shows that the clause in the Constitution which gives to Congress "power to dispose of, and make all needful rules and regulations for the Territory"—refers exclusively to property, in contradistinction to persons and communities; but does not authorize Congress to interpose or interfere with the internal polity of the people who may reside upon lands which the United States once owned.

He alludes to the erroneous views that have been put forth in regard to the Dred Scott case; and shows that *the slavery question* was not included in the class of prohibited powers to which the Constitution alluded. He describes the steps by which the Compromise measures of 1850 were formed, and the principles on which they were based; and shows that they are the same principles upon which the Nebraska Bill of 1854 was formed.

We give a few extracts from the article, which possesses a permanent historical value, in the Appendix to this work

The appearance of the Harper article caused, as has been stated, the most profound sensation in political circles.

The exposition of the question produced consternation and dismay in the camp of the assailants of Judge Douglas. Their hope was to secure the confidence and favor of the South by conceding their right to plant slavery in the Territories in opposition to the wishes of the people, and in defiance of the Territorial authorities; and at the same time, satisfy the North by withholding all legislative protection and judicial remedies, without which the right becomes a naked, useless, worthless possession. The exposure of Mr. Douglas opened their eyes to the dangers of their perilous position, and made it obvious, even to their comprehension, that they could no longer successfully maintain the ground they then occupied. Afraid to advance and pursue their doctrines to their logical consequences, and ashamed to retreat and return to the impregnable position of popular sovereignty, which they had so recently abandoned, they began to look about for some new expedient to relieve themselves from the awkward dilemma into which they had been driven by one short article in "Harper's Magazine." Accordingly Judge Black was deputed to frame an answer to the masterly paper of Mr. Douglas.

The attorney-general's reply to the Harper article appeared in the "Washington Constitution," the central organ of the assailants of Judge Douglas, in October. A few days after, Mr. Douglas made a speech at Wooster, in which he replied to the pamphlet of the attorney-general. The latter functionary published an appendix to his former article, and on the 17th of November, Mr. Douglas published a rejoinder, from which we make the following extracts:

In my reply to Judge Black I produced and quoted the decisions of the Supreme Court of the United States, in which the following

propositions were solemnly and authoritatively established as the law of the land:

1st. That the state of slavery is a mere municipal regulation, founded upon and limited to the range of Territorial laws.

2d. That the laws of one State or country can have no force or effect in another *without its consent*, express or implied.

3d. That, in the absence of any positive rule upon the subject, affirming or denying or restraining the operation of the foreign law or laws of one State or country in their application to another, the courts will presume the tacit adoption of them by the government of the place where they are sought to be enforced, unless they are repugnant to its policy, or prejudicial to its interests.

The attorney-general neither admits nor denies the correctness of these propositions, nor does he either admit or deny that the courts have so decided. To admit their correctness would necessarily involve an abandonment of his position and a confession that he had been wrong from the beginning. To deny them would bring him in direct conflict with the authority of the court and expose him to an inevitable conviction by the record.

* * * * * * *

Judge Black has not attempted to reconcile his opinion with the decision of the court. No man in his senses can fail to perceive that if the court is right, Judge Black is inevitably wrong. Although the whole legal controversy between Judge Black and myself turns on this one point, I did not choose, in my reply, to offset my individual opinion against his, or to bring the two into comparison. As the question at issue could only be determined by authority, I said:

"Of course I express no opinion of my own, since I make it a rule to acquiesce in the decisions of the courts upon all legal questions."

And again, in concluding what I had to say on the legal points at issue, I added:

"In all that I have said, I have been content to assume the law to be as decided by the Supreme Court of the United States, without presuming that my individual opinion would either strengthen or invalidate their decisions."

If Judge Black could reconcile it with his dignity and sense of duty to act on the same assumption, there could be no controversy between him and me in regard to the law of the case. According to the doctrine of the court, a white man, with a negro wife and mulatto children, under a marriage lawful in Massachusetts, on removal into a Territory, could not maintain that interesting "private relation," under the laws of Massachusetts, without the consent or tacit adoption of the Massachusetts law by the Territorial government. On the contrary, if Judge Black's view of the axiomatic prin-

ciple of public law be correct, this disgusting and demoralizing system of amalgamation may be introduced and maintained in the Territories under the law of Massachusetts, in defiance of the wishes of the people and in contempt of all Territorial authority, until "they get a constitutional convention or the machinery of a State government in their hands." It is true that Judge Black limits this right to those places where there is no law "in direct conflict with it;" but he also says in the same pamphlet that the Territories "have no attribute of sovereignty about them," and, therefore, are incapable of making any law in conflict with this "private relation" which is lawful in Massachusetts.

According to the doctrine of the court, a Turk, with thirteen wives, under a marriage lawful in his own country, could not move into the Territories of the United States with his family and maintain his marital rights under the laws of Turkey without the consent or tacit adoption of the Turkish law by the Territorial government.

In accordance with the Black doctrine (I use the term for convenience and with entire respect), polygamy may be introduced into all the territories, maintained under the laws of Turkey, "until the people of the Territory get a constitutional convention or the machinery of a State government into their hands," with competent authority to make laws in conflict with this "private relation."

According to the doctrine of the court, the peddler with his clocks, the liquor-dealer with his whiskies, the merchant with his goods, and the master with his slaves, on removal to a Territory, cannot hold, protect, or sell their property under the laws of the States whence they came, respectively, without the consent or tacit adoption of those laws by the Territorial government.

According to the Black doctrine, however, any one person, black or white, from any State of the Union, and from any country upon the globe, may remove into the Territories of the United States, and carry with him the law of the State or country whence he came, for the protection of any "right of property, private relation, condition, or status, lawfully existing in such State or country," without the consent and in defiance of the authority of the Territorial government, and maintain the same "until they get a constitutional convention or the machinery of a State government into their hands."

This is the distinct issue between Judge Black and the Supreme Court of the United States. It is not an issue between the attorney-general and myself, for in the beginning of the controversy I announced my purpose "to assume the law to be as decided by the court, without presuming that my individual opinion would either strengthen or invalidate their decisions."

* * * * * * *

But if it be true, as contended by Judge Black, that the Territories cannot legislate upon the subject or slavery, or any other right of property, private relation, condition, or *status*, lawfully existing in

another State or country, it necessarily results that the Territorial legislature cannot adopt the laws of other States or countries for the protection of such rights and institutions, and consequently that the courts cannot *presume* the tacit adoption of such laws by the Territorial government in the absence of any power to adopt them. Here, again, we see that the doctrine of Judge Black, if it does not conclusively establish a right without the possibility of a remedy, is certainly equivalent to the Wilmot Proviso in its practical results, so far as the institution of slavery is concerned. I demonstrated this proposition to him in my "reply" so conclusively that he did not venture to deny it, much less attempt to answer the argument in his "rejoinder."

I do not deem it necessary to notice in detail the many strange and unaccountable misrepresentations in his "rejoinder" of the matters of fact and law set forth in my "reply," to which he was professing to respond. One or two instances will suffice as specimens of the manner in which the attorney-general is in the habit of disposing of authorities which stand as insuperable obstacles in the path of his argument. In my "reply" I quoted the following paragraph from Judge Story's "Conflict of Laws," to show that he, at least, thought the law was precisely the reverse of what Judge Black supposed it to be:

"There is a uniformity of opinion among foreign jurists and foreign tribunals in giving no effect to the state of slavery of a party, whatever it may have been in the country of his birth, or that in which he had been previously domiciled, *unless it is also recognized by the laws of the country of his actual domicil*, and where he is found, and it is sought to be enforced. [After citing various authorities, Judge Story proceeds:] In Scotland the like doctrine has been solemly adjudged. The tribunals of France have adopted the same rule, even in relation to slaves coming from and belonging to their own colonies. This is also the undisputed law of England."

Now for Judge Black's reply to these passages from Judge Story:

"These passages (will the reader believe it?) merely show that a slave becomes free when taken to a country *where slavery is* NOT TOLERATED *by law!*" Substituting the words "not *tolerated* by law" for the words "unless it is also *recognized* by law," Judge Black reverses Judge Story's meaning, and makes that learned jurist declare the law to be *precisely the reverse* of what Judge Story stated it to be! "*Will the reader believe it?*" Not content with changing the language and reversing the meaning, and citing it, in its altered form, as evidence that I had misapplied the quotation, the attorney-general has the audacity to exclaim in parenthesis, for the purpose of giving greater emphasis to his allegation, "will the reader believe it?" Judge Black cannot avoid the responsibility which justly attaches to such conduct by the pretence that slavery was prohibited by law in Scotland, England and France, for the reason that the reports of the cases show that the laws of those countries were *silent* upon the subject, and that the decisions were made upon the distinct

ground that there was no law *recognizing* slavery, and *not* upon the ground that it was prohibited by law.

* * * * * * *

I will now devote a few words to a more pleasing and agreeable duty, by presenting to the public some of the beneficial results of this discussion. The attorney-general has been forced, by the exigencies of the controversy, step by step and with extreme reluctance, to make several important confessions, which necessarily involve an abandonment, on the part of his clients, of various pernicious heresies with which the country has been threatened for the last two years.

First, that slavery exists in the Territories by virtue of the Constitution of the United States. . . . Hence, we find on the second page of Judge Black's pamphlet these emphatic words: "*The Constitution certainly does not establish slavery in the Territories or anywhere else. Nobody in this country ever thought or said so.*"

This confession is ample reward for all the labor that the article in "Harper's Magazine" cost me, protesting, however, that I am acquainted with no rule of Christian morality which justifies gentlemen in saying "that nobody in this country ever thought or said so," in the face of Mr. Buchanan's Silliman letter and Lecompton message. This confession is presumed to have the sanction of the President and his cabinet, and therefore may be justly regarded as an official and authoritative abandonment of the pernicious heresy with which the country has been irritated for the last two years, *that slavery exists in the Territories by virtue of the Constitution of the United States.*

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Another political heresy, which is in substance, although not in terms, abandoned in Judge Black's rejoinder, is "*that the Territories have no attribute of sovereignty about them.*"

It will be recollected that in my Harper article I drew a parallel between our Territories and the American Colonies, and showed that each possessed the exclusive power of legislation in respect to their internal polity; that, according to our American theory, in contradistinction to the European theory, this right of self-government was not derived from the monarch or government, but was inherent in the people.

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In reply, Judge Black argued that this claim involved the possession of sovereignty by the people of the Territories; that "they have no attribute of sovereignty about them;" that "they are public corporations established by Congress to manage the local affairs of the inhabitants, like the government of a city established by a State legislature;" that "there is probably no city in the United States whose powers are not larger than those of a federal Territory;" and in fact, adopting the Tory doctrine of the Revolution, that all political power is derived from the crown or government, and not inherent in the people.

In my reply I showed that the people of the Territories do pass laws for the protection of life, liberty and property, and, in pursuance of those laws, do deprive the citizen of life, liberty and property, whenever the same become forfeited by crimes; that they exercise the sovereign power of taxation over all private property within their limits, and divest the title for non-payment of taxes; that they exercise the sovereign power of creating corporations, municipal, public and private; that they possess "*legislative power*" over "all rightful subjects of legislation consistent with the Constitution and the organic act;" and I quoted the language of Chief Justice Marshall, in delivering the unanimous opinion of the Supreme Court, that "*all legislative powers appertain to sovereignty.*"

Now let us see with what bad grace and worse manners, and yet how *completely the attorney-general backs down fromhis main position*, that the Territories "have no attribute of sovereignty about them:"

"Every half-grown boy in the country who has given the usual amount of study to the English tongue, or who has occasionally looked into a dictionary, knows that the sovereignty of a government consists in its uncontrollable right to exercise the highest power. But Mr. Douglas tries to clothe the Territories with the 'attributes of sovereignty,' not by proving the supremacy of their jurisdiction in any matter or thing whatsoever, but merely by showing that they may be, and some of them have been, authorized to legislate within certain limits, to exercise the right of *eminent domain*, to lay and collect *taxes* for territorial purposes, to deprive a citizen of *life, liberty or property*, as a punishment for crime, and to *create corporations*. *All this is true enough*, but it does by no means follow that the provisional government of a Territory is, therefore, a sovereign in any sense of the word."

ABSURDITIES OF BLACK'S ARGUMENTS.

So he surrenders at last. This discussion furnishes a single example of what perseverance can accomplish. It has taken a long time to drive the attorney-general into the admission that the people of a Territory are clothed with the LAW-MAKING POWER; with the right "to *legislate* within certain limits" (that is to say, upon "all rightful subjects of legislation consistent with the Constitution"); with "the right of eminent domain, to lay and collect taxes for Territorial purposes, to deprive a citizen of life, liberty, and property, as a punishment for crime, and to create corporations." I am not quite sure that "every half-grown boy in the country who has given the usual amount of study to the English tongue, or has occasionally looked into a dictionary," does know that these powers are all "attributes of sovereignty;" but I am very confident that no respectable court, jurist, or lawyer, "on this side of China" (Judge Black alone excepted), ever exposed their ignorance by questioning it, much less had the audacity to deny it. Since *the fact is admitted*, that the Territories do possess and may rightfully exercise those "legislative powers" which are recognized throughout the civilized world as the

very highest attributes of sovereignty—the power over life, liberty and property—I shall not waste time in disputing with the attorney-general about the *name* by which he chooses to call them. It is sufficient for my purpose that I have at last forced him into the admission that the law-making power over all rightful subjects of legislation appertaining to life, liberty, and property, resides in, and may be rightfully exercised by the Territories, subject only to the limitations of the Constitution.

This brings to my notice another important confession in Judge Black's rejoinder, intimately connected with the preceding, which is: THAT IT IS AN INSULT TO THE AMERICAN PEOPLE TO SUPPOSE THAT THE PEOPLE OF ANY ORGANIZED TERRITORY WOULD ABUSE THE RIGHT OF SELF-GOVERNMENT IF IT WERE CONCEDED TO THEM.

This last confession, taken in connection with the previous admission of the power, removes the last vestige of any substantial objection to the doctrine of popular sovereignty in the Territories. Unable to make any plausible argument against it in theory and upon principle, as explained in "Harper's Magazine," Judge Black expended all the powers and energies of his intellect in his first pamphlet to render the doctrine odious and detestable upon the presumption of its probable practical results. He argued that it might result in "legislative robbery;" that "they may take every kind of property in mere caprice, or for any purpose of lucre or malice, without process of law, and without providing for compensation;" that "they may order the miners to give up every ounce of gold that has been dug at Pike's Peak;" that they may "license a band of marauders to despoil the emigrants crossing the Territory."

These were the arguments employed by the attorney-general, in the beginning of this controversy, to render the doctrine of popular sovereignty odious and detestable in the eyes of all honest men, and to prepare the minds of the people for the favorable reception of his new doctrine, that property in the Territories must be protected under the laws of the State whence the owner removed. Very soon, however, the lawyers began to amuse themselves and the public by exposing the folly and absurdity of the pretence that the Territorial courts could apply the judicial remedies prescribed by the legislature of Kentucky, or of any other State. Becoming ashamed of his position, Judge Black wrote an appendix to his pamphlet, in which he declared that while the "title which the owner acquired in the State" from whence he removed must be respected in the Territory, "THE ABSURD INFERENCE which some persons have drawn from it is *not true*, that the master also takes with him the JUDICIAL REMEDIES which were furnished him at the place where his title was acquired," and that "the respective rights and obligations of the parties must be protected and enforced *by the law prevailing at the place where they are supposed to be violated.*"

By this time it was my turn to reply, when I showed that his doctrine, if true, estal lished a RIGHT WITHOUT A REMEDY, and if the

people of the Territories could not be trusted in the management of their own affairs, and in the protection of life, liberty, and property, *they could not be relied upon to provide the remedies!* This reply was made in good faith, and believed to be pertinent to the issue and fatal to his position. Instead of receiving it in good temper, obviating the force of it by fair argument, if it were possible for him to do so, he flies into a rage and denies that he "said that an emigrant to a Territory had a right to his property *without a remedy*," and that "*it is an insult to the American people to suppose that any community can be organized within the limits of our Union who will tolerate such a state of things.*" Listen to his patriotic indignation at the bare suggestion that the people of the Territories cannot be trusted to guard and protect the rights of property and provide the remedies:

"I never said that an immigrant to a Territory had a right to his property *without a remedy;* but I admit that he must look for his remedy to the law of his new domicil. It is true that he takes his life, his limbs, his reputation, and his property, and with them he takes nothing but his naked right to keep them and enjoy them. He leaves the judicial remedies of his previous domicil behind him. It is also true that in a Territory just beginning to be settled, he may need remedies for the vindication of his rights above all things else. In his new home there may be bands of base marauders, without conscience or the fear of God before their eyes, who are ready to rob and murder, and spare nothing that man or woman holds dear. In such a time it is quite possible to imagine an abolition legislature whose members owe their seats to Sharpe's rifles and the money of the Emigration Aid Society. Very possibly a legislature so chosen might employ itself in passing laws *unfriendly* to the rights of honest men and *friendly* to the business of the robber and the murderer. I concede this, and Mr. Douglas is entitled to all the comfort it affords him. But it is an insult to the American people to suppose, that any community can be organized within the limits of our Union, who will tolerate such a state of things."

Why did Judge Black insult the American people by supposing and assuming that they would do these things if left free to regulate their own internal polity and domestic affairs in their own way? It was deemed a necessary expedient in order to render popular sovereignty and its advocates odious and detestable. Why then did he, in the course of the same discussion, turn round and say it was an insult to the American people to suppose that the people of the Territories would do those things when allowed to regulate their own affairs in their own way? This, too, was in turn deemed a necessary expedient in order to avoid the horn of the dilemma into which he had been fairly driven, and escape the odium of an attempt to deceive the southern people, of which he had been fairly convicted of advocating a "*right without a remedy.*"

To what desperate shifts will men resort or be driven when they deliberately abandon *principle* FOR *expediency?* No more striking or humiliating illustration of this truth was ever given than this controversy presents. Each change of ground, every shifting of position has been done as an expedient to avoid what at the time was deemed

a worse alternative. The ground on which Mr. Buchanan was elected, that "the people of a Territory, like those of a State, shall decide for themselves whether slavery shall or shall not exist within their limits," was changed, and in lieu of it the position assumed that "slavery exists in the Territories by virtue of the Constitution," as an expedient to obtain the support of certain southern ultras and fire-eaters who had always opposed popular sovereignty, on the supposition that without such support Mr. Buchanan's administration would be in a minority in the two houses of Congress. The confession that "the Constitution certainly does not establish slavery in the Territories, nor anywhere else," was made, and the position that slavery may be protected in the Territories under the laws of other States, assumed as an expedient to avoid the necessity of supporting a Congressional slave code. The confession that the people of the Territories may exercise legislative powers over all rightful subjects of legislation, pertaining to life, liberty, and property, was made as an expedient to avoid the odium of advocating a right without a remedy, by showing that the Territorial legislatures might lawfully and rightfully pass all laws and prescribe all judicial remedies necessary for the protection of property of every description, slavery included. The declaration that it is an insult to the American people to suppose that the people of the Territories, when left free to manage their own affairs in their own way, would be guilty of "legislative robbery," would confiscate private property, seize it in mere spite, etc., was deemed a necessary expedient for the purpose of proving that the people might safely be trusted to furnish the protection and provide the remedies without which slaves could not be held and slave property protected in the Territories under the laws of other States.

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Turning from Judge Black to Dr. Gwin, it is but respectful to say a few words upon his letter, which illuminated the columns of the central organ of my assailants the day previous to Judge Black's rejoinder. The identity of language, thought, and style, which pervades the two productions, while rejecting the idea that they could have been written with the same pen, furnishes conclusive evidence that great men will think alike when in the same vein. For example—

Dr. Gwin says:

"The *difference* BETWEEN MR. DOUGLAS AND THE DEMOCRATIC PARTY, sustained by this decision of the Supreme Court of the United States, *is this*," etc., etc.

Judge Black says:

"*The whole dispute* (as far as it is a doctrinal dispute) BETWEEN MR. DOUGLAS AND THE DEMOCRATIC PARTY *lies substantially in these two propositions*," etc., etc.

This coincidence, without wearying the reader with other examples, will suffice to show the unity of purpose and harmony of design

with which my assailants pursue me. To separate "Mr. Douglas" from the "Democratic party" seems to be the patriotic end to which they all aim. They may as well make up their minds to believe, if they have not already been convinced of the fact by the bitter experience of the last two years, that *the thing cannot be done.* I gave them notice, at the initial point of this crusade, that no man or set of men on earth, save one, could separate me from the Democratic party; and as I was that one, and the only one who had the power, I did not intend to do it myself nor permit it to be done by others!

At this point (Nov. 7), Mr. Douglas was forced to stop writing by a seve reattack of inflammatory rheumatism, which soon prostrated him with a dangerous illness, from which he was not expected at one time to recover. In a moment of consciousness he directed the unfinished manuscript to be taken to the printer, with a note which concludes as follows:

"I am too feeble, however, to add more. Here let the controversy close for the present, and perhaps for ever."

THE CHASE AND TRUMBULL AMENDMENT.

We cannot close this chapter without referring to "the record" to which Mr. Douglas alludes in his brief "note" as wishing to comment on in reply to Mr. Gwin. It will be found in the "Congressional Globe" of the First Session of the thirty-third Congress, vol. xxviii. It completely exposes the attempted trickery of the Chase amendment. It shows what the Senate regarded as the true meaning of that clause in the Kansas Nebraska Bill which left the people of the Territories perfectly free "to *form* and *regulate* their *domestic institutions* in their own way," and that that meaning was, in the language of Senator Badger, "*an unrestricted* and *unreserved* reference to the *Territorial authorities* or the *people* themselves to determine *upon the question of slavery.*"

After the appearance of the Harper article, Mr. Gwin of California endeavored to produce the impression that neither

Mr. Douglas nor other senators understood, when the Kansas Nebraska Bill was before them, that the people of the Territories could legislate on the subject of slavery during the Territorial condition; and that had senators so understood the bill, it would have destroyed the measure; and further, that Mr. Douglas, if he took a different view of the bill from that, acted in bad faith to the Senate and the country in not saying so "*before the bill became a law.*"

The records of Congress show the very reverse of this to be the fact. The record shows that both Mr. Douglas and the Democratic as well as other senators understood the Kansas Nebraska Bill to mean that the people of the Territories, while in the Territorial condition, could legislate on slavery as on any other domestic affair. It shows, also, that both Mr. Chase's amendment and Mr. Trumbull's amendment were legislative tricks, gotten up for political effect outside of Congress.

As the Kansas Nebraska Bill stood before Mr. Chase offered his amendment, it read:

It being 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 therein perfectly free to form and regulate their domestic institutions in their own way, subject only to the Constitution of the United States.

Mr. Chase's amendment proposed to add these words:

Under which the people of the Territory, through their appropriate representatives, may, if they see fit, *prohibit the existence of slavery therein.*

Mr. Chase made a brief speech in support of his amendment, in the course of which he said:

After I have obtained a vote upon this question, I shall want to know, and if no other senator shall do it, I will move amendments calculated to ascertain, whether it be intended to give the principle of non-intervention asserted by the bill full scope. If it is to be adopted, I want to see it adopted and fully carried out,

Mr. Pratt said: Mr. President, the principle which the senator from Ohio adopts as the principle of his amendment, is that the question shall be left entirely and exclusively to the people whether they will prohibit slavery or not. Now, for the purpose of testing the sincerity of the senator, and for the purpose of deducing the principle of his amendment correctly, I propose to amend it by inserting after the word "prohibit" the words "or introduce," so that if my amendment be adopted, and the amendment of the senator from Ohio as so amended be introduced as part of the bill, the principle which he says he desires to have tested will be inserted in the bill—that the people of the Territories shall have power to prohibit or introduce slavery as they may see proper. I suppose the question will be taken on the amendment which I offer to the amendment.

Mr. Seward.—Is an amendment to an amendment to an amendment in order?

Mr. Chase.—The amendment which I offered is an amendment to an amendment.

The Presiding Officer.—The amendment of the senator from Maryland is not now in order.

Mr. Pratt.—Perhaps the senator from Ohio will accept it.

Mr. Chase, in the course of his reply, said: Now, sir, I desire to have the sense of the Senate on the question, whether the Territorial legislatures to which you propose to refer this great question—vital to the future destiny of the people who are to emigrate into these Territories—can, subject to the Constitution, protect themselves, if they see fit to do so, from slavery. The senator from Maryland, Mr. Pratt, has proposed an amendment to my amendment. I cannot accept it, but it will be entirely within the power of the Senate to agree to his if they see fit to do so.

Mr. Shields.—If the honorable senator will permit, I will suggest to him, if he wishes to test that proposition, to put the converse as suggested by the honorable senator from Maryland, and then it will be a fair proposition. Let the senator from Ohio accept the amendment of the senator from Maryland for the purpose of testing the question.

Mr. Chase.—I was about to state why I could not accept the amendment of the senator from Maryland. I have no objection that the vote shall be taken on it, and it is probable that it would receive the sanction of a majority here, but with my views of the Constitution, I cannot vote for it. I do not believe that a Territorial legislature, though it may have power to protect the people against slavery, is constitutionally competent to introduce it.

Senator Badger, of North Carolina, took Mr. Chase in hand, and exposed the insincerity of the Ohio senator, and also told what was *the true meaning of the bill.* He said:

Mr. President, I have understood, I find, correctly the purport of

the amendment offered by the honorable senator from Ohio. The purposes of the amendment, and the effect of the amendment, if adopted by the Senate, and standing as it does, are clear and obvious. *The effect of the amendment, and the design of the amendment, are to overrule and subvert the very proposition introduced into the bill upon the motion of the chairman of the Committee on Territories,* (Mr. Douglas.) Is not that clear? The position, as it stands, *is an unrestricted and unreserved reference to the Territorial authorities, or the people themselves,* to determine upon the question of slavery; and, therefore, by the very terms, as well as by the obvious meaning and legal operations of that amendment (of Mr. Pratt), TO ENABLE THEM EITHER TO EXCLUDE OR TO INTRODUCE OR TO ALLOW SLAVERY. If, therefore, the amendment proposed by the senator from Ohio were appended to the bill in the connection in which he introduces it, the necessary and inevitable effect of it *would be to control and limit the language which the Senate had just put into the bill,* and to give it this construction, that though Congress leaves them to regulate their own domestic institutions as they please, yet in regard to the subject matter of slavery, *the power is confined to the exclusion or prohibition of it.* I say this is both the legal effect and the manifest design of the amendment. The legal effect is obvious upon the statement; the design is obvious upon the refusal of the gentleman to incorporate in his amendment what was suggested by my honorable friend from Maryland, the propriety and fairness of which were instantly seen by my friend from Illinois (Mr. Shields.)

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I have no hesitation, therefore, in saying that I shall vote against the amendment of the senator from Ohio. The clause as it stands is ample. It submits the whole authority to the Territory to determine for itself. That in my judgment is the place where it ought to be put. *If the people of these Territories choose to exclude slavery, so far from considering it a wrong done to me or to my constituents, I shall not complain of it. It is their own business.*"

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The question being taken by yeas and nays on the amendment of Mr. Chase, it resulted yeas 10, nays 36.

YEAS—Messrs. Chase, Dodge of Wis., Fessenden, Fish, Foote, Hamlin, Seward, Smith, Sumner and Wade—10.

NAYS—Messrs. Adams, Atchison, Badger, Bell, Benjamin, Brodhead, Brown, Butler, Clay, Clayton, Dawson, Dixon, Dodge of Iowa, Douglas, Evans, Fitzpatrick, Gwin, Houston, Hunter, Johnson, Jones of Iowa, Jones of Tennessee, Mason, Morton, Norris, Pettit, Pratt, Rusk, Sebastian, Shields, Slidell, Stuart, Toucey, Walker, Weller and Williams—36.

And so the amendment was rejected. It will be observed

that Dr. Gwin, who quotes Mr. Douglas' vote against the Chase amendment as conclusive evidence that the Nebraska Bill was not intended to confer on the Territorial legislature the power of introducing or excluding slavery, was present participating in these proceedings, without uttering one word of dissent or disapprobation of the speeches of Messrs. Pratt, Shields and Badger, when the latter declared that the bill as it stood without the Chase amendment, "submits the whole authority to the Territorial legislature to determine for itself," "and that if the people of these Territories choose to exclude slavery, so far from my considering it a wrong done to me or my constituents, I shall not complain of it—it is their own business."

The reader will doubtless be curious to know why it happened that so many of the senators who participated in the removal of Mr. Douglas from the chairmanship of the Committee on Territories for construing the Nebraska Bill in the same manner as Mr. Badger construed it the day before it received their votes, could have remained silent in their places without one word of dissent or protest.

The Trumbull proposition referred to by Dr. Gwin, was offered as an amendment to the bill for the admission of Kansas into the Union as a State, two years after the passage of the Kansas-Nebraska Act, and was rejected solely upon the ground that it was irrelevant to the bill for the admission of a State, and not because it did not declare the true intent and meaning of the Kansas-Nebraska Act.

It was in the following words:

And be it further enacted:—

That the provision in the act "to organize the Territories of Kansas and Nebraska," which declares it to be "the true intent and meaning of said act not to legislate slavery into any Territory or State, or 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," was intended to and does confer upon or leave

to the people of the Territory of Kansas full power at any time through its Territorial legislature to exclude slavery from said Territory, or to recognize or regulate it therein.

The official report of the proceedings on this amendment (see App. to "Cong. Globe," July 2d, 1856) shows that this amendment was discussed by Senators Benjamin, Trumbull, Fessenden, Cass, Douglas, Bigler, Toucey, Hale, Seward and Bayard, and that no one of them denied or intimated that the amendment did not declare the true intent and meaning of the original act, and that those who opposed it did so upon the ground that it was irrelevant to the bill under consideration.

Mr. Cass said: Now, in respect to myself, I suppose the Senate knows clearly my views. I believe the original act gave the Territorial legislature of Kansas full power to exclude or allow slavery. . . . . This being my view, I shall vote against the amendment.

Mr. Douglas said: The reading of the amendment inclines my mind to the belief, that in its legal effect it is precisely the same with the original act, and almost in the words of that act. Hence, I should have no hesitancy in voting for it, except that it is putting on this bill a matter which does not belong to it.

Mr. Bigler said: Now, sir, I am not prepared to say what the intention of the Congress of 1854 was, because I was not a member of that Congress. I will not vote on this amendment, because I should not know that my vote was expressing the truth. I agree too, with the senator from Michigan (Mr. Cass), and the senator from Illinois (Mr. Douglas), that this is substantially the law as it now exists.

Mr. Toucey said: Now, I object to this amendment as superfluous, nugatory, worse than that, as giving grounds for misrepresentation. It leaves the subject precisely where it is left in the Kansas-Nebraska Bill.

Mr. Bayard said: I have an objection to the amendment proposed by the honorable senator from Illinois (Mr. Trumbull), which to me would be perfectly sufficient, independent of any other: and that is, it is nothing more or less than an attempt to give a judicial exposition by the Congress of the United States to the Constitution; and I hold that they have no right to usurp judicial power.

The question being taken by yeas and nays on the amendment, resulted, ayes 11, nays 34, as follows:

YEAS—Messrs. Allen, Bell, of N. H., Collamer, Durkee, Fessenden, Foote, Foster, Hale, Seward, Trumbull and Wade—11.

NAYS—Messrs. Adams, Bayard, Benjamin, Biggs, Bigler, Bright, Brodhead, Brown, Cass, Clay, Crittenden, Dodge, Douglas, Evans, Fitzpatrick, Geyer, Hunter, Iverson, Johnson, Jones, of Iowa, Mallory, Mason, Pratt, Pugh, Reid, Sebastian, Slidell, Stuart, Thompson, of Kentucky, Toombs, Toucey, Weller, Wright and Yulee—34.

So the amendment was rejected.

Upon this transcript from the records we have three comments to make, which cannot fail to impress the reader.

First, That during this whole debate no senator pretended that Mr. Trumbull's amendment did not declare the true intent and meaning of the Nebraska Act, according to its legal effect and plain reading.

Second, That every senator who spoke against the amendment, assigned as the sole reason for his vote, either that it was irrelevant or an attempt by Congress to usurp judicial power.

Third, That those senators who now arraign and condemn Mr. Douglas as too unsound to be chairman of the Territorial Committee for no other reason than that he now construes the Kansas-Nebraska Act precisely as he then did, listened to this debate without one word of dissent, and by silence have acquiesced in the construction which the author of the bill distinctly affirmed in their presence. Indeed, it may be said that this construction of the act was unanimously affirmed by the Senate, on this occasion—the Republicans assenting to it by their votes in favor of the amendment, and all the others by their acquiescence in the reasons assigned by Messrs. Cass, Douglas, Bayard, Bigler and Toucey for voting against it. If, however, these senators shall attempt to escape the conclusion under cover of the reasons assigned by Mr. Bayard, that the amendment was "nothing more or less than an attempt to give a judicial exposition, by the Congress of the United

States, to the Constitution," and "that they have no right to usurp judicial power," with what consistency can these gentlemen meet in secret caucus and propose resolutions, to be offered in open Senate, as a platform for the Charleston Convention; thus "giving a judicial exposition," by the caucus and the Senate, to the Constitution, on the identical point which Mr. Bayard denounced as "a usurpation of judicial power," and in the justice of which denunciation they all appeared at the time to acquiesce? Would it not be well, at the next meeting of the senatorial caucus, to give a satisfactory answer to this inquiry?

CHAPTER XVII.

PROTECTION OF STATES FROM INVASION—THE SENATORIAL CAUCUS.

Great Speech of Mr. Douglas on the Harper's Ferry Invasion—Anxiety to hear him—His Speeches in Reply to Senators Fessenden, Jeff. Davis, and Seward—The Caucus of Senators—Their Utopian Platform.

THE first session of the 36th Congress met on the first Monday in December, 1859. The great practical measure of the session was the proposition of Mr. Douglas, embraced in the resolution which he offered on the 16th of January, 1860, instructing the Judiciary Committee to report a bill to protect each State from invasion by people of other States.

A day or two before the introduction of this resolution, a sharp passage at arms took place in the Senate between Mr. Douglas and Messrs. Clay, Jeff. Davis, and Green, which is thus described by the correspondent of the "New York Herald:"

MR. PUGH, of Ohio, a sharp, keen, and plucky debater, and the right-hand man of Mr. Douglas, brought the controversy to a focus. There was a good deal of cross-firing and sharp-shooting against the doctrines and speeches of the Little Giant, from Green, Iverson, Clay, Davis, Gwin, and other southsiders, till at length the Little Giant himself was brought to the floor.

He complained of ill-health; but he never looked better in his life—never appeared fresher in the ring, and never acquitted himself more to the admiration of his friends. He was like a stag at bay, and right and left he dashed among his pursuers. It is useless here to repeat this branch of the debate. It was the feature of the day and of the session.

Mr. Douglas announced to-day that he will abide by the decision of the convention, for the sake of the Democratic party, though he will not accept its nomination except upon the doctrine of popular sovereignty, as enunciated in the Cincinnati platform.

EXTRACTS FROM THE DEBATE.

This was Mr. Douglas's first appearance in the Senate after his severe and protracted illness, and it was thought rather ungenerous in these senators to make a combined and concerted attack upon him under the circumstances. It is conceded, however, by all who listened to the debate, that he never bore himself more gallantly or came out of a contest more successfully. The objects of the assaults upon him were to justify his removal from the Committee on Territories, upon the ground that he held opinions incompatible with the Democratic creed. We give several extracts from this important debate.

In reply to Mr. Davis of Mississippi, Mr. Douglas said:

I have never complained of my removal from the chairmanship of the Committee on Territories, and I never intended to allude to that subject in this body; but I do assert that the record proves that the Senate knew for eleven years that I held the identical opinions which I expressed in my Freeport speech, and which are now alleged as the cause of my removal; and during that period, with a full knowledge of those opinions, which were repeated over and over again in this body, within the hearing of every member of the Senate, I was, by the unanimous vote of the body, made chairman of that committee, being reëlected each year for eleven years. The cause now assigned for my removal is that I hold the identical opinions to-day that I held and repeatedly expressed during that whole period. If this be the true state of the facts, what does it prove? Simply, that those who removed me changed at the end of the eleven years, and I was not sound because I did not change as suddenly as they. My only offence consists in fidelity to the principles that I had avowed during that whole period. If at the end of that time my opinions were incompatible with those of a majority,

it shows that the majority had changed their policy but that I had not changed my opinions.

Mr. Green answered by charging that Mr. Douglas, in 1856, had declared in the Senate that the question, in respect to the extent of the power of a Territorial legislature over the subject of slavery, was a judicial question, which could be alone authoritatively determined by the Supreme Court of the United States.

Mr. Douglas, in reply, said :

In 1856 I did say it was a judicial question, and I said it over and over again before 1856. I have said it since that time. I declared in my Illinois speeches that it was a judicial question, I have declared the same thing in every publication I have made during the last year. I assert, now, that it is a judicial question. The point is that for years it was no want of soundness in principle that I held one side of that judicial question while others held the opposite. I assert that the Senate did know which side of the judicial question I held. But I have always said that I would abide the decisions of the Supreme Court, not only as a matter of policy but from considerations of duty. I take the law as expounded by the Supreme Court, I receive the Dred Scott decision as an authoritative exposition ; but I deny that the point now under consideration has been decided in the Dred Scott case. There is no one fact in that case upon which it could have arisen. The lawyers engaged on each side never dreamt that it did arise in the case. It is offensive and injurious to the reputation of the court to say that they decided a great question which had been the subject of agitation to the extent of convulsing the whole country, when it did not arise in the case, and when it was not argued by counsel. Sir, it would prove the court unworthy to decide the great question in a civilized country if it would take cognizance of a case when there was no fact upon the record upon which it could arise, when the counsel on either side never dreamt that it was in issue, when there was no argument on it, and foreclose the right of self-government to thousands and hundreds of thousands of people without a hearing. But one word more : I assert, and the debates will prove, that the understanding of the Kansas-Nebraska

Bill was that this was a judicial question to be decided when it should arise on a Territorial enactment.

The speech of the senator from Va. (Mr. Hunter), shows clearly that it was to arise on a Territorial enactment, and all the speeches of all of us show that it was in that way and at that time that this judicial question was expected to arise and be decided. The understanding was that when a Territorial legislature passed an act on this subject, of which any man complained, he should be able to bring the matter before the Supreme Court; and to facilitate the court in getting jurisdiction, we amended the bill by putting in a clause providing that a case affecting the title to slaves might be taken up to the Supreme Court without reference to the amount involved. That clause was inserted in order to get this judicial question before the Supreme Court of the United States. How? On a Territorial enactment, and nobody ever dreamt that the court was going in a decision on a case which did not affect that question to decide this point without argument and without notice, and preclude the rights of the people without allowing them to be heard. Whenever a Territorial legislature shall pass an act divesting or attempting to divest or impair or prejudice the right to slave property, and a case under that act shall be brought before the Supreme Court, I will abide by the decision and help in good faith to carry it out.

Mr. Clay, of Alabama, was the next to assail Mr. Douglas and to impeach the soundness of his principles and the consistency of his course upon the slavery question. In reply to him, Mr. Douglas said:

I say to the gentleman from Alabama, that while I have sought no sympathy and desire no sympathy, I shrink from no vindication of myself. I leave the public to judge whether there has not been rather a doubling of teams on me every time I have engaged in debate for the last two years. After fighting an unholy alliance in my own State, between federal officeholders and abolitionists, and triumphing over them, did I come here at the last session and make any parade of that fact? No, sir, I remained silent. I made no vindication of myself; I made no complaint of my removal from the chair of the Territorial Committee; I never alluded to it, and the matter would never have passed my lips if it had not been thrust in

my face in debate in the Senate to-day. The discussion of last year was brought on by others and not by me, and yet we have been told by a senator (Mr. Gwin) while making a speech in the country, that those who removed me from the head of that committee expected me to defend myself, and complained that I waited until the end of the session, after I had been tried, condemned and executed in my absence. Sir, I had no defence to make. I scorn to make any defence. I stood conscious of the rectitude of my own motives and the correctness of my own actions. I claimed the right to hold and vindicate my own opinions, and to impeach no other man's conduct or the integrity of his purpose. I yield to every senator the right of differing from me, and I never make a test on him for doing so.

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I have but a word more to say now, and that is on another point. The senator from Alabama tells me that if he had not supposed that I had changed my opinions, he would never have extended to me the right hand of fellowship as a Democrat. Well, sir, I do not know that my Democracy would have suffered much if he never had. I am willing to compare records with him as a Democrat. I never make speeches, proclaiming to the world that if I cannot get my man nominated I will bolt the convention and break up the Democratic party, and then talk about the right hand of Democratic fellowship. Sir, that senator has placed himself beyond the pale of Democratic fellowship, by the pronunciamento that he will not abide the decision of the National Convention, if the speeches, which I see attributed to him in the newspapers, are true. I do not understand this thing of belonging to an organization, going into a convention and abiding by the result if you win and bolting if you lose. I never thought that it was deemed fair dealing in any profession. If you take the winnings when you gain, I always thought you had to pay your bets when you lost: a man who tells me and the world that he only goes into a convention to abide the result in the event of its deciding in his favor, has no right to talk about extending the hand of Democratic fellowship. Now, sir, I have the kindest feelings toward the gentleman personally. He has a right to differ from me; he has a right to bolt the Charleston Convention; he has a right to proclaim to the world beforehand that he means to do so; but he has no right to go into the convention unless he intends to abide the

result. He has no right to claim that he belongs to the convention and say that he will bolt the nominee; and hence I say to that senator, with all kindness, that if he does not extend to me the right hand of Democratic fellowship I shall survive the stroke. If I should happen to be the nominee of the Charleston Convention, and he should vote against me, I am not certain that it would diminish my majority in his own State. I am not counting his support. Permit me to say to that senator that it will be time enough to threaten that he will not vote for me when I ask him to do it. Permit me to say further to him that I am doing quite as much honor to him if I consent to accept his vote, as he will do me by conferring it.

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When threats are made of not extending the hand of Democratic fellowship, I should like to understand who it is that has the right to say who is in the party and who not. I believe that more than two-thirds of the Democracy of the United States are with me on this disputed point. James Buchanan received about eighteen hundred thousand votes at the last election, more than twelve hundred thousand of them in the free States, and something over six hundred thousand in the slaveholding States, and you have heard it said by the senator from Ohio to-day, and I believe it, that ninety-nine out of every one hundred Democrats in the northern States agreed with him and me on this question. Then one-third of the Democratic party are going to read out the remaining two-thirds. Your candidate will have a good chance of election if you shall have done it, will he not?

The only importance attached to the question of the chairmanship of the Committee on Territories is this: heretofore no test has been made as to a man's opinions on this judicial question, and hence I could hold the position of chairman by a unanimous vote, without objection; but now it is made a test. I do not make it—I only resist your test if you make it on me. While I do not want the chairmanship—while I have performed labor enough on that committee, for eleven and a half years, to be anxious to get rid of it—yet the country cannot fail to take notice that my removal at the end of eleven years, is significant in one of two points of view. It was either personal or political. I acquit every man of the suspicion that it was personal. Then it must have been political. What does it signify? It is a proclamation to the Senate that a man holding the opinions I

do is not sound enough to serve as chairman of a committee. Is he sound enough for a cabinet officer, for a district attorney, for a collector of the port, for a post-master, for a lighthouse-keeper? All these classes of officers are now being removed, except cabinet officers, for holding the same opinions as myself. If you were to nominate for the Presidency a man who intends to pursue this proscriptive policy that every man holding the opinions I do is marked as a victim for vengeance the moment your candidates are elected, what chance have you of electing them?"

After a colloquy between Mr. Davis and Mr. Douglas, the latter proceeded:

"I seek no war with any senator on either side of the chamber, and especially I seek none on political issues with Democratic senators. Every word I have said has been in defence of myself against the imputation that I had changed my line of policy, which I utterly deny. I did understand, and I understand now, that when applications are made to the present Administration for office, the question of a man's opinion on popular sovereignty is asked, and the applicant is proscribed if he agree with me in opinion. The country understands therefore that if a man representing this proscriptive policy is the next President, every man in the country who holds the opinions of the senator from Ohio and myself is to be proscribed from every office, high or low. Such is now the case. Is any gentleman prepared to take the Charleston nomination with the understanding that he is to proscribe two-thirds of the party, and then degrade himself so low as to seek the votes of the men whom he has marked as his victims? If no tests are to be made, there can be harmony; if these tests are to be made, one-third will not subdue two-thirds. I do not intend to surrender an opinion or to try and force one upon any other senator or citizen. I arraign no man because of his opinions."

INCIDENTS OF THE GREAT SPEECH.

On Monday, the 23d of January, the resolution submitted on the 16th instant having been made the special order for that day, Mr. Douglas addressed the Senate in its support. It was known in Washington for some time previously that he would speak on that day, and this fact drew to the Capitol an immense concourse of people. It would seem that the mantles of Clay and Webster have fallen upon the shoulders of Douglas, for it is well known that for years past it is only necessary to say "Douglas speaks to-day," in order to have the Senate chamber thronged by all the wit and beauty in the capital. On this occasion, although it was known that Mr. Douglas would not begin to speak till nearly two in the afternoon, yet as early as ten in the morning, numerous groups of people were seen wending their way to the Capitol. At eleven, the galleries were full, and the tide of silk and satin, cambric and crinoline, continued to gather in the avenues and lobbies. Crowds of ladies and gentlemen continued to pour in, till at noon every seat in the immense chamber was occupied, and all the standing-place jammed. The members of the House of Representatives came in almost in a body, and occupied the floor. The foreign diplomatic corps too, were present in full force. Never before had there been such a scene in the new chamber.

Douglas was to speak—not for Illinois, not for the West, but for the pacification of the whole country, and the perpetuity of the Union.

The reader will comprehend the character of this speech from the subjoined extracts:

INVASION OF STATES.

The hour having arrived for the consideration of the special order, the Senate proceeded to consider the following resolution, submitted by Mr. Douglas on the 16th instant:

"*Resolved*, That the Committee on the Judiciary be instructed to report a bill for the protection of each State and Territory of the Union against invasion by the authorities or inhabitants of any other State or Territory; and for the suppression and punishment of conspiracies or combinations in any State or Territory with intent to invade, assail, or molest the government, inhabitants, property, or institutions of any other State or Territory of the Union."

Mr. Douglas.—Mr. President, on the 25th of November last, the governor of Virginia addressed an official communication to the President of the United States, in which he said:

"I have information from various quarters, upon which I rely, that a conspiracy of formidable extent, in means and numbers, is formed in Ohio, Pennsylvania, New York, and other States, to rescue John Brown and his associates, prisoners at Charlestown, Virginia. The information is specific enough to be reliable. . . . .

"Places in Maryland, Ohio, and Pennsylvania, have been occupied as depots and rendezvous by these desperadoes, unobstructed by guards or otherwise, to invade this State, and we are kept in continual apprehension of outrage from fire and rapine. I apprise you of these facts in order that you may take steps to preserve peace between the States."

To this communication the President of the United States, on the 28th of November, returned a reply, from which I read the following sentence:

"I am at a loss to discover any provision in the Constitution or laws of the United States which would authorize me to 'take steps' for this purpose." [That is, to preserve the peace between the States.]

This announcement produced a profound impression upon the public mind, especially in the slaveholding States. It was generally received and regarded as an official and authoritative announcement that the Constitution of the United States confers no power upon the Federal Government to protect the several States of this Union against invasion from the other States. I shall not stop to inquire whether the President meant to declare that the existing laws confer no authority upon him, or that the Constitution empowers Congress to enact no laws which would authorize the federal interposition to protect the States from invasion; my object is to raise the inquiry, and to ask the judgment of the Senate and of the House of Representatives on the question, whether it is not within the power of Congress, and the duty of Congress, under the Constitution, to enact all laws which are necessary and proper for the protection of

each and every State against invasion, either from foreign powers or from any portion of the United States.

* * * * * *

Sir, what were the causes which produced the Harper's Ferry outrage? Without stopping to adduce evidence in detail, I have no hesitation in expressing my firm and deliberate conviction that the Harper's Ferry crime was the natural, logical, inevitable result of the doctrines and teachings of the Republican party, as explained and enforced in their platform, their partisan presses, their pamphlets and books, and especially in the speeches of their leaders in and out of Congress. (Applause in the galleries.)

Order being restored, Mr. Douglas proceeded:

I was remarking that I considered this outrage at Harper's Ferry as the logical, natural consequence of the teachings and doctrines of the Republican party. I am not making this statement for the purpose of crimination or partisan effect. I desire to call the attention of members of that party to a reconsideration of the doctrines that they are in the habit of enforcing, with a view to a fair judgment whether they do not lead directly to those consequences on the part of those deluded persons who think that all they say is meant in real earnest, and ought to be carried out. The great principle that underlies the organization of the Republican party is violent, irreconcilable, eternal warfare upon the institution of American slavery, with the view of its ultimate extinction throughout the land; sectional war is to be waged until the cotton fields of the South shall be cultivated by free labor, or the rye fields of New York and Massachusetts shall be cultivated by slave labor. In furtherance of this article of their creed, you find their political organization not only sectional in its location, but one whose vitality consists in appeals to northern passion, northern prejudice, northern ambition against southern States, southern institutions, and southern people.

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Can any man say to us that although this outrage has been perpetrated at Harper's Ferry, there is no danger of its recurrence? Sir, is not the Republican party still embodied, organized, sanguine, confident of success, and defiant in its pretensions? Does it not now hold and proclaim the same creed that it did before this invasion? It is true that most of its representatives here disavow the acts of John Brown at Harper's Ferry. I am glad that they do so; I am rejoiced that they have gone thus far; but I must be permitted to say to them that it is not sufficient that they disavow the act, unless they also repudiate and denounce the doctrines and teachings which produced the act. Those doctrines remain the same; those teachings are being poured into the minds of men throughout the country, by means of speeches, and pamphlets, and books, and through partisan presses. The causes that produced the Harper's Ferry invasion are

now in active operation. Is it true that the people of all the border States are required by the Constitution to have their hands tied, without the power of self-defence, and remain patient under a threatened invasion in the day or in the night? Can you expect people to be patient, when they dare not lie down to sleep at night without first stationing sentinels around their houses to see if a band of marauders and murderers are not approaching with torch and pistol? Sir, it requires more patience than freemen ever should cultivate, to submit to constant annoyance, irritation and apprehension. If we expect to preserve this Union, we must remedy, within the Union, and in obedience to the Constitution, every evil for which disunion would furnish a remedy.

Upon the conclusion of this speech Mr. Fessenden attempted to break its force by a violent partisan attack on Mr. Douglas and the Democratic party; to which Mr. Douglas instantly replied, repelling the assaults and vindicating the position of the Democratic party upon the slavery question. We invite attention to extracts:

MR. DOUGLAS' REPLY.

Sir, I desire a law that will make it a crime, punishable by imprisonment in the penitentiary, after conviction in the United States court, to make a conspiracy in one State, against the people, property, government, or institutions of another. Then we shall get at the root of the evil. I have no doubt that gentlemen on the other side will vote for a law which pretends to comply with the guarantees of the Constitution, without carrying any force or efficiency in its provisions. I have heard men abuse the Fugitive Slave Law, and express their willingness to vote for amendments; but when you came to the amendments which they desired to adopt, you found they were such as would never return a fugitive to his master. They would go for any fugitive slave law that had a hole in it big enough to let the negro drop through and escape; but none that would comply with the obligations of the Constitution. So we shall find that side of the House voting for a law that will, in terms, disapprove of unlawful expeditions against neighboring States, without being efficient in affording protection.

But the senator says it is a part of the policy of the northern Democracy to represent the Republicans as being hostile to southern institutions. Sir, it is a part of the policy of the northern Democracy, as well as their duty, to speak the truth on that subject. I did not suppose that any man would have the audacity to arraign a brother senator here for representing the Republican party as dealing in

denunciation and insult of the institutions of the South. Look to your Philadelphia platform, where you assert the sovereign power of Congress over the Territories for their government, and demand that it shall be exerted against those twin relics of barbarism—polygamy and slavery.

* * * * * * * *

I have said and repeat that this question of slavery is one of climate, of political economy, of self-interest, not a question of legislation. Wherever the climate, the soil, the health of the country are such that it cannot be cultivated by white labor, you will have African labor, and compulsory labor at that. Wherever white labor can be employed cheapest and most profitably, there African labor will retire and white labor will take its place.

You cannot force slavery by all the acts of Congress you may make on one inch of territory against the will of the people, and you cannot, by any law you can make, keep it out from one inch of American territory where the people want it. You tried it in Illinois. By the Ordinance of 1787, slavery was prohibited, and yet our people, believing that slavery would be profitable to them, established hereditary servitude in the Territory by Territorial legislation, in defiance of your federal ordinance. We maintained slavery there just so long as Congress said we should not have it, and we abolished it at just the moment you recognized us as a State, with the right to do as we pleased. When we established it, it was on the supposition that it was for our interest to do so.

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My object is to establish firmly the doctrine that each State is to do its own voting, establish its own institutions, make its own laws without interference, directly or indirectly, from any outside power. The gentleman says that is squatter sovereignty. Call it squatter sovereignty, call it popular sovereignty, call it what you please, it is the great principle of self-government on which this Union was formed, and by the preservation of which alone can it be maintained. It is the right of the people of every State to govern themselves and make their own laws, and be protected from outside violence or interference, directly or indirectly. Sir, I confess the object of the legislation I contemplate is to put down this outside interference; it is to repress this "irrepressible conflict;" it is to bring the government back to the true principles of the Constitution, and let each people in this Union rest secure in the enjoyment of domestic tranquillity without apprehension from neighboring States. I will not occupy further time.

REPLY TO SENATOR DAVIS.

On the 26th of January, Mr. Douglas made the following remarks, in his reply to Gen. Jeff. Davis, senator from Mississippi.

Mr. Douglas.—I think if the senator from Mississippi had carefully read my speech, he would have found no necessity for vindicating the President of the United States from any criticism that I had made upon his letter, or from any issue that I had made with the President growing out of that letter. Certainly, in my speech, there is no criticism upon the President, none upon his letter, no issue made with him; on the contrary, an express disclaimer of any such issue. I quoted the paragraph from the President's letter in reply to Gov. Wise, and I will quote it again:

"I am at a loss to discover any provision in the Constitution or laws of the United States which would authorize me to take steps for this purpose." [That is, preserving the peace between the States.]

My impression, from reading the President's letter, was that he was inclined to the belief that the Constitution conferred no power upon the Federal Government to interfere. But still, it might be that such was not the President's meaning, and that he only wished to be understood as saying that existing laws conferred no authority upon him to interfere. Hence, in order to make no issue with the President upon that subject, I stated, I shall not stop to inquire whether he meant to be understood as denying the power of Congress to confer authority, or denying that the authority was yet conferred. My simple object was to obtain suitable legislation to redress similar evils in the future; that if the present laws were not sufficient—I believe there are none on the subject—Congress ought to enact suitable laws to the extent that the Constitution authorized, to prevent these invasions. I quoted it for the purpose of showing the necessity of legislation by Congress. My argument was founded upon that supposed necessity. I proceeded to demonstrate that the Constitution conferred the power on Congress to pass laws necessary and proper to protect the States, and I called upon Congress to exercise that power. I made no issue with the President.

But the senator intimates that the legislation of which I spoke would lead to an act of usurpation that would endanger the rights of the States, and yet goes on to prove that the President of the United States does not differ with me in regard to that constitutional power. If the President agrees with me on that point, I am glad of it. If he differs with me it would not change my opinions nor my action, but I respectfully submit, when I only propose such legislation as the Constitution authorizes and requires, it is hardly fair to say that that means an attack upon the sovereignty of the States.

The legislation that I propose on this point of combinations, was this: that it shall be lawful for the grand juries of the United States courts to indict all men who shall form conspiracies or combinations to invade a State or to disturb or molest citizens, property, or institutions; and that it shall be proper for the petit jury in the United States courts, under the judge, to try and convict the conspirators, and to punish them by confinement in the penitentiaries or prisons within the respective States where the conspiracies or combinations are formed. That was the power that I proposed should be con-

ferred by law on the federal courts. I never proposed to intrust to the President an army to go and seek out conspiracies, to seek out combinations, and to punish them by military rule. My whole argument was that the federal courts should have jurisdiction over these conspiracies and combinations; that the conspirators should be indicted, and convicted according to law, and punished to the extent of their power. But in case of an organized body of men, or a military force in the act of invading, I would confer authority to use military force to the extent necessary to prevent that—not the conspiracy.

The senator says he has got that power now. The President of the United States, I apprehend, thought not, for this reason: He said the only power he had got was the authority conferred by the two acts to which he alluded, to wit: to protect the United States against invasion from foreign powers and Indian tribes; and he stated that the invasion of one State from another State did not come within the specifications of the statute for protecting the United States against foreign powers and Indian tribes. If the senator thinks that that power is there, when we get the legislation before us it will be proper to make amendments which will reach each objection he may raise. The two propositions I maintained in my argument, and those provided for in my resolution, were these: first to protect each State against invasion—the case of actual invasion being then in process of execution; second, to make it criminal to form conspiracies and combinations in any State or Territory, or any place within the United States, against the institutions, property or government of any other State or Territory of this Union. Those were the propositions.

REPLY TO SENATOR SEWARD.

On the 29th of February, Mr. Seward made his great speech on the occasion of his presenting the Wyandott Constitution of Kansas. It was a speech of much ability, and no doubt, when he had concluded, Mr. Seward imagined that he had dealt a death-blow to the Democratic party. Mr. Douglas immediately replied to Mr. Seward, taking up *seriatim* the points of his speech, and scattering his sophistries to the winds. By general confession Mr. Douglas has rarely appeared to better advantage on the floor of the Senate than in this triumphant *extempore* reply to Mr. Seward. In the language of the correspondent of the "Cleveland Plaindealer," "He decapitated the mighty Philistine with his own sword.

The beautiful structure which had cost Mr. Seward so much time, labor, and travel, was in one brief hour scattered in fragments at the feet of the Little Giant."

The reader will find the reply of Mr. Douglas in a subsequent part of this work, from which we give brief extracts:

EXTRACTS FROM REPLY.

Mr. President: I trust I shall be pardoned for a few remarks upon so much of the senator's speech as consists in an assault on the Democratic party, and especially with regard to the Kansas-Nebraska bill, of which I was the responsible author. It has become fashionable now-a-days for each gentleman making a speech against the Democratic party to refer to the Kansas-Nebraska act as a cause of all the disturbances that have since ensued. They talk about the repeal of a sacred compact that had been undisturbed for more than a quarter of a century, as if those who complained of violated faith had been faithful to the provisions of the Missouri Compromise. Sir, wherein consisted the necessity for the repeal or abrogation of that act, except it was that the majority in the northern States refused to carry out the Missouri Compromise in good faith? I stood willing to extend it to the Pacific Ocean, and abide by it forever, and the entire South, without one exception in this body, was willing thus to abide by it; but the freesoil element of the northern States was so strong as to defeat that measure, and thus open the slavery question anew. The men who now complain of the abrogation of that act were the very men who denounced it, and denounced all of us who were willing to abide by it so long as it stood upon the statute-book. Sir, it was the defeat, in the House of Representatives, of the enactment of the bill to extend the Missouri Compromise to the Pacific Ocean, after it had passed the Senate on my own motion, that opened the controversy of 1850, which was terminated by the adoption of the measures of that year.

We carried those Compromise measures over the head of the senator of New York and his present associates. We, in those measures established a great principle, rebuking his doctrine of intervention by the Congress of the United States to prohibit slavery in the Territories. Both parties, in 1852, pledged themselves to abide by that principle and thus stood pledged not to prohibit slavery in the Territories by act of Congress. The Whig party affirmed that pledge, and so did the Democracy. In 1854 we only carried out, in the Kansas-Nebraska Act, the same principle that had been affirmed in the Compromise measures of 1850. I repeat that their resistance to carrying out in good faith the settlement of 1820, their defeat of the bill for extending it to the Pacific Ocean, was the sole cause of the agitation of 1850, and gave rise to the necessity of establishing the

principle of non-intervention by Congress with slavery in the Territories. . . . .

But, sir, the whole argument of that senator goes far beyond the question of slavery, even in the Territories. His entire argument rests on the assumption that the negro and the white man were equal by Divine law, and hence that all laws and constitutions and governments in violation of the principle of negro equality are in violation of the law of God. That is the basis upon which his speech rests.

He quotes the Declaration of Independence to show that the fathers of the Revolution understood that the negro was placed on an equality with the white man, by quoting the clause, "we hold these truths to be self-evident that, all men are created equal, and are endowed by their Creator with certain inalienable rights, among which are life, liberty, and the pursuit of happiness." Sir, the doctrine of that senator and of his party is—and I have had to meet it for eight years—that the Declaration of Independence intended to recognize the negro and the white man as equal under the Divine law, and hence that all the provisions of the Constitution of the United States which recognize slavery are in violation of the Divine law. In other words, it is an argument against the Constitution of the United States upon the ground that it is contrary to the law of God. The senator from New York has long held that doctrine. The senator from New York has often proclaimed to the world that the Constitution of the United States was in violation of the Divine law, and that senator will not contradict the statement. I have an extract from one of his speeches now before me, in which that proposition is distinctly put forth. In a speech made in the State of Ohio, in 1848, he said:

"Slavery is the sin of not some of the States only, but of them all; of not one nationality, but of all nations. It perverted and corrupted the moral sense of mankind deeply and universally, and this perversion became a universal habit. Habits of thought become fixed principles. No American State has yet delivered itself entirely from these habits. We, in New York, are guilty of slavery still by withholding the right of suffrage from the race we have emancipated. You, in Ohio, are guilty in the same way by a system of black laws still more aristocratic and odious. It is written in the Constitution of the United States that five slaves shall count equal to three freemen as a basis of representation; and it is written, also, IN VIOLATION OF DIVINE LAW, that we shall surrender the fugitive slave who takes refuge at our firesides from his relentless pursuer."

CHAPTER XVIII.

THE STATE CONVENTIONS.

Conventions of Illinois, Indiana, Ohio, Minnesota, Iowa, Wisconsin and Michigan; also of Maine, New Hampshire, Vermont, Connecticut and New York—Claims of the North-west—Conclusion.

CONVENTIONS IN THE NORTHWEST.

The northwestern States began to hold their State Conventions, and to elect delegates to the National Democratic Convention at Charleston, early in 1860.

Illinois was first in the field. She held her Convention at Springfield, on the 4th of January, 1860, and unanimously adopted, among others, the following resolutions:

Resolved, That the Democracy of Illinois do reassert and affirm the Cincinnati platform, in the words, spirit and meaning with which the same was adopted, understood and ratified by the people in 1856, and do reject and utterly repudiate all such new issues and tests as the revival of the African slave-trade, or a congressional slave code for the Territories, or the doctrine that slavery is a federal institution, deriving its validity in the several States and Territories in which it exists from the Constitution of the United States, instead of being a mere municipal institution, existing in such States and Territories "under the laws thereof."

Resolved, That the Democratic party of the Union is pledged in faith and honor, by the Cincinnati Platform and its indorsement of the Kansas-Nebraska Act, to the following propositions:

1. That all questions pertaining to African slavery in the Territories shall be forever banished from the halls of Congress.

2. That the people of the Territories respectively shall be left perfectly free to make such laws and regulations in respect to slavery and all other matters of local concern as they may determine for themselves, subject to no other limitations or restrictions than those imposed by the Constitution of the United States.

3. That all questions affecting the validity or constitutionality of any Territorial enactments shall be referred for final decision to the Supreme Court of the United States, as the only tribunal provided by the Constitution which is competent to determine them.

Resolved, That we recognize the paramount judicial authority of the Supreme Court of the United States, as provided in the Constitution, and hold it to be the imperative duty of all good citizens to respect and obey the decisions of that tribunal, and to aid, by all lawful means, in carrying them into faithful execution.

Resolved, That the Democracy of Illinois repel with just indignation the injurious and unfounded imputation upon the integrity and impartiality of the Supreme Court, which is contained in the assumption on the part of the so-called Republicans, that, in the Dred Scott case, that august tribunal decided against the right of the people of the Territories to decide the slavery question for themselves, without giving them an opportunity of being heard by counsel in defence of their rights of self-government, and when there was no Territorial law, enactment or fact before the court upon which that question could possibly arise.

Resolved, That whenever Congress or the legislature of any State or Territory shall make any enactment, or do any act which attempts to divest, impair or prejudice any right which the owner of slaves, or any other species of property, may have or claim in any Territory or elsewhere, by virtue of the Constitution or otherwise, and the party aggrieved shall bring his case before the Supreme Court of the United States, the Democracy of Illinois, as in duty bound by their obligations of fidelity to the Constitution, will cheerfully and faithfully respect and abide by the decision, and use all lawful means to aid in giving it full effect according to its true intent and meaning.

Resolved, That the Democracy of Illinois view with inexpressible horror and indignation the murderous and treasonable conspiracy of John Brown and his confederates to incite a servile insurrection in the slaveholding States, and heartily rejoice that the attempt was promptly suppressed, and the majesty of the law vindicated, by inflicting upon the conspirators, after a fair and impartial trial, that just punishment which the enormity of their crimes so richly merited.

Resolved, That the Harper's Ferry outrage was the natural consequence and and logical result of the doctrines and teachings of the Republican party, as explained and enforced in their platforms, partisan presses, books and pamphlets, and in the speeches of their leaders, in and out of Congress, and for this reason an honest and law-abiding people should not be satisfied with the disavowal or disapproval by the Republican leaders of John Brown's *acts*, unless they also repudiate the doctrines and teachings which produced those monstrous crimes, and denounce all persons who profess to sympathize with murderers and traitors, lamenting their fate and venerating their memory as martyrs who lost their lives in a just and holy cause.

Resolved, That the delegates representing Illinois in the Charleston

Convention be instructed to vote for and use all honorable means to secure the readoption of the Cincinnati platform, without any additions or subtractions.

Resolved, That no honorable man can accept a seat as a delegate in the National Democratic Convention, or should be recognized as a member of the Democratic party, who will not abide the decisions of such convention and support its nominees.

Resolved, That we affirm and repeat the principles set forth in the resolutions of the last State Convention of the Illinois Democracy, held in this city on the 21st day of April, 1858, and will not hesitate to apply those principles wherever a proper case may arise.

Resolved, That the Democracy of the State of Illinois is unanimously in favor of Stephen A. Douglas for the next Presidency, and that the delegates from this State are instructed to vote for him, and make every honorable effort to procure his nomination.

THE NORTHWEST FOR DOUGLAS.

The convention then elected their 22 delegates; and they were all instructed to support Mr. Douglas for the nomination at Charleston.

Indiana held her convention at Indianapolis on the 11th of January, and passed resolutions nearly similar to the above and quite as strong in favor of Mr. Douglas. The 26 delegates to Charleston, from Indiana, were instructed by this convention to cast the vote of the State of Indiana as a unit for Mr. Douglas.

Ohio, had held her State Convention a few days before, and it had been equally unanimous in favor of Mr. Douglas. Ohio is entitled to 46 delegates to Charleston, all of whom were instructed by the State Convention to cast the vote of Ohio as a unit for Mr Douglas.

Minnesota, entitled to 8 delegates, instructed them to go as a unit for Mr. Douglas.

Iowa held her State Convention at Fort Des Moines, on the 22d of February. It was the largest convention ever held in the State. There were 518 delegates present, from all parts of the State. The resolutions were adopted unanimously among them were the following:

8. *Resolved*, That we recognize in the Hon. Stephen A. Douglas the man for the times, able in council, ripe in experience, honest and firm in purpose, and devotedly attached to the institutions of the country, whose nomination as the Democratic standard-bearer for the President would confer honor alike on the party and the country, and is a consummation devoutly to be wished; and that the delegates elected by this convention be and are hereby instructed to cast the vote of the State of Iowa in the Charleston Convention as a unit for Stephen A. Douglas so long as he is a candidate before that body, and to use every other honorable means to secure his nomination for the Presidency.

Another resolution cordially re-affirmed the principles of the platform of the National Democratic Convention at Cincinnati in 1856.

Wisconsin held her State Convention on the same day. The following resolutions were adopted by a vote of 165 ayes to 22 nays:

Resolved, That the Democratic party of Wisconsin will cordially support the nominee of the Charleston convention.

Resolved, That Stephen A. Douglas is the choice of the Democracy of Wisconsin for President of the United States—his eminent public services rendered the government and the country—his signal triumphs in the Senate and before the people—his admitted ability—his sound and just views of public policy—his devotion to the Constitution and the Union—render his name a tower of strength, and gives assurance to the conviction that, if nominated at Charleston, he will most certainly receive the electoral vote of Wisconsin. Therefore,

Resolved, That the entire delegation be instructed to vote for Stephen A. Douglas.

Michigan also held her State Convention on the same day. The convention was very full, every county in the State being represented.

The Committee on Resolutions reported a long series. They emphatically indorse the Cincinnati platform; recognize the paramount judical authority in the Supreme Court of the United States; express a fraternal regard for the citizens of every State, and denounce the invasion of Virginia as dangerous to the safety and prosperity of the country; appeal to their brethren in other States to bury local prejudices, and join Michigan in advocating the claims of the favorite of the North-west; present Douglas as their unanimous choice, and

instruct their delegates to use every honorable means to secure his nomination.

The resolutions were unanimously adopted amid great enthusiasm. Patriotic Union speeches were made by the State delegates, and all declared themselves uncompromising Douglas men. The name of Douglas was always received with the heartiest applause.

Among the resolutions adopted, was the following:

> That admiring his broad, national statesmanship, his loyalty to true Democratic principles, his impartial defence of national rights against sectional claims, and that heroic courage which—in behalf of the right — quails at no difficulty or disaster, and confident that under his matchless leadership the enthusiastic masses can and will sweep the Northwest from centre to circumference, the Democracy of Michigan present Stephen A. Douglas as their UNANIMOUS choice for the Presidency, and they hereby instruct their delegates to the Charleton Convention to spare no honorable efforts to secure his nomination.

In the aggregate, these seven States have one hundred and thirty-two delegates at Charleston, and give sixty-six votes for President. They cast over 600,000 Democratic votes, a number equal to all the Democrats in the fifteen Southern States. They give one-third of the Democratic vote of the Union, and contain more than one-quarter of the population of the United States. By the census of the present year they will be entitled to over ninety members of Congress.

THE CLAIMS OF THE NORTH-WEST.

While all the sections of the Union have each had their Presidents—indeed while every leading State in the East and South has had one or more of her sons honored with that high office—the great North-west, with its millions of people, has never had the Chief Magistrate taken from her limits. The case of General Harrison can scarcely be quoted to dis-

prove this remark, as he held the office but one month, when it reverted, by his death, to Virginia.

For the first time in their history, the unfaltering Democracy of the seven north-western States, hitherto always divided in their choice, are a unit for Mr. Douglas, and, if nominated at Charleston, it is the belief of nearly all the intelligent men in that section he would carry every State west of the Ohio River. They present, as their favorite, confessedly the foremost statesman of the nation—one, the unvarnished record of whose achievements puts him on a towering pedestal and furnishes a crushing answer to all the calumnies of his enemies. They present a man whose private escutcheon slander has never befouled with its breath, and whose career has been characterized by a greater height of moral grandeur than has ever been reached by any statesman of his day.

The adjourned meeting of the Democratic Convention to Baltimore, on the 18th day of June, is a matter of history. Mr. Douglas was nominated on the Second Ballot, he having received 180½ votes out of 194½ cast, when Mr. Church, of New York, offered the following:

Resolved, That Stephen A. Douglas having received two-thirds of all the votes cast in the National Democratic Convention, is, according to the rules of this Convention and the usages of the Democratic party, declared nominated for the office of President of the United States.

Messrs. Hoge, of Virginia, and Clark, of Missouri, then simultaneously seconded the resolution of Mr. Church declaring Judge Douglas nominated, according to the usages of the Democratic party and the rules of the Convention, by a two-thirds vote.

The resolution was adopted unanimously.

A scene of excitement then ensued that evinced the violence of the feeling so long pent up. The cheers were deafening, every person in the theatre rising, waving hats, handkerchiefs, and evincing the utmost enthusiasm. The scene could not be exceeded in excitement. From the upper tier, banners long kept in reserve were unfurled and waved before the audience. On the stage appeared banners, one of which was borne by the delegation from Pennsylvania, bearing the motto, "Pennsylvania good for forty thousand majority for Douglas." Cheers for the "Little Giant," were responded to until all was in a perfect roar, inside the building and outside.

The Convention again rose *en masse*, and the scene of excitement was renewed, cheer after cheer being sent forth for the nominee.

Mr. Richardson, of Illinois, then made a speech, thanking the Convention for the high honor conferred on his State in selecting for the candidate for the Presidency her favorite son. Alluding to the seceders, he said that if the Democratic party should be defeated and perpetually ruined, they, the seceders, must bear the responsibility, not Douglas or his friends. In this connection he produced a letter from Mr. Douglas, dated Washington, the 20th inst., authorizing and requesting his friends to withdraw his name if, in their judgment, harmony could be restored in the Democratic ranks. Mr. Richardson then said that the course of the seceders had

placed it out of the power of the friends of Mr. Douglas to make any use of the letter. He concluded by saying that when the Government fails to accomplish the object for which it was formed, let it go down.

The following is the letter of Mr. Douglas:

WASHINGTON, *June* 20—11, P.M.

MY DEAR SIR: I learn there is imminent danger that the Democratic party will be demoralized, if not destroyed, by the breaking up of the Convention. Such a result would inevitably expose the country to the perils of sectional strife between the Northern and Southern partisans of Congressional intervention upon the subject of slavery in the Territories. I firmly and conscientiously believe that there is no safety for the country, no hope for the preservation of the Union, except by a faithful and rigid adherence to the doctrine of non-intervention by Congress with slavery in the Territories. Intervention means disunion. There is no difference in principle between Northern and Southern intervention. The one intervenes for slavery, and the other against slavery; but each appeals to the passions and prejudices of his own section against the peace of the whole country and the right of self-government by the people of the Territories. Hence the docrine of non-intervention must be maintained at all hazards. But while I can never sacrifice the principle, even to obtain the Presidency, I will cheerfully and joyfully sacrifice myself to maintain the principle,

If, therefore, you and my other friends who have stood by me with such heroic firmness at Charleston and Baltimore shall be of the opinion that the principle can be preserved, and the unity and ascendency of the Democratic party maintained, and the country saved from the perils of Northern Abolitionism and Southern disunion by withdrawing my name and uniting with some other non-intervention Union-loving Democrat, I beseech you to pursue that course. Do not understand me as wishing to dictate to my friends; I have implicit confidence in your and their patriotism, judgment, and discretion. Whatever you may do in the premises will meet my hearty approval. But I conjure you to act with a single eye to the safety and welfare of the country, and without the slightest regard to my individual interest or aggrandizement. My interest will be best promoted, and my ambition gratified, and motives vindicated, by that course, on the part of my friends, which will be most effectual in saving the country from being ruled or ruined by a sectional party. The action of the Charleston Convention, by sustaining me by so large a majority on the platform, and designating me as the first choice of the party for the Presidency, is all the personal triumph I desire. This letter is prompted by the same motives which induced my dispatch four years ago, withdrawing my name from the Cincinnati Convention. With this knowledge of my opinions and wishes, you and your other friends must act upon your own convictions of duty.

Very truly, your friend,

S. A. DOUGLAS.

To HON. WM. A. RICHARDSON, Baltimore, Md.

THE PLATFORM ADOPTED.

In addition to and in explanation of the Cincinnati platform, the majority of our late National Convention, during its sessions at Charleston and Baltimore, adopted the following resolutions:

Resolved, That we, the Democracy of the Union, in Convention assembled, do hereby declare our affirmation of the resolutions unanimously adopted and declared as a platform of principles by the Democratic Convention at Cincinnati, in the year 1856, believing that Democratic principles are unchangeable in their nature when applied to the same subject-matters.

Resolved, That it is the duty of the United States to afford ample and complete protection to all its citizens, whether at home or abroad, and whether native or foreign born.

Resolved, That one of the necessities of the age in a military, commercial and postal point of view, is speedy communication between the Atlantic and Pacific States, and the Democratic party pledge such Constitutional power of the Government as will insure the construction of a Railroad to the Pacific coast, at the earliest practicable period.

Resolved, That the Democratic party are in favor of the acquisition of Cuba on such terms as shall be honorable to ourselves and just to Spain.

Resolved, That the enactments of State Legislatures to defeat the faithful execution of the Fugitive Slave law, are hostile in character and subversive to the Constitution, and revolutionary in their effects.

Resolved, That it is in accordance with the Cincinnati platform, that during the existence of Territorial Governments, the measure of restriction, whatever it may be, imposed by the Federal Constitution on the power of the Territorial Legislature over the subject of the domestic relations, as the same has been or shall hereafter be finally determined by the Supreme Court of the United States, should be respected by all good citizens, and enforced with promptness and fidelity by every branch of the General Government.

On this platform, word for word, as printed above, the majority of our late National Convention nominated the Hon. Stephen A. Douglas for President of the United States.

MR. DOUGLAS' LETTER OF ACCEPTANCE.

WASHINGTON, *Friday, June* 29, 1860.

GENTLEMEN: In accordance with the verbal assurance which I gave you when you placed in my hands the authentic evidence of my nomination for the Presidency by the National Convention of the Democratic party, I now send you my formal acceptance. Upon a careful examination of the platform of principles adopted at Charleston and reaffirmed at Baltimore, with an additional resolution which is in perfect harmony with the others, I find it to be a faithful embodiment of the time-honored principles of the Democratic party, as the same were proclaimed and understood by all parties in the Presidential contests of 1848, 1852, and 1856.

Upon looking into the proceedings of the Convention also, I find that the nomination was made with great unanimity, in the presence and with the concurrence of more than two-thirds of the whole number of delegates, and in accordance with the long-established usages of the party. My inflexible purpose not to be a candidate, nor accept the nomination under any contingency, except as the regular nominee of the National Demo-

cratic party, and in that case only upon the condition that the usages, as well as the principles of the party, should be strictly adhered to, had been proclaimed for a long time and become well known to the country. These conditions having all been complied with by the free and voluntary action of the Democratic masses and their faithful representatives, without any agency, interference, or procurement, on my part, I feel bound in honor and duty to accept the nomination. In taking this step, I am not unmindful of the responsibilities it imposes, but with firm reliance upon Divine Providence, I have the faith that the people will comprehend the true nature of the issues involved, and eventually maintain the right.

The peace of the country and the perpetuity of the Union have been put in jeopardy by attempts to interfere with and to control the domestic affairs of the people in the Territories, through the agency of the Federal Government. If the power and the duty of Federal interference is to be conceded, two hostile sectional parties must be the inevitable result—the one inflaming the passions and ambitions of the North, the other of the South, and each struggling to use the Federal power and authority for the aggrandizement of its own section, at the expense of the equal rights of the other, and in derogation of those fundamental principles of self-government which were firmly established in this country by the American Revolution, as the basis of our entire republican system.

During the memorable period of our political history, when the advocates of Federal intervention upon the subject of slavery in the Territories had well-nigh "precipitated the country into revolution," the northern interventionists demanding the Wilmot Proviso for the prohibition of slavery, and the southern interventionists, then few in number, and without a single Representative in either House of Congress, insisting upon Congressional legislation for the protection of slavery in opposition to the wishes of the people in either case, it will be remembered that it required all the wisdom, power and influence of a Clay and a Webster and a Cass, supported by the conservative and patriotic men of the Whig and Democratic parties of that day, to devise and carry out a line of policy which would restore peace to the country and stability to the Union. The essential living principle of that policy, as applied in the legislation of 1850, was, and now is, *non-intervention by Congress with slavery in the Territories*. The fair application of this just and equitable principle restored harmony and fraternity to a distracted country. If we now depart from that wise and just policy which produced these happy results, and permit the country to be again distracted; if precipitated into revolution by a

sectional contest between Pro-Slavery and Anti-Slavery interventionists, where shall we look for another Clay, another Webster, or another Cass to pilot the ship of state over the breakers into a haven of peace and safety.

The Federal Union must be preserved. The Constitution must be maintained inviolate in all its parts. Every right guaranteed by the Constitution must be protected by law in all cases where legislation is necessary to its engagement. The judicial authority as provided in the Constitution must be sustained, and its decisions implicitly obeyed and faithfully executed. The laws must be administered and the constituted authorities upheld, and all unlawful resistance to these things must be put down with firmness, impartiality and fidelity if we expect to enjoy and transmit unimpaired to our posterity, that blessed inheritance which we have received in trust from the patriots and sages of the Revolution.

With sincere thanks for the kind and agreeable manner in which you have made known to me the action of the Convention,

I have the honor to be,
Your friend and fellow citizen,

S. A. DOUGLAS.

Hon. Wm. H. Ludlow, of New York; R. P. Dick, of North Carolina; P. C. Wickliff, of Louisiana, and others of Committee.

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