

SPEECH



HON. EDWARD BALL, OF OREGON,

ON THE

NEBRASKA AND KANSAS BILL,

DELIVERED

IN THE HOUSE OF REPRESENTATIVES, MAY 9, 1854.

WASHINGTON:

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1854.

NEBRASKA AND KANSAS.

The First Legislative Committee of the Whole
on the State of the Union.

Mr. FAIR, pres.

Mr. CASSIUS: Since I have been a member of this body I have consumed none of its time by participating in any of the discussions of the various topics of importance which have been under consideration. I have not refrained because I did not feel an interest in the result of many of the questions presented, but because, in the first place, the condition of my health, until recently, has been such as to forbid me from engaging in exciting discussions; and next, because I have always found others ready and willing to say all I have ever claimed to say; and, I think not, in a manner much more clear and convincing than I could possibly have done. I cannot suppose for a moment that the interests of my constituents, or of the public generally, have suffered from my absence.

I consider it to be my duty to depart from the course of entire silence, and for a short time to bring up the passage of the repealer, if the time is convenient, now, or the first time we return to the bill pending here for organizing territories for Nebraska and Kansas.

I present, Mr. Chairman, at the commencement of this subject with great reluctance. I am one of those who have always deplored the idea of agitation. I have suffered, and still suffer, that great evil, and but little, if any, good can result out of these agitations. They serve to heighten my feelings, and set up additional animosities, which is contrary to those who ought to be anxious to break the bonds which bind the various portions of this Union together in a common brotherhood, and to embrace legislation. These are the effects.

In my opinion, it is peculiarly unfortunate that this exciting question has been thrown on our joint legislative session. I had hoped, the people of my district had hoped, and, I have reason to believe, the people of the whole country, had hoped, that this question had been quieted, or, at least, for a time, and that the Legislature, in the discussion whereabout to receive us the other day, that no rifts had hitherto would be interposed, and other great national difficulties obviated, which

were to promote our interests, to assist us in adapting our vast agricultural products, and to aid in the more full development of our material resources. But, as the record has proved, none hoped here has been vain; these remarkable legislative acts have been wholly disappointed. Instead of peace, quiet, and harmony, we find ourselves so much less the glory, less the power, less the grandeur and influence of the United States, in progress; what is our position to-day? We, the whole nation, from east to west, are represented, mostly by towns in a state of insurrection, and in total rebellion; over an area of land, which before the authority which has provided for us, to the entire amount of our public debt, called "the Slave Authority," grant that it shall not interfere with our destruction!

I suppose it becomes us now to consider the question which has provoked the rebellion, and to determine whether, in the first, I consider it important to be personally involved in any of the remarks I may make. I shall, nevertheless, speak my mind, and do my duty, to the best of my ability, without any regard to my safety.

I say, at the beginning, that I did not suppose it necessary to be involved in this bill, which you can operate as a means of the internal commerce of your country, I took upon myself, considering the circumstances, an outrage which has this, if any, power in the history of humanity to this country. I am confident by sound reasoning would be the only thing wrong, but a gross insult upon the Nation.

Now, sir, and by whom agency were the rebels armed with the public records of the country? Who is a member of this body, I suppose, who does not know of the facts? This would hardly be the case, we should suppose, if we were to make combinations of some sort with persons who were in disrepute, as themselves. But, as a right, it appears to be evident that the slaves of the South have no right to enter the Northern states.

The researching of these subjects, the collecting of these, and the preparation of these, are well and fitly intended; but it is disgraceful and insulting to the South, that it should be openly and publicly visited by the Federal, that the

at for amendment to the present day; and hence the South is absolved from all obligation to abide by it any longer. Sir, I say again, the principles of your country do not warrant these declarations; and I will attempt, before I am done, to show that they do not. That all these allegations are mere pretences—except for the commission of this great outrage which is proposed to be perpetrated against the North and the whole country.

But, we are told, that it is unconstitutional. Unconstitutional! I will not spout the infelicities of the committee, or the country, by going into any argument to prove its constitutionality. We are getting to be very smart constitutional lawyers, in this our day and generation. It is an age of decided progress. Professor Morris and Miss Fox are not the only persons who have recently made wonderful discoveries. Their discoveries sink into utter insignificance with that which proves that the fathers of this Republic, who drafted and adopted the American Constitution, were totally ignorant as to its true intent and meaning. To be sure, they made it; but they were ignorant of its meaning. It has remained for the greater men than Washington, Jefferson, Hamilton, Madison, Marshall, Clay, Lowndes, and Webster, and the other "old foxes," who lived in the dark ages—the great historians and constitutional lawyers of the present day—to furnish us with the true interpretation of that instrument; and to give us, under the organization of the Government to the present time, all former legislation has been a series of violations of our Federal Constitution.

I prefer, however, to adopt the former interpretation of the bill. I freely acknowledge that this is a great age, and that we are a great people, and according to that, this is a transcendentally great Country. I hope gentlemen will pardon me for saying that we have not yet progressed so far as to renounce altogether the old doctrines. I am still so engrossed in my notions as to believe that Congress does possess the power to govern and control the territorial possessions of the nation. If we do both a contrary doctrine, it will involve us in a most difficult difficulty in reference to our past engagements.

That was the great reason urged for securing territorial power. What is not that the right government is such, and that we should govern it ourselves? To this end we spent a hundred and fifty thousand dollars in dollars in money, and nearly two thousand, upon thousands of valuable expense items. For what, I ask, was that vast amount of time and treasure made in the prosecution of the Mexican war, for the purpose of Mexican territory, if this was denied?—of what is termed "non-intervention, by Congress?" in so becoming the master of the law? Why, sir, as soon as we gained it, we gave it away, according to this new theory, as soon as apprehended it. The advocates of these principles of "state," who now live at the time to be initiating this country in darkness. They are to be fully authorized, and empowered to go up and adopt such a system of government, establish such institutions, as their judgment, or their superiors may dictate; no matter whether we desire it or not. We have inconsistent and unwise leaders, who are weak and prostrate of the country. If the nation is corrupt, whose blameworthy Congress or the President to be meddling with the members who inhabit it?—whether it

the South is not exonerated. It is absurd. It is unconstitutional in the extreme. It is not only the right, but it is the duty of Congress, to protect and take care of the national organizations. It is the duty of Congress to see that our territorial organizations are properly trained, until they arrive at sufficient age and acquire sufficient strength to take their proper position in the confederation of States.

As parents, it is our duty to carefully train our sons, to throw proper influences around them, to do all we can to restrain them from licentious indulgence, and to instill into their minds correct principles, until they arrive at that stage where parental control must cease by the law and custom of the country. If we have neglected this, we are, in part, at least, responsible for their after errors. If our duty has been done, that responsibility does not attach to us.

So with our territorial organizations. They are the children of the Government, the embryo States of the nation. They are now under the fostering care of Congress and the President. It is our duty to see that they are properly trained, cause to qualify them to occupy the best possible positions hereafter as States. We have no right to turn them loose upon the world to shift for themselves, until their stalwart proportions shall indicate that they are in a condition to protect and provide for themselves. No more than a father has a right to turn his son loose upon the world, as long as he is able to walk alone. It would be equally an outrage in the one case as in the other.

Mr. Chairman, this pretended non-intervention in all gammon—the sheerest humbug—too shallow to deceive any sensible man. Neither the bill passed by the Senate, nor the bill reported by the Committee on Territories in this House, provide for any such thing. Who appoints the Governors of these Territories? Who appoints their secretaries, their marshals, their judicial officers? Do the people of the Territories have anything to do with these appointments? Who pays the salaries of their officers? Who pays the salaries of their legislators? Who pays for the erection of their public buildings? Who foots the bills for the entire expenses of their governments? Why, does not everybody know that, between the General Government, the President and the Senate, appoint their officers. Congress appropriates the money to defray the expenses of their government, and it is drawn from your National Treasury.

Talk not to me of your non-intervention! Tell me not about your "popular sovereignty" in these Territories! You have not got it in your bone; you never had it there; you never intended it; you should be there; you do not now intend it. You are endeavoring, under "false pretenses," to convert into a ploughing ground, territory, which you, before, for a consideration which you have long since received, bargained should *never* pass. So much for the constitutional objection.

I will now briefly notice the allegation that it is misleading and untrue to the South.

How is the South misled by it? Who, I pray you, invited the South by its agents? By whose voice was it adopted? Again I put the question. Did the North impose it upon you? For instance, Mr. Clay, in his great manuscript speech of 1850, tells you that it was passed by unanimous vote. He tells you that Lowndes and Dr. Avery, (of Maryland,) and King and himself,

voted for it; And it is no fact that when it was passed there was great rejoicing throughout the length and breadth of the land, exceeding even that which followed the treaty of peace by which the last war between this country and England terminated. Mr. Pinckney, of South Carolina, although he voted against it himself, tells you that it "was considered a triumph on the part of the South." Notwithstanding all this, we are now gravely told that it is "*losing to the North*." If it is an insult, it is one which the South has ever since been trying "to pocket." Time and again have members from the South been telling that its extension and application to territories were required. And their great complaint against the North has been that the North did not promptly and obediently acquiesce in the south's demand to have this "insulating" this "unjust," this "unconstitutional" measure adopted, in reference to the division of the territory recently acquired.

It is somewhat strange that Lowndes, and Pinkney, and King, and Marion, and other eminent southern men, should so grossly and wantonly insult the South, in the first place, and that Madison, Jackson, Calhoun, Forsyth, Pickrell, Hayne, and the hundreds of other southern men, in Congress and out of it, should, from that time to the present, have tamely or silently submitted to that insults; but it is remarkable, strange, absolutely astonishing, that the gentleman from Georgia, Davis, Grimes, and other southern gentlemen now holding seats in this and the other wing of the Capitol, and who are most eloquent in their denunciations of this measure, should, all along, almost up to this very session of Congress, have insisted with so much pertinacity upon being allowed the privilege of "pocketing" a bill more of this sort.

Sir, the South has been continually laboring to acquire and annex territory on the southern side of this nation, and then insisting upon the extension of the Missouri compromise line. The North, on the contrary, has not always been altogether willing to pay two thirds of the expense of these acquisitions, and then surrender the whole of them to the South. The South's complaint of this refusal is a great wrong. So long as the South have a prospect of obtaining an advantage over the North by the recognition of the Missouri compromise line, it is all right and perfectly constitutional; but when it is admitted that they cannot longer make it useful in the furtherance of their particular purposes, it at once becomes unconstitutional, and it is very "degrading" for the South longer to submit to the division made nearly thirty-four years ago, mainly by themselves, after having secured to themselves all their own share of that division.

Fast experience shows that the Constitution has been a very flexible instrument in the hands of the South. It always means just whatever may suit their particular interests or whims for the time being. In the early history of the country, when the North was engaged chiefly as shippers of merchandise, the Constitution authorized the establishment of a protective tariff. After New England became a manufacturing community, and the South became extensively engaged in raising cotton, a tariff became unconstitutional. At one time the Constitution authorized the establishment of a National Bank; at another, it forbade the establishment of such a bank. At one time it

clarified authorities, notably the Indian tribes, rivers and harbors, but also the opening of canals and the construction of turnpike roads, &c., &c. It is a gross violation of the Constitution to appropriate money for works of public improvement, especially if they happen to be productive of our own injury. At one time it authorized the building of canals in the navigation of the Mississippi, the great belt, the Ohio, the Alleghany, the sectional routes; then, suddenly, the most terrible, of all, section, makes the last eight of which is calculated to sweep the whole nation into the most awful desolation.

Now, let us let it alone, to do justice to the South. It is that every man possesses rights and immunities, and property, that the people of the North, we go into certain Territories of the United States with their property, from which northern persons excluded. Mr. Chapman, this is not a well-grounded complaint. The Territories are open and as free to the people of the South as to the people of the North. A southern man can go into Oregon, Washington, Michigan, &c., &c., and take with him any amount of property which a northern man can take. There may, if any there be, law on the other side, which a southern man who has the advantage of a master, who is permitted to claim, and possess his property, that which a northern man cannot claim, because his master is a slave. In the South, it is the Southern master, not the man next door and neighbor, the friend, the master in human form, and bones. In the South,

The institution of human slavery is the creation which is revolting to the feelings of every person at the North. It is abominable, even here, even at the North, to see a master, who was upon slaveholders, a Negro slave, and his familiar with the institution. I saw such a master of it. I knew a master, whose master was educated in a slave State. I know the prejudices of the South in reference to the equality between the white and the black, and retain those prejudices. I am not of the party who believe that a slaveholder might, if he would, cast into "outer darkness," and yet be a good Christian. I know, however, myself that the interest of either the master or the slave may well be best promoted by a master indiscriminate, and kindly commanding, slaves in the country, without first trying to make arrangements for their corporate education.

Sir, sir, I cannot subscribe to all the positions that have been advanced in support of the institution of slavery. My acquaintance with it has led me to believe that it was a very holy institution — "God's institution," to use the very expressive language of the gentleman from Virginia [Mr. Smith], who represents the district immediately across the Potomac.

Mr. HIGGINS, of Virginia. Did not Clinton, when upon earth, approve of the institution of slavery, and did not his apostle recognize it? Mr. HALL. I will reply to the gentleman that I do not pretend to be very thoroughly informed in questions of theology; but I do remember that both Christ and the Apostles taught us to love should do unto others as we would have them to do unto us.

and every man that any body should endeavor to obtain
the ownership of the materials of his system, then per-
mit him to make his own property claim about
the same, and let the question of ownership of slaves

be left to the discretion of the master.

Mr. BROWN. I think the gentleman whether
you are a slave or a runaway slave, you then
have a right to your master's property.

Mr. BROWN. I think where any body's property
is taken away, he has a right to it.

Mr. BROWN. Therefore, therefore, that I
think you have a right to it.

Mr. BROWN. Well, masters to right, and the only thing
I think the master's rights to slaves in reference

to slaves, are that it is much more fun and
enjoyable to master than I can think it is to him.

Mr. BROWN. And now if I may, if it be such an initiation
into the principles of your beautiful theory, making

men to be very masters, I hope the other persons
here will not be angry when you should hear no thing in

reference to it. The quality of a man is wrong,
according to Brazil, a few years ago, for

making a controversy with the Emperor,
because they did more violence in their efforts to

get the slaves from carrying out the will of God. Work
out of the slaves, then, if the gentleman

wants to do so, this is the rest of the

theory, that we ought to be
very masters to the colored men. We ought to be
very masters to them in the Southern's district,

and the rest of the country. Let me tell you,

that the colored men of the South, the colored men of the country,

are very good men, and you cannot winnow you out

of the colored men, and the colored men are very good men, and

they are very good men, and the colored men are very good men,

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Mr. BALL. It may be so, but I withdraw
from it as soon as I was at liberty to do so.

My acquaintance with slavery has caused me
that it is not productive of those blessed influences
which government attributes to it. It is not, in my
opinion, best adapted to promote the progress and
develop the resources of a country. On the contrary,
I think it can be fairly assumed, that the
spirit of the negro is the poison of the soil. Wherever
it is found, it needs to make commotions to prove
this assertion; if so, I will only ask you to once
more cast your eye across the beautiful river
which flows so peacefully along, the western margin
of this national metropolis. Look again
at Old Virginia, both in and outside of the gentle-
man's district. There she stands as a monument
of the truth of what I have just stated.

Now slavery existed in the northern as well
as the southern States. Virginia occupied the
proud position of being first in importance, first
in population, first in influence, among all the
States this Confederacy. She stood, far ahead
of New York, Pennsylvania, and the other northern States, abolished slavery;
and looks it with Virginia now? Why, New York
has nearly four times the number of free white in-
habitants than Virginia has; Pennsylvania has two
and a half times as many; even my own beautiful State, Ohio, with less than two thirds the extent
of territory, and ten only more child—but I admit
of gigantic proportions, has completed with Vir-
ginia, nearly double her in population. Mass-
achusetts, little Massachusetts, with her position
away up yonder toward the polar regions, deficient
in almost everything that intelligence and
indomitable energy of purpose has, at this day,
at least tripled her white population more than
Virginia has, notwithstanding all her advantage
of climate, general fertility of soil, abundance of
water power, and inexhaustible beds of rich minerals.
Massachusetts has an area of seven thousand
and two hundred and fifty square miles of territory; Virginia, only one thousand three hundred and
fifty-two. How is this? What has caused
these northern States to far outstrip in popula-
tion and progress the time honored "Old Dominion"? The answer is plain. They abolished
slavery, and placed their reliance on their own exertions.
She has continued clinging to her "peculiar institution;" she has relied upon state after
and the Resolutions of '90 to improve her thoroughfare and to enrich her soil; the consequence
has been, that under slave cultivation her soil has
become impoverished, in spite of the fertilizing
influence of the Resolutions of '90.

I do not thus refer to the "Old Dominion" by
way of derision. I take no pleasure in making
this comparison. On the contrary, she has no
Representative on this floor who would rejoice
more to witness her prosperity, or one who would
more sincerely deplore her decline than I would.
God knows I love old Virginia. I love her be-
cause she is the place of my birth; I remember
because she is still the home of my father and my
mother, and many, very many, of my most valued
relatives and friends; I love her because within
her soil repose the dust of those who are bone of
my bone and flesh of my flesh. There has been no
honest and upright representation, and, because of hot fair
daughter, and her noble, generous-hearted wife,
that I complain about my system in the fact that she is

the King thought it was about time that he should be made
a Member of the Legislature of Virginia, so he sent him
to that State of Virginia, in 1776, to go and take his
new seat in all the House of Burgesses.

If we take the Slave-so-called States—11, and compare the free States with the slave, we find the same, or nearly the same result. We admit this more clearly, a project to make the other comparison. "There are now seven slave-free States—some of them so situated, and situated so well, as to make them the equals of the slave States in every respect. The seven slave States are North Carolina, Georgia, Virginia, Maryland, Texas, Arkansas, and Mississippi. These States contain 16,000,000 within their limits, 204,793 square miles, and a white population of only 3,079,254. The seven free States are Rhode Island, Massachusetts, New Jersey, New York, Indiana, Ohio, and Wisconsin. They contain in the aggregate only 198,362 square miles, and a white population of 4,840,119; more than double the population, and half like over one-half of the amount of territory possessed by the seven slave States.

is an institution which does as much to retard the growth and improvement of a country, and, in consequence, to render less valuable the common property of the nation, than could the people of Amon's land ever do, if the Indians were to become, in effect, infringers upon the ungranted lands. To forfeit the faith, honor, and credit of this country, to give up the right to the public lands, to make any act of injustice, whether the Indians may be divided or not, between the free and the slave interests. WILL ANY gentleman from the South, pretend that such a division would be an unfair act? Suppose, then, you go into a state, with that principle, and how will the Indians act? The fifteen Slave States are within their own limits 934,000 square miles, and they have a white population of 6,284,988; add to that New Mexico and Utah, into both of which the South claim the right to take their slaves—in one of them, (Utah,) Indians, savages, have roamed for the last year or two years, at least, and have, also, the Indian Indians living there, in the number of 8,000, where it is denied them the right to exclude slavery, under the terms of an Missouri compromise; and they number about 10,000, one million five hundred thousand Indians.

Now, let us look at the other side.

The sixteen slave states have a white population of thirteen million five hundred, and they might command all the slaves and fifty, being more than double their subjects slaves, and they number 1,000,000, their slaves a territory of only 1,000,000.

forty-first measured three thousand and forty-six miles less by about one third, with a proportion more than double that of the state limits. Let us add to this Oregon, Washington, and Minnesota, and the free territory within the States of the Union. This makes over thirteen in 17,000,000, still falling, more than three hundred thousand square miles of what is claimed as state territory. This gives us a brother, and added what is proposed as Nebraska and Kansas to the other free territories, and gives with all these parts 3,500,000 square miles. They will be open, when we give to the North the whole of the mountainous strata from living north of the line of 30° N., and will thus have been a vast extension. It is then

from home. I have not seen any silver) and
very bad. I thought while the government
protection would last it would be safe to do
this as I could get away if I wanted to. The
police are the most terrible people I ever
saw. I am afraid they will catch me.
I am going to see Mr. [unclear] about getting
a place to live in.

Li will, perh. on his return, go
home, to prosecute his studies,
brought me a number of books
to collect in my library, and
more. In particular, Dr. D. A. L. M.
despatched to me a box containing
books in the first three, to complete
a series which have been made upon
natural and certain, and on the
same way of publishing & so many
are given to me, as to give me
satisfaction.

which has been presented in discussion here, and in
the postscript from George Wm. Stearns, and
the report by myself, that the law of 1860, was
leaving out of view the question of the
balance sheet and whether there could be
any such thing as the "gold fund," and that the next
year, "the Senate proposed, by and
again," by voting against the committee's
report, that we "do not consider
any such thing as the gold fund."
The Committee, however, did not consider
any such thing as the gold fund.
The Committee, however, did not consider
any such thing as the gold fund.
The Committee, however, did not consider
any such thing as the gold fund.

20. *Leucosia* *leucostoma* *leucostoma* *leucostoma* *leucostoma*

years, sir, it is all over,
would not last, the whole time
of our existence, as long as
ours, unbroken, as we did.
The only possible peace between us and the
people of 1860, have been some number of years,
and, I think, on the suggestion of the
Confederates, the North every year, until now,
will show that they are not true; because
in 1850, with all these greater advantages, we were
part of the North before them, and are in Congress
now from 1/2 part of the country, which makes
me exceedingly anxious to refer to the 1850
Territory, leaving us old enough, but when
the North had been guilty of bad faith, then
the time for the South to have independence, was
refused to make any further compromise with
her. This was not the reason, but now, if ever, we
ever had been, goes to the South, not for
or neutrality, or compromise, or to destroy
them all, them. And the "Democrats"
got together on the 1st of June, 1850, in a
convention, and they made a resolution,
the substance of which was this:

"Re-Readed) This one. Democratic party with national
leaders, "etc., re-confirmed. However, he said, only
of the "very important" people present at the
meeting, he had seen.

That was the chief plant in the whole mine.

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ప్రాణి కుర్ర నుండి వ్యవహరించాలి.

"Mr. S. J. Sir, that you have got a lot of money?"

1902, AND THE USE OF CULTURE IN THE STUDY OF PLANTS.

1100 11 JUNE, 1908, DAVIS AND WOODS

one, Mr. the gentleman from Georgia, and a collection of 113, now in the Senate, were not satisfied with those two platforms; I suppose they were not altogether satisfied that General Breckinridge was "the man who killed Fremont," and they did not like the idea of voting for General Breckinridge, because it was strongly suspected that Fremont and Seward intended to vote for him; so they, together with Mr. Clay, and some others, had got to work and erected a little platform of

the conservative members of the Thirty-Fifth Congress of the United States, believing that a removal of sectional controversy upon the subject of slavery would be both dangerous to the Union and destructive of its object, and seeing no mode by which such controversy can be avoided, recommended to the same, and to the same, that they, in their capacity as a committee, present a section of Constitutionality to declare their intention "to maintain the Union inviolate, and to hedge all attempts to renew or rekindle the late schism, unions by the general adoption of the principles of the Declaration, and to remedy such abuses as may, at this time and experience may develop; and such purposes of me, as this resolution subjective, they further declare, they will not support." Mr. President, or Vice President, or Senator, or Representative in Congress, or as member of a State Legislature, any man, of whatever party he may be, who is not known to be opposed to the disturbance of the Union, and to the removal, in any form, of any kind, of slavery."

"written by Henry Clay, Alexander H. Stephens, Roscoe Tocque, Howell Cobb," and

Here, then, are three different platforms, all recognizing the validity of the compromises on the subject of slavery, and all promising to dis-
societate future agitations in any manner or
form. The people of the country, generally, by
their votes, ratified these documents. Whatever
may be said about their right of the necessary
legislatures to constitute them complete before
1850, there can be no question about it since that
time. And however much the North, prior to
1850, may have come short in fulfilling the obliga-
tions of the compromise of 1820, inasmuch as
the other section of the country then declined to
abstain itself of its right to declare the old contract
nullified, but, on the contrary, fully admitted its
existence, and proceeded to make other compre-
mises in reference to other Territories, it is now
no less to plead a non-fulfillment on the part of
the North in 1831, 1833, and 1850, even if the
Southerners were at "charge." But I now proceed to
show that the records do not sustain the charges
of good faith made against the North. I take issue
with the gentlemen from Georgia, and all others

I assert, in the first place, that the Missouri compromise act was not the bargain of the North struck with the South. The records show that

that law was principally the bargain of the South forced upon the North in the Senate, where it was first voted upon; it received a large majority of the southern votes—the northern members generally voting against it. Is that the way to force a "measure" upon others by voting against it yourself? The North having voted against it, in the first place, could not, with propriety, be accused of a violation of good faith, even if it had refused to vote for the admission of Missouri in 1821, on account of the slavery debate in the convention. But that was not the reason why the North did not vote for the admission of Missouri. It was for another reason—one which was no violation of the bargain—one which was not contained in the covenant.

This clause they had met within abiding authority in organizing a separate Commonwealth; seemed to have driven them into an offensive attitude. The constitution which they prepared to be submitted to Congress, to divide Federal jurisdiction before McClellan could be admitted to all the privileges of a member of the family of States, exhibited a very unnecessary and clumsy clause, apparently aimed at those who had attempted to lay upon them a Hindostan in the matter of slavery, and which bore the aspect of a defiance. It raised a new difficulty, and particularly bar to their path; - a bar, indeed, more formidable than any they had yet encountered. The offensive clause was regarded as an insult, and roused an Hollandish fury throughout the land. It could hardly be defended in any quarter. They had sensibly disengaged their own friends and adherents.

"The oligarchical master was in those words: 'It shall be the duty of the General Assembly, as soon as may be, to pass such laws to prevent free Negroes, or mulattoes, from coming into, or residing in the State, under any pretence whatsoever.' There was also a clause forbidding the General Assembly to pass any laws, for specifying punishment without the consent of the owners of slaves. But this *further* was scarcely made a point of *negotiation*, in view of what was regarded as the *merit* of the *form*. The Constitution of the United States contains that the citizens of each State shall be entitled to all privileges and immunities of citizens in the several States. It was well known that the colored people, in the free States were *privately* regarded as citizens, and in some States *privately* are, on prescribed conditions, admitted to all the rights of citizenship. Consequently, as was conceded, here was the constitution of a new State put forth, in the face of the Union, demanding a sanction of the Federal authorities, in direct violation of the Federal Constitution.

Here, then, is the true ground of objection to the admission of Missouri in 1821. It was not, as the gentleman from Georgia [Mr. Seward] asserts, because her constitution tolerated slavery. Mr. Colton tells you that even the clause forbidding the Legislature from emancipating slaves without the consent of the owners was hardly made a point of objection. The other, the supposed violation of the Federal Constitution, was the point of difficulty. If any further proof were necessary to establish this position, it is found in the fact that so soon as Mr. Clay's proposition removing this objection was presented, Missouri was promptly admitted, with the slavery clauses in her constitution. Surely it will not be pretended that because it is agreed to admit a State, with a constitution tolerating slavery, that therefore you are bound to submit to every sort of heresy in the constitution, merely because it may happen to contain the slavery clause. Such would seem to be the reasoning of some persons. So much for Missouri.

Now, let us turn our attention to Arkansas for a few moments. It is charged that, "in 1836, when Arkansas—a State formed out of a portion of the Louisiana purchase, south of 36° 30'—made application for admission into the Union," the North again violated the "rule of voting against her admission, because she was a slave State."

That I may do the gentleman from Georgia [Mr. SHERMAN] no injustice, I will quote a portion of his speech, delivered here on the 17th of February last, which purports to furnish the proof of the bad faith of the North on the question of admitting Arkansas. "Here," he says, "is the record:

"Mr. John Quincy Adams, in this House, June 13, 1830, moved an amendment so as to make a section of the bill for the admission of that State read thus:

"And nothing in this act contained shall be construed as an assent by Congress to the article in the constitution of the said State relating to slavery and to the emancipation of slaves." &c.

"Still harping on my daughter!"

"On a vote, the effect of which was to allow this amendment, there were eighty-five in favor of admitting the opportunity; there were one hundred and nine on the opposite side, which prevented its being offered. Of these, eighty votes, some were from the South. Their object may have been to get it voted upon the distinct question of the recognition by the House of the line established in 1820. But after the amendment was ruled out on the direct vote for the admission of Arkansas with a constitution tolerating slavery, though she was south of 36° 30', there are fifty-two names under the lead of Mr. Adams, in the negative, every one of them, I believe, from the North. I thoracit Journal before me."

And this is the proof adduced that the North acted against Arkansas "because it was a slave State."

Now, sir, I assert, first, that the gentleman has not correctly represented the record. I do not charge that he has purposely misstated it. I presume he has not; I believe him incapable of doing such an act. But I must say, that before making such sweeping charges of bad faith against an entire section of the Union, he should have examined the record with greater care than he appears to have done on this occasion.

What are the facts, as shown by "the record"? The proceedings are recorded in the Congressional Globe of 1835-'6, on page 434. By reference to that record I find that a vote was taken on Mr. Adams's proposition, and the result was—yeas 32—not 80, as the gentleman states—nays 109. It should not be forgotten that at that time there were 137 northern members in Congress. The record does not show that all of these 32, who voted with Mr. Adams were northern men. But suppose they were, and suppose, also, that they voted against Arkansas because she was a slave State—what does it prove? Why, that while 32 voted for the amendment of Mr. Adams, 105 northern members did not so vote; and yet this is produced as a proof that the North violated its faith.

But, says the gentleman from Georgia:

"On a direct vote they admitted of Arkansas with a constitution tolerating slavery, though she was south of 36° 30', there are 50, fifty-two names, under the lead of Mr. Adams, in the negative, every one of them, I believe, from the North. HAVE THE RECORD BEFORE ME."

Here, again, the gentleman exhibits an inexcusable carelessness in his examination of "the record," which is anachronous to us he then had before him. He tells us the fifty-two votes in the negative "were every one from the North." I, too, have examined that record. I find, among

those fifty-two, the names of Mr. T. J. WILSON, of Delaware, Mr. Lewis Williams, of North Carolina, and Mr. Joseph R. Underwood, of Kentucky. Call you these "northern men"? Is not the fact whether there were any other southern members in that list of names. Suppose there were not, what is the record? Subtract the remaining northern from one hundred and thirty-seven, the number of northern members, and how does it stand? Forty-nine northern members, then, did, while eighty-eight southern members did not, vote against the admission of Arkansas. And this is charged as a "violation of faith" on the part of the North. Does the gentleman pretend that the act of a small minority can make the North responsible?

But even Mr. Adams, and those who acted with him, did not oppose the admission of Arkansas because she was a slave State. It was, in part, because of the following anti-republican provisions, which will be found in her constitution:

I have here the volume of American constitutions, from which I read the following extract from the constitution of Arkansas:

"Emancipation of slaves."

"Sec. 1. The General Assembly shall have no power to pass laws for the emancipation of slaves, without the consent of the owners. They shall have no power to prevent emigration to this State from bringing with them such persons as are deemed slaves by the laws of any one of the United States."

Here, sir, is, if gentlemen please, "the old Lord North principle," which "prevents the people from governing themselves." They shall not emancipate slaves (no, not even upon paying for them) without the consent of their owners. Furthermore, though every man in the State might consent, and desire to have Arkansas become a free State, yet even then, the Legislature shall not have power to prohibit people from other States from coming in and imposing slavery upon the inhabitants of Arkansas. Yet, with these oppressive features in the constitution, only little more than one third of the northern members voted against the admission of Arkansas; and this, in the estimation of the gentleman from Georgia, and others, is considered conclusive proof that the North had violated faith.

If any proof were needed to show that it was not because the Constitution tolerated slavery that the objection was made by Mr. Adams, I need only refer you to the speech made by him at the time, a portion of which was read to this committee, the other day by the gentleman from Virginia, [Mr. FAULKNER.] In that speech Mr. Adams distinctly declares that Arkansas has a right to be admitted as a slave State, and that his opposition is not based upon that ground. A further proof of the truth of his statement may be found in the fact that he, and those who acted with him, voted, at the same time, against the admission of Michigan with a constitution prohibiting slavery. So much for Arkansas.

The next complaint is, that the North violated the Missouri compromise by voting against the annexation of Texas, with the line of 36° 30' in it.

Now, sir, I will ask, in all sincerity, if this is not a most singular—I had like to have said ridiculous, but I will not use that term—complaint to be made by an intelligent gentleman as we all knew the gentleman from Georgia to be? What connection had the Missouri compromise with the annexation or division of Texas? In 1830,

the two great states, by their representatives, made what they conceived to be a fair division of their territories between freedom and slavery. A line drawn on the parallel of 36° 30' north latitude was the dividing line. Twenty-five years afterwards the nation acquired another piece of territory, about twenty thousand square miles, to the north of the old line of division. The people of this territory, saying about one-third of the citizens of the new country, claim that it shall be no slave state, and give them nearly all of it. Some of the members of the North protest that it is an unwise measure, and manifest an unwillingness to make so unreasonable a proposition; and for this they are denounced as violators of the Missouri compromise. Again, I ask, what has this to do with the Missouri compromise? There is there in that Missouri act which contains the provision, express or implied, to bind the South to agree to divide any future acquisitions of territory by any particular line:—*namely, first nothing.* That first division was perfect and complete in itself. We had then no other territory to divide. No one then knew, or anticipated, that twenty-five or thirty years hence that period Texas would become a part of the United States, and that out of its annexation would grow a war between the United States and Mexico, which was to result in the conquest by the former of a very large part of the latter.

I speak to the gentleman from Georgia [Mr. Douglass] who referred to the votes of northern senators on this question of the annexation of Texas, as evidence of the "bad faith" of northern senators. I propose to examine the record in reference to that question. It exhibits some curious inconsistencies on the part of some gentlemen who have been advocates—conspicuous as advocates of the repeal of the Missouri compromise; I find some persons who now have a lively horror of a system that has even a speckle towards sectional interference on the subject of slavery, occupied a very different position at that time. I call your attention to the proceedings of this session, as recorded in the Congressional Globe for 1844-'45, commencing at page 193. There you will see that a series of joint resolutions for the annexation of Texas were offered by Mr. Brown, which were finally adopted by the House, and sent to the Senate. But what I wish to call your attention to, particularly, is this: Mr. Brown's resolutions, when first reported, concluded with the following clause:

"That New States of convenient size, not exceeding five million, in addition to said State of Texas, and their subsequent population, may hereafter, by the consent of the State, be formed out of the territory thereof, which shall be admitted to admission under the provisions of the Missouri Compromise. And such States as may be formed out of that portion of said territory lying south of 36° 30' north latitude, commonly known as the Missouri compromise line, shall be admitted into the Union with or without slavery by the people of each State, asking admission, as they desire."

There, you see, nothing was said about the territory lying north of 36° 30'. Mr. Brown left that provision, I suppose, to be settled by the people who might go there; but Mr. Douglass—the "Little Giant"—then a member of this House, now of the Senate—he who has heaped so many falsehoods on those who propose now to adhere to that agreement, made thirty-four years ago by our fathers, that slavery should not be carried into

what is now proposed as Nebraska and Kansas—left this to be settled at variance with the Constitution, and the doctrine of representation—he it was who, at that time, threw himself forward as the champion of the sacred doctrine of congressional non-interference, and actually proposed the following amendment to Mr. Brown's resolutions:

"That in case Bridgeport be formed out of said territory, and that it becomes a separate state, or territory, or camp, ready for statehood, it shall be prohibited."

At the request of Mr. Douglass, Mr. Brown consented to withdraw his [Mr. Douglass'] amendment. The previous question was then moved by Mr. Cave Johnson; and, on a call for a second, the vote stood—yeas 107, nays 107.

The next vote taken was upon the following proposition: "Should the main question be now put?"—and resulted—yeas 113, nays 106. Among the negatives I find the names of eighteen southern members, and conspicuous amongst them the name of Mr. Clingman—the same gentleman, I believe, who now so ably represents a portion of the people of North Carolina upon this floor, and who favored as the other day with such an impudent lecture on the "Free-Soil" propensities of the Whig party. On the vote just referred to, I find him divided on either side by the names of Senator Quincy Adams and Joshua R. Giddings.

The next vote taken and recorded, was, on the same day, upon agreeing to the amendment of the Committee of the whole, the substitution of Mr. Brown's resolutions for another series previously offered by Mr. Dennington of Virginia, I believe. Upon this, the vote stood—yeas 118, nays 106. Twenty southern names amongst the nays—the name of Mr. Clingman being one of them, and still in company with Messrs. Adams and Giddings.

The amendment of the committee being concurred in, the next vote was upon the engrossment of the bill for a third reading. Here again, the vote was taken by yeas and nays, and stood—yeas 119, nays 97; amongst the last twenty southern names. The name of Mr. Clingman is still there in company of Mr. Adams and Mr. Giddings.

The next and last attack upon Mr. Brown's annexation resolutions was upon their final passage, and the result was—yeas 116, nays 98; still twenty southern gentlemen voting in the negative, and still I find the gentleman from North Carolina supported by his old comrade, Messrs. Adams and Giddings.

These proceedings all took place in this House, on Saturday, 25th day of January, A.D. 1845; and may be found recorded in the Congressional Globe of 1844-'45, pages 193, 194.

The resolutions having been sent to the Senate, instead of the House resolutions, the Senate substituted a new set, which were finally passed, on the 27th of February, 1845, by a vote of 27 yeas to 25 nays; fourteen southern and thirteen northern Senators, I believe, voting for them, and twelve southern and thirteen northern Senators voting against annexation. The southern nays are: Messrs. Archer of Virginia, Barlow of Louisiana, Bayard and Thomas Clayton of Delaware, Berrien of Georgia, Coddenden and Morehead of Kentucky, Foote and Jarveson of Tennessee, Mangum of North Carolina, Pearce of Maryland, and Rice of Virginia.

Here, then, is a proposition upon which the

South itself is as nearly equally divided as it is possible to be where there is not an exact division. One half the northern vote is cast for it, and save the "noes," when it was so close that the casting of a single one of the thirteen northern votes in its favor would have defeated it entirely.

And yet the gentleman from Georgia brings up this question of suffrage for all one of the cases in which he thinks he has inflicted a great wrong upon the South. With what justice the charge is made, I leave it to the committee to judge.

But, sir, I am not quite done with this subject yet. These amended resolutions were returned to this House for its concurrence. They came up for consideration on the 28th of February, 1843, and Mr. Hunt, of New York, moved to lay the resolutions on the table. The vote stood—yeas 109, nays 120. Prominent amongst the nays I again find the name of Mr. Clingman, still sticking to his old friends, Messrs. Adams and Giddings.

The next and last vote taken upon this question, when the yeas and nays were recorded, was on the same day, the question being upon concurrence in the Senate amendment, and upon this proposition the vote stood—yeas 129, nays 76. Still twenty southern members in the negative, the gentleman from North Carolina among them, and in company with Messrs. Adams and Giddings.

I do not, Mr. Chairman, refer to these things by way of reproach to the gentlemen from North Carolina; far from it. I think he was in good company at that time, and manfully contending for the right; but, sir, I refer to them to show that his forebears are not such as to warrant him in making the wholesale denunciations he did, some days ago, against the party which brought him into political existence.

If, what the gentleman now alleges against the Whig party, and the Whig paper published in this city, is true, is it not most extraordinary, that with his acknowledged ability, his keenness of perception, his shrewd sagacity, he permitted himself to follow them so long, and to sustain them so uniformly in their errors? It certainly requires some explanation.

The next complaint against the North is, that they did not consent to recognize the line of 36° 30'—this unconstitutional, this unjust line, this so insulting to the South—when they were organizing a territorial government for Oregon.

Mr. Chairman, that complaint is too frivolous, too trifling, to waste any time upon. The Territory of Oregon, it was affirmed by the gentleman from Georgia, was a part of the Louisiana purchase. It had been so admitted by southern gentlemen over and over again. No part of it was far enough south to reach within three hundred miles of the line of 36° 30'. It was embraced in the Missouri compromise of 1820, and its character settled by that act. It would have been an act of the most ridiculous legislative folly, to make any such reference to the line, as was proposed to be inserted in that territorial bill.

This in all I deem it necessary to say on that subject. I propose now to pay a little attention to the denunciations hurled by the gentleman from Georgia against those of us who entertain the opinion that it is right and expedient for Congress to legislate on the subject of territorial govern-

ments. Those doctrines of ours were not the work of 1776. It is true, the gentleman does not go so far as some others, and deny the constitutional power of Congress to legislate in reference to the Territories. But this is to be will not do. The question of power—the "never done discuss that question," that he had well in contemplation, was, I believe, that that was a question he would not discuss. He tells us it is not right to exercise that power; that the people of the Territories "should be free from individualizing restrictions and artificial distinctions." That the people of these separate communities have a right to govern themselves.

It has always seemed to me so natural, and so reasonable, that the right to acquire and own territory carried along with it also the right to control and govern those Territories, that it would be a waste of time to enter into any further argument on the subject. But, what similarity is there? I would respectfully ask, between the doctrine of those who claim for Congress the right to govern and control the territorial possessions of the nation, and the pretensions set up by Lord Bute and the British Parliament, preceding the American Revolution? The complaint of our patriotic forefathers was not, that the British Parliament and Crown had, in the first place, a right to govern and control their possessions; but, that, after having voluntarily surrendered that right, to induce them to abandon their homes in the mother country, and come over here to settle an inhospitable wilderness; and, after the people, relying upon the stipulations contained in their charters granted by the Crown, had come, and driven back the savages, subdued the forests, opened up new plantations, built their towns, and organized their governments, that then the King and the Parliament undertook to oppress and annoy them, and to impose heavy taxes and other onerous burdens upon them, in direct and palpable violation of the provisions of their charters. What was the ground of complaint then? There is no sort of parallel between the cases. The comparison is very far-fetched—very far indeed.

But, may I not be permitted to add, how long has the gentleman from Georgia entertained these very liberal opinions on the subject of congressional interference in the government of the Territories? If I am not greatly mistaken, it has not been a great while since the gentleman denounced, in strong terms, this doctrine of "congressional non-intervention"—since he pronounced it as bad, if not worse for the South, than an open advocacy of the Wilmot proviso—since he pronounced a division of the territories between freedom and slavery, by the line of 36° 30', to be a fair and just division; and, not long since, he did assert, in this Hall, the question of power—the constitutional power—of Congress to legislate upon the subject of slavery in the Territories; and that he claimed that Congress not only possessed the power, but he went further, and asserted that it was right, and the duty of Congress to exercise that power. Yes, more; he expressed his apprehension that a different doctrine should be entertained.

Mr. Chairman, these old records are very truth-telling things for politicians. They often expose us to the criticisms of the uncharitable. I happen to have here the Congressional record containing the proceedings of this House on the 2d of June, 1840, not quite four years ago. It re-

upon that on that day the admissions of the State of Missouri, being the question under consideration, the gentleman from Georgia made a speech—an eloquent speech—an able speech—an eloquent speech; as all his speeches are. It was made in reference to non-intervention and the extension of the Missouri compromise. I ask the indulgence of your committee while I read a paragraph or two from it. It was in reply to speech made by Mr. Stevenson, of Mississippi. The gentleman from Georgia [Mr. Stearns] said:

"It was true, General Cass was opposed to the Whig party, and he (Mr. S.) and others on this floor, or before the committee, attempted to represent him otherwise. He had however awarded to him all the credit he was entitled to in that position. But he had stated, what he would state to the gentlemen from Mississippi, that the position of General Cass was no better, if it was not worse for the interests of the South, than an open alliance of the pro-slavery party; for General Cass held that slavery did not exist in those Territories, that it never would do there, and that Congress, in the constitutional power of Congress to make provision for its extension or protection there. This was the subject of General Cass's Wisconsin letter. This was the (Mr. S.'s) understanding of it at the time."

The gentleman from Georgia proceeds to prove that a speech of General Cass, then recently made in the Senate, that General Cass had himself admitted the correctness of his (Mr. S.'s) construction of the Nicholson letter.

He then proceeds:

"When I could not induce him and his party upon this subject, I had argued with him upon all other questions. I have done the best I can, as the gentleman from Mississippi says he has, in favor of the extension of the Missouri compromise line, or some other fair and just division of the territory. But I want no division which will deprive us of our proportion to the North, in the slaveholding portion, as it exists to the North. The extension of the Missouri compromise without the recognition of slaveholding south of that line, and all necessary protection, would be a perfect mockery of right, just as much as at the doctrine of non-intervention.

"This country my friends two years ago upon this floor, and upon which I then declared I should stand or fall, I told them, upon the acquisition of these Territories, their government devolved upon Congress, and that it was the

Yea, that is the word—

"of Congress to pass all necessary laws for the full and equal enjoyment by all the people of the United States, or such of them as might go there with their property of every description.

"An expression of opinion exists between the North and the South the subject of slaves, I thought, and still think, the purpose of such event and just enjoyment, &c., of the Territory would be best. That Congress ~~should~~ in some all wise law I am not certain—indeed, I was surprised at the position of those who claimed the constitutional right to carry and hold slaves there, and yet denied to Congress the power to pass laws for the protection of their rights. The doctrine of non-intervention denied that power.

"I understood the gentleman from Illinois intended now to be in favor of the extinction of the Missouri line, was a strong writer and propagator of our right south of the line. And, yet, he will allow me to sell him that, according to the doctrine of General Cass, and the whole party to whom he belonged two years ago, such a compromise or settlement would be an unconstitutional act, for they denied the power of Congress to pass any such law. For myself, I have always maintained that the North had no undoubted right to the same propagation in those Territories, and that it was the duty of Congress to see to it that that right was properly justified and protected. It is true there millions of mine were held by many, two years ago, to be heretofore constitutional, and even congressional. But I have the gratification now of seeing them fast becoming the remaining emoluments of men of all parties at the South. Convinced of the rightness, I was willing to stand by uncompromisingly.

Now is the speech the gentleman from Georgia made in this Hall, less than four years ago. Con-

pare it, I pray you, with the speech which he made here a few weeks ago.

"Look on this picture, and then on that!"

Comment is unnecessary. His conversion is a very wonderful conversion—with no parallel in history, if we except that of Saul of Tarsus, while on his journey to Damascus to persecute the saints. There is, however, one remarkable difference: Saul persecuted those who differed from him before, the gentleman from Georgia after, his conversion.

In order to quiet the apprehensions of the people of the North, some of the friends of this notorious project tell us that it is not to extend Master, but only for a great principle that they are so earnestly contending. What is that great principle? Why, simply, the right to go where they please with their slaves. They tell us they never expect to see slavery established in Nebraska or Kansas; that it is contrary to the laws of nature that it should exist there. Why should slavery not exist and be profitable in at least one of these Territories? Is not the soil as productive, and the fate of the country as beautiful, as in any other part of the United States? Ah, but the climate, the climate! Slavery cannot be profitably employed north of 36° 30'."

Mr. Chairman, I call on northern men not to be imposed upon by any such declaimers. Turn to your last Census Report, and you will find that there are now nearly nine hundred thousand slaves employed in this country north of the line of 36° 30'.

Missouri, Kentucky, Maryland, Delaware, and the District of Columbia, all lie north of that line. Is not slavery profitably employed in these States? Do not their inhabitants cling to the institution with a death-like grasp? Have not many of the strongest appeals in favor of the repeal of the Missouri restriction which have been made, both in this House and in the Senate, come from gentlemen residing north of 36° 30'? Due to the principle?"

Southern gentlemen tell us that it is degrading to their feelings to be denied the privilege of taking their slaves into whatever Territory they may choose to go with them. Is there no principle on the other side of this question? Has nobody else but the slaveholder any feelings to be regarded, or wished to be respected? Southern people—of some of them, for the sentiments is by no means universal, even in the South—think slavery a blessing, and that it ought to be spread broadcast over the land. Northern people, on the other hand, generally consider it a social evil; many of them consider it a stupendous misery, a great sin, and they shrink from all connection with it. Is no regard to be paid to their opinions, their prejudices, if gentlemen prefer to call them such? Now, sir, what is to be done under such circumstances? You must either disregard the rights of the one class or the other, or you must divide the Territories between them. Our fathers adopted the latter course, &c., for that they are now, &c., to separate a majority of the southern states from the rest of Congress. They are denominated as the states of the South, and of the Union, or the states of the South and the Union.

I shall, gentlemen, defer to the consideration of the

by Clay and King, and the other distinguished men who voted for the Missouri compromise of 1820; or of President Monroe, who gave it his sanction and signed his name to it before it could become a law. "I take it, sir, that those distinguished men understood quite as well the true spirit of the Constitution and the rights of the South," as the North, too, as do the more nearly-fledged statesmen of the present day.

Another reason urged for the repeal of the Missouri compromise, is, that it is necessary to give PEACE (?) to the country. A curious way to give PEACE, truly.

The country had peace. The last of the disturbing elements had just been calmed by the compromise measures of 1850. The two great political parties of the nation had assembled in conventions and adopted resolutions declaring the compromise heretofore passed A FINAL SETTLEMENT of the slavery controversy, and declared their purpose to discontinue any renewal of the agitation. These resolutions were acquiesced in by the great body of the people in every section of the country. How comes the question now again before the country? Who stirred it up? Who, I ask, but these gentlemen who are so anxiously seeking, so ardently putting "FOR PEACE?" And how, I pray you, do they propose to give us "peace?" Simply by opening again the wounds that have just been healed, and causing them to bleed afresh. By repealing the Missouri compromise, and throwing us back where we started in 1820, when the first compromise was adopted, and just where agitation is sure to follow as effect to follow cause, are preparing to admit a new State into the Union, or to organize a territorial government. Sir, I should as soon expect to prevent the explosion of a powder magazine by thrusting a flaming firebrand into its midst, as to expect to prevent the agitation of the slavery question by the repeal of the Missouri compromise.

So far as my vote for or against the bill is concerned, it will make no difference whether the question shall be upon the passage of the Senate bill, or upon the House bill introduced by the chairman of the Committee on Territories; whether the Clayton amendment may be adopted or rejected; I shall vote against any bill which may have the effect of repealing the Missouri compromise.

So far as relates to the Clayton amendment, as it is called, I have not made up my mind fully how I shall vote upon that naked proposition. Although I may be induced to vote against it, for the purpose of securing those two Territories to freedom, where it rightfully belongs, I must say that I do not much like the notion of conferring the elective franchise upon persons until they shall take upon themselves the obligations of citizenship. But while I say this much, I cannot withhold an expression of my regret at some of the remarks that fell from the respected gentleman from South Carolina, [Mr. Higginson] who sits on my right, during the delivery of his able speech the other day. On that occasion the gentleman made use of the following language:

"This is the interpretation of a portion of those who oppose this bill, that, with the history of the Foreign Slave-trade to America fresh in their recollection—in history which, as we all know, is successive of these ages of ours, in which the slaves have been increased, power increased, without any spiritual churches burned, and others destroyed, and to repeat, even the slaves can-

not escape from the purtains of the cities of the Old World, in carrying their slaves to the Americas."

In paragraphs of their numbers, they have endeavored to swell this idea of corruption, which, throughout the entire Republic, by grants of vast domains of public land to speculators and wily foreigners, with the total exclusion of native Americans.

Again he says:

"But, sir, the humanity of free citizens would shrink from his assertion, from the sick minds of the slaves, and misery, and surrender it without fee or reward to the descendants of, possibly, the very Hessians—the minstrels of King George—who warred against our liberties, who fought, night, by the labor, fit the continental army of Austria, now."

Mr. Chairman—I feel no disposition to play the demagogue on this or any other occasion! If there is any creature upon this earth whom I sincerely despise, it is the poor, miserable, modish, demagogue, who makes it his business to peddle his passions, or the prejudices, of any portion of our population, foreign or native born. That there have been disgraceful scenes enacted in our country, in which persons of foreign birth have participated, is unfortunately too true; but, sir, it is also true that similar occurrences have transpired in which native born citizens have taken part. I depurate all such violations of law, whether by the one or the other. But, sir, in justice to a considerable portion of my constituents, I must say that the character of the foreign population, at least in Ohio, does not justify the malignant denunciations of the gentleman, or of his colleague [Mr. Berrien] in the other wing of the Capital. If the gentleman would make a tour through the great West, he will find among our most enterprising farmers, our most enterprising merchants, our most industrious and skillful mechanics, many, very many, of those who have come to us from foreign lands. He will find in the council chamber of my own city two of the eight senators elected by Germans, and more intelligent, orderly-looking, or worthy men, cannot be found anywhere. He will find some of our most distinguished medical practitioners who are also Germans by birth and education. He will find in our legal profession some of the eloquent sons of the Emerald Isle. He will find among our citizens of foreign birth, as he will among the native born, the learned as well as the illiterate; the wealthy as well as the poverty-stricken; the orderly as well as the disorderly dispersed. He will find them in the mass very much like other people.

Mr. Chairman, those who have introduced this agitating question into the Halls of Congress, and those who insist upon its passage, are a set of fearful responsibility. Faenit haec omnia. The measure, fraught with enterbites, and Oliphant's treachery, as it is, and there is an end of all your honored compromises. Think not, sir, that, when the South destroy this, the first bone of all the measures of conciliation, after having secured, beyond the reach of congressional control, the institution of slavery in all, or nearly all, its own portion of the territory embraced in the division of 1820, that the North is going to adhere to the more recently adopted measures of compromise. Those who make such calculations will be profoundly deceived.

There are some things in the compromises of 1850 that are, and were always, far from being acceptable to the mass of the people of the North. There are some things in the fugitive slave law

there are many obstructions, and, as we believe, insuperable. Of this character is that provision which requires Southern men, when called upon, to contribute to capturing your fugitive slaves. We have that which requires them to be captured and returned to you at the public expense. We cannot understand how it is that we are required to do this, and return to you your negroes, when, notwithstanding or cattle stray off from us, and cause us great difficulties, we are compelled to hunt them up ourselves, and catch as best we can, without compensation, and then foot the bill for their capture and return out of our own pockets. But, unless you consider these and some other provisions of the Compromises of 1850, for the sake of peace and harmony, we were willing to submit to them, as part of a final settlement of all the gallant and generous contraversies growing out of the question of slavery. We had become sick, tired, disgusted, with negro discussions. We wanted an end of these agitations. We desired that the nation should have repose. Hence, we were willing to compromise these difficulties, even at the sacrifice of much. We hoped to see other interests cared for. We hoped to see the great and general concerns of the nation preserved and enlarged by the Government, especially that great national thoroughfare, which is to enable us to travel, in a measure, the commerce of the world. But at the moment when the whole nation was congratulating itself that this angry controversy was settled, finally and forever, a dozen additional springs up in the other wing of this Congress, and proposes to repeat the very first, if not the first, of accusations.

The South, aided by such assistance from the North as it can obtain, either through hope or reward, through fear of the Executive law, or from a consciousness conviction that the thing is right to do, pass this measure if it will; but, sir, it is proper that it should be understood that the object of this act is the virtual repeal of the Missouri Compromise. Southern gentlemen should understand distinctly that the North will from that moment consider itself absolved from all further obligation to regard any of the consequences. There will be an end to the execution of your fugitive slave laws, so far as they are concerned. The West, as enjoined by the Constitution. The North will not, thereafter, consider itself under any sort of obligation to consent to the admission into this Union of States with constitutions supporting slavery, whether they be organized out of territory now included in Texas, Utah, New Mexico, or the Indian territory lying south of 36° 30', except themselves. It will be an end of all general consequences. It will be a protection against all future acts. How can it be otherwise?

Therefore, whatever we may have thought of Southern demands, we have always felt a strong conviction that Southern honor would not be sacrificed, that the plighted faith of the South would unswervingly maintained. From this bill regarding fugitive slaves compensation, and, it will be again for me to make an attempt to satisfy the people of the North that there is no southern character involved in the transaction; that there has not been a single, a glaring violation of southern faith. You however must understand that one section of this great measure cannot induce common confidence in intentions and pledges of another, and what I am

say, will be the condition of almost all, who will take the place of congress; their hostility will be felt where brotherly love should abide. Instead of that feeling of brotherhood which Washington, in his Farewell Address, expected us to cherish, sectional strife will pervade every section of the country. He who cannot forgive the ends of this act, if this measure shall be passed, must be blind, infecctably blind. And what is the proposed remedy for the evils which must follow? Sometimes we hear suggested a dissolution of the Union. Dissolution! There is no healing balm in that medicine. I ask gentlemen of the South what they would gain by dissolving this invaluable Union, even if such a thing was possible? Would your "peculiar institution" be then better protected than it is now? If your slaves escape into the Free States, where will be your fugitives safe now for their apprehension and return? Will you then have a right to take your slaves into any of the Territories where you cannot now take them? Do you expect the North, when you leave the Union, to kick all the Territories out of after you? Do you even expect us to divide any portion of the Territories with you? If you do, you will be greatly mistaken. We shall do no such thing. We of the North will have no hand in any such work. We will do nothing which recognises division in any form. We intend to remain in the Union. We intend to retain the common property of the Union. If you determine to rend the bonds which have so long bound us together as a common brotherhood, you must go out as individual States, taking nothing with you but what properly pertains to you in your capacity as ~~sovereign~~ ^{sovereignty} nation. The institution of slavery must then confine itself within the limits of the States where it now exists, and where the people of the North claim no right to interfere with it in any manner or form. When you divide, you will make a most effectual movement for the prostration of the further extension of slavery.

But what would be the condition of the States of Delaware, of Maryland, Virginia, Kentucky, and Missouri? Think you, gentlemen of the South, the people of those States will ever consent to a dissolution or division of the Union which would place them upon the dividing line between two hostile Republics? Never! No never! How long, under such circumstances, do you think it would take, before all the slaves in those States would be beyond the control of their masters and the jurisdiction of their Courts? Sir, it is idle to talk about a dissolution of this Union. The people North or South do not desire it; nor will they ever submit to it, under any circumstances; much less will they permit you to sever it, because the North will not consent for you to abrogate an arrangement which you formed upon it more than a third of a century ago, and to segregate it, too, after you have received from the North all your part of the consideration.

Think you, sir, that the people of the Northwest, the great, the mighty Northwest, will ever consent that any obstruction or impediment should be thrown across the Mississippi or the Ohio river? These mighty waters belong to the Northwest. They and nature have provided them as the great highways for our mighty and increasing commerce. They are the ways to market for our vast productions, agricultural and mineral. We never

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can, we never will, consent to have our right to
freely navigate them questioned by any one. We
pay no tribute to any one for this privilege. Two
barriers can be placed there to prevent the ingress
and the egress of our commerce. Divide, if you
will; but we warn you that you must leave those
waters open and free.

But, Mr. Chairman, I beg pardon for alluding
to the subject of dividing this Union. It is a sub-
ject which ought not to be discussed—it should
not even be seriously thought of. This Union is
not to be dissolved so easily. It has, for nearly
seventy years, stood as a towering monument of

the wisdom and patriotism of our fathers. Under
its blessed influences this nation has grown in
size, in population, in wealth, in strength, and in
influence, as no other nation has ever grown in
so brief a period. It is destined still to stand, to
live on, and to grow. Gentlemen at the South,
or at the North, may part, and bluster, and
threaten; but the American Union will continue
to exist until we, the noisy politicians of the eigh-
teenth century, shall have died, and been forgotten,
and our memories and our names together have
been consigned to an eternal oblivion.