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SPEECH

OF

HON. WM. CULLOM, OF TENNESSEE,

ON THE

NEBRASKA AND KANSAS BILL,

IN ~~2-10~~

THE HOUSE OF REPRESENTATIVES, APRIL 11, 1854.

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NEBRASKA AND KANSAS.

The House being in the Committee of the Whole on the state of the Union—

Mr. CULLOM said:

Mr. CHAIRMAN: I am not entirely without legislative experience, but I think the House will attest my indisposition to occupy their time in the discussion of any question, unless I am impelled by a high sense of public duty to do so; and in the brief hour which I shall consume on this occasion, let me assure you I am not prompted by personal vanity, for I am one of those who believe that the public interest is generally best promoted by a silent vote, and a punctilious attendance on the business of the House. I regret that a sense of public duty impels me upon this occasion to depart from what has been my usual habit, not only in this body, but also in the deliberative assemblies in which I have served in my own State. The importance of this question, which has thus been unexpectedly thrust before the country, furnishes my excuse, however, for troubling the committee with any remarks at this time.

Mr. Chairman, when I took leave of my constituents, when I bade farewell, for a time, to the people of Tennessee, and came here to mingle my humble labors with those of the chosen Representatives of the American people, in the needful legislation of our then happy, harmonious, and prosperous country, little did I think that at such a period of general repose, when all sections of the Union were united in the bonds of fraternal friendship, when all parties had solemnly covenanted and agreed to cease the agitation of sectional questions, I should be called upon to take part in the discussion of this ill-advised and dangerous measure; this firebrand, thrust upon our deliberations. Sir, where is the great project of the Pacific railroad, a measure demanded no less by the public interest than by the public judgment? I came here prepared to contribute my humble aid to the consummation of that great work; but it is to be thrown in the background. The country was looking with great interest to the needful improvement of our rivers and har-

bors, and I had fondly hoped that something might be done to facilitate and give security to the commerce on the great lakes and rivers of the West. I had hoped, too, for a fair and just distribution of the public domain, now amounting to twelve or fifteen hundred millions of acres, and which has heretofore been granted in a partial and unequal manner to the more favored States. I had hoped that, by a united effort, we might have devised some plan, equitable and just to all, of distributing the public lands, or the proceeds thereof, among the States for works of internal improvement and to advance the cause of education; but in this, too, my hopes, and the hopes of my constituents, have been sadly disappointed by the untimely introduction of this unfortunate question. The numerous private bills upon your Calendar, founded upon just and honest claims, including the French spoliation bill, are all to be postponed; all sound and useful legislation is to be suspended by this nefarious project—the work of politicians, and the effect of which is to strangle the legitimate legislation of the country for their personal and party aggrandizement. I believe this before high Heaven, and I should be a coward if I did not assert it and proclaim it to the country. I should not be a Tennessean if I did not assert it.

Several MEMBERS. Good! Good!

Mr. CULLOM. I should not be a worthy descendant of my mother State, Kentucky, if I did not here, in my place, denounce this scheme as a plot against the peace and quiet of the country, whether so designed or not.

Mr. Chairman, Kansas and Nebraska! Nebraska and Kansas! is the cry. These Halls are made vocal with the sound of these cant phrases. We are told that territorial governments must be given to those Territories, although Mr. Manypenny reports there are but three citizens in both of them. At the last session of Congress we refused to give them *one* government, but now we are told that *two* territorial organizations are necessary. We are told, furthermore, that now the eighth section of the act of 1820, called the Missouri

compromise, must be repealed; a measure which was the work of our patriotic fathers, most of whom have now descended to the tomb; a measure which was passed in times of great public peril, and when the Union was in imminent danger, to quiet and assuage the angry feelings which sectional strife had engendered, and which did, happily, calm and subdue the sectional animosities of the day, and cement anew the bonds of our Union; a measure of such happy results that our fathers might well pledge their honor for its faithful observance, as they did by accepting and voting for it. The bill now before this House seeks to repudiate their plighted faith, and to pull down the work of their hands, which has stood as a monument of their wisdom and patriotism for thirty-four years; which has been cheerfully acquiesced in by all sections of the Confederacy, and for which the pure men of 1820 have been canonized in the hearts of the American people. This great measure of pacification is now, for mere party purposes, and party and personal advancement, to be trampled under foot; and gentlemen come here with their books dog-eared to make shrewd speeches upon the question, and to file their special pleas in justification of this mischievous and uncalled for assault upon the time-honored compromise of 1820. I proclaim here to-day that this Nebraska bill presents the naked question of *repudiation* or *no repudiation* of the faith and honor of the South, plighted by the act of 1820. You may talk to me about the bad faith of the North. I do not come forward, on this occasion, to defend the North. I am here to defend southern honor; and I would be the first to vindicate southern rights whenever and wherever violated or assailed. But I repeat, that the question now is, will we stand by the covenant of our fathers, by observing the compromise of 1820, and thereby maintain southern honor, the public tranquillity, and the integrity of the Union; or, shall we decide that the flood-gates of agitation shall be reopened, with all the evil consequences which must flow from it, to say nothing of the danger to the stability of the Union itself? Who can hesitate as to the side of such a question on which patriotism and good faith demand that we shall array ourselves? And, for what, I ask, is this proposition of repeal to be sustained? Is it to restore rights to the South which it lost by the act of 1820? Not so; for all agree that slavery cannot be maintained among the bleak hills of Nebraska, or on the barren plains of Kansas. It cannot advance any interest of the North; for all agree that these Territories must, from their climate, soil, and geographical position, be free. Who, then, is this exciting and dangerous movement to benefit? Your politicians. This bill, sir, should be upon the Private Calendar, and the title of it should be so amended as to read, "A bill to make great men out of small ones, and to sacrifice the public peace and prosperity upon the altar of political ambition." Sir, I protest against my constituents being used as a spring-board to throw vaulting politicians into high positions.

Mr. Chairman, I hope to be respectful to all, for I can say, in all candor, that I have no unkind feeling towards any member of either branch of Congress; but I have a high public duty to perform, and though I would treat respectfully all those connected with this question, whether

agreeing with or differing from me, still I would rather tread upon the outer verge of parliamentary rule than, by a tame submission, be brought to the crumbling verge of a dissevered Union. I should be an unworthy and faithless sentinel if, from motives of false modesty and timid forbearance, I refrained from sounding the alarm, foreseeing, as I do, the baleful consequences which must ensue from the adoption of this measure. Let the country rise up as one man and frown down this attempt to advance individual and party objects, under the flimsy pretext of doing justice to the South, when it can only jeopard a nation's peace; I repeat, sir, it can only serve for personal and party purposes.

Mr. Chairman, let me ask you, and let me ask every member here, if a voice or a petition has come up from any quarter of this Union demanding a repeal of that ancient compromise? I have heard no voice from my constituents, nor from the State which I in part represent, demanding its repeal. No public meeting of the people, no primary assembly, no convention, no legislative body has called for this measure. No individual citizen has invoked your interference in this matter to break up and trample down that compromise of 1820. I demand here, this day, to know if a single voice from the people had reached this Hall demanding a repeal of the Missouri compromise before the introduction of this baleful measure? Now, sir, we do hear this call, but not from the people; and it sounds on our ears like a death-knell.

But it is said that the North has volunteered this offer of a repeal of the Missouri compromise to the South. I demand to know, in behalf of my constituents and my common country, who executed a power of attorney to the Senator from Illinois, the author of this bill, to make this offer, to reopen the fountain of bitter waters, and to renew the dangerous agitation which has heretofore well nigh severed this glorious Union?

If I may be allowed to borrow the language of the eloquent and chivalrous gentleman from Louisiana, [Mr. HUNT,] I will say that the South knows how to take care of its own honor, and to protect its own rights, whenever it considers them to be in danger. This movement was not authorized by the North, judging from the remonstrances on your table; and from the recent demonstrations in popular meetings and in the popular elections, I feel assured it was not authorized by the North. It had not been even dreamed of, so far as I can learn, except by a single mind, and that the mind of a northern man, and that man a disappointed presidential aspirant in 1852! Let the whole country remember that there is the starting point, the beginning corner. I repeat, that the author of this movement was a defeated, or, rather, a rejected presidential aspirant in 1852. Mark it; not as a "fore and aft," but as a beginning corner. [Laughter.] How does it happen that this gentleman is so tenacious of southern rights and southern honor? How does it happen that he loves the South more than the South loves itself? How does it happen that out of the whole South, no one had been found who loved the South so much as the Senator from Illinois? Think how many bold, chivalrous, and patriotic sons the southern States have sent up to Congress during the last thirty-four years, and yet they have suf-

ferred this old compromise to rest upon the statute-book, and have never so much as asked its repeal. But now a little presidential capital is needed, and I am required to vote for its repeal, right or wrong, or be denounced and traduced, perhaps, by demagogues, for not doing what all my predecessors for thirty-four years have failed to do; and a tremendous effort is being made to lash the South into a furious passion about a law which the South voted for and has acquiesced in for so long a period of time.

But, we have found another northern man with strong southern feelings. Ah! we have tried such before. Mr. Van Buren avowed himself to be a northern man with southern feelings, when he wanted southern votes for the Presidency. We are making a small experiment with another of the same sort just now, who was so southern in his feelings that it was thought almost treasonable to support General Scott, a southern man by birth and education, in opposition to him. Well, after the votes of the people are recorded, and the high position attained, we soon see who are his bed-fellows. He calls around him a piebald Cabinet, ring streaked and speckled, embracing every extreme doctrine, and every ism known in the country; and gives the prime offices to Free-Soilers, as we learn from the speeches of his own party on the floor of Congress, to the exclusion of the true national men of that party, who have stood firmly by the compromises of 1850 and the Union. You will, therefore, pardon me, for a natural distrust of those who profess such unnatural affection for the South. If, indeed, these northern champions of southern interests really feel so much attachment for the South, we prefer that they should husband their strength until a practical opportunity offers to do us some substantial good. The tender they make now is a worthless boon—worse than nothing. It promises nothing but strife and sectional controversy; and I am required to turn agitator for the miserable purpose of ministering to the ambition of your political aspirants. This, sir, I will not do for your little giants nor your big giants. [Laughter.] I wish it to be distinctly understood, that I am speaking of the bill of the Senate.

As to the bill which has been reported by the honorable gentleman from Illinois, [Mr. RICHARDSON,] it is but an echo of that which has passed the Senate. I know it is not the intention of its friends to pass it. They will not honor the chairman of the Committee on Territories of this House with the paternity of a great measure like this. It is the distinguished Senator from Illinois [Mr. DOUGLAS] to whose honor the organization of these Territories is to rebound. He is the great Sanhedrim of Illinois. [Laughter.] I have scarcely read or thought of the bill introduced into the House, as it is well known that the Senate bill is the one upon which the struggle is to be made.

Now, sir, as the Senator from Illinois seems prepared to out-Herod Herod, and out-Southern the South, in the defense of southern interests, let us see if there is any mode by which we can test the value of his friendship for the South. I have a faint recollection of having read some scraps of law at one period of my life, but, being somewhat rusty in my legal knowledge, I will appeal to the distinguished gentleman from Missouri, [Mr. BENTON,] who has had great parliamentary experi-

ence, and is withal an eminent lawyer, if there is not a rule of law, that when the meaning of a statute is ambiguous, you may, in construing it, look to the circumstances that surrounded the Legislature at the time of its passage, and take into view the preamble and context?

Mr. BENTON assented.

Mr. CULLOM. I supposed that such was the law; and as I have great difficulty in ascertaining the real meaning of this bill, owing to the ambiguity of its provisions, I presume the court and the jury—the people who will finally decide this cause—will find great aid in making up their verdict from the application of this rule of interpretation. I propose, therefore, to examine the surrounding circumstances in order to find out the meaning and intent of those who have originated this measure, and why the Senator from Illinois became godfather to this premature bantling by which the Missouri compromise is to be repealed as an outrage upon southern rights and a grievous burden which the South can no longer bear. How long that Senator has labored under these convictions, let the record show. In 1845, when Texas was annexed, the Missouri compromise line was extended through the territory of Texas. That extension received the Senator's vote, and it became the law of the land. Again, in 1848, the Senator proposed to insert, and voted for, a clause prohibiting slavery, according to the principle of the Missouri compromise, in the bill to establish a territorial government for Oregon. He did not then think the eighth section of the act of 1820 unconstitutional, and an abomination in the sight of God and man. No, sir, the scales had not then fallen from his eyes. Then he thought the Missouri compromise a very proper measure to be applied both to Texas and Oregon. Let us see what his opinion was in 1849. I will give his own words, in addressing his constituents that year at Springfield, in his own State. Here they are:

“In 1848 the question arose again in a new shape upon the proposition to establish a territorial government in Oregon, containing a provision prohibiting slavery in the Territory while it should remain a Territory, and leaving the people to do as they pleased, when they should be called upon to form a State constitution, preparatory to their admission into the Union. A brief discussion took place upon this branch of the subject, eliciting very little interest, and creating no excitement, for the reason that it was well known that the people of Oregon had already established a provisional government, in which they had unanimously prohibited and excluded the institution of slavery, and for the further reason that the whole of the Territory was situated far north of the line known as the ‘Missouri compromise.’ The Missouri compromise had then been in practical operation for about a quarter of a century, and had received the sanction and approbation of men of all parties, in every section of the Union. It had allayed all sectional jealousies and irritations growing out of this vexed question, and harmonized and tranquilized the whole country. It had given to Henry Clay, as its prominent champion, the proud sobriquet of the ‘Great Pacificator,’ and by that title, and for that service, his political friends had repeatedly appealed to the people to rally under his standard as a presidential candidate, as the man who had exhibited the patriotism and the power to suppress an unholy and treasonable agitation, and preserve the Union. He was not aware that any man or any party, from any section of the Union, had ever urged as an objection to Mr. Clay that he was the great champion of the Missouri compromise. On the contrary, the effort was made by the opponents of Mr. Clay to prove that he was not entitled to the exclusive merit of that great patriotic measure, and that the honor was equally due to others as well as him, for securing its adoption; that it had its origin in the hearts of all patriotic men who desired to preserve and perpetuate the blessings

of our glorious Union—an origin akin to that of the Constitution of the United States, conceived in the same spirit of fraternal affection, and calculated to remove forever the only danger which seemed to threaten, at some distant day, to sever the social bond of union. All the evidences of public opinion at that day seemed to indicate that this compromise had become canonized in the hearts of the American people, as a sacred thing, which no ruthless hand would ever be reckless enough to disturb.”

The Senator then boldly asserted that the Missouri compromise had been in practical operation for about a quarter of a century, and had received the sanction and approbation of men of all parties in every section of the Union; that it had allayed all sectional jealousies and irritations growing out of this vexed question, and harmonized and tranquilized the whole country; that it had given to Henry Clay, as its prominent champion, the proud sobriquet of the “Great Pacifier,” and he concluded this glowing narrative in the following words:

“All the evidences of public opinion at that day seemed to indicate that the compromise had become canonized in the hearts of the American people as a sacred thing, which no ruthless hand would ever be reckless enough to disturb.”

And yet his own is the “ruthless hand” that is now “reckless enough,” to use his own language, to disturb the measure which he then declared had received the sanction and approbation of men of all parties, had allayed all sectional jealousies and irritations, had harmonized and tranquilized the country, and had become canonized in the hearts of the American people!

These were just and noble sentiments, and could, with equal truth and propriety, have been repeated the day the Senator introduced the bill which has revived those very jealousies and irritations which, he formerly showed us, were healed by the Missouri compromise. This is one of the numerous circumstances to which I call the attention of the committee, and of the country, as showing conclusively the character, end, and object of this plot. He that runs may read, and reading, cannot fail to understand.

But I have not done yet with the author of this bill. Not only did he speak as I have quoted in 1849, but in 1850 he proposed to extend this same Missouri compromise line, now become so iniquitous, through the territory acquired from Mexico to the Pacific ocean. Had not the Senator had ample opportunity, during his long legislative career and frequent investigations of this question, to have discovered the enormity of the Missouri compromise, if that was its character? And yet he persisted in recommending the adoption of this notorious eighth section of the act of 1820, on every occasion which arose, as late as 1850. If the committee will pardon me, I will show that Mr. DOUGLAS recommends, in his report to the Senate as late as the 4th of January, 1854—yes, sir, 1854—that the Missouri compromise should not be repealed; and yet I, and those who think with me, are complained of, because we believe now what the author of the bill himself believed as late as January last: namely, that the Missouri compromise should not be disturbed! But let me quote the language of the Senator’s report. Here is an extract from it:

“Your committee do not feel themselves called upon to enter into a discussion of those 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 de-

claratory 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 *now* to recommend a departure from the course pursued upon that *memorable occasion*, either by *affirming* or *repealing* the eighth 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* of the agitation. Due respect, therefore, for the avowed opinions of Senators, as well as a proper sense of patriotic duty, enjoins on 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.”

These, sir, were the views of Mr. DOUGLAS, incorporated in his report to the Senate as late as the 4th day of January, 1854. He there expressly deprecates any expression of opinion by Congress as to the constitutional rights of either section of the Union under the act of 1820, or even under the Constitution itself; because, he says, they involve the same grave issues which produced the agitation, the sectional strife, and the fearful struggle of 1850; and as Congress then refrained from deciding the matters in controversy, either by affirming or repealing the Mexican laws prohibiting slavery, so the committee were not prepared now to recommend a departure from the course pursued upon that memorable occasion, either by affirming or repealing the eighth section of the Missouri act. The Senator, then, having a clear conception of the dire consequences which would flow from a repeal of the Missouri compromise, warned the country that such a course would reopen agitation, excite sectional controversy, and disturb the peace of the country. *Then* it was not proper to repeal the act of 1820, because such a repeal would revive agitation; *now*, he insists, it is important to repeal it to put down agitation. *Then* it was not proper to repeal the act of 1820, because the Congress of 1850 refrained from repealing the Mexican laws—leaving the question of slavery to be decided by the judicial department of the Government under the Constitution; *now* we are told that we must repeal the act of 1820 to make these acts consistent with the legislation of 1850. Oh! consistency, what a jewel thou art!

Here we have Mr. DOUGLAS advocating the Missouri compromise throughout his whole legislative career, down to the fourth day of January, 1854, urging the most conclusive, weighty, and solemn reasons against its repeal; holding up so vividly before the country the inevitable mischief which would flow from it, and then suddenly, within a few hours, or at most a few days, he throws all his previous experience and scruples to the winds, turns a complete somersault, and becomes the vociferous champion of repeal; one day shrinking back with trepidation and alarm at the mere contemplation of the terrible consequences of repealing the Missouri compromise; the next, he becomes its open advocate, and is prepared to denounce, and does denounce, every man, North and South, who will not go with him, as a foe to the public tranquillity, a foe to the principle of “squatter sovereignty,” and unfaithful to the Constitution. Well, this is the greatest feat of political ground-and-lofty tumbling, so far as my memory serves me, that I have ever seen, heard,

or read of in history. But how is it to be accounted for? The public will be curious to know something of the secret and mysterious, yet powerful causes, which must have combined to produce a result so far out of the common track of political tergiversation and blundering. I know of no better clue to the mystery than to recur to those surrounding circumstances which, like the preamble and context of a statute, in helping to discover its true meaning, may enable the public to arrive at some satisfactory conclusion as to the secret and unrevealed agencies which may have led to this most extraordinary, not to say miraculous, conversion. I hope, at least, to be able to present facts sufficient to enable the jury—the people—to make up a just verdict upon the question. From some cause or other, we know that a sudden change has come over the spirit of the Senator's dream; and, though it is true that the ways of Providence are past finding out, I do not believe that the ways of politicians are so deeply hidden from human ken that we cannot trace, in their devious courses, the secret promptings which guide them. First, it is notorious, and no man can deny it, that, at the period of this conversion, we had a weak and tottering Administration, reeling under the blows laid on from every quarter—north, south, east, and west—for its gross disregard of the platform upon which it came into power, and of the just claims of the conservative portion of the Democratic party; taking to its close embrace the two most pernicious factions North and South, and pouring into the laps of Free-Soilers and Abolitionists at the North, and of the Secessionists and fire-eaters at the South—the Treasury pap and patronage at its command—to the almost total exclusion of the compromise men, both North and South. The Administration got into great straits from this course, and the Democratic party was threatened with fatal dissensions; suspicions got abroad among the compromise men at the North, and the Union party at the South, that General Pierce himself was “no better than he should be.” The Senator from Illinois, seeing this state of things, thought he had a good chance to do something handsome for himself, and at the same time to relieve the Democratic party from the suspicions which had attached to its head, and ward off the dangers which threatened its ascendancy. Some new and exciting movement was necessary to divert the public attention from the conduct of the Administration. The Senator from Illinois was the man for the occasion. He did not wait to be bidden by the Administration. In looking over the whole ground, he thought the readiest way of creating a counter-excitement, to save the Administration and the Democratic party, in the success of which he had an interest, would be to get up a row on the slave question. This is the true history of this movement. But the Senator did not think it necessary, in order to carry out this nefarious scheme, to repeal the Missouri compromise, as is evident from his report of the 4th of January. Oh, no, he would not do that. No “ruthless hand” would dare do that; but he would go so far as to declare it “*inoperative*” by force of the principles recognized in the legislation of 1850. As a part of the history of this matter, it will be remembered that the Administration took ground in favor of this provision in the bill of the 4th of January, and in favor of the

reasons assigned in the report against the repeal of the Missouri compromise. The Washington Union, the organ of the Administration, came out and indorsed, without reservation, both the bill and the report of the 4th of January; and when a Senator from Kentucky [Mr. DIXON] introduced an amendment to repeal the Missouri compromise in direct terms, the same organ denounced him as being in league with the Senator from Massachusetts, [Mr. SUMNER,] an out and out Abolitionist, who had offered an amendment affirming the validity of the Missouri compromise. The Washington Union, I repeat, denounced both DIXON and SUMNER, the one for proposing the repeal, and the other the affirmation of the Missouri compromise. The editor of that paper could see nothing else in those opposite propositions but the evidence that the authors of them had formed an unholy alliance to break down the Administration and the great Democratic party; and he called lustily on the true men of the country to come to the rescue, and maintain the time-honored compromise of 1820. But when Mr. DOUGLAS found—I hope it is not unparliamentary to mention his name, though I really feel that I ought to ask pardon for doing so, [laughter]—that the North did not approve his incipient movement, and that the South viewed it with distrust, he saw that his scheme would be a failure unless he could hit upon some new tack. He had supposed that he had made his bait tempting enough to catch the South, and he did not think that the people of the North would take offense. He thought he had laid his plans deep enough to dupe both the North and the South. But, lo, and behold! the South refused to accept the delusive offer. They were a little afraid that there was “a cat in the meal,” and it turned out, as I will show, that they were not mistaken. [Laughter.] When this little Magician of the North, No. 2, found that he had overreached himself, that he was fairly caught in his own net, he concluded that it would be about as well to die for a grown sheep as for a lamb, [laughter,] and in his amended bill of the twenty-third day of January, he made his second advance towards a direct repeal of the Missouri compromise. Still he was not quite bold enough to write down the word “repeal.” He thought it would do to say that the eighth section of the act of 1820 was superseded by the principles of the compromise of 1850, and was, therefore, “*inoperative*.” The Administration approved and sympathized with the design of the Senator from Illinois in his first movement, and perceiving that it was about to prove abortive, came forward and patted him on the back, saying: “Go it, little giant; go it a little stronger; set your thumb lancet a little deeper, and let all the blood out of the act of 1820.” [Much laughter.] See the Senator's giant stride when he is thus backed by the Administration! He now comes forward, and, by additional amendments, demands a full repeal of the Missouri compromise, denouncing it as an act of gross injustice to the South, and unfit to stand longer upon the statute-book.

Here, Mr. Chairman, I cannot refrain from repeating what I have before stated as to the antecedents of the Senator from Illinois upon this question. The Senator has always supported this same odious, unjust, and now unconstitutional measure, when he had an opportunity of doing so.

Even in 1850, he proposed to extend the compromise line of 1820 to the Pacific. Then it was highly just and proper; then it was canonized in the hearts of the American people. Yes, Mr. Chairman, the Senator from Illinois had then a very proper estimate of the men of 1820; and truly, in those days, there were *giants in the land*. But now we are told that the Missouri compromise of 1820, which I have been taught to reverence as a sacred thing, was unjustly forced upon the South by the North, and that, therefore, the South is not bound in good faith longer to abide by it. I will tell you how it was forced upon the South, and I want the whole country to understand its history. It was passed by a majority of southern votes, indeed, with hardly a dissenting voice from the South, in the Senate, and by a majority of southern members in the House of Representatives. It was claimed, at the time, by the South as a southern triumph, and under it the South has enjoyed unmolested, for this long period, all the territory south of 36° 30' as slave territory. The North now asks us to perform our part of the contract. Can we honorably refuse to do so? Do you urge as a reason why the South should be absolved from this covenant, that it was an unjust bargain? Sir, it is one that our fathers made. What dutiful son, receiving an inheritance from a deceased and venerated father, encumbered with trusts and liabilities binding in honor, would continue to enjoy the estate, but repudiate, upon technical grounds, the obligations contracted by his ancestor? For one, I would not. I am not here to draw subtle distinctions, and to indulge in special pleading. This is a family question, between brethren of the same Confederacy, and I choose to place it upon its broadest merits. We are told that the North themselves have repudiated this compromise. Have they? If so, I am not here to defend them; for I am as southern in my feelings as a man ought to be, to be at the same time a friend of the Union. Whenever southern rights and southern honor are invaded, I am ready, at all hazards, to defend them; but you would not have me renounce my attachment to the Union, and hazard the inheritance of my children by fomenting sectional dissensions, for nothing. I must have a larger stake than you hold out to me in this concern before I denationalize myself, humble as I am.

But in what have the North repudiated the compromise of 1820? Have they not a majority of fifty-four votes over the South in Congress? And yet I aver, and I appeal to the record to sustain the truth of the avowal, that the North have never attempted to repeal the act of 1820. True, they have refused to make a similar bargain in reference to the Territory of Oregon, and the territory acquired from Mexico; but is it a repudiation of the Missouri compromise simply to refuse to make a similar contract twenty or thirty years afterwards, and in relation to newly acquired territory? To illustrate this idea, suppose I buy a tract of land of a neighbor, and thirty years afterwards I propose to make a similar contract for another tract of land, and he declines it; is that a repudiation of the former bargain, and does his refusal release me legally or morally from the obligations of the first contract? I think not.

But it is also said that the act of 1820 was violated by the North in 1821, when Missouri pre-

sented her constitution for admission into the Union as a State. Let us look for a moment at that. The Constitution of the United States secures equality among the citizens of the several States. Missouri had a clause in her constitution prohibiting free negroes and mulattoes from emigrating to the State. In several of the States free negroes were citizens, and it was insisted, in 1821, by many northern members of Congress, that that restriction in the constitution of Missouri was in conflict with the Constitution of the United States. It was removed, and Missouri was admitted into the Union. All who have familiarized themselves with the debates of that day, know that the resistance to the admission of Missouri in 1821, was caused by that clause in her constitution to which I have adverted, and not because her constitution admitted slavery. It is also said that the North resisted the admission of Arkansas because of the slavery clause in her constitution. That is untrue in point of fact. No such opposition was made. There was a clause in her constitution forbidding the Legislature to pass emancipation laws, and that was one ground of northern opposition; but that was not the main objection. Arkansas and Michigan were both admitted into the Union in 1836. Mr. Van Buren was then a candidate for the Presidency, and he and his party friends were urgent that those States should be admitted, in order that he might receive their electoral votes. The opposition, embracing ultra southern men, resisted it upon party grounds; and the admission was claimed by the Washington Globe, then the organ of General Jackson, as a party triumph. To be assured that the question of slavery had nothing to do with the resistance to the admission of Arkansas into the Union, you need only be informed that the same opposition was made to the admission of Michigan as a free State. Hear what the Globe of that day says upon the subject:

"It gives us pleasure to announce that the bills to admit Michigan and Arkansas into the Union have passed the Senate. There was a hard struggle on the part of the opposition to prevent the admission of Michigan. This was a stroke at both Territories. If the application of Michigan had been defeated, having nearly double the population of Arkansas, it would have followed inevitably that both applications would have been rejected. *The repugnance of the opposition to the admission of these new States arises from a knowledge that it weakens their strength in the next presidential election and their dwindling phalanx in the Senate.*"—*Washington Globe of April 5, 1836.*

But we are told that the act of 1820 is unconstitutional and void. If so, why disturb it, as it must be perfectly harmless? The men of 1820, who voted for it under oath to support the Constitution, did not believe they were committing perjury. President Monroe, a southern slaveholder, who approved and signed it by the advice of an enlightened Cabinet, did not regard it as unconstitutional; nor did the country, which has acquiesced in it for a third of a century, so consider it; nor did the various Congresses which have repeatedly, as I have shown, from time to time, proposed its reënactment, backed by nearly the entire South.

But it has been strongly argued here that the act of 1820 is unconstitutional, because it violates that article of the treaty of 1803 by which France ceded Louisiana to the United States, guarantying the protection of the persons and property of the citizens in the ceded territory. It is contended

that the treaty being, under the Constitution, the supreme law of the land, it could not be superseded by a mere legislative act, limiting slavery to a particular geographical line. I wish now to show that those who take this view of the question cannot consistently support this bill. If, sir, the Congress of 1820 had no constitutional power to limit slavery to the line of 36° 30', because it was in violation of the treaty of cession, then the Congress of 1854, sitting under the same Constitution, can have no power to repeal all the French and Spanish laws authorizing slavery in this Territory, and much less the clause in the treaty with France which protects slavery; yet this is what the Badger amendment to this bill actually does. Here then we have presented this absurdity: the friends of the bill assert that the Missouri compromise was unconstitutional and void, because it violated the provisions of a treaty, which is the supreme law of the land, and they therefore insert a provision repealing the Missouri compromise; but, at the same time, they support the Badger amendment, which provides that nothing contained in the bill shall be so construed as to revive or put in force any law or regulation which may have existed prior to the act of 6th March, 1820, either protecting, establishing, prohibiting, or abolishing slavery. Who does not see that that Badger amendment abolishes slavery in these Territories as effectually as did the compromise act of 1820, and that if the act of 1820 was unconstitutional, this bill must be unconstitutional for the same reason; for there is intervention by Congress in both cases, and exactly to the same extent. The act of 1820 prohibited slavery north of 36° 30', where it was formerly allowed by law and treaty; and the act of 1854, if this bill becomes a law, after repealing the act of 1820, proceeds to abolish slavery in the same territory. It is true that the bill provides that the question whether slavery shall hereafter be established in this territory shall be decided by the future inhabitants of the Territories, but the Badger amendment takes away all protection to the property of the citizens of the South emigrating with their slaves to this Territory, by nullifying the treaty and laws which, after the repeal of the Missouri compromise, would have been in force, and would have protected slave property. And this is called *non-intervention*!

But we are told that all this is necessary, in order to assimilate the bill to the legislation of 1850. I will show that there is a wide discrepancy between the measures of 1850 and what is proposed by this bill. The measures of 1850 left untouched the Mexican laws prohibiting slavery in the territory acquired from Mexico, whilst this bill, I again repeat, repeals, under the pretext of non-intervention, the compromise act of 1820, the French laws, and the treaty of 1803; and it proposes to repeal the Constitution itself, if, as some contend, the Constitution, *proprio vigore*, extended its protection to the property of the slaveholder to all new territory the moment it became territory of the United States.

But we are told that all this is necessary to create a *tabula rasa*, upon which the Legislature of the Territory may write its own unrestrained will on the question of slavery or no slavery. I desire the country, and the South particularly, to understand that this dangerous and unprecedented

intervention by Congress is considered necessary to give effect to the principle of "squatter sovereignty," which is clearly contained in the bill. Let it not be forgotten that every existing guarantee, by law or treaty, by which slavery, after the repeal of the act of 1820, could be maintained in these Territories is carefully annulled and repealed, in order to give full and free scope to the principle of "squatter sovereignty;" when all who have examined the subject must know that the first enactment of the Territorial Legislature will prohibit slavery forever. But to render this power of "squatter sovereignty" complete, this bill deprives Congress of any supervisory control over the acts of the Territorial Legislature; whereas such control was retained in the territorial acts of 1850. Yet all this is done, or pretended to be done, in order to carry out and perpetuate the principles contained in the compromise measures of 1850!

Sir, it is downright political profanity to assert that this bill is founded on the doctrine of non-intervention by Congress in the legislation of the Territories on the subject of slavery, as contained in the acts of 1850. I heartily subscribe to the principle of non-intervention incorporated in the measures of 1850, and to the propriety of treating the Territories as the wards of the Federal Government, as I believe they have heretofore been treated. I appeal to the distinguished gentleman from Missouri, if such has not been the uniform practice of the Government.

Mr. BENTON. Yes, sir, as children under age.

Mr. CULLOM. We retain a supervisory control over their territorial proceedings, but when they have become of age, and have assumed their full rights of sovereignty by the act of forming their State constitution, then I am in favor of leaving them perfectly free to express their own unrestricted will on the subject of slavery, and on all other subjects not inconsistent with the Federal Constitution. These are the principles of the measures of 1850. This is the true popular sovereignty which is recognized by the Constitution—the non-intervention to which I subscribe. Sir, this bill presents the doctrine of the Nicholson letter written by General Cass in 1848, and against which Tennessee recorded her verdict. I stand now upon the same impregnable ground that I stood upon then.

But I have been told over and over again, that the bill establishes a great principle. I ask what principle? You can find no five men in Congress, even among the friends of the measure, who can agree as to the principles it does establish. The language of the bill is so subtle, circumlocutory, and tautological, that it seems to have been intended to bear a construction to suit any meridian. If it is necessary to lay down a great principle, would it not be becoming in Congress to strip it of all ambiguity, and to lay down that naked principle so clearly that the country and future Congresses may be enabled to know what it is? For if we cannot agree what the principle is, how can it have any practical operation now or at any future time? Posterity can derive no benefit from the principle of the bill, for if they should turn to the debates in Congress, and see the Babel-like confusion of opinions contemporaneously expressed, gross darkness would cover the people. So much for your great principle.

But I have asked, and I repeat the question, what does this measure propose to give my geographical section of the country? We remove the Missouri restriction, say they, and thus place the South where she stood before it was imposed. Very well, that is very kind to the South, but let me ask if you have not been still more generous to the North? You have removed the restriction of 1820. That is cheering to the South. But you step behind the act of 1820, with your Badger amendment, and, to tickle the North, you repeal the French laws and the treaty guaranties, and leave the South without any protection to its slave property, which you say cannot be maintained without the sanction of local law; and having stripped the southern slaveholders of all legal protection, you hand us over to the tender mercies of squatter sovereigns for legislative protection. This indeed would be a barren victory. Thus, after all, your patriotic and generous professions, you would feed the South on chaff—yes, on husks.

But we are told that it is necessary to take this vexed question of slavery out of the hands of Congress, and many deny that Congress has any power over the subject in the Territories; and yet they would delegate power to legislate upon it to the infant Territories. This idea of conferring a greater power upon the agent than the principal possessor is indeed a new one; but is it a great or wise principle, or one that will be of any practical use to the South? Can any sound southern man think so? Sir, there never was a greater cheat than this bill is. It is a miserable humbug. Well might Franklin Pierce, who is urging its passage, declare, as he did to Senators JAMES and CLEMENS, that if this bill should pass, we should never have another slave State though we should absorb the whole of Mexico; and that the bill was a movement in favor of freedom. What do you think of that, I ask you, who regarded him as having such a love for southern interests when he was a candidate for the Presidency? Well may the Detroit Free Press proclaim to the country that—

“MR. DOUGLAS’S bill is the greatest advance movement in the direction of human freedom, that has ever been made since the adoption of the Constitution. Never before [it goes on] have the rights of all American communities to self-government been fully recognized. The people of the Territories have hitherto been held to a species of vassalage not less humiliating to them than it was inconsistent with popular rights. They have not been permitted to make their own laws, or to manage their own domestic concerns. They have been treated as minors, incompetent to take care of themselves. Mr. DOUGLAS’S bill changes all this. The Territories have the same privileges in relation to domestic legislation as the States.”

Yet with all these evidences before me, and many more which I have not time now to enumerate, I am gravely asked to stultify myself by supporting this as a great southern measure! I repeat, that it is a fraud upon all latitudes, and, in the language of Lord Coke, “hatched in a hollow tree.”

But, sir, if I may be pardoned for further pursuing this miserable device, it is susceptible of the clearest demonstration that the men of 1850 thought that they had forever shut down the flood-gates of agitation upon the question of slavery. Mr. Clay, when he brought forward his great measures of compromise in 1850, announced that there were five bleeding wounds in the body-politic which those measures were intended to, and

did heal. So the country thought, and proclaimed their finality. It was left to these latter-day politicians, for purposes not consistent with the public interest, to reopen another wound that had been cicatrized by the healing measure of 1820, which they say does not harmonize with the legislation of 1850. Now, if all the past legislation of the country is to be moulded into the fashion of the acts of 1850, there are still “five bleeding wounds.” Why not heal them all with one application? Why apply your quack panacea to the act of 1820, and leave the Territories of Minnesota, Oregon, Washington, and part of the original Texas Territory under the curse of the Wilmot proviso? The acts by which that proviso was ingrafted on those Territories are more recent and less sanctified by the lapse of time, than the Missouri compromise is. They are bleeding wounds upon the body-politic as much as the act of 1820 is. But they are to be left to bleed until some far-seeing politician, in order to make some political capital hereafter, shall undertake to heal them. Why, sir, did not even southern Democrats vote for the Oregon bill? And did not a southern President [Mr. Polk] approve it upon the ground, that although that Territory was not, in terms, embraced in the act of 1820, yet as it was territory lying north of the line of 36° 30', he thought it fell under the principles of the Missouri compromise? In his message to Congress approving the Oregon bill, Mr. Polk, in alluding to the controversy which was settled by the Missouri compromise, used the following language:

“But the good genius of conciliation which presided at the birth of our institutions finally prevailed, and the Missouri compromise was adopted.” * * * * *
“This compromise had the effect of calming the troubled waves, and restoring peace and good will throughout the States of the Union.”

Ah! sir, Mr. Polk tells you that the good genius which presided at the birth of American liberty and independence presided over the deliberations of the Congress of 1820, when passing the compromise, which we are now asked to break down. One would suppose, from the frightful givings-out of the friends of this Nebraska project, that a fiend of hell had presided on that occasion. We are also told now that the South has been writhing under it as a mighty infliction. And yet Mr. Polk says, that “this compromise had the effect of calming the troubled waves and restoring peace and good will throughout the States of the Union.” And so it did; and who dare now disturb it? Again: Mr. Polk, in the same message, used the following language:

“The Missouri question had excited intense agitation in the public mind, and threatened to divide the country into geographical parties, alienating the feelings of attachment which each portion of the Union should bear to every other. The compromise allayed the excitement, tranquilized the popular mind, and restored confidence and fraternal feeling. Its authors were hailed as public benefactors. Ought we now to disturb the Missouri and Texas compromises? Ought we, at this late day, in attempting to annul what has been so long established and acquiesced in, to excite sectional divisions and jealousies, to alienate the people of different portions of the Union from each other, and to endanger the existence of the Union itself?”

I leave the American people to answer the grave and momentous question thus propounded by President Polk. It is addressed to them; I await their decision.

But, sir, gentlemen continue to ring the changes

upon the legislation of 1850, which, they say, makes it absolutely imperative upon us to break up this ancient settlement of 1820, and put it into the mould of the acts of 1850. Let me inquire of those friends of the Nebraska bill, why that idea did not occur to them at the last session of Congress, when we organized the Territory of Washington? It seems to me that that would have been a very appropriate time to have placed these Territories on the Procrustean bed of 1850. You were then fresh from the great conflict of 1850. The principles of your legislation were at least as well understood then as they are now. Then you were associated with many of the very men who took part in that conflict. But not a whisper was then heard of the principles of 1850. You slept at your posts, and let the bill, with the Wilnot proviso attached, quietly and silently pass both branches of Congress. But you may say that the Territory of Washington was a part of Oregon, and was therefore placed under the Wilnot proviso during Mr. Polk's administration, when the Territory of Oregon was organized, and must follow the condition of Oregon. I answer, that if Congress had not the power, as you assume, to impose a restriction upon slavery, or if, having the power, it was such a gross abuse in 1820 to limit slavery in the Territory of Louisiana to the line of $36^{\circ} 30'$, as to make it the duty of this Congress to repeal that restriction, and restore the South to her rights, then could the Congress of 1848, by legislative enactment in the form of the Wilnot proviso, prohibit slavery forever in the Territory of Oregon? The power was the same in both cases.

But, sir, I must be allowed to bring one other important fact to the recollection of the committee. This Nebraska question was up at the last session of Congress. The bill then before us, proposed merely to organize a territorial government, without making any mention of slavery, or so much as intimating a repeal of the Missouri compromise.

The bill in that form passed this House, and it received the votes of three of my colleagues, to wit: Mr. Johnson, Mr. Watkins, and Mr. Williams, who were all in the Congress of 1850, and all supported the compromise measures of that Congress; but neither they, nor—so far as I saw or heard—any other member here, offered, or thought of offering, to make that bill conform to the legislation of 1850, by repealing the Missouri compromise. Well, sir, after that bill passed the House, it went to the Senate, and was there referred to the Committee on Territories, Mr. Douglas being then, as now, the chairman of that committee, and extraordinary as it must appear to all Christendom, the idea never entered the brain of the chairman of the committee at that time, that it was proper or important to assert the principles of the acts of 1850. This is so extraordinary that I fear the country will come to the conclusion that all this parade now about the principles of 1850, is a mere after-thought. One other fact is quite remarkable, and that is that most, if not all, of the States-Right and Secession men of the South who condemned the compromise of 1850 as a gross outrage upon the rights of the South, and all who subscribed to the doctrines of the Nashville convention, which met after the adoption of the compromise measures, planted themselves

upon the Missouri compromise, as their *ultimatum*, and declared that the acts of 1850 should be assimilated to the act of 1820! Now, the act of 1820 has become such an abomination, that it must be no longer allowed to stain the purity of our legislation. The country can see and understand all this. The country must apply the corrective. The people desire quiet and repose; demagogues prefer a storm—yes, sir, a hobby, a humbug, upon which to ride into power.

I have already shown that the compromise of 1820 was passed by southern votes; and the committee will bear with me whilst I recapitulate the names and residences of those patriots who are now unblushingly charged with having betrayed the South by a base surrender of her rights. I begin with my own State. I find upon the Journals of the Senate, the name of John Williams, of East Tennessee, than whom a purer patriot never lived; after enjoying the public confidence for a long period, he now rests with his fathers, embalmed in the memory of all who knew him. He voted for the compromise of 1820. His colleague in the Senate, John H. Eaton, likewise voted for it, and he was then, and for many years afterwards, the confidential friend of General Jackson. His vote in favor of the Missouri compromise furnishes strong presumptive evidence that General Jackson approved the policy of it. Mr. Eaton was afterwards a member of General Jackson's Cabinet, and was subsequently our Minister to Spain. Surely he would not have been so honored, if his vote upon the Missouri compromise had been considered an act of treachery to southern interests. In the vote of this House I find the name of John Cocke, whose friendship, I am proud to say, I enjoyed for many years, and until his death. He was long honored with a seat upon this floor, after the passage of the act of 1820, and repeatedly served in the Legislature of Tennessee, over the House of Representatives of which he was more than once chosen to preside. There, too, stands enrolled, in favor of this act of 1820, the name of Robert Allen, late of my own county, a name sacred in the memory of Tennesseans. When the battle raged, he was foremost in the fight, ready to die, if need be, in defense of his country. For eight years he was an honored member of this House; and, at a later period, he was a prominent member of the convention which framed the present constitution of Tennessee. He died lamented by the whole country, and sleeps interred in sight of my humble home. He was kind to me in life, and I will vindicate his memory from the aspersions now attempted to be cast upon his judgment, and his fidelity to the South, in voting for the Missouri compromise. Newton Cannon also voted for this old compromise, now so much derided and denounced. He was afterwards Governor of the State, and now sleeps in an honorable grave. Sir, I am now asked, before the sod is dry over the graves of some of these pure men, to repudiate their act, and to join in the hue and cry which has been raised against the act of 1820. And why am I called upon to denounce that measure? Is it for the good of my country? I am sure it is not for its honor. No, sir, it is to pander to the selfish ambition of scheming politicians. Sir, sooner than betray my country; sooner than disparage or traduce the good names of the dead, who in life stood by

me closer than brothers—the dead whose lives were devoted to patriotism and their country—let my right hand forget its cunning.

Turning next to my mother State, Kentucky—for, although many years have passed since I left her soil, still she is my mother State, and I love her—in the Senate, I find the names of Logan and Richard M. Johnson, of Kentucky, recorded in favor of the compromise of 1820. Richard M. Johnson, long after the country had sat in judgment upon that vote, filled the office of Vice President of the United States. Of the members of the House from Kentucky who voted for the compromise of 1820, I find the names of Anderson, Brown, Ben Hardin, McLean, Quarles, Robertson, and Trimble. Only one member from that State voted against it. One illustrious name does not appear on the record—that of HENRY CLAY. He was then Speaker, and was not allowed, by the rules of the House, to vote, except when his vote would decide a question. But who can doubt upon which side his name would have been recorded, had he been called upon to decide that question? So conspicuous was his course and influence in favor of the compromise, that the Senator from Illinois, in the speech I have before referred to, tells us that he won the proud sobriquet of the “Great Pacificator.” But, in the face of all these facts, we are told that this compromise was forced on the South. Sir, there were but three votes against it from the two States of Kentucky and Tennessee. Let that be remembered in those proud States. Sir, Kentucky is now laudably engaged in erecting a suitable monument to the memory of her distinguished son, a nation’s favorite—Henry Clay. Of all the laurels won by that illustrious man, in his long and glorious career in the service of his country, his successful advocacy of the Missouri compromise stands out at the head of the list, and none will be more imperishable. But while the monumental pile is yet unfinished, which the State he so much adorned in his life is now erecting to commemorate his eminent services, a parricidal attempt is made to rob him of the honor of one of his greatest and most memorable achievements.

But, sir, it would be invidious to speak of Kentucky and Tennessee alone. Allow me to lay before the committee the long list of illustrious names which stand recorded in favor of the compromise of 1820 from other southern States.

The following is a list of the yeas from the South in the Senate:

Brown, of Louisiana,
Barbour, of Virginia,
Eaton, of Tennessee,
Elliott, of Georgia,
Horscy, of Delaware,
Johnson, of Kentucky,
Johnson, of Louisiana,
King, of Alabama,
Galliard, of S. Carolina,
Leake, of Mississippi,

Lloyd, of Maryland,
Logan, of Kentucky,
Pleasants, of Virginia,
Walker, of Georgia,
Williams, of Mississippi,
Pinkney, of Maryland,
Stokes, of North Carolina,
Van Dyke, of Delaware,
Walker, of Alabama,
Williams, of Tennessee.

The following is a list of the yeas in the House of Representatives:

Allen, of Tennessee,
Anderson, of Kentucky,
Archer, of Maryland,
Bayly, of Maryland,
Brevard, of S. Carolina,
Brown, of Kentucky,
Bryan, of Tennessee,
Cannon, of Tennessee,
Cocke, of Tennessee,

Crawford, of Georgia,
Crowell, of Alabama,
Culbreth, of Maryland,
Culpeper, of N. Carolina,
Cuthbert, of Georgia,
Davidson, of N. Carolina,
Earle, of S. Carolina,
Fisher, of N. Carolina,
Floyd, of Virginia,

Hardin, of Kentucky,
Kent, of Maryland,
Little, of Maryland,
Lowndes, of S. Carolina,
McCreary, of S. Carolina,
McLane, of Delaware,
McLean, of Kentucky,
Mercer, of Virginia,
Nelson, of Virginia,
Quarles, of Kentucky,
Rankin, of Mississippi,
Ringgold, of Maryland,
Robertson, of Kentucky,
Settle, of North Carolina,
Smith, of Maryland,
Smith, of North Carolina,
Strother, of Virginia,
Trimble, of Kentucky,
Tucker, of S. Carolina,
Warfield, of Maryland,
Williams, of N. Carolina.

Yet, sir, we are gravely told, in effect, that the men of to-day are more capable of guarding the honor of the South, and the peace and welfare of the country, than were the men of 1820. Let the country judge between them.

The gentleman from North Carolina, [Mr. CLINGMAN,] who came forward the other day as the defender of the author of this bill, and of the present Administration, told us in the course of his speech that he had been living for several years past outside of any healthy political organization.

Mr. CLINGMAN. I did not say healthful political organization.

Mr. CULLOM. Well, sir, in my opinion, he is a very proper person to defend this Administration, being an outsider, [laughter;] for I am sure that no man within the pale of a healthy organization would think of undertaking such a job. [Renewed laughter.] The gentleman also told us, in a tone of complaint, that the ministers of the Gospel had sent him sundry sermons. Now, if there should be any minister of the Gospel within hearing of my voice, let me tell them that it is love’s labor lost to send sermons to the gentleman from North Carolina; what he most needs in his lonely, outside condition, is prayers, and very many of them. [Much laughter.] But I cannot dwell upon this topic.

Sir, I regret that gentlemen, in their zeal to press this measure through the House, are even prepared, in the extremity to which they are reduced, to pervert the truth of history. They seek the benefit of the prestige of the sainted patriot of Ashland, Henry Clay, in support of this bill. Would to God, sir, that his tall and graceful form were now before you. Would that he were alive and standing erect before you, in the full possession of those high and noble faculties which were so successfully employed in 1820, in hushing the rising tempest of national discord, to maintain the honor of the South and vindicate his own, in opposition to this most mischievous measure. Methinks that when he had arrayed the facts and history of the times, out of which the Missouri compromise arose, his eagle eye would have scanned this assembly, and his finger would have been pointed significantly at those who have undertaken to separate his name from the band of illustrious patriots who, at that critical juncture, averted from their country the threatened evils of anarchy and civil war; and I think I can see them now, to borrow the language of another, “leaping from the windows in dismay, to escape the withering invective of his inspired and indignant eloquence.”

Sir, I was mortified, as a Kentuckian—for I am proud to claim that great Commonwealth as my birth-place, and take a lively interest in her fame, as I did in the life and fortunes of her most renowned son—I say I was mortified when I heard, the other day, the talented gentleman from Kentucky, [Mr. BRECKINRIDGE,] representing, as he does, the Ashland district, coming into this Hall,

accredited by the choice of such a district, and charged with the defense and protection of the memory of one so dear to his constituents and to the whole American people, so far forget himself and the proprieties of the hour, as to say that Mr. Clay could not be claimed as a supporter of the compromise of 1820; that it was even doubtful whether he voted for it; and seeking to appropriate the influence of his great name to this most discreditable work of repudiation. Then, thought I to myself, truly what dangerous things old documents are. Let me read you a passage from the speech of the gentleman from Kentucky. I regret that he is not now in his seat, that his recollection might be a little refreshed:

"I have heard," said he, "gentlemen here glorify Mr. Clay as the author of the act of 1820, prohibiting slavery north of 36° 30', and invoke his memory to resist its violation. They must invoke some other spirit than Mr. Clay's, for he was not its author."

Sir, I was one of those who were permitted to stand by the bier of Henry Clay. The scene is fresh in my memory, when we followed the slow and mournful procession which bore his lifeless corpse to this Capitol. All nature seemed clad in the weeds of mourning as far as the eye could penetrate. This temple was veiled in the habiliments of woe. The sun of heaven seemed as if it shone dimly. Every heart was wrung with the most poignant grief. That scene I never shall forget. Upon the honorable gentleman from the Ashland district [Mr. BRECKINRIDGE] devolved the solemn duty of announcing Mr. Clay's death to this House, which he did in a most eloquent oration, highly creditable both to his head and to his heart. What he said made a deep impression upon me. It has been said that death makes cowards of us all. It may be said with equal truth that death makes us all honest for the time being. We are all honest when standing by the icy form of the illustrious dead. Party feeling

and all schemes of political ambition are then put far away from us. We then, above all other times, speak the truth. The eloquent Kentuckian, standing as it were in the presence of the mortal remains of the illustrious sage of Ashland, thus spoke his eulogy:

"Inseparably associated, as his name has been for fifty years, with every great event affecting the fortunes of our country, it is difficult to realize that he is indeed gone forever. It is difficult to feel that we shall see no more his noble form within these walls; that we shall hear no more his patriot tones, now rousing his countrymen to vindicate their rights against a foreign foe, now imploring them to preserve concord among themselves. We shall see him no more. The memory and the fruits of his services alone remain to us. Amidst the general gloom, the Capitol itself looks desolate, as if the genius of the place had departed."

"But the supremacy of Mr. Clay as a party leader was not his only, nor his highest, title to renown. That title is to be found in the purely patriotic spirit which on great occasions always signalized his conduct. We have had no statesman who, in periods of real and imminent public peril, has exhibited a more genuine and enlarged patriotism than Henry Clay. Whenever a question presented itself actually threatening the existence of the Union, Mr. Clay, rising above the passions of the hour, always exerted his powers to solve it peacefully and honorably. Although more liable than most men, from his impetuous and ardent nature, to feel strongly the passions common to us all, it was his rare faculty to be able to subdue them in a great crisis, and to hold towards all sections of the Confederacy the language of concord and brotherhood. Sir, it will be a proud pleasure to every true American heart to remember the great occasions when Mr. Clay has displayed a sublime patriotism; when the ill-temper engendered by the times, and the miserable jealousies of the day, seemed to have been driven from his bosom by the expulsive power of nobler feelings; when every throb of his heart was given to his country, every effort of his intellect dedicated to her service. Who does not remember the period when the American system of government was exposed to its severest trials; and who does not know that when history shall relate the struggles which preceded and the dangers which were averted by the Missouri compromise, the tariff compromise of 1832, and the adjustment of 1850, the same pages will record the genius, the eloquence, and the patriotism of Henry Clay?"

[Great applause.]





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