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SPEECH

OF

HON. JOHN P. HALE,

OF NEW HAMPSHIRE.

IN THE UNITED STATES SENATE, FEBRUARY, 1856.

TUESDAY, FEBRUARY 26, 1856.

The Senate resumed the consideration of Mr. WELLEN'S motion to print ten thousand extra copies of the President's message of February 18, with the accompanying documents, relative to affairs in the Territory of Kansas.

Mr. HALE. Mr. President, I intend to reply somewhat at length to the remarks which have been made by the Senator from Tennessee; but as he made a personal allusion to me, I prefer to answer that now; because I recollect that a distinguished Senator from South Carolina, some three or four years since, delivered, as I thought, a well-timed reproof to somebody who postponed a personal explanation for a number of days. I wish, therefore, to dispose of that part of the Senator's speech now.

The honorable Senator from Tennessee began with a lamentation over the degradation to which the Senate had been reduced. He said it was not what the old Roman Senate ought to be, and what he thought it was when he was studying *Viri Romæ*. He said it had become reduced exceedingly; and he proclaimed to the Senate, and to everybody who chose to listen to what was going on in the Senate, that he was about to make an elevated speech; that he was about to confine himself to what was worthy of the subject and of the Senate. It is very true that he did put in a sort of a caveat, that in the excitement of debate he might be led to utter something which would not be exactly the thing; but for that he begged pardon beforehand. He probably knew about what he was going to say, and he put in the caveat—"if he should in the excitement of debate." Well, sir, he has had all the debate to himself. Nobody on earth has said anything to excite him but himself. He did, however, succeed in getting up the excitement of debate *sole* altogether, so as, I think, to work himself up to such a pitch as to say something which, if it be the elevation to which he seeks to raise the Senate, I pray God to leave it in its degradation; I do not want that elevation. One of the phrases with which this refined era of elevated eloquence is inaugurated in the Senate, is "the filth and corruption of negro cabins." That is one speci-

men. Another, to which I wish to call the attention of the Senate, is that in which the Senator attributed my return to the Senate to the care which the devil takes of his own. I think that is right.

Sir, you know who brought me back here. It was the President of the United States, and nobody else, who has done it. If it had not been for the course which the President of the United States took upon this very subject—if it had not been for the manner in which he outraged public sentiment in his native State, so that he has not got a single friend from that State in either House to say "God bless him!" I should not have been here. That is the devil who took care of me—the President of the United States. [Laughter.]

Sir, I am glad that the Senator from Tennessee referred to the Rhode Island case. In a day or two—I can do it to-morrow, if it is thought best—I propose to show you where the President of the United States stood on that issue. I will show you the ground of the President of the United States upon the doctrine of popular sovereignty, in its application to Rhode Island; and if the learned Senator from the State of Connecticut [Mr. Toucey] is booked up, and will enlighten the Senate a little, he can tell you where Connecticut stood at that time. When Thomas W. Dorr was a fugitive from the Government of Rhode Island, and found it convenient to emigrate, the first place to which he went was Connecticut; and I think I am not mistaken in public history when I say that he found a sympathizing friend for his doctrines in the Senator from Connecticut. He stayed there as long as it was prudent and agreeable to stay, and the next place to which he went was New Hampshire. There, sir, the most ultra sympathizing, superlatively sympathizing friend whom he found was a man who is sometimes called "Young Hickory," but who was christened FRANKLIN PIERCE. That was the man who endorsed, to the fullest extent and in the broadest terms, the whole doctrine of popular sovereignty, as it was proclaimed in Rhode Island by Dorr. I have got some resolutions which were then passed in New Hampshire, and I will bring them in and serve them just as the Senator from Tennessee is

going to do that little book which he held up to us—embody them in my speech—but I will read them first.

The Senator appealed to me personally. He said that I would have the candor to say—but he took it back afterwards, and said I was all made up of prudence. He said, at first, that I would have candor enough to acknowledge, that if the Missouri Compromise was repealed, our war would not stop. I understood him first to say that I had candor enough to acknowledge it; but he took that back, and used the future tense. He said that he thought I would have candor enough to acknowledge that, if the Missouri Compromise was repealed, we would not carry on this war until the last manacle was stricken from the last black man. What war? What war? What aggression has the North ever been concerned in? Sir, I am tired to death of this talk. What does the Senator from Tennessee think? Does he think that, by repeating over and over and over again "Northern aggression," all history is to be falsified; that we are to be thundered out of our common sense by this denunciation of Northern aggression? What is it?

Why, sir, I suppose it was Northern aggression that repealed the Missouri Compromise! Was it not? It was Northern aggression that made war upon Mexico, and took such a great portion of her territory, and blotted out the restriction of Slavery, which that semi-barbarous people had imposed upon that portion of God's earth which fell to their dominion? Was that Northern aggression? It is Northern aggression which has held possession of the high places of this Government—in your chair, sir, in the Presidential chair, on the bench of the Supreme Court! It is Northern aggression that so carves out this country that a vast majority of the people inhabiting the free States are kept in a perpetual and eternal minority in that everlasting citadel of Slavery—your Supreme Court of the United States. It is Northern aggression, I suppose, that has done all this. Sir, I had heard this term so many times, that I had begun to suppose people would be tired of using it. What have we done? We have stood on the defensive. We have always been in a practical minority here, because you have bought up doughfaces enough to control us. We have always been in a minority practically.

Now, then, let me explain our position. The Senator says I would fight. No, sir; I would not fight at all; but I would defend; and that is all we have done. We have never made aggression, and we never mean to do so. The difficulty is, that our people have not even stood upon the defensive; but I thank God that the indications of the present day seem to promise that the North have at last got to the wall, and will go no further. I hope so. The Senator says there may be a power that shall say, "Thus far shalt thou go, and no further." Good! good! Sir, I hope it will come; and if it comes to blood, let blood come. But I tell your President of the United States, who threatens to send his myrmidons to shoot down the free inhabitants of Kansas, let him fire. I tell you, the first Federal gun that is fired to shoot down one of those inhabitants, will

echo and reverberate over the hills and the valleys of this land; and he will find that, like Rod-e-rick Dhu's men, the freemen will come up, and the fight will not be all on one side. No, sir; if that issue must come, let it come; and it cannot come too soon.

I am sorry that we confirmed Shannon; because I think, if this issue is to come, the President had better send out as Governor of Kansas a real fire-eating slaveholder—a man who believes that Slavery is a divine institution, established by God, and sanctified by Christ, as it has been proclaimed to be in some official papers of the Southern States. Let him send such a man as that, and let the issue—if he is determined to make it—come.

Sir, the Senator from Tennessee seems to talk of the Puritans of New England, as if that were a term synonymous with cowardice. Did he ever read the history of the Puritans? I tell you, sir, the Puritans of Old England rode hard all over England, to get the sight of the backs of some of the Cavaliers, and could not find them. [Laughter.] Sir, it was a motto of Cromwell to his Puritans, to trust to Providence—that is well, said he—but look to your ammunition, and "keep your powder dry." That was a part of the Puritanical code of those days. The Senator is altogether mistaken in the character of these people. We are not quick to get into a quarrel, personal or political, of any sort, and he knows it. We are yielding, and he knows it. We have yielded. We have seen the power of this Government, for the last fifty years, exerted, with an almost single aim and purpose, to extend, foster, perpetuate, strengthen, and render eternal, the institution of Human Slavery. We saw it in the annexation of Texas—avowedly so by the Secretary of State. For what else was the Missouri Compromise stricken down? And yet the Senator speaks of Northern aggression, as if we had been making war.

Sir, the doctrine which has been proclaimed by the men about whom I know anything, engaged in the Anti-Slavery enterprise of the North, has always been, that they disclaimed and denied utterly the purpose, the desire, or the power, to interfere with Slavery in any State where it exists. They never proclaimed any such thing, and it cannot be found. The most ultra of them, in the first national meeting they ever held as a Convention, utterly disclaimed it.

The gentleman speaks of some times past, and of some eras gone by. I do not know that the era has gone by when the North is to be driven. I do not know whether the honorable Senator thinks that Senators on this floor, representing the views of their constituents, are to be silenced by such personal assaults as have been made on the Senator from Massachusetts, [Mr. WILSON.] I can tell the Senator from Massachusetts not to be alarmed. I have experienced it all, and more. His colleague, my honorable friend, [Mr. SUMNER,] felt it all, and a great deal more. He is a man whose character conferred more honor on the Senate than the Senate on him, by taking his seat in the body. He did not escape it. No man has come to the atmosphere of Washington,

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and who has brought with him anything of fidelity to his Northern constituency, who has not found all such influences as these brought to bear to crush and break him down. Well, sir, this attempt may succeed, and it may not. I can pardon a great deal to gentlemen thinking it may succeed, because I know that in the history of the past it has succeeded, and therefore they may be encouraged to make these demonstrations.

Now, sir, I confess that I have not been favorably impressed by this inauguration of the new eloquent era in the Senate; for the Senator from Tennessee closed his speech with the illustrious figure of the bowie-knife; and he threatens that we shall have war to the knife, and the knife to the hilt. Sir, Puritan blood has not always shrunk from even those encounters; and when the war has been proclaimed with the knife, and the knife to the hilt, the steel has sometimes glistened in their hands; and, when the battle was over, they were not always found second best. I confess I am sorry to see such things introduced here. I had hoped, after such a peaceful inauguration of this speech, after such pious proclamations of the elevated tone with which this discussion was to be carried on, it would not end with a war to the hilt of the bowie-knife; but, sir, I am mistaken — tastes differ.

Now let me state, all that we ask, all that we desire, all that we claim, is this: If you like Slavery, keep it; nobody finds any fault with you for doing so. We disclaim any purpose, any wish, to interfere with it in the States; and whatever the Senator may say, I defy him—I defy any man with whom I have ever come in intercourse in the Senate, or in the other House, or in social life—to say that ever I have allowed myself to use an opprobrious or insulting epithet; nay, more, an epithet calculated, or designed, or intended to wound, or injure, or hurt any man's feelings. God knows I have had too bitter experience in my own history of such attempts, to return them, even to the humblest of my species. No, sir; I have done nothing of that sort. What do we desire? We desire, as I understand Southern gentlemen to profess, "hands off." They say the General Government has no jurisdiction over Slavery. Agreed; that is all we want. When you passed your Kansas bill, you claimed that it was to be left to the unbiassed voice of the free settlers. We were willing to have it so; but the complaint is, that we have not had that. And the Senator admits, if I understand him, that wrong has been done there; but it is justified as a measure of retaliation on the Emigrant Aid Societies! The Senator says this is the first time he ever heard of those societies. Well, sir, it is not the first time I ever heard of them. If I have read history aright, there were Emigrant Aid Societies got up in England, to colonize Virginia.

Mr. JONES, of Tennessee. I said in the United States.

Mr. HALE. Well, sir, Virginia is in the United States. [Laughter.] Virginia was settled by Emigrant Aid Societies, and so were most of these Colonies. This Emigrant Aid Society, if I under-

stand it, was got up before the passage of the Kansas bill. Again: The Senator asked, Why this alarm about the border ruffians? Sir, the alarm is because we believe the power of the Federal Government has been arrayed on their side. I think the order of the Secretary of War to which the Senator from Massachusetts alluded was justly obnoxious to the very censure with which he visited it; and that is, that while it instructed the officer commanding the troops of the United States to put down any insurrection, it did not say a word about repelling invasion. The Senator endeavors to get around this point by saying that was in the proclamation; but, while it was in the instructions of the officer to put down insurrection, there was a silence about invasion; and therefore I say the document is justly obnoxious to all the censure which the honorable Senator from Massachusetts put on it; and a great deal more, which, please God, I will endeavor to administer when the occasion comes. The Free State men of Kansas Territory appealed to the President, and asked for protection; and what does he tell them in response? He tells them that he sends officers there to put them down if they are guilty of insurrection. That is it.

I am not disposed to go into this matter now. I have not time to go into it at present. I have said thus much, simply because there was a personal appeal made to me by the honorable Senator. At a suitable time—and in regard to that I shall be governed very much by the opinions of the Senate—I propose to address myself to this subject; and I will endeavor to meet, if in my power, as well as I can, some of the assumptions that have been made. I believe it is a great issue; and I rejoice to agree entirely and totally with the assertion with which the honorable Senator from Tennessee started, that we had things at home which we should attend to before going to look after England and Central America. Sir, we had better look to the centre of the United States than to the centre of Europe, or of any other country on God's earth. In that sentiment of the Senator I entirely agree; but as the usual hour for the adjournment of the Senate has arrived, and as I am not prepared to go on now, I move to postpone the further consideration of this subject until Thursday next.

THURSDAY, FEBRUARY 28, 1856.

Mr. HALE. Mr. President, I shall enter upon the discussion of this subject—which I believe to be an important one—not so much for the purpose of replying to the honorable Senator from Tennessee, [Mr. JONES,] as to meet a challenge which has been thrown down from another quarter. I may say a few words in reference to one or two of the positions of the Senator from Tennessee, in the course of the remarks which I shall submit to the Senate; but, in regard to all that which was personal, a night's reflection has satisfied me that I had better not reply to it. I have no doubt the Senator feels more grieved at it than I do; but I will not say a word about it; I will not even ask leave of the Senate to print any remarks upon that point. I only ask leave to have

it understood that, if I chose to reply to any of those remarks, I might very well do so, if I saw fit.

But, sir, I rise for the purpose of replying to a challenge which I consider has been thrown down by the President of the United States—challenging the commendation and approval of the Senate and of the country of the course which he has seen fit to pursue in relation to Kansas affairs. That challenge I gather from the remarks made by a personal and political friend of the President—the Senator from Connecticut [Mr. Toucey]—in these words:

“Mr. President, I desire to say a few words before this subject passes from the Senate. I do not see how it was possible for the President of the United States to take any other course than that which he has adopted, as stated in the papers now on the table, without an utter abandonment of his constitutional duty.”

Again, sir, the Senator from Connecticut said:

“What right, upon this state of facts, had the President of the United States to interfere? Had he any right to inquire into the validity of elections? No more than he would have had in regard to an election in Baltimore, or Boston, or New Orleans. He had no power. He omitted the performance of no duty, because he had no power and no right to make inquiry in order to interfere in the elections.”

Further:

“I undertake to express the opinion, for one, as an humble member of this body”—

said that distinguished Senator—

“that we have no intelligence of any fact or of any state of things that would justify an interference with military power by the President with the troubles of Kansas, down to the period of which I am speaking.”

That is the challenge, three times repeated, and repeated in such hot haste that it was put in on a motion to print. Entertaining the views which I do, I could not, it seems to me, sit still in honor and permit such a challenge as that to go forth to the country unanswered. I take issue with the Senator on every one of the propositions: I deny them. I say that the President has omitted his constitutional duty, and that there was a state of facts which would justify and call for his interference; and I will prove it out of his own mouth. The Senator from Connecticut goes on in his remarks, and styles the Convention lately assembled in Kansas Territory, for the purpose of organizing a Constitution, “a spurious Convention.” The President calls it “revolutionary”—the Senator from Connecticut, “spurious.” I will not pursue that point further now; for, in order to meet this subject in the manner in which, in my judgment, it ought to be met, requires a little broader range of discussion than possibly may have been heretofore indulged in; and to do that, I shall go back to view the state of the country at the time of the passage of the much-talked-of Kansas act, and to present—or rather re-present—to the Senate and the country the showing of its friends upon which it was passed.

When that bill was under consideration before the Senate, it was stated over and over, and over again, and declared by numerous Senators here to be a conceded fact, that Slavery never was to go into the Territory of Kansas. I shall make no assertion which I am not fortified with proof to sustain. It will be found, to proceed in the reg-

ular order of the proof of this statement, that Mr. Pettit, of Indiana, in a speech delivered February 20, 1854, which is to be found in the twenty-ninth volume of the Appendix to the *Congressional Globe*, on the 218th page, says:

“Here let me say to gentlemen of the South, that while I regard this as a mere shadow to them, it is removing the ban under which their citizens have labored; but it is not giving them any substantial, tangible, lasting benefit; and there is therefore the more reason why we of the North should at this time remove this restriction.”

“These two Territories—Nebraska and Kansas—now in their incipient stage, just in their birth, will, when they come to their manhood, be free; for Slavery will not prosper there.”

That was the opinion of Mr. Pettit. Next in the order of time, I think, is a remark made by Mr. Hunter, of Virginia, which is to be found in the same volume, on the 224th page. Mr. Hunter says:

“Why should the North object to the removal of this restriction, and object to the passage of this bill? So far as the question of the extension of Slavery is concerned, is it to them a matter of any practical importance whether this bill passes or fails? Does any man believe that you will have a slaveholding State in Kansas or Nebraska? I confess that for a moment I permitted such an illusion to rest upon my mind; but, upon a further examination of the subject, I came to the conclusion that it was utterly hopeless to effect any such thing.”

On the 27th page of the same volume will be found this remark of Mr. Brodhead, of Pennsylvania:

“I have said that the question is of no practical importance; for every sensible man knows, and every candid man will admit, that soil and climate forbid the introduction of slaves in the Nebraska region, which is all above 36° 30’.”

Then, sir, in the opinion of that honorable Senator, this was “so plain that no sensible man could possibly be ignorant of it, and no candid man could deny that, north of 36° 30’, soil and climate forbade the introduction of slaves;” and this, notwithstanding the fact that a large portion of Missouri, Maryland, Virginia, Delaware, and, I think, Kentucky, lies within the same parallels of latitude as Kansas. Notwithstanding these physical facts, the impression that Slavery could not and would not go to Kansas, was so strong on the mind of the honorable Senator from Pennsylvania, that he said nobody but a fool was ignorant of it, and that nobody who had a particle of candor would deny it. This statement was put forth in the Senate, and gentlemen sat and heard, and nobody said “nay” to it; and so far as silence gives consent, it was admitted that every sensible and every candid man knew that Slavery could not go north of 36° 30’.

Well, sir, the proof does not stop there. The next gentleman whom I will quote is Mr. Badger, of North Carolina, then a member of this body. His speech will be found in the same volume, on the 148th page. He says:

“I think, Mr. President, it is in the highest degree probable that, with regard to these Territories of Nebraska and Kansas, there will never be any slaves in them. I have no more idea of seeing a slave population in either of them, than I have of seeing it in Massachusetts; not a whit.”

That is quite as strong as Mr. Brodhead. But, sir, I have more testimony. In the same volume, on page 318, I find that Mr. Toucey, of Connecticut, asks,

“Why should Northern men object to it? Will the fu-

situation be likely to prevail in those Territories? Climate, soil, the productions of the soil, forbid it. The laws of nature forbid it. The same general causes which expelled that institution from the Northern States, and pushed it south to the line which now bounds it, would preclude it from that region, or expel it if it came."

In the same volume, on page 162, we have some more testimony, though not from a friend of the bill. Mr. Everett, of Massachusetts, says—and remember he was speaking in the Senate—

"I believe it is admitted that there is no great material interest at stake. I think the chairman of the committee, [Mr. Douglas,] the Senator from Kentucky, [Mr. Dixon,] and perhaps the Senator from Tennessee, [Mr. Jones,] behind me, admitted that there was no great interest at stake. It is not supposed that this is to become a slaveholding region. The climate, the soil, the staple productions, are not such as to invite the planter of the neighboring States, who is disposed to remove, to turn away from the cotton regions of the South, and establish himself in Kansas or Nebraska. A few domestic servants may be taken there—a few farm laborers; but in the long run, everybody, I am sure, admits that Kansas is not to be a slaveholding region, and if not, certainly not the territory north of it."

If there was anybody present who did not admit what Mr. Everett said he was sure everybody admitted, I do not know but that it was due to candor for that somebody to get up and suggest to Mr. Everett, as he had not seen here a great while, and might not be posted up in all the news on the subject, that he was a little too fast, and that there was somebody who did not admit it. But, sir, there was no one to do that; he was not corrected, even by the honorable gentleman from Georgia, [Mr. Toombs,] who, whatever other failings he may have in the eyes of those who differ from him on this subject, I believe never was accused of any want of candor in the avowal of his sentiments. Even he heard that distinguished scholar and near-sighted politician at that time solemnly declare that he was sure he knew that everybody admitted that Kansas was not to be a slaveholding State; and if that was not, why, of course, Nebraska was not.

The next testimony I have is that of Mr. Thomson, of New Jersey. In the same volume, on the 257th page, he quotes Mr. Everett. Mr. Everett, then, did not stand alone; he was endorsed; several gentlemen got up and added that they knew the same thing, and amongst them was Mr. Thomson, of New Jersey. He says:

"It has been well and truly said, by the distinguished Senator from Massachusetts, [Mr. Everett]"—

and then he goes on and quotes what Mr. Everett said, adding to the declaration of Mr. Everett his own, that it was "well and truly said." This important declaration of Mr. Everett, of a fact that "everybody knew," and endorsed by Mr. Thomson, was further endorsed, in the same volume, on the 249th page, by Mr. Brodhead, of Pennsylvania, who quotes the same extract from Mr. Everett that Mr. Thomson did. But Mr. Brodhead was not content with that; he thought that, although Mr. Everett knew it, and everybody else knew it, he could add a little force to that knowledge; and he went on to prove, in the course of some remarks that will be found on the page I have quoted, that what Mr. Everett said was true; and, so far as the book shows, nobody contradicted him.

Well, sir, the evidence does not stop there. There was another Senator, whom I regret not to see in his place this morning—an authority on this subject whom I have no doubt would be listened to with great pleasure by the Senate. Mr. Cass, in the same volume, page 270, says:

"I do not think the practical advantages to result from the measure will outweigh the injury which the ill feeling fated to accompany the discussion of this subject through the country is sure to produce. And I was confirmed in this impression by what was said by the Senator from Tennessee, [Mr. Jones,] by the Senator from Kentucky, [Mr. Dixon,] and by the Senator from North Carolina, [Mr. Edge,] and also by the remarks which fell from the Senator from Virginia, [Mr. Hunter,] and in which I fully concur, that the South never will derive any benefit from this measure, so far as respects the extension of Slavery; for, legislate as we may, no human power can ever establish it in the regions defined by these bills."

That was the evidence before the Senate. I have given the opinions of Mr. Pettit of Indiana, Mr. Hunter of Virginia, Mr. Toucey of Connecticut, Mr. Thomson of New Jersey, Mr. Brodhead of Pennsylvania, Mr. Badger of North Carolina, Mr. Everett of Massachusetts, (who quotes, as sustaining him in his opinion, "what everybody knew,") Mr. Douglas of Illinois, Mr. Dixon of Kentucky, Mr. Jones of Tennessee, and Mr. Cass, (who quotes all these.)

These sentiments went out to the country; they were spread far and wide; and if the testimony of an honorable Senator from Alabama (Mr. Clemens)—not now a member of this body—is to be believed—and I have never heard his word questioned—the fact is that, in an interview with him, the President of the United States told him it was "a great measure of Freedom." That sentiment went abroad, only confirming what "everybody knew" before, (as Mr. Everett says,) that Slavery never could go there. What was the result of the dissemination of these views? You could not meet a politician who defended this action in any of the States in which I was, (in my own State and others,) anywhere, who was not not ready to prove to you that Slavery never could go to Kansas, and that this was a great measure of Freedom. Why, sir, I heard that argued and reargued, just as long as I had the patience to listen to it.

The act was passed. It was passed on this showing, and on this pretence; and, so far as I listened to the debates—for I happened to be here during a part of them—or as I have read them since, I do not remember that a single man upon the floor of the Senate uttered a different sentiment—

Mr. SEWARD. I hope the honorable Senator will excuse me for saying that I certainly did.

Mr. HALE. If the Senator had waited until I got through with the sentence, he would have seen that there was no necessity for his interruption. What I meant to state was, that I did not know there was a single man who advocated the bill who contradicted it—not one.

Mr. BUTLER. I think the gentleman is in error; for General Atchison, who had perhaps more to do with the bill than any other Senator, openly avowed that he would not vote for it except on the ground that it would remove the obstacle which prevented such slaveholders to go

there as chose to do so. You will find that that was his opinion, and he maintained it.

Mr. HALE. I do not know but that it may have been so. I am speaking from recollection. I have read Mr. Atchison's remarks as well as I could, and I do not find that he so stated in the Senate. He was then the Presiding Officer of this body, and he did not speak on the bill at length; he spoke casually once, and I think but once, though he might have spoken twice; but his remarks were exceedingly brief. He has since avowed the sentiments alluded to by the Senator from South Carolina; but I think it will be found, by a reference to the record, that I am correct. I do not speak unadvisedly on this point, for I have looked over the record very lately, and I think it will be found that I am correct. That the honorable Senator from Missouri (Mr. Atchison) at that time entertained such sentiments, I will not undertake to deny. What I am saying is, that, so far as I have learned, and so far as I have been able to find by examination, not a solitary man who advocated the bill in the Senate intimated a different opinion from that which I have quoted from various Senators—that Slavery would not go to Kansas.

Sir, the promulgation of those opinions here furnished an abundant argument for all the lesser lights of this new order of Democracy, who are to be found scattered all over the land. There was hardly a postmaster who was not posted up in it. There was not a man who held or wished to hold an office under the General Government, in the Northern States, who was not ready to argue this question, and argue it exactly on this showing: that it was a great measure, calculated to produce equality among the States, but without the least possible idea that any practical consequences as regards the extension of Slavery would result from it. Sir, let me ask you, if these men, who were not so well posted up, were not justified in saying so, when Mr. Everett—who not only knew it himself, but knew that everybody else knew it—declared that Slavery could never go there?

What was the result of the passage of the Kansas act? You declared, when you passed it, that it was done with the view of removing the great restriction imposed by the Missouri Compromise, and opening the Territory to everybody. The people of the North took you at your word; and they went there. How were they met? I do not propose to make any statements here on my own authority, but to give proof. There was much discussion, a few days since, as to what General Atchison had done and said, and many commendations were passed on him. I have not a word to say against it. I knew General Atchison for six years, while I served with him in the Senate, and in personal intercourse I always found him to be an amiable and pleasant gentleman, and I shall let him speak for himself; I will give my authority. I desire to read an extract from a speech of General Atchison, delivered at Platte City, Missouri, on the 4th of the present month, which will be found in the New York *Daily Times* of the 25th of the present month. He says:

"The Territory was open for settlement, every man having an equal right to go from the North or South with their property. The Abolitionists of the North, failing to accomplish their vile purposes by law, resolved to effect it in opposition to law. They organized their *Aid Societies*, raised money and men, had three thousand preachers and their Abolition orators drumming up their forces, who were whistled on the cars, and whistled off again at Kansas City and other places, some of whom had '*Kansas and Liberty*;' on their hats."

The wretches! Only think of it! But, as if it were too incredible to be believed, he adds:

"I saw it with my own eyes. Those men came with the avowed purpose of driving or expelling you from the Territory. What did I advise you to do? Why, meet them at their own game. When the first election came off, I told you to go over and vote."

Remember, he is speaking to his Missouri friends in Platte county—his own county. He continues:

"You did so, and beat them. We, our party in Kansas, nominated General Whitfield. They, the Abolitionists, nominated Flenniken; not Flanagan, for Flanagan was a good, honest man, but *Flenniken*. Well, the next day after the election, that same Flenniken, with three hundred of his voters, left the Territory, and has never returned—no, never returned!"

"Well, what next? Why an election for members of the Legislature to organize the Territory must be held. What did I advise you to do then? Why, meet them on their own ground, and beat them at their own game again: and, cold and inclement as the weather was, I went over with a company of men. My object in going was not to vote; I had no right to vote, unless I had disfranchised myself in Missouri. I was not within two miles of a voting place. My object in going was not to vote; but to settle a difficulty between two of our candidates; and the Abolitionists of the North said, and published it abroad that *Atchison was there with bowie-knife and revolver, and by God 'twas true. I never did go into that Territory, I never intend to go into that Territory, without being prepared for all such kind of cattle.* Well, we beat them; and Governor Reeder gave certificates to a majority of all the members of both Houses; and then, after they were organized, as everybody will admit, they were the only competent persons to say who were, and who were not, members of the same. Well, a code of laws was enacted, similar to those of Missouri and other States; after which, the Abolitionists, failing in everything, turned round and repudiated these laws, though in their bogus, spurious treaty, which they published, they agreed to submit to them. They called a Convention, appointed delegates, which delegates were appointed without the knowledge of a very large majority of the people, or, if they had a knowledge of it, they treated it with scorn and contempt. This Convention met at Topka, and framed what they called a Constitution; and now they say they intend to apply for admission into the Union, though there are not more than five thousand voters in the Territory, and not more than twenty-five thousand or thirty thousand inhabitants, men, women, and children. Now, should Congress admit them, what will you do? I'll tell you what I'll do. If Congress admits them into this Union, without law or precedent, [nodding his head, and lifting high his hand very significantly.] I'LL RESIST!"

He adds, however: "But Congress will do no such thing."

I do not vouch for this; I only give it as it comes in the public papers, as a speech delivered by Mr. Atchison on the 4th of February.

Mr. BUTLER. Is it from an anonymous writer? Mr. HALE. It is a communication in the New York *Daily Times*.

Mr. BUTLER. Signed "Randolph," I suppose. Mr. HALE. I do not know what the signature is. It is the same paper that I handed to the honorable Senator from South Carolina a few moments ago.

Here is another extract from a letter signed D. R. Atchison, purporting to be from the Atlanta (Georgia) *Examiner*. I cut it from the New York

Pages 7 - 10 are
missing from
this book.

message of the 31st of December, 1855, he speaks of those who were opposed to him as "enemies of the Constitution." Then nobody who differed from him could be friendly to the Constitution. See what a wonderful change is produced in twenty-four days. On the 24th of January he speaks in this way:

"This interference, in so far as it concerns its primary causes and its immediate commencement, was one of the incidents of that pernicious agitation on the subject of the abolition of the colored persons held to service in some of the States, which has so long disturbed the repose of our country, and excited individuals, otherwise patriotic and law-abiding, to toil with misdirected zeal in the attempt to propagate their social theories by the perversion and abuse of the powers of Congress."

Is there not a great improvement? "Enemies of the Constitution," in twenty-four days, are converted into gentlemen laboring with misdirected zeal, but otherwise patriotic and law-abiding. On everything except the very point at which they differ from the President, they are patriotic and law-abiding.

The President of the United States, in his Kansas message, denounces the proceedings of these gentlemen in Kansas who have undertaken to form a State Constitution as revolutionary, and says that if their measures are carried out, it will be treason. Well, sir, perhaps it is very difficult to define and say exactly where people may begin to reform their Government without the consent of the existing Government, and I will not venture to express any crude opinions of my own upon that subject; but I shall favor it with the opinions of the President of the United States himself upon that very question. I cannot have escaped the recollection of gentlemen, that about fourteen years ago there was a very noted individual in this country, by the name of Thomas W. Dorr, who claimed to be elected Governor of Rhode Island; but the result of his election was, that he found that he would suffer in any other State than the one of which he claimed to be Governor. He left there, and went first to Connecticut, and remained there a while, and then came to New Hampshire. When he arrived in New Hampshire, a large public meeting was holden in Concord on the 14th of December, 1842; and at that meeting General Pierce delivered a very congratulatory speech to Governor Dorr, and closed with the presentation of a series of resolutions, which, as they are not long, I will read:

1. Resolved, That all government of right originates in the people, is founded in consent, and instituted for their general good.

2. Resolved, That whenever the ends of government are perverted, and public liberty manifestly endangered, and other means of redress are ineffectual, the people may, if right ought to, reform the old and establish a new one of government.

3. Resolved, That if the friends of liberty should wait for reform from tyrants to abolish tyranny, the day of free Government would never dawn upon the eyes of the oppressed millions of our race.

4. Resolved, That when the people act in their original sovereign capacity in forming and adopting new systems of government, they are not bound to conform to any rules or forms of proceeding not instituted by themselves.

5. Resolved, That the adoption of the people's Constitution in Rhode Island, by thirteen thousand nine hundred forty-four votes, being an acknowledged and large majority of the whole male adult population of that State, is such an act of the people in their sovereign capacity as rendered it the paramount law of the State."

General Pierce went thus far; but Mr. Hibbard then presented the two following additional resolutions, which the *New Hampshire Patriot* says were "cheerfully accepted by Mr. Pierce:—"

"6. Resolved, That in welcoming to the soil of New Hampshire our present distinguished guest, Thomas W. Dorr, the rightful Governor of Rhode Island, we embrace the occasion of rendering the tribute of our respect and esteem to the tried patriotism, and unwavering devotion to the cause of free suffrage, which has so eminently and honorably characterized his past career; and that, so long as the people of Rhode Island are true to themselves and to the cause of civil liberty, they will never abate their trust, nor remit their exertions, until their sovereignty shall be acknowledged, the Constitution of their adoption established in fact, as it now is in right—the paramount law of the land; and the officers of their choice restored to the places to which they have been once elected.

"7. Resolved, That John Tyler, the acting President of the United States, in interfering with, and assuming to decide, by the arm of the military power of the General Government, the question of sovereignty pending between the People and the Charter party of Rhode Island, thereby for a time prostrating the cause of free suffrage, and paralyzing the efforts of its friends in that State, has been guilty of a flagrant usurpation of unconstitutional power, for which no censure can be too severe, and has inflicted an injury upon the cause of constitutional freedom, for which no reparation can adequately atone."

Now, to bring the point of these resolutions distinctly before the Senate, I propose to read this last resolution, substituting the name of "Franklin Pierce" for "John Tyler," "Kansas" for "Rhode Island," and "Pro-Slavery party" for "Charter party," and see how it will then read. It would read in this wise:

"Resolved, That Franklin Pierce, the acting President of the United States, in interfering with, and assuming to decide, by the arm of the military power of the General Government, the question of Slavery pending between the people and the Pro-Slavery party of Kansas, thereby for a time prostrating the cause of free suffrage, and paralyzing the efforts of its friends in that Territory, has been guilty of a flagrant usurpation of unconstitutional power, for which no censure can be too severe, and has inflicted an injury upon the cause of constitutional freedom, for which no reparation can adequately atone."

He ought certainly to be willing to take such medicine as he administers; and it seems to me that the cases, with this bare alteration of names, are very nearly parallel—at least enough so for the argument.

The President of the United States, in his message of the 24th of January, goes on to state the illegal acts which have occurred to justify military interposition, and he says:

"One of the acts of the Legislative Assembly provided for the election of a Delegate to the present Congress, and a Delegate was elected under that law; but, subsequently to this, a portion of the people of the Territory proceeded, without authority of law, to elect another Delegate. Following upon this movement was another and more important one, of the same general character. Persons confessedly not constituting the body politic, or all the inhabitants, but merely a party of the inhabitants, and without law, have undertaken to summon a Convention for the purpose of transforming the Territory into a State, and have framed a Constitution, adopted it, and under it elected a Governor and other officers, and a Representative to Congress."

That is the reason why the President of the United States on the 24th of January felt himself called upon to send to us a special message, asking for extraordinary powers from Congress to enable him to execute the law. Every fact to which he refers, every circumstance to which the message alludes, had transpired long before his annual message of the 31st of December, when

he said nothing had occurred that would justify his interposition.

I have thus, Mr. President, very briefly spoken of what has been done on the part of those endeavoring to force Slavery into Kansas. I wish now to advert to the charges which have been brought against the men who have gone there to establish a free State. So far as I know anything about them, I will, in their behalf, plead guilty to everything charged upon them by the Senator from Tennessee. What they wanted was a free Constitution—a free State. Societies were organized in the Northern States, for the purpose of aiding emigrants to go there, with the avowed purpose of making Kansas a free State. That they had an undoubted right to do. You had invited them to do it by your Kansas and Nebraska bill.

The Senator from Tennessee, however, made a wonderful discovery when he ascertained that the authors of these Emigrant Aid Societies looked to a remunerative pecuniary return. Grant it; I plead guilty to that charge. I admit they organized the societies for the purpose of sending emigrants into that Territory to settle it, and by their votes establish Freedom there; and they hoped to establish Freedom, to take up lands, and that by such means there would be a pecuniary remunerative return. The Senator need not have gone a great way to prove that. They themselves published it in all their handbills and newspapers. They proclaimed it in all their public meetings. They invited everybody to subscribe to aid in sending emigrants there. For what purpose? To make Kansas a free State; and they held out the hope that the project would not only result in that, but would be a profitable investment, and would make remunerative pecuniary returns. Is there anything new in that? The Senator from Tennessee says he never before heard of such a thing in the United States.

I do not wish to be unkind or uncourteous to the Senator, though he did not come at me in the smoothest possible form. I can tell him that he has not read the history of the United States, if he never heard or read of such societies before. There is hardly one of the old States of the Union that was not settled by societies similar to these. The State of New Hampshire, the State of Virginia, the State of Maryland, and all the early Colonies, were planted by the aid of societies which were substantially Emigrant Aid Societies in the old country. If you look at their charters, you will find that, almost without exception, if not entirely without exception, there was always the hope of pecuniary remunerative returns.

The Senator may find the same thing at a later day. Did he ever hear of the little State called Ohio? How was that settled? It was settled by means of an Emigrant Aid Society of New England. The first white men who ever planted themselves upon the soil of Ohio went from New England, under the auspices of just exactly such a society, not called in so many words an Emigrant Aid Society, but substantially that. They were societies which looked to the colonization of the Western Territories, and, beyond that, looked to a compensation which was to come

back to them. That is what the Emigrant Aid Societies formed for the settlement of Kansas have done. I will yield to the Senator from Tennessee everything that he claimed on that point. I am sorry that he took so much time to prove what everybody admitted, and what any one who had anything to do with those societies would have told him was intended, expected, and hoped by them.

Sir, let me ask you, did you see anything wrong, anything criminal, in this? Did you not invite the North to go there? Did you not invite Freedom to go there and compete with Slavery? Did you not tell us that all you wanted was a fair field? For what purpose did these men go to Kansas? They went in order, by the influence of their opinions expressed at the ballot-box, to lay the foundations of free institutions in that great country; and I have no doubt they believe in their hearts that, in doing so, they were doing a meritorious and a patriotic act.

Mr. President, it cannot have escaped your ear, it cannot have escaped the ear of any honorable Senator who is within the sound of my voice, that when the subject of Slavery is introduced, gentlemen from those States in which it exists turn around and say, reproachfully, "We found the institution; we did not bring it here; it was entailed upon us by the cupidity of Eastern merchants; it was entailed upon us by the British Crown; it was entailed upon us by those who had the control and agency of things long before we came upon the stage of being." Grant it. I am willing to give to gentlemen who are disposed to make such a plea, all that they can take by it; and what is the lesson that it teaches us? Sir, it teaches us, who in this our day occupy these seats, that if in the coming future it shall be so destined in the councils of Omnipotence that the Territory of Kansas shall groan under the blighting influence of the institution of Slavery, those who feel its withering effects may not stand up and reproach our posterity by telling them, "Your fathers forced it on this soil." No, sir; we wish to stand clear of that reproach, which is so often and so freely cast on our fathers.

In the very debate which took place in the Senate on the Kansas bill, if I mistake not, in the speech of an honorable Senator from North Carolina (Mr. Badger)—not now a member of this body—that very reproach was hurled back on the inhabitants of the free States, and they were told that it was to their agency and their cupidity that the South owed the existence of the institution among them. I do not remember, sir, during the many years that I have been at this Capitol, to have met with more than three individuals who have not been willing to admit, and have not admitted, that, if the question of Slavery were a new one, for the first time introduced, and if the question was submitted to them as they were about to plant themselves on the virgin soil of their native State, and they had the control of it, they would not have Slavery with them. If they would not have it with them, if it were an original question in their own State, I ask them, in the name of justice, in the name of humanity, in the name of that Christianity which teaches us

"to do unto others as we would they should do unto us," why should they seek now to fasten it upon another Territory? Sir, the position which I occupy, and which is occupied by those with whom I act, is, that it may never be a reproach to us or to our posterity, that through our agency, and through our want of fidelity to the principles which we profess, this institution which we condemn shall be fastened upon this Territory.

Mr. BUTLER. Will the Senator allow me to give him a matter of statistics?

Mr. HALE. Certainly.

Mr. BUTLER. I knew the Senator would do it, because he is a ready man. At one time, sir, I thought it probable that I might have to go to Boston to perform a duty which my friend from Georgia [Mr. TOOMBS] has done so much better than I could; and with that view I prepared myself with some statistics on this subject, which I desire to present. I desire to state them now, for I know of no other way of getting them before a certain class, unless through the speech of the Senator from New Hampshire. He says that, so far from being tainted with the sin and agency of introducing Slavery, the North would hold themselves bound by all the obligations to which he has referred. With the view which I have mentioned, I sent to the custom-house in Charleston to obtain certain information. Most of the registers were lost, but from those that remained I obtained some information which I will state.

When the slave trade was suppressed, it was suppressed by the common vote of the North and the South; and when it was restored, it was restored by the common vote of the North and the South; but after it was restored, it was through Northern merchants that slaves were taken from Africa. They were brought in Northern vessels. Out of forty thousand—that was the number, for I recollect it expressly—two-thirds were for the North. Five thousand were on account of one Northern State, six thousand on account of another, and but two thousand on account of South Carolina. So far as regards the sin of bringing them here, I do not think that we are to be responsible if we should attempt to throw it back on those who introduced them.

Mr. HALE. Mr. President, I am glad to have this piece of information. It was the very train of argument which I was pursuing. I said that you reproached our fathers, and justly, I have no doubt. I have no doubt the Senator is historically correct.

Mr. BUTLER. What I have stated is according to undoubted statistics.

Mr. HALE. I have not the slightest doubt of it, and I am glad I have got it; but what I mean, please God, is, that it shall not be true in the future. I mean, that if another land is to groan under the evil of Slavery, no Senator from South Carolina, or from any other State, shall have a right to stand up in his place and point at New Hampshire, and say, "You did it." I take all the censure which the Senator means to administer to the Northern States. I have no doubt that the cupidity of commerce yielded much, very much, and that there is great blame. I have no doubt, further, that the same cupidity which induced

Northern merchants to take the course which the Senator from South Carolina brings to my mind, is still left in the country, and it would do the same thing again, unless restrained by law.

Having gone thus far on this train of remark, I come now to another point of the case; and I propose to examine the question of the power of Congress over Slavery in the Territories; and I shall do it, I think, to the apprehension of the popular and of the legal mind. The ground which I take is, that Congress has an undoubted constitutional power to prohibit Slavery from going into any of the Territories of the United States; and to that point I wish the attention of the Senate. In the first place, I suppose, when you wish to settle a question as to whether the Congress of the United States has a certain power or not, the simplest, readiest, and easiest way of settling that question is to turn to the Constitution itself. The Constitution is a plain instrument, made by plain men. It is a universal law, governing States and individuals; and being made by plain men, for the government of everybody within the country, States as well as individuals, one would naturally suppose that it would be written in a language which plain men might understand. Well, sir, by looking to the Constitution, what do you find? You find it there written, "The Congress shall have power"—to do what?—"to dispose of and make all needful rules and regulations respecting the territory or other property belonging to the United States."

Some have said that this cannot mean all rules, because there must be certain limits. Undoubtedly there are limits, but what are they? The limits are to be found in other parts of the Constitution; and if there are any restrictions on that grant, the grant is thus far restricted; but if there be no restriction, it is unlimited. The language of the Constitution is exceedingly plain. "The Congress shall have power to make"—how many rules?—"all needful rules." How do Congress make rules? By law. How do they make the rules and regulations concerning the Navy? By law. How do they make the rules and regulations concerning the Army? By law. How do Congress make any rules or regulations? By law, and in no other way. Then, how many regulations may they make in regard to territory? All. If the prohibition of Slavery is a regulation coming within the comprehensive description of "all regulations," it is what Congress has a right to make; but if it be a regulation outside of "all," and not included in the adjective "all," we must go somewhere else to find it. What did the men who made the Constitution think? What did they understand? What did they suppose they had done? Why, sir, it appears, fortunately for the elucidation of this history, that in the Convention which framed the Constitution there were twenty men who were also members of the first Congress under the Federal Constitution. There was John Langdon, of New Hampshire, a man of some note in his day—a man enjoying the confidence of the Democracy of this country, and who was nominated for the office of Vice President by that party, when Jefferson was President—a nomination which he declined on account

of his age. He was a member of both bodies. There were also in the Federal Convention and in the First Congress, Nicholas Gilman, of New Hampshire; Elbridge Gerry, Rufus King, and Caleb Strong, of Massachusetts; William S. Johnson, Roger Sherman, and Oliver Ellsworth, of Connecticut; William Patterson, of New Jersey; Robert Morris, John Clymer, and Thomas Fitzsimmons, of Pennsylvania; George Read and Richard Bassett, of Delaware; Daniel Carroll, of Maryland; James Madison, of Virginia; Hugh Williamson, of North Carolina; Pierce Butler, of South Carolina; and William Few and Abraham Baldwin, of Georgia. All these gentlemen whom I have named were members of the Convention which formed the Federal Constitution, and also members of the first Congress under it. George Washington was the presiding officer of the Convention, and he was the first President of the United States under the Constitution. Several of the gentlemen whom I have named were also members of the Continental Congress, which passed the Ordinance of 1787, besides being members of the Convention and of the first Congress under the Constitution.

The First Congress met shortly after the formation of the Constitution. Prior to the adoption of that Constitution, the Congress of the old Confederation passed an ordinance by which Slavery was excluded from every inch of territory then subject to Federal jurisdiction. When the First Congress met, what did they think? What did those twenty men, fresh from the formation of the Constitution, think of its powers? What did George Washington, the presiding officer of the Convention, think? What did James Madison think? What did John Langdon think? Why, sir, you can find their opinions in an act of Congress, passed without division, and signed by George Washington, and now in full force, unless it has been repealed by being found to be inconsistent with the Compromise of 1850. On the 7th of August, 1789, they passed an act in these words:

"Whereas, in order that the ordinance of the United States in Congress assembled, for the government of the Territory northwest of the river Ohio, may continue to have full effect, it is requisite that certain provisions should be made, so as to adapt the same to the present Constitution of the United States."

And then they went on in two sections to make a few alterations which were necessary, merely by a change of the officers provided for under the Confederation. In the opinion of those men, when they had made those alterations, merely requiring a change of officers, they thought—perhaps in their weakness, perhaps in their folly—that they had done all that was necessary to adapt the Ordinance of 1787 to the Constitution of the United States. George Washington affixed his signature to that act, and it stands on the statute-book to-day; and no man can challenge the assertion, that it was the opinion of George Washington, (so far as his official acts are any indication of his opinion)—of James Madison, who did more to produce the adoption and ratification of the Federal Constitution, perhaps, than any other man, with the exception of Alexander Hamilton; the opinion of John Lang-

don, of Rufus King, of Pierce Butler of South Carolina, of Mr. Few and Mr. Baldwin of Georgia, and those other men whom I have named—that Congress had power under the Constitution to prohibit Slavery in the Territories. They did it, and their act has remained, from that day to the present, unchallenged and unrepealed. Let me ask you, sir, if, in the history of this Government, from the time of the adoption of the Federal Constitution down to the present day, any President of the United States has suggested to Congress that the existence of that statute was not warranted by the Constitution, and ought therefore to be repealed? No, sir. And I do not believe that there will very soon be such a President. I do not believe that there is a man quite rash enough at the present day to venture his reputation upon such an onslaught as that would be on the judgment, the intelligence, and the patriotism of the Father of his Country, who helped to form the Constitution, and who signed this very act.

Then, sir, look at the acts organizing Territorial Governments ever since, and you will find, without exception, that Congress have taken jurisdiction of this subject, unchallenged—prohibiting Slavery in some cases, regulating it in others. You will find that in laws organizing Territorial Governments for even the Southern Territories of Louisiana and Mississippi, Congress did take cognizance of the subject of Slavery, regulating and limiting it in those cases, and restricting it in others.

The country reposed in safety, peace, security, and harmony, under this construction of the Constitution, until these latter days, when in the new light revelations of the present it has been discovered that Washington, Madison, Langdon, King, Ellsworth, Gerry, and all their compatriots, who were engaged in making and administering the Constitution, died in happy ignorance of what its essential provisions were. I confess that, for one, I am willing to take my chance of being mistaken, with those dead fathers of the past, rather than run the doubtful chance of getting illumination from the new lights of to-day.

Now, sir, what do we want? What do we ask? We ask that the country shall come back to the point from which it started. We enter upon no crusade against any Southern rights. We ask for no new test, no new doctrine, no new experiments, no rash, doubtful, or untried measures. We are content with the wisdom of the past. We are satisfied with the inheritance and the legacy which the patriots of the Revolution have left us. We are willing to take the Constitution as they understood it, and the law as they framed and administered it. Is it arrogance for us to ask that you come with us there? We ask you to go no further; we merely ask you to come with us and take counsel of the departed patriotism of the fathers of the Revolution. We ask you to listen to their doings when the wounds of the Revolution were not yet healed over, when the blood and dust of the battle were hardly wiped from their brows, and when their locks were hoary with the frosts which had fallen upon them as they stood sentinels round about the camps of Liberty. That

is what we ask, and we are willing to abide by it; and when we ask that, and when we demand it, how are we met? We are told that we are aggressive; and we are threatened, that if our aggressions do not cease, if our tauntings do not come to an end, and if the spirit of Northern fanaticism, which is continually making aggressions, does not cease, this Union cannot be maintained. Sir, I feel obliged to believe the sincerity of gentlemen, when they get up and talk about Northern aggression, but it is one of the hardest things I can bound to believe. Bound as I am to believe it on their word, I have never had the face to go home and tell my constituents so; because they would tell me that, however I might believe it, they knew better. Sir, they have made as much progress as Mr. Everett had made on the Nebraska bill; they not only know it themselves, but they know that everybody else knows it; that there is not only no truth in it, but that the exact reverse is the truth of history, the truth of the past, the truth of the present; and may God grant that it shall not be the truth of the future!

Sir, we ask to stand nothing more than your equals. It has been the fashion of late years to quote Mr. Webster. Mr. Webster never made a truer remark in all his life, than when he said there was no North. No, sir; in the history of this Government, there has been no North, except to collect revenues from. You have found out that there was a North for that purpose; but in dictating the policy of this Government, in controlling its politics, in appointing its officers, in framing its laws, the dead sage of Marshfield spoke the truth when he said there was no North. Well, sir, we should be content for a little while to take it for granted, as a fact of political geography, that there was no North, if you would not want us with it, and tell us that we are aggressive. Aggressive in what? We have opinions but we cannot help. We have convictions; we cannot renounce them at your bidding. We believe that, for us, Slavery is wrong, unprofitable. You have a different opinion for yourselves. Enjoy it; we have no quarrel on that account. You believe that it is profitable; reap all its benefits. You believe that it is just; enjoy it. You believe that you are conferring a great benefit on the slaves; go on in your work of humanity—we will never interfere. All we have to say, all we ask, all we claim, is, that you will leave us the poor privilege of believing; in our cold Northern homes, that it is not right for us. We ask you that, while we are members of this Confederacy with you, bound together by the ties of a common Constitution for certain great purposes, we shall not be made amenable to the responsibility of sustaining, extending, and perpetuating, an institution which in our heart of hearts we believe to be wrong. Now, sir, is there any occasion for quarrel? Our fathers did not quarrel. They entertained these opinions, but they did not quarrel. As Mr. Webster well said, "Side by side and shoulder to shoulder they went through the Revolution;" and side by side and shoulder to shoulder are their descendants ready to stand again. But, sir, I ask you, as a matter of justice, put it to every Southern man who hears me, to

try it in the tribunal of his own heart, if it is right, if it is fair, if it is just, to have the charge of Northern aggression continually rung in our ears?

I have now a word or two to say to the honorable Senator from Tennessee, [Mr. JONES,] and I shall speak to him more kindly than he did to me, but perhaps not so eloquently. The Senator from Tennessee represents his State ably, brilliantly—I say it in no Pickwickian sense. He came here with a very high reputation. I am a much humbler man, of more moderate powers, and vastly less pretensions, representing the small State of New Hampshire. Now, I will put it to the honorable Senator from Tennessee, as between our two States, what harm on earth have we ever done him? Have we ever injured the hair of a man's head in Tennessee? Have we, of the State of New Hampshire, ever withholden our appreciation of a public man because he lived in the State of Tennessee? No, sir; twice in solid column have the unalterable Democracy, of whom I spoke to you, gone up in unbroken phalanx to the polls, and recorded their votes for two citizens of Tennessee for the highest office in the gift of the Republic. I confess that, with my reading of history, I am at a loss to discover in the history of either or both those States a single iota of evidence that could convict New Hampshire, or one man in it, of injuring, by word or deed, or even thought, the State of Tennessee, or a single citizen of that State.

The best way to examine all questions is to take them in detail—one from the mass, and examine it. So far as my humble State is concerned, might I not go through with every State of the Union, and put the same question, and would not every man be at a loss to gainsay it? Certainly he would. Then, I would say, in the language of Brutus—though I am not going into Roman oratory—"If we have offended any man, let him speak." If there is any man who has suffered wrong or injustice at our hands, where is he? I do not know it. Why not look at this matter in the light of the truth of history? Why not lay aside these angry appeals? Why not lay aside everything except the solid, substantial truth of history, and look it right in the face? When we do that, I am not at all afraid, when we are tried before any tribunal in earth or heaven, but that the skirts of our garments will be found clean of any offence against any of our sister States.

Mr. President, I read some remarks which were made by the honorable Senator from South Carolina, [Mr. BUTLER,] when the Kansas bill was under consideration in the Senate two years ago. I am not able to give his exact words, because I cannot speak so eloquently as that Senator; but I remember that he said, speaking in regard to the South, that the South wanted her heart relieved more than any practical burdens taken off. I may not have given his very language, but that, I think, is the idea; I remember it, for I read it last night in the *Globe*. Sir, I confess that when I read that remark, it thrilled my very heart. An appeal of that sort made to the North will never be made in vain; but such has not

been the spirit in which gentlemen entertaining the opinions that I do have been accustomed to be addressed by gentlemen from the South. Let me tell you, sir—and I think I can speak in behalf of my own State—that when an appeal is made to them from the South, or the West, or anywhere else, in that spirit, they would coin their very hearts to buy peace—they would pour out their very heart's blood like water, to wash out the least and the last offence.

But, sir, I appeal to the truth of history—I appeal to the convictions of every man who hears me, if we have ever been addressed in any spirit like that? No, sir; far, very far indeed, from it. I shall not endeavor, however, to awake those angry passions which I am deprecating, by a repetition of the course which has been heretofore pursued towards us. I am willing—and I desire—that so far as past occasions of offence are concerned, they should be past. I am willing that the dead past should bury its dead; I desire to live in the present, in the language of the poet—

“Heart within, and God o’rhead;”

mindful of all the obligations which the Constitution, or which our duty, or the demands of justice, make upon us. Thus much we are willing to give! We will go far, very far, for peace; but let me say, I am not used to the language of menace; I am not used to the utterance of threats; but I tell you that on the subject of human slavery we have convictions which we cannot sacrifice—we have opinions which it were treason to

our moral nature to refrain from expressing on all suitable occasions. Up to that mark we must stand. We must say, as those of old have said, when we reach a point where duty, conscience, conviction, must be surrendered, we cannot go. We cannot consent to surrender our opinions, convictions, or sentiments. What then? Must this Union be dissolved? Sir, I do not believe it. I do not believe—gentlemen will pardon me if I say it, for it is an opinion—I do not believe that the popular opinion of the great masses of the people of this country is represented, when gentlemen talk quite so flippantly as I have heard some talk about a dissolution of this Union. I believe to-day that ours is the strongest Government on the face of the earth. I believe that its foundations are the firmest, the most enduring. What are they? The popular judgment—the popular heart. There it is, sir; there is the solemn, the broad, and the everlasting basis upon which the institutions of this country rest. My own opinion is, that such will be found to be the case whenever and wherever infatuation shall be led to try the experiment. I believe that if, listening to evil counsels, pushed on by the purposes of ambition or any other, a party, large or small, shall be so far forsaken of God and of good counsels as to venture on that rash experiment, the conservatism, the patriotism, the intelligence, and the humanity of this great people will teach such men a lesson which they, nor their children, nor their children's children, to the latest posterity, will forget.

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