

James M Robbins
Delegate from Milton

Eben Clapp Jr Delegate
from Dorchester

PEOPLE OF MASSACHUSETTS,

WITHOUT DISTINCTION OF PARTY,

AND ASSEMBLED AT

FANEUIL HALL, IN THE CITY OF BOSTON,

ON WEDNESDAY, THE 29TH DAY OF JANUARY, A. D. 1845,

TO TAKE INTO CONSIDERATION THE

PROPOSED ANNEXATION OF TEXAS
TO THE UNITED STATES.

PUBLISHED BY ORDER OF THE CONVENTION.

BOSTON:

1845.

EASTBURN'S PRESS.

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PROCEEDINGS

OF A

CONVENTION OF DELEGATES,

CHOSEN BY THE

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WITHOUT DISTINCTION OF PARTY,

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MASSACHUSETTS CONVENTION.

PURSUANT to a call signed by a large body of citizens resident in various parts of the Commonwealth, Delegates chosen by the people without distinction of party, except in so far as they were opposed to the Annexation of Texas to the United States, met in Convention at Faneuil Hall, in the City of Boston, on Wednesday, the 29th day of January, A. D. 1845. The Convention was called to order at 10 o'clock, A. M., and became organized by the choice of the following officers :

PRESIDENT,

The Hon. JOHN MASON WILLIAMS, of Boston.

VICE PRESIDENTS,

The Hon. JOHN DAVIS, of Boston.

The Hon. DANIEL A. WHITE, of Salem.

The Hon. ELISHA HUNTINGTON, of Lowell.

The Hon. DAVID WILDER, of Leominster.

The Hon. IRA M. BARTON, of Worcester.

The Hon. GEO. GRENELL, of Greenfield.

The Hon. ASAH EL FOOTE, of Williamstown.

The Hon. WILLIAM JACKSON, of Newton.

The Hon. ARTEMAS HALE, of Bridgewater.

The Hon. JOHN REED, of Yarmouth.

SECRETARIES,

GEORGE TICKNOR CURTIS, Esq. of Boston.

JAMES B. CONGDON, Esq. of New Bedford.

JOHN MILTON EARLE, Esq. of Worcester.

JOHN G. WHITTIER, Esq. of Amesbury.

Upon the Report of a Committee, after full and deliberate discussion, the Convention unanimously voted the following

A D D R E S S

TO THE

PEOPLE OF THE UNITED STATES.

It is a fundamental maxim of all our American Constitutions, that the people are the only rightful source of political power ; that government is a delegated and limited trust ; that all authority not conferred is reserved ; and that, in fact, there are grave questions, lying deeper than the organized forms of government, and over which government, in none of its branches, has just control.

When, in the course of events, a question of this kind arises, it is fit to be examined, and must be examined, by the people themselves, and considered and decided by an enlightened and conscientious exercise of public judgment, and a full and determined expression of the public will.

It is, perhaps, matter of necessity, that those to whom power is confided, under a free constitution, must be left, in ordinary cases, to be judges, themselves, of the limits imposed on their own authority, subject to such checks and balances as the framers of government may have provided. But in times of great excitement, of political and party heat, in times when men's passions strengthen dangerously the natural tendency of all power to enlarge its limits by construction and inference, by plausible arguments and bad precedents, in such times it behooves the great constituent body to put forth its own power of investigation and decision, and to judge for itself, whether its agents are about to transcend their authority, and abuse their trust.

Such an inquiry, in the judgment of this Convention, is presented to the people of the United States, by the project broached last year, and now zealously and hotly pursued, of annexing Texas to the United States.

This question transcends all the bounds of ordinary political topics. It is not a question how the United States shall be governed, but what shall hereafter constitute the United States ; it is not a question as to what system of policy shall prevail in the country, but what the country itself shall be. It is a question which touches the identity of the Republic. The inquiry is, whether we shall remain as we have been since 1789, or whether we shall now join another people to us, and mix, not only our interests, hopes and prospects, but our very being, with another, and a foreign State.

This fearful proposition must awaken, and we are glad to know does awaken, a deep and intense feeling throughout a great part of the country. It touches reflecting minds to the very quick, because it appears to them to strike at foundations, to endanger first principles, and to menace, in a manner well calculated to excite alarm and terror, the stability of our political institutions.

A question of this magnitude is too broad to stand on any platform of party politics ; it is too deep for any, or all, of the political creeds and dogmas of the day ; it presents itself, or should present itself, not to political organizations, not to existing parties, not to particular interests, or local considera-

tions, but to the PEOPLE of the United States, the WHOLE PEOPLE of the United States, as a subject of the greatest and most lasting importance, and calling, earnestly and imperatively, for immediate consideration, and resolute action.

We are assembled here, where the voice of freemen is wont to be uttered, to signify our opposition to this project. And as the project itself is as bold as it is alarming, scarcely seeking to disguise the want of constitutional power to sustain it, and setting forth its great and leading objects, with so unblushing a countenance, and such hardihood of avowal, as to create astonishment, not only in the United States, but all over the world; so, while we protest against it, in the most solemn manner, we shall state the great grounds of our protest, respectfully and dispassionately, but freely and fearlessly, and as if filled, as we are filled, with the most profound conviction that we are resisting a measure, the mischief of which cannot be measured in its magnitude, nor calculated in its duration.

We regard the scheme of annexing Texas to the United States, as being :

1. A plain violation of the Constitution.
2. As calculated and designed, by the open declaration of its friends, to uphold the interests of Slavery, extend its influence, and secure its permanent duration.

I. There is no constitutional power in any branch of the Government, or all the branches of the Government, to annex a foreign State to this Union.

The successful termination of the Revolutionary war, left the old thirteen States free and independent, although united in a common confederacy. Some of these States possessed large tracts of territory, lying within the limits of their respective charters from the crown of England, not as yet cultivated or settled. Before the adoption of the present constitution, it is well known these States had made extensive grants of this territory to the United States, with the main original purpose of disposing of the same for the payment of the debt of the Revolution.

The cession of Virginia, to whom much the largest portion of this territory belonged, being all the land within her original charter, was made in 1784; and it was the express condition of that grant, that the ceded territory should be laid out and formed into States, each to be of suitable extent, not less than a hundred nor more than one hundred and fifty miles square.

At the adoption of the present constitution these territories belonged to the United States, and the government of the United States was bound to make provision for their admission into the Union, as States, so soon as they should become properly settled and peopled for that purpose. For the government of this territory the memorable ordinance of July, 1787, was passed, and constituted the public law of the country, until the present constitution was adopted. It became then a part of the duty of the framers of that instrument to make provision suitable to the subject. The Constitution, declares, therefore, "that Congress shall have power to dispose of, and make all needful rules and regulations respecting the territory of the United States." This gave the authority of governing the territory, as territory, while it remained such. And in the same article it is provided as follows :

Art. 4. Sec. 3. "New States may be admitted by the Congress into this Union: but no new State shall be formed or erected within the jurisdiction of any other State, nor any State be formed by the junction of two or more States, or parts of States, without the consent of the Legislatures of the States concerned, as well as of the Congress."

It is quite impossible to read this clear and exact provision, without seeing that Congress had in view two forms in which new States might be created and admitted into the Union. 1st, They might be created out of the territory which the United States possessed, and in regard to which the original stipulation was, that it should be formed into States in due time, and those States admitted into the Union. 2d, New States might be formed by the division of an existing State, or by the junction of two or more States, or parts of States; but in this case the consent of the Legislatures of the States concerned was made necessary, as well as that of Congress.

It is plain and manifest that in all this there is not the slightest view towards any future acquisition of territory.

The Constitution was made for the country, as it then existed—that country then embracing both States and Territories, and it would be a perfectly hopeless task to seek to find, in the whole instrument, any manifest avowal, or any lurking intention to bring any thing into this Union, not already belonging to it, either as a State or a Territory. The Constitution was no more meant to embrace Texas, than to embrace Cuba, or Jamaica, or Ireland. And it would well become those who are now making such efforts to torture the Constitution, till it shall seem to confer authority never intended by it, to acquaint themselves somewhat better with the political history of the period of its adoption.

The old Confederation took effect in July, 1778, the third year of our independence. During the war the thirteen States had manifested a desire that their cause should be strengthened by the junction of Canada. There was, as all know, a very able and powerful address from the old Congress to the inhabitants of that Province, and the door was still kept open for Canada to come into the Union. By the eleventh article of the Confederation, it was expressly stipulated, that “Canada, acceding to this confederation, and joining in the measures of the United States, shall be admitted into, and entitled to, all the advantages of this Union. Then follow these words—“but no other Colony shall be admitted into the same, unless such admission be agreed to by nine States.” Nine out of thirteen, then, being two thirds of all the original States, were required to assent, before a new State could be brought in. Thus stood the great principle of our Union, when the present Constitution was framed, in 1787. At that time, but subsequent to the date of the articles of confederation, the United States, as we have seen, had acquired the vast territory northward of the Ohio, and stipulated that it should be formed into States.

The old provision in the eleventh article of the Confederation was omitted in the new Constitution, and a provision made, applicable, and only applicable, to States already in the Union, and territories already possessed by the United States.

We see, then, that under the Confederation, new States might come in by the consent of two thirds, and not otherwise. We see by the present Constitution, provision is made for the admission of new States, formed out of the existing territory, or out of other existing States, and not otherwise. Is it not most manifest, that if the framers of the Constitution had looked to the admission of new States, to be formed out of territories afterwards to be acquired, it would, at least, have guarded such a purpose, and such a power, by such a limitation, at least, as should be equivalent to that on the same subject, contained in the Confederation?

The advocates of the annexation of Texas are driven to the necessity of contending, that new States may be admitted, formed of territory out of the

original limits of the United States, although the Constitution has carefully and sedulously omitted and rejected the eleventh article of the Confederation, and has made a provision of its own, the end and design of which cannot be misunderstood or disregarded, without violence to plain terms and clear language, as well as ignorance of, or contempt for, all the contemporaneous history of the country.

They are obliged to contend, also, that this constitutional authority, raised by feeble and forced construction, by unfounded inference and remote analogy, extends not only to the admission of territories or colonies of other independent nations, but to these individual nations themselves; in other words, that a Government formed for the protection and benefit of the people of the United States, each one of which States is enumerated and set down by name in the Constitution of the United States, may not only add to the number of these States, but may also bring in a foreign power, with all its own peculiar interests, connexions, debts and liabilities, not only without the consent of two thirds of the States, or a majority of the States, or indeed without the assent of any one State already in the Union, acting in the capacity and manner in which the people of that State themselves came into it.

It is idle to say that the assent of the people of a State, in a great and fundamental question like this, is to be proved by, or inferred from, any vote of its Representatives in Congress. No member of Congress is sent there for that purpose, or clothed with any such authority. It is, indeed, extremely doubtful, if the question be not clear the other way, whether any State Government, organized for the common purposes of a State Government, could give the assent of such a State to the coming in of a new partner to the Union. When the people of Massachusetts gave their consent to form a political union with Virginia, New York and Pennsylvania, under the present Constitution, that assent was given, not by the Legislature, but by a Convention of Delegates, chosen directly by the people for that single and express object, and no other; and with authority, therefore, to bind the people in a manner to which no other representative body was competent.

But it would seem to the members of this Convention, that if any thing can be more clear than the want of all constitutional authority to annex Texas to the United States, it is that the form in which such annexation is now attempted to be brought about, is an undisguised and open violation of express constitutional provisions.

A Treaty, for the annexation of Texas to the United State, was negotiated last year, between the President of the United States and the Texan Government, and laid before the Senate, for its constitutional ratification, at the last session of Congress. It was sent, like any other Treaty, and required, of course, the concurrence of the same proportion of Senators as other Treaties require, to wit, two-thirds of all present.

A confidence, very ill founded, as events have shown, had been already expressed, and signified to Texas, that the concurrence of that number of Senators was certain. After many weeks of debate, the Treaty was rejected by a vote of thirty-five to sixteen—it thus appearing that not only had two-thirds of the Senators not voted for it, but that two-thirds had voted against it. Here was supposed to be an end of the Treaty, but no sooner was Congress assembled, at its present session, than a joint resolution was introduced, declaring that this Treaty, the ratification of which had thus been decisively refused by the Senate, the only body which could constitutionally give it ratification, should, nevertheless, become the supreme law of the

land. This resolution is now pending, modified in its form, but providing substantially for the same object ; it has already passed the House of Representatives, and should it pass both Houses, then an attempt will have been made, and will have succeeded, so far as the forms of law are concerned, to ratify a Treaty by mere majorities of both Houses, instead of the constitutional authority of the Senate.

We know not on what occasion bad objects have been more emphatically pursued by bad means, or in which the recklessness of the original purpose has been followed up by grosser disregard of all constitutional and just restraint. If this precedent prevail, the Treaty-making power, as established by the Constitution, is at an end. It will be no longer for the Senate, the great conservative and most permanent body of the government, to act deliberately and gravely on Treaties with foreign States, to judge of them in the light of its own wisdom, and under the responsibility of its own high character, and to grant its ratification, if the constitutional number of Senators present concur. The ratification of Treaties will become the business of party majorities, temporary majorities, it may be bare majorities, of the two Houses, acting under the influences, and liable to all the errors, which may occasionally affect the proceedings of such numerous assemblies.

Both the negotiation and the ratification of Treaties are, in their nature, parts of the Executive power of Government. Wherever the Executive power is vested, there the treaty-making power ordinarily goes with it, and as a part of it. There may, indeed, be limitations, introduced for greater security ; and in this case it is not important whether we consider the Senate of the United States as partaking, in these respects, of the Executive power, or as being clothed, by the provisions of the Constitution, with a special authority with regard to treaties. That authority is established, and does exist. It exists, in concurrence with the power of the President ; and if the ratification of a Treaty may be made by majorities of the two Houses, the negotiation of a Treaty might as well be undertaken by the same authority.

The House of Representatives has a Legislative power, and none other ; and whatever may be the form of a resolution or a law for the annexation of Texas, still, as such resolution or law must imply the assent of Texas, the thing to be accomplished is plainly a compact between independent Governments. It is, in its nature, therefore, a convention, or agreement between two nations : and a convention or agreement between two nations is a Treaty, and must be sanctioned in the way provided for all treaties.

The entering into treaties with foreign nations is a matter of the very highest importance, often attended with danger, and always requiring grave deliberation. Yet the common good does require that Governments should enter into such treaties, for commercial and other just and proper purposes. But, while the power is granted, special limits and securities are also established. Senators are elected by States, and an equal number from each State ; to decide upon treaties is one of their express constitutional powers and duties. No treaty with a foreign power can be ratified, unless two-thirds of the Senators concur ; in effect, unless two-thirds of the States concur.

Here is then a constitutional guaranty, not only that all treaties touching the general good of the country shall be deliberately considered, but that nothing which may affect the rights, interests and authority of the States shall be done under the treaty-making power, without the consent of two-thirds of the States themselves.

And it appears to this Convention, that if we can conceive of any bargain,

compact or agreement with a foreign State, under the authority of the General Government, in which the States, as States, have a peculiar, most important and permanent interest, it is a compact or agreement by which another government or nation is to come into the Union, and become one of themselves.

Whoever seeks, therefore, to confer the power of ratifying treaties on any other body but the Senate of the United States, acting under its constitutional limitations as to numbers, appears to us to strike a deadly blow at one of those most considerable provisions, which regard the States as States, and give them, as States, an equal share in the administration of the government.

But we desire not to be misunderstood. According to our convictions, there is no power in any branch of the government, or all its branches, to annex foreign territory to this Union. We have made the foregoing remarks, only to show, that if any fair construction could show such a power to exist any where, or to be exercised in any form, yet the manner of its exercise now proposed is destitute of all decent semblance of constitutional propriety.

Great reliance is placed by the advocates of annexation on the precedents of Louisiana and Florida. It is not to be denied that those precedents do create embarrassments on the present occasion, because precedents are often allowed to have influence, without full consideration of all the circumstances which may make them rather exceptions to a general rule than a regular emanation from it.

Louisiana was acquired under very particular circumstances, totally distinct from those which pertain to the present case, or can well exist in any other case; circumstances affecting, and liable to affect, as well the peace of the country, as the useful enjoyment of its acknowledged territory. Every one saw the importance of the control of the mouth of the Mississippi; every one saw that while a foreign government held Louisiana, we commanded no outlet to the sea, from all the vast and fertile regions of the West. With Spain we had had difficulties, menacing war. It was obvious that our western region, filling up with such wonderful rapidity, by enterprising citizens, whose necessities for a passage to the ocean were increasing with their own population and their own products, would never refrain from insisting, at whatever hazard, on the free use of the greatest river in the world, along whose banks and among whose tributaries it was situated, from its sources to its mouth.

The acquisition of Louisiana was a measure of Mr. Jefferson's administration. He himself appears not to have had the slightest idea that it would ever be admitted into the Union, without an alteration of the Constitution. Such alteration of the Constitution was certainly contemplated, and even recommended by him; but the posture of things at the moment, and the general acquiescence of the country in the attainment of what it had seemed so necessary to attain, led to the ratification of the treaty, and to the subsequent admission of Louisiana into the Union, as a State, without any alteration of the Constitution.

Florida was also acquired by treaty. The objects of the acquisition were similar to those which had prevailed in regard to Louisiana, with this further inducement: that the whole value of the territory should be paid to citizens of the United States, who had just claims against the Spanish Government for seizures and spoliations of property.

These cases, in the judgment of this Convention, do not justify the attempt now made to annex Texas. We are not aware that they have ever

been defended upon such grounds as are assumed in the case of Texas.— They stand on reasons peculiar to themselves; and if, in regard to either of them, these peculiar reasons, or the urgency of the case, or the general acquiescence of the country, either occasioned or overlooked a departure from constitutional principles or provisions, neither of them certainly can be allowed to have the authority of a general precedent. As cases decided and acted upon, let them stand; but if they are to be regarded as justifying authorities for other annexations, for which no necessity exists—annexations, not of territories but of whole nations, then it is obvious that no man can foresee who may be the country of which he is a citizen, or under what forms of government he may hope hereafter to live.

II. "Annexation is calculated and designed, by the open declaration of its friends, to uphold the interests of slavery, extend its influence, and secure its permanent duration."

The frankness of this avowal supersedes the necessity of any attempt to strip off disguises, or to bring hidden and concealed motives, into the light. There is no disguise, the motives are all confessed. They are boldly avowed to the country and the world; and the question is therefore open, visible, naked, and in its true character, before the American people.

The Treaty of annexation was negotiated under the direction of Mr. Tyler, the present President of the United States. In the early stages of the negotiation it was conducted by Mr. Upshur, then Secretary of State, and was brought to its conclusion by the agency of the present Secretary, Mr. Calhoun.

When the Treaty was sent to the Senate, it was accompanied by an elaborate message from the President, setting forth its character and objects. It was accompanied by parts, though meagre and scanty parts, of the correspondence which had preceded its conclusion. Repeated and persevering calls of the Senate produced, at subsequent successive periods, other and much more important parts of that correspondence. Since the rejection of the Treaty, the Secretary of State has continued to address our public Ministers abroad upon the subject; and the country has now before it a mass of correspondence, between the Government in Washington and its diplomatic agents abroad, and between those agents and the Governments of Mexico and Texas. How far that correspondence, taken together, exhibits ability, dignity, self respect and respect for the rights of others; how far its general character reflects honor and credit on the government of this country, we willingly abstain from undertaking to show. We refer to it now only as containing those open confessions and avowals, of which we have already spoken, of the purpose with which annexation has been proposed, and is now pursued with such unwearied perseverance.

Here, then, is a spectacle, in our judgment a sad spectacle, not only for the contemplation of our own country, but for that of the whole civilized world. These advocates of annexation insist, that not only is Slavery an institution desirable in itself, fit to be retained, and necessary to be maintained, as a blessing to man, but they seem to insist, also, that a leading object of the Constitution of the United States was to guard it, defend it, and assure its perpetual duration. Let the Constitution of the country be vindicated from this imputation; let its objects and its purposes, its ends and its means, be clearly stated; and then no lover of human liberty will feel disposed to turn his back upon it with disrespect. The introduction of slaves into the Southern States, while British Colonies, is of early date. For that introduction, the mother country is to be blamed, more than the colonies themselves.

Slavery thus got a footing in the country, and was found existing when the Revolution severed the United States from Great Britain. Like other concerns of the States, it was, up to the time of the adoption of the present Constitution, a subject of State legislation and regulation. It is certain that the Constitution recognised its existence. It took its existence as a fact, and as one fact going to make out that actual condition of things in which the Constitution was proposed to be established, and to which it was intended to be accommodated, so far as must necessarily be done.

The States in which involuntary servitude existed, were not called upon to abolish such servitude, before they could be admitted into the Union; nor, on the other hand, was the proposed government to be called upon to fortify the laws of the States, creating or establishing this involuntary servitude, by any interposition of its authority, or any guaranty or assurance whatever. It pledged itself, indeed, to exercise its authority to suppress insurrections, but this provision was as applicable to one State as another. There is reason, however, to believe that at that time there existed amongst the citizens of the country, generally, even amongst those of the Slave-holding States themselves, a belief that slavery was on the wane; that new views of political economy and of general interest, would lead to the supplying of its place by free labor; and it may be added, with entire truth, that the successful termination of the war which had been waged for liberty and the rights of man, had impressed a general expectation that the political liberation of the country from foreign dominion would tend to produce dispositions favorable to a change of the relation between the black and white races; a change which, commencing with mitigation, and proceeding gradually and with safety from step to step, might eventually terminate in the total abolition of Slavery. Acts of legislation, official addresses, memorials, resolutions, and many other forms of public proceeding, showed clearly the existence of such an expectation. Let us recur to sentiments expressed at that time, by those whose memory the country loves and reveres, and whose wisdom, virtue, and patriotic exertions were most eminent in giving it an honored station among the nations of the earth.

Soon after the adoption of the Constitution, it was declared by GEORGE WASHINGTON to be "among his first wishes to see some plan adopted by which slavery might be abolished by law;" and in various forms, in public and private communications, he avowed his anxious desire that "a spirit of humanity," prompting to "the emancipation of the slaves," "might diffuse itself generally into the minds of the people;" and he gave the assurance, that "so far as his own suffrage would go," his influence should not be wanting to accomplish this result. By his last will and testament he provided that "all his slaves should receive their freedom," and, in terms significant of the deep solicitude he felt upon the subject, he "most pointedly and most solemnly enjoined it upon his executors to see that the clause respecting slaves, and every part thereof, be religiously fulfilled, without evasion, neglect, or delay."

No language can be more explicit, more emphatic, or more solemn, than that in which THOMAS JEFFERSON, from the beginning to the end of his life, uniformly declared his opposition to slavery. "I tremble for my country," said he, "when I reflect that God is just—that his justice cannot sleep forever." * * * "The Almighty has no attribute which can take side with us in such a contest." In reference to the state of public feeling, as influenced by the Revolution, he said, "I think a change already perceptible since the origin of the Revolution;" and to show his view of the proper

influence of the spirit of the Revolution upon slavery, he proposed the searching question: "Who can endure toil, famine, stripes, imprisonment, and death itself, in vindication of his own liberty, and the next moment be deaf to all those motives whose power supported him through his trial, and inflict on his fellow men a bondage, one hour of which is fraught with more misery than ages of that which he rose in rebellion to oppose?" "We must wait," he added, "with patience, the workings of an overruling Providence, and hope that that is preparing the deliverance of these our suffering brethren. When the measure of their tears shall be full—when their tears shall have involved Heaven itself in darkness, doubtless a God of justice will awaken to their distress, and by diffusing light and liberality among their oppressors, or at length, by his exterminating thunder, manifest his attention to things of this world, and that they be not left to the guidance of blind fatality!" Towards the close of his life, Mr. Jefferson made a renewed and final declaration of his opinion, by writing thus to a friend: "My sentiments, on the subject of the slavery of negroes, have long since been in possession of the public, and time has only served to give them stronger root. The love of justice and the love of country, plead equally the cause of these people; and it is a moral reproach to us that they should have pleaded it so long in vain, and should have produced not a single effort—nay, I fear, not much serious willingness, to relieve them and ourselves from our present condition of moral and political reprobation."

"It would rejoice my very soul," said PATRICK HENRY, in the Virginia Convention, "that every one of my fellow beings were emancipated. As we ought with gratitude to admire that decree of Heaven which has numbered us among the free, we ought to lament and deplore the necessity of holding our fellow men in bondage." "I believe the time will come," he also remarked in a letter to a friend in his own State, "when an opportunity will be offered to abolish this lamentable evil."

"Till America comes into this measure," [the abolition of slavery] said JOHN JAY, writing from Spain in 1780, "her prayers to Heaven will be impious. I believe God governs the world, and I believe it to be a maxim in his, as in our courts, that those who ask for equity ought to do it."

We content ourselves with quoting further the preamble of the Abolition Act of Pennsylvania.

"When we contemplate our abhorrence of that condition to which the arms and tyranny of Great Britain were exerted to reduce us; when we look back on the variety of dangers to which we have been exposed, and how miraculously, in many instances, our wants have been supplied, and our deliverances wrought, when even hope and human fortitude have become unequal to the conflict; we are unavoidably led to a serious and grateful sense of the manifold blessings which we have undeservedly received from the hand of that Being, from whom every good and perfect gift cometh. Impressed with these ideas, we conceive that it is our duty, and we rejoice that it is in our power, to extend a portion of that freedom to others which has been extended to us, and relieve them from that state of thralldom, to which we ourselves were tyrannically doomed, and from which we have now every prospect of being delivered.

"We esteem it a peculiar blessing, granted to us, that we are this day enabled to add one more step to universal civilization, by removing, as much as possible, the sorrows of those who have lived in undeserved bondage, and from which, by the assumed authority of the Kings of Great Britain, no effectual legal relief could be obtained. Weaned by a long course of experi-

ence from those narrow prejudices and partialities we had imbibed, we find our hearts enlarged with kindness and benevolence towards men of all conditions and nations : and we conceive ourselves, at this particular period, extraordinarily called upon by the blessing which we have received, to manifest the sincerity of our professions, and to give a substantial proof of our gratitude.

“ And whereas, the condition of those persons who have heretofore been denominated negro and mulatto slaves, has been attended with circumstances which not only deprived them of the common blessing they were by nature entitled to, but has cast them into the deepest afflictions ; by an unnatural separation and sale of husband and wife from each other, and from their children ; an injury, the greatness of which can only be conceived by supposing that we were in the same unhappy case. In justice, therefore, to persons so unhappily circumstanced, and who, having no prospect before them, wherein they may rest their sorrows and their hopes, have no reasonable inducement to render the services to society which they otherwise might, and also, in grateful commemoration of our own happy deliverance from that state of unconditional submission to which we were doomed by the tyranny of Britain. Be it enacted, that no child hereafter born, shall be a slave, &c.”

The slave trade was admitted to be an enormous offence against religion and humanity, and power was given to the new Government to abolish it ; and when the appointed time arrived, they did abolish it, with the general concurrence of all.

It is manifest, then, that neither any specific provision of the Constitution nor any thing to be gathered from its general intent, or any sentiment or opinion in the minds of those who framed it, and who were among the greatest men of the country at the time, can warrant the belief that more was expected of the Constitution, and the Government to be established under it, than the prevention of the further importation of slaves from Africa, leaving the States where it already existed to deal with it as an affair of their own ; and it is equally manifest, that the hopes of the wise and the good, the most ardent wishes of the most influential and patriotic men in the country, looked not to the further increase and extension of slavery, but to its gradual abolition ; and the highest intellects of the country were exercised in the contemplation of means by which that abolition might be best effected.

As significant of the fact that the framers of the Constitution considered domestic slavery a condition of things which would be of temporary duration, we ask your attention to this circumstance. While the Constitution contains provisions adapted to the actual condition of the Southern States, and to the servitude which existed there, it does not once recognise slavery in terms. The word, slave, is not to be found in that document.—That the omission is not accidental, would be clearly and necessarily inferred, from the careful circumlocution by which this class of persons is provided for, without being named.

But we are not left to inference, however irresistible, to enable us to ascertain the reason of the omission. It was declared by a distinguished member of the Convention of 1787.

An act contemporaneous with the formation of the Constitution throws further light upon the purposes of the Fathers of the Republic.

In July, 1787, while the Convention that framed the Constitution was in session, the well known ordinance for the government of the Northwest territory was adopted, with but one dissenting vote, by the old Continental Congress. It provided, as we have seen, for the formation of States out of

that territory. It also ordained that there should forever after be no slavery, or involuntary servitude, within it. When it is remembered that this ordinance extended its provisions over all the territories then possessed by the confederated States out of which new States could be formed, we have, in the form of permanent legislation, a solemn declaration of the purpose then entertained, not to permit slavery to spread beyond its original limits.

The theory that the Constitution was made for the preservation, encouragement and expansion of slavery; that every new acquisition which freedom should make on her own soil, through the blessing of heaven upon toil and enterprise, should be counterbalanced by the incorporation into the body politic of an equal portion of exotic slavery; and that the decline of the latter, through the operation of beneficent causes, kindly placed beyond the control of man, should be retarded by subjecting to its desolating influence new regions, acquired by purchase, or fraud, or force, dates its discovery from a period long subsequent to the establishment of the Government.

Having shown that the Constitution was not designed to uphold slavery, and that such construction of it derives no aid from contemporaneous authority, this Convention finds in the purposes for which the General Government was established, further insuperable objections to the measure under consideration.

What were those purposes? They are declared on the first page of the Constitution. They are, to "establish justice, ensure domestic tranquillity, provide for the common defence, promote the general welfare, and secure the blessings of liberty to themselves and their posterity." These are the declared objects for which the Government was ordained. Are any of these ends promoted by the extension of slavery?

Were there no purpose to enlarge the limits of domestic servitude, were the Executive and the supporters of his prominent measure content to leave the evil where the Constitution left it, that is, within its original bounds, it might seem invidious for this Convention to examine into relations and conditions of things existing in other States of the Union, over which Massachusetts has no control. But it must be remembered that the inquiry now instituted by this Convention, is forced upon it by an attempt to bring within the protection of the Constitution that which it was never made to comprehend, and to sustain, by its power, a new, because it did not crush, at once, an existing evil. We, therefore, ask the advocates of the extension of slavery, which of the great objects of the Union they expect to promote by the success of their undertaking?

That the cause of justice is not advanced, by the subjugation of one portion of the human race to the despotic power and absolute will of another portion, is a proposition, in the abstract, so manifestly true, that its denial, in few and remarkable instances, is regarded by the common understanding of mankind as the melancholy proof of a disordered intellect.

But, independently of principles of universal application, which prohibit the relation of master and slave, on the ground of infringement of inalienable rights, there are objections to the present scheme for the acquisition of Texas, deserving the grave consideration of all, who would preserve the honor of the country unstained, and its character free from the reproach of seeking its own aggrandizement, regardless of the rights of others.

The history of the revolt of Texas from the parent country, of its conflicts, of the formation of an independent government, and of the maintenance of that government to the present hour, is a history of the achievements of the citizens of the United States upon a foreign soil. The boasted victory of San Jacinto was won by citizens of the United States, aided by vol-

diers from its army. The declaration of Texan independence was made by citizens of the United States. Among the signers of that instrument, there is to be found but one name of a native inhabitant of Texas or Mexico. The chief offices in the government of Texas, from the beginning, have been held by men long and familiarly known as citizens of the United States.

Nor was the purpose disguised, from the first moment of discontent with the government of Mexico, ultimately to effect a union with this country. As early as 1829, this was publicly declared to be the object in view, by some of the prominent and most influential of the advocates of annexation. And as if to justify and fasten forever upon the country the imputation, that the government of the United States, disregarding the obligations of a solemn treaty of amity with Mexico, had connived at the enlistment, within its jurisdiction, of its own citizens for the army of Texas, the juxtaposition of its own troops to the field of battle, on the eve of an engagement, their secession, and their union with the forces of Texas, and other acts of alleged hostility to Mexico, the avowal has been made to the world, by the Executive and his Ministers, that for many years the successive administrations of the government have sought to enlarge its territory, by the acquisition of Texas. The belief that the dismemberment of Mexico was effected for the purpose of strengthening the institution of slavery in this country, is fortified by the fact of the identity of the immediate causes of that revolution with the objects now sought to be obtained by the annexation of Texas. In the year 1829, the Government of Mexico, by law, abolished slavery throughout its dominions. The preamble to the enactment expresses sentiments and avows motives, which shed lustre upon the noble deed. These are its memorable words :

“ Be it known that, in the year 1829, being desirous of signalling the anniversary of our independence by an act of national justice and beneficence, which may contribute to the strength and support of such inestimable welfare, to secure more and more the public tranquillity, and reinstate an unfortunate portion of our inhabitants in the sacred rights granted them by nature, and that they may be protected by the nation, under wise and just laws, be it enacted, that slavery be exterminated in the republic.”

The new proprietors of Texas, then a Department of Mexico, refused to relinquish their slaves, and assumed the attitude of rebellion against the laws of Mexico.

This Convention disclaims all hostility or unkind feeling towards the Government or the people of Texas. However much it might be desired that the time and manner of its accomplishment had been otherwise, the fact is before us that the independence of Texas has been acknowledged by the constituted authorities of the United States. That its government may be established upon principles that give strength and security to a State, and reality and permanence to its prosperity, and that it may contribute to spread the knowledge and enjoyment of true liberty upon the American continent, is our most earnest wish. These are our sentiments towards Texas, as an independent nation. But, Texas rebelling against the laws of Mexico, which abolished slavery,—Texas, wrested from Mexico by citizens of the United States,—Texas, the support and defence of American slavery,—can never be joined to this Union, but in bonds of mutual infamy.

If, then, justice condemns this measure of the administration, as being at war with all its purposes, we shall look in vain, through this instrumentality, for the attainment of any constitutional object whatever.

We will not ask, lest the inquiry should seem to be made in derision, if “ the blessings of liberty” are to be secured by the enlargement of the limits

of Slavery, and the augmentation of its power. That "domestic tranquillity" will not be promoted by the increased strength of its great disturbing cause; and that the safety of a nation in war will not be increased by the presence of a domestic enemy, which holds motionless the arm that would be raised for its defence, are propositions admitting neither argument nor denial.

Throughout the revolutionary war, the weakness of the Southern States, and their inability to furnish a due proportion of soldiers for the army, may be seen by reference to the quotas of troops sent by the respective States in the confederacy, into the service of the country. To place beyond doubt the cause of this inequality, the following testimony is adduced from the records of the continental Congress.

"March 29th, 1779.—A Committee, consisting of Messrs. Burke, Laurens, Armstrong, Wilson, and Dyer, appointed to take into consideration the circumstances of the Southern States, and the ways and means for their safety and defence, report,—

That the State of South Carolina, as represented by the delegates of said States, and by Mr. Huger, who has come here by the request of the Governor of the said State, on purpose to explain the particular circumstances thereof, is unable to make any effectual efforts with militia, by reason of the great proportion of the citizens necessary to remain at home to prevent insurrection among the negroes, and prevent the desertion of them to the enemy."

Were the evil consequences of annexation, already alluded to, less formidable, we might point to other and immediate dangers, too great for ordinary prudence to disregard, or, for such an object, to encounter.

The debt of Texas and the war with Mexico must in that event both be assumed by the United States. The former is of uncertain, known however to be of great amount, and is estimated by competent judges at twenty millions of dollars.

Whatever may be its amount, and whatever may be the conditions of union between the countries, that debt must become the debt of the United States. It would be alike inconsistent with the honor of the nation and the rights of others, to annihilate the national character of Texas, assume the revenue accruing from her commerce, and leave the creditor unpaid.

It is equally certain that by a union with Texas, the United States becomes a party in its war with Mexico. With what degree of vigor that war may be carried on by the latter power, and what other nations may become involved in it, time only can determine. That it must despoil our commerce and impair our general prosperity; that it *may* result in hostilities with powerful nations; and that it would be an unnecessary and unjust participation in the conflicts of foreign governments, are considerations too momentous to be overlooked in any fair estimate of the results of annexation.

In a just cause, in the defence of our own rights, the United States may bid defiance to aggression. But to maintain friendly relations with all nations, so far as may be consistent with honor, has been the permanent policy, as it is the obvious interest, of the country. Distant be the day, when, for any object, there shall be a departure from that righteous policy! May that day never dawn, which shall behold the glorious flag of this Union borne in foreign battle fields, to sustain, in the name of liberty, the supremacy of its eternal foe!

This Convention has now, fellow-citizens, performed a high and incumbent duty. With all the brevity which the magnitude and importance of the subject will permit, we have laid before you some of the reasons which impel the people of this Commonwealth to refuse their assent to the formation of a new federal union. Massachusetts denounces the iniquitous project, in its inception, and in every stage of its progress, in its means and its end, and in

all the purposes and pretences of its authors. She denounces it, as the overthrow of the Constitution, the bond of the existing Union. She denounces it, as hostile to all the objects for which that Union was established. In the name of religion she denounces it, as a flagrant violation of its revealed principles. In the name of humanity she denounces it, as a deliberate and monstrous machination to secure the unlimited spread and sway of the scourge and curse of the human race.

We address you from Faneuil Hall, the honored place where freemen, in other times were wont to give bold utterance to their manly thoughts. Around us are the high places where our fathers jeopardized life in the cause of American liberty. The monuments of their devotedness to that cause, even unto death, are in our sight. Their principles are ours. Their spirit animates our hearts, and through us they summon you to the defence of all you hold most dear on earth.

We call upon you, therefore, in their name, and in the name of all the patriots of the Revolution, to stand by us in this day of peril. And we beseech you that you will not permit the declaration they made to the world, on the glorious fourth of July, 1776, to become an object of scorn and derision, by reason of an abandonment of all its principles, even before the last of the generation with which they acted has disappeared from the earth.

Will the South disregard all remonstrance, and press on to its consummation this deed of atrocious wrong? When the Constitution was framed, we have seen, that there was harmony of sentiment among intelligent men in all sections of the country respecting the injurious influences of slavery. Nowhere do we find its evils more faithfully portrayed than in the speeches and writings of eminent men belonging to the slave-holding States in the early period of our history. The opinions they expressed of slavery have been verified at each step in the progress of the Nation. Withering every interest it touches; paralysing the strength of States yet in their youth; more desolating than blight or mildew to the soil that sustains it; in all ages and countries, the wrong done to the nature of man, when he is subjected to involuntary servitude, is avenged by the wide-spread ruin his reluctant service repays.

For this unhappy condition of society, the remedy sought to be applied can only aggravate the mischief it would remove. To eradicate the evil, not to disseminate it, is the dictate both of wisdom and philanthropy.

But, whatever may be the policy of the Southern States upon the question of annexation, surely the appeal to the people of the free States will not be made in vain. Not only the highest obligations of duty bind them to oppose, with all their energies, the extension of a vast moral, political and social evil, but it is clear that no other course is consistent with mere self-preservation.

Their consent is demanded to the introduction into this Union of Slave States, to be formed out of foreign territory. And for what end is this demand made?

The object, we repeat, is undisguised. The purpose is single. It is to control their policy, to make the interests of free labor subservient to the necessities of an artificial, unthrifty, unnatural and unjust condition of society. It is to force industry out of the paths which lead to abundance and prosperity, because those paths are open only to the feet of freemen.

During the whole existence of the General Government, hitherto, Southern principles have had an almost unbroken sway. This has been felt in ruinous changes of public policy, seemingly capricious, but really intended,

all its changes, to discourage the industry of the free States, derange their business, and depress them to the level of communities in which all labor is held to be degrading, except that which is extorted from unwilling hands, by the lash of usurped authority.

It has been perceived that the night of this iron dominion was passing away. The energies of freemen, put forth in submission to the laws of Providence, have overcome all obstacles, and opened the way for the growth, prosperity, and power of the free States.

No sooner is that power beginning to be felt in the protection it extends to the interests which created it, than a gigantic effort is made to reduce it, again and forever to subjection.

The free States are called upon to assist in forging the chains that are to bind them. By the help of craven and treacherous Representatives of these States, the foul deed, if done at all, must be accomplished. But that Representative of a non-slaveholding State, who shall be so lost to all his obligations to earth and Heaven, as to yield his consent to a measure pernicious to one, and offensive to the other, will live while he lives, the object of scorn and loathing to all lovers of liberty and of man; and when he shall have perished from the earth, the history of this iniquitous act will be the lasting memorial of his infamy.

In conclusion, fellow citizens, we call upon you to unite with us in prompt, vigorous and unceasing hostility to this scheme of annexation. Whatever may be its fate in the present Congress, it will never be abandoned while a hope of success remains. The patronage of office, and the appliances of corruption, and all the energies of desperation will be combined for its accomplishment. Let, then, the power of truth and justice, the love of liberty, a determination to preserve the institutions of free Government, and a regard for the well-being of the country, unite all honest and patriotic men, in one mighty and persevering effort for its overthrow. Let public sentiment be every where enlightened in respect to the origin, history, and objects of the measure of annexation. Let it be the all-engrossing theme, by the fireside and in the field; and let the people of every State assemble and denounce it. Let the sentinels of the press slumber not; but with unceasing vigilance, watch the approach of danger, and sound the loud alarm. And may that Providence which established, and has hitherto protected, our beloved country, preserve it from guilt and ruin!

JOHN M. WILLIAMS, *President.*

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DANIEL A. WHITE,
ELISHA HUNTINGTON,
DAVID WILDER,
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GEORGE GRENNELL,
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