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President's Message - California

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SPEECH

OF

HON. A. W. VENABLE, OF N. CAROLINA,

IN THE HOUSE OF REPRESENTATIVES, FEBRUARY 19, 1850,

*In Committee of the Whole on the state of the Union, on the Resolution referring the President's Message to the appropriate Standing Committees.*

Mr. VENABLE said:

Mr. CHAIRMAN: It is a matter of regret to me that the rule; which necessity has compelled us to adopt as to the time allotted to each speaker, will prevent me from the full discussion of the subject before us. I shall, however, avail myself of the privilege of publishing to the country those remarks, which I shall be prevented from delivering.

The character of the discussion, and particularly the proceedings of yesterday, have developed many and important considerations, which ought to be fully impressed on the public mind. We hear gentlemen declaring, on the one hand, that measures in progress must produce disastrous consequences, and making the strongest appeals for forbearance; whilst on the other, there is a cool announcement that whatever may be the result, these measures must be consummated. The issue must be made up, and at whatever cost, the strength of the antagonistic parties must be tried. I am satisfied that things are tending in this direction, and that the most desirable event which can happen, is a final adjustment, one way or the other, of the great issue which divides us.

I like frankness and candor. I abhor concealment and indirection. I must, at least, respect the boldness of the open assailant of my rights, when compared with the covert intriguer, who smiles to conciliate that his unjust purpose may be more effectually accomplished. It was for that reason that I heard without excitement the declaration of the gentleman from Ohio [Mr. ROOR] on Friday last, that Heaven had decreed the abolition of slavery, and warned gentlemen of the South lest they should hurry the execution of that decree. Neither was I astonished to hear the gentleman from Massachusetts [Mr. MANN] announce that the institution must fall. After taxing his rich imagination to describe the horrors of the civil war which would follow disunion—after piling up the agony, midst clouds and dust and smoke and darkness, with scenes of blood and carnage—distressing our sympathies with all the horrors of civil and servile war, and still going on to draw from the resources of a mind rich in such pictures, and prolific in such visions, my friend from Alabama [Mr. BOWDON] arrested his progress for a moment, by asking him whether he would consent to avoid all these tremendous consequences by assigning some portion of the public domain to southern slaveholders, that they might emigrate to it and enjoy their property: he promptly replied that no such concession could be made. To him the horrors of civil discord, the

calamities of internecine war, the thrilling terrors of fraternal and deadly conflict, were more desirable than the relaxation of a policy in which his heart and feelings are absorbed. It was somewhat amusing, however, to see him descend from his lofty soaring in those regions of imagination to warn us, as an inducement to submission, of the practical evil in the way of negro stealing to which we should be subjected. The extended sea-coast, our bays and rivers, and the succession of dark nights, were facilities with which he seemed familiar in thought; and he concluded, perhaps justly, that if the restraints of the Constitution were now some little obstruction to the indulgence of the kidnapping propensity of the sons of the *Pilgrims*, that those restraints being removed, our whole slave population would be abducted. That the gentleman has no peculiar horror of that crime, was signally shown in his zeal in defending (for the mere love of justice undoubtedly) those daring plunderers who robbed the people of this District, a short time since, of near a hundred slaves in a single night. I can assure him that by far the greater part of our danger from this species of daring crime will be removed, by the fact that unless a market for the kidnapped negroes could be found we have no fear that New England capital, or New England labor, would be employed in that enterprise. The first impulses of fanatical or unprincipled feeling would abate before the want of pecuniary profit which the employment would yield. We are willing to believe that the descendants of those who filled their purses by seizing the African on his native shore and selling him into bondage, might, too, for a consideration, be induced to open a trade in the descendants of those whose fathers their fathers made slaves; and I would readily believe that those whose moral sense is so paralyzed as to see no crime in negro stealing, might easily be persuaded that there would be less objection to the business if it could be rendered profitable. They have not forgotten the convenient morality which—

"Compounds for sins they are inclin'd to,  
By damning those they have no mind to."

I can assure him that we have not forgotten the vast numbers of charming and interesting runaway negroes at New Bedford, who, as his former colleague (Mr. Palfrey) remarked with manifest exultation, had paid for themselves with their heels. We are not insensible to the fraternal kindness with which those northern Anacharsis Klotz orators of the human race regard us of

the South. Nothing can equal the indifference with which we regard such predictions of danger, except our detestation of the means employed to bring on the trouble, and our abhorrence of the mock sanctity of those who would be the agents in the work. Sir, there is no more striking evidence of the senility, the decay of a people, than the reign of *cant*. No people have ever recovered from its effects, and never can. Nothing but *cant* could have suggested the atrocities with which the gentleman's speech abounded. Let him blush when he speaks of the sins and crimes of any people on earth. Crime and sickly mental culture have kept pace in his section. No southern calendar of crime can afford such cases as the Salem murders of some years since, or the recent horrors of the Parkman assassination by a professor of the model University of New England. If we add to this the cool assurance with which the gentleman from Indiana [Mr. Fitch] designated a portion of the southern members as madmen, we are constrained to admit the force of the maxim quoted by himself, "Whom the gods intend to destroy they first make mad." The gentleman from Ohio [Mr. Root] stated his points with clearness and frankness, and with boldness declared that no compromise could be made upon the question of the exclusion of slavery from the Territories—an issue in which we join, and shall at least have the satisfaction of understanding each other. On some future occasion, when this question shall come up more practically in relation to California and New Mexico, I intend to reply to his remarks.

I turn, with gratification, to my friend and colleague, [Mr. CLINGMAN,] who some time since addressed the committee in a manner which afforded me high pleasure. I avail myself of this, the first occasion, to congratulate the country that the time has arrived when party ties yield to the call of our country on a great occasion, and when the voice of patriotism can be heard above the clamor excited by partisan zeal. I hail him as a bold and efficient champion of our rights, and most gladly will I cooperate with him, or any other man who will, with an honest purpose, take hold of this momentous question, to adjust it properly and according to the guarantees of the Constitution.

This occasion, sir, is peculiarly suitable for the consideration of the state in which the Union actually is. We are in Committee of the Whole on the state of the Union as disclosed by the President's message. In that communication he speaks strongly of his purpose, as well as his duty, to preserve the union of the States composing this Republic. He uses strong expressions when speaking of its value—of the calamity which would supervene upon its dissolution as the greatest which could befall us. He assures us of his determination to "stand by it, and maintain it in its integrity to the full extent of the obligations imposed, and the power conferred by the Constitution." I suppose that the President apprehends some danger of this calamity, or else this declaration is uncalled for, and believes that this intimation of his purpose will in some measure tend to avert it. If he intends to *ave those whose deeds of wrong and aggression awaken a spirit of resistance*, perhaps it was well-timed; but the language of menace or rebuke seems to be in bad taste when

addressed to any portion of the representatives of the people. I presume that it is the purpose of every member here to stand by the Constitution which he has sworn to support—that the obligation of an oath is equally sacred to the members of this House and the Chief Executive of this Republic; and that all must long since have been convinced that the tie which binds us is purely a moral obligation—precluding the supposition that our existence as a Confederacy either originated in force or can be preserved by violence. The States and the people of the States must have sunk deplorably from the position occupied originally by them when they can be brought to tremble or to yield to the power which they themselves created, or to fear its exercise in controlling their action. To deliberate on all the circumstances which surround us, and to determine as to the rights of those whose interests are committed to our care, belong to us; and whilst we shall ever listen respectfully to the messages of the Executive in reference to those subjects on which we are to legislate, we should never forget our own high duties as the representatives of the people, or hesitate to discharge them irrespective of the opinions or conclusions of other departments of the Government.

It is proper, from the tone of the message, that we assume that the Union is in danger; although there is in that document, a remarkable obscurity as to the causes of that danger, or the means of averting it. It is our duty to make faithful inquiry concerning this matter—to ascertain whether this evil is really to be apprehended; and if menaced by so great a calamity, to point out the individuals and the measures which are active in producing it. It is time for statesmen to cease to speak in mysterious terms, or to bandy epithets as applicable to classes or individuals. It is worse than useless to abandon argument, and resort to denunciation; to speak of ultra men, either North or South, as the cause of that agitation which now pervades the Republic. Our history for the last twenty years instructs us—passing events compel us to feel that some great disturbing cause has marred the harmony and destroyed the tranquillity of the great people represented in this Hall. We cannot avoid the conviction, that unless that disturbing cause is removed, it is impossible for the Government to extend its existence, without such internal convulsions as must sever the tie which unites the States of this confederacy. It is worse than folly even to think of force as an element in any policy designed to perpetuate the Union. It is madness to rely on any other than a sense of equal justice, as the foundation of that confidence upon which that Union is founded, and which supplies its vitality. We must approach this subject with candor. We must, if we hope to arrive at any safe conclusion, be willing to investigate faithfully, and decide impartially, on all complaints which come before us. Nothing but a conviction that full justice has been done, can reconcile the parties who have submitted their rights to our decision.

With a hope that this confidence is not altogether overthrown, and that justice may yet be done, I submit some considerations to the Committee on the state of this Union—considerations drawn as well from our past history as from events now in progress—to examine into the causes of agitation and dissatisfaction, and show who are



the agitators and disturbers—to expose the real danger to the Union, and show who are the disunionists—to strip history of fiction, and passing events of all false coloring, and to hold up before the American people the danger and the remedy.

And here, sir, I must remark, that much of the evil which besets us is referable to mere party organization; although I am admonished that its aid has been invoked to avert coming troubles. We have been often reminded by the press of the necessity of maintaining the integrity of the two great national parties, particularly the Democratic, as a panacea for the disease which preys upon the heart of this Republic. Like the inebriate, who follows the blind impulse of his appetite, and resorts to the bottle as a remedy for his disease, or the confirmed opium-eater, who finds the narcotic necessary to allay the nervous turmoil which his vicious habit has produced—it is an appeal to an exciting cause to counteract its effects; to a blind impulse, or an unprincipled intrigue, to lead to the discovery of truth and the remedy for injustice. By party influence wrongs often go unredressed, and truth is long perverted and disarmed. It is a fearful thing when that power becomes so concentrated as to control the intellects of the masses and place their resistless influence in the hands of weak or unscrupulous men. The disturbing energy is felt long after the causes have ceased to be active. The ocean, roused by the tempest, heaves with destructive fury after the winds have subsided. The heavens are calm, but the waves still rise mountain high, and did not memory fix the cause, philosophy would be at a loss to determine it. The ship which outrides the storm, because the very winds which lashed the ocean into fury, enabled the mariner to trim his vessel and keep before it, has been wrecked in the succeeding calm by the ground-swell, for there was no breeze to waft it from the dangerous shore. The calamities and the overthrow of governments are unskillfully referred to those causes which at first view seem proximate and operative. They are themselves the result of previous evils—evils which, either from a want of skill or honesty in the Administration, have become a part of the system and produce its destruction. It is a great mistake that the ruin of a people, or the overthrow of a government, is the mere result of action in legislative halls, or a victory on the battle-field.

Unwise and unjust legislation are the effects, and not the cause. A people must be hopelessly ignorant who will fail to correct the first, or deplorably depraved who would tolerate the last. It is the last act of oppression which produces revolution—the insufferable pressure of distress which arrays men in rebellion. But the sanguinary conflict which closes the existence of a government, has been caused by aggressions and injuries accumulating and exasperating, until the existing state of things is as full of actual evil as any which even the battle-field can bring. Nothing but great evils ever break up governments; for nothing is so much desired by the masses as tranquillity and repose. Ambitious rulers, or the hope of plunder, may make external wars; but domestic disorganization is produced only by a deep sense of injustice—a feeling which causes incurable alienation between the government and the people. Thus

in every government where the people constitute an important element in the administration, oppression must have become terrific before revolution has been adopted as a remedy. The fierce and successful uprising of the people against the First Charles and the Second James were but manifestations of a deep discontent arising from long mal-administration. No one would respect the sagacity of the statesman who should charge the revolution under Cromwell to the *ultraism* of those who resisted the collection of ship-money, or the enormities of the Star Chamber. We could find no person at this day who would denounce as disorganizers those who drove off James, snatched the ermine from Jeffries, and hailed the Prince of Orange as a deliverer. No statesman, no discreet reader of history, can refer these events to immediate acts of oppression. Patience was exhausted by a long-continued course of injustice; hope of redress was extinguished, and the principle of resistance called into high activity, which had before that time been manifested only by remonstrance and complaint.

Sir, the principle of loyalty to the government has a powerful sway over the human heart. It is a most important element in patriotism itself, and, like filial affection, can be destroyed by none but mighty causes. This is true, whether it be a government created by the people, like our own—whose majesty is seen and felt in the laws by which they choose to bind themselves—or whether it be a government of any other kind. Patriotism—a higher principle than the love of a mere locality—draws the affections of the heart to that source of power which dispenses peace, justice, security and repose; and those affections can never be diverted from that direction except by gross and outrageous wrong, insufferable and degrading injury. It becomes us to inquire why this disturbing anxiety among ourselves? What has clouded our horizon? What has transformed this hall, once the scene of calm deliberation, into the theatre of fierce debate? What disturbing element is that which mingles itself in every act of this House, marring its harmony and destroying its dignity? Why has the anomaly of our disorganization at the present session of Congress excited the apprehension of a large portion of our countrymen, and, I had almost said, the disgust of all? Why the intense interest in the election of an officer of this House, whose station derives most of its consequence from the petty emoluments which pertain to it? Surely no event of recent occurrence is the cause. Nothing which has sprung up suddenly in our midst could have produced such results. The prophet's gourd sprang up in a night, but it perished as soon; but these scenes of exasperation and strife follow each other in quick succession, each more abiding in its effects and more menacing in its character. Sir, it is a melancholy truth that there is a deep and fixed alienation among the people of this Republic, which has at last been marked by a geographical line. A feeling of settled hostility does exist, and he is reckless of the influence of facts who does not perceive it.

A gentleman from Ohio [Mr. SCHENCK] some days since declared, that when it became the settled policy of the people of this Republic that no man from the slaveholding States would vote for one in the non-slaveholding States, and *vice*

*versa*, this Union was dissolved. That event would not dissolve the Union. No, sir, the efficient cause would have long preceded it. Such hostile feeling would be the consequence of policy long anterior; and that gentleman, should he live to see such a result, might perhaps find in his own votes on the Wilmot proviso, and kindred measures, at least one of the principal elements in this deplorable state of things.

I am aware, sir, that it belongs to the policy of those who pursue a system of wrong and oppression to divert attention from themselves, and fix the blame of disturbance and disorder upon the wronged and oppressed. An old device, but one that has lost no charms in the eyes of the unscrupulous. It is still dangerous in perverting or in concealing the truth. To rebuke and restrain the complaints of those who are aggrieved, is, with great complacency, denominated conservatism, whilst their murmurs and remonstrances are denounced as ultraism and impracticability. The oppressed are clamorous, and attract observation; they are plundered, and they remonstrate; they are unjustly used, and they complain. The complacent wrong-doer calls himself a *conservative*, because he has no cause to be dissatisfied with the amount of his plunder, and deprecates a change of things, which would decrease his gains. Wrapped in the mantle of his own good feelings, he wonders why any of his fellow-citizens should complain of rights curtailed, when, by that operation, his own are so much increased. We know that power can purchase parasites and demagogues; that the masses who receive the plunder are easily persuaded that complaints are mere clamor, and all show of resistance a wicked disregard of the obligations of society. Some twenty years since we passed through the first act in this drama of plunder; but the deed was disguised. A protective tariff, by legislation, transferred, on a magnificent scale, the money of the agriculturalists to the coffers of the manufacturers, and the expenditure of much the larger portion of the revenue at the North created a constant balance of trade in their favor against the South, thus curtailing our profits and preventing the growth of our commercial cities. Menaced resistance compelled a relaxation; but rapacity knows no pause, and in our days we witness the open purpose of plundering the whole domain for partial distribution. To do this, the institution of domestic slavery must be assailed and weakened, and all the exasperating appliances which have been adopted to consummate it are pressed with unrelenting tenacity.

With these facts to guide we can be at no loss to answer the inquiry, What are the causes of agitation and discontent? We find the first in the laws enacted by the non-slaveholding States, preventing and discouraging the recapture of fugitives, laws expressly against the letter and the spirit of the Constitution. The attempt to emancipate slaves in this District, the forts, arsenals, and dock-yards belonging to the United States by cession from the States in which they are located. The purpose by the proviso to exclude slaveholders from all the territories of the United States; or by a more compendious measure, the forcible manufacture by Executive interference of States out of territorial domain with this exclusion in the constitution, and their unceremonious introduction into this Confederacy. All these measures

indicate an undisguised purpose for the total emancipation of slaves throughout the United States as well as the territories. A purpose which, so far from being concealed, was boldly announced in the Senate during the last Congress by the late Senator from New York, [Mr. Dix.] He said that the policy and the design of those who opposed the extension of slavery by the proviso was to "surround the slave States with a cordon of free States and starve slavery out." The meaning of which ominous warning can only be this: to compress the white and black race within such a narrow compass that the white race must abandon their country to blacks, or come under their political control by the mere force of numbers. A degradation aggravated by the most refined cruelty, a policy to overwhelm and ruin the South, which has no parallel in its enormity but the cool malignity with which it is announced.

These are the causes of agitation. These causes exist and are continually increasing in aggravation. Let us now enquire who are the agitators and disturbers? And here, sir, as in the whole course of my remarks, I shall abstain from any declaration unaccompanied with proof. I mean to be respectful, and if compelled to speak strongly, I undertake to speak no more strongly than well-ascertained facts demand. I answer the question, who are the agitators? by averring that the advocates of those offensive measures are alone to be blamed for the disturbance of our repose, the destruction of our tranquillity.

The committee is indebted to the honorable member from Indiana [Mr. Fitch] for an entertainment with which he favored them in the remarks submitted on yesterday. He made a disclaimer of any pretension to the character of a constitutional lawyer, which he might have spared himself; for, before the conclusion of his remarks, I presume that no member of the committee would have harbored such a suspicion. But there was one character in the farce for which he exhibited most striking qualifications, and for which his former pursuits had eminently fitted him. I very much question whether there has ever been a more happy personification of the mock-doctor than the honorable member has given us on that occasion. He lectured upon monomania with the *unction* of one deeply experienced in its symptoms, and left none in doubt of his experimental knowledge of the malady. With a wit which was chiefly derived from the stores of memory and historical allusions founded on authority which justly entitled them to the character of fancy sketches, he lectured southern gentlemen for their impudence, and with the *ex cathedra* manner of one who has been in the habit of teaching with authority, recommended restraints upon the personal liberty of some of us lest our freaks of insanity should be mischievous.

With the deep acumen of one well informed in the history of the country, he advised us of the fact that the ordinance of 1787 was a precedent to justify legislation on the subject of slavery in the Territories by Congress. Doubtless, posterity will acknowledge the obligation for this discovery. We had always supposed that it was prior to the existence of Congress or the Constitution, an ordinance or treaty made by the old thirteen before the adoption of the Constitution, which on its face, purports to be junior to the ordinance. But this is the age of light, progress, and discovery. His



quotation from the Scottish bard would have been peculiarly appropriate to himself, if he had remembered a most remarkable piece of history in his own State, of recent occurrence. Perhaps it has occurred too lately to be remembered. On the 12th of January, 1850, the Legislature of Indiana passed an act directing the Governor to procure a suitable block of marble from a quarry in that State, to be placed in the Washington Monument, which is now building in this city. Upon it, by his direction, the following inscription is placed: "Indiana knows no North—no South—nothing but the Union." On the 19th of the same month the same Legislature passed resolutions instructing their Senators, and requesting her Representatives to vote for the Wilmot proviso as a part of any bills which may be presented to Congress establishing governments in the territory recently acquired from Mexico. Now, sir, who but one deeply affected with monomania could look upon these two incidents, so completely cotemporaneous, without being struck with their absurd inconsistency? The inscription, to keep pace with the resolutions, should have read—"Indiana knows the North, but knows no South, and nothing of the Union founded on the Constitution." Alas!—

No rim can hold licentious wickedness,  
When down the tide he holds his fierce career:  
We may as well send precepts to Leviathan  
To come ashore.

I shall speak of the proviso policy as unchanged; for although its aspect does present some variations, yet the purpose is the same. The recent vote, laying the resolutions of the gentleman from Ohio [Mr. ROOR] on the table, indicates no determination to abandon the proviso. The change was too sudden to be sincere, or it grew out of the fact, that the resolution was enlarged so as to include California. The resolutions presented by that gentleman a few days before, to instruct the Committee on Territories to report bills for the government of the territory east of the Sierra Nevada, excluding slavery therefrom, was subjected at once to a motion to lay them on the table. The House refused to do so by a majority about as large as that which laid them on the table after their amendment so as to include California. California was knocking at the door with a constitution excluding slavery; and the instructions asked for would give up that advantage. It would be most easy to explain that vote to the satisfaction of the most determined proviso Free Soil constituency. It was a vote to give proviso territorial governments to the territory east of the Sierra Nevada, and hold on to the chances of the admission of California. When California was included, to lay on the table left the chances the same for the territorial bills, (for, however reported, the proviso could be attached,) and the advantage of position which the restrictive constitution of California has, still retained.

If we ever were at any loss upon that subject, our doubts are removed by the announcement of the gentleman from Illinois [Mr. BAKER] that it was a great mistake that the proviso was abandoned. He said that when it was presented to the House as a specific proposition this would be manifest. So there was no purpose to give up the proviso, and a fixed determination to hold on to any advantages arising from the position of California. They would be unskillful tacticians indeed who would

fail to secure such advantages by parliamentary adroitness. If California is admitted under the constitution on our table, the most effectual proviso is enacted. If territorial governments are given to the country east of the Sierra Nevada, the proviso will be attached to the bills; if withheld, the masterly inactivity in appearance, but Executive interference in fact, which is the policy of the President, will speedily settle all this question against the South. I saw through the whole matter when the vote was given. I was constrained to smile at the mistake, that intimidation had anything to do with the apparent change of vote; it was dexterity, it was skillful management, to make great progress towards the consummation of the slavery restriction, without exciting apprehension—to give the South the appearance of victory, in order that this concession might ensure ultimate and overwhelming defeat. The excited South must be amused, must be diverted, and this cheap device, *costing nothing and worth nothing* to us, is resorted to for that purpose. It would be amusing, if it were not so insulting to our understandings, to examine the various expedients which have been resorted to to make southern men submissive to the policy which must end in their ruin. And here I would refer to some incidents in our history which ought never to be overlooked.

I pass by the surrender of the Northwestern Territory without a consideration, and the Missouri compromise. The first was a treaty made before the Constitution, and the last, though unconstitutional and oppressive to the South, has been so long acquiesced in as to be tolerated on that account. At least no southern statesman is now disposed to disturb it. I come to more recent events as affecting the state of the Union, and giving color and character to the transactions in which we find ourselves the actors. I refer to flagrant and open violations of the Constitution which are justified and maintained by parties to the contract, as well as those concerning the constitutionality of which a doubt has been raised only to justify a tyrannical majority in inflicting wrong. Can any provision of the Constitution be plainer than that which requires the surrender of fugitives from labor, or, in plain language, runaway slaves? The courts have so decided, and the common sense of mankind recognizes the simple provision in all its force and effect? The Constitution requires each member of State Legislatures and all the officers of State to take a solemn oath to maintain its provisions. With this oath upon their consciences they have enacted laws violating this provision, and given protection to the fugitive—denying the owner their State courts, forbidding citizens to aid in the recovery, yea, making such aid a highly penal offence. This disregard of the sanction of an oath in the passage of the law is consummated in its execution, and popular opinion sustains the outrage. Can a more conclusive evidence be given of total demoralization in communities? Can more overwhelming proof be adduced of a disregard of the Constitution, the bond of union. Yes, there is yet a stronger—a more humiliating proof. It is found in this, that the authors of these unrighteous laws, so far from rebuke, meet with applause; instead of censure, secure political elevation as a reward for their moral dereliction. The Senate of the United States have now at least two members recently elected to that body from two of

the largest States in the Confederacy, who are distinguished for their bold and unscrupulous opinions upon this subject. The one from New York favored the country with his views in a speech at Cleveland, Ohio, in which he derided and scoffed at the constitutional rights of the slaveholder, and he immediately thereafter was rewarded with his seat in the Senate. He is a leader of the New York Whigs. The other, from Ohio, whose letter, with which we are ail familiar, and his open coöperation with abolition conventions for years past, have given him deservedly the position of a leader of that party, rejoices in his position as one of the Free Democracy. He, too, has received his reward, and occupies a seat in the Senate. This, sir, is the worst sign of the times. These movements are made in the face of a most perilous excitement of the public mind at the South, and as if in scorn and contempt to our remonstrances and complaints.

I doubt not but many members of this House from those States would gladly have prevented the enactment of those laws, and the pursuit of a policy which must end in hostility and exasperation. But the current is too strong; those who in former times, even in the weaker state of abolition feeling, have stood by the Constitution, have been struck down for their integrity, or gone over to the enemy. To the few that now remain, I attach a value like that given for the last volume of the Sybil's books. May they be in like manner appreciated at home, and win the honorable distinction to which they are entitled by their merit and integrity. I hope this, at least. But, sir, we have very little reason for the hope that this pressure from without will cease, or be mitigated. An honorable member from Connecticut, [MR. CLEVELAND,] now before me, was compelled, in order to secure his election, to accept the nomination of the Free Soil Abolition Convention, the ultra Liberty men of his district, a nomination rejected by his Whig competitor. He adopted, at their instance, the Buffalo platform, and by the union of the two kinds of Democracy, obtained his seat. I have his letter before me to their Convention, in which he fully accepts the terms, and by which he secured their votes. If he desires it, I will read the letter.

Sir, we are compelled to hear ourselves and our institutions denounced—the northern press teems with assaults upon the whole South; and when exhausted patience causes us to speak as becomes men, we are denounced, and the act of the wrongdoer palliated. Their executive messages, their legislative resolutions, urge on the aggressive advance of the Free Soil and Abolition party. The tables of both Houses are loaded with such manifestos. Those of the Legislature of Vermont, in advance of all heretofore passed, actually claim the right to abolish slavery in the States admitted since the adoption of the Constitution; and yet the popular current sets stronger, and presses with a mightier force. Nothing stays its progress—no road to honor so sure as to float on its waves—no policy so certain of securing popular favour, as an utter disregard of the rights of equals in this union of States. When rulers, from ignorance, corruption, or any other cause, have failed to fulfill the high trust reposed in them by the people who elected them, there is a remedy in the hands of that people, which may restore confidence and punish unfaithfulness. But woe to that country

where public sentiment is corrupted at its source; where wicked and fanatical men have so debauched the public conscience as to justify moral obliquity.

It is an insult to our understandings to say that a few individuals whose reason has yielded to monomania, or a handful of hypocrites who profess motives which have no place in their hearts, are the sole agitators in the non-slaveholding States. We are told, I know, that southern statesmen, southern hotspurs and agitators, are the irritating causes of this great excitement. Why, then, does it control the votes of northern gentlemen here? Why do they vote for the proviso, and all its kindred measures, directed at the institutions of the South? With a few exceptions on this side, who in this House vote against any of the abolition movements here, when presented in a practical shape? Refer to the vote of last session on the resolutions of the gentleman from New York, [MR. GORT,] the bill of the member from Ohio, [MR. GIDDINGS,] and the question is answered at once. The organization of parties, as Whig and Democratic, is sternly maintained for some purposes, (I may not say what,) but within that organization there is yet another—a league to war against the institutions and the rights of the South; and northern Whigs and northern Democrats vie with each other in manifesting their zeal in this crusade. I was the other day much interested to observe the composing effect produced by this common purpose. After a fierce debate which took place between three gentlemen on this floor, one from Ohio [MR. GIDDINGS] assailed the former Speaker [MR. WINTHROP] for the organization of the committees in the last Congress. His colleague [MR. SCHENCK] defended the late Speaker, who endorsed his defence. Upon the issue as to the amount of conservatism and free-soilism, and the extent to which the late Speaker adopted free-soil opinions, the debate became animated, and the parties grew warm. But the excitement was soon extinguished; an occasion of sympathy soon presented itself; a place where their feelings could mingle like the waters of the sweet vale of Avoca, renowned in song. Another gentleman from Ohio [MR. ROOT] introduced a resolution to instruct the Committee on Territories to report bills for the government of our domain east of the Sierra Nevada, including New Mexico, and excluding slavery therein. As a test vote, some gentleman moved to lay that resolution on the table. This was to those chafed combatants that refreshing valley; they all then voted against laying the resolution on the table, and their hearts, like those poetic waters, were mingled in peace.

Sir, free-soilism and its consequences constitute the true basis of a great party organization in this House, and I may add, in the country. None can suppose that we who look upon such scenes as that just described are so unsophisticated as not to understand it. There are some in both houses of Congress, and doubtless many of their constituents, who duly appreciate our constitutional rights, and do their utmost to secure them. To such I now distinctly declare I have no reference in my remarks. I admire and honor them the more for the firmness and candor with which they act in the face of a misguided, a perverted public opinion. I mean no disrespect to any. For I presume that no gentleman can be offended when



I fairly state his political creed. I mean nothing offensive when I denominate all Wilmot proviso men, or those who advocate its kindred measures, Free Soilers. Mr. Webster claims for the northern Whig party the honor of being the true Free Soil party. He congratulates them that the Buffalo platform, though having some rotten planks, (free trade and subtreasury, I suppose,) gives him and them a secure place to stand upon in the great crusade for "free soil, free labor and free people." The two sections of the northern Democratic party seem to have amalgamated almost entirely upon the free soil question, so far as the proviso is concerned, and here in this House present a front more nearly united than any party or any other issue.

I know that there are very many Free Soilers who disavow with propriety the name of abolitionists. They are content with preventing the extension of the institution of slavery into new territories, whilst the abolitionists purpose to destroy it where it exists. The friends of the proviso policy would besiege the South with their hosts, and keep them within their fortress. The abolitionists lead on the assault upon the fortress itself, to carry it by storm. Should they fail in the attack, they have a refuge in the impregnable position of those, who although disclaiming to be their allies in name, are their allies in fact. It is time that this fact was fully understood. There is a Northern Whig, and there is also a Northern Democratic party. This organization relates to themselves. But there is a Free Soil party, absorbing every shade of opinion which opposes the institution of domestic slavery, including by far the greater portion of both these great parties. This last organization relates to the South, to us of the South and our interests. Nor can it be otherwise. In the non-slaveholding States there are three orders of those, who, whilst they include a vast numerical majority, present all the phases of opinion upon the slavery question. First, those who consider slavery a mortal sin against the Divine law—polluting and corrupting to the whole people in any way connected therewith, and, as if under the command of heaven, they stand pledged for its extermination. They admit the power of no human laws, the obligations of no constitutional provision, as any restraint upon their efforts to abolish it. A second class declare it to be a great and a heinous crime against the natural rights of man—a crime, however, countenanced by the laws and allowed by the Constitution. Against the continuance of this criminal license they stand pledged to employ all their powers and unite all their strength; to repeal the laws which allow its perpetuation, and to alter the Constitution which gives it protection.

There is a third and as yet more numerous class who consider slavery a great political evil, which ought not to be extended, but ought to be curtailed. Now we know that argument is wasted and time mis-spent in addressing the understandings of the two classes first named. Nothing is more unavailing than a legal argument or a demonstration in political economy when opposed by a moral feeling in those to whom it is addressed. If the feeling be sincere, conscience resists effectually the force of demonstration; if insincere, the task is yet more hopeless, because truth can have no legitimate influence. These parties must increase, because religious fanaticism and excited

sympathies for wrongs, either real or supposed, move with resistless power upon the human heart. You may address reasons to the third class, and they may be convinced so far at least as to leave us to our own evil of slavery, but they cannot consent to its extension; a conclusion in which they all concur. From this third class, who, to say the most for them, are not the most active in opposition to southern interests, all the recruits to the first named must come. And they have gone over to them with fearful rapidity. In vain does the still small voice of reason utter its conclusions; the storm of passion, the raging of phrensy excited excitement overwhelm its whispers—and all are drawn by the same impulse to the same position.

These, sir, are the causes of agitation and disturbance,—deeply seated in the nature of things, and belonging to the case. I again ask, who are the agitators?—who the disturbers? It is manifest that southern statesmen and southern States have not been aggressive. The Missouri compromise gave away slave territory without consideration. A settlement of the question, as it was hoped, unjust to the South, but acquiesced in as the price of peace. The history of the past and present events expose the delusion. Was the South aggressive here? Has the South violated this compromise, or made an attempt to do so? Under cover of the right of petition, the question of the abolition of slavery in this District and elsewhere, was agitated in Congress. The right of petition, secured in the Constitution, was for the redress of grievances, not for inflicting wrongs—to obtain the rights of the *petitioners unjustly withheld*, not for the destruction of the property of others, property guaranteed by the Constitution. Was the South aggressive here? The appropriation of the entire public domain to the citizens of the non-slaveholding States, an inflexible adherence of a numerical majority to the Wilmot-proviso policy, although the whole South most solemnly declares that the act will assuredly produce a separation from the Confederacy. Is the South aggressive here? The assertion of not only the right, but the duty of Congress to abolish slavery in this District, the forts, arsenals, and dock-yards, within the southern and slaveholding States, where property has been ceded to the Federal Government for purposes of defence, although the South has with great unanimity pronounced solemnly that disunion must be the consequence. Is the South aggressive here? The deliberate nullification of a solemn provision of the Constitution, not only by declining legislation, but by positive enactment of State laws, which prevent the execution of the provision relating to fugitive slaves, thus, in fact, affording protection to kidnappers and a bounty to thieves. Is the South aggressive in this? The recent assertion by the Legislature of Vermont that Congress has power over, and ought to interfere with, slavery in those States which have been admitted since the adoption of the Constitution; thus exposing all the southwest to this desolating power. Is the South aggressive in this? And, as if this were not sufficient cause of exasperation, the superadded usurpation of the Executive in the case of California—a State called into existence by Executive power, excluding the South by a constitutional provision, under a government which, to say the least of it, was revolutionary and in

defiance of authority. Grasping at one effort, the whole Pacific coast, and appropriating its advantages to all but those whose swords aided in winning the possession, or whose blood stained its soil. I ask, is the South aggressive here? No, sir; the South has never been aggressive on the North. I challenge the records of history or the memory of man for the instance. That history, in its instructive annals, will perpetuate the evidence of forbearance unequalled—loyalty to the Union unparalleled, and devotion to the Constitution which knows no equal. This patience, this loyal sentiment, this enduring attachment to the Union, under such provoking injuries, has produced the conviction on the minds of those who wrong us, that we are not in earnest in our warnings—not determined in our purposes of resistance. Perhaps we in some measure deserve this manifestation of contemptuous incredulity. Those who have offered insult with impunity, may sometimes safely calculate on the pusillanimity of those who have been insulted. It may, however, be true, that our patriotic attachment to the Constitution, the only bond of union, cannot be appreciated by those, whose frequent violations of its requisitions have rendered them insensible to its obligations.

Unscrupulous men are apt to forget that there is any such restraint as principle, any such monitor in the human bosom as conscience. Sir, it is because we believe that disunion is better than emancipation, that any result is preferable to the attempt to give equality to the two races by legislation—a belief openly expressed and found fixed in every southern mind—which has induced those who pursue a policy directed to the production of those results, to call us disunionists. The army of Wilmot-proviso free soilers have surrounded us with a numerical majority. They hold their position and send on bands of armed abolitionists as skirmishers to bring on the battle. If successful, they will claim the honor of negro emancipation. Whilst the struggle lasts, they reproach the combatants as the causes of disorder. And if their allies are discomfited they will have to bear the blame of the assault. We are told that ultra southern statesmen and northern abolitionists agree in desiring disunion. And this taunting remark is rung through all the changes in order to discredit all southern men who speak of resistance. It is true that the open abolitionists, both here and among their constituency in the non-slaveholding States, do advocate disunion, as a duty which they owe to God and man, because of certain conscientious convictions as regards the sin of slavery. No concession short of universal emancipation will satisfy them, both in States and Territories. They deny the obligations of the Constitution and the Union which it creates, and inculcate its abrogation, enjoin disobedience to its authority, because it tolerates slavery and recognizes the relation arising therefrom. They declare that no faith should be kept with slaveholders, and that the Union and the Constitution defiles them with deadly sin. They turn their backs upon the Union as an evil *per se*, and trample on the Constitution as acknowledging the obligation in this Government to protect slavery by its guarantees.

Southern men agree with them that the Constitution does recognize and protect domestic slavery; that the institution was a most important element

in its formation, and that all of those guarantees were adopted with reference to the rights of slaveholders. They demand the preservation of their rights under the Constitution, and no further than they are there declared. They charge that resistance on their part, is no violation of the Constitution or the Union; but a mere assertion of their rights under both. An assertion which may amount to violence, because, by the laws of nature as well as of every social compact, it is a duty to repel the aggressions of government, by a resistance sufficient to overcome the force of the usurpation. Less than this, would be unsuccessful, and make the usurpation more intolerable, because unsuccessful resistance necessarily increases the power that it was intended to restrain. The Abolitionist pursues disunion as an end to be desired; the southern slaveholder looks to it as the consequence of accumulated wrongs. The Abolitionist is a mere fanatic; pursues it to gratify his conscientious scruples about other men's sins; if a hypocrite, as a means of obtaining power. The southern men avoid it, until wrongs growing out of the connection become less tolerable than disunion. The Abolitionists disavow the moral obligations growing out of the Constitution; southern men stand upon the Constitution and ask no higher boon than it secures.

The Abolitionists set fire to the dwelling in which we have a common residence, and the southern man is called an incendiary because he will not continue to inhabit the burning house and perish in the flames. And yet southern men are insolently taunted with affiliation with those who do wrong for the sake of wrong, and assail the Constitution and the Union, in obedience to the avowed maxims of their political creed. In one thing, however, the Abolitionist has boasted, and with some show of propriety. His assaults are open, his purposes acknowledged. Whether sincere or not, he is undisguised. That which was a feeble faction, has become a controlling power; and there are more than one member of both Houses of this Congress who owe their seats here to their votes. We know their purpose, and in their conventions we see their numbers; and we feel their power. We feel it, because the whole strength of the Wilmot proviso party forms their vanguard, and act with them. They unite in seizing the public domain for the inheritance of non-slaveholders. They stand by them in every assault upon domestic slavery, whenever it is pretended that Congress has a right to interfere. The Abolitionists, content to dissolve the Union, disavow the obligations of the Constitution, and take what they have in possession and set up for themselves. In doing this, he is willing to leave the South to the slaves and their sins to make the best of it; whilst they thank God that they are not as these publicans. They are at least willing to depart without plundering—to leave us without further degradation than that which they suppose attaches to our institutions. But the party advocating the proviso and equivalent measures, whether Whig or Democratic, claim to hold us to a bond (the force of which they do not feel on themselves) to bind us as the Druid bound his victim, and see us expire by the slow process of legislative torments. The Union is the ligature by which we are to be held in position to be first plundered and then degraded, and rendered insensi-



ble to both by the repetition of injury; if resistance be thought of, to be gravely cautioned as to the consequences of treason. The Pacha of Egypt sent down thousands to excavate the great canal, who perished in making that monument of his power. He claimed the right because his armies enforced his commands. That command was as just, and his right to enforce obedience as ample, as is the power of a numerical majority to enforce the proviso and its kindred measures. It is true his government was despotic, and acknowledged no limitation or restraint but his will. The principle which secured obedience was fear. The proviso and anti-slavery party urge upon the South loyalty to the Union as an incentive to submission, and the Constitution intended to secure equal justice, tranquillity and repose as the justification of their aggressions. The Abolitionists are open, the proviso party insidious and more dangerous foes. The South, with one voice, declares it and its kindred measures growing out of intervention on the subject of slavery by Congress as consummating the full measure of wrong, and declare resistance to be duty. I cannot, I will not, lower the standard which they have made.

Having then, sir, as I think, disclosed the causes of agitation and discontent, and who are the agitators and disturbers, I proceed to give my views as to the real danger to the Union, point out the real disunionists, and the only hope of averting the calamity which is foreshadowed by coming events. I have before adverted to the great truth that the overthrow of governments is not wisely referred to those causes which seem most immediately operative in the last act of the drama. Those causes are themselves but the effects of prior and powerful principles of disorganization, long in operation, producing organic and incurable evil. This is true, most painfully true, in relation to the danger which now threatens the Union of this Confederacy. The bond of union is the Constitution. The objects of that Union are most fully expressed in the preamble to the Constitution. "We, the people of the United States, in order to form a more perfect union, establish justice, insure domestic tranquillity, provide for the common defence, promote the general welfare, and secure the blessings of liberty to ourselves and our posterity, do ordain and establish this Constitution for the United States of America." The adoption of that Constitution is the evidence of that Union. The preservation of it guarantees the preservation of that Union. It was adopted to limit the power of numerical majorities. It was designed as the protection for the safety of minorities. But, sir, the restraints have not been sufficient, and to the overwhelming influence of merely numerical majorities, much of the evil which we dread must be in candor referred. For years the inconvenience was not severely felt. Our Revolutionary fathers fought for personal liberty, and the rights of property, homogeneous in its nature and common to every State in the republic. In such a state of things the instincts of self-preservation draw men together. The same objects of pursuit and deliverance from a common evil restrain any mischievous tendencies in the power of a majority. It is after liberty is secured and revenue is raised by taxation—when the people become divided into those who receive the patronage of government and the emoluments of office, and those who pay

the taxes, that the lust of power invokes the aid of majorities to sustain those who are in authority. It is only because the receivers of the public bounty have not become more powerful than the contributors by taxation, that the full weight of this evil has not been felt. Every pensioner on the Treasury, every newly-created office, all projects for large expenditure of public money on national objects, add to the number and increase their power. When they shall either by fraud or force acquire a complete ascendancy, the oppression of the tax payers will become *terrific*. This state of things is rapidly approaching. The Presidential election is scarcely any thing but a struggle for the spoils of victory, with either party, and the time is near at hand when a President in power may hold over after the expiration of his term, and by the force of patronage make good his position. In the necessity of the case, (for it is a part of this system,) it has become a political maxim that the majority must and have a right to govern. Resistance is vain, for the majority is omnipotent—a fatal mistake lying at the foundation of things, subversive of all that is valuable, and disavowed by the Constitution. No tyrant is so inexorable as a numerical majority; none more oppressive and inconsiderate, from whose dominion despotism is an escape to be coveted and desired. As a deliverance from this thralldom, constitutions are adopted. To mitigate the horrors of such a state, majorities in original conventions have imposed restraints upon themselves by adopting constitutions for the protection of minorities. We have seen that so far as the South is concerned that protection is lost, and the reply to a demand for justice is the policy and power of the majority. It is claimed that they have a right to give an authoritative construction to the Constitution; and that this is a gross usurpation, is seen in the dexterity with which each successful instance is urged as a precedent to justify each succeeding encroachment of that power. The Constitution itself, the protection of the minority, is, by the majority, perverted into an engine of oppression.

This force of numerical majorities has come back with powerful impulse upon the Government here. In seeking the elevation to the Presidency, it has become a part of the tactics of some aspirants to disclaim the exercise of the veto power, to seek for success in the election. To give up that restraint upon the will of majorities, wisely provided by the Constitution to secure the attainment of numerical majorities amongst the people. The South, now the *weaker*—the *minority* in the Government—feels oppressively this power—sees here the prostration of the great conservative principle in the bond of union. This symptom discloses organic disease in the system, and one which advances with fearful rapidity. As a consequence of this doctrine, a new nomenclature became necessary. New words were introduced; and names are often the gravest indications of the decline of liberty. Our Federal Government has become a national Government, a term repudiated by the framers of the Constitution. We speak of national parties, national objects, as applicable to our institutions. The French Republic was called an empire before Napoleon ceased to be first consul. He demonstrated the propriety of the name by assuming the title and authority of emperor. This impulse of a majority has truly perverted our

Federal into a National Government. This great central power overshadows the States, exercising a control far exceeding, in force and energy, the conception of its authors. They trembled, lest it should be found too weak to withstand the encroachments of the States. They supposed that they had created a trustee with communicated powers. So thought the delegates to the convention who adopted the Federal Constitution in Virginia. They reported to their Legislature that they had ratified a Constitution, which committed powers to the Federal Government, and "which could be resumed by the States when used to their injury." A Government reflecting the power of the States has been perverted into a means of prostrating State sovereignty. The creature aspires to control the creator. Those who have administered the Government, have inverted the order of things. The machinery has been employed for purposes for which it was not designed, and power, which was intended to be salutary, has become mischievous. We have, by a fearful progress, departed from the simple ends for which the Union was formed, and the great distraction which now exists is the necessary consequence. Year after year has the Congress of the United States assumed new and extended jurisdiction, until the trustee has become the *cestuy que trust*, the agent the principal; and all that was secured by the Constitution to the States, is in process of absorption by the Government here. And this is called the *Union*. Held up as a subject of veneration so sacred, that the deepest denunciations are hurled at those who presume to inquire into the abuses practised under its name. When a wanton majority here rush over the barriers of the Constitution, and assail our property, and endanger our safety, and bring the white man in the South to the level with the negro, to our remonstrances for existing wrongs, our warnings concerning those on future, are answered with—*Save the Union!* When insult is added to injury, to every declaration that the Constitution has been violated, and the compact which unites us is broken, the reply is—*Be patient—save the glorious Union!* When a galling sense of injustice from some new outrage excites southern representatives to strong expressions of indignation, they are denounced as disunionists. The atonement is a pæon to the Union, or a quotation from Washington's Farewell Address. Sir, it is time that this insidious game was ended, and that those who perpetrate it, whether holding high stations, or occupying those less elevated, should be rebuked by the stern and solemn voice of truth. It is time that justice should be heard above this idle clamor. The bidders at the auction of popularity should no longer be rewarded for cant, slang, and treachery. Southern constituencies ought to know the settled purpose, that under this great name—the *Union*—they are to be degraded by authority, plundered by statute, and disfranchised by act of Congress. It is by this abuse of the bond of union, that it is really endangered; this prostitution of its influence, that it will forfeit respect.

Deeply, sir, ought we deplore the policy which produces a spirit of distrust, and weakens the regards between the citizens of our country on sectional grounds. The attachment to the Constitution as a bond of union with us was once strong and pervading. No one permitted himself to calculate its value, or to speak of its destruction.

Although long convinced that it was of no commercial value to the South, still, for other reasons, as well as a principle of veneration for our ancestors, the feeling was ardent, deep, controlling. But, sir, repeated injuries have done much to change this state of things. That attachment to the Union is now but little more than a sentiment—cherished still, it is true, but rapidly yielding to another sentiment, equally congenial to a southern heart. I refer to a determination to redress our wrongs, whatever may be the consequences. Abolition missionaries, incendiary pamphlets, northern kidnappers, and all the appliances which can either annoy our peace or endanger our property, have alienated much of the regard once felt for our fellow-citizens of the non-slaveholding States. We are rapidly approaching the conviction, that in feeling and in interest we are not one people. Here, sir, is extreme danger to the Union. The South has not spared the revenue of the Government for the benefit of the North. From Lake Superior to Lake Champlain; from the Canada frontier to the mouth of the Delaware, light-houses innumerable shine in the darkness, like stars on the bosom of the wave. There are more of those beacons—and with no greater necessity for them—in the State of Maine, or either of the maritime New England or Middle States, on either of the lower border lakes, than from the entrance of the Chesapeake to the mouth of the Rio Grande. Your ports are protected with fortifications; your harbors improved at great expense—rivers opened, roads constructed, lands given for the purposes of internal improvements and education—all by the acquiescence and approbation of the South. Your fishermen receive bounties and drawbacks from the public purses; and all that liberality can conceive, has been cheerfully accorded. Of this we have not yet complained. I would not have mentioned these facts, but to place in bold relief the contrast of the southern and northern policy—the just liberality of the South, and the wanton, reckless injustice of the North.

Not content with all these advantages, our institutions are assailed and the public domain monopolized, our safety and our property made the subjects of fanatical and political experiments. Nor is it deemed proper that we should be informed to what extent this spirit is operative, or who are the persons who make these assaults. If disorganizing and offensive resolutions are introduced here, thrown as a firebrand into this House, we are required to pass them by at the peril of being held up to the country as disturbers of the peace. Sir, when such incipient steps to our ruin are made in this House, I am resolved to spare no effort to show the people who are the friends of such measures. A direct vote shall be taken as long as we can find those who will aid in the work. Insincerity shall not find a dodging place, but the South shall know who are these conservative friends of whom we hear so much. Their names shall go to posterity upon the record. They shall stand up like open foes, not waylay the path with the assassin's stiletto. Are gentlemen desirous to avoid the infamy of the vote on the one hand, and yet more afraid not to vote lest their constituents should be incensed against them. Sir, if such be the state of public opinion among their constituents, great, very great, is the danger to the Union.

The South has lost confidence in the justice of



many of the non-slaveholding States as members of this Confederacy. The loss of property in fugitive slaves is enormous, the boldness of northern kidnappers has increased beyond measure: the whole Atlantic coast is exposed to northern shipping, and even now the citizens of a portion of North Carolina are holding conventions called together to arrest this evil. A recent abduction of slaves by a Boston ship is the exciting cause. Experience has taught us that the attempt to reclaim is usually abortive, always hazardous, and sometimes fatal. People, laws, and courts are arrayed against them, and the power of the mob in advance of all forbids the reclamation. Sir, this outrageous disregard of the bond of union, has alienated our feelings, and destroyed our confidence. We may have fewer schools, less ostentatious churches—make fewer prayers in public, and less flourish about charity and benevolence: but we have no code of ethics which makes either of those commodities, or all of them together a set-off for the recognition of crime as an accomplishment, or the protection of felons a duty.

Sir, the South has kept faith with the North in all things in which the covenant bound them. They would gladly see a return on the part of their fellow-citizens of that region to a sense of obligation growing out of the constitution, but they are well nigh hopeless, and for this reason I repeat, great is the danger to the Union. There is yet another ingredient in the cup of bitterness prepared for us, and which by high authority we are required to take without murmur. I allude to the policy of this Administration in reference to the California and New Mexico Territories. I do not now propose to do more than make a reference to this subject. At another time, when the Executive communication shall have been printed, and the whole matter placed before us, I shall express my views in relation thereto. I fully concur in the conclusions of my able and distinguished friend from Virginia, [Mr. Seddon] and take this occasion to express my obligation to him for the strong and eloquent development of the subject in his address to the House. But I do deplore this whole transaction by the distinguished individual who occupies the Executive mansion. I speak of his connection with this measure with regret—not with bitterness. I perceived months ago that measures were in progress to exclude the against him, in the first exclamation of grief and citizens of the slaveholding States from this territory. The King of Israel, when Absalom rose up against him, exclaimed: "Surely the hand of Joab is in this matter." Sir, I felt from the first that we had nothing to hope from a Prime Minister—a Secretary of State—who had voted in the Senate for the incorporation of the Wilmot proviso into the Mexican treaty. He had voted to bind our Government by treaty stipulations with Mexico, to exclude the South from this domain acquired by conquest and by purchase. Before the rains and the dews had washed the blood-drops of the fallen soldiers from the rocks and the sands to exclude his family from a legacy purchased with his life; to involve our country in an agreement with Mexico that the territories conquered and paid for should be reserved to destroy the influence, to break down the power of the southern States. The attempt to pass the Wilmot proviso is an act of open, stand-and-deliver robbery. The

Wilmot proviso is a bold cruiser, with a flag which denotes the true character of the ship. The California measure and the policy in relation to New Mexico and Deseret, is a piratical craft with deceptive colors—both, however, destined to the same port, both plundering the South. This, with great dexterity, inflicts a deeper, because a remediless injury. The proviso, applied to those territories, would be a death-blow to southern hopes, an extinction of southern influence. This arrangement is severing limb by limb from the living trunk; protracting suffering aggravated by a sense of uneasy imbecility. Pilgrims, strangers, sojourners, and foreigners from every clime, having falsely assumed to be a people, have seized upon the public domain, appropriated all they desired, if not by the advice, by the connivance of the Government here. I say falsely assumed to be a people, the term presupposes the existence of social organization. A people inhabiting and residing in a territory whose right to form a government has been recognised by those possessing the sovereignty—and who consent to withdraw their sovereignty in order to the formation of a State constitution without any other condition than that it should be republican in its provisions. Not a fortuitous, accidental accumulation of persons; without fixed domicile or interest in the soil—transitory and unsettled. Here, sir, is danger to the Union. In every usurpation, every violation of the Constitution, there is danger—such a policy persevered in must destroy it.

I think I have shown the danger to the Union, and whence it proceeds. It is seen and felt, for the whole South is now moving to a convention of slaveholding States, to be held at Nashville in June next, to consider how to save the Union, but at all events to save ourselves. A sense of injustice has smitten the heart of the whole people, and the bitter waters of strife are about to be substituted for refreshing streams of patriotic affection. There is imminent danger of disunion; nor can gentlemen avoid the evidence of that fact by referring to our prosperity as a people, and the great interest which the South has in the preservation of the Union. The South has an interest in the Constitution and the Union. It is the continual claim which is made for that interest which is denominated agitation by those who withhold justice from us. We do not desire to calculate in figures the value of the bond, we only ask for its conditions, and then, in weal or woe, prosperous or unfortunate, clothed with honors or sunk into poverty, covered with glory or trampled in the dust by the heel of conquering foes, we stand by you and with you;

"For our fathers were like brothers,  
In the brave days of old."

But it is no reply to our just complaints to say that we have become a prosperous and a great people under the Union. It is true our Constitution would make any people great if its principles are regarded in the administration of the Government. Imperfectly as its guarantees have been preserved, the elements of greatness in climate, in soil, and natural advantages, with the energy and enterprise of the people, have produced results which have no parallel in history. This is true; but it is also true that our progress has been greatly impeded, and the ends for which the Constitution was adopted have been much obstructed by a disregard of the wholesome restraints which

it imposes. We have been prosperous notwithstanding these impediments, and made rapid advances in spite of these drawbacks. It is not, however, an evidence of prolonged existence in prospect, that external indications of prosperity are exhibited by a people. The very means employed to acquire wealth and power, often contain the elements of destruction. The policy which accumulates the one and concentrates the other, may be fatal to the continuance of the system. This is strikingly true in reference to our Confederacy. We are compelled to own the agency of our State sovereignties in holding together and sustaining our institutions. Their salutary check has given all the stability which belongs to our Government, and has delayed the disruption which unconstitutional legislation must finally produce. The concurrent majorities of two Houses, representing different constituencies, have in some measure restrained the desolating impulse of mere numerical majorities upon the machinery of our Federal Government. Circumstances already referred to, have however arisen, which have impaired the force of this restraint, and we look with apprehension to the future. All tends to the vortex of merely numerical majorities. Other causes are also active to produce similar results, and in proportion as they are efficient, the stability of our institutions is endangered. Our apparent prosperity as a people affords no ground to calculate on the protracted continuance of the Government. The tree clothed with verdure and flourishing with apparent vigor, falls before a blast which seemed not to have power to overthrow it. But a heart-decay unsuspected by a casual observer is revealed by its prostration. Organic disease both in men and Governments does often exist without indications of the fatal termination which must and will come. In our Government, sir, I fear the disease is organic. This age of progress seems to be little else than progress in evil, so far as the cause of human rights is concerned. The great error of the day, one most serious in its consequences is assuming that it is the office of Government to change social relations. Nothing is more mischievously false. The only legitimate end of political organization is to preserve not to change or create those relations—to preserve not to create property. All valuable alterations such as do not disturb the harmony of society, are the result of time operating on relations already existing; suggested by necessity and adopted gradually. Sir, whilst there is nothing that we should value more than a good government, there is nothing which deserves a lower estimate than a bad one. And the best form of government may be made the worst by abusing its powers and perverting its objects. A good government properly administered will transform the most unpromising materials into a virtuous community, whilst one that is corrupt and vicious will debauch public sentiment and bring ruin on its institutions. Nothing is so powerful in its influence on society, because nothing is so universally present in all its relations. The rights of persons and of property are subjected to the unintermitted action of its authority, and it colors and controls all the currents of social feeling. It is a power to restrain vice and punish crime, or to foster corruption and discountenance virtue; a refreshing fountain to enliven and purify all the channels of human intercourse, or a pol-

luting stream sending forth bitter waters to poison and to destroy. Patriotism, with all its elevated purposes, sustains and defends a good Government, whilst rapacity and corruption are brought into requisition to give energy and effect to a bad one. Hence the high duty to maintain a Constitution, which, having the principles of justice for its foundation, gives security, tranquillity, and repose; all good men desire it, and none but wicked men pervert its powers to evil ends. He is a patriotic statesman who adheres to the Constitution and its benevolent purposes, whilst he is guilty of scarcely less than treachery, who defeats those designs. The best government, ignorantly or corruptly administered, becomes the worst: good citizens regard the fundamental laws with veneration, whilst those who administer them make their loyalty to that law the instrument of oppression. It is for this reason, sir, that party organization exerts such influence, and is so often invoked to quiet the distractions of public feeling. Claiming to control the minds as well as the actions of men, and settle authoritatively the opinions of the masses, we are not surprised that we are admonished of the high necessity of preserving the organization of national parties,—of adhering to that organization as a means of preserving the Union. Sir, in order to the formation of any party upon an honest basis, the members of that party must have many opinions in common, and direct their action by those opinions. Any other state of things precludes the idea of an honest organization, and fixes the fact that its only object is the division of the spoils after a party victory. Such party obligations may exist with reference to this object, and at the same time another common purpose and sympathy may unite a large portion of each party in effecting most important results.

There are such things as open questions, independent of old party issues. This is true at the present moment. A large majority—nearly all of both Whigs and Democrats in the non-slaveholding States in this House and elsewhere—concur in the policy of restricting the institution of slavery to its present territorial limits, and whenever the Wilmot proviso, or an equivalent measure, or even an abolition movement is made, are found voting for such a line of policy. This open question amongst them closes the door against the South, and our party divisions but increase our inability to defend ourselves against a majority here. It increases their power and reduces ours. There are gentlemen on this floor claiming to be thorough and excellent Democrats, who adopt the proviso as to the Territories, admit the power of Congress over slavery in this District and wherever it has exclusive legislation, and vote for the exercise of that power when occasion requires, who have made no effort to reform State legislation on the subject of fugitive slaves, who believe in the constitutionality of internal improvements by the Federal Government, advocate specific duties, in a tariff with the avowed purpose of protection, and yet say they are good and true Democrats.

Now the Democratic party, where I have known its creed, repudiate these doctrines; and I find myself here agreeing with the gentlemen referred to only on the Sub-treasury, and a suitable disregard for the ashes and memory of a defunct United States Bank. With such elements as these to constitute a party, we are gravely told that such an organiza-



tion ought to be preserved as one of the most approved methods of saving the Union. This open question concerning slavery unites Northern Whigs and Democrats against the South, and produces the very measures which the whole South, by governors, conventions, and legislatures, declare must cause a dissolution of the tie which binds the States together; and yet fealty to party authority demands our allegiance to consummate degradation and enforce submission. To advise such a concentration of party power must, if from Northern sources, be arrogance of supposed conquest over us—if from Southern men, or a Southern press, it means nothing less than submission to dishonorable inequality, and the Union it preserves owes its existence to the calmness of despair. To inculcate reverence for such an Union, to make pledges to advocate "it under all circumstances, regarding its dissolution as the greatest of all possible evils that can befall the country," if coming from those who make it the instrument of our oppression, is *insolence*; if from a Southern man or a Southern press, is treason to their section,—*dark, deadly treason*.

Sir, I own no party affiliations with those who vote for a policy which is forever to fix upon me and mine a condition of political inequality. I recognize no party ties uniting me to those whose system of aggression has for its result the equalization of the black and white races—which looks even remotely to the possession of civil or social equality of those races at the South at least (amongst themselves it may be a matter of taste with which it does not become us to interfere.) Neither will I acknowledge party allegiance to those who vote for or approve the Wilmot proviso, or any equivalent measure, the abolition of slavery in this District or elsewhere by Congress, or the obstruction of the recapture of fugitive slaves by State authority. My constituents have declared disunion preferable to any of these results, and so instructed me at the polls. It was the issue upon which I was elected; and I frankly asked all who had not made up their minds to approve of that conclusion not to vote for me. I cannot, then, by the recognition of any party arrangement, give strength to such as pursue those objects with unremitting zeal. I claim no party affiliation with the advocates of those measures, however strongly party lines may be drawn. To do so is to betray my trust, to dishonor my constituents, to acknowledge the plunder and monopoly of our territory a just distribution, kidnapping and the abduction of our slaves a virtue, and perjury against the Constitution in protecting runaway slaves by statute, an accomplishment to be admired. It is an insult to ask a southern man to own party obligations which promote the ruin of the South. I hail every man, whether Whig or Democrat, from the North or from the South, who, standing by the guarantees of the Constitution, preserves the rights of the South on this absorbing question as belonging to the party organization to which I acknowledge fealty and allegiance. I pledge myself to cooperate with such, and such alone, as thus resolve. Neither will I be diverted from my purpose by questions raised concerning the spoils of victory or the emoluments of office, the exercise of power either in appointments or removals, sympathy with foreign and suffering patriots and reprobation of foreign despotism, or any

minor questions which do and have divided statesmen in their opinions. As well might we pause when the envenomed serpent in his coil is about to strike a fatal blow, to kill the insect which could only rob me of a drop of blood. No, sir, I stand by those of all parties who stand by the Constitution. I recognize no political association with those who violate and pervert it. We will know no political friends but those who abide by its provisions, and regard all as political enemies who deny us its protection. I cannot recognize a political association with those whose policy is directed to the destruction of eighteen hundred millions of dollars' worth of property—the value of our southern slaves. Ours by the Constitution, ours by rights, ours in a great measure by purchase from those who now threaten to destroy it. Whatever may be the consequence of resistance, it is a struggle for our property, our homes, our firesides, and our posterity, and our position as men, our equality in this republic.

In showing, sir, the danger to the Union, I think I have designated the disunionists. Not southern men, who are determined to save their homes and their property, and their superiority to a free race, to demand and to have his chartered rights, but the invader of his rights, the destroyer of his repose. Doubtless the emperors of Russia and of Austria do thus excuse all these cruelties by denouncing the patriotism of the Hungarians treason, and the demand of their rights the suggestion of hot-headed ultra-politicians. I say in all candor and with all courtesy to the Abolitionists, *you are disunionists*, for you are continually endeavoring to destroy the value of property, to secure which was the chief object of the Constitution and the Union. I say to the Free Soilers of every shade of opinion and of every political party, *you are disunionists*, for you assert a claim to the whole public domain for yourselves, irrespective of the rights of a large portion of your fellow-citizens, equally entitled to its occupation under the Constitution. I say to all who either here or elsewhere approve of, or encourage legislative or other action to prevent the recapture of fugitive slaves—or who here deny the legislation necessary to make that article in the Constitution which requires their delivery operative and efficient. *You—you are disunionists*, for you pull out the corner-stone of the Union, as one of your judges most truly and solemnly declared—it is the assailant and not the man who resists assault who breaks the peace. It is the wrong-doer, and not he who only contends lawfully for his rights, that is responsible for the violence of the struggle.

What then, sir, must be the end of this state of things? What can save the country from discord and the Federal Government from overthrow? What, in the language of politicians, will satisfy the South? The time was, sir, when all that was demanded was forbearance on the part of the non-slaveholding States as our equals in the Confederacy. We simply asked, let us and our institutions alone. But that time has past. Mississippi has cast her banner to the breeze, and all the southern States will wheel into line with this gallant young sovereignty. In convention they will speak one voice, but in tones which will remove the incredulity of those who suppose that we are not in earnest. In the bold, manly, and truthful manifestos of those States I see the resolve that all this

difficulty must be settled now and forever. All causes of alienation must be removed. The policy which under any form of Federal legislation or Executive intervention seizes for the non-slaveholding States the public domain, must be given up; the South will never be satisfied with an abandonment of the name whilst the reality of the wrong is still enforced—to be cheated and then laughed at—ruined by indirection and consoled that the proviso was not passed in name but forever fixed upon them in effect. Abolition in this District, the dock-yards, forts and arsenals must be no longer urged, and State laws preventing or impeding the capture and recovery of fugitives from labor must be repealed. If the will of your constituents, the state of public opinion at home, your own consciences, or a sense of duty require you to refuse these acts of justice, the evil is incurable. Separation will become inevitable. Our wrongs are insupportable and can be tolerated no longer. But remember, we cannot be turned aside from a demand for redress by the cry of *disunion*; should it really ensue, on your heads be the guilt, for we strove to avert the calamity. "Equality or Independence," is our motto and our watchword. This we demand and this we will have. Political empires endeavor to palliate without removing the disease in vain. Party ties are a rope of sand when not strengthened by a common interest and the sanctions of justice. They fall asunder at the first touch without these elements of cohesion. Hosannas to the Union afford no remedy, they only awaken the recollection of what that Union was in the better days of our early glory—

"When none were for a party,  
When all were for the State;  
The lands were fairly portioned,  
The spoils were fairly sold,  
Before we warm'd in faction  
Or in virtue had grown cold."

That Union, once our idol, is now a sword to assault, not a shield to protect us. The distribution of Washington's Farewell Address will give no relief from the pressure of wrongs inflicted and rights withheld. He was in life our own, and Washington, a slaveholder and a friend of our institutions, "dwelt amongst his people," and died surrounded by his domestics. His memory is too dear to the South for her to bring on it reproach; his example proclaimed to the world that wrong and oppression are not the less galling because enforced by authority. He once owed his allegiance to his king, held a commission in his name, and fought battles to extend his empire. When that king wronged his section of the royal dominions, he led victorious armies against him, and dissolved the union between the crown and the colonies. Resistance to wrong has not sent him to posterity as a disunionist or a traitor, but as a patriot and a statesman. We deeply resent the abuse of his great name to sanction such an unmanly course as submission to wanton usurpation. The perversion of his sentiments to give respectability to such a policy is the deepest conspiracy against his fame and his glory. Compromises such as are offered can never restore confidence. The South knows that every previous compromise has been but an anti-slavery victory. Kept by them in good faith, and violated by the North. Made for no consideration but the hope of peace, but in the event deepening the sense of injury by a disregard of the conditions on which

they were adopted. It is in vain that we are urged to further concessions, to adjust this difficulty, to quiet the agitation. We had no part in creating the trouble, and are unjustly called on to make sacrifices to allay it. We cannot offer additional inducements to rapacity by rewarding its clamors in hope of satisfying its cravings. The compromise recently offered by the venerable and distinguished Senator from Kentucky is but another gilded pill containing the deadly poison. Saying to the generous South, Give, give.

He had long before the introduction of his resolutions of compromise left the South, without doubt, as to his views of their rights in the territory acquired from Mexico. In a letter addressed to the free-soil convention at Cleveland in June last, he fully disclosed his opposition to the introduction of slaves into that territory, either by private enterprise or the authority of Congress. Thus giving the weight of his name and influence to close forever all that rich domain against his fellow-citizens of the South. His resolutions ostensibly for compromise demand a gratuitous concession altogether by the South of *all, all, once more*. Once before, the South gave up all that was asked, and now with a scheme of pacification presented by a statesman who identifies himself with the proviso party in fact if not in name, we are again required to give up all that is demanded for an empty declaration about the District and fugitive slaves, and the migration of slaves from State to State—rights already secured by the Constitution but ruthlessly invaded. We must give up the territory for the consideration of the North in acknowledging rights which are plainly guaranteed by the bond of Union.

Sir, none of these expedients will answer—the South must and will have her rights without diminution. She can protect herself having all the elements of prosperity; eight millions of people have nothing to fear. No power on earth can conquer us, none dare invade us. Climate, soil, and position make us independent, and we will be independent or equals in the Confederacy. We demand our rights, and our whole rights under the Constitution; we will have nothing less. As a people none under Heaven have more to expect or less to fear.

At one time in the history of the Republic, the Gauls pushed their conquests to the gates of Rome. Time after time they were bought off by the public treasures. Those bribes expended, induced a return to renew their demand. On the last occasion the impoverished Commonwealth again compounded for their deliverance—frequent exactions, however, had brought them to an exhausted treasury. To obtain safely they surrendered even religious scruples to preserve the city from the horrors of being sacked and plundered, and their houses and their families from the brutality of a barbarous soldiery—the treasures of the temple were brought forth by the priests. The sacred scales told the balance to be exact: and the demand of the fierce Gaul was justly paid. But arrogant in his power, he threw in his sword, and demanded that gold should be heaped up and the balance restored. This last outrage roused the young husbandman Camellus, who, drawing his sword, declared that in better times the Romans redeemed their country with steel and not with gold. He rallied his countrymen and expelled the invader. Learn, sir, the



moral. Let the people of the non-slaveholding States learn the moral. I conjure those who invade our rights, by all the ties which bind a kindred people together, to do justice. Throw not the weight of political inequality, the desire of degradation in the scale. Presume not on any sentiment or loyalty to the Union which will cause us to give up the rights of our children. Drive not an exasperated people to extremities. If you do on your heads be the guilt. I have warned you.

## APPENDIX.

ASHLAND, June 16, 1849.

GENTLEMEN: I received your official letter, in behalf of the freemen of the Reserve, inviting me to unite with them, at Cleveland, in celebrating the anniversary of the passage of the ordinance of 1787, on the 13th of July next. I concur entirely in opinion as to the wisdom of that great measure, and I am glad that it has secured to the States, on which it operates, an exemption from the evils of slavery. But the event of the passage of the ordinance has never, within my knowledge, been celebrated in any one of the sixty-one years which have since intervened. It is proposed for the first time to commemorate it. It is impossible to disguise the conviction that this purpose originates out of the question now unfortunately agitating the whole Union, of the introduction of slavery into New Mexico and California. Whilst no one can be more opposed than I am to the extension of slavery into those new Territories, either by the authority of Congress, or by individual enterprise, I should be unwilling to do anything to increase the prevailing excitement. I hope that the question will be met in a spirit of calmness and candor, and finally settled in a manner to add strength and stability, instead of bringing any danger, to the existence of the Union. In all our differences of opinion, we should never cease to remember that we are fellow-citizens of one common and glorious country, nor to exercise mutual and friendly forbearance.

But, gentlemen, waiving all other considerations, indispen- sible engagements will prevent my attendance on the occasion to which you have done me the honor to invite me.

With great respect, I am

Your friend and obedient servant,

H. CLAY.

HAMPTON, March 17, 1849.

GENTLEMEN: I have the honor to acknowledge the receipt of your letter of the 14th instant, apprising me that a Convention of Delegates representing the Free Democracy of the third Congressional District, assembled at Norwich on the 13th instant, had designated me as their candidate for the office of Representative in the next Congress of the United States, and enclosing a copy of the resolutions adopted by that Convention. These resolutions I have read and carefully considered.

The principles which they declare, and the spirit pervading them, have my entire and hearty approbation. They are in every sense of the word democratic and true. And I rejoice to believe that they meet a warm response from the honest hearts of the Democracy of Connecticut. Entertaining these views, I accept the nomination which the friends of Free-soil in this Congressional District have so generously tendered me.

I have long felt it to be the duty of the General Government to relieve itself, as well as the free States, of the odium of upholding and sustaining the institution of slavery in the District of Columbia, and in all other places, where that Government is responsible for its existence and has jurisdiction over the subject. That Government has been too long the friend of the slaveholder and the enemy of the slave. It has too long allowed the territory under its exclusive jurisdiction to be one of the principal markets for the purchase and sale of human beings. It is now full time that the reproach thus brought upon the whole country should be wiped away. This cannot be done, excepting by the abolition of slavery and the slave trade at the seat of Government, and wherever else Congress has the power to abolish them.

With the institution of slavery in the States, where it now exists, Congress cannot constitutionally or rightfully interfere. Those States alone are responsible for the existence of that institution within their borders, so long as the people of the free States do nothing to sustain it. Our duty to the slave States will be fully performed by abstaining from all legislative action on the subject of slavery within their limits. But Congress has the power to prevent the extension of slavery beyond the limits in which it now exists, and should, under no circumstances, refuse or omit to exercise that power.

*I am happy to know that these sentiments pervade the masses of the Democracy of the North and the great West, and that through its vital principle of progression, and its thorough identification with the spirit of the age, the Democratic party, in those vast sections of country, is fast unshackling itself from all connection with slavery, and becoming truly free.* [A portion of the letter referring to cheap postage, &c., is here omitted.]

My position as the candidate of the Democratic Convention, holden at Norwich on the 15th ultimo, for the same office for which your Convention selected me, led me to a very careful examination of the resolutions which you forwarded to me, and upon which I have here briefly expressed my opinions; and I was happy to find that the principles embodied in those resolutions were so truly democratic that I could accept your nomination without forfeiting the generous confidence of friends who have hitherto stood by and sustained me, and for whose partiality and kindness I can never be too grateful.

For the nomination so generously tendered me by the friends of Free Soil in this Congressional District, and for the flattering manner in which you have been pleased to communicate it, I beg to express my grateful acknowledgments, and am, with great respect, your friend and servant,

C. F. CLEVELAND.

Messrs. E. PERKINS and PRESOTT MAY, Secretaries, &c.





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