THE AGITATION OF SLAVERY.

WHO COMMENCED!

AND

WHO CAN END IT!!

BUCHANAN AND FILLMORE COMPARED

FROM THE RECORD.

"Notwithstanding all the wrong that has been done, not another slave State can come into the Union."—Hon. Wm. H. Seward.

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1856.

STAKE OF THE SOUTH.

When Mr. Burke conjured the English people to resist the division of the British empire, and when Mr. Webster made a similar appeal for the preservation of the American Union, each of these statesmen presented an exhibit of the material values involved in the conflict, which they respectively deplored. This was an argument which addressed itself directly to every class of interest and intelligence. Behold, then, fellow-citizens, the actual value at stake upon the integrity of slave title, add to them the moral consequences inseparable from its overthrow, and say whether with the tremendous responsibility trembling upon the issue of the present Presidential campaign, you dare pursue the abstractions of personal consistency, indulge the animosities of party prejudice, or hesitate to cast your vote for the man and the party who can best protect your honor, your rights, and your interest.

STAKE OF THE SOUTH.

Value of slaves	$1,750,000,000
Estimated value of all other taxable property	1,250,000,000
Value of annual products of slave labor*	500,000,000
Total	4,000,000,000

We cannot reduce civil war, with all its terrible concomitants and consequences to a money equivalent, but there can be no southern man who will not admit that the great interests of the south are staked upon the continued agitation of the slavery question, nor deny that the happiness and safety of more than seven millions of southern slaveholders and non-slaveholders are involved in a common responsibility, and liable to a common ruin.

We regret to believe that these dangers have been concealed from our fellow-citizens of the south, that partial statements have been made to prejudice them against the fidelity of the Democratic party to the great trust confided to them in the administration of the federal government, to convince them that the present agitations have been the work of a few ambitious men, and that the Whig and Know-Nothing parties, headed by a candidate notoriously non-committal upon the immediate issues of the day, affords the best protection for the rights of the south and the duration of the Union.

Fellow-citizens! No man, however powerful in station or ability, could have excited this national agitation. It has originated long since, in other days and other councils. It is a radical, spontaneous, and irrepressible strife between antagonist principles embodied in the Constitution. They are now grappling in a conflict which will tolerate no compromise. Upon the part of your antagonists it is an unconcealed effort at supremacy and domination, and to obtain this they are willing to destroy your rights, property, and political influence forever. Do you believe this? Look at

THE BLACK REPUBLICAN ORGANIZATION.

Behold the army which abolition has armed and arrayed against you! It is headed, like that most formidable army of the Moslem invaders, by a renegade from his faith and a traitor to his native associations. Those who direct its movements are wise, cool, and relentless men. Its soldiers are impelled by insanity or allured by gain. Its resources are inexhaustible, for they are levied upon the accumulations of your own labor, or contributed upon the sanguine anticipation of your conquest and confiscation.

It is our duty to notice the Black Republican organization somewhat in detail, that you may reflect upon the dangerous material of which it is composed. Its components are:

1. THE FANATICS.

To this class belong not only those who are infidels in their contempt for every human and divine institution, which you deem most sacred, but also those philanthropists whose morbid sensibilities prefer sympathizing with ideal to relieving real misery.

It is very common to hear those who belong to the first of this class inveigh against the

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* This is a very moderate estimate of the value of slave productions, since the staples exported last year were as follows:

Cotton	$88,143,844	Tar, pitch, &c	$1,819,456
Tobacco	14,712,648	Flour, wheat, &c., about	8,000,000
Sugar and hemp	400,000	Corn and meal	5,500,000
Spirits from molasses	1,448,280		
Rice	1,717,953	Total	117,909,173
Spirits of turpentine	1,137,152		

whole Christian system, and denounce the Constitution of their country as a "compact with hell." It has not been long since that at one of their meetings a free negro reviled George Washington as a "scoundrel!" Mr. Wendell Phillips apologized for the application of the term to the dead when it was needed to reproach the living. He regarded it as a mere waste of Billingsgate. Nothing more. The free negro was neither interrupted nor rebuked!

The second division of this class proclaim their hostility to slavery through the medium of exaggerated facts and overwrought fiction. They educate and propagate slanders against you from the school room and the pulpit, and spread them throughout the world in every language.

2. THE MERCENARIES.

These consist of politicians whose only principle of action consists in the love of gain or the rewards of ambition. Looking only for some lever by which to overthrow those who occupy the government, to them all issues are alike which promise profit. It was this class that employed a monster bank and its pernicious brood to enlist capital against numbers. It advocated protective legislation that it might bring numbers to bear against capital. It opposed a foreign war in Mexico as criminal, and foments a civil war in Kansas as indispensable to freedom. Evicted from power because of their flagrant corruption, they hope by exciting the prejudices of one section and exasperating the natural apprehensions of another to regain the power which an indignant people have compelled them to surrender.

THEIR ALLIES.

In virtual alliance with the Black Republicans may be placed the despotic governments of Europe, which, despairing to overthrow this Union by force, will contribute any aid of men or means to foment dissensions which threaten its dissolution.

But we feel it a duty to warn you of a class of politicians who exist amongst yourselves, and who are, in effect, the most powerful allies of abolition It is those southern men who will not admit the danger of a sectional war, but who persist in dividing the south without the most forlorn expectation of success, and, by producing doubts amongst the conservative men of the north as to which candidate may be the most available for the defeat of abolition, weaken, neutralize, and divide the common strength which could be best commanded and conducted by the Democratic party. This class of politicians are actuated by the same object with the Black Republicans. Conscious of their own weakness before the people, they hope, though at the expense of a most dangerous agitation, to see the executive election defeated in the electoral colleges, in order that their candidate, not being so obnoxious to the abolitionists—because of his absence from the country and its councils for some years past, and because of his ambiguous and neutral opinions—as the bold and defiant leader of the democratic party, may be chosen as an alternative more acceptable to each than their own avowed antagonists.

Fellow-citizens of the south! Such a class of politicians deserves your most signal condemnation, because they, like the agitators of the north, are unwilling to have a question settled which strengthens their own chances of political domination.

We look upon such politicians with such dread and detestation, that we must describe them with distinctness.

SOUTHERN DOUGHFACES.

There can be no doubt that politicians exist amongst us whose conduct is the counterpart of those mercenary spoilsmen to whom we have adverted. They are not numerous or formidable further than that any traitor in a fortress is more dangerous than an enemy without. But in the influence of their position they are much to be dreaded. The miserable miscreant who strews amongst you the slanders of abolition, is punished with a sudden and a signal sentence. But the ambitious or perfidious politician may ridicule your honest anxieties, excite your party prejudices, abandon the barriers which defend your rights, slander the motives of those patriots north and south who would protect you, or palliate the motives of those who are your most deadly and dangerous enemies. The only penalty imposed upon this domestic enemy is an exclusion from the political honors within your immediate bestowal. What is the comparative mischief which these enemies can inflict upon you?

The wretched emissary of abolition may steal a slave, but a mercenary or ambitious Doughface may concede some principle, or conceal some truth, that will destroy the whole institution of slavery at a blow.

In order that you may note and repudiate this small yet dangerous class, we will give a few of the political flesh marks by which they may be known.

The southern Doughface ridicules the slavery question as a "humbug," and charges all who manifest any solicitude upon the subject with being instigated by interest or ambition. He invariably accompanies this censure of others with a protestation of his own undoubted fidelity to the south. He laughs at all sentiments of devotion to a particular State, sneers at the noble stand taken in defence of their rights in 1798–'99, considers the federal govern-

ment supreme in its authority. He has an intense, often an hereditary contempt for the people. The Doughface has been a Federalist, a Whig, and a Know-Nothing—never a Democrat.

The Doughface has a high opinion of his own merits, and expects upon the success of his northern allies at the very least to be called to the head of a department or a foreign mission. He would, perhaps, compromise for an anonymous interest in a lucrative contract It is he who prepares ambiguous declarations for northern candidates, which commit them to nothing in favor of the south, and do not impair their strength at the north. He tells you that, as some politicians never keep a pledge, it is wholly unnecessary to exact one from any. He will tell you that *his* confidential assurance of the intentions of his candidate is more worthy of credence than the recorded evidence of fidelity presented by his competitor. When General Taylor refused to say that he would veto a bill prohibiting the establishment of slavery in the federal Territories, the Doughface defended him as perfectly sound, because General Taylor owned several cotton plantations. When General Scott declined to express any opinion as to the power of Congress over the subject of slavery, the Doughface said it was perfectly satisfactory, because that hero had been born in Virginia, and was therefore incapable of taking an erroneous view of her interests The Doughface now advises Mr Fillmore to keep silence upon the great questions of the day. He assures you that Mr. Fillmore is perfectly sound, but when asked whether he will, if elected President, maintain the Kansas act, and resist the restoration of the Missouri restriction, he replies that he "signed the compromise and enforced the fugitive slave law."

Having been generally in a minority in the southern States, and expecting only to get into power through the numbers of the north, the Doughface has always been unwilling that his candidate for the Presidency should run the risk of injuring himself at the north by avowing opinions which, however indispensable to the safety of the south, would, were it known in that section, destroy all chance of his election. It is by such duplicity and deception, by sacrificing the rights of his own section, that such corrupt and desperate politicians seek for success. The enemies of slavery once admitted into its citadel, *his* reward will consist in the spoils wrested from his countrymen to be divided amongst their foes. Fortunately the Doughfaces are not numerous.

This union of Abolitionists, philanthropists, spoilsmen, with the virtual co-operation of foreign despots and southern Doughfaces, constitutes a combination of force and treachery so formidable that it will require the union of all honest and patriotic men of every section to secure the country from their dangerous and unscrupulous conspirators.

THEIR MACHINATIONS IN CONGRESS.

The Black Republican party boldly claims for its candidate the whole of the northern States. This is the merest and maddest bravado imaginable. But looking to the aid of those virtual allies who oppose the Democratic party, they hope that the executive election may be defeated before the people, that it may be carried for decision into the House of Representatives. They are now using the most unscrupulous efforts to obtain the control of a majority of that body.

It may startle you as a most significant sign of their power and success that they have, by the congressional influence conferred upon them by our own dissensions, deprived a member from Illinois of his seat, upon the most unfounded allegations, and referred the election back to the people, when the result of the contest is doubtful. They may unseat the member from Iowa upon a similar pretence. This may result in dividing the vote of thirty States equally, and the vote of a single State—it may be Delaware with its single member—may decide who shall be President of the United States! Thus, while your dissensions are at their height, your enemies have nearly succeeded in securing one half of the vote of the umpirage appointed by the Constitution to decide upon your rights—the other half is divided between yourselves and your enemies in disguise, or neutrals. Suppose the loss of any one State delegation by defection, would not the victory of your enemies be inevitable? Do you wish an illustration of the evils arising from a want of harmony amongst the conservative interests of the country? We regret that it should be in our power to offer one so fraught with immediate mischief. The Democratic party, and the more conservative sections of the American or Know-Nothing party, had been engaged in a bitter contest upon the comparatively immaterial question of amending the law of alien naturalization. Heated with the personalities of this contest, they met to organize the House of Representatives. The conservative Americans, with a highly creditable patriotism, refused to vote for Mr. Banks, the candidate of their order for the Speakership, because he was branded with abolition, and had denounced the Union. After a prolonged and exciting period of legislative anarchy, the most of them voted for a Democratic candidate, without any fusion or concession of principle. But mark the importance of harmony to the south! Mark the importance of requiring, at the hands of any party pretending to nationality, some avowal of principle upon the question of slavery.

Whilst the great mass of the southern Americans voted for a Democratic Speaker, the anti-abolition members of that party at the north, to a man, refused to vote in the election. And will it be believed! the Hon. Henry W. Davis, of Baltimore—a member sent by the voters of a city dependent for its connexion with the interior for a right of way through a slave State; going to sea through the channels of a slave State; itself the metropolis of a slave State, and receiving from its position an enlarged and enlarging patronage from a slave State—fueling his prejudices as a partisan too strong for his duties as a patriot, abandoned the inter-

ests of his constituents and refused to vote for the Democratic conservative candidate! *That vote, fellow-citizens of the south, properly applied, would have given you the administration of the House of Representatives!* Its loss gave it to your foes. That burst of partizan passion might, in an event not impossible, cost you the Presidency. The failure of a few members of the National American party to vote for a Democratic Speaker threw the power and patronage of the House of Representatives into the hands of your enemies, to be employed in the cause of abolition. To misrepresent your position in regard to the Kansas Territory, and to secure, by a flagrant abuse of its power, the control of that tribunal appointed by the Constitution to decide a contested election of the federal executive. For as the House was organized, *every leading committee has an abolition chairman, and an abolition majority! Out of thirty-five committees but one southern Democrat was appointed chairman!*

Having thus exhibited the consequences at stake, and the formidable organization which confronts you, we will proceed to explain the—

BLACK REPUBLICAN PLANS OF ABOLITION.

The chief purpose of this tract is to convince you of the vital importance of securing the right of admission into the Union for future slave States.

In the event Mr. Fremont shall be elected, the government will pass into the hands of men whose sole test and tenure of office will be hostility to you. Black republicanism will be the established opinion and rule of office. The only competition amongst its members will be, who can avow the most vindictive sentiments, or devise the most injurious measures against you. They will bring to bear every agent of excitement and mischief, they will then hold the two most powerful departments of the government, and we have already had notice that they will so constitute the supreme judiciary that its action will be adverse to you *

They will concentrate, if possible, the whole opinion of the world against you. They will seek to exasperate you into some constructive treason against their government, that may deprive you of any share in its administration.

In defining the purposes of the Black Republicans, we care not to repeat the irresponsible ravings or the deliberate slanders which a thirst for vengeance or an appetite for pecuniary requital has published against you.

We will, therefore, take the scope and design of that movement from a source alike authentic and important amongst them. In October, 1855, the Hon. William H. Seward avowed the purpose of overthrowing the "aristocracy of slaveholders." He explained the manner in which this was to be effected in the following paragraphs:

"The [abolition] that has become at last so necessary is as easy to be made as it is necessary. The whole number of slaveholders is only three hundred and fifty thousand, one-hundredth part of the entire population of the country. If you add their parents, children, immediate relatives, and dependants, they are two millions—one-fifteenth part of the American people. Slavery is not and never can be perpetual. It will be overthrown either peacefully and lawfully under this Constitution, or it will work the subversion of the Constitution, together with its own overthrow. Then the slaveholders would perish in the struggle. The change can now be made without violence and by the agency of the ballot box. The temper of the nation is just, liberal, forbearing. It will contribute any money and endure any sacrifices to effect this great and important change; indeed, it is half made already. The House of Representatives is already yours, as it always must be when you choose to have it. The Senate of the United States is equally within your power, if you only will persistently endeavor, for two years, to have it. Notwithstanding all the wrong that has been done, not another slave State can now come into the Union. Make only one year's constant, decisive effort, and you can determine what States shall be admitted.

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"I do not know, and personally I do not greatly care, that it [abolition] shall work out its great ends this year or the next, or in my lifetime; because I know that those ends are ultimately sure, and that time and trial are the elements which make all great reformations sure and lasting."

SENATOR WILSON'S PLANS OF ABOLITION.

"We shall overthrow the slave power of the republic; we shall enthrone freedom; shall abolish slavery in the Territories; we shall sever the national government from all responsibility for slavery, and all connexion with it; and then, gentlemen, then, when we have put the nation, in the words of Mr. Van Buren, openly, actually, and perpetually, on the side of freedom, we shall have glorious allies in the south. We shall have men like Cassius M. Clay. [Loud applause.] We shall have generous, brave, gallant men rise upon the south, [dough faces,] who will, in their own time, in their own way, for the interest of the master and bondsman, lay the foundations of a policy of emancipation that shall give freedom to three and a half millions of men in America. [Enthusiastic applause.] I say, gentlemen, these are our objects, and these are our purposes."

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"Let us remember that more than three millions of bondmen, groaning under nameless woes, demand that we shall cease to reprove each other, and that we labor for their deliverance. * * *

"I tell you here to-night, that the agitation of this question of human slavery will continue while the foot of a slave presses the soil of the American republic."

But perhaps some dough face admirer, intent upon securing your vote for a non-committal candidate, may tell you that the admission of new slave States is of little consequence to the protection of your rights, because the Black Republicans disavow the power to abolish slavery in the States. Does he demand to know the process by which that ruinous measure

* "We shall change the Supreme Court of the United States, and place men in that court who believe with its pure and immaculate chief justice, John Jay, that our prayer will be impious to Heaven, while we sustain and support human slavery."—[Senator Wilson.]

can be effected, as Mr. Seward has said, "lawfully, under this Constitution?" He shall hear.

Suppose it the established policy of the government that there shall be "no more slave States admitted into the Union." The republic cannot stand still. It has abundant territory. It has gift lands. Cheap and rapid access to the interior. The vacant territory between the Atlantic and Pacific States will soon be traversed by railroads. Our people are enterprising and migratory in their habits. Millions are pouring in from foreign countries. There MUST be new States from the west and northwest. Again: our population is pressing upon the territory of Mexico. They are attracted by her gold, her climate, her fertility, and her abundance. Mexico is bankrupt and in anarchy. The acquisition of her coterminous territory by us is inevitable. There MUST then be more new States in the south and southwest. But there can be no more slave States. The slave area is circumscribed by a black line. It can never expand another acre. It can never send another additional member into the council of States. Let us refer the further probabilities to statistical facts.

There are now sixteen slave States. Under the proposed rule of exclusion there can never be more. The number may even diminish. The whole area of the United States and its Territories amounts to 2,691,339 square miles; of this, 851,508 is slave, the remainder—1,839,831—is free. But the free States—except California—only occupy an area of 456,417, leaving 1,383,214, or more than three times the area of the free States east of the Rocky Mountains, to be subdivided into new free States as the exigencies of political ambition may require.

Thus, without the acquisition of any new territory, we have only to look forward a few years, and the ascendancy of the free States in the Union will be sufficiently established to enter upon the great design of "lawful abolition under the Constitution." The precise plan for accomplishing this object has been long since indicated, both here and in Europe. The federal government may be amended by assent of three-fourths of the State legislatures, and we have shown that if the number of slave-holding States is stationary, and that of the free States shall increase in a probable ratio, it cannot be long before the constitutional majority may be commanded. The power thus conferred will obviate the difficulty which almost all the abolitionists acknowledge. It is thus that the south may be entangled in the coils of a perverted Constitution, and compelled to violate its solemn compact or seal its own destruction.

This, then, is the way by which your ruin may be effected "lawfully under the Constitution," unless you secure the right for the admission of new slave States, recognized by the Kansas act.

And in this connexion allow us to remind you of the practical measures which abolition has taken to pre-occupy and control new Territories opened to settlement.

The legislature of Massachusetts, immediately upon the passage of the Kansas act, incorporated "the Massachusetts Emigrant Aid Society," with a capital of five millions of dollars. It was headed and managed by respectable and responsible men, and its objects were set forth by authority. It proposed to contract for the removal of 20,000 persons from Massachusetts to Kansas. It anticipated that "several thousand New Englanders," "and some 30 or 40,000 of the 400,000 foreign immigrants would take the same direction." With such a system of effort "the Territory would be filled up with FREE INHABITANTS." "Whenever the Territory should be organized as a free State," the trustees are required "to dispose of its interests there," "select a new field," and make similar arrangements for the settlement and organization of another FREE STATE of this Union. This association, it is said, "will determine, in the right way, the institutions of the unsettled Territories in less time than the discussion of them has required in Congress."

In this we may see a deliberate plan of settlement and propagandism which perpetuates itself and grows stronger and more formidable with every "new field" of effort.

PROTECTIVE POLICY OF THE SOUTH.

The first duty of the South is to harmonize its domestic dissensions. The Northern States are forgetting the party differences which have heretofore divided them, and fusing upon a common principle of opposition to you.

In the language of Mr. Foot, of New York, formerly an editorial supporter, and afterwards, we believe, a diplomatic appointee of Mr. Fillmore—

"What, then, is there left of public duty, to which the old Whig party stands pledged? I see nothing, except the principle for which we so earnestly contended in 1844—namely, the exclusion of slavery from free soil.

"Of all the national issues between the Whig and Democratic parties only one remains, and that is the exclusion of slavery from free soil."

And so Mr. Foot, with thousands of other Whigs, joins the Black Republican party. Why, then, should you keep alive distinctions which exist nowhere else? Suppose the Southern Whigs should carry a few States, what would they do with them? Employ them to jeopardize the safety of the South and prolong the agitation in Congress? They could hope to carry out no principle with the organized majority of their own party against them. The belief that the South is divided encourages the Black Republicans to hope that the election may be referred to that body, of which we have shown they have secured the control. The South should then consolidate its strength upon the party and the man who will best protect its interests and combine the elements of conservativeism at the North.

If we have been successful in convincing you of the dangers which menace you, let us ask that you make it an invariable principle to bestow your votes upon no candidate for any office who will not bind himself to

MAINTAIN THE KANSAS ACT,

And especially the 14th and 19th sections thereof, without change or modification.

The sections referred to in this bill contain the obliteration of the Missouri restriction, and the assertion of the right of new States to admission.

But not relying upon subordinate declarations, it will be your duty, as it is your right, to demand from the Presidential candidates appealing to the South for its suffrages some assurance of their opinions upon this vital subject. Ask them, or either of them, if you are in doubt about their positions, these questions:

1. Should you become President of the United States would you veto an act of Congress which should prohibit slavery or involuntary servitude forever, except for crime, in all the Territories of the United States where it does not now exist?*

2. Will you veto any bill to restore the Missouri restriction or to repeal the right of Kansas to admission into the Union with or without slavery, as its constitution may determine at the time of its admission?

3. Will you maintain the right of all new slave States to be admitted into the Union upon the same terms with free States?

4. Will you use your influence to put down the agitation of slavery, and with that purpose will you pledge yourself to bestow office upon no one who will not subscribe to the obligations embodied in these questions?

Satisfy yourself as to the opinions of the candidates upon these questions. He who refuses to respond to them must be unsound or doubtful, and therefore unworthy to receive your suffrages. The Whig party of the South have seen the importance of requiring some guarantee upon this subject, and have in several of their State resolutions affirmed that *the Kansas act must be maintained.* The consistent co-operation of all the South will place both the candidates who aspire to command the conservative army upon the same platform in respect to the great question. Whichever then shall succeed your interests will be protected?

We will give a single and conclusive reason why this is necessary. The Americans of the south had, at one time, the guarantee of a national resolution that the Kansas act should be maintained. They thought fit to cancel that guarantee. The northern sections of that party, with its representatives in Congress, have been thus absolved from any specific obligation upon the subject. The Presidential nominee of the South American party has been exonerated from any declaration, and his executive action has been left to executive discretion. Now, if any of these Fillmore representatives in Congress should be called to vote upon a contested executive election, they might be found unwilling to support a candidate pledged to maintain the Kansas act. They would claim the same discretion that had been allowed to their Presidential nominee, and might exercise it by giving a sectional vote in favor of the Black Republican candidate; nor, under these circumstances, could their southern associates reproach them. If, however, you require Mr. Fillmore to pledge himself to maintain the Kansas act, those who support him during the canvass will be pledged to the same principle, and you will thus have raised an impassable barrier between them and the Black Republicans which they can never pass again. It may be that if you can in that way secure but a single vote in Congress, it will be invaluable to your country! We are aware that your Doughface advisers will tell you that the last national platform of the American party is equivalent to that which it repealed. The first national platform adopted by that party pledged it to maintain the existing legislation upon the subject of slavery. If this was the purpose of the party why repeal it? But the Doughfaces will also tell you that this substitute is identical with the Kansas act. To show the fallacy of such a statement we publish the competing sections.

Seventh section of American platform adopted February, 1856.

"The recognition of the right of the native born and naturalized citizens of the United States, permanently residing in any territory thereof, to frame their constitution and laws, and to regulate their domestic and social affairs in their own mode, subject only to the provisions of the Federal Constitution, with the privilege of admission into the Union whenever they have the requisite population for one representative in Congress: *Provided, always*, That none but those who are citizens of the United States, under the Constitution and laws thereof, and who have a fixed residence in any such Territory, ought to participate in the formation of the constitution, or in the enactment of laws for said Territory or State."

The 14th section of the Kansas act contains the following provisions:

"That the Constitution, and all the laws of the United States which are not locally inapplicable, shall have the same force and effect within the said Territory of Nebraska as elsewhere within the United States, except the eighth section of the act preparatory to the admission of Missouri into the Union, approved March 6, 1820, which being inconsistent with the principle of non-intervention by Congress with slavery in the States and Territories, as recognized by the legislation of 1850, commonly called the compromise measure, is hereby declared inoperative and void; it being the true intent and meaning of this act not to legislate slavery into any Territory or State, nor to exclude it therefrom, but to leave the people thereof perfectly free to form and regulate their domestic institutions in their own way, subject only to the Constitution of the United States: *Provided*, That nothing herein contained shall be construed to revive or put in force any law or regulation which may have existed prior to act of 6th March, 1820, either protecting, establishing, prohibiting, or abolishing slavery."

The 19th section of the same act authorizes the admission of a State or States to be erected in the Territory of Kansas, "*with or without slavery*, as their constitution may prescribe at the time of their admission."

The fallacy which the Doughface guardians of your rights will attempt to impose upon you is this. The American platform authorizes the legal citizens of a Territory "to frame their own constitution and laws, and *to regulate their domestic and social affairs in their own mode*, with the privilege of admission into the Union whenever they have the requisite population for one representative in Congress." This, they say, recognizes the right to establish the "domestic institution" of slavery, and so guarantees the right of admission of new slave States into the Union. It would have saved a good deal of discussion if the Know-Nothing party had put the word "slavery" into their platform, for it has no synonyme so simple, so expressive, or so little subject to doubt. The use of this word would have determined the specific intent of the party without doubt, and would have secured the admission of new slave State but for another and a radical difficulty.

The Kansas act guarantees the right of slave States to admission, and asserts that "the Constitution and all the laws of the United States, which are not locally inapplicable, shall have the same power and effect within the said Territory of Nebraska as elsewhere within the United States," [except the Missouri restrictions.] In this act, then, the right of a slave State to admission is affirmed by Congress to be consistent with the provisions of the federal Constitution

But, according to a construction repeatedly placed upon "the provisions of the federal Constitution," they authorize the prohibition of slavery in the Territories forever.

Whilst, then, the Kansas act guarantees the admission of a new slave State *eo nomine*, the American platform merely guarantees that the citizens of the Territory may be admitted into the Union with such "domestic and social institutions" as Congress may permit. If the Wilmot proviso be imposed upon the Territory, the institution of slavery cannot be embodied in its constitution without forfeiting the right of admission. Kansas then has, under the law, a right to enter the Union as a slave State; under the American platform, she would have a right to come in as a slave State if Congress would let her. The theory of the platform differs as much from the solid assurance of the law as a specious and irresponsible promise does from an actual performance.

No one, of course, doubts the power of Congress to repeal the Kansas act and its guarantees—except so far as rights may have been vested under that act—but no one can doubt the right of the State of Kansas to admission into the Union, "with or without slavery," until the law shall be repealed. Take care then, fellow-citizens of the south, that the Doughfaces do not delude you. Keep the Kansas act. "A bird in hand is worth two in the bush."

CAPTIOUS OBJECTIONS TO THE RULE OF SUFFRAGE ESTABLISHED BY THE KANSAS ACT REFUTED.

There are some captious objections to the rule of voting in the new Territory, laid down by the Kansas act; and some Doughfaces do not scruple to assert that it gives an advantage to the enemies of the south, by enabling them to pre-occupy the Territory.

We shall state the rule of suffrage adopted by the Kansas act, and show that there can be no such consequence as is apprehended.

The fifth section of the act confines the right of voting at the first election in the Territory to "citizens of the United States and those who may have declared their intention to become such, and taken an oath to support the Constitution of the United States and the provisions of this act." If there be a defect in this rule of suffrage, let it be modified by the provisions of amendment adopted by the bill which recently passed the Senate. That rule of suffrage is, that the constitutional constituency of Kansas shall be composed of white male citizens of the United States, twenty-one years of age, resident within the Territory of Kansas three months before the date of election. If the nervous apprehensions of the southern Doughfaces have been awakened by the rule of suffrage laid down in the first act, let them take that laid down in the second. If they be not satisfied with that, let them propose some rule that will protect them; but, although the Kansas act may contain many defective provisions, it contains two that are invaluable; let them be immutable. They are the repeal of the Missouri restrictions, and the right of admission for new slave States.

The Kansas act ensures that all favorable to the adoption of slavery shall have a fair access to the contested Territory, a fair protection in the exercise of their rights, a fair chance to secure the adoption of a slavery constitution, and a guarantied right of admission into the Union as a slave State, if they do. More than this the advocates of slavery could not ask, and we greatly mistake the character of those whom we address if they would accept any unfair advantage if it could be offered them.

But it may be objected that the enemies of the south, being citizens of the United States may comply even with the rule of suffrage laid down by the Senate amendment referred to. They may elect the territorial legislature and prohibit the slave-holder from coming with his property into the Territory. The same constituency may adopt a constitution Slavery then will be excluded from the Territory by territorial statute, until the adoption of the State constitution, and prohibited forever afterwards by the provisions of that instrument.

To guarantee the slave-holder a fair right of access to the Territory of Kansas with his property, and a fair voice in the legislation of the Territory, two assurances may be relied

on. The first consists in that provision of the Kansas act: "That the legislative power of the Territory shall extend to all rightful subjects of legislation consistent with the Constitution of the United States and the provisions of this act." Now, one of the provisions of this act authorizes the admission of the State with or without slavery, as its constitution may determine. But whilst Congress has done everything in the terms of the Kansas act which can insure a fair decision upon the question of slavery or freedom in the State constitution, it has gone one step further, and enacted that: "Every bill which shall have passed the council and house of representatives of the said Territory shall, before it becomes a law, be presented to the governor of the Territory; if he approve he shall sign it, but if not he shall return it with his objections to the House in which it originated, who shall enter his objections at large on their journal, and proceed to reconsider it. If, after such reconsideration, two thirds of that House shall agree to pass the bill, it shall be sent, together with the objections, to the other house, and, if approved by two thirds of that house, it shall become a law. But in all such cases the votes of both houses shall be determined by yeas and nays, to be entered on the journal of each house respectively. If any bill shall not be returned by the governor within three days (Sundays excepted) after it shall have been presented to him, the same shall be a law in like manner as if he had signed it, unless the assembly by adjournment prevents its return, in which case it shall not be a law."

This provision—almost a literal transcript from the Federal Constitution—bestows upon the territorial executive the veto power over all territorial legislation. The territorial executive is appointed by and removable at the pleasure of the President of the United States. If, then, the President of the United States be in favor of the principles of the Kansas act, he will so exercise this power of appointment as to see that the Governor of the Territory shall not be adverse to the principles of the act, but shall conscientiously and fairly—having in view the angry and suspicious interests that watch the execution of that law—administer justice exactly between the litigant interests. These, then, are the two principles which will protect the South against any unjust and extreme territorial legislation. The revisory power of Congress, and the impartial application of the veto by the territorial governor to all such measures as prejudge the constitutional institutions of Kansas, or secure to one interest any advantage over another. This explanation will show the importance to the South of committing the power of appointing the territorial governors to a man who—like James Buchanan—is in favor of the principles of the Kansas act, and pledged to see them administered fairly to the South; and not to Millard Fillmore, who does not approve of the principles of that act, is virtually pledged to favor its repeal, and whose known rule of executive action is to confirm "the will of the people as expressed through their representatives," by affixing his executive signature to all legislative acts which are neither unconstitutional nor informal.

Whilst upon this point we may as well publish Mr. Buchanan's letter to Mr. Sandford, refuting the charge that he favored squatter sovereignty.

'WASHINGTON, *August* 21, 1848.

"T. SANDFORD, ESQ.—DEAR SIR: I have just received yours of the 12th instant, in which you submit to me the following paragraph, and ask whether it contains an accurate version of the conversation between us, concerning my Berks county letter, on the occasion to which you refer:

"'Happening to meet Mr. Buchanan at the President's levee on Friday evening, I called his attention to this letter, and asked him if he intended to be understood as claiming that the population of a Territory, in an unorganized capacity, had the right to control the question of slavery in such Territory. He declared that no such idea had ever been maintained by him; that the construction put upon his language by Mr. Yancey was a perversion of its plain and obvious meaning; that in his opinion the inhabitants of a Territory, as such, had no political right [although they possessed all the private rights of American citizens]; that they had no power whatever over the subject of slavery; and they could neither interdict nor establish it, except when assembled in convention to form a State constitution. He further authorized and requested me to make any public use of these declarations that I might think proper, to correct any impression which Mr. Yancey's construction of his language in the Berks letter might have made.'

"With the addition which I have inserted between brackets, this statement is substantially, almost literally, correct, according to my recollection.

"In my letter to Berks county of 25th August, I had said, 'Under the Missouri compromise slavery was forever prohibited north of the parallel of 36 deg. 30 min., and south of this parallel the question was left to be decided by the people. What people? Undoubtedly the people of the Territory assembled in convention to form a State constitution, and ask admission into the Union, and not [first] adventurers or 'first comers' who might happen to arrive in the Territory, assembled in [primary] meeting. If a doubt on this subject could possibly exist, it is removed by the next succeeding sentence of my letter. I proceed to state, that 'Congress, in the admission of Texas, adopted the same rule,' &c. And what was this rule? The joint resolution for annexing Texas to the United States, approved March 1, 1845, answers the question in the following words: 'And such States as may be formed out of that portion of said Territory lying south of 36 deg. 30 min. north latitude, commonly known as the Missouri compromise line, shall be admitted into the Union with or without slavery, as the people of each State asking admission may desire.' Such was the description of the people to whom I referred in my Berks county letter."

Two months after this, in a speech at Washington city, in October of that year, Mr. Buchanan, while referring to California, and demonstrating to the audience the absurdity of advocating the Wilmot proviso, used the following language:

"All admit that the people of a Territory, assembled in convention to frame a State constitution, possess THE SOLE, THE EXCLUSIVE power to determine whether slavery shall or shall not exist within its limits."

SOUTHERN RECORD OF BUCHANAN AND FILLMORE COMPARED.

With this exposition of the necessity which exists for satisfactory assurances to the South upon the points treated of in the foregoing pages, we turn to examine—

1 The recorded antecedents of the two Presidential candidates seeking the suffrages of the South upon the subject of slavery.

2. The present position of each of these candidates upon that subject.

3 In making the comparison and investigation proposed, we shall treat the distinguished subjects with respectful freedom. We intend to throw no unworthy imputation upon either. We concede that the personal integrity of each is unimpeachable, and in no manner involved in the present issue.

RECORD OF MR. BUCHANAN.

The enemies of Mr. Buchanan go back a period of forty years, and allege that, at a meeting in the town of Lancaster, Pennsylvania, as chairman of a committee, he reported certain resolutions condemning the extension of slavery into any more free territory. This charge has been contradicted by the Hon. J. Glancy Jones, of Pennsylvania, in his place in the House of Representatives, in the following emphatic manner:

"Now, sir, I am enabled to state, on unquestionable authority, that the declaration that James Buchanan was chairman of the committee which framed those resolutions, is unfounded and untrue. I undertake here, in my place, to say to the House and to the country, that Mr. Buchanan did not report the resolutions referred to; that he was not the chairman of the committee by which they were reported; and that he never saw them until they appeared in print"

It has been even more effectually contradicted by a resolute advocacy of southern rights during a public service extending through a period of more than forty years.

But we pass from the imputations of anonymous malice to the indisputable records of public history.

Mr. Buchanan asserts the right of property in Slaves:

On the 7th of January, 1836, Mr. Buchanan presented to the Senate a memorial from a Society of Friends in Pennsylvania, requesting Congress to abolish slavery and the slave trade in the District of Columbia. He urged the necessity of adopting some mode of disposing of all such petitions without debate; expressing his decided conviction that the prayer of the petition should not be granted, and said:

"If any one principle of constitutional law can at this day be considered as settled, it is that Congress had no right, no power, over the question of slavery in those States where it exists. The property of the master in his slave existed in full force before the federal constitution was adopted. It was a subject that then belonged, as it still belongs, to the exclusive jurisdiction of the southern States. These States, by the adoption of the constitution, never yielded to the general government any right to interfere with the question. It remains where it was previous to the establishment of our confederacy.

"The constitution has in the clearest terms recognised the right of property in slaves. It prohibits any State into which a slave may have fled from passing any law to discharge him from slavery, and declares that he shall be delivered up by the authorities of such State to his master; nay, more, it makes the existence of slavery the foundation of political power, by giving to those States within which it exists representatives in Congress, not only in proportion to the whole number of free persons, but also in proportion to three-fifths of the number of slaves."

He shows the consequences of abolition:

After showing that Congress, on the 23d day of March, 1790, had so determined, and that the Union would be dissolved at the moment an effort would be seriously made by the free States in Congress to pass such laws, he says:

"What, then, are the circumstances under which these memorials are now presented? A number of fanatics, led on by foreign incendiaries, have been scattering 'arrows, fire-brands, and death' throughout the southern States; the natural tendency of their publications is to produce dissatisfaction and revolt among the slaves, and to incite their wild passions to vengeance. All history, as well as the present condition of the slaves, proves that there can be no danger of a servile war, but in the meantime what dreadful scenes may be enacted before such an insurrection, which would spare neither age nor sex, could be suppressed; what agony of mind must be suffered, especially by the gentler sex, in consequence of these publications. Many a mother clasps her infant to her bosom when she retires to rest, under dreadful apprehensions that she may be aroused from her slumbers by the savage yells of the slaves by whom she is surrounded. These are the works of the abolitionists. That their motives may be honest I do not doubt, but their zeal is without knowledge. The history of the human race presents numerous examples of ignorant enthusiasts, the purity of whose intentions cannot be doubted, who have spread devastation and bloodshed over the face of the earth." • • • • •

"This being a true statement of the case as applied to the States where slavery exists, what is now asked by these memorialists? That in this District of ten miles square, a district carved out of two slaveholding States, and surrounded by them on all sides, slavery should be abolished. What would be the effects of granting their request? You would thus erect a citadel in the very heart of these States, upon a territory which they have ceded to you for a far different purpose, from which abolitionists and incendiaries could securely attack the peace and safety of their citizens; you establish a spot within the slaveholding States which would be a city of refuge for runaway slaves; you create, by law, a central point from which trains of gunpowder may be securely laid, extending into the surrounding States, which may at any moment produce a destructive and fearful explosion. By passing such a law you introduce the enemy into the very bosom of these two States, and afford them every opportunity of producing a servile insurrection. Is there any reasonable man who can for one moment suppose that Virginia and Maryland would have ceded the District of Columbia to the United States if they had entertained the slightest idea that Congress would have used it for any such purpose? They ceded it for your use, for your convenience, and not for their own destruction. When slavery ceases to exist under the laws of Virginia and Maryland, then, and not till then, ought it to be abolished in the District of Columbia."—(*See Congressional Globe, vol. 3, pages* 78–79.)

On the 11th of January, 1836, Mr. Buchanan again urged the same objection to a similar memorial, and asked for a reference by which all such petitions could be disposed of without debate, "so as to put the exciting question at rest."—*Cong. Globe, vol. 3, p.* 85.

He votes to prohibit the circulation of abolition papers through the mail—1836:

On the 2d day of March, 1836, Mr. Buchanan made an elaborate speech, discussing the whole question involved in the abolition petitions, contending that the "right of petition required their reception, but that they ought to be laid on the table without debate. The discussion embittered the feelings of the parties; no report could be framed so as to meet the views of the different senators, and while he thought that the South was entitled to the strongest vote upon the strongest proposition which gentlemen can give, without violating their principles, he believed that continued discussion would prove injurious and dangerous."—*See Appendix to vol. 3d of Cong. Globe, pp.* 184-5.

He opposes the agitation of the slavery question in Congress:

On the 6th of February, Mr. Buchanan again moved that seven petitions presented for the abolition of slavery in the District of Columbia be laid upon the table without debate, as a renewed discussion would keep up the excitement between the North and the South, which he wished to discourage.—*Cong. Globe, vol.* 3, *p.* 158.

He advocates the admission of Arkansas into the Union as a slave State:

On the 4th of April, 1836, Mr Buchanan urged the passage of the bill admitting Arkansas into the Union as a State with a constitution establishing slavery.—*Cong. Globe, vol* 3, *p.* 279.

On the 25th of April, 1836, Mr. Buchanan, on the presentation of a memorial of a Society of Friends of the city of Philadelphia, remonstrating against the admission of Arkansas into the Union with her pro-slavery constitution, stated that he had informed them that he was opposed to the memorial; that he had been requested by the delegate from Arkansas to take charge of that Territory, to be admitted into the Union, and that he had cheerfully taken upon himself the performance of that duty. He moved that the memorial be laid upon the table; which was done.—*Cong Globe, vol.* 3, *p.* 328.

He advocates the independence of Texas, and her annexation:

On the 23d of May, 1836, Mr. Buchanan made an able and eloquent defence of Texas in her struggle with Mexico, predicting that the time was not far distant when she would assume her proper position as a part of this great confederacy.—*Cong. Globe, vol* 3, *p.* 395.

On the 8th June, 1844, he made his great speech in favor of the annexation of Texas. It would be impossible, by extracts, to do him justice. It was, perhaps, the most elaborate speech made on that question during that session, and a perusal of it would thoroughly refute the slanders that have been circulated in regard to his views on the slavery question.—*See Appendix to Cong. Globe, vol.* 13. *p.* 720.

When the House resolutions for the admission of Texas were before the Senate, Mr. Buchanan, on Tuesday, the 4th of February, 1845, announced that he was in a minority of one on the Committee of Foreign Relations, but that he should advocate their adoption notwithstanding.—*See Cong. Globe, vol.* 14, *p* 24.

On the 13th February, he made a powerful argument, showing the constitutionality and expediency of admitting Texas, by joint resolution, into the Union of the States.—*See Cong. Globe, vol* 14, *p* 287.

On the final passage of the resolutions, Mr. Buchanan said "this was the greatest public act in which he had ever had the honor of taking an humble part; he should do it cheerfully, gladly, gloriously, because he believed his vote would confer blessings innumerable upon his fellow-men, now, henceforward, and forever."

He votes for all Mr. Calhoun's resolutions of January, 1838:

In January, 1838, Mr. Calhoun introduced into the Senate a series of resolutions, which, after several amendments by Mr. Clay and others, were finally passed as follows:

"1st. *Resolved*, That in the adoption of the federal constitution, the States adopting the same acted severally as free and independent States, and that each for itself, by its own voluntary assent, entered the Union with the view to its increased security against all dangers, domestic as well as foreign, and the more perfect and secure enjoyment of its advantages, natural, political, and social.

"2d. *Resolved*, That in delegating a portion of their powers to be exercised by the general government, the States retained severally the exclusive and sole right over their own domestic institutions and police, to the full extent to which those powers were not thus delegated, and are alone responsible for them, and that any intermeddling of any one or more States, or a combination of their citizens with the domestic institutions and police of the others, on any ground political, moral, or religious, or under any pretext whatever, with a view to their alteration or subversion, is not warranted by the constitution, tending to endanger the domestic peace and tranquillity of the States interfered with, subversive of the objects for which the constitution was formed, and, by necessary consequence, tending to weaken and destroy the Union itself.

"3d. *Resolved*, That this government was instituted and adopted by the several States of this Union as a common agent, in order to carry into effect the powers which they had delegated by the constitution for their mutual security and prosperity, and that in the fulfilment of this high and sacred trust, this government is bound so to exercise its powers as not to interfere with the stability and security of the domestic institutions of the States that compose the Union, and that it is the solemn duty of the government to resist to the extent of its constitutional power, all attempts by one portion of the Union to use it as an instrument to attack the domestic institutions of another, or to weaken or destroy such institutions.

"4th. *Resolved*, That domestic slavery as it exists in the southern and western States of this Union, composes an important part of their domestic institutions, inherited from their ancestors, and existing at the adoption of the constitution, by which it is recognized as constituting an important element in the appointment of powers among the States, and that no change of opinion or feeling, on the part of the other States of the Union in relation to it, can justify them or their citizens in open or systematic attack thereon, with a view to its overthrow, and that all such attacks are so manifest violation of the mutual and solemn pledges to protect and

defend each other, given by the States respectively on entering into the constitutional compact which formed the Union, and as such are a manifest breach of faith and a violation of the most solemn obligations.

"5th. *Resolved*, That the interference by the citizens of any of the States, with a view to the abolition of slavery in this District, is endangering the rights and security of the people of the District, and that any act or measure of Congress designed to abolish slavery in this District, would be a violation of the faith implied in the cession by the States of Virginia and Maryland, a just cause of alarm to the people of the slaveholding States, and have a direct and inevitable tendency to distract and endanger the Union.

"6th. *Resolved*, That any attempt of Congress to abolish slavery in any Territory of the United States in which it exists, would create serious alarm and just apprehension in the States sustaining that domestic institution, would be a violation of good faith towards the inhabitants of any such Territory, who have been permitted to settle with and hold slaves therein, because the people of any such Territory have not asked for abolition of slavery therein, and because when any such Territory shall be admitted into the Union as a State, the people thereof will be entitled to decide that question exclusively for themselves."—*See Congressional Globe, vol. 6, page 98.*

NOTE.—For a more extended view of Mr. Buchanan's opinion on the Calhoun Resolutions, above referred to, see Appendix to Congressional Globe, volume 6th, pages 30, 31, 63, and 73.

He advocated a division of California and New Mexico between the North and South:

During the administration of Mr. Polk, Mr. Buchanan being Secretary of State, the slavery agitation was continued in a new and far more dangerous, because more plausible, form. The Wilmot Proviso was sought to be applied to all the Territories thereafter to be organized; and as large regions of country acquired by the Mexican war, and defined by the treaty with England, relative to the Northwestern territories, were expected soon to be organized as Territories, preparatory to their admission into the Union as States, the question of slavery was again discussed with more bitterness than ever. The conservative statesmen of the North, Mr. Buchanan among them, together with the entire Southern delegation in Congress in 1848, proposed to the Freesoilers to extend the Missouri Compromise line to the Pacific, and thus forever close the agitation upon that subject. The proposition was rejected. Nothing was left but for the conservative men of the North and the South to withdraw all offers of compromise, and throw themselves upon their constitutional rights as equal members of the confederacy, and entitled to the common territories, regardless of latitude or imaginary lines. The battle was fought; the Compromise acts of 1850 were the result, and every Territory organized under or since those acts, will come into the Union with or without slavery, as the people thereof determine.

He expresses the opinion, in November, 1850, that the Missouri restrictions had passed away:

Mr. Buchanan, as early as November, 1850, in a letter to the people of Philadelphia, declared that the Compromise measure of 1850 had superseded the Missouri line, or, to use his own language, that that line had "passed away," which construction led inevitably to the adoption of the principles embraced in the Kansas-Nebraska bill. That bill was passed upon that construction, and the repeal of the Missouri Compromise line is set forth in the bill itself as having been set aside by the act of 1850.

He remonstrates against an act of the Pennsylvania legislature obstructing the arrest and return of fugitive slaves:

This enactment was afterwards repealed by a Democratic legislature, but the bill was vetoed by Gov. Johnston, the joint candidate of the Abolitionists and Know-nothings for the Vice Presidency.

His diplomatic services to the South:

But the South needs not only friends in the councils of the Union. She is assailed by foreign foes, instigated by hostility to the Republic, and a malignant hatred of that section upon which foreigners are alone dependent for an indispensable material of industrial employment and social comfort.

In 1855, Mr. Buchanan, as Minister to England, was charged with the duty of guarding against the machinations of those malevolent enemies, and securing for the South, if it could be effected by honest purchase, an acquisition which would insure her almost a monopoly of two chief staples of social consumption, and enable her to protect her domestic commerce from invasion or interruption.

The conferences held at Ostend between our Ministers at the Courts of Spain, France, and England, show a zealous and enlightened sense of the importance of acquiring Cuba, and a resolute determination to resist the intervention of any foreign power who might compel Spain to employ her position to the injury of those important national interests represented by the Southern States.

There is very little doubt but that the detetermined—nay, the ultra—ground taken at the Ostend Conference, deterred England and France from intermeddling further in our affairs, and taught them that, however we may be divided at home, the patriotic statesmen of the North will never permit a foreign power to profit by their dissensions, and inflict upon us a national injury.

The services of Mr. Buchanan in relation to our affairs in Central America are of the most invaluable character.

It is very well known that the Clayton-Bulwer treaty was an imprudent concession to our most formidable rival. It has been the source of serious and prolonged controversy. In the complicated negotiations upon the proper interpretations of that treaty, Mr. Buchanan has kept steadily in view the interests of the South and the commercial rights of the country.

Such is the record of James Buchanan upon the subject of slavery. A citizen of a free State, he has given a candid, consistent, and patriotic protection to the constitutional rights of the South. During a period of twenty years in a representative and diplomatic capacity, as well as at the head of an executive department, he has never failed to promote the material advancement of the South by territorial acquisition, as well as by national protection from the intrigues or encroachment of foreign powers.

The Democratic State Convention of Pennsylvania endorse the Kansas act, and nominate James Buchnana unanimously, in May, 1856:

"*Resolved*, That claiming fellowship with, and desiring the co operation of all who regard the preservation of the Union, under the constitution, as the paramount issue, and repudiating all sectional parties and platforms concerning domestic slavery, which seek to embroil the States, and invite to treason and armed resistance to law in the Territories, and whose avowed purposes, if consummated, must end in civil war and disunion, the American democracy recognise and adopt the principles contained in the organic laws establishing the Territories of Kansas and Nebraska as embodying the only sound and safe solution of the 'slavery question' upon which the great national idea of the people of this whole country can repose in its determined conservatism of the Union—NON-INTERFERENCE BY CONGRESS WITH SLAVERY IN STATE AND TERRITORY, OR IN THE DISTRICT OF COLUMBIA.

"2. That this was the basis of the compromises of 1850—confirmed by both the democratic and whig parties in national conventions—ratified by the people in the election of 1852, and rightly applied to the organization of Territories in 1854.

"3. That by the uniform application of this democratic principle to the organization of Territories, and to the admission of new States, with or without domestic slavery as they may elect, the equal rights of all the States will be preserved intact, the original compacts of the constitution maintained inviolate, and the perpetuity and expansion of this Union insured to its utmost capacity of embracing, in peace and harmony, every future American State that may be constituted or annexed, with a republican form of government."

Extracts from Mr. Buchanan's letter of acceptance, having relation to the subject of slavery and slavery agitation.

He accepts the nomination of the convention, and endorses its resoluions:

"In accepting the nomination, I need scarcely say that I accept, in the same spirit, the resolutions constituting the platform of principles erected by the convention. To this platform I intend to confine myself throughout the canvass."

Origin and progress of agitation:

"The agitation on the question of domestic slavery has too long distracted and divided the people of the Union, and alienated their affections from each other. This agitation has assumed many forms since its commencement, but it now seems to be directed chiefly to the Territories; and, judging from its present character, acter, I think we may safely anticipate that it is rapidly approaching a 'finality.' * * * * * Most happy would it be for the country if this long agitation were at an end. During its whole progress it has produced no practical good to any human being, whilst it has been the source of great and dangerous evils. It has alienated and estranged one portion of the Union from the other, and has even seriously threatened its very existence. To my own personal knowledge, it has produced the impression among foreign nations that our great and glorious confederacy is in constant danger of dissolution. This does us serious injury, because acknowledged power and stability always command respect among nations, and are among the best securities against unjust aggression, and in favor of the maintenance of honorable peace."

He approves the recent legislation of Congress, and thinks it will terminate this agitation:

"The recent legislation of Congress respecting domestic slavery, derived, as it has been, from the original and pure fountain of legitimate political power, the will of the majority, promises ere long to allay the dangerous excitement. This legislation is founded upon principles as ancient as free government itself; and, in accordance with them, has simply declared that the people of a Territory, like those of a State, shall decide for themselves whether slavery shall or shall not exist within their limits."

Endorses the Nebraska Kansas act:

"The Nebraska-Kansas act does not more than give the force of law to this elementary principle of self-government, declaring it to be the true 'intent and meaning of this act not to legislate slavery into any Territory or State, nor to exclude it therefrom, but to leave the people thereof perfectly free to form and regulate their domestic institutions in their own way, subject only to the Constitution of the United States.' This principle will surely not be controverted by any individual of any party professing devotion to popular government. Besides, how vain and illusory would any other principle prove in practice in regard to the Territories. This is apparent from the fact admitted by all, that after a Territory shall have entered the Union and become a State, no constitutional power would then exist which could prevent it from either abolishing or establishing slavery, as the case may be, according to its sovereign will and pleasure."

He considers it the mission of the Democratic party to quiet this agitation:

"May we not hope that it is the mission of the Democratic party, now the only surviving conservative party of the country, ere long to overthrow all sectional parties, and restore the peace, friendship, and mutual confidence, which prevailed in the good old time, among the different members of the confederacy? Its character is strictly national, and it therefore asserts no principle for the guidance of the federal government which is not adopted and sustained by its members in each and every State. For this reason it is everywhere the same determined foe of all geographical parties, so much and so justly dreaded by the Father of his Country. From its very nature it must continue to exist so long as there is a constitution and a Union to preserve. A conviction of these truths has induced many of the purest, the ablest, and most independent of our former opponents, who have differed from us in times gone by upon old and extinct party issues, to come into our ranks and devote themselves with us to the cause of the constitution and the Union.

Pledges himself to restore and maintain harmony amongst the States:

"Under these circumstances I most cheerfully pledge myself, should the nomination of the convention be ratified by the people, that all the power and influence constitutionally possessed by the executive shall be exerted in a firm but conciliatory spirit, during the single term I shall remain in office, to restore the same harmony among the sister States which prevailed before this apple of discord, in the form of slavery agitation, had been cast into their midst. Let the members of the family abstain from intermeddling with the exclusive domestic concerns of each other, and cordially unite, on the basis of perfect equality among themselves, in promoting the great national objects of common interest to all, and the good work will be instantly accomplished."

His position as defined by himself:

In summing up his position on the slavery question, in a speech delivered in 1840, he said:

"During the session of 1835–6, when an alarming excitement prevailed on this subject throughout a large portion of the country, I took a decided stand against the abolitionists. * * * * Now, said Mr. B., in consequence of my conduct here throughout that session, I have borne the brunt of the abolitionist at home. I agree with the Senator from Kentucky that the danger has passed away, the crisis is now over, and the fanaticism which threatened to invade the constitutional rights of the South and dissolve the Union has been nearly extinguished. * * * * It is impossible, after all that is past, that they can doubt our devotion to the constitutional rights of the South. Let me assure them, then, that our greatest danger is from agitation here; excitement is the element in which abolition lives and moves and has its being; a flame kindled in the Capital would soon invade the Union.

* * * * * * * * * * *

"When did fanaticism ever yield to the voice of reason? Let it alone, and it will soon burn out for want of the fuel upon which it feeds." [Mr. B. moved that the question on the reception be laid on the table.]—*Cong. Globe, vol. 8, page 188.*

Such is an outline of the record of James Buchanan—full, clear, conservative and consistent. He has stood in the breach, and fought in defence of the constitutional rights of the South against fanaticism in all its forms. We invite all fair and unprejudiced men to its investigation.

Let us now see how the record of his competitor for the votes of the South will compare with his own.

RECORD OF MR. FILLMORE UPON THE SLAVERY QUESTION.

The earliest authentic avowal of Mr. Fillmore's opinion upon the subject of slavery, is to be found in the following answer to a letter of inquiry addressed to him by "The Anti Slavery Association of the County of Erie." These opinions, we shall subsequently show, have never been disavowed or recanted.

"BUFFALO, *October* 17, 1838.

"SIR: Your communication of the 13th instant, as chairman of the committee appointed by '*The Anti-Slavery Society of the County of Erie*,' has just come to hand. You solicit my answer to the following interrogatories:

"1st. Do you believe that petitions to Congress on the subject of slavery and the slave-trade ought to be received, read, and respectfully considered by the representatives of the people?

"2d. Are you opposed to the annexation of Texas to this Union, under any circumstances, so long as slaves are held therein?

"3d. Are you in favor of Congress exercising all the constitutional powers it possesses to abolish the internal slave trade between the States?

"4th. Are you in favor of immediate legislation for the abolition of slavery in the District of Columbia?

"*Answer.*—I am much engaged, and have no time to enter into argument, or explain at length my reasons for my opinion. I shall therefore content myself, for the present, by answering ALL your interrogatories in the AFFIRMATIVE, and leave for some future occasion a more extended discussion on the subject.

"I would, however, take this occasion to say, that in thus frankly giving my opinion, I would not desire to have it understood in the nature of a pledge. At the same time that I seek no disguises, but freely give my sentiments on any subject of interest to those for whose suffrages I am a candidate, I am opposed to give any pledge that shall deprive me hereafter of all discretionary power. My own character must be the guaranty for the general correctness of my legislative deportment. On every important subject I am bound to deliberate before I act, and especially as a legislator—to possess myself of all the information, and listen to every argument that can be adduced by my associates, before I give a final vote. If I stand pledged to a particular course of action, I cease to be a responsible agent, but I become a mere machine. Should subsequent events show, beyond all doubt, that the course I had become pledged to pursue was ruinous to my constituents and disgraceful to myself, I have no alternative, no opportunity for repentance, and there is no power to absolve me from my obligation. Hence the impropriety, not to say absurdity, in my view, of giving a pledge.

"I am aware that you have not asked any pledge, and I believe I know your sound judgment and good sense too well to think you desire any such thing. It was, however, to prevent any misrepresentation on the part of others, that I have felt it my duty to say thus much on this subject.

"I am, respectfully, your most obedient servant,

"MILLARD FILLMORE.

"W. MILLS, Esq., *Chairman.*"

It is proper to state that Mr. Fillmore, when pressed at the South, in the canvass of 1848, upon the monstrous doctrines of this letter, wrote to Governor Gayle, of Alabama, the following explanation of his position upon the questions involved in his reply. We publish the Gayle letter in full.

"ALBANY, *July* 31, 1848.

"DEAR SIR: I have your letter of the 5th instant, but my official duties have been so pressing that I have been compelled to neglect my private correspondence. I had also determined to write no letters for publication bearing upon the contest in the approaching canvass. But, as you desire some information for your own satisfaction in regard to the charges brought against me from the South, on the slave question, I have concluded to state briefly my position.

"While I was in Congress, there was much agitation on the right of petition. My votes will doubtless be found recorded uniformly in favor of it. The rule upon which I acted was, that every citizen presenting a respectful petition to the body that by the constitution had the power to grant or refuse the prayer of it, was entitled to be heard; and therefore the petition ought to be received and considered. If right and reasonable, the prayer of it should be granted; but if wrong or unreasonable, it should be denied. *I think all my votes, whether on the reception of petitions or the consideration of resolutions, will be found consistent with this rule.* [Our italics.]

"I have none of my congressional documents here, they being at my former residence in Buffalo, nor have I access to any papers or memoranda to refresh my recollection; but I think at some time while in Congress I took occasion to state, in substance, my views on the subject of slavery in the States. Whether the remarks were reported or not, I am unable to say; but the substance was, that I regarded slavery as an evil, but one with which the national government had nothing to do—that by the constitution of the United States,

the whole power over that question was vested in the several States where the institution was tolerated. If they regarded it as a blessing, they had a constitutional right to enjoy it; and if they regarded it as an evil, they had the power, and knew best how to apply the remedy. I did not conceive that Congress had any power over it, or was in any way responsible for its continuance in the several States where it existed. I have entertained no other sentiments on this subject since I examined it sufficiently to form an opinion; and I doubt not that all my acts, public and private, will be found in accordance with this view.

"I have the honor to be, your obedient servant,

"MILLARD FILLMORE.

"Hon. JOHN GAYLE."

In this response there are some errors of fact, or of memory, and an entire failure to deny the power of Congress over the subject of slavery in the District of Columbia and the Territories. This constituted the very gist of objection to the Erie letter. The Gayle letter denies the power of Congress over slavery "in the States where it existed;" nothing more. But upon a review of this letter, of his votes, and subsequent conduct whilst a member of Congress, we are compelled to assert that Mr. Fillmore stands recorded and proven, by contemporaneous testimony, to have been one of the fathers and founders of that abolition agitation which he now so much condemns. The following votes will show that Mr. Fillmore was mistaken when he said, in 1848, "the rule upon which I acted was, that every citizen presenting a respectful petition to the body that by the constitution had the power to grant or refuse the prayer of it, was entitled to be heard." "I think," he adds, "all my votes, whether upon the reception of petitions or the *consideration of resolutions*, [our italics], will be found consistent with this rule."

He votes to receive and refer abolition petitions:

"December 12, 1837, Mr. Adams presented a petition praying the abolition of the slave trade in the District of Columbia, and moved that it and others be referred to the committee on the District of Columbia, with instructions to consider and report thereon. Mr. Wise moved to lay that motion on the table—yeas and nays ordered on that question—yeas 135, nays 70. Adams, Fillmore, Slade, Giddings, & Co. in the negative."—*Cong. Globe, vol.* 6, *p.* 19.

"Mr. Adams then presented a petition for the abolition of slavery in the Territories of the United States, and moved its reference to the Committee on Territories. Mr. Wise moved to lay the motion on the table—yeas and nays ordered—yeas 127, nays 73 Adams, Fillmore, Giddings, Slade & Co. in the negative."—*Cong. Globe, vol.* 6, *p.* 20.

In this case the right of petition is confounded with the proposition to report for legislative consideration. It is impossible to assert with what motive Mr. Fillmore advocated the reception; but

His vote against receiving the Atherton resolutions is more explicit upon that point:

On the 11th December, 1838, (Cong. Globe, vol. 7, p. 23,) Mr. Atherton asked leave to submit the following resolutions:

"*Resolved*, That this government is a government of limited powers, and that by the constitution of the United States Congress has no jurisdiction whatever over the institution of slavery in the several States of the confederacy.

"*Resolved*, That petitions for the abolition of slavery in the District of Columbia and the Territories of the United States, and against the removal of slaves from one State to another, are a part of a plan of operations set on foot to effect the institution of slavery in the several States, and thus indirectly to destroy that institution within their limits.

"*Resolved*, That Congress has no right to do that indirectly, which it cannot do directly; and that the agitation of the subject of slavery in the District of Columbia or the Territories as a means, and with the view of disturbing or overthrowing that institution in the several States, is against the true spirit and meaning of the constitution, an infringement of the right of the States affected, and a breach of the public faith upon which they entered into the confederacy.

"*Resolved*, That the constitution rests on the broad principle of equality among the members of this confederacy, and that Congress, in the exercise of its acknowledged powers, has no right to discriminate between the institutions of one portion of the States and another, with a view of abolishing the one and promoting the other.

"*Resolved, therefore*, That all attempts on the part of Congress to abolish slavery in the District of Columbia or the Territories, or to prohibit the removal of slaves from State to State, or to discriminate between the institutions of one portion of the confederacy and another with the views aforesaid, are in violation of the constitution, destructive of the fundamental principle on which the union of these States rests, and beyond the jurisdiction of Congress; and that every petition, memorial, resolution, proposition, or paper, touching or relating in any way or to any extent whatever to slavery as aforesaid, or the abolition thereof, shall, on the presentation thereof, without any further action thereon, be laid upon the table without being debated, printed, or referred."

Mr. Atherton moved a suspension of the rules—yeas and nays ordered—yeas 137, nays 66. Adams, Fillmore, & Co., in the negative.

This vote, against the "leave to submit," is inconsistent with the principle avowed in the Gayle letter; for even if he had determined to vote against the resolution upon its merits, he was bound to have voted for the reception, because every citizen "presenting a petition [or resolution] to the body that by the constitution had the power to grant or refuse the prayer of it, *was entitled to be heard.*"

But there is another evidence of inaccurate recollection, combined with an endorsement of the most dangerous and abominable doctrines, presented by—

His votes upon the case of the Creole slave mutiny and murder:

This case was presented to Congress March 21, 1842.—*See Cong. Globe, vol.* 11, *p* 342.

'The brig Creole, bound from Richmond, Va., to New Orleans, was freighted, among other things, with a

large lot of negroes, who mutinied in a storm, killed the captain, several of the crew and passengers, and compelled some of the officers of the vessel to take her into Nassau, N. P., one of the British West India islands, where the negroes were taken care of and set free by the authorities of the island. This case was the subject of Congressional action in both houses of Congress, and of negotiation with Great Britain. The most intense feeling was manifested all over the Union, and particularly in the South.

"During the pendency of the excitement, the notorious abolitionist, J. R. Giddings, offered a set of resolutions, justifying the negroes in their mutiny and murder, and approving of their course, denying that said negroes had violated any law of the United States; stating that they had incurred no legal penalty, and are justly liable to no punishment; and that all attempts to regain possession of, or to re-enslave said persons, are unauthorized by the constitution and prejudicial to the national honor."

We annex them, omitting the first three:

"*Resolved*, That slavery being an abridgment of the natural rights of man, can exist only by force of positive municipal law, and is necessarily confined to the territorial jurisdiction of the power creating it.

"5. That when a ship belonging to the citizens of any State of this Union leaves the waters and territory of such State and enters upon the high seas, the persons (slaves) on board cease to be subject to the laws of such State, and thenceforth are governed in their relations to each other by, and are amenable to, the laws of the United States.

"6. That when the brig Creole, on her late passage to New Orleans, left the territorial jurisdiction of Virginia, the slave laws of that State ceased to have jurisdiction over the persons (slaves) on board said brig, and such persons became amenable only to the laws of the United States.

"7. That the persons (slaves) on board said brig, in resuming their natural rights of personal liberty, violated no law of the United States, incurred no legal penalty, and are justly liable to no punishment.

"8. That all attempts to regain possession of, or to re-enslave said persons, are unauthorized by the constitution and laws of the United States, and are incompatible with our national honor.

"9. That all attempts to exert our national influence in favor of the coastwise slave-trade, or to place this nation in the attitude of maintaining a commerce in human beings, are subversive of the rights and injurious to the feelings and the interests of the free States, are unauthorized by the constitution, and prejudicial to our national character."

A motion was made that the resolutions do lie on the table—yeas 52, nays 125—Mr. Fillmore & Co. voting in the negative. This could not be considered a test vote; many members who were opposed to the resolutions voted against the motion, in order to kill them by a direct vote. Mr. Fillmore's views, however, will appear by what followed.

Mr. John Minor Botts, on the same day, offered the following preamble and resolution:

"Whereas the Hon. Joshua R. Giddings has this day presented to this House a series of resolutions touching the most important interests connected with a large portion of the Union, now a subject of negotiation between the United States and Great Britain, of the most delicate nature, the result of which may eventually involve those nations in war; and whereas it is the duty of every good citizen to discountenance all efforts to create excitement, dissatisfaction, and division among the people of the United States at such a time, under such circumstances; and whereas murder and murder are therein justified and approved, in terms shocking to all sense of law, order, and humanity; therefore,

"*Resolved*, That this House holds the conduct of the said member as altogether unwarranted and unwarrantable, and deserving the severe condemnation of the people of this country, and of this body in particular."

On these resolutions a motion was made to suspend the rules—yeas 128, nays 68. Fillmore voted nay, with Adams, Giddings, and Slade. Two-thirds not voting in the affirmative, the rules were not suspended.

The call for resolutions still resting with the State of Ohio, Mr. Weller offered Mr. Botts's resolutions as his own. In the discussion which then took place, Mr. Fillmore appeared as the special apologist and defender of his *confrere*, Giddings, who seems to have been as closely allied to him in feelings as we have shown him to have been in votes.

Mr. Adams then moved to lay the whole subject on the table—yeas 70, nays 125—Adams, Fillmore, & Co. in the affirmative. The direct vote was then taken on the resolution censuring Giddings—yeas 125, nays 69—Fillmore and Co. in the negative. The vote was next taken on the preamble—yeas 119, nays 66—Fillmore & Co. again in the negative.—*Cong. Globe, vol.* 11, *pp.* 345-'46.

On the 13th December, Mr. Wise asked leave to submit the following resolutions, as propositions containing his sentiments, and what he believed to be the real sentiments of the whole South:

"1. *Resolved*, That Congress has no power to abolish slavery in the District of Columbia, or in the Territories of the United States; whether such power in the said District be exercised as a means or with the view of disturbing and overthrowing slavery in the States or not.

"2. *Resolved*, That Congress has no power to abolish the slave trade or prohibit the removal of slaves between the States and the District of Columbia or Territories of the United States.

"3. *Resolved*, That Congress cannot receive or consider petitions for the exercise of any power whatever over the subject of slavery which Congress does not possess.

"4. *Resolved*, That the laws of Congress alone govern in prescribing and regulating the mode and manner in which fugitive slaves shall be apprehended, and their rights to freedom held in the non-slaveholding States, District of Columbia, and Territories; and the mode and manner in which they shall be restored or delivered to their owners in the slave States.

"5. *Resolved*, That Congress has no power to impose upon any State the abolition of slavery in its limits, as a condition of admission into this Union.

"6. *Resolved*, That the citizens of the slaveholding States of this Union have the constitutional right voluntarily to take their slaves to or through a non-slaveholding State, and to sojourn or remain temporarily with such slaves in the same, and the slaves are not thereby *ipso facto* emancipated; and the general government is constitutionally bound to protect the rights of slaveholding States; and the laws of non-slaveholding States in conflict with the laws of Congress providing such protection are null and void."

Several members said, "Object to them."

Mr. Rives did so; and Mr. Wise moved a suspension of the rules calling for the yeas and

nays; which being ordered, were—yeas 118, nays 96—Fillmore in the negative.—*See Cong. Globe, p.* 33; *House Jour., p.* 74.

So the motion to suspend was decided in the negative.

On the 13th December, 1838, Mr. Slade asked leave to submit the following resolutions:

"Whereas there exists, and is carried on between the ports in the District of Columbia and other ports of the United States, and under the sanction of the laws thereof, a trade in human beings, whereby thousands of them are annually sold and transported from said District to distant parts of the country, in vessels belonging to citizens of the United States; and, whereas such trade involves an outrageous violation of human rights, is a disgrace to the country by whose laws it is sanctioned, and calls for the immediate interpretation of legislative authority for its suppression; therefore, to the end that all obstacles to the consideration of this subject may be removed, and a remedy for the evil speedily provided,

"*Resolved*, That so much of the fifth of the resolutions on the subject of slavery, passed by this House on the 11th and 12th of the present month, as relates to the 'removal of slaves from State to State,' and prohibits the action of the House on 'every petition, memorial, resolution, proposition, or paper touching' the same, be, and hereby is, rescinced."

Objection being made, Mr. S. moved a suspension of the rules, and demanded the yeas and nays; which being ordered, were—yeas 55, nays 157—Mr. Fillmore voting in the affirmative.

So the House refused to suspend the rules.—*See Cong. Globe, p.* 99; *House Jour., p.* 75.

On the 31st December, 1839, 1st session 26th Congress, Mr. Coles moved a suspension of the rules, for the purpose of offering the following resolution:

"*Resolved*, That every petition, memorial, resolution, proposition, or paper, touching or relating in any way, or to any extent whatever, to the abolition of slavery in the States of this Union, or either of them, or in the District of Columbia, or in the Territories of the United States, or either of them, or the removal of slaves from one State to another, shall, on the presentation thereof, without any further action thereon, be laid upon the table without being debated, printed, or referred."

Upon which the yeas and nays were called, and were—yeas 87, nays 84—Mr. Fillmore in the negative.—*See Cong. Globe, p.* 93; *House Jour., p.* 153.

On the 13th January, 1840, Mr. Lincoln, of Massachusetts, presented petitions praying for the abolition of slavery and the slave trade in the District of Columbia, and in the *Territories of the United States.*

Mr. Cave Johnson moved to lay the question of reception on the table; which was decided in the affirmative—yeas 131, nays 88—Mr. Fillmore voting in the negative.—*See Cong. Globe, p.* 119; *House Jour., p.* 204.

To show the excitement prevailing upon the discussion of these questions, a certain Mr. Peck (an abolitionist) thus taunted those northern men who voted for sectional harmony, when the vote was about being taken on laying Mr. Cole's resolution on the table: "Now come up, you southern slaves, and show yourselves"

On all occasions, upon this subject, we find Mr. Fillmore voting with Mr. Peck.

On the 28th, the famous 21st rule was adopted, as follows:

"That no petition, memorial, resolution, or other paper praying the abolition of slavery in the District of Columbia, or any State or Territory, or the slave-trade between the States or Territories of the United States in which it now exists, shall be received by this House, or entertained in any way whatever."

The question was taken on its adoption, and decided in the affirmative—yeas 114, nays 108—Fillmore in the negative.—*See Cong. Globe, p.* 151; *House Jour., p.* 241.

HE VOTES TO RECEIVE ABOLITION PETITIONS.

On the 30th of December, 1830, a resolution was offered by Mr. Wise, declaring that all petitions for the abolition of slavery in the District of Columbia, in the Territories, or of the slave trade between the States, should be objected to without debate.

Mr. Wise said, if he thought there would be any objection to the passage of the resolution, he would call for the yeas and nays.

Mr. Fillmore rose and said, *he objected.*

The vote on motion to suspend the rules stood—yeas 109, nays 77. Adams, Fillmore & Co. in the negative.—*Cong. Globe, vol.* 8, *p.* 897.

On the 23d of December, 1840, Mr. James, of Pennsylvania, asked leave to present a petition from an anti-slavery society of his State. He also moved a suspension of the rules to enable him to present it. Mr. Johnson moved to lay the motion to suspend on the table—yeas 99, nays 53. Adams, Giddings, Fillmore & Co. voting in the negative.—*Cong. Globe, vol.* 9, *p.* 51.

On the same day Mr. Rice submitted a series of resolutions, denying the right of Congress to interfere with slavery in the District of Columbia, in the Territories, or with the slave trade between the States, and resolving not to consider any petition, &c., for that purpose; motion to suspend the vote stood—yeas 106, nays 82. Adams, Fillmore & Co. in the negative.

On the 14th, Mr. Thompson, of South Carolina, moved a suspension of the rules to enable him to offer the following resolution:

Resolved, That upon the presentation of any memorial or petition praying for the abolition of slavery or the slave trade in any District, Territory, or State of the Union, and upon the presentation of any resolution or paper, shall be considered as objected to, and the *question of its reception* shall be laid upon the table, without debate or further action thereon.

The question was taken on the motion to suspend the rules, and decided in the negative; yeas 123, nays 77; there not being two-thirds voting in the affirmative. Fillmore in the negative.—(See *Congressional Globe*, page 121; House Journal, page 206.)

March 30, 1840, Mr. Marvin, of New York presented a petition to rescind the rule rejecting abolition petitions. Motion to lay it on the table—yeas 84, nays 49. Fillmore, Adams & Co. in the negative.—*Cong. Globe, vol. 8, p. 295.*

There is yet a further evidence that Mr. Fillmore's impartiality consisted rather in his recollections than in his votes.

On December, 9, 1840, Mr. Adams offered the following resolution:

Resolved, That the standing rule of this House, No. 21, adopted on the 28th of January last, be, and the same is hereby rescinded.

Mr. Jenifer, of Maryland, moved to lay the resolution on the table.

After some conversation on the subject, the yeas and nays on the motion to lay on the table were then ordered, and being taken, resulted as follows: yeas 82, nays 58. Amongst the nays are—Adams, Fillmore, Slade, Peck, and 54 others.

So the resolution was laid on the table. (See *Cong. Globe*. page 12: House Journal, page 8.)

On the 21st January, 1841, Mr. Adams presented and moved the reference of a petition, asking the abolition of slavery in the District of Columbia, and in the Territories; also, that no *new Territory tolerating slavery may be admitted into the Union.*

Mr. Conner moved to lay that portion of the petition which came under the standing rule on the table.

Mr. Adams asked how that was to be done, for the petition must then necessarily be cut in two.

Mr. Warren, of Georgia, observed that, if the petitioners thought proper to attach objectionable matter, not receivable by the House, to their petition, they ought not to complain if the whole was rejected. He therefore moved the rejection of the whole.

That portion of the petition coming under the rule having been laid on the table *sub silentio*,

Mr. Black, of Georgia, moved to reconsider the vote, for the purpose, in case it should be reconsidered, of moving the rejection of the whole, as he contended that no part of it ought to have been received.

On that motion Mr. Adams demanded the yeas and nays, which were ordered, and decided by yeas and nays as follows: yeas 103, nays 51. Fillmore in the negative. (See *Congressional Globe*, page 116; House Journal, page 202.)

So the vote was reconsidered. After some further conversation, the hour having expired, the House proceeded to the orders of the day

On the 7th January, 1842, 2d session 27th Congress, Mr. Giddings, of Ohio, presented a memorial from certain legal voters of Lenox, in the county of Ashtabula, and State of Ohio, praying Congress to repeal the laws regulating or sanctioning the holding or transportation of persons as slaves in vessels of the United States sailing coastwise from one State to another; and to pass laws protecting the rights of all persons claimed or held as slaves who may be constitutionally entitled to their freedom by going to sea, with the consent of their masters, beyond the jurisdiction of the State in which they are legally held to be slaves.

Mr. W. Cost Johnson objected to the reception of the petition, as prohibited by a rule of the House in relation to petitions for the abolition of slavery.

Mr. Wise supported the objection, strenuously insisting that the memorial amounted to a prayer for the abolition of slavery on board any American vessel, whether public or private, in which a slave was carried three leagues out to sea—a new shape of the abolition question, and one that went beyond anything heretofore attempted. He held that the deck of an American ship was a portion of the Territory of the United States, let her be in what part of the world she might.

Mr. Campbell, of South Carolina, moved to lay the question of reception, raised by Mr. Johnson, on the table, which also carries the petition with it.

On this motion the yeas and nays were taken, and resulted as follows: yeas 104, nays 86. Fillmore in the negative. (See *Congressional Globe*, page 105; House Journal, 134.)

And upon the same day a petition to repeal the rule excluding abolition petitions was offered. Upon a motion to lay it upon the table, the vote stood—yeas 99, nays 89. Messrs. Adams, Giddings, Fillmore & Co., voting in the negative. (*Congressional Globe*, vol. 11, page 105.)

January 18, 1842, Mr. Henry offered a petition to repeal the rule excluding abolition petitions. Mr. Campbell moved to lay the petition on the table—yeas 93, nays 75 Messrs. Adams, Giddings, Fillmore & Co., voting in the negative. (*Congressional Globe*, vol. 11, page 143.)

On the 14th of June, 1841, the vote was taken upon the motion to reconsider the vote, striking the rule excluding abolition petitions from the rules of the House—yeas 106, nays 104. Messrs. Adams, Giddings, Fillmore & Co., voting in the negative. (*Congressional Globe*, vol. 10, page 51.)

On the 5th June, 1841, the main question was put upon Mr. Adams' resolution, to repeal the rule excluding abolition petitions—yeas 106, nays 110. Messrs. Adams, Giddings, Fillmore & Co., voting in the affirmative. (*Congressional Globe*, vol. 10, page 56.

January 4, 1842, a motion was made to lay Mr. Adams' abolition petition on the table—

yeas 115, nays 84. Messrs. Adams, Giddings, Fillmore & Co, voting no. The speaker then announced that there were many other similar petitions not disposed of. Mr. Gamble moved that they all lie on the table—yeas 103, nays 87. Messrs. Adams, Giddings, Fillmore & Co., voting in the negative. (*Congressional Globe*, vol. 11, pages 90, 91.)

On the 21st January, Mr Adams presented a petition from a number of citizens of Massachusetts, stating that by law no foreigner of color can now become a citizen of the United States, and hold real estate therein; and praying that the naturalization laws may be so amended as to permit free colored foreigners to become citizens of the United States, and to hold real estate

Mr. Wise raised the question of reception on the above petition, and moved to lay that question on the table.

Mr. Calhoun, of Massachusetts, asked the yeas and nays, which were ordered, and being taken, resulted as follows: yeas 115, nays 68. Fillmore in the negative. (See *Congressional Globe*, page 158; House Journal, 259.)

On the 12th December, 1842, 2d session 27th Congress, Mr. Adams called up his resolution, rescinding the 21st rule.

Mr. Wm. Cost Johnson said, if the resolution of the gentleman from Massachusetts was thus to obstruct the public business, he would move that it be laid upon the table.

The yeas and nays being ordered, resulted as follows: yeas 106, nays 102. Fillmore in the negative. (See *Congressional Globe*, page 42; House Journal, page 38.)

He votes to receive the resolutions of Mr. Slade, pronouncing the sale of slaves in the District of Columbia piracy. On the 3d day of January, 1843, Mr. Slade moved the following preamble and resolutions:

"Whereas, by a law of the United States, framed on the 15th May, 1827, the foreign slave trade is declared to be piracy, and is made punishable by death; and whereas there is, and has long been, carried on in the District of Columbia, within sight of the halls of the two houses of Congress, and the residence of the Chief Executive Magistrate of the nation, a trade in men, involving all the principles of outrage on human rights which characterize the foreign slave trade, and which have drawn upon it the maledictions of the civilized world, and stigmatized those engaged in it as the enemies of the race; and whereas the trade thus existing in this District is aggravated in enormity by reason of its being carried on in the heart of a nation whose institutions are based upon the principle that all men are created equal, and whose laws have in effect proclaimed its great and superlative iniquity; aggravated, moreover, by its outrage on the sensibilities of a Christian community, by sundering the ties of Christian brotherhood, and by the anguish of its remorseless violation of all the domestic relations, rendered the more deep and enduring by the hallowing influence of the Christian religion upon those relations and by the increase of strength which it gives to the domestic affections; and whereas this trade in human beings is carried on under the authority of laws enacted by the Congress of the United States, thereby involving the people of all the States in its guilt and disgrace—a guilt and disgrace enhanced by the consideration that those laws are a virtual usurpation of power, the Constitution of the United States having conferred upon Congress no right to establish the relation of slavery, OR TO SANCTION AND PROTECT THE SLAVE TRADE, IN ANY PORTION OF THIS CONFEDERACY: therefore, resolved," &c., &c.

On motion to suspend the rules so as to receive the preamble and resolution, the vote stood yeas 73, nays 109; Messrs. Adams, Fillmore, Giddings, Slade, &c, voting in the affirmative.—*Congressional Globe, vol.* 12, *p.* 106.

He votes to receive a resolution repealing the territorial law of Florida prohibiting the immigration of free negroes into that Territory.

Again: on the 3d January, 1843, Mr. Morgan presented a resolution instructing the Committee on Territories to inquire into the expediency of repealing an act passed by the territorial legislature of Florida, entitled "An act to prevent the future migration or emigration of free negroes and mulattoes into said Territory," or to so much thereof as imposed a capitation tax on such of them as may enter said Territory, and authorizes their sale for ninety years for the non-payment of said tax.

Black moved to lay the resolution on the table—yeas 113, noes 80. Fillmore voted in the negative.

On the 22d of February, Briggs, of Massachusetts, asked leave to submit the following resolution:

Whereas, all laws passed by the governor and legislative council of Florida are in full force until disapproved of by Congress, therefore—

Resolved, That the Committee on the Judiciary be instructed forthwith to report the following bill:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That an act passed by the governor and legislative council of the Territory of Florida, approved by the said governor on 5th March, 1842, entitled "An act to prevent the future migration of free negroes or mulattoes to this Territory and for other purposes" be, and the same is hereby disapproved, and shall henceforth be of no force.

Briggs asked a suspension of the rules—yeas 66, nays 105. Fillmore yea, in favor of Briggs—*Cong. Globe, vol.* 12, *p.* 337.

On the 3d January, 1843, Mr. Morgan presented a resolution instructing the Committee on the Territories to inquire into the expediency of repealing an act passed by the territorial legislature of Florida entitled "An act to prevent the future migration or emigration of free negroes and mulattoes into said Territory," or so much thereof as imposes a capitation tax on such of them as may enter said Territory, and authorizes their sale for ninety-nine years for non-payment of said tax.

Mr. Black moved to lay the resolution on the table.

Mr. James called for the yeas and nays, which were ordered, and being taken, resulted in yeas 113, nays 80. Fillmore in the negative. (*See Congressional Globe, p.* 107; *House Journal, p.* 131.

On the 23d of February, Mr. Briggs, of Massachusetts, asked leave to submit the following resolution:

Whereas, all laws passed by the governor and legislative council of Florida are in full force until disapproved by Congress, therefore—

Resolved, That the Committee on the Judiciary be instructed, forthwith, to report the following bill:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That an act passed by the governor and legislative council of the Territroy of Florida, approved by the said governor on the 5th of March, 1842, entitled "An act to prevent the future migration of free negroes or mulattoes to this Territory, and for other purposes," be, and the same is hereby, disapproved, and shall henceforth be of no force.

Mr. Merriwether, of Georgia, objected to the reception of the resolution.

Mr. Briggs moved a suspension of the rules.

Mr. Fillmore believed that the subject had been referred to the Committee on the Judiciary, and he wished to know whether they had reported on it.

The Speaker said they had not. This resolution was to direct them to report forthwith.

The yeas and nays were ordered on the suspension of the rules.

The question was then taken on the motion of Mr. Briggs to suspend the rules, and it was decided in the negative—yeas 66, nays 104.

Yeas—Messrs. Adams, Fillmore, Slade, and 64 others. (See *Congressional Globe*, *p.* 337; *House Journal*, *p.* 139.)

Upon an examination of the various votes which we have presented, it will be found that Mr. Fillmore voted in every case to receive any petition or resolution the prayer or purpose of which was the abolition of slavery, and against that right, in all cases in which the prayer or purpose was adverse to abolition. And this was the case, so far as we know or believe, in every vote he ever gave upon the subject. He voted *for* the reception of the abolition petitions presented by Mr. Adams and Mr. James, of Pennsylvania, but when Mr. Atherton asked leave to present resolutions condemnatory of abolition and of agitation, he voted *against* their reception.

He voted for considering the resolutions of Mr. Giddings approving the conduct of the slaves in the Creole case, and voted *against* the reception of the resolution of Mr. Botts declaring the Creole slaves guilty of mutiny and murder, and Mr. Giddings, their advocate, "deserving the severe condemnation of the people of the country and of Congress in particular." He voted for the consideration of a resolution to repeal a law excluding free negroes from the Territory of Florida. He voted to consider an abolition petition offered by Mr. Mann, of New York, but he voted *against* a resolution to suspend the rules to allow Mr. Rice to introduce a resolution denying the power of Congress on the subject of slavery in the District of Columbia, or in the Territories, or with the slave trade between the States, and resolving not to consider any petition for that purpose, and also against a similar one offered by Mr. Thompson, of South Carolina.

From this argument and statement of fact it must be obvious that the letter of Mr. Fillmore to the "anti-slavery society of Erie" subsists in full force, wholly uncontradicted or unexplained by him, and should be held as a just exposition of his present opinions upon the questions involved in that correspondence. We may, however, refer our readers to an able and elaborate editorial review of that letter, which appeared in the Union newspaper of September, 1848. It is only necessary to do so to come to the same conclusion with the writer of that article, that the reply of Mr. Fillmore "leaves all his past professions, his past votes, and his signature of the abolition society's platform altogether *unrecanted* and *untouched*."

But Mr. Fillmore voted in company with a batch of the most notorious abolitionists against all the resolutions offered by Mr. Atherton, and these votes show far more conclusively than any professions can do the true principles held by him on this important subject.

The resolutions of Mr. Atherton, it will be remembered, were the counterpart of those introduced a few weeks later in the Senate by Mr. Calhoun, voted for by Mr. Buchanan, and were deemed, at that day, a fair exposition and compromise of principle between the two sections upon the controverted powers of Congress.

The first of these resolutions was adopted almost unanimously, few claimed for Congress the right to legislate upon slavery in the States. On the resolution (that the petitioners for the abolition of slavery in the District of Columbia and against the removal of slaves from one slave State to another were intended to destroy the institution of slavery) the vote stood—yeas 136, nays 65. Adams, Fillmore, Slade, Giddings & Co., in the negative.

On the first branch of the 3d resolution (that Congress had no right to do that indirectly which it cannot do directly) the vote stood—yeas 173, nays 65. Adams, Fillmore, Slade, Giddings & Co., in the negative.

On the second branch (that the agitation of the question in the District of Columbia as a means of overthrowing the institution of slavery in the several States is contrary to the spirit of the Constitution, an infringement of the rights of the States, and a breach of the confederate south) the vote stood—yeas 164, nays 40. Adams, Fillmore, Slade, Giddings & Co., in the negative.

On the first branch of the 4th resolution (that the Constitution rests upon the broad principle of equality among the members of the confederacy) the vote stood—yeas 180, nays 26. Fillmore and Giddings in the affirmative.

On the second branch of the 4th resolution, to wit: "That Congress, in the exercise

OF ITS ACKNOWLEDGED POWER, HAS NO RIGHT TO DISCRIMINATE BETWEEN THE INSTITUTIONS OF ONE PORTION OF THE STATES AND ANOTHER WITH A VIEW OF ABOLISHING THE ONE AND PROMOTING THE OTHER," the vote stood—yeas 174, nays 24. ADAMS, FILLMORE, GIDDINGS, SLADE, TRUMAN SMITH & CO., VOTING IN THE NEGATIVE.

On the first branch of the 5th resolution the vote stood—yeas 146, nays 52. ADAMS, FILLMORE, GIDDINGS, SLADE & CO., IN THE NEGATIVE.

On the second branch of the 5th resolution (tabling abolition petitions and resolutions without other notice) the vote stood—yeas 126, nays 28. ADAMS, FILLMORE, SLADE, GIDDINGS & CO., IN THE NEGATIVE.—*See Cong. Globe, vol. 7, pp. 27, 28.*

But, upon a question of so much importance, it is our duty, at the expense of time and patience, to demonstrate completely the charge that *Mr. Fillmore was one of the first and most formidable authors of the slavery agitation!*

The session of 1836–'7 seems to have been the commencement of an effort, on the part of the abolitionists, to connect their nefarious schemes with the political operations of the country. A powerful endeavor was made by Adams, Giddings, Slade, and others, to create an excitement against the southern States, by charging them with a violation of the right of petition. The struggle was fierce and exciting, but it was decisive against the agitators. Congress determined to exclude all reference to a question so dangerous and exciting in its character. But the fire then kindled has never gone out, it has burned more or less fiercely as any casual collision between the sectional interests has furnished fuel.

We shall therefore recur to the events of the 26th December, 1837, a day which Mr. Wise has called "the darkest in a congressional service of eleven years." Our narrative will be compiled from the pages of that observant and caustic historian, Thomas H. Benton, who will *not* let the dust of oblivion cover the sins of contemporaneous inconsistency. Our object in recalling this important historical era is to show that Mr. Fillmore was responsible for his share of the original mischief wrought by the agitators to whom we have adverted.

A DARK DAY FOR THE SOUTH. SOUTHERN MEMBERS RETIRE FROM THE HALL. MR. FILLMORE VOTES THROUGHOUT WITH THE ABOLITIONISTS!!

The immediate occasion of this contest was the pertinacious effort of Mr. Slade, of Vermont, to make the presentation of abolition petitions the ground of agitation and action against the institution of slavery in the southern States. Mr. Slade had moved to refer the resolutions presented by him to a select committee, with instructions to report upon them. Upon making this motion, he commenced a violent assault upon the institution of slavery. Mr. Rhett, of South Carolina, interposed, to warn him of the consequences of such an inflammatory harangue. Mr. Slade refused to desist, and was interrupted by a motion, made by Mr. Dawson, of Georgia, for an adjournment. The Speaker [an upright and impartial southern man] ruled this motion out of order.

Mr. Slade was proceeding to discuss the question, "What was slavery?" Mr. Dawson again asked him to give way for an adjournment, which was refused. "A visible commotion began to pervade the house—members rising, clustering together, and talking with animation." Mr. Slade continued, and was about reading a judicial opinion of one of the southern States, defining a slave to be a chattel, when Mr. Wise called him to order for irrelevancy. "The question being upon the abolition of slavery in the District, and the argument upon the legality of slave title in a State." The speaker decided that it was not in order to discuss the subject of slavery in the States. Mr. Slade contended that he read the decision as he might have done that of an English court. Mr. Robinson, of Virginia, moved an adjournment. The speaker decided the motion out of order, and Mr. Slade refused to yield the floor, and continued his speech. Mr. Slade proceeded at great length, when Mr. Petrikin, of Pennsylvania, called him to order. The chair did not sustain the call. Mr. Slade went on quoting from the Declaration of Independence and the constitutions of the several States, and had got to that of Virginia, when Mr. Wise called him to order for reading papers without the leave of the house. The speaker then said that no paper objected to could be read without the leave of the house.

"Mr. Wise then said that the gentleman had wantonly discussed the abstract question of slavery, going back to the very first day of its creation, instead of slavery as it now existed in the District, and the powers and duties of Congress in relation to it. He was now reading the State constitutions to show that as it existed in the States it was against them, and against the laws of God and man. This was out of order."

Mr. Slade explained, and argued in vindication of his course; he was about to read a memorial of Dr. Franklin and an opinion of Mr. Madison upon the question of slavery, when Mr. Griffin, of South Carolina, objected to the reading. Mr. Slade, without asking the permission of the House, which he knew would not be granted, proposed that the clerk should read the document. To this the Speaker objected, that it was equally out of order for the clerk to read. Mr. Griffin withdrew the objection, and Mr. Slade proceeded to read the papers and comment upon them. He was about to return to the state of opinion in Virginia upon the subject of slavery before Dr. Franklin's memorial. Mr. Rhett inquired, "What the opinions of Virginia fifty years since had to do with the case?" The Speaker was about to reply, when Mr. Wise rose, and, with much warmth, said: "He has discussed the whole

abstract subject of slavery—of slavery in Virginia—of slavery in my own district, and I now ask all of my colleagues to retire with me from this hall." Mr. Slade reminded the Speaker that he had not yielded the floor, but his progress was interrupted by the condition of the House, and the exclamations of members. Amongst them Mr. Halsey, of Georgia, was heard calling on the delegates from that State to withdraw with him; whilst Mr. Rhett was heard proclaiming that the members from South Carolina had already consulted together and appointed a meeting at three o'clock, in the committee room of the District of Columbia. Here the Speaker succeeded in getting the floor, and stating the question to be on granting leave to the member from Vermont to read certain papers, the reading of which had been objected to. Many members rose, all addressing the chair at the same time, and the general scene of noise and confusion continued.

"Mr. Rhett succeeded in raising his voice above the roar of the tempest which waged in the House, and invited the entire delegation from all the slave States to retire from the hall forthwith, and meet in the committee room of the District of Columbia."

The Speaker rose to a personal explanation, and succeeded in recapitulating his decisions and vindicated their correctness. "Had it been in his power," he said, "to restrain the discussion, he should have done so. But it was not."

Mr. Slade continuing, said the paper he was about to read was one of the Continental Congress of 1774. The Speaker was about to put the question of leave, when Mr. Cost Johnson inquired if it "would be in order to force the member from Vermont to stop?" The impartial chair said, in despair, that it could not be done. The indomitable Slade proceeded in triumph. "Then Mr. McKay, of North Carolina, a clear, cool-headed, sagacious man, interposed the objection that headed Mr. Slade." The rule of the House required that when a member was called to order, he should take his seat; and, if decided to be out of order, he should not be allowed to speak again without the leave of the House. Mr. McKay stated the point of order, and said that he now objected to Mr. Slade's proceeding. "Redoubled noise and confusion ensued—a crowd of members rising and speaking at once, they at last yielded to the noise of the Speaker's hammer, and his apparent desire to read something from a book—recognized to be the Manual—which he held in his hand, he at last succeeded in reporting the rule referred to by Mr. McKay, and sustaining his motion. Mr. Slade endeavored to proceed. The Speaker directed him to take his seat until the question of leave should be put. Then Mr. Slade—still keeping on his feet—asked leave to proceed in order. On that question Mr. Allen, of Vermont, asked the ayes and nays. Mr. Rencher, of North Carolina, moved an adjournment. Mr. Adams and others demanded the ayes and noes upon this motion. They were called, and resulted 106 ayes, 63 noes—some fifty or sixty members having withdrawn.

"This opposition to adjournment," says the historian, "was one of the worst features in this unhappy day's work—the only effect of keeping the House together being to increase irritation, and multiply the chances of an outbreak. From the beginning southern members had voted to adjourn, but were prevented from succeeding by the tenacity with which Mr. Slade kept possession of the floor; and now, at last, when it was time to adjourn, any way—when the House was in a condition in which no good could be expected, and great harm might be apprehended!—there were sixty three members willing to continue it in session. When the adjournment passed, Mr. Campbell stood up in a chair, and, calling for the attention of members, invited all of the southern delegations to attend the meeting then being held in the committee-room of the District of Columbia.

"Members from the slaveholding States had repaired to the appointment, agitated by various passions. We give a report of the propositions, presented from a letter written by Mr. Rhett:

"'In a private and friendly letter to the editor of the Charleston Mercury, amongst other events accompanying the memorable secession of the southern members from the hall of the House of Representatives, I stated to him that I had prepared two resolutions, drawn as amendments to the motion of the member from Vermont, whilst he was discussing the institution of slavery in the South 'declaring, that the constitution having failed to protect the South in the peaceable possession and enjoyment of their rights and peculiar institutions, it was expedient that the Union should be dissolved; and the other, appointing a committee of two members from each State, to report upon the best means of peaceably dissolving it.' They were intended as amendments to a motion, to refer with instructions to report a bill, abolishing slavery in the District of Columbia. I expected them to share the fate which inevitably awaited the original motion so soon as the floor could have been obtained, viz: to be laid upon the table. My design in presenting them was, to place before Congress and the people what, in my opinion, was the true issue upon this great and vital question; and to point out the course of policy by which it should be met by the southern States.'

"But extreme counsels did not prevail. There were members present who well considered that, although the provocation was great and the number voting for such a fire-brand motion was deplorably large, yet it was but little more than the one-fourth of the House, and decidedly less than one-half of the members from the free States: so that, even if left to the free State vote alone, the motion would have been rejected. But the motion itself, and the manner in which it was supported, was most reprehensible—necessarily leading to disorder in the House, the destruction of its harmony and capacity for useful legislation, tending to a sectional segregation of the members, the alienation of feeling between the North and the South, and alarm to all the slaveholding States. The evil required a remedy, but not the remedy of breaking up the Union; but one which might prevent the like in future, while administering a rebuke upon the past. That remedy was found in adopting a proposition to be offered to the House, which, if agreed to, would close the door against any discussion upon abolition petitions in future, and assimilate the proceedings of the House, in that particular, to those of the Senate. This proposition was put into the hands of Mr. Patton, of Virginia, to be offered as an amendment to the rules at the opening of the House the next morning. It was in these words:

"'*Resolved*, That all petitions, memorials, and papers touching the abolition of slavery, or the buying, selling, or transferring of slaves, in any State, District, or Territory of the United States, be laid on the table without being debated, printed, read, or referred, and that no further action whatever shall be had thereon.'

"Accordingly, at the opening of the House Mr. Patton asked leave to submit the resolution—which was read for information. Mr. Adams objected to the grant of leave. Mr. Patton then moved a suspension of the rules, which motion required two-thirds to sustain it; and, unless obtained, this salutary remedy for an alarming evil (which was already in force in the Senate) could not be offered. It was a test motion, and on which

the opponents of abolition agitation in the House required all their strength or, unless two to one they were defeated. Happily the two to one were ready, and on taking the yeas and nays, demanded by an abolition member, (to keep his friends to the track, and to hold the free-State anti-abolitionists to their responsibility at home,) the result stood 135 yeas to 60 nays—the full two-thirds, and fifteen over.

"This was one of the most important votes ever delivered in the House. Upon its issue depended the quiet of the House on one hand, or on the other the renewal and perpetuation of the scenes of the day before—ending in breaking up all deliberation and all national legislation. It was successful, and that critical step being safely over, the passage of the resolution was secured—the free-State friendly vote being itself sufficient to carry it; but, although the passage of the resolution was secured, yet resistance to it continued. Mr. Patton rose to recommend his resolution as a peace offering, and to prevent further agitation by demanding the previous question.

"Then followed a scene of disorder, which thus appears in the Register of Debates:

"'Mr. Adams rose and said: Mr. Speaker, the gentleman precedes his resolution—[Loud cries of 'Order! order!' from all parts of the hall.] Mr. A. He preceded it with remarks—['Order! order!']

"'The Chair reminded the gentleman that it was out of order to address the House after the demand for the previous question.

"'Mr. Adams. I ask the House—[Continued cries of 'Order!' which completely drowned the honorable member's voice.']

"Order having been restored, the next question was, 'Is the demand for the previous question seconded?' which seconding would consist of a majority of the whole House; which, on a division, quickly showed itself. Then came the further question, 'Shall the main question be now put?' on which the yeas and nays were demanded and taken; and ended in a repetition of the vote of the same 63 against it. The main question was then put and carried; but again, on yeas and nays, to hold free-State members to their responsibility; showing the same 63 in the negative.

"Thus was stifled, and in future prevented in the House, the inflammatory debates on these disturbing petitions. It was the great session of their presentation, being offered by hundreds, and signed by hundreds of thousands of persons—many of them women, who forgot their sex and their duties to mingle in such inflammatory work; some of them clergymen, who forget their mission of peace to stir up strife among those who should be brethren. Of the pertinacious 63, who backed Mr. Slade throughout, the most notable were Mr. Adams, who had been President of the United States; Mr. Fillmore, who became so; and Mr. C******, who eventually became as ready to abolish all impediments to the general diffusion of slavery as he then was to abolish slavery itself in the District of Columbia. It was a portentous contest. The motion of Mr. Slade was, not for an inquiry into the expediency of abolishing slavery in the District of Columbia, (a motion in itself sufficiently inflammatory,) but to get the command of the House to bring in a bill for that purpose—which would be a decision of the question. His motion failed."

"Amongst the pertinacious sixty-three," says Mr. Benton, "who backed Mr Slade throughout, the most notable were Mr. Adams, who had been President of the United States, Mr. Fillmore, who became so," and others.

"It was a portentous contest. The motion of Mr. Slade was not for an inquiry into the expediency of abolishing slavery in the District of Columbia, (a motion in itself sufficiently inflammatory,) but to get command of the House to bring in a bill for that purpose, which would be a decision of the question.—*Benton's Thirty Years' View, chap.* 26, *vol.* 2.

Such is a description of a scene which has no parallel for prolonged and angry excitement, and for turbulence, since the irruption of the *poissardes* into the convention of Paris. We have given the details from the knowledge and observation of the narrator. This was the beginning of excitement upon this subject. It originated in the effort of a faction to make the rules of deliberation the vehicles of injustice and insult. It was called "the most angry and portentous debate which had yet taken place in Congress;" and now, Millard Fillmore, one of the chief actors in these disgraceful scenes, claims high exemption from the frailties and responsibilities of faction and fanaticism! Reads homilies upon decorum to those who are at this day reaping the tares and thorns of a controversy sown by his own hand; and with an air of pious astonishment, exclaims:

"Where are we now? Alas! threatened at home with civil war, and from abroad with a rupture of our peaceful relations. If the present Executive and his supporters have, with good intentions and honest hearts, made a *mistake*, (in the repeal of the Missouri compromise,) I hope God may forgive them as I do.

"It is for you to say whether the present agitation which distracts the country and threatens us with civil war, has not been *recklessly and wantonly produced* by the adoption of a measure *to aid in personal advancement rather than in any public good.*"

* * * * * * * * * * *

"He deplored the sectional policy that had been adopted by important political parties at the present time, and could only place his trust in the sterling patriotism and sound sense of the people, to avert the calamities which sectional agitation must always entail upon a country. * * * * The blame, therefore, it appears to me, with all due deference, is chiefly chargeable to those who originated this measure."

Then he adds:

"I am unwilling to believe that those who are engaged in this strife can foresee the consequences of their own acts. Why should not the golden rule which our Saviour has prescribed for our intercourse with each other, be applied to the intercourse between these fraternal States? Let us do unto them as we would that they should do unto us in like circumstances."

He pities his successors:

"He regretted extremely that those who succeeded him in the administration had thought proper, by disturbing existing compromises, to re-open the wounds so recently healed, and again to shake the country from the centre to the circumference with the same deplorable agitation. (Loud applause.) The disturbance of a compromise that had existed for more than thirty years, he deeply deplored. (Continued applause.) The evils it had entailed upon the country were known to all, and he could only hope that the authors of those evils had not foreseen the consequences of their policy."

Have the annals of political hypocrisy anything to compare with this inconsistency between the recorded legislative actions of Mr. Fillmore, and this severe reproach upon others who are now suffering the consequences of his own example?

Messrs. Fillmore, Adams, Slade, Giddings, & Co., had organized an attempt to force the

discussion of slavery upon Congress. They would suffer no adjournment. They opposed every attempt to stop the streams of abuse directed upon the peaceful and astonished members from the North. They pressed the offensive subject until they caused the first act of representative secession which had ever taken place in this country. Well might Mr. Wise, himself a prominent actor in those scenes, receive with indignation the very swift testimony of Mr. Stewart—afterwards one of Mr. Fillmore's cabinet—who volunteered to prove that Mr Fillmore was one of the soundest and best friends of the South.

In a letter written by Mr. Wise to Mr. Alfred, of Augusta, Va., dated July 29, 1848, he says:

"I, too, served with Mr. Fillmore, much longer than Mr. Stuart did, in Congress, and I was intimately acquainted with his speeches and votes in the House of Representatives on the subject of slavery, and of its abolition, in all its forms; and I do not hesitate on my own personal knowledge and responsibility, to pronounce the charge of abolitionism against Mr. Fillmore true. I appeal to the journals of the House, for the whole period of Mr. Fillmore's service in Congress, to prove that, if he is not an abolitionist, John Quincy Adams was not; Giddings was not. He voted with them, and against the South, on every question of slavery or is abolition, without an exception within my knowledge or recollection. The darkest day I ever saw, during eleven years' experience, from 1833 to 1844, in the House, was on the 20th of December, 1837, which we have already explained, on the occasion on which Mr. Slade discussed the question of slavery in the States."

Mr. Fillmore's Executive record upon the subject of slavery:

Whilst in the executive chair, Mr. Fillmore sought no opportunity to extend our Territorial possessions or commercial relations towards the South. He had been opposed to the annexation of Texas. He occupied himself very vigilantly in maintaining the laws against filibusters—laws in themselves salutary and proper to be enforced.

Opposition to Texas annexation:

In 1844 he was an ardent opposer of Texas annexation.

At a mass meeting in the State of New York in 1844, Mr. Fillmore made a speech from a booth reared under a banner on which were painted, in ridicule, General Jackson and James K. Polk, *the latter mounted by a negro!* who carried a small flag bearing the name of Texas.

His course in 1847:

In 1847 he headed the ticket of his party in New York, the basis of whose organization consisted of the following resolution:

"*Resolved*, That while the Whig freemen of New York, represented in this convention, will patriotically adhere to all the compromises of the constitution, and jealously maintain all the reserved rights of the states, they declare—since the crisis has arrived when the question must be met—their uncompromising hostility to the extension of slavery into any territory now free which may hereafter be acquired by any action of the government of our Union."

A Fillmore paper, speaking afterwards of this resolution and the result, said:

"On the strength mainly of that resolve—of its rejection by the Democracy, and its hearty adoption by the Whigs—the State went Whig in the election that followed by some thirty thousand majority. MILLARD FILLMORE headed the Whig ticket."

The address, issued in support of the resolution and of Mr. Fillmore, was furious in its denunciation of slave extension, saying that:

"The flag of our victorious legions is to be desecrated from its holy character of liberty and emancipation *into an errand of bondage and slavery.*"

"We protest, in the name of the rights of man and of liberty, against the further extension of slavery in North America."

During the canvass of 1847, at Rochester, in the State of New York, Mr Fillmore made a speech in Minerva Hall against "the aggression of the slave power." The greater part of the speech was upon the encroachments of slavery; upon the monopoly which the southern oligarchy, a nest of 250,000 slaveholders, had enjoyed in all the offices of trust in the Union; how many Presidents from the South, how few from the North. He commented on the same disproportion of judges, foreign ministers, Speakers of the House, members of the cabinet, &c., with ungracious flings at what he alleged to be southern arrogance and injustice

In 1851 he negotiated the Central American treaty with Great Britain. Under this we guarantied that power in all her possessions and pretensions, renounced any possibility of acquiring territory ourselves in that quarter, bound ourselves to divide with her any rights of transit we might acquire, engaged to maintain the peace of the isthmus, and by this "entangling alliance," placed a barrier to southern progress, more effectual than all the fleets and armies of Europe. This unfortunate convention was founded in a false admiration of British power, and was either a covert attempt to injure the South, or a weak ebullition of magnanimous vanity. England already held the monopoly of the isthmus between the Mediterranean and the Red Sea. She offered us no reciprocity in its use. We were just acquiring territory on the Pacific; we were on the eve of opening commercial communications which must give our mariners and merchants infinite advantages over their competitors. The treaty of Mr. Fillmore has entangled us in a co-partnership and a co-protectorate, which has been a fruitful source of dispute between the contracting powers. The obscurity of its language has occasioned questions of personal veracity amongst our own statesmen, and with the ministers of England. A convention intended to keep the peace of the isthmus has nearly involved in war two peaceful continents. But it has stopped the progress of the republic in that direction, and we shall never be relieved from its embarrassments until notice shall be given of our purpose to abrogate it.

MR. FILLMORE'S APPOINTMENT OF FREESOILERS TO OFFICE.

The proclivities of Mr. Fillmore are perhaps as obvious from his nominations to office, whilst in the executive chair, as from his votes in Congress, or his known opinions publicly expressed elsewhere.

The Hon. S. A. Smith, of Tennessee, having been asked by Hon. S. M. Shaw for some information about the character of Mr. Fillmore's appointments, replies in a letter, from which we make the following extracts:

He says that he has been led—

"To examine carefully the political, or rather *sectional*, views of the appointees of Mr. Fillmore during his Presidential term.

This has been a work of no little labor, and required some time, which accounts for the delay in answering your letter.

Upon this investigation I find the following facts:

1. Every man appointed to any important office by Mr. Fillmore while President, whose residence was north of Mason & Dixon's line, *including three members of the cabinet*, was a Freesoiler, and in favor of the "Wilmot Proviso."

2. One of the leading members of his cabinet, the Hon. Thomas Corwin, of Ohio, Secretary of the Treasury, was a prominent *Abolitionist*.

3. Every one of the appointees before referred to, who had taken any public position on the slavery question, was known *at the time of his appointment*, to be in favor of the prohibition of slavery in the Territories.

4. Most of those from the same section retained in office by Mr. Fillmore, who had previously been appointed by President Taylor, were Freesoilers or Wilmot Provisoists."

From this report it would seem, that, to have been an advocate of the Wilmot proviso, constituted no valid objection in the mind of Mr. Fillmore to appointment to office.

Pardon by Mr. Fillmore of Daniel Drayton and Edward Sayres, parties convicted in the criminal court of the District of Columbia, of enticing away and transporting seventy-three slaves from said District.

As a practical illustration of the views of Mr. Fillmore in relation to slavery in the District of Columbia, and the rights of slave-holders generally, we submit the following facts: In the year 1848 the city of Washington was startled by the announcement that a very large number of its slave population had absconded upon the same night. Suspicion was directed against a particular vessel which had left the port of Washington; it was pursued and overtaken, *and concealed under hatches were found seventy-three slaves belonging to citizens of the District of Columbia and of the States of Maryland and Virginia.* The vessel was in charge of three white men from the north. The slaves and the kidnappers were brought back to the city and placed in prison.

The following record shows the action of the criminal court in the case:

Criminal court of the District of Columbia, for the county of Washington.

March term, 1849.

UNITED STATES *vs.* Daniel Drayton. } May 8. Convicted of transporting slaves in 73 cases, and sentenced by the court in each case to pay a fine of $140 and costs, *one half of the fine to the owner of the slaves*, according to the act of Md., of 1796, ch. 67.

Ordered to be committed to the jail of Washington county till fines and costs are paid.

Same number of cases *vs.* Edward Sayers, and fined $100 and cost in each, and committed as above.

Test: JOHN A. SMITH, *Clerk.*

Under this law of Maryland, in force in the District of Columbia, the penalty is a fine not exceeding two hundred dollars, with imprisonment in the county jail as the alternative of non-payment. This act was passed in 1796, and was then deemed sufficient to prevent such offences, but we feel assured there is not a slave State in which the commission of such a crime does not now subject the offender to imprisonment in the penitentiary at hard labor for many years. It will be seen that the court did not impose the maximum fine in either case, one half of which, under the express terms of the law, cnured to the owners of the slaves, and the other to the "commissioners of the county." The costs belonged to the United States, *by whom all the expenses of the prosecution had been paid.* Before we exhibit the record, to show under whose authority these men were discharged, we ask our readers to consider their offenee and its consequences. It was not the transportation of a single or a few slaves, the number was seventy-three. From the confessions of one of the parties, it was proven that money was the motive on their part, and that the whole scheme was under the management of northern abolitionists, and doubtless was one of those "underground railways" now so boastfully spoken of.

Joshua S. Giddings, of Ohio, immediately upon the imprisonment of the offenders, visited them at the jail, and showed by his conduct that he rejoiced in their act. Horace B. Mann, member of Congress from Massachusetts, and of equal notoriety as an abolitionist, was one of their counsel, and during the trial actually denied the legality of slavery in the District of Columbia. What were the consequences? let us enumerate them: the invasion of private rights and the violation of public law, accompanied with very considerable expense to the individual owners, and much more to the United States; the disturbance of the peace of the seat of government whilst Congress was in session; for the indignation of the citizens of

Washington, exasperated by previous losses, and now by this wholesale robbery broke out into an angry mob. This danger proved so threatening, that special meetings of the municipal authorities were held, and the President of the United States, Mr. Polk, held consultation with them as to the best means of preserving the peace of the Capital. The excitement, however, did not end here, but was introduced into the halls of Congress; by Mr. Hale, of New Hampshire, into the Senate, and by Mr. Palfrey, of Massachusetts, into the House of Representatives, the result of which was an angry debate, with an increase of sectional strife and hostility. In proof of these statements see the National Intelligencer and Union from April 18, 1848, *et seq.*

The offence was not only an outrageous invasion of the laws of the land, but tended to disturb the peace and integrity of the Union, and yet these were the men, and such the crime, that Mr. Fillmore pardoned.

RECORD OF PARDON.

Criminal Court of the District of Columbia for the county of Washington.

UNITED STATES vs. DANIEL DRAYTON.

August 12, 1852.—Discharged from jail by the President of the United States, Millard Fillmore.

SAME vs. EDWARD SAYRES.

Also discharged, at the same time, by the President.

Test: JOHN A. SMITH, *Clerk.*

This pardon discriminated between the release from imprisonment, and the payment of the fine and costs, leaving them to be recovered by civil process. This discrimination was a mere evasion and mockery of justice. How idle it would have been for southern slaveholders to have followed these parties north for any such purpose; the United States has never recovered, or attempted to recover, one dollar of costs, in reimbursement of the expenses of prosecution paid out of the common treasury, and the owners of the slaves (a portion only having released their interest in the funds) have never received the expenses of their recapture.

Upon these points we quote the following extracts from the opinion of John J. Crittenden, given in April, 1852, and then Attorney General, to whom the President, Mr. Fillmore, submitted the question of his constitutional power to pardon Drayton and Sears. The report will be found in volume 5, Opinions of Attorneys General, published by R. Farnham, page 536. Mr. Crittenden says: "To CONVERT THE POWER OF MERCY AND GRACE BY PARDON INTO A POWER RELEASING AND ACQUITTING OR ABROGATING PRIVATE VESTED RIGHTS WOULD BE A DISTORTION OF THE POWER FROM ITS TRUE MEANING, SPIRIT, AND PURPOSE." Again he says, page 542: "I CANNOT ADVISE THAT YOUR POWER OF PARDON AS PRESIDENT OF THE UNITED STATES EXTENDS TO ANY PORTION OF THE SEVERAL FINES IMPOSED BY THE JUDGMENTS AGAINST DRAYTON AND SEARS. THE IMPRISONMENT IS TO COMPEL PAYMENT OF THE FINES, AND IS NOT TO BE RELEASED BY THE POWER OF GRANTING PARDONS ANY MORE THAN THE FINES THEMSELVES. They were released from imprisonment without the payment of a single dollar of the fines or costs.

Admitting, however, the power of the President, let us consider the act of Mr. Fillmore in its relation to those communities whose rights had been outraged, and especially the interests and sensibilities of the south generally. It is the rule of the President of the United States, as doubtless of the State executives, when invoked to exercise the pardoning power, to learn the views of those officially connected with the case under advisement, and also of the community against whom the offence had been committed. In this case, Mr. Fillmore, contrary to his own custom, and although the application for pardon had been before him for several months, neither sought nor received any statement of the facts, or any opinion from, Philip Barton Key, esq., who, as district attorney, conducted the prosecution, and was therefore the most suitable person to advise him, or from Philip R. Fendall, esq., who, at the time of the pardon held that office. There was no recommendation from Judge Crawford or the jury who tried the cases. There was no consultation with either of the two gentlemen, Messrs. Walter Lenox and John W. Maury, esqs., who held the office of mayor of the city of Washington during the pendency of the application, or even notification of it to them. If such notification had been given, earnest remonstrances would have been laid before the President from the mayor of the city and the municipal authorities, AND FROM THE CITIZENS GENERALLY, WHO WERE EVEN MORE ASTONISHED AT THE ANNOUNCEMENT OF THE PARDON THAN THEY HAD BEEN WHEN THE SLAVES WERE FIRST CARRIED OFF! So unexpected was this pardon, and so hurried the departure of these offenders, that not only had the citizens of Washington no chance to remonstate, but the State of Virginia had no opportunity to interpose her executive requisition for them, a portion of the stolen slaves having belonged to her citizens. Since the occurrence of this outrage, and the free escape of the criminals, the State of Virginia has felt herself called upon to prohibit the hiring of slaves in the District of Columbia. Under such circumstances, the exercise of the pardoning power, in the forcible language of Mr. Crittenden, becomes "a distortion of the power from its true meaning, spirit, and purpose."

The only apology offered for Mr. Fillmore is that he yielded to his sentiments of humanity; but was it a case which justly appealed to his pity? These men had been in prison between three and four years, but this confinement was in the county jail without labor, in pleasant apartments, with wholesome food and the privilege of books and papers. Average the duration of the imprisonment and the number of slaves, it is much less than a month in each case. Under the laws of this District the larceny of any article under the value of five dollars is punishable, and often punished, with imprisonment in the county jail for twelve months, and the larceny of articles of the value of five dollars and upwards subjects the offenders to imprisonment in the penitentiary at hard labor for one to three years. Regarded, then, as a mere question of property, it is manifest from this contrast that the punishment was wholly inadequate and a mockery of equal justice. Again: how many far more meritorious cases were then languishing in the District penitentiary, the victims of ignorance and poverty. It is said, were these men to remain in jail for their lifetime? We answer no, but for such time as was reasonably proportionable to their offence. Can it be presumed that Mr. Fillmore's successor would be less humane?

The pardoning power is not to be exercised from feelings of pity at the expense of duty and great public considerations. If so, our prisons will soon be emptied and convictions but idle forms. We regret to believe that it was not sympathy for any sufferings of these men, but with the act they had committed, as subsequent circumstances will show.

What renders the conduct of Mr. Fillmore more inexplicable is the fact that it was during his own presidential term, and before the granting of this pardon, that a similar offence was committed in the city of Washington. In the year 1850 one William S. Chaplin, a notorious abolitionist, enticed several slaves to abscond from the city. Three of them belonged to Messrs. Toombs and Stephens, then sojourning at the seat of government in the discharge of their duties as representatives from the State of Georgia. Chaplin provided a carriage for the purpose, armed himself and slaves. When intercepted he made a desperate resistance, as also the slaves at his instigation, firing repeatedly upon the officers. Chaplin gave bail in the sum of $6,000, forfeited it, and upon his return home was applauded as a hero. It was his boast that the slaves were the property of southern members of Congress. This aggravated attack upon the rights of slaveholders was staring Mr. Fillmore in the face when he pardoned Drayton and Sayres.

We give the record:

Criminal Court of the District of Columbia for Washington county.

March term, 1851.

United States,	}	Indicted for the larceny of slaves in two cases. Recognizance in the sum of $3,000 in each case. Recognizance forfeited and cases still pending and undecided.
vs.		
Wm. L. Chaplin.		

Test:

JNO. A. SMITH, *Clerk.*

You will then ask, fellow-citizens of the south, at whose especial instance was this pardon granted? We answer from the record, Charles Sumner, senator from Massachusetts. On file in the State Department will be found a long and elaborate petition and argument by him in favor of this pardon. He received it himself, and bore it triumphantly, in company with the marshal, to the jail. It is now paraded as one of his brightest achievements, as will be seen by reference to page 48 of a work published by Ticknor & Fields, Boston, entitled "Recent Speeches and Addresses, by Charles Sumner." It is there stated "that this case (that of Dayton and Sears) excited particular interest. *On invitation of Mr. Fillmore*, Mr. Sumner laid before him the following paper. *Shortly afterward the pardon was granted.*"

We cannot forbear to mention the singular and painful fact, that whilst the pardon was refused before the meeting of the Whig convention of 1852, yet that it was granted at the instance of Charles Sumner, subsequent to the action of that convention. We ask the question, ought Mr. Sumner's interposition have weighed a feather; but, on the contrary, should not his interference have admonished Mr. Fillmore of the necessity of caution. Yet the President fails to consult with those who had been aggrieved, and grants the pardon "shortly after Mr. Sumner's argument." It seem to us that Mr. Fillmore having acquainted himself with all the facts of the case, with the views of the people whose rights had been invaded, and weighed well the enormity of the offence in all its consequences, should have answered Mr. Sumner in this wise: "I cannot grant this pardon; it should only be granted with the knowledge and approval of the authorities, legal and municipal, of the city of Washington, and of some considerable portion of the community whose rights have been invaded and peace disturbed. There are numberless cases in the penitentiary and jail of this District more deserving of Executive clemency; if these men have committed this wholesale robbery of their own motion for gain, they must expiate it by suitable punishment. My successors can interpose at a proper time to release them. If they were the agents and dupes of abolition societies, let their employers, from their abundance, pay the fines and costs, or some portion thereof, as a just restitution to the United States and the owners. If their employers will not save them harmless, let their dupes expose the plotters of this nefarious scheme, and they shall be discharged. Again, this is a national matter, Congress and the country are convulsed by this sectional strife. Since the commission of this offence, the

servants of representatives in Congress have been stolen away and the rights of sovereign States thereby violated. Until this spirit of fanaticism which so flagrantly tramples upon private rights and the public peace is allayed, I cannot, by any act of mine, give it the slightest countenance; but, on the contrary, must rebuke it. Such criminals, with such abettors, must be held as hostages for the public peace." Such, however, was not his language or his action; but a few months before the expiration of his term, and with the retirement of private life before him, Mr. Fillmore co-operates with Mr. Sumner, and, in fact, gratifies this bitter enemy and wholesale reviler of the south by the consummation of this outrage. How opposite Mr. Fillmore's course to the south, to the cordial and consistent friendship of Mr. Buchanan alike in sunshine and storm!

FILLMORE'S RECORD RECAPITULATED.

We will now briefly recapitulate the acts of these two competing statesmen, that our southern readers may determine at a glance upon which of them the south can best rely for safety and justice.

Mr. Fillmore was willing that Congress should receive petitions to abolish slavery in the District of Columbia, and in the Territories, and praying that no other slave State might ever be admitted into the Union.

He was not willing that resolutions condemnatory of those principles should be offered.

He has expressed the opinions that Congress has power to abolish slavery in the District of Columbia, and that it may prohibit the removal of slaves from one slave State to another.

He voted that the agitation of slavery, with the purpose of abolition in the States, is *not* against the Constitution; *not* an infringement of the right of the States; and *not* a breach of confederate faith.

He voted that Congress may discriminate between the institutions of the different States, with a view to abolish those of some States, and to promote those of others.

To declare slaves *free*, who had gone to sea with the consent of their masters, and to protect them in their freedom.

To repeal all laws and constitutional provisions by which the federal government is bound to protect the institution of slavery.

Against the admission of any new State into the Union whose constitution tolerates slavery.

Against the annexation of Texas, solely on the ground that slavery existed in that country

To abolish slavery in the District of Columbia, though the whole people of the District cherished the institution, and never petitioned for its abolition.

To *prohibit* the buying and selling of slaves in the District and other Territories of the Union.

He supported by his vote petitions to Congress to repeal the act of the Territory of Florida, to prevent migration of free negroes to the Territory.

He *voted* in favor of petitions *to naturalize* and *make American citizens* of *negroes* from *every quarter of the earth!*

He voted in favor of petitions to receive *negro* ambassadors from the black republic of Hayti.

Such was the course of Millard Fillmore in Congress.

He negotiated a treaty by which the Republic renounces any right to acquire any exclusive rights of transit across the Isthmus of Central America, or any Territory in that quarter

He signed the compromise measures of 1850, without approving them all.

He enforced the fugitive slave law.

He remitted the fines and discharged the recognizance of certain abolitionists who had kidnapped seventy-three slaves at one time from the District of Columbia.

This exercise of the pardoning power was not upon the petition of the people of the District of Columbia, whose rights had been violated, but upon the arguments and personal solicitations of that most notorious enemy of the south—Senator Charles Sumner, of Massachusetts! on behalf of petitioners, none of whom resided in the District of Columbia.

He has expressed the opinion that the Missouri restrictions should never have been repealed His friends in Congress have voted for the restoration of those restrictions. He is bound by his antecedent declarations of principle to approve any constitutional and formal legislation. Thereupon, it is asserted as a demonstration, that Millard Fillmore will, if elected President, approve the repeal of the Kansas act, the chief object of the Black Republicans.

RECAPITULATION OF MR. BUCHANAN'S RECORD.

1. In 1836 Mr. Buchanan supported a bill to prohibit the circulation of abolition papers through the mail.

2. In the same year he proposed and voted for the admission of Arkansas.

3. In 1836-'7 he denounced and voted to reject petitions for the abolition of slavery in the District of Columbia.

4. In 1837, he voted for Mr. Calhoun's famous resolution, defining the rights of the State, and the limits of Federal authority, and affirming it to be the duty of the government to protect and uphold the institutions of the south.

5. In 1838-'9 and '40, he invariably voted with southern senators against the consideration of anti-slavery petitions.
6. In 1844-'5, he advocated and voted for the annexation of Texas.
7. In 1847, he sustained the Clayton compromise.
8. He conducted the Department of State during the Mexican war, and negotiated the acquisition of California and New Mexico.
9. In 1850, he proposed and urged the extension of the Missouri compromise to the Pacific ocean.
10. But he promptly acquiesced in the compromise of 1850, and employed all his influence in favor of the faithful execution of the fugitive slave law.
11. In 1854, he remonstrated against an enactment of the Pennsylvania legislature for obstructing the faithful execution of the fugitive slave law.
12. In 1854, he negotiated for the acquisition of Cuba.
13. In 1856, he approves the repeal of the Missouri restriction, and supports the principles of the Kansas-Nebraska act.
14. He is in favor of the admission of new slave States on equal terms with free States.
15. He labored to adjust our difficulties with England, growing out of the improvident treaties of Mr. Fillmore.

Having completed the review of the record of the two competing candidates, we find that of Mr. Buchanan clear, direct, and adequate to the protection of the south, pledged to assure it a fair participation in the progress of the country. That of Mr. Fillmore is dangerous in its antecedents and deceptive in its present position. We are aware his southern friends contend that he is so sound that they refuse to exact of him any specific response upon the great questions which agitate the country. This concealment on the part of one branch of his supporters is not, perhaps, surprising. But that whigs,—southern whigs who bearded Jackson himself, should intrust their country entirely to "executive direction," is a political anomaly not to be explained upon any principle except a partizan hostility deplorable in the present excited condition of the country.

But in the refusal of Mr. Fillmore to declare his position, and the opposition of his friends to permit him to speak, we are left to infer his future action from the past.

We will therefore consider the general argument made by his friends to prove that he will, if elected, veto any bill to restore the Missouri restrictions, or repealing the guarantees of the Kansas act. These arguments are :

1. That he is a national and patriotic statesman.
2. That he signed the Compromise bill.
3. That he enforced the fugitive slave law.

We have conceded to Mr. Fillmore integrity of character. We hear his recent speeches applauded for their high souled patriotism. Alas! general professions of devotion to the Union, of impartial regard for the rights of the States which compose it, are even in the mouths of the most dangerous enemies of both. "Even devils believe and tremble." Can any professions be more orthodox than that of the abolition candidate for the Presidency? Compare them even with those of Mr. Fillmore :

DEVOTION TO THE CONSTITUTION AND UNION.

FREMONT.	FILLMORE.
I accept the nomination of your [Abolition] convention in the hope that I may be enabled to serve usefully its cause, which I consider the cause of the constitutional freedom.	It [the Know-Nothing party] has a claim, in my judgment, upon every earnest friend of the integrity of the Union.

RESTORATION OF THE PURER DAYS OF THE REPUBLIC.

FREMONT.	FILLMORE.
The people of the United States are uniting in a common effort to bring back the action of the federal government to the principles of Washington and Jefferson.	A large portion of my fellow-citizens in every part of the Union who are, like myself, sincerely desirous to see the administration of our government restored to that original simplicity and purity which marked the first years of its existence.

SECTIONAL ALIENATION DEPLORED—PLANS TO REMOVE IT.

FREMONT.	FILLMORE.
"To terminate the sectional controversies engendered by political animosities" "a practical remedy is the admission of Kansas into the Union as a free State." The South should, in my judgment, earnestly desire its repeal. "The measure is perfectly consistent with the honor of the South and vital to its interests."	It [the Know-Nothing party] alone of all the political organizations now existing is possessed of the power to silence this violent and disastrous agitation and to restore harmony by its example of moderation and forbearance.

Such general phraseology, then, proves nothing. It is in the mouth of the decorous neutral, who hopes peace from "the example of moderation and forbearance" set by a party, the majority of which have repudiated his nomination and his counsels and gone over to the

open enemies of peace and order! It is in the mouth of him who has been chosen by the acclamation of these fanatics to lead the assault against the Union and against the south.

The crisis requires men who "show forth their works, not only upon their lips but in their lives."

We have shown that the whole legislative action of Mr. Fillmore, whilst in Congress as well as his diplomatic measures afterwards, were hostile to the institution of slavery and to the territorial expansion of the south. But, compelled by the want of any authentic declaration of his intentions in respect to the existing regulation on the subject of slavery, groping in the dark for the means of ascertaining the chances of escape from a position of national danger, we are compelled to the only rule acknowledged by himself and friends, and infer his future course from his past, although we have just seen that this rule would make him the most dangerous nominee now before the people. But his friends insist that he shall not be judged by his earlier record, but by the more recent acts of his executive administration. Let us, then, suspend the rule, and examine the subject with the impartiality its importance demands.

MR. FILLMORE'S SIGNATURE OF THE COMPROMISE OF 1850.

From a deliberate examination of the text and spirit of the several measures which composed the compromise, from the circumstances which surrounded and succeeded it, and from the principles upon which Mr. Fillmore administered the government, we are obliged to infer—

1. That those who supported the compromise do not acknowledge an obligation to sustain the Kansas act.

2. That, according to his avowed principles of Executive action, Mr. Fillmore is under positive obligations to approve the repeal of the right of Kansas to admission as a slave State, the restoration of the Missouri compromise, and even the repeal of so much of the compromise of 1850 as may be still within the reach of legislation.

We presume it will not be denied that Mr. Fillmore, when elected Vice President, stood on the platform and was bound by the public pledges of General Taylor.

Amongst the questions most distinctively in issue in the election of 1848, was the proper nature, limitation, and application of the Executive veto. Many questions were put to General Taylor which he declined to answer, upon the ground that he did not choose to respond to any special inquiry, or to prejudge important questions. But upon the powers of the veto, he responded frankly and unequivocally. In his letter of February, 1848, to Captain Allison, he said:

"Second. The veto power. The power given by the constitution to the executive to interpose his veto, is a high conservative power, but, in my opinion, should never be exercised except in cases of clear violation of the constitution, or manifest haste and want of consideration by Congress. Indeed, I have thought that, for many years past, the known opinions and wishes of the executive have exercised undue and injurious influence upon the legislative department of the government; and for this cause I have thought our system was in danger of undergoing a great change from its true theory. The personal opinions of the individual who may happen to occupy the executive chair ought not to control the action of Congress upon questions of domestic policy; nor ought his objections to be interposed where questions of constitutional power have been settled by the various departments of government, and acquiesced in by the people."

To explain his application of this doctrine, he adds:

"Third. Upon the subject of the tariff, the currency, the improvement of our great highways, rivers, lakes and harbors, the will of the people, as expressed through their representatives in Congress, ought to be respected and carried out by the executive."

It is a strong indication of the severe disclaimer of power made by this gallant veteran, that though he avowed himself in favor of the increase enumerated in the third section of his letter, he does not propose to bestow upon them his executive approval *because* they accord with his own principles, but because their enactment by Congress will enforce "the will of the people" as expressed "through their representatives;" we repeat, it must have followed from this principle, that if similar measures had been *repealed*, he must with equal facility have approved the legislation.

But some persons at that day, as at this, felt an anxiety to know what course General Taylor would take in the event Congress should, by the adoption of the Wilmot proviso, exclude any new slave States.

In February, 1848, Mr. B. M. McConkey addressed the following question:

"Should you become President of the United States, would you veto an act of Congress which should prohibit slavery or involuntary servitude forever, except for crime, in all the Territories of the United States where it does not now exist?"

To this General Taylor made the following reply:

"In reply to your inquiries, I have to inform you that I have laid it down as a principle, not to give my opinions upon, or prejudge in any way the various questions of policy now at issue between the political parties of the country, nor to promise what I would or would not do, were I elected to the presidency of the United States; and that, in the cases presented in your letter, I regret to add, I see no reason for departing from this principle."

In his inaugural address General Taylor faithfully complies with his assurance to Captain Allison. He says:

"It shall be my study to recommend such constitutional measures to Congress as may be necessary and proper to secure encouragement and protection to the great interests of agriculture, commerce, and manufacture, to improve our rivers and harbors, to provide for the speedy extinguishment of the public debt, to enforce a strict accountability on the part of all officers of the government, and the utmost economy in all public expenditures. But it is for the wisdom of Congress itself, in which all legislative powers are vested by the constitution, to regulate these and other matters of domestic policy. I shall look with confidence to the enlightened patriotism of that body to adopt such measures of conciliation as may harmonize conflicting interests and tend to perpetuate that Union, which should be the paramount object of our hopes and affections. In any action calculated to promote an object so near the heart of every one who truly loves his country, I will zealously unite with the co-ordinate branches of the government."

In his only annual message he renews the same declaration:

"Our government is one of limited powers, and its successful administration eminently depends on the confinement of each of its co-ordinate branches within its own appropriate sphere. The first section of the constitution ordains that 'all legislative powers therein granted shall be vested in a Congress of the United States, which shall consist of a senate and house of representatives." The Executive has authority to recommend (not to dictate) measures to Congress. Having performed that duty, the executive department of the government cannot rightfully control the decision of Congress on any subject of legislation, until that decision shall have been officially submitted to the President for approval. The check provided by the constitution in the clause conferring the qualified veto will never be exercised by me, except in the cases contemplated by the fathers of the republic. I view it as an extreme measure, to be resorted to only in extraordinary cases—as where it may become necessary to defend the Executive against the encroachments of the legislative power, or to prevent hasty and inconsiderate or unconstitutional legislation. By cautiously confining this remedy within the sphere prescribed to it in the contemporaneous expositions of the framers of the constitution, the will of the people, legitimately expressed on all subjects of legislation, through their constitutional organs, the senators and representatives of the United States, will have its full effect. As indispensable to the preservation of our system of self-government, the independence of the representatives of the States and the people is guarantied by the constitution; and they owe no responsibility to any human power but their constituents. By holding the representative responsible only to the people, and exempting him from all other influences, we elevate the character of the constituent, and quicken his sense of responsibility to his country. It is under these circumstances only that the elector can feel that, in the choice of a law-maker, he is himself truly a component part of the sovereign power of the nation. With equal care we should study to defend the rights of the executive and judicial departments. Our government can only be preserved in its purity by the suppression and entire elimination of every claim or tendency of one co-ordinate branch to encroachment upon another. With the strict observance of this rule, and the other injunctions of the constitution; with a sedulous inculcation of that respect and love for the Union of the States which our fathers cherished and enjoined upon their children; and with the aid of that overruling Providence which has so long and so kindly guarded our liberties and institutions, we may reasonably expect to transmit them, with their innumerable blessings, to the remotest posterity."

That Mr. Fillmore adopted the doctrine announced by General Taylor, is to be seen by the following extracts from his message:

"Upon you, fellow-citizens, as the representatives of the States and the people, is wisely devolved the legislative power. I shall comply with my duty, in laying before you, from time to time, any information calculated to enable you to discharge your high and responsible trust, for the benefit of our common constituents.

"My opinions will be frankly expressed upon the leading subjects of legislation; and if, which I do not anticipate, any act should pass the two houses of Congress which should appear to me unconstitutional, or an encroachment on the just powers of other departments, or with provisions hastily adopted, and likely to produce consequences injurious and unforeseen, I should not shrink from the duty of returning it to you, with my reasons, for your further consideration. Beyond the due performance of these constitutional obligations both my respect for the legislature and my sense of propriety will restrain me from any attempt to control or influence your proceedings. With you is the power, the honor, and the responsibility of the legislation of the country.

"The government of the United States is a limited government. It is confined to the exercise of powers expressly granted, and such others as may be necessary for carrying those powers into effect; and it is at all times an especial duty to guard against any infringement on the just rights of the States. Over the objects and subjects intrusted to Congress, its legislative authority is supreme."

The principle laid down by these Statesmen was well considered by them, and was much looked to by the country. Both were Whigs. The radical difference between the Democratic and Whig parties upon the proper exercise of the veto power was this: The first regarded the executive as a substantive department, representing the people, and under obligations to administer the government according to certain principles of constitutionality and expediency required by the people to be embodied in the laws and public policy. The second only inquired into the constitutional capacity of Congress to exercise a given power—saw that the method of exercise was formal and free from irregularity, and then left the expediency of all constitutional legislation to be judged of, and the responsibilities to be borne by Congress.

General Taylor defined this principle as restricting the exercise of the veto power to cases which present "a clear violation of the constitution, or show manifest haste or want of consideration by Congress."

Mr. Fillmore, in his inaugural, says:

"If any act should pass the two houses of Congress which should appear to me unconstitutional, or an encroachment on the just powers of other departments, or with provisions hastily adopted, and likely to produce consequences injurious and unforeseen, I should not shrink from the duty of returning it to you with my reasons for your further consideration. Beyond the due performance of these constitutional obligations, both my respect for the legislature and my sense of propriety will restrain me from any attempt to control or influence your proceedings. With you is the power, the honor, and the *responsibility* of legislation."

Mr. Fillmore's approval of the Compromise of 1850 was perfectly consistent with their principles. It is true, that with a lapse of memory only equal to that which forgot his discrimination in favor of abolition petitions, he had virtually claimed the Compromise of 1850 as the act of his administration. But there was no such belief at

the date of the passage of these measures. He did not even recommend their passage. The conservative statesmen of the Union did not "rally around his administration." They had passed the measures after months of weary and exciting strife. "The power, the honor, the responsibility" of "this legislation" was theirs, not his.

Why he signed the fugitive-slave law:

But we will let him explain for himself, and then the reader can decide whether he is entitled to credit for the act.

We will quote from a speech delivered by him in Louisville, Kentucky, on his southern tour, in 1854. The Louisville Journal is our authority. He said:

"The fugitive slave law had some provisions in it to which I (Fillmore) had some OBJECTIONS. I *regretted the necessity of its being passed at all.* When the bill came to me from the two Houses, I examined it in the midst of hurry, confusion, and difficulties, and a doubt came up in my mind whether it was not *unconstitutional as denying the right of habeas corpus to the fugitive slave*, which doubt I submitted to the Attorney General, (Mr. Crittenden,) and *on being assured by him* that the law was not a violation of the constitution, I therefore gave my sanction to the bill."

Hence, according to Mr. Fillmore's own candid declaration before an audience of his own southern friends, he doubted the constitutionality of the measure. He was opposed to it because it did not provide a jury trial (as proposed by Giddings & Co.) to the absconding slave; and only signed it when assured by Mr. Crittenden that "it was not a violation of the constitution." John J. Crittenden, then, and not Millard Fillmore, is entitled to the credit of the assent of the Executive for signing the fugitive-slave law.

Testimony of Andrew J. Donelson:

To prove what we here assert, we will introduce as a witness Mr. Fillmore's associate on the Know-nothing ticket—no less a personage than Andrew J. Donelson.

In 1851, Donelson, through the columns of the Washington Union, said:

"As to the assertion that the administration (of Fillmore) is entitled to the credit of standing up to the measures of the compromise in good faith, *it is too ridiculous to require a denial, and too preposterous to demand refutation.* Every free white citizen, who is not an infant, idiot, or lunatic, or wofully forgetful, knows that it is *utterly* and *entirely* without foundation. All the measures of the compromise, except the fugitive slave law, were self enacting. As to *that law*, Mr. Fillmore was *unwilling* to *permit* it to *become a law* before he *consulted* Mr. Crittenden on the subject—a fact which the Republic (his organ) mentioned at the time in order to justify Mr. Fillmore before his northern higher-law friends for not returning the bill with his objections."

Judge Conklin's testimony:

Judge Conklin, of New York, a friend of Millard Fillmore, and his minister to Mexico, in a late speech made the following apology for him for signing the fugitive-slave law:

"Of this gentleman I have to say a few words that are due alike to him and to myself. The friendly relations that have long subsisted between us; the high opinion I entertain of his patriotism, integrity, and talents; the confidence he saw fit to repose in me, and the great personal kindness I received at his hands while he filled the Presidential office, all conspire to render it painful to me to withhold my support from him; and had he been brought forward under other auspices, as I cherished a vague hope he might be, it would have afforded me a corresponding degree of satisfaction to yield him that support.

"I am aware of the persistent, and I doubt not, to some extent, successful industry with which for years he has been exhibited by those who had formed a different estimate of [illegible] character, in an attitude that, if I had believed it to be just, would have rendered it inconsistent in me, holding the principles I do relative to slavery, to favor his elevation to the Presidency under any circumstances. But in imputing to him a willingness to extend and fortify slavery, *I am persuaded his assailants have done him injustice.*

"I believe, on the contrary, that he *still holds* slavery in the abstract, as he is known formerly to have done, in as *great abhorrence* as they do. The evidence constantly cited to justify this charge is the fact of his having affixed his signature to the fugitive slave bill. The alternative was to interpose his veto. But no one had a right to expect him to do this, for he had no right himself to do it. Either from *doubt* about its constitutionality, or from deference to the opinion of those who questioned it, he *did appoint* the usual precaution of submitting the bill to the examination of the Attorney General, and asking *his opinion* of its constitutionality. To have vetoed it under the very extraordinary circumstances of the case, would have been, to say the least, a palpable violation of the constitution. No enlightened man who understands the subject can doubt this, and no such man can have been sincere in casting censure upon Mr. Fillmore for adopting the opposite alternative."

Testimony of another friend:

The New Albany Tribune, the leading Fillmore organ in Indiana, says:

"Mr. Fillmore gave his official sanction to the fugitive slave bill, because we (the Free-soilers) could not have *got other laws* on which our hearts were set, that we have got had not *that law* been passed also, and because in doing so he was but carrying out one of the great principles of the party which elected him—that the personal opinions of the executive on mere questions of policy ought never to be brought into conflict with the will of the people's representatives *by an arbitrary exercise of the veto power.*"

In his recent speech at Albany, he says:

"You all know that when I was called to the executive chair by a bereavement which shrouded the nation in mourning, that the country was unfortunately agitated from one end to the other upon the all-exciting subject of slavery. It was then, sir, that I felt it my duty to rise above every sectional prejudice, and look to the welfare of the whole nation. (Applause.) I was compelled to a certain extent to overcome long cherished prejudices, and disregard party claims. (Great and prolonged applause.) But in doing this, sir, I did no

more than was done by many abler and better men than myself. I was by no means the sole instrument, under Providence, in harmonizing these difficulties. (Applause.) There were at that time noble, independent, high-souled men in both houses of Congress, belonging to both the great political parties of the country, Whigs and Democrats, who spurned the dictation of selfish party leaders, and rallied around my administration, in support of the great measures which restored peace to an agitated and distracted country.' (Cheers.)

In his speech at Rochester, he modifies his claim to the merit of having carried the compromise of 1850 as a measure of his administration, admits that they were not all he could have desired, and condemns the repeal of the Missouri restriction:

"But the truth was, that many noble patriots, Whigs and Democrats, in both houses of Congress, rallied around and sustained the administration in that trying time, and to them was chiefly due the merit of settling that exciting controversy. Those measures, usually called the Compromise Measures of 1850, were not in all respects what I could have desired, but they were the best that could be obtained, after a protracted discussion, that shook the republic to its very foundation, and I felt bound to give them my official approval. Not only this, but perceiving there was a disposition to renew the agitation at the next session, I took the responsibility of declaring, in substance, in my annual message, that I regarded these measures as a 'final settlement of this question, and that the laws thus passed ought to be maintained until time and experience should demonstrate the necessity of modification or repeal.'

"I then thought that this exciting subject was at rest, and that there would be no further occasion to introduce it into the legislation of Congress. Territorial governments had been provided for all the territory except that covered by the Missouri Compromise, and I had no suspicion that that was to be disturbed. I have no hesitation in saying, what most of you know already, that I was decidedly opposed to the repeal of that Compromise. Good faith, as well as the peace of the country, seemed to require, that a Compromise which had stood for more than thirty years should not be wantonly disturbed. These were my sentiments then fully and freely expressed, verbally and in writing, to all my friends, north and south, who solicited my opinion. This repeal seems to have been a Pandora's box, out of which have issued all the political evils that now afflict the country, scarcely leaving a hope behind."

But, we ask our readers to apply this principle of executive action to the state of circumstances that surround us. "The will of the people has been expressed, through their representatives," in the Kansas-Nebraska act. Suppose the will of the people shall be expressed through the same medium in favor of its repeal: can Mr. Fillmore hesitate to approve that repeal? He must do so, or repudiate the most prominent principle of his administration? Representing a state of executive neutrality, he is bound to apply the signature of the State as if it were but its seal to authenticate the constitutional and formal perfection of its laws.

We have shown that, even if it be assumed that the Kansas act was a legitimate consequence and corollary of the compromise of 1850, as it obviously is, and as is contended by those who introduced that act, and by the whole Democratic party, Mr. Fillmore would be compelled, on principle, to sign a bill for its repeal.

But, unhappily, there is no such universal admission of the legitimate consistency of the Kansas act with the compromise. If there was, there could be no dispute, for the same approval which sustained the compromise would extend to the Kansas act.

The question on trial before the American people is, Whether the Kansas act is a legitimate consequence growing out of and perfecting the compromise of 1850, or whether it is a flagrant disturbance or violation of that measure? Tried by the test of contemporaneous construction, we find that a large portion of those who advocated the compromise now oppose the Kansas act. Mr. Fillmore himself has condemned the "disturbance of the Missouri compromise." He, therefore, does not consider the Kansas act consistent with the compromise of 1850, and would sanction its repeal. Here are his words upon the subject:

"Territorial governments had been provided for all the territory except that covered by the Missouri Compromise, and I had no suspicion that that was to be disturbed. I have no hesitation in saying, what most of you know already, that I was decidedly opposed to the disturbance of that Compromise. This repeal seems to have been the Pandora's box out of which have issued all the political evils that now afflict the country, scarcely leaving a hope behind."

There can be, then, no logical doubt that Mr. Fillmore disapproves the repeal of the Missouri restrictions, and would restore them; nor that, if the Kansas act be repealed in whole or in part, he would oppose it. To elect him President, is to concede all that the Black Republicans desire. They would carry out their nefarious legislation without obstacle, and all the fruits obtained by an intense struggle of nearly two years would be lost to you, for even your enemies would triumph; the first and greatest step in their plan would have been achieved, and the decree would be registered in indelible letters, "No more slave States in the Union."

The Fillmore leaders openly advocate the restoration of the Missouri restrictions!

The rigid refusal on the part of Mr. Fillmore to make an avowal of his intentions in relation to the present questions pending before the country, compels us to add other evidences daily presenting themselves that Mr. Fillmore will, if elected, sign a bill to restore the Missouri restrictions, and thus virtually repeal that section of the Kansas act which gives that State the right of admission into the Union as a slave State.

This position is identical with that occupied by Black Republican party, and will compel Mr. Fillmore, if elected to carry out so much of their platform as relates to slavery.

But to the collateral evidences of Mr. Fillmore's purposes:

For some time indications had been given that Mr. Fillmore favored a restoration of antecedent legislation upon the subject of slavery.

The Hon. Bayard Clark, of New York, a warm friend of Mr. Fillmore, on the 24th July openly avowed his opposition to popery and slavery as "twin demons," and pledged himself

before God to an equal and uncompromising war against both. He denounced the enactment of the Kansas act, and declared himself in favor of a restoration of the Missouri restriction.

About the same date, Hon. Mr. Dunn, of Indiana, appointed State elector by the Fillmore convention, announced a similar opinion in favor of the restoration. Speaking of the Missouri restriction, Mr. Dunn said:

"He was now persuaded that there would be no effort made to effect its restoration. He believed that there would be no peace in the country until it should be restored, either in substance or in fact. The prohibition of slavery within the Territories of Kansas and Nebraska, was a thing to be done, or there would never be peace. He spoke this, not in a spirit of taunt or of threat, but as a sober truth. Alluding to Kansas, he declared that until that question was settled, the appropriation bills should never pass by his vote. He would never give a dollar for any purpose until the great question of individual safety connected with Kansas affairs was settled. [Cries of 'Good, good.'] That was the only way in which to insure compliance—stop the wheels of government."

On the 29th July the suggestion of Mr. Dunn "to stop the wheels of government" was adopted by an amendment to the army appropriation bill, depriving the army of all pay, unless the acts of the Kansas legislature should be repealed by Congress. Here is the amendment:

"*And provided, nevertheless*, That no part of the military force of the United States herein provided for shall be employed in aid of the enforcement of the enactments by the alleged legislative assembly of the Territory of Kansas, recently assembled at Shawnee Mission, until Congress shall have enacted either that it was or was not a valid legislative assembly, chosen, in conformity with the organic law, by the people of the said Territory: *And provided*, That, until Congress shall have passed upon the validity of said legislative assembly of Kansas, it shall be the duty of the President to use the military force in said Territory to preserve the peace, suppress insurrection, repel invasion, and protect persons and property therein and upon the national highways, in the State of Missouri or elsewhere, from unlawful seizure and search.

"*And be it further provided*, That the President is required to disarm the persons organized militia of the Territory of Kansas, to recall all the United States arms therein distributed, and to prevent armed men from going into said Territory to disturb the public peace or aid in the enforcement or resistance of real or pretended laws."

Upon the adoption of this amendment the vote was yeas 91, nays 86. Amongst those who voted for the amendment were Messrs. Dunn, Harrison, and Moore. The vote of these friends of Mr. Fillmore, if cast against the amendment, would have defeated it.

On the same day, however, all doubt of the position of the northern friends of Mr. Fillmore was put at rest by the adoption by the House of Representatives of a substitute for the Kansas act, offered by Mr. Dunn, of Indiana, repealing the right of Kansas to admission as a slave State, and restoring the Missouri restriction. Upon the passage of this bill, Messrs. Dunn, Edwards, Haven, Harrison, and Moore, northern members, and friends of Mr. Fillmore, voted in the affirmative. Messrs. Valk, (a South Carolinian by birth,) and Mr. Broom, of Pennsylvania, northern friends of Mr. Fillmore, voted in the negative. This determines, then, the position of that section of the party, and establishes the probability that Mr. Fillmore will sign a bill repealing the Kansas act.

Mr. Buchanan the only man who can quiet the agitation:

With respect to the opinions of Mr. Buchanan there is no doubt. He is bound by his principles, by his past acts and present pledges, to maintain the equality of the southern States and the admission of future slaves States into the Union. He will veto any bill to restore the odious Missouri restriction. He will veto any bill to repeal the right of Kansas to admission into the Union as a slave State. He will acquire more territory, if necessary, to accommodate peacefully the great conflicting interests. He will separate these angry foes, not by ideal lines and unequal privileges, but by giving the right to each to enter upon and occupy ample and abundant territory. This will secure the development of each in a direction and in a region separate, distant, and where they can never again come in collision.

Mr. Buchanan has many advantages over any competitor in effecting this great object. He has the confidence of the people as a man of moderation and integrity. He has, like the earlier fathers of the republic, a matured fame; his only object is to preserve it from stain or diminution. He will only serve a single term. Like Washington, Madison, and Jackson, Mr. Buchanan is childless. God has denied these benefactors children, "that a nation might call them father." Content, therefore, with the exalted honors conferred upon them by a grateful country, they have never had the ordinary motive to perpetuate in their own posterity the influence and consideration which have been bestowed upon them.

With all these motives, then, to be contented, we may expect that, at the end of his official term, Mr. Buchanan, having quieted the sectional strife which threatened to destroy the Union; having established and consolidated a policy which shall secure us respect abroad and peace at home; having completed the circle of his country's honor and filled the measure of his own renown, this faithful servant of the people and guardian of the constitution will fold around him the robes of self-approval, and, retiring forever from the service of the republic, will say, with the best of the Roman rulers, "My countrymen! if I have acted well my part, give me *your* applause."

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