FREEDOM v. SLAVERY.

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SPEECH

OF

JOHN HUTCHINS, OF OHIO.

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Delivered in the U. S. House of Representatives, May 2, 1860.

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Mr. CHAIRMAN: When the distinguished Senator from New York, [WILLIAM H. SEWARD,] in his Rochester speech in 1858, defined the antagonism between free and slave labor to be an irrepressible conflict, he announced a truth inherent in the two systems, and coeval with slavery. The same idea has been frequently expressed in different forms by the opponents and advocates of slavery, in their discussions of the subject. If Mr. SEWARD, in the statement of this truth, is entitled to the claim of originality, it is in the use of words expressive of the idea. He has been represented as originating the antagonism, instead of defining it. He in apt words clearly defined what is patent to a student of history and to a careful observer of passing events, namely: that there is an irreconcilable antagonism between freedom and slavery. It is being demonstrated, if it never were before, by the logic of events now transpiring. The words freedom and slavery are expressive of opposite ideas; and wherever the two systems come in contact, there must necessarily be conflict and antagonism. A line of policy which would encourage free labor would discourage slave labor; hence the conflict as to measures in the legislation of Congress, affecting the two systems of labor. When, in fixing a tariff of duties upon imports, with a view to make the annual revenues of the Government equal its annual expenditures, a discrimination is made upon such articles as free labor produces, so as to afford incidental protection, then we find the advocates of free labor and the advocates of slave labor in antagonism on this floor. When it is proposed to encourage free labor by inviting it to occupy and improve our unoccupied public domain, by the passage of a homestead law, then we encounter the same antagonism. And so it is with every measure proposed, having the least relation to either system of labor. The establishment of the fact of a conflict between freedom and slavery does not, as a logical sequence, determine which is right or which is wrong. I propose, therefore, briefly to examine that question, and address myself to that inquiry.

The advocates of slavery upon this floor have frankly and ably presented the question for our consideration; and I propose to meet it. If the system of free labor, as it exists in the free States of this Union, is wrong, we ought, as honest men, to abandon it, and adopt that higher type of civilization, as it is claimed, which exists in the slave States. If the system of slave labor, as it exists in the slave States, is right, we ought, under the Constitution of the United States, to extend to it that protection which its advocates claim for it. I maintain that slavery, as it exists in the slaveholding States, is wrong in every aspect in which it can be viewed; wrong to the slave; wrong to the slaveholder; an injury to the material, industrial, political, social, educational, moral, and religious prosperity of any people who encourage or tolerate it; and, like all other sins which afflict society, the sum total of its results is evil, and only evil. Slavery originated in motives of selfishness, of avarice, and of ambition; in an age when, by the teachings of those motives, might was a synonym for right—when the weak and unfortunate, and the conquered, had no rights which the strong were bound to respect. It is sustained at the present day, in and out of this Hall, by the same logic, and by the same motives.

When the colonists of this country were experiencing the oppressive effects of the tyrannical measures of the Parliament and King of England, tending to reduce them to political slavery, they naturally began to inquire into the *inherent* rights of man, as a subject of civil government; and that inquiry, with the discussion incident to it, in the light of the learning which the progress of society up to that time had developed, resulted in the adoption of "a platform" of political principles, in harmony with the Divine law, which was incorpo-

rated into the Declaration of Independence. The language is familiar to all, and I will not quote it. It is a clear and concise statement of the natural equality of *all men* to protection from Government, and to the enjoyment of "life, liberty, and the pursuit of happiness." It is erroneously asserted and unfairly contended that the broad application, which the opponents of slavery make of this language, secures to all classes and conditions of people equality of social relations and of political rights. Social relations are prompted by natural affinities, and it is not the appropriate object of Government to interfere with them. Political rights emanate from Government, and the extent which they are to be enjoyed by, and applied to, particular persons, is addressed to the sound discretion of the law-making power. Natural rights emanate from the Creator, and Government cannot therefore improperly interfere with them; and this is the sense in which the Declaration of Independence declares all men created equal. We do not deny to women their equality with men as to natural rights because we do not allow them the civil right to vote; and the same remark will apply to minors and unnaturalized foreigners. This statement, in the Declaration, of the natural equality of men, was the platform upon which the Revolution was fought. Its inspiring sentiments were its war-cry. This platform determines the wrongfulness of chattel slavery as an institution everywhere, for it cannot exist without a destruction of those natural rights it declares to be inalienable. This sentiment, anterior to July, 1776, pervaded the discussions of the colonies, growing out of their relations to the mother country, and they clearly saw that chattel slavery was inconsistent with it. The colonies found it here in violation of that just and cardinal maxim of civil government, which, in 1776, they so truthfully, clearly, and boldly, announced to the world. So sensible was Mr. Jefferson of this, that in his original draft of the Declaration, he inserted as one of the causes of complaint against the King of Great Britain, that he had interposed his veto power to prevent the colonies from suppressing by legislation "this execrable commerce" in human beings. This was his language:

"He has waged cruel war against human
'nature itself, violating its most sacred rights
'of life and liberty in the persons of a distant
'people who never offended him, captivating
'and carrying them into slavery in another
'hemisphere, or to incur miserable death in
'their transportation thither. This piratical
'warfare, the opprobrium of infidel Powers, is
'the warfare of the Christian King of Great
'Britain. Determined to keep a market where
'men should be bought and sold, he has at
'length prostituted his negative for suppress-
'ing any legislative attempt to prohibit and
'restrain this execrable commerce."

I need not further quote from the writings of the prominent men who inaugurated and carried forward the Revolution, to show that this sentiment was general. It is conceded by intelligent men from the South. I assert, without the fear of successful contradiction from any source, that the preponderance of public sentiment in a majority of the States, at the close of the Revolution, and for a long time afterwards, was against the policy and against the rightfulness of chattel slavery, as it then existed in those States. I assert further, as the corollary of that sentiment, that it was the general expectation that slavery would gradually disappear from all the States, through the instrumentality of our republican form of government, and through the humanitarian influence of our Christian civilization.

The framers of the Constitution excluded from it the word slavery, as a hateful term, and it was left out, as Mr. Madison said, because they did not wish to recognise the rightfulness of property in man. I have no doubt they had in view the future state of the country, when slavery should be abolished in all of the States, and adapted the Constitution to that state of things. It has been conceded by Southern men, in the House and in the Senate, this session, that the leading men of the slave States, before and after the adoption of the Constitution, uttered anti-slavery sentiments; but it is contended that they really were not opposed to slavery *per se*—that it was sentimentalism merely, an abstraction, or speculation, and not intended as a condemnation of the system. They clearly expressed themselves as opposed to it *per se;* and if they did not mean what they said, then they added to the practice of the wrong of slavery the hypocrisy of double dealing. I do not charge them with that, for they were *honest* men.

The gentleman from Alabama, [Mr. CURRY,] in his able speech, delivered here on the 14th day of March last, upon this point, said:

"Scarce a speech has been made or an es-
'say written, for ten years, against slavery, in
'which the opinions of the early fathers of the
'Republic are not introduced. These, how-
'ever, were but mere speculations, and were
'not engrafted upon the organic law; and
'actual results are a safer standard by which
'to measure abstract principles. Besides,
'times have changed since this Government
'was first inaugurated as an experiment, not
'yet satisfactorily tested. Then there were but
'little over half a million slaves, and scarce a
'pound of raw cotton exported.

"African slavery is now a great fact—a po-
'litical, social, industrial, humanitarian fact.
'Its chief product is king, and freights North-
'ern vessels, drives Northern machinery, feeds
'Northern laborers, and clothes the entire pop-
'ulation. Northern, no less than Southern,
'capital and labor are dependent, in great de-
'gree, upon it, and these results were wholly
'unanticipated by the good men who are so
'industriously paraded as clouds of witnesses
'against the institution.

"Slavery has altered, and men's opinions
'have altered."

Senator MASON, of Virginia, in a debate upon

the President's message, at this session, in the Senate, said:

"The opinion once entertained, certainly in 'my own State, by able and distinguished men 'and patriots, that the condition of African 'slavery was one more to be deplored than to be 'fostered, has undergone a change, and that the 'uniform—I might almost say universal—senti-'ment in my own State upon the subject of 'African bondage, is that it is a blessing to 'both races, one to be encouraged, cherished, 'and fostered; and to that extent, the opinion 'of Virginia is different from the opinion en-'tertained by those distinguished men who 'have gone; but who, we believe—best know-'ing their sentiments—if they lived at this day, 'would concur with us. That is the present 'opinion."

In impressive contrast with this sentiment, which, Senator MASON says, is "the *present* opinion" of Virginia statesmen, I refer to the opinion of one of her earlier but not less distinguished statesmen, George Mason, the grandfather of the present Senator, and a member of the Convention which framed the Constitution of the United States:

"Slavery discourages arts and manufactures. 'The poor despise labor when performed by 'slaves. They prevent the immigration of 'whites, who really enrich and strengthen a 'country. They produce the most pernicious 'effects on manners. Every master of slaves 'is born a petty tyrant. They bring the judg-'ment of Heaven on a country."

Senator HUNTER, of Virginia, in the same debate, admitted the same fact as to the state of public opinion in the earlier days of the Republic, and that public opinion in the South had undergone a change. Honorable Alexander H. Stephens, of Georgia, one of the ablest men of the South, in a speech delivered to his constituents after his return from the last Congress, admitted the same fact.

The Republican party, then, has the opinion of the fathers of the Republic on its side, that slavery is an evil "more to be deplored than to be fostered;" but the gentleman from Alabama says, "these were but mere speculations, 'and were not engrafted upon the organic laws; 'and *actual results* are a safer standard by 'which to measure abstract principles." The Congress of the Confederation gave practical effect to its sentiment of hostility to slavery, by prohibiting it in all the territory the Congress then had jurisdiction over, by the ordinance of 1787. The first session of the First Congress, in order that the provisions of the ordinance might *continue*, and have *full effect*, adopted it, and enacted certain provisions to adapt it to the Constitution of the United States.

These "were actual results engrafted upon" the legislation of the country. The fathers of the Republic, before and after the adoption of the Constitution, by opinion and *action*, treated slavery as contraband wherever they could, without violation of existing relations and arrangements. At the second session of the First Congress, an act was passed for the government of the territory of the United States south of the Ohio river. This act was passed May 26, 1790, and extended over this territory the ordinance of 1787, "except so far as is otherwise provided in the conditions expressed in an act of Congress" of that session, "accepting a cession of the claims of the State of North Carolina to that territory." The conditions of that act, so far as the same related to slaves, were as follows:

"*Provided, always*, That no regulations made, 'or to be made, by Congress, shall tend to 'emancipate slaves."

I refer to these acts for two purposes: first, to show that Congress, in extending over this Southern territory the ordinance of 1787, except the anti-slavery proviso, would probably have extended the entire ordinance, had it not been for the proviso in the act of cession of North Carolina; and, second, to show that the Legislature of North Carolina supposed Congress had the power, under the Constitution, to prohibit slavery in the Territory. This act of cession was passed in December, 1790. The first session of the First Congress commenced March 4, 1789; so that the Constitution was in full force when this act of cession was passed; and the State of North Carolina had but recently ratified it, and her statesmen who composed her Legislature in 1790 were presumed to know something about the provisions of the Constitution; and if they had not supposed that Congress possessed the power to abolish slavery in a Territory, they would not have inserted this proviso.

Following up the abstractions of the fathers, that slavery was an evil, "more to be deplored than to be fostered," and to show, by "actual results," that they intended to prohibit and restrict it wherever they legally could, I refer to the act of March 22, 1794. The object of this law was, "to prohibit any citizen or resident 'of the United States from equipping vessels, 'within the United States, carrying on trade or 'traffic in slaves to any foreign country." (1 Wash. C. C. R., 522.) The next act to the same purport was passed May 10, 1800. This act extends the prohibitions of the act of 1794 to citizens of the United States in any manner concerned in this kind of traffic, either by personal service on board of American or foreign vessels, wherever equipped, or to the owners of such vessels, citizens of the United States.

Next in the order of time was the act of February 28, 1803. The object of this act was to prohibit the importation of negroes, mulattoes, or other persons of color, into any State which by law had prohibited or should prohibit the admission or importation of such persons of color. The object of Congress seemed to be to aid the States in getting rid of the evil of slavery.

The next action of Congress bearing upon the subject was the act providing for the temporary government of the Louisiana Territory, ceded by France to the United States, passed March 26, 1804. I invite special examination of the tenth section of this act. The first clause

of this section prohibits the importation or bringing into the Territory, from any port or place within the limits of the United States, any slaves. The second clause prohibits the importation or bringing into the Territory, from any port or place within the limits of the United States, any slaves which shall have been imported since the 1st of May, 1798, into any port or place within the United States, or which may hereafter be so imported. The third clause prohibits the introduction of slaves into the Territory, except by a citizen removing into the Territory for actual settlement, and being, at the time of removal, the *bona fide* owner of the slaves. This section was an unmistakable restriction to the introduction of slavery into that Territory. It had respect to existing relations, and did not interfere with citizens in the Territory *bona fide* owning slaves, and citizens removing therein *bona fide* owning slaves. The treaty stipulations with France compelled Congress to respect the right of property of the citizens of the Territory; and as slaves existed there by the laws of France, to that extent slavery was permitted there by Congress, and in other respects it was discouraged. Congress could not, prior to the year 1808, prohibit the migration or importation of such persons as any of the States, existing at the time of the adoption of the Constitution, should think proper to admit; but, by a reference to the acts above stated, it will be seen that it prohibited the traffic in slaves, foreign and domestic, wherever it constitutionally could, thus stigmatizing slavery as an evil to be discouraged and prohibited. On the 2d day of March, 1807, Congress passed the act to prohibit the foreign slave trade as to all the States, after the year 1808, the first moment they could so prohibit it. April 20, 1818, Congress amended this law, making its provisions more effectual; and in 1819, a more stringent law was passed. On the 15th of March, 1820, the last act on the subject of the slave trade was passed, making it piracy, and punishing a conviction of being engaged in it with death. These acts, severally and jointly, show that the early fathers of the Republic regarded slavery as an evil and a crime, and, acting upon that conviction, they were eager to punish it as a crime, where they supposed they had a right to do so.

The advocates of slavery are not satisfied with the opinions and practices of the fathers; and the gentleman from Alabama [Mr. CURRY] adopts the saying, "that it is necessary for each 'generation to discuss anew the great problems 'of human speculation, which continually come 'back, after certain intervals, for re-examina-'tion." Suppose we accept this philosophy, and meet the question on its merits, untrammelled by the opinions and teachings of the fathers; if they were wrong in opinion or action, we are not bound to follow them. They were honest men, but they may have made mistakes. From our stand-point, it would seem to me that it would have been better if a provision had been inserted in the Constitution for the gradual abolition of slavery in all the States; and I think, had the framers of the Constitution foreseen what we now see, they would have so provided. The words of Pitt, on the East India bill, quoted approvingly by the gentleman from Alabama, were wise: "Good principles might sleep, but bad ones 'never. It is the curse of society, that when a 'bad principle is once established, bad men 'will always be found to give it its full effect." The spread and increase of slavery in this country, against the wish and against the expectation of the early fathers of the Republic, verify the truth of the remark.

Now, Mr. Chairman, to the question, were our fathers wrong, has the sentiment of Christendom been wrong, and is the Republican party wrong, in regarding slavery as an evil to be deplored and a crime to be prohibited? I cannot take time to define slavery, except that it reduces persons to chattels to all intents, purposes, and constructions whatever; ignores their rights to family, wife, or children, except for the interest of others, and does not recognise the marriage relation among slaves. There are no laws in slave States regulating or legalizing such relation among slaves. I understood the gentleman from Kentucky [Mr. SIMMS] to say, in the debate on the polygamy bill, he did not admit the legality of any such relation among colored people. This is, necessarily, the law of chattel slavery; for the legalization of that relation interferes with the property character of slaves, obstructs their unlimited transfer and sale, and concedes to the slave rights inconsistent with the rights of the master. Now, to undertake to prove that such an entire disregard, upon any pretext, of the rights of any class in society is right, is like arguing that two and two are four, or undertaking to demonstrate a self-evident proposition. I understood the gentleman from Mississippi [Mr. LAMAR] to admit, in his learned argument in defence of slavery, that the enslavement of Anglo-Saxons would be wrong, for they are entitled to freedom because they are capable of governing themselves. But Africans are incapable of self government, and therefore a superior race may rightfully enslave them. It is not within the range of what I propose to say to reply to this diabolism. My friend, Mr. LOVEJOY, made some remarks upon that, which are worthy of consideration. But I would like to ask the learned gentleman a question upon his governmental philosophy. It is an admitted fact that there is in the slave States "a visible admixture" of Anglo-Saxon with African blood, and quite likely there is as much Anglo-Saxon as African blood enslaved there. What must be the proportion of admixture to make slavery right?

The advocates of slavery discard theories, speculations, and abstractions; they prefer actual results. I am glad of an opportunity to test slavery by the standard which its advocates set up. Let slavery and freedom be judged by their fruits. I will institute a comparison between freedom and slavery from statistics—from official documents—about which there is no dispute. The statistics which I shall present

are from the Compendium of the Census of 1850, by J. D. B. De Bow, and from the Postmaster General's report accompanying the President's annual message, made at the commencement of this Congress. These statistics will show the "actual results" of freedom and slavery, respectively, upon the prosperity of the States; their material growth, their educational and moral condition. I challenge gentlemen to show a single fact incorrectly taken from the documents alluded to. I will first take the States of New York and Virginia. The former adopted the "theories and abstractions" of the "able and distinguished men and patriots" of Virginia, and treated slavery, as they regarded it, "more to be deplored than to be fostered," and consequently got rid of it; while the latter repudiated these teachings, and regarded African bondage "a blessing to both races; one to be encouraged, cherished, and fostered;" and, consequently, has continued it to the present time, and now defends it as a wise and beneficent institution; and one of her Representatives [Mr. PRYOR] upon this floor, at this session, declared it to be "the highest type of civilization."

New York contains an area of 47,000 square miles, and Virginia 61,352 square miles. In soil, climate, and natural advantages, Virginia is equal, if not superior, to New York. At the taking of the first census, 1770, the population of these States was as follows: Virginia, 748,308; New York, 340,320. In the year 1850 the population was as follows: Virginia, 1,421,661; New York, 3,097,394. The value of real estate in those States, in 1850, was: in Virginia, $252,105,824; in New York, $564,649,649. The value of personal and real estate was: in Virginia, $391,646,438; in N. York, $1,080,309,216. The value of church property was: in Virginia, $2,902,220; in New York, $21,539,561. Virginia had 2,930 public schools, with 67,353 pupils; New York has 11,580 public schools, with 675,221 pupils. The annual income of the school fund, in Virginia, was $314,625; in New York, $1,472,657. The post office statistics of any country afford good evidence of its business activity, intelligence, and educational progress. Total annual transportation of mails for the year ending June 30, 1859, in Virginia, 4,006,725 miles, at an annual cost of $378,872; and in New York, 6,686,488 miles, at an annual cost of $462,806. The Government expended, for the year ending June 30, 1859, for postal service in Virginia, $510,801.03; and received during the same period, $255,075.70; being an excess of expenditures over receipts of $255,725.33. The Government expended, during the same period, and for the same purpose, in the State of New York, $1,107,886.79, and received $1,553,680.34; being an excess of receipts over expenditures of $445,793.55. Will the Representatives of Virginia explain the cause of the difference between that State and New York upon any other basis than the superiority of free over slave labor? I submit to the judgment of the American people of all sections, that it is owing solely to the cause that Virginia, against the opinion of her early statesmen, has encouraged and fostered the curse of human slavery; while New York, in accordance with that opinion, and in the spirit of the Revolution, has abolished it.

For the purpose of showing that, in comparison with freedom, slavery affects injuriously the prosperity of a State, I will institute a comparison between fourteen free States and fourteen slave States, namely: free States—Connecticut, Illinois, Indiana, Iowa, Maine, Massachusetts, Michigan, New Hampshire, New Jersey, New York, Ohio, Pennsylvania, Rhode Island, and Vermont; slave States—Alabama, Arkansas, Florida, Georgia, Kentucky, Louisiana, Maryland, Missouri, Mississippi, North Carolina, South Carolina, Tennessee, Texas, and Virginia. These free States have an area of 402,693 square miles, and the slave States have 849,328.

In soil, climate, and natural advantages, these fourteen slave States are equal to the fourteen free States named, and I think, in some respects, better.

In 1850, the population of the free States named was 13,036,934; and of the slave States, 9,521,237.

The value of real estate in the free States was $2,408,309,987; in the slave States, $1,416,102,421. The moral, social, and educational condition of the same States compare as follows: value of churches in the free States, $66,972,525; in the slave States, $21,234,226. Public schools in the free States, 61,008, with 2,711,035 pupils; public schools in the slave States, 18,313, with 572,891 pupils. The annual income of public schools in the free States, $6,663,603; in the slave States, $2,676,173. The white population at the same period was: in the free States, 12,842,279; in the slave States, 6,113,308. The number of scholars in colleges, academies, and public schools, was: In the free States, $2,878,291; and in the slave States only 687,891. The number of free white persons, over the age of twenty-one, at this period, who could not read or write, was: in the free States, 411,036; in the slave States, 508,346.

The Postmaster General's report of this year, to which I have before referred, shows the following facts: total annual transportation of mails in these free States, 38,773,154 miles, at an annual cost of $3,127,060; in these slave States, 37,017,511, at an annual cost of $4,745,329—being carried in the free States 1,765,643 miles further, at a cost of $1,618,269 less than in the slave States.

The postal expenditures for the same period were as follows: in the free States, $5,513,169.68; and in the slave States, $5,942,092.65; and receipts as follows: in the free States, $5,052,958.14; in the slave States, $1,968,037.98—the expenditures in the slave States being $428,932.97 more than in the free States, and the receipts $3,144,920.16

less. The table which I have prepared will show the result in each State, and a comparison can be instituted, severally or in the aggregate, and the result will be about the same.

If the system of slavery, as it exists in the fourteen slave States I have named, is right—best for the master and slave, and one to be fostered and encouraged upon the principles of humanity and true political economy—why is it that these slave States compare so unfavorably, severally and in the aggregate, with the free States I have named? I think it would be well for some of the mercurial-tempered advocates of slavery upon this floor to answer this question, and others of a similar import which might be put to them, relative to the effect of slavery upon the prosperity of the slave States, instead of applying to us, who oppose the system, all the unparliamentary billingsgate which a bad taste and a worse temper can suggest. The disparity between freedom and slavery is too uniform to be accidental. I have only given a few of "the actual results" of slavery, which might be "industriously paraded as clouds of witnesses against the institution." The census statistics now being collected will show more unfavorably against slavery than those of 1850, and every returning decade will widen the gap between freedom and slavery. The reason is too obvious to need argument to show it. Slave labor is forced and mere hand labor, and has none of the motives of reward which stimulate free labor; and the consequence is, that slave labor does not originate, and cannot bring to its aid, the numberless labor-saving inventions which have contributed so much to the industrial enterprise and prosperity of the free States.

I refer the gentleman from Alabama [Mr. CURRY] to the Patent Office for "clouds of witnesses against the institution." Slavery is a war of one class of the community against the other, and slaveholding States are constantly in a state of war, and are, in fact, under the terrors of martial law. Their means are wasted in patrol surveillance and overseeism. The history of the free and slave States in this country shows to my mind, conclusively, what ethical writers have contended to be true, that just dealing, for States as well as for individuals, is the best policy in the end. It is time the American people and politicians were beginning to understand, what Dr. Davy long since asserted to be true, "that injuring one class 'for the immediate benefit of another, is ulti-'mately injurious to that other; and that, to se-'cure prosperity to a community, *all* interests 'must be consulted." Upon this point I therefore conclude, upon a re-examination of the opinions and speculations of the early fathers of the Republic, and "from actual results," they were right in pronouncing slavery an evil to be deplored and to be got rid of as soon as practicable. The advocates of slavery, with a view to shield their system from attack, and to add sanction to it in the popular mind, assume for it a constitutional recognition; that, as a system, the Constitution gives it a legal guaranty. This is mere assumption, and has no foundation in fact. I deny that the Constitution, upon any fair construction, regards slaves as property; but, on the contrary, it treats them as persons; allows them to be counted as a basis of representation. The article relating to fugitives from labor is sometimes referred to as recognising the property character of slaves; but here again they are regarded as persons, and not property. It is admitted that this clause relates to minors and apprentices, as well as slaves; and will any one claim that children and apprentices are treated as property, and are declared to be property? They are, as much as slaves are by this clause. The Constitution found slavery existing in the States by force of the laws thereof, and there it left it; giving to no department of the General Government direct control over it; and there the Republican party, as a political question, are willing to leave it. It is admitted by all—at least I have not heard it denied—that a State can abolish slavery whenever it may desire to do so; but if the Constitution of the United States recognises slaves as property, how could a State legally abolish slavery? The Constitution would be superior to the State law; and as there seems to be no end to the assumptions of slavery, this may be the next plank to be spiked on to a Democratic platform.

According to the gentleman from Alabama, slavery is superior to the Constitution or law, and not dependent upon either. His position is, "Slavery exists in the State where the 'owner dwells; exists out of the State; ex-'ists in the Territories; exists everywhere, until 'it comes within the limits of sovereignty, 'which prohibits it." Slavery, then, according to this new dogma, like our atmosphere, occupies all the unoccupied space on the globe, and fully possesses the attribute of ubiquity.

The gentleman gives us no authority but his assertion, which I suppose is the result of his re-examination of the question. I quote against it the records of the decisions of every court of respectability in Christendom since courts of law have been represented as holding the scales of justice. I quote against it the opinions of every elementary law writer and every ethical writer of note, from the dawn of civilization to the present time. And there I am willing to leave this modern postulate of human bondage, except so far as it forms the predicate of the Territorial policy of the Democratic party.

The Republican party propose, to the extent of its constitutional power, to limit and restrict slavery, and thereby return to the policy of the fathers, which made freedom the rule and slavery the exception. The dictates of humanity and the policy of enlightened statesmanship alike urge the party forward. We have seen that the controlling element of the unexampled prosperity of our country has been free labor, and we have prospered in spite of slavery, and

not in consequence of it. If the predicates of slavery and the Democratic party be true; if the Constitution, *proprio vigore*, extends slavery into the Territories, as claimed in the Dred Scott case; if slavery exists in Kansas and other Territories by the same rule that it does in the slave States, as asserted by President Buchanan, then slavery is the rule and freedom the exception in this Government, and there is nothing to prevent its domination and control everywhere in the Republic.

These positions, and the policy which it logically leads to, would reverse the motive power of our civilization and progress, and run our institutions rapidly back into the dark ages.

The leading politicians of the Democratic party have so far reversed the principles and policy of that party, by incorporating into its platform the increasing demands of slavery, that they have run the party as far back as Charleston; and there, if our telegrams are to be relied upon, they have run it off the track, and a break-up is the result. This event, which may be regarded as a calamity by some, by the inscrutable dispensations of Him who can make the wrath of man to praise him, may result in saving much of the valuable material of which the Democratic party is composed from further destruction. It will at least teach men the folly of attempting to jump on to the platform of a train having a backward motion. It is difficult for us here, among the confused rumors which reach us, to determine what the Charleston Convention has done or will do. The Democrats North will, I have no doubt, as heretofore, yield substantially to the demands of the slave power; and the party will incorporate into its platform the protection of slavery in the Territories. The contest is now mainly between those who maintain the position that slavery exists in the Territories by virtue of its property character, under the Constitution, and those who deny the predicate and the conclusion. There is, or has been, a middle ground of policy, (for I cannot discover any principle in it,) of which Senator DOUGLAS is the expounder, if not the originator, which I cannot at this moment better characterize than to call it the Priest and Levite policy; passing by on the other side of slaves in the Territories, and allowing them to perish, as persons or property, as the case may be, among the thieves of Jericho, who may first happen to squat upon the public domain, "not caring whether slavery is voted up or down." This position, and its artful author and advocate, will soon be, if they are not already, politically ground to powder between the controlling forces of the upper millstone of freedom and the nether millstone of slavery.

Mr. Chairman, slavery has sought refuge, as a last hiding place, under the protection of the Supreme Court; and if the present policy of the Democratic party is to prevail, that tribunal is hereafter to control and determine what laws shall be enacted by the law-making power for the government of the Territories. The slave-holding power expect to convert the national domain into slave Territories by the decree of a court, instituted to determine the rights of individuals properly before them. Neither Congress nor the people of a Territory are hereafter to have any say or responsibility upon the question of slavery. The slave power is unwilling to trust the popular will, as reflected through Congress or the people of a Territory, who are more immediately interested with this question.

Mr. Chairman, it is not the first time we have heard of an effort of despotism to shield itself behind technicalities and courts for protection; and I point gentlemen to a noted case in English history, where Charles I contended, unconstitutionally, that he had a right to exact ship-money from English subjects without the authority of an act of Parliament. He undertook to do it; and the question was submitted to the Court of Exchequer. John Hampden tested the matter; and he and his lawyers argued it for twelve days with the lawyers of the Crown. The King got his decision from a perhaps venal, at all events a willing, judiciary. The judges stood eight to four—about the same majority as there was in the Dred Scott case.

But did he succeed in collecting his ship-money? He did not; and an indignant public opinion compelled a reversal of the judgment; and this will be the result of the Dred Scott ruling. The people have the lawful power to reorganize the Judiciary, if necessary, giving all the people a fair representation on the bench; and the inevitable course of events will vacate the seats now filled by the present judges, and other men will occupy their places, and then we shall see how long the Democratic party and the slave power will sing hosannas to the judgment of the Supreme Court. The slave power will then repudiate it, as the Democratic party did when it decided a bank constitutional. While I admit that a decision made by that court, in a case properly before it, is binding upon the parties, I fully concur with the able argument submitted to this House a few days since, by the gentleman from New York, [Mr. CONKLING,] that it is not binding upon Congress. We are bound to support the Constitution as we understand it. The gentleman from Virginia [Mr. MILLSON] very pleasantly told us yesterday, and I have no doubt sincerely, for his candor and ability command the respect of this side of the House, that the Republicans were about as powerless as if struck with lightning, on account of that decision. If that court is not struck with something worse than lightning, then I am mistaken in the effect of popular thunder. The free people of this country will not submit to have their Territories converted into slave States, at the dictation of the Supreme Court of the United States.

FREE STATES.

	Area in square miles.	Population, 1850.	Value of real estate.	No. of public schools.	No. of pupils.	Annual income of public schools.	White population.	No. scholars in colleges, academies, and public schools.	No. white persons over 21 who cannot read and write.	Value of churches.	Annual transportation, &c.—miles.	Annual costs.	Postal expenditures.	Postal receipts.
Connecticut	4,674	370,792	$96,412,947	1,656	71,269	$231,220	363,099	79,003	4,739	$3,599,339	1,333,124	$114,003	$202,392 95	$189,306 61
Illinois	55,405	851,470	81,524,835	4,052	125,725	349,712	846,034	130,411	40,054	1,532,305	4,928,170	394,546	681,625 17	446,535 77
Indiana	33,809	988,416	112,947,740	4,822	161,500	316,955	977,154	168,754	70,540	1,568,906	2,975,812	277,660	379,056 05	203,969 55
Iowa	50,914	192,214	15,672,332	740	29,556	51,492	191,881	30,767	8,120	235,412	2,265,327	203,829	283,663 57	139,446 68
Maine	31,766	583,169	64,336,119	4,042	192,815	315,436	581,813	193,745	6,147	1,794,209	1,869,608	190,096	208,884 83	154,323 21
Massachusetts	7,800	994,514	349,129,932	3,679	176,475	1,006,795	985,450	190,924	27,539	10,501,888	2,166,400	189,092	449,626 89	607,249 40
Michigan	56,243	397,654	25,580,371	2,714	110,455	167,896	395,071	112,382	7,912	793,180	2,122,746	174,360	269,448 22	168,554 45
New Hampshire	9,280	317,976	67,839,108	2,381	75,643	166,944	317,456	81,237	2,957	1,433,266	888,992	56,255	110,902 93	103,319 27
New Jersey	8,320	489,555	153,151,619	1,473	77,930	216,672	465,509	88,244	14,248	3,712,863	1,280,484	94,757	156,818 04	122,667 85
New York	47,000	3,097,394	564,649,649	11,580	675,221	1,472,657	3,048,325	727,222	91,293	21,539,561	6,686,488	462,806	1,107,886 79	1,553,680 34
Ohio	39,964	1,980,329	337,521,075	11,661	484,153	743,074	1,955,050	502,826	61,030	5,860,059	5,544,180	565,848	806,414 15	519,998 78
Pennsylvania	46,000	2,311,786	427,865,660	9,061	413,706	1,348,249	2,258,160	440,977	66,928	11,853,291	5,420,725	372,797	671,532 28	661,822 54
Vermont	10,212	314,120	57,330,369	2,731	93,457	176,111	313,402	100,785	6,189	1,251,655	1,037,400	81,837	137,742 34	103,218 30
Rhode Island	1,306	147,545	54,358,231	416	23,130	100,480	143,875	25,014	3,340	1,293,600	253,968	19,204	47,175 47	66,665 69
	402,693	13,036,934	$2,408,309,987	61,008	2,711,035	$6,663,603	12,842,279	2,878,291	411,036	$66,972,525	38,773,154	$3,127,060	$5,513,169 68	$5,052,958 14

SLAVE STATES.

Alabama	50,722	771,623	$78,870,718	1,152	28,380	$315,692	426,514	37,237	33,757	$1,244,741	2,286,392	$340,029	$393,628 90	$129,103 23
Arkansas	52,198	209,897	17,372,524	353	8,493	43,763	162,189	11,050	16,819	149,686	2,868,308	304,672	320,312 32	42,532 13
Florida	59,268	87,445	7,924,588	69	1,878	22,886	47,203	3,129	3,859	192,600	682,612	154,640	172,184 76	23,932 41
Georgia	58,000	906,185	121,619,739	1,251	32,705	182,231	521,572	43,299	41,200	1,327,112	2,916,585	278,533	358,180 03	168,664 73
Kentucky	37,680	982,405	177,013,407	2,234	71,429	211,852	761,413	85,914	66,687	2,295,353	2,655,466	275,835	365,675 40	151,717 46
Louisiana	41,255	517,762	176,623,654	664	25,046	349,679	255,491	31,003	21,221	1,940,495	2,405,262	503,843	777,517 50	196,291 63
Maryland	11,124	583,034	139,026,610	898	33,111	218,836	417,943	45,025	20,815	3,974,116	2,061,132	247,253	299,766 98	180,258 28
Mississippi	47,156	606,526	65,171,438	782	18,746	254,159	295,718	26,236	13,405	832,622	2,684,284	323,592	370,003 88	101,549 12
Missouri	67,380	682,044	66,802,223	1,570	51,754	160,770	592,004	61,529	36,281	1,730,135	3,740,491	643,302	727,090 97	227,876 63
North Carolina	50,704	869,039	71,702,740	2,657	104,095	158,564	553,028	112,430	73,566	907,785	2,304,434	191,228	270,762 21	88,491 02
South Carolina	29,385	668,507	105,737,492	734	17,838	200,600	274,563	26,025	15,684	2,181,476	1,997,213	201,170	319,068 10	107,536 12
Tennessee	45,600	1,002,717	107,981,793	2,680	104,117	198,518	756,836	115,750	77,522	1,246,951	2,267,843	247,570	334,820 04	132,502 17
Texas	237,504	212,592	28,149,671	349	7,946	44,088	154,034	11,500	10,525	408,944	4,140,764	654,860	723,380 44	100,597 35
Virginia	61,352	1,421,661	252,105,824	2,930	67,353	314,625	894,800	77,764	77,005	2,902,220	4,006,725	378,872	510,801 03	255,075 70
	842,328	9,521,237	$1,416,102,421	18,313	572,891	$2,676,173	6,113,308	687,891	508,346	$21,334,236	37,017,521	$4,745,329	$5,942,092 65	$1,908,037 98