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Cydnor B. Tompkins

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Feb. 18, 1858



Class F685

Book T66

The Kansas Constitution.

SPEECH

OF

HON. CYDNOR B. TOMPKINS, OF OHIO.

Delivered in the U. S. House of Representatives, February 18, 1858.

Mr. Chairman, I avail myself of this opportunity to discuss what is familiarly known as the Kansas question; and, in connection with that, the exciting question of Slavery. If these subjects are disagreeable to a portion of this Committee, I nevertheless feel it to be my privilege—my imperative duty—as one of the representatives of the people of the great State of Ohio, to speak my opinions to-day upon these subjects. That they are here now for discussion is no fault of mine, or of those whom I have the honor to represent; and if the country is rent with dissensions, if this Government is ultimately overthrown and destroyed, I can certainly quote the great master of nature with as much propriety as did the distinguished member from New York, [Mr. HASKIN,] on this floor, a few days since:

“Thou canst not say I did it; never shake
Thy gory locks at me.”

Twice the free States of this Union have submitted to the unreasonable demands of Slavery, and humiliated themselves for the sake of peace. But to the repeal of the Missouri Compromise they never have submitted quietly, and I know they never will. The contest has now begun, and I say,

“Lay on, Macduff!

And damn'd be him that first cries, hold! enough!”

I am opposed to the admission of Kansas as one of the States of this Union with her present Constitution. The paramount reason is, this Constitution establishes and sustains Slavery. I shall oppose her admission with her present Constitution. It is wholly immaterial to me whether that Constitution has been submitted to the people of the Territory for their sanction or not. I will not at this time stop to inquire whether it meets the approbation of the present inhabitants. The time was when I would have felt justified in voting for the admission of a State with a Slavery Constitution, if it was formed out of territory south of 36° 30' north latitude, that belonged to this Government at the time the Missouri Compromise was adopted.

I think it was the understanding of the parties to that compact, that such States should be admitted; if not expressed, it was certainly implied, that such States should be admitted. If this was the understanding, national faith would have required their admission.

But by the repeal of the Missouri Compromise the obligation ceased. I feel that every man in this country is free to act as his conscience may dictate. By the repeal of the Missouri Compromise, “the gauntlet is thrown at once.” The Republican party have accepted the gage, and the contest is between Freedom and Slavery. The contest is an unequal one. The Republican party is unaided by Government patronage or Government influence. For the last four years, the Slavery party in this country has had the countenance and support of the President of the United States. The army of the nation, and not only that, but the judicial department of the Government, has prostituted its powers, and is willing to “grind in the prison house” at the behest of this political Delilah. The Supreme Court certainly has shown itself quite as willing to enter the service of Slavery as the most ultra friend of the institution could desire.

It is true, however, that the late decision of the court has changed the opinion of no man upon the the rights of the slaveholder. It has only changed the opinions men may have entertained in regard to the individuals who constitute that court. Some persons may have supposed that they were too independent and upright to shape their legal opinions to suit any political party; but if there were any such persons prior to the decision of the Dred Scott case, there are none such now. It is a melancholy reflection for freemen, that the department of this Government that we looked to as the rock of safety, and that we expected to stand as a wall of fire between Freedom and Slavery, has shown itself more subservient to Slavery than any other department of the Government.

The other departments have usually waited, I believe, until an opportunity offered—until there has been a show of pretence for their aid. They have not rendered their services without being requested to do so. But the judicial department, in this instance, voluntarily stepped out of its way, in violation of all precedent, and on the hill-tops it now shamelessly proclaims its prostitution to the world.

I have said there is now to be a contest between Freedom and Slavery; and I am proud to say that the great Republican party of the country, of which I am but an humble member, stands forth as the champion of Freedom and the rights of man. I will say now, that I claim no right to interfere with Slavery in the States where it exists; neither does the Republican party, as a body, claim any such right. I do not desire to interfere with it in the States. But I avow that I have a legal, constitutional right to resist the extension of Slavery into any free territory belonging now to this Government; and no earthly power in existence can deprive me of it. I have already said that I am free from all national obligations to vote for the extension of Slavery into any of the Territories belonging to this Government; and I will resist its extension whenever and wherever I choose to do so. This is the doctrine, I believe, that was inaugurated three years ago, and is now contended for by a very large majority of Anti-Slavery men in this country. I avail myself of this opportunity to say that there really are but two parties in this country. There is the Slavery party and the Anti-Slavery party. There really is no Democratic party. There is a party that, out of personal respect and courtesy, we call the Democratic party. But it this day has no separate and distinct existence. It has been swallowed up, utterly absorbed, by the Slavery party. I do not say this by way of insult, or to make myself offensive to any one, but I say it because truth and candor require it—because things that are transpiring every day before our eyes carry this conviction home to the heart.

Before proceeding to state the reasons why I am opposed to the extension of Slavery, I desire to refer to one charge that is made against the Republican party of this country. That is the charge of Abolitionism. I care nothing about the charge personally, neither do I presume that any member of the party does; but I refer to it because some honest men may be drawn away from us because this charge is made. I refer, also, to another charge that is made against us—that is, that we contend for negro equality. I say now, most emphatically, that the Republican party is not an Abolitionist party; that we have never at any time made any attempt to raise the black man to an equality with the whites. There may be men that now vote with the Republican party that were called Abolitionists, but they have not indocinated it with their opinions or their creeds.

These charges are not made because any intelligent man believes them. There is no intelligent man but knows them to be utterly false, and without any foundation whatever. These charges are made by designing demagogues, to mislead the ignorant, and to excite a prejudice in the minds of the vulgar and the depraved. The black man nowhere has such fierce and deadly foes as in the wretched, ignorant, and depraved, of earth. The more wretched and degraded a white man may be, the more deadly he hates and despises a negro; for the reason, he is fearful the negro is better than himself, and therefore comes in competition with him for the esteem of respectable white men. Hence you will hear the detestable wretch, with bloated face, blood-shot eyes, seared and blistered lips, with ragged and tattered garments, screaming at the top of his voice, "Abolitionists!"

This charge has had the effect to drive all the ignorant away from us; and many well-meaning men refuse to vote for our candidates, because they think we are really Abolitionists, in the full sense of the term. We have also been unable to hold another class of men—men who regard themselves as the aristocracy of the North. They found that the industrious yeomen, the skillful mechanics, and the hardy sons of toil, who constitute a very large proportion of the Republican party, had no sympathy and feelings with them. They have gone to the only aristocracy there is in this country. The Republican party may rejoice that it is freed from such dead weight; they would be worse than a millstone about its neck. In resisting the extension of Slavery, I make no appeals to the slaveholders, to excite their sympathy in behalf of the enslaved and oppressed. This has been done so frequently, and without any effect, that they have become hardened; so that nothing but the "bursting of volcanoes or the crush of the riven world" could move them. I indulge in no sentimentality for the slave; I can do him no good. While I say this, I say that I believe Slavery to be the greatest moral evil that can exist. "It is the monarch of crimes, and the jewels that adorn its crown are tears and blood." I oppose it because of the great wrong that it does to the white race. It deprives white labor of its just reward. It builds up no middle class of intelligent farmers, artisans, and mechanics, who constitute the real strength, who make the real wealth, and are justly the pride and glory of the free States. Where Slavery is, there will, of course, be a class of well-educated, refined, and accomplished men—there will be refined society; and so there is in many of the despotisms in Europe.

But the proportion of educated men in the slave States, I presume, is not by any means equal to those in the free States. The South has produced some great statesmen—men of whom the country may justly be proud; but, as a general thing, they were to

"Titles born, reputation and luxurious life."

I do not denounce slaveholders as a class. There are many honest and just men among them—men of benevolence and kindness of heart; but the system is demoralizing, and must, to a greater or less degree, demoralize the country where it exists. I oppose it, because it oppresses the poor; because it deprives labor of its just reward; it deprives the poor of the means of education; it degrades labor, the only means of producing wealth in this or any other country. Where Slavery exists, the road to honor and fame is hedged up from the poor, and they never can free themselves from those "twin jailors of the daring heart, low birth and iron fortune." There is nothing "to lure them on to those inspiring toils by which man masters men."

I oppose the extension of Slavery into the Territories of this Government, because, if this institution is permitted to go there, the intelligent free laborers of this country never will consent to live with slaves; the free States will be deprived of their just and equal rights in the Territories; these Territories never will add anything to the real greatness of the country. But I believe, if these Territories are occupied only by freemen, a great people will ultimately grow up in them, surpassing in power and glory anything the world has ever seen. I am opposed to Slavery, because the white inhabitants where it exists live in constant dread and alarm. They know not but they are slumbering on a volcano, that in a moment may overwhelm them with destruction.

Who has not heard with horror, whose blood has not curdled in his veins, whose heart has not sickened, at the recital of the butcheries of Nat Turner and his murderous crew, when the blood of tender and innocent children drenched the soil of the Old Dominion? Then, orators and statesmen awakened from their long lethargy, and hurled their denunciations at the institution, until they shook its very foundation. But the cry of the murdered innocents has passed away upon hollow winds. Their pure spirits have ascended to the throne of God. Their mortal bodies have mouldered away in the silent tomb. The learned statesmen and eloquent orators are now silent; and the people of the Old Dominion are to-day nursing the viper in their bosoms with more tender solicitude than they ever did before. I oppose Slavery, because it advocates and justifies the fitting out of military expeditions, and makes war upon weak and defenceless people, with whom we are at peace. Although it was said on this floor, since the commencement of the present Congress, that the Nicaraguan question had no negroes connected with it—that there were no negroes in that country—with all due respect for the persons who entertain that opinion, I say, there would have been no discussion on this floor about the capture of Walker, had it not been for the question of Slavery.

The members on this floor who condemn the President and sustain Walker, are, I believe, the advocates of Slavery. They want Central America, because they want to extend the dominions of Slavery. I presume no man believes, that if Walker had been engaged in making war upon Canada, that the Slavery advocates would have justified him in his lawless adventure! The walls of this Hall would have trembled under their denunciations against him.

But there is still a greater reason than these, than any or all of them, against its extension. There can be no freedom for white men, where black men are held as slaves. In the slave States of this Union, men are to-day deprived of the liberty of speech and the freedom of the press. You may boast of your Constitution guarantying to every man this right; but the Constitution has not the strength of a rope of sand. It is trampled under foot by the mob. In the Southern States of this Union, no man can exercise the freedom of speech, unless the mob will permit it. I saw a man last winter, in Columbus, Ohio, who was a man of education and refinement, who had been a professor in a literary college, (as I was informed,) who was driven out of the State of North Carolina, because he declared that he desired the election of Fremont, as President of the United States. Because he exercised the freedom of speech—a right "inestimable to freemen, and formidable to tyrants only;" for declaring his sentiments upon one of the great political questions of the day—an infuriated mob collected together, and compelled him to flee for his life. He was driven from his native State, from his kinsmen, his friends, and his home; he had to go forth, a wanderer in the earth. Well might he say, with Bertram:

"I have no country; that dear name
Comprises home, kind kindred, fostering friends,
Protecting laws! But none of these are mine."

It will be recollected that a respectable minister of the Gospel from the State of Virginia attended the Republican Convention held in Philadelphia, in 1856, and, for doing this, never was permitted to return to his home, and was compelled to seek refuge from violence in one of the free States. Such things are, I presume, of frequent occurrence in the slave States; if they are not, it is because no man there has the temerity to associate with Republicans, or to attend their Conventions. I saw a man within the last six weeks, who resides in the State of Virginia. He said that he had no doubt but that, if Fremont had been elected President of the United States, the country would have been quite as well off as it is with the present incumbent. "But," said he, "I dare not say that at home." Thus it is the mouths of freemen are stopped; yet those that do it will taunt the Republican party with being a sectional party, when they know no man entertaining free sentiments and free opinions would be permitted to live amongst them.

How long has it been since we saw an account of a bookselling establishment being broken up in the South, the property destroyed, the owners compelled to fly for personal safety? Why was their property destroyed? Why were they driven from the country? The public prints of the day said it was because they had a book for sale that was written by a negro. No man will be safe to read the Declaration of Independence in the State of Virginia, if their statute should be enforced. Dare any man proclaim "that all men are created equal, endowed by their Creator with certain inalienable rights, and among these are life, liberty, and the pursuit of happiness?" Dare any man say that God "hath made of one blood all nations to dwell upon the face of all the earth?"

It is made a crime by statutes in some of the slave States to say that man cannot hold property in man, or that man cannot hold property in a slave. If by word or deed—yea, "by invisible thought or unuttered wish"—any man should attempt to inculcate the doctrine that slaves are not property, or that man cannot hold property in man, he will be forced to leave the country. You men of the slave States must burn the Declaration of Independence; you must expunge from the records of your court the Will of Washington; you must proscribe the writings of Jefferson, and the free and glorious sentiments of Randolph; you must erase from the memory of man the teachings of the conscript fathers of the Republic; you must blot from the history of your country the glories of Lexington and Bunker Hill. Why was John Adams born, or why did Washington live? The heroes of the Revolution died in vain; they waded through rivers and seas of blood to establish Independence. But there is a despotism to-day reigning over the minds of men in parts of this country, as absolute as there is in any Christian country in the world.

I take no pleasure in repeating these things. I would be glad to avoid it if I could, but I would not be a proper representative of a free people if I did not this day declare the truth.

It will be said, no doubt, that these statutes are necessary for the safety of the white race where Slavery exists. I do not doubt that these laws are deemed absolutely necessary to the very existence of the white population; but I say it is the most grievous misfortune that could befall any people. Where these statutes exist, "Freedom can only be a name." If these statutes are necessary for the personal safety of the white race in the slave States, (and it is declared by men of truth they are,) then I say I am furnished with an argument against the extension of Slavery that is incontrovertible and conclusive upon the subject. If the press has to be muzzled, if there has to be a clasp upon the mouth and a seal upon the lips, if free and glorious thoughts have to sicken and die unuttered, why try to extend this, the most

terrible of despotisms? Let me say, in the eloquent language of Kotzebue—

"Let what is within moulder and decay. Why, why strive to open the wretched charnel-house, and spread the pestilence around?"

The spirit of Slavery has not only subdued and stopped the mouths of men in the slave States, but there are men in the free States that yield their independence and forfeit their manhood at the dictation of the taskmasters at the South. It has affected, in a greater or less degree, a proportion of the Democratic party at the North. In the language of an eloquent writer—

"The spirit of Slavery has passed upon the power of the party like a thing of necromancy, winning them to its command and bowing them to its will, until they have stood stricken and panting before it like cornered deer before the inexorable hunter."

They have forfeited their manhood and their independence. They have sacrificed their opinions and principles, at the command of the Southern slaveholder. Who was more clamorous for the Wilmot Proviso than many of the Democracy of the free States? Who denounced the fugitive slave law more fiercely and terribly than the Democracy of Ohio? But who is now more subservient to the Slave Power than they? It is true, we have seen some signs of insurrection and rebellion in this House since the sitting of the present Congress. I am glad to see it. And if any of those who manifest this independence should feel symptoms of spinal disease, I hope they will receive such remedies from their constituents as will remove all complaints. I have not the least doubt that the advocates of Slavery this day feel more respect for those members of the Democratic party from the free States who refuse to aid Slavery, than they do for the man who gives them his support. When the inquiry is made, why these men humble themselves at the command of the taskmaster, the reply is, they are national men, and they fear the Union will be dissolved. I have no such apprehension, and I have no patience with the man who talks about it; and, without meaning disrespect to any one on this floor, I say, if there is any man who is the object of scorn and contempt, it is the Northern man who can be frightened from his propriety by the Slavery "raw-head and bloody-bones."

It is not my prerogative to give advice to my Democratic friends; but I caution them against becoming Union doctors. It always kills the doctor, but the patient survives. The fate of the great Webster should be a warning to all Northern men not to sacrifice themselves in any such way. Mr. Webster turned Union doctor; he cut loose from his friends at the North, the men that had stood by him in all his troubles and trials—men, whose respect for him amounted almost to adoration. He turned from them; he threw himself into the arms of the South. On the 7th of March, 1850, he made his great speech in favor of the fugitive

slave bill. He aided, by his great powers, to pass that measure. A little more than two years thereafter, a Convention was held by the Whig party, to nominate a candidate for President. The few remaining friends that Mr. Webster had, were represented in that Convention. They expected the Whig delegates from the South would support him. The whole country knew what services he had rendered them—the mighty efforts he had put forth to aid in passing their favorite measure. But not one single vote could be had for him from the slave States. No appeals that could be made could bring a single man to his support. I believe it is conceded that his days were shortened by the action of that Convention. Webster died; but the Union lives, and will live for generations yet to come.

There has been a series of acts perpetrated recently by the Pro-Slavery party in this country, that would astound the world, if mankind had not ceased to be astonished at any act, however outrageous, they might commit. I refer to the recent election frauds in Kansas and Minnesota. I take but one specimen in Kansas. I take the Oxford precinct, in Johnson county. There was a Democratic majority of fifteen hundred returned from a place where everybody that knows anything about it knows there were not three hundred voters. These names, that were returned as being voters in that precinct, were copied from the Cincinnati business directory. The return showed upon its face that it was a fraud. At the time of the return, no man in the Territory pretended that it was genuine. Nobody pretended there was any such number of voters there. Nobody pretends any such thing now—the evidence of the fraud being so complete and overwhelming that it could not be resisted. Under these circumstances, Governor Walker rejected the return; no honest man could have done anything else. After doing this, he published a statement of the facts and circumstances, justifying himself for what he had done.

In the face of all this evidence, the papers in the South have raised a yell over it, more terrible than would be raised if a lighted torch had been thrown into a den of wolves. For doing this act of justice, the Governor forfeited the confidence of the party, and, we have strong reason to believe, for this act has been compelled to resign his office. What kind of a sight is this for honest men to look upon? An American statesman, for refusing to become a party to the most infamous fraud the world has ever seen, is branded as a traitor to his party and driven from office. This, perhaps, is enough upon this one case. I will now refer to Minnesota. There is a county, there called Pembina; and, from the best information I can obtain, it has but a very small population, that part of it which properly belongs to Minnesota not having more than fifteen or twenty voters. This county, we are informed, returned a ma-

majority of six hundred for the Democratic candidate for Governor. This district of country had six delegates in the Constitutional Convention. How many Representatives in the Legislature, now I cannot tell; but I presume quite as many as it had delegates in the Convention. From other places in that country, where there were but very few white settlers, there were large numbers of votes returned. We have an account in one place of a hundred savages that were led to the polls to vote; not one of them could tell their names, or could speak a word of our language. They were bedaubed with their war-paint, armed with bows and arrows, and war-clubs; dressed in their breech-cloute, if they were dressed at all; led on and directed how to vote, no doubt, by some individual who was probably appointed nominally as an Indian agent, but made it his business to manufacture bogus votes for his party.

How long is the country to submit to this? If we can believe the statements that are made in regard to these frauds, we are bound to believe that, in the last election held in Minnesota, hundreds of degraded savages, that could not speak a word of our language, that have no possible conception of our form of Government, went to the polls; and every one of them, by the direction of somebody, because they could have no mind of their own, voted the Democratic ticket, and the vote of each and every one counted as much as the vote of the most intelligent man in that Territory. Thus it is a Democratic Governor is elected—members of the Senate and House of Representatives. These statements have been before the country for months; I have not seen them disputed; I believe them to be true, and, what is more, I have not heard a word of condemnation from any paper of the party, or from any member of the party, either public or private; and from all the information I have, I am reluctantly led to believe that the party justifies these wrongs.

The question may be asked, why does it justify these wrongs? There is but one solution to the question. Slavery has done it; Slavery has taken possession of the party, and debauched it. These are the legitimate fruits of a system that teaches that one class of men have no rights that another class is bound to respect. It is founded in wrong, it is a matter of force, and the same principle and spirit that teaches that black men have no rights that white men are bound to respect, will defraud white men of their rights whenever ambition or interest demands it. It is a part of the plan of the slave party in this country to hold the entire control of the Government, and to appropriate to themselves its emoluments and its honors; where there are ruffians and robbers that can be brought from adjoining States, with revolvers and bowie-knives, to drive honorable men from the polls, and stuff ballot-boxes with fraudulent votes, and elect dishonest men to office, that plan is adopted; where ruffians, revolvers, and

bowie-knives, cannot be obtained, hideous savages, bedaubed with their war-paint, and armed with their war-clubs, are made to do the voting. But when neither border ruffians nor savages can be obtained, what then? The Cincinnati business directory is brought up, and casts fifteen hundred votes. But when there are neither ruffians, savages, nor business directories, to be obtained, then what? Then they resort to the imagination, and the pure bogus votes are furnished. Because Slavery has done all these things, I oppose its extension into any free territory.

There are other and special reasons why Slavery should not be admitted into Kansas. The first, and one which I deem entirely conclusive, is: Thirty-seven years ago, a solemn compact was entered into, between the North and the South, whereby it was agreed, upon sufficient consideration, that there never should be any Slavery north of 36° 30' north latitude. This compact was strictly observed on the part of the North. The South got everything that they contemplated, and the States of Florida and Texas, with territory sufficient to make four States, in addition to what was originally contemplated; she received and appropriated them to her own use. The North submitted quietly to it, because she believed the national faith required it. But just as the North got ready to appropriate her part of the consideration for this compact, the South demanded its abrogation. The Missouri compromise was repealed, in violation of national faith and honesty, in violation of the principles that should govern the intercourse of all honorable men. But notwithstanding the repeal of the Missouri compromise, it was promised that the future inhabitants should be perfectly free to govern themselves. The act repealing the Missouri compromise contained this very anomalous provision, the like of which was probably never seen in any act of any legislative body before, and I presume never will be seen again. I quote the provision:

"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 perfectly free to form and regulate their own domestic institutions in their own way, subject only to the Constitution of the United States."

The people of Kansas were not only to be free, but they were to be perfectly free. It has been said frequently, by metaphysicians, that no human being is perfect—no human laws are perfect—but the people of this Territory were to approach nearer Divinity than any other created beings. They were to be *perfectly free*, subject only to the Constitution of the United States. This part of that act, I believe, has been justly denominated a stump speech. This organic act went forth to the world containing this pledge, that the people of these Territories were to be perfectly free. The Territory of Kansas was organized in pursuance of that act. The people of the free States, having this

solemn assurance of perfect freedom, emigrated there. But since the organization of the Territory, to this day, there has reigned therein the most terrible despotism the world has ever seen. The wrongs and outrages that this country suffered before the Revolution were nothing, compared with the wrongs suffered by the people of Kansas ever since its organization. I have known of no reign of terror that has existed anywhere in modern times, that has equalled the reign of terror that existed there during the last three years, unless it was the reign of terror in France, 1791. The murders in France were more numerous, but those that were put to death were charged with being aristocrats, despots, foes to the rights of man; while in Kansas, if a man was known to be in favor of the establishment of a free State in that Territory, he was a mark for the assassin's dagger.

Since the organization of that Territory, every right that freemen hold dear has been taken from them. At the first election that was held in the Territory, the actual settlers and residents were driven from the polls by ruffians, villains, and murderers, from Missouri and other States of this Union. The rights of the people of the Territory were trampled in the dust. Their ballot-boxes were stuffed with fraudulent votes. Men were elected to the Territorial Legislature who were not residents of the Territory; and if we are to judge of the character of men who constituted that body by the laws that were passed by them, there certainly never has been a meeting of any such fiends in any other place, except Pandemonium.

This ruffian band, calling themselves legislators, were no doubt sustained by the Administration. The army of this great nation was there to back and protect them in trampling upon the rights of the people of that Territory. I say, now, that if the actual settlers there had possessed the power to have driven them from the legislative halls by force and violence, they would have been justified in so doing. I would not justify force and violence, and mob law, when there is any legal mode of redressing wrongs; but here there was none. These usurpers obtained their places by force and violence, and if the actual settlers had no other means of defending themselves against the acts of these tyrants, they would have been justified in the sight of God and man, if they had taken them from the legislative halls, and hanged them by their necks until they were dead. This legislative body passed the most odious and oppressive laws—laws that would almost rival in cruelty the code of the most absolute despotism now in existence. The Administration appointed wicked and depraved men to office, while this band of usurpers were enacting laws to crush the hearts and lives of the Free State men. The courts of the Territory were running their course of infamy. In a court held there by a judge appointed by the President of the United States, the grand jury, under the

charge of the court, presented a hotel as a nuisance. On an order issued from that court, the building was destroyed, the order being executed by a sheriff appointed by the bogus Legislature. The building was first fired upon with cannon, but, being too strong to be destroyed that way, it was blown up with powder. And why was this done? For no other reason but because it belonged to Free State men. The house of Governor Robinson was burned, because he was a Free State man. These Free State men had wronged no one—they had attempted to wrong no one.

In the mean time, Dow, a Free State man, from the State of Ohio, was shot down dead in the public highway, in open day, by a man named Coleman. Dow was guilty of no offence whatever—had given no provocation. It was a cold-blooded, premeditated murder. Yet the murderer has never been punished, or even tried, to this day, but, if I am correctly informed, was rewarded for it by an appointment as an officer in the Kansas militia. Barber, another Free State man, from the State of Ohio, was murdered by a man named Clark, who, it is said, at the time of committing the murder, was holding the office of Indian agent, under the appointment of the Administration, and is now in the land office in the Territory. Brown, another Free State man from the State of Ohio, was chopped to death with hatchets, and his mangled, bloody, and dying body was taken to his house and thrown into the presence of his wife. The murderers of Brown, I believe, have never been punished, and never even been tried. I have it from a source that I can rely upon, that the town of Ossawatimie was burned, and a part of the inhabitants were murdered, and the remainder were driven out, houseless and homeless, into the world. Women and tender infants were compelled to lie on the cold, damp ground, with nothing to protect them from the rain and storms but tents made of thin cloth. When this town was burned and destroyed, when its inhabitants were either murdered or driven away from their homes, the army of this great nation was in sight, the witnesses of these deeds of horror, but did not interfere. Why did it not? Because the power that controlled it did not desire to do so. The army was not there for any such purpose. It was to protect the Slavery party.

But why multiply these cases? Crimes enough have been perpetrated by the Slavery party in that Territory, since 1854, to condemn a world. Its path has been marked by crimes the most horrible, and red with human blood. If I believed in special judgments of God, I should expect to hear of sweeping tornadoes, wide wasting earthquakes, deadly plagues, and scathing lightning, hurling the perpetrators of these crimes to swift destruction. The crowning act of all these wrongs is now presented in the form of a Constitution, to be forced upon the people without their consent. To admit Kansas with a Sla-

very Constitution would be a palpable violation of one of the best-established principles of the common law; that is, that no person shall take advantage of his own wrong. The Missouri compromise was repealed to put Slavery into Kansas. This was a great wrong, and one for which this nation may yet repent in dust and ashes. To admit Kansas as she is to be presented, this great principle, that I have stated, would be violated. I never will consent to do any such thing. The repeal of the Missouri compromise I regard, as I have already said, a great wrong to the North, when there was no necessity for it. I am determined, while I have the honor to hold a place upon this floor, that by no act of mine shall you ever reap any benefit therefrom.

Before this was done, the South had more territory than the North—they have a decided advantage in soil and climate; more than this, they had therein what they call a heaven-born institution, one that they believed has received the sanction of the Most High. With their rich and productive soil, with their warm and genial sun, with their patriarchal institution of Slavery, that has descended in a direct line from Abraham to the people of Georgia, with collateral branches into Missouri and other slave States, they must multiply and become as the stars of the firmament, and shine forever and ever. With this institution, you will grow up a great and powerful people. When the Yankees come to invade your rights, (as you say they are doing now,) these men that you hold as bondmen, that cannot say their lives are their own, not even if they say it "subject to the Constitution of the United States;" these beings, that are not the owners of the wool that grows on the top of the head—

"The place where the wool ought to grow,"

these persons that we have been so eloquently and vehemently told are so well clothed and so well fed, and so joyous and so happy, will no doubt feel sensible of the mighty blessings you have conferred upon them; will be ready to go out to battle for you. These men will, no doubt, willingly lay down their lives; will rejoice in the glorious privilege of suffering martyrdom, in defence of this heaven-born institution.

But, to return to the Lecompton Constitution. I will not stop to inquire whether the Territorial Legislature had any power to call a Constitutional Convention or not. I will deal in no such abstractions. It is sufficient for me to know that it has Slavery in it, and that a large majority of the people of the Territory had no part in making the Constitution. By the despotic acts of tyrants, they were deprived of all power; and as a full and entire refutation of the assertion made upon this floor and elsewhere, that the people of the Territory had a fair opportunity to take a part in framing that Constitution, I adopt an extract from the letter of Robert J. Walker, resigning his office as Governor of that Territory, and use it as an

argument. On this point, the Governor says:

"On reference to the Territorial law, under which the Convention was assembled, thirty-four regularly-organized counties were named as election districts for delegates to the Convention. In each and all of these counties it was required by law that a census should be taken and the voters registered; and when this was completed, the delegates to the Convention should be apportioned accordingly. In nineteen of these counties, there was no census, and, therefore, there could be no such apportionment there of delegates based upon such census. And in fifteen of these counties, there was no registry of voters. These fifteen counties, including many of the oldest and organized counties in the Territory, were entirely disfranchised, and did not give, and (by no fault of their own) could not give, a solitary vote for delegates to the Convention. This result was superinduced by the fact that the Territorial Legislature appointed all the sheriffs and probate judges, in all these counties, to whom was assigned the duty, by law, of making this census and registry. These officers were political partisans, dissenting from the views and opinions of the people of these counties, as proved by the election in October last. These officers, from want of funds, as they allege, neglected or refused to take any census or make any registry in these counties, and, therefore, they were entirely disfranchised, and could not give, and did not give, a single vote at the election for delegates to the Constitutional Convention.

"And here I wish to call attention to the distinction, which will appear in my inaugural address, in reference to those counties where the voters were fairly registered, and did not vote. In such counties, where a full and free opportunity was given to register and vote, and they did not choose to exercise that privilege, the question is very different from those counties where there was no census or registry, and no vote was given, or could be given, however anxious the people might be to participate in the election of delegates to the Convention. Nor could it be said these counties acquiesced; for wherever they endeavored, by a subsequent census or registry of their own, to supply this defect, occasioned by the previous neglect of the Territorial officers, the delegates thus chosen were rejected by the Convention. I repeat, that in nineteen counties out of thirty-four, there was no census. In fifteen counties out of thirty-four, there was no registry, and not a solitary vote was given, or could be given, for delegates to the Convention, in any one of these counties. Surely, then, it cannot be said that such a Convention, chosen by scarcely more than one-tenth of the present voters of Kansas, represented the people of that Territory, and could rightfully impose a Constitution upon them without their consent. These nineteen counties, in which there was no census, constituted a *majority* of the counties of the Territory; and these fifteen counties, in which there was no registry, gave a much larger vote at the October election, even with the six months' qualification, than the whole vote given to the delegates who signed the Lecompton Constitution on the 7th November last."

This must put the question forever at rest. It is unanswered, and is unanswerable. The peo-

ple of that Territory are now lifting their imploring hands and streaming eyes, and calling upon the Congress of this great nation for relief. It would be no violence to truth to say, that for the last three years the people of that Territory have suffered

"The spurn of menials;

A despot's vengeance, a false country's curse."

I ask you this day, will you relieve them; or will you enforce this Constitution, when you know it will have to be done at the bayonet's point and the cannon's mouth? In such a contest, do you believe that a God of justice, of love, and of mercy, could be on your side? As gentlemen on the other side are in the habit of quoting Scripture for their purpose, I will quote some for their consideration: "Reason takes up the language of Scripture, and repeats with earnest conviction," "Though hand join in hand, the wicked shall not go unpunished." "The curse of the Lord is in the house of the wicked, but he blesseth the habitation of the just."

If this Government persists in its crimes against Kansas, it must suffer the penalty of these national sins. It is one of the irrevocable decrees of God, that for every violation of his laws there is a penalty; and this penalty will come, just so certain as the sound of the thunder follows "the lightning's fiery wing." I tell you the day of settlement approaches. If you pass this Lecompton Constitution, the low muttering thunder that was heard three years ago in the North and West, will break out with tenfold fury. The fires that were then kindled will sweep over the country, "like red tongues of demons, to blast and devour." I say to you that the tyrants in Kansas that have trampled the rights of freemen in the dust, whose hands are red with innocent blood, will receive the just reward of their wickedness and their crimes. A weak and wicked Administration may throw its shield around them; but

"Neither men, nor devils,
Nor sheltering angels, can protect them."

WASHINGTON, D. C.

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