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Speech of Hon. J. J. CRITTENDEN, of Kentucky,
ON HIS RESOLUTIONS,

Delivered in the Senate of the United States, January 7, 1861.

Mr. CRITTENDEN. I will occupy the floor but a little while on this occasion. do not desire to procrastinate, or see procrastinated, the coming to a final decision on this measure.

Mr. President, if I could indulge myself with the hope that the resolution which I have proposed for amendments to the Constitution could obtain that majority in this Senate, which would recommend it to the States for their adoption, by convention or by Legislature, I should never have made this motion for a reference of the matter to the people. It is the extraordinary condition of the country, the extraordinary circumstances by which we are now surrounded, and the peculiar situation in which Congress itself is placed, that has induced me to attempt this extraordinary resort. We believe that amendments to the Constitution are necessary to give that permanent security which is necessary to satisfy the public mind, and restore quiet to the country. Those amendments can not be recommended, nor can we proceed in the measure of amendment, unless it be by a two-third majority. I have feared that that majority could not be hoped for here; and it is in this last extremity that I have proposed that we should invoke the judgment of the people upon the great question on which their government depends. It is not an ordinary question; it is no question of party; it is no question of policy; it is a question involving the existence of the Union, and the existence of the government. Upon so momentous a question, where the public councils themselves are so divided and so distracted as not to be able to adopt, for the want of the requisite majority, those means that are supposed to be necessary for the safety of the country and the people, it has seemed to me not improper that we should resort to the great source of all political authority—the people themselves. This is their government; this is their Union; we are but their representatives. I speak in no feeling of flattery to the people, sir. No; I call upon them to pronounce their judgment, and do their duty to their country. If we cannot save the country, and they will not save the country, the country is gone. I wish to preserve it by all the means, ordinary and extraordinary, that are within our possible reach. That is the whole feeling, and that is the entire principle upon which I have acted in making this proposition. I see nothing improper in it.

It may be objected to as not a mode recognized by the Constitution. Well, sir, it is not forbidden by the Constitution, nor does it conflict with any principle of the Constitution, and it aims at nothing but what is entitled to influence here. That influence will be weighed by the Senate properly and justly. It is simply an appeal to the people to aid us, their representatives, by giving us their judgment and their opinion upon the subject. That judgment and opinion will not be humiliating to us. If they should condescend to pronounce their judgment and give their opinion, there is no humiliation in obeying the voice of a great nation, whose representatives we are, and whose servants we are proud to call ourselves. Their sentiments and their opinions will be our safest guide upon this question, surrounded as it is by so many difficulties and disabled as we are by our own distractions and divisions in Congress from acting upon it without some power to control and to govern individual opinion.

I do not think necessary, Mr. President, that I should enlarge upon this subject. The object to be attained is a constitutional one. It is to ascertain the sense of the people, and for the preservation of the country, in the cases salutary to the people, and necessary for the preservation of the cases which surround it.

The constitutional amendments which are proposed for the sanction of the people, and on which they are to give their opinion, I had occasion some time ago to make a few remarks, and I intend now to add only a few more. I do not intend to go very much large into this question. I do not know that I shall at any time—certainly not now, when I am not fully apprised, perhaps, of the various objections that may be made to them. The first remedy proposed consists in a new article to be added to the Constitution, and which proposes for the settlement of the question of territory and the question of slavery in respect to territory to provide that all the territory north of the line shall be free, and the south slavery shall be recognized and secured there for its protection. The proportion of it, shall be

into the Union. Then they are to be admitted with such provisions as they may choose to make in their constitution in respect to slavery—excluding it or admitting it. This is all. To the North all is given; to the South it is only provided that things shall remain as they are until the territory becomes a State, and then it is to adopt this institution of slavery or not, according to the wish of the people that are interested in the new State. It seems to me there is something very just and very fair on the face of this proposition.

We are a great nation, composed now of thirty-three States. Fifteen of these have this peculiar institution of slavery; the others have excluded it, each acting according to its own free choice under the Constitution. Slavery existed in these and more States when the Constitution was formed. The Constitution took things as they were, recognized them as they were, and left them as they were, to the exclusive jurisdiction of the several States. Those who had the institution of slavery were left to the sole dominion over it; those who were without it were left to the free and full course of their own will and of their own wisdom upon the subject, on the one side to continue to exclude it, or on the other side to continue to retain it. This was the general, reciprocal justice which the Constitution did to all sections of the country.

Now, sir, I ask the same standard and the same measure of justice. Let things as they are; that is the object. To the north of 36° 30' slavery has been excluded. I say, therefore, slavery is excluded. To the south slavery exists as a matter of fact. I ask you to recognize it. That was the principle upon which the framers of our Constitution went, recognizing the *status* existing at the time, adopting that as a basis. This is what I understand in respect to all the States. This is all now that I ask; all that this proposition is. There are south of that line the Indian Territory, and the Territory of New Mexico; that is all. Of the Indian Territory I need say nothing; that is appropriated to others, and upon the terms of that appropriation it rests. By those terms, however, slavery may be recognized as existing there; for the fact is, it does exist. So in all New Mexico; and how comes it to exist in New Mexico? It exists potentially in New Mexico in virtue of the decision of the Supreme Court of the United States in the so-often quoted case of *Dred Scott*. They say that all the people of the United States have the right equally to go into the common territory of the United States, and carry with them any species or description of property recognized as such in the States from which they emigrate. Potentially, then, slavery does exist there; but more than that: by the great compromise measures of 1850, a territorial government was formed for New Mexico, and one of the compromises, one of the adjustments on that great occasion, was to give this Territory, which was a subject of dispute in respect to the question of slavery, power to "legislate on all rightful subjects of legislation." It was intended to cover this case; it did cover the case of slavery by the broad and distinct terms in which the power was given to the Territorial Legislature. That was the agreement between the North and the South: "We will say nothing about slavery ourselves, but we will constitute a territorial government, and we will give to that territorial government, representing the local interests, representing the local population, the power to dispose of this subject according to the wishes and according to the interests of the people of the Territory." In the exercise of that power, the people of the Territory did pass an act authorizing and regulating slavery in every particular; and that act now exists by law actually.

Now, what does this amendment of mine propose? Not that an entleman shall agree that slavery may exist there; not that they shall concede a principle; not that they shall concede any policy; but simply that they may recognize a fact, a fact that they cannot dispute—the fact of the actual existence of slavery under actual law, emanating from that Territory under the power granted in the compromise of 1850, which was intended to settle the affairs of the country, and to relieve us from the troubles which have now returned. It was hailed by the whole people, accepted as a peace offering on all sides, and has been continued from that power given by that act of Congress of 1850, slavery has been admitted into that Territory, and all that is proposed by my amendment is, as I said, to recognize that, and furthermore, the fact being recognized, that it shall be recognized that that state of things, that fact, shall continue as it is, until the Territory shall have acquired sufficient population, according to the ratio of representation fixed by the representatives, to entitle it to one member in Congress, and then to be admitted into the Union on an equal footing with the rest of the States, and with a constitution adopting or excluding slavery according to the judgment of the people themselves.

It seems to me that this proposition in that respect. Well, I confess it seems to me that it is a grant. Some gentlemen are averse to the compromise. Well, I propose. Well, I propose. But if it were a compromise. Well, I propose. But if it were a compromise. Well, I propose.

compromise, and upon what principle are we opposed to compromise? All human life is but a compromise. From the cradle to the grave, every step of it is a compromise between man and society. And when peace is the reward of compromise, it has been usually blessed. A man, it is said, in respect to the compromise of a lawsuit, must be allowed to purchase his peace. A man can purchase nothing better, nothing dearer than his peace, even in private transactions. How is it in relation to divisions between great communities, different countries, or great sections of the same country? Are they not more necessary there? Are they not more demanded by the interests of society, more demanded by humanity itself, than in any condition of life? Just as much more demanded as the consequences are greater and more momentous, and more destructive ordinarily. If there were no compromise, parties would have to settle by force or by war, these questions.

Is there in this compromise anything repulsive to any section of this country? I know the great Republican party of this country have declared themselves against the extension of slavery. Is this in the sense of that declaration? Is this in the sense of that tenet of their faith, an extension of slavery? I have before shown, what is the indisputable fact, that slavery does exist here by law, which covers the whole Territory. It is not extending slavery into a Territory where no slavery exists. Slavery does exist there; and the question is, whether you will let it exist, according to the laws under which it does exist, until the Territory becomes a State, and decides for itself whether slavery shall continue longer or not. Is there such stringency in the doctrines of the party on this subject, that neither for weal nor for woe, neither for peace nor for war, will they, mediately or immediately, on a principle of compromise or on a principle of justice, recognize the existence of slavery in the Territory of New Mexico?

What gentleman, as a statesman, can stand upon that ground? What Senator can stand upon that ground? Say that we are here, as I verily believe we are, upon the brink of intestine and civil war, that that war can be prevented by recognizing the fact of the existence of slavery, and agreeing that it shall continue for ten or fifteen years, until the territory shall become prepared to enter the Union as a State, and that Senators had rather encounter civil war, had rather encounter the destruction of this Union, and of this Government, than to agree to these terms—upon what grounds? Upon any grounds of public welfare? Upon any avowed grounds of policy or of patriotism? Can any Senator stand upon that ground? What is his ground, then? The Republican party sees that by possibility, under this adjustment, that State, if it chooses slavery, may come into the Union hereafter as a slave State. Are they pledged against that under all circumstances? Are their general rules rules that admit of no exceptions? The old maxim is that the exception proves the rule. If the rule be reasonable, there always are exceptional circumstances that may occur, which would prevent the application of the rule; but here are general rules that admit of no exception; and civil war, pestilence, famine, and everything else, are to be encountered, rather than to recede one single hair's breadth from a particular, prescribed doctrine. I cannot conceive it possible.

But suppose, Mr. President, that this proposition does make such provision that the ultimate result of it may be, if the people of the Territory choose, that it may hereafter be entitled, under this amendment of the Constitution, to come in as a slave State. What do gentlemen say to that? Is it a dogma that no slave State ever shall hereafter be admitted into this Union; and will they, for the maintenance and preservation of that dogma, sacrifice the country? Will they encounter civil war and disunion and all its fearful consequences, rather than yield up in a single instance this dogma of no more slave States? Surely if that dogma were to be pressed with ever such heartfelt conviction, and such heartfelt zeal, it could not be hit that, in the hearts that had so adopted and embraced it, such an exception might be made as this. When the fate of my country is on the one side and my dogma on the other, let the dogma go rather than the country be prostrated. Is any member of the Senate prepared to say, in the face of this country and of the world, that rather than yield up his dogma in a single instance, he will see the country go to ruin, or he will attempt to enforce his opinion by the sword? Is there any man who will do such a thing as that, so contrary to the law and teachings of the Almighty, and contrary to all humanity?

Sir, we are one people. I glory in the thought. Will one half of the people undertake to say, I have a conscientious scruple about admitting a slave State, and I tend to substitute that scruple in place of all your territorial rights? This Government, as made by our fathers, was made by States who held slaves and States who did not. We now stand in the same attitude. Then, in their time, most or all the States held slaves, and now a minority of them only hold slaves. Shall the present majority, holding no slaves, plead as an apology for usurping all the com-

mon territory of the country, a conscientious scruple, a dogma upon their part that no more slave States shall be admitted? I ask my honorable friends on this side of the Chamber if that is the political system of ethics upon which they intend to act; if it is that which they can avow, as a party, for monopolizing that which is common property? Will they plead a conscientious scruple? Sir, it is a great nursery for conscientious scruples, indeed, if men can make titles in themselves to common property in that way. I do not know why a man who held with me a tract of land might not take the same scruple against me, and say that I was heretical, and violated all his dogmas, in politics and religion; that his scruples would not allow him to be in such communion with me as to hold property in common; and how does he gratify his conscience, and how does he dissolve this question of casuistry? By taking the whole property to himself and turning me out. I say it is a great nursery for scruples of this sort, if an argument of that kind is to be found here.

And now, Mr. President, see how exactly the very Territory in dispute comes within the line of all that reasoning which would show that every part of the country ought to be considered as equally entitled to share in the enjoyment of it. That country was but recently acquired from Mexico; and it was acquired by conquest. Is it not as plain a case, that every section of the country paid its proportionate part of the consideration, as if it had been bought with money, and each citizen had contributed the number of pence that his interest amounted to? Did not the South contribute her part of the treasure which bore the expense of that purchase? Did she not contribute her portion of the blood that was shed in obtaining it? Did she not even a little more of it than our northern brethren, because of their remote situation? We were nearer the scene of action, could get to it more easily, and therefore, perhaps, there were more southern than northern men engaged in the war. The millions of money that it cost were paid, not out of a sectional purse, but out of a national purse, to which all contributed. We fought, one as well as another, and all sections did their duty.

I do not recur to these things for reproach upon any section of our country. No, sir; I love it all too well. It is all my country. I am not the man to degrade any portion of it by any language I have to use.

This territory, then, plainly and clearly, was acquired by us all. It is but the work of yesterday. Now, a portion attempt to take it. They have scruples about allowing us our full and unrestricted and unreserved equal right in the territory. Can this be proper? We are but one community, with diverse institutions in relation to domestic slavery, as well as in relation to many other subjects. We have grown up in, and cultivated habits suitable to, all the circumstances surrounding us, just as every people on earth have. The institution of slavery has given a variety to the form of society in which it exists. The absence of it has given form to a somewhat different condition of society, but equally adapted to its people. So it will be everywhere. You say, then, for instance, by way of mitigating the wrong done, that you only exclude slaveholders; you only exclude three hundred thousand—not a section of the country; not States; not fifteen States; but three hundred thousand slaveholders in those States. Whether that is a correct computation of them I do not know; nor is it of the least importance to this argument. No; the wrong does not stop there. All the millions that have been reared in the society formed, and receiving its character, and receiving its complexion from that institution, though they may not be the owners of slaves, have been brought up and habituated to the habit and form of society which that institution has given birth to. That makes a difference in the habits of a people not to be worn off in a day or a minute—transient, I admit; but they are, for the present, their habits. Their feelings and their habits go along together; and neither would you northern men prefer to go into the society of these people under circumstances equal; nor would the southern man, with his habits and feelings, prefer to go into northern society, simply because of changes in the custom and habits; that is all. By restraining the slaveholders from going into any Territory, then you restrain the formation of any such habits as this other man, who is not a slaveholder in the southern States, has formed. You do not expel him, but you erect a barrier; not an insuperable one; you create a new difficulty in his way in going there, where he is to meet with strangers, and strangers of somewhat different habits from himself.

But, as a matter of right, looking at it according to the political principles upon which our great political society is formed; looking at it upon the common political principles upon which the Constitution was formed, have you a right, in the distribution of the public property, to make any distinction between the portions of country holding slaves and those who do not hold them? Why have you more respect to do it in respect to the public lands and Territories of the United States than respect to any other species of public property? If you had money in the Treas-

would you insist upon taking all of that? No. I know you would not, Why? Because it is a common property. When, instead of money, we come to divide territory, land, does not the same principle apply—not merely upon the ground of ordinary equity or justice, but because our Constitution has been formed, those who made it well knowing that in different sections of the common country for which it was made, different scruples might obtain, different dogmas might prevail? But these were not to be looked at all. Our Constitution, in its provisions, leaves us all free to entertain these dogmas; but it does not leave us free to disregard the great principles of equality and equal justice, and equal distribution, as among honest fellow-citizens, of land as well as money, and everything else. No part of the country, no section of the country, has a right to set up its particular opinion on any subject as the image of orthodoxy, and say those who do not come up to this rule of orthodoxy shall not share with us in any thing that belongs to this Government. This is regulated, not by conscientious considerations, not by a scruple, but by broad, plain, common political principles; such as our common Constitution was framed upon. Would you, upon any ground of difference as to a question of religion, have a right to make any distinction? Would you have a right to say that no Presbyterian should settle in this territory, because he is a Presbyterian? Would you have a right to say that no Congregationalist shall settle there? Suppose we were divided by a sectional line in our religion; would any one of us have a right to invoke his religion as a reason why he was entitled to more, and his brother to less, or to nothing? Nobody would pretend that. You have no right to bring up scruples of that sort, or questions of that sort, against another.

This question of slavery has been, to no small extent, connected with the question of religion. The pulpit has taken it in hand; the pulpit has become the minister of politicians, and politicians have ministered to ministers of the Gospel, neither to the benefit nor profit of the Gospel; and now scruples—I may as well call them scruples of religion as well as scruples about slavery—are pleaded on one side. You do not plead it *eo nomine* as a religious preference that you are entitled to, or as a religious distinction. You plead it, to be sure, as a distinct opinion of your own upon the subject of slavery; but you have been able to force that question of slavery into a great political position before the country, by the aid of the pulpit. It has become with some a religious feeling. I am not one of those who feel a disposition to speak, or allow myself to speak, disrespectfully of religion; but I point you to these things as facts that we see and know, that there has been a combination, a mixing up, of these questions with religion and with politics; and we are taught from the pulpit daily, not of the political improvidence, not of the political impolicy of slavery; but we are taught that it is a great sin, and that we are to put it far away from us.

Now, suppose all this doctrine is right: does it come under our Constitution? Does it come within the principles of our Constitution that we shall set up any such standard? The Constitution has set up a standard, and it is a standard of equal justice and principle. It recognizes and estimates each man, and each community of men, not according to their religious opinions at all, but according to political rights; and their political rights are equal, however different they may be in their religious opinions or in any conscientious scruples, however honorable. We have no right to apply such feelings to government. Our conscience may be a very good governor for ourselves; its teachings we may follow; but you have no right to insist, nor have I any right to insist, that I shall substitute my conscience for yours; or that you shall condemn my conscience, and put the penalty upon it of a forfeiture of my political rights, if I continue to act upon it. You have no right to do that. What is it now, my friends, that is insisted upon? Here is a vast community sufficient in extent of territory, sufficient in the number of its people, to make a respectable nation. They have one opinion on this subject. They have long practiced upon it. Society, education, everything among them is molded upon that institution. Now, of a sudden, it is demanded of them, not directly as to the States; but the principle upon which the policy is founded, however limited it may be in point of space, is the same in effect. You demand that, notwithstanding my lawful practice, my lawfully acquired habits, my lawfully acquired property, and all the notions connected with it, and accommodated to it, I shall lay them all aside, give them all up, and substitute an idea in place of them—an idea of anti-slavery.

The PRESIDING OFFICER, (Mr. POLK in the chair.) It becomes the duty of the Chair to state there is a special order for the hour of one o'clock, the resolution reported by the Senator from Kentucky, [Mr. POWELL,] chairman of the special committee of thirteen, on which the Senator from Georgia [Mr. TOOMBS] has the floor.

Mr. TOOMBS. If it suits the gentleman, I will move to postpone the special order on which I had the floor, and take the floor on his own resolutions, if he prefers

that course. If the Senator desires to proceed now, I will yield to him, though I expected to speak at one o'clock, or go on now—whichever he prefers.

Mr. CRITTENDEN. I would rather go on, because I wish to conclude all that I have to say.

The PRESIDING OFFICER. The Chair will consider it, then, as the sense of the Senate, unless objection be made, that the Senator from Kentucky shall proceed with his remarks upon his own resolution.

Mr. CRITTENDEN. It is through a long train of events, of party controversies, that the country has been brought to its present deplorable condition. It would be idle to say that in the course of that long controversy all the blame has been on one side, and all the right on the other. Right and wrong have never been so exclusively divided in any human controversy. We have all contributed to excite those passions and those feelings which now bring our country into the most imminent peril. I shall not attempt to balance this account, and show clearly which has been in the wrong. That would be an idle attempt, and would do no good, if successful. It is not to the past so much that I would allude as to the present and the future. No matter whether I have been the wrong doer or whether I have received the wrong, when the question comes as to the safety of the country, as to the safety of the Constitution, I should act with a reference to that object, and not to any past or present controversies that I may have with parties or with individuals.

Mr. President, I am not here as the advocate of slavery. I am here as the advocate of the Union, honestly, sincerely, zealously. I am pleading for that; and I am pleading with the Senate to do that which I believe will preserve the Union and stop the course of revolution and of war, and which alone I believe will do it. If I plead for this solution of territorial difficulties, it is because I believe it is necessary to save the Union. Is it possible that any Senator could believe, with respect to this arid and sterile Territory, it could be an object with any gentleman to desire the extension of slavery? I do not believe myself that slavery can ever be invited there. Climate, soil, its remoteness from all the great avenues of commerce, all tend, in my opinion, to interpose natural barriers against it. That, however, is not so much the question as our right to go there at all. You have no more right to take away poor land than you have rich land, from our settlement. Upon the principles of the Constitution, you have no more right to take away one than the other; and it is not so much the violation of territorial authority as it is the violation of that principle of equality, that principle of equal right upon which every section stands.

That the South has received some wrong in the course of our party action, is, I think, most clear. There has been introduced into this country, it has grown up, forced on by party principles step by step, without any man, perhaps, comprehending the whole conclusion and the whole extent of it, until it has appeared in all its fearful proportions, a great power, said to be the ruling power of this country, that has introduced an anti-slavery system of policy in the United States. In the original Constitution—and my friends from the North look to that fact, and cherish it—the word "slave" is not to be found. How often have we heard that repeated here, my friends? You cling to it with tenacity, as a great fact; and yet what have you done? Your system of policy, that upon which you have triumphed—upon which your platform rests—is nothing but anti-slavery alone. Is this right? The opinions may be right as private opinions; but under the Constitution of the United States, upon the great principles and policies which it contemplated, was it ever to be imagined, or is it ever to be justified, that a great party should stand alone upon a system of anti-slavery, making war by one section upon another section—a war of opinion, if no more?

It is in vain that you endeavor to mitigate this war of opinion, this war of denunciation, one against another, one system against another, by saying: "We do not lay our hands upon you, we do not touch slavery in the States." But you abuse and denounce the institution of one half the States of your great country, and you know where it must strike. That that has given great alarm to some portions of the southern States, ought not to surprise you. It is quite natural. It will be something more than a mere common inference, if, after having succeeded, if, after having commenced the formation of your great party, for the avowed purpose of retrieving what you supposed you had lost by the repeal of the Missouri compromise, you now refuse not only to restore that line, and to accept all the territory north of it, and only to yield up that the present state of things shall continue in the territory south until that territory becomes a State.

You have just succeeded in a great contest upon your anti-slavery system of policy. If now, just at this critical time, in the moment of your great victory, in the moment, as it may be supposed, when you are confident, elated by that victory, you

refuse to give this security, and plant yourselves proudly and sternly upon platforms and dogmas, and say: "We will take no step backward," have not the South some little cause to complain? But, as generous men, as American statesmen, as Americans, having an interest throughout this whole great continent, are not these motives sufficient to induce you to make, if necessary, a compromise, and a liberal compromise? Now that you are the victors, be just; and not only just, but liberal. Less than this will create more dissatisfaction, more misapprehension. Will you not do all in your power to quiet and put an end to these troubles?

I hope I shall not be understood as addressing you with any language in a spirit of offense. I do not. I appeal to you as my countrymen; I appeal to you as statesmen; I appeal to you as victors in a great political strife; and I implore you to make your victory useful to your country and honorable to yourselves, by that greatest of all acts which you can ever have the power or the opportunity to do, of saving that country by settling this question. You are called upon to make no concession. I do not concede that I ask any concession in this proportion. It is nothing more than justice, bare justice.

Allow me to recount here for a moment what has been our history in relation to territorial acquisitions from the peace of 1783 down to this time. As I read from the book the other day, you had at that time one hundred and sixty-six thousand square miles and the South six hundred and fifty thousand square miles. How is it now? The first change in these proportions was produced by the cession made by Virginia of all the territory northwest of the Ohio, with a provision excluding slavery. That changed the proportion, and made the North over four hundred thousand square miles, and the South over three hundred thousand square miles. The North, at this early period, and by means of this voluntary cession, become the greater in point of territory. We went on to acquire Florida, Louisiana, and what we conquered and purchased from Mexico. All these various acquisitions have been so divided out that, at this day, the North has two millions two hundred thousand square miles, and the South less than one million square miles, even when you have given her this Territory of New Mexico. Given her, did I say? You only agree that the present state of law there, in respect to persons held to servitude, shall continue until it becomes a State—that is all. The condition it is now in was not produced by force, or by any fraud. It has obtained its present condition by law, passed with the consent of the Senate of the United States. The act of September 18, 1850, gave authority to the Legislature to authorize and sanction slavery.

Then, if we can settle this matter of difficulty in relation to the Territories, there is, I think, in all the other propositions, nothing that anybody can complain of. As to the fugitive slave law, it is only changed and altered so as to make it less obnoxious to our fellow-citizens of the North. That is the whole extent of the amendment. Therefore that can be no ground of complaint on the part of our northern friends.

As to the prohibition to abolish or prohibit slavery in the District of Columbia, and the places under the special jurisdiction of Congress within the slave States, it seems to me that stands upon a ground that no man can deny. These Territories have been ceded to the General Government by slave States. It could not be expected or apprehended that it was supposed that Congress would abolish slavery in little spots within the midst of the slaveholding States. At the time this cession was made, was any such thing contemplated by any one? Is it to be presumed it was? If not, would it not be bad faith on the part of the Government, to say the least of it, to use its jurisdiction for purposes which they supposed injurious to them, and not contemplated by any of the parties at the time of the cession? Good faith requiring that these things should not be done, would it be too much to ask you, as an assurance that it shall not be done, to declare that the Constitution ought not to be so construed as to give power to do it? I think there can be no question about that.

I do not intend to go more particularly or precisely in question at this time, and I hope it will never be required. There are some questions involved in this matter in relation to which I desire merely to give my opinion. I have said that to me in these controversies. It is so of necessity. Our country is that in all long-continued controversies. It has been so since the South has not acted rashly? Who can say that the South has acted unwisely? I cannot. To say nothing of the past political course committed, but to look to the present, I do not believe in a new doctrine. It has sprung up and grown without being named. It has no name. It has no name. It is a new doctrine. If it were named, it is

to secede from the bold front and character of revolution, it is nothing but a lawless violation of the Constitution. That is my opinion. I do not intend to argue it; but I wish to take the responsibility of saying, in these momentous times, when the Constitution of the country is apt to be run down, and trodden down; when a right of secession is urged; a right to go off, and to take with them forts, and arsenals, and everything prepared for the common defense, that I cannot agree with it. It is new to me. It is of modern growth.

But, sir, I do not desire to be carried off into that question. I want only to bear my testimony for the Constitution of my country. I want it to be known—and, as far as my poor voice can go, it shall go—that this Constitution, so far from its being liable to be broken by anybody that chooses to secede, as they call it, is a grand and inviolable instrument, upon which no man should lay his unhallowed hand, or attempt to withdraw himself. If he is oppressed, let him take the responsibilities of revolution; let him defy the war; let him proclaim himself a revolutionist, and not attempt to hide his revolution in the little subtleties of law, and the little subtleties with which he surrounds secession, as it is called. I do not believe in it. It is no justification. My honorable friend from Louisiana [Mr. BENJAMIN] quotes Mr. Madison and Mr. Webster as authority for this doctrine. Why, sir, if the gentleman had extended his inquiry a little further, he would have seen that no doctrine was ever repudiated more precisely, exactly, and sternly, than this doctrine of secession was by Mr. Madison; and Mr. Webster's name and fame are identified with the argument by which he was supposed to have destroyed every pretext on which such a doctrine could stand. If it is intended merely as another name for revolution, be it so. I do not know that gentlemen have not a right to so denominate their actions if they please; but a constitutional right to break the Constitution—a constitutional right to destroy the Union—would be indeed a strange form of government.

I am for the Union; but, my friends, I must be also for the equal rights of my State under this great Constitution and in this great Union. You must be prepared to grant them. I hope you will be. You desire to maintain the Union. You say you do. I believe it. I do. But we must preserve it on the proper terms of equal respect and equal regard. The dogma of my State is, that she has as much right to go into the Territories with her slaves as you, who do not choose to hold such property, have to go without them. That is their dogma. Would it not be best for both of us to renounce the pretension to go on its own dogma at the expense of the other, and let us make that odious thing, if it must be called so—a compromise—again to restore our fellowship and our brotherhood. Balance the consequences of a civil war and the consequences of your now agreeing to the stipulated terms of peace here, and see how they compare one with another. I will not repeat again what is asked of you. It is but a trifle in point of territory, a trifle in point of any material value that can be assigned to it, and there is no breach of any principle. It is an exception, and a fair exception upon exceptional grounds, to the principle you avow. On the other side, you have civil war—

Mr. TRUMBULL. Will the Senator allow me to ask him, if he has any assurance that civil war is to be averted by his resolution; if he does not know that a State has already undertaken to secede, and says she wants no compromise, and will have none?

Mr. CRITTENDEN. It is proper that I should answer the question of the Senator from Illinois. I believe it will. Of course I cannot say for certain; I may be mistaken. I believe it firmly, and I believe it without a doubt. It may not satisfy all. I never expected it would. That it will satisfy a sufficient portion of the country to preserve the peace, and to preserve the Union everywhere, is my belief. I think, if the gentleman is disposed to grant it, he will find in the experiment that all this commotion will be put an end to, not instantly. It may have commenced already, for all I know at Charleston. It may not satisfy South Carolina. Hers is a peculiar case; but by almost all the southern States; at any rate to such an extent that no further proceeding in this revolution, no further secession, is in my belief; and I hope and trust, sir, that we shall be so confident of the result, and that it will be the restoration of the Union, that these gentlemen may go on honorably in this new country. Let them commence now by this first glorious step. It will be a noble starting point. But let them go on without delay. The way is to take the sword in hand, and woe be to them who refuse to administer that policy, to administer this Government! If they are not relied upon, then woe to your Administration! Your victory will be a victory of ashes. Grant these measures, and you will bring peace to the whole country.

