

SPEECH

OF

HON. JOHN LETCHER,

OF VIRGINIA,

ON THE

POLITICAL ISSUES NOW BEFORE THE COUNTRY.

DELIVERED

IN THE HOUSE OF REPRESENTATIVES, AUGUST 2, 1856.

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SPEECH.

The House being in Committee of the Whole on the state of the Union—

Mr. LETCHER said:

Mr. CHAIRMAN: I have listened attentively to the speech just delivered by the gentleman from Ohio, [Mr. WADE,] and before I proceed to the questions which I design to discuss, I desire to notice very briefly one or two points which have been made in that speech.

The gentleman starts out with the inquiry, Could our fathers have resisted the power of Britain if the slave power had then held the control of this country? Now, sir, it seems to me the gentleman ought to know that at the time of our difficulties with England, when the war of the revolution began, all the States of this Union were slaveholding States. The State of New York, and all the States of the original thirteen, recognised slavery. Now, sir, according to the gentleman's theory, is it not somewhat remarkable that, with all our colonies slaveholding, our arms should have been favored by Divine Providence, and our cause so eminently successful? How does he reconcile this glorious result with his theory of the sin, guilt, and shame of slavery?

But the gentleman says, further, that we are dishonoring the memories of our fathers and mothers—those of us, at least, who live in that portion of the Union where slavery is recognised and now exists. How are we dishonoring the memories of our fathers and mothers? Are not our institutions in the South now exactly the same that they were in the days of our struggle with the mother country? Is there any change in that section of country in which our lot has been cast? Has any new thing been introduced into the condition of the southern States that is calculated to throw discredit or dishonor on the ancestors of the present generation? Sir, let the gentleman call to mind the fact that that portion of the Union which has freed itself from slavery got rid of it, not by acts of emancipation, but by acts on either the *post nata*, or some postponement principle which allowed the slaves to be removed before the law went into effect, in order that they might be disposed of for a full *pecuniary* consideration. Such was the case in New York. It has not been many years since a suit for freedom was tried in my own section of Virginia, instituted by slaves who were taken from New York and sold in my State, in violation of her laws, as they alleged. The owners of the slaves in New York at that day preferred to sell their slaves for money and pocket the proceeds, before the law of New York could go into effect. They had no qualms of conscience then to restrain them. Recognising slaves as property, they sold and transferred them as property to any one who would purchase and pay for them.

There is another point. The gentleman tells us that he desires "*moderately and temperately to draw a line around the southern States,*" and proclaim to the people of the South, thus far slavery shall go, and not one inch beyond it. The gentleman has given us a sample to-night of his *temperance* and *moderation* upon this subject; and I say God help that portion of this country that is to have lines drawn under his charitable views. His speech to-night is as ultra as any one that I have heard on this floor, from any quarter whatever; and when the gentleman talks about *temperance* and *moderation* on his side, in a discussion of a question like this, he must permit me to say that it is a most scandalous misapplication of terms. [Laughter.] And, in this connexion, the gentleman tells us that "*he loves this Union*"—that "*he venerates it*"—that he entertains "*a holy affection for it*;" and here, sir, I might apply his own quotation without disrespect. I imagine that the sentiments of affection he has expressed on this floor for the Union are very much like the affection (in his own language) which "*the devil has for holy water.*" [Laughter.]

The next proposition the gentleman lays down is, that the phrase in the preamble to the constitution—"We, the people"—means, not the people north of Mason and Dixon's line, not the people south of that line, but all the people of the United States. I should like to know from the gentleman from Ohio whether it is his opinion that the phrase quoted from the preamble to the constitution was intended to include all the people of all colors and complexions; when inserted in that preamble, is he to be understood as saying that it embraced the white people of the States, male and female, and the black people of the States, male and female, and the mulattoes of the States, male and female; and that it was a recognition of that equality between these classes and races which he says is maintained in the Declaration of Independence? Is he to be understood as saying that this clause was intended to cover all and embrace all of these classes of people?

When that provision was inserted in the preamble to the constitution slavery existed in all

the States. Our fathers never intended to declare, nor did they ever admit, by word or act, that the phrase "*We, the people,*" when placed in that preamble, was designed to recognise the equality of the white and black races. No, sir! It refers to, and was intended to include, none other than the white race then existing, and their descendants and successors. They never dreamed of including the negro, because the position in society which he occupied forbade it.

But I was greatly amused at the gentleman's adroitness as exhibited near the close of his speech. My friend from Mississippi [Mr. WRIGHT] wished to know of him whether he recognised the right of the southern slaveholders to reclaim their slaves, if they absconded and were found in a free State. I have not heard an answer from him to that question yet. The gentleman talked about a good many other things, but he was particularly careful to dodge that question. And it struck me that there was a reason for it. It has not been quite a week since the gentleman himself voted for "THE FUGITIVE-SLAVE LAW." And, that I may not be charged with doing injustice to that gentleman, I beg leave to call his attention to a bill for which he voted, and for which every other gentleman of his particular stripe voted, save the intelligent and cautious gentleman from Ohio now before me, [Mr. LEITCH.] In the bill of Mr. DUNN for the reorganization of the Territory of Kansas, and in the 24th section of that bill, it is, amongst other things, declared:

"That any person lawfully held to service in either of the said Territories shall not be discharged from such service by reason of such repeal, if such person shall be permanently removed from such Territory or Territories prior to the first day of January, eighteen hundred and fifty-eight; and any child or children born, in either of said Territories, of any female lawfully held to service, if in like manner removed without said Territories before the expiration of that date, shall not be, by reason of anything in this act, emancipated from any service it might have owed had this act never been passed: *And provided further, That any person lawfully owing service in any other State or Territory of the United States, and escaping into either the Territory of Kansas or Nebraska, may be reclaimed and removed to the person or place where such service is due, under any law of the United States which shall be in force upon the subject.*"

Now, sir, the gentleman has been horror-stricken for years over the fugitive-slave law of 1850; and yet no longer ago than last Tuesday, the scales fell from his eyes, and he and his friends marched up in solid column, with one exception, and recorded their endorsement of the constitutionality and policy of the fugitive-slave law of 1850. Ever since its passage he and his allies have denounced it as *unconstitutional* and void, and have addressed the most inflammatory appeals to the people of the northern States to resist its execution.

Mr. WADE. That was a bitter pill, and I tasted it distinctly when I took it; but being driven into a corner by the sham democracy, in their efforts to engraft slavery upon Kansas, I thought it better to let them have the fugitive-slave law in Kansas, until I could get a fairer lick at it and knock it in the head.

Mr. LETCHER. It "was a bitter pill," and he was "driven into a corner" before he would consent to swallow it! But when "*driven into a corner*" he did swallow it, and voted to reenact a law which, in the presence of the House of Representatives, before the faces of his constituents, and in his conversations, he has been in the constant habit of denouncing in the most inflammatory language as a palpable violation of the laws of God, and of the constitution of his country, which he has sworn to support.

Mr. GIDDINGS. I wish to ask the gentleman a question. Did not he vote against the law?

Mr. LETCHER. I was not here. (Laughter.) I happened to be on that day addressing my constituents and warning them of the revolutionary conduct being pursued by these *moderate* and *temperate* gentlemen on your side of the House, and who constitute your party.

Mr. GIDDINGS. I would like to know whether the gentleman would not have voted for it if he had been here?

Mr. LETCHER. I would not; but not because I considered the fugitive-slave law either inexpedient or unconstitutional. It is sufficient for me to know that it is now the law of the land, in full force and effect. But you, gentlemen, not content with its enactment in 1850, gravely reenact it, and specially apply it to Kansas; and as you have all now given it your approval, I trust we shall hear nothing more of its unconstitutionality, or of its barbarous features. When you return to your constituents I expect to learn that you have admitted your error—that by the same process of reasoning which has satisfied your own minds you will satisfy them of its constitutionality, and its accordance with the laws of God, and urge upon them the propriety and duty of a rigid enforcement of all its provisions. This is their duty as *law-abiding* men. Their representatives here have moderated their views, and as they have marched up to it quietly and deliberately, and cast their votes for the fugitive-slave law, heretofore so much denounced, I imagine they are ready to go a little further (and that their constituents will sustain their efforts) to save the Union, which the gentleman from Ohio professes to love so well.

Now, there is one other point in the gentleman's speech which I desire to notice. The gentleman says that every man in this country has the right to bear arms; that it is a constitutional right, and that the government has no right to interfere with him in the enjoyment of this privilege. I admit this to be true, constitutional ground; and yet that gentleman, and his friends upon that side of the House, voted for Mr. BARBOUR's amendment to the army bill,

which gave the President the power to disarm all the people of Kansas. What a power to clothe an Executive with whom they denounce as tyrannical! Napoleon III has no more.

I desire to know whether the gentleman is honoring the institutions, principles, and sentiments of the northern people, of his ancestors, in all his acts, opinions, and principles? In 1786, by the fifth section of an act passed by the Massachusetts legislature, every white person was prohibited from intermarrying with a negro, and every negro from intermarrying with a white person, and the same prohibition extended to Indians also, and all such marriages were declared void. That provision remained upon the statute-book until 1843, when it was repealed; and since that time white persons and negroes, under this law of 1843, may be united in matrimony. Now, sir, if I am not very much mistaken, the friends of the gentleman from Ohio, in the legislature of that State, a few years ago, *honored their fathers and mothers* by the passage of a similar law. And if you will go through the northeastern States, you will find that in many of them their ancestors have been *honored* in the same extraordinary way.

These are the people who talk about slavery and its horrors in the South; and yet they are for consummating a union between the races, to ascertain which will absorb the other. Such unions must inevitably degrade the free labor of the North, and sink it far below the slave labor of the South. The free white man who can get his own consent to such a marriage must have sunk low in the pit of personal degradation—must have forfeited all his own self-respect. Such a man will be a disgrace to any society. Even the respectable negro slaves of the South would scorn all association with him.

Whom are these laws intended for at the North? Are they intended for the benefit of the wealthy—the upper ten thousand—“*the lords of the loom?*” or are they intended as a special boon for the northern mechanic and the day laborer? Are such laws intended by the aristocracy for any other class than those who occupy the position of the laborers in the northern States? Is it not astonishing that the laboring classes of the North should have rested so patiently under an insult so gross? I trust they will vindicate their character and their honor by hurling from power and place all who endorse such laws.

This slavery agitation has been going on for many years. About the year 1835 it had attained such a strength in this country, and it had sought to exert its influence upon the slaveholding States to such an extent, by means of the vilest publications and pictorial representations disseminated through the mails, and by travelling agents, calculated “to produce dissatisfaction and revolt among the slaves, and to incite their wild passions to vengeance,” that it attracted the attention of General Jackson, the then President of the United States. He invited the special attention of Congress to it in his message of December, 1835, and recommended a remedy. “In connexion,” said he, “with these provisions in relation to the Post Office Department, I must also invite your attention to the painful excitement produced in the South by attempts to circulate through the mails inflammatory appeals to the slaves, and in various sorts of publications, calculated to stimulate them to insurrection and to produce all the horrors of a servile war.” In consequence of this recommendation of General Jackson, the subject was taken up by Congress, and an act subsequently passed, which prohibited the use of the mails for such murderous and incendiary purposes.

The objects which the abolitionists then had in view, as a reference to their petitions will clearly demonstrate, are—

First. The abolition of slavery in the District of Columbia.

Second. The exclusion of slave States from admission into the Union, Florida being at that time particularly struck at by them.

One of the first governors of any State that took a position in behalf of the agitation, and fully and squarely endorsed it—that undertook to denounce those northern statesmen who resisted the abolition movement, and to denounce all action on the part of the Congress of the United States for the protection of the southern half of this nation against their insane war upon its rights and its peace—was the then governor of the State of Pennsylvania, Joseph Ritner; and among the men who arrayed themselves prominently in opposition to the recommendations contained in his annual message was one of the present candidates for the presidency of the United States. Mr. Buchanan in his speech delivered at Lancaster on the 18th of August 1838, immediately previous to the gubernatorial contest between Ritner and Porter, discussed with great power and ability the questions involved in that election; and I quote the following extracts from his speech made on that occasion:

“Mr. Buchanan said there was one subject of vital importance to the peace and perpetuity of the Union, which had not occupied much of the attention of the former speakers; and, therefore, he would make a few remarks upon it. He referred to abolition.

“Before the spirit of abolition had been conjured up from its dark abode by political fanatics and hot-headed enthusiasts, all was comparatively peaceful and tranquil in the southern States.

“When the message of Gov. Ritner was received in Washington, in 1836, it was considered by all as an abolition message, and, as such, it produced an impression which I shall never forget. With the utmost anxiety depicted on the countenances of inquirers, was I asked over and over again, whether, in my opinion, it spoke the voice of Pennsylvania. The Keystone State, which had been the firmest bulwark of the Union, and had always respected the constitutional rights of her sister States, had embraced, so far as her governor could commit her, the creed, and had placed herself in the front rank, of abolition. *It remains for the people of this great Commonwealth, at the next election, to ratify or reject the doctrines of this message. I consider the question*

to be one of transcendent importance, involving in itself the fate of the Union, and all that is near and dear to the friends of constitutional liberty, not only here, but throughout the world.

"I might here also proceed to illustrate the effects of the triumph of this doctrine. What would be your situation, fellow-citizens, if negroes were admitted to an equality of political and social rights with white men and white women? You have already had a foretaste of it in the scenes which were exhibited at Pennsylvania Hall. The subject is too disgusting, and I recoil from it."

These extracts show the position Mr. Buchanan then occupied upon this exciting subject, and set forth frankly the great consideration that influenced his mind in taking that position at that early day. He admonished his people then, that it was a war commenced which must sooner or later, if it continued, end in a dissolution of the Union. At that very time, as now, the ground was taken that slavery must be abolished in the District of Columbia; that no more slave States should be admitted into this Union; that no more slave Territories should be organized—that the North was to resist even the admission of Florida—a State lying at the extreme South hundreds of miles distant from any free State, and bounded only by slaveholding States of the Union.

These gentlemen say slavery is to go no further. Now let us see what has been the past action of their fathers in regard to the question, so that we may ascertain how far they are honoring their ancestors in the course which they are now pursuing. Since the formation of this government with the original thirteen States, eighteen have been added to the Union, making the present number of thirty-one; and of these eighteen so added, nine have been free States and nine have been slave States. And these new States, with the exception of one or two, have been admitted *pari passu*, or with very short intervals between the admission of the northern and of the southern States, in order that the equilibrium might be kept up between the North and the South in the Senate. Let me call attention to the order in which they came into this Union, under the rule and influence of our ancestors, who filled the seats in Congress which are now held by us.

Vermont and Kentucky, Tennessee and Ohio, Indiana and Mississippi, Illinois and Alabama, Maine and Missouri, came in together, or near the same time. And, mark you, sir, when Missouri was admitted the State of Maine was cut off from the then State of Massachusetts for the purpose of keeping up the equilibrium between the North and the South. When has a slaveholding State been divided for any such purpose as this in the history of the government? And where is the record to show that our fathers from the South were then, as you are now, resisting every effort to keep up the equilibrium between the North and South, and thereby preserve the rights of both sections by the equipoise in the Senate? So it was with Arkansas and Michigan. So it was with Florida and Iowa. But how is it now? The equilibrium is destroyed. You have sixteen of the States of this Union, while we have but fifteen. You have, therefore, a majority of the Senate; you have a majority of both branches of Congress. And if now you are to have the Executive, if you can wield the power of the Senate as you can wield the power of the House, to what extent do you propose to go? Do you propose to try the experiment how far we will submit—quietly and tamely submit to your demands? Do you propose, as suggested by the gentleman from Ohio, to exercise your power *moderately and temperately*, to draw a line around the slave States, and see whether we will submit?

Not only that, but look at the advantage you have gained over us in another respect. Out of the seven organized Territories now in existence, six of them are free, to wit: the Territory of Minnesota—which I understand you propose to divide, to admit one portion as a State now into the Union, and to organize the residue into another Territory, which is also to be free—the Territory of Oregon, the Territory of Utah, the Territory of New Mexico, the Territory of Washington, and the Territory of Nebraska—leaving only the Territory of Kansas to become a slave State.

Here you have six Territories, all of which are to be free, leaving but one in which there is a chance for the continuance of slavery. All of these Territories will come into this Union nearly about the same time; and at a time, too, when you have one majority of the States in your favor, and, therefore, the undoubted control of the Senate. To obtain this control, New England is divided into six States—the whole six about the size of Missouri, and greatly less than Texas. The slave States are large in territorial extent, whilst the free States are generally small; and hence representation in the Senate is grossly unequal. Rhode Island is made equal to Missouri; Connecticut is a counterpoise to Virginia; Vermont, with all its abolitionism, is an offset to Georgia, the Empire State of the South. And yet you talk about illiberality, and of the injustice and aggressions of the South! Northern and southern men have voted together in the organization of Territories—they have stood side by side, and no question was raised in regard to them. Now, after you have these advantages secured, you undertake to say you will have all, or—as the gentleman from Ohio [Mr. Wade] says—you will draw the line around the slave States, and exclude from all participation in the territory secured by the common blood and treasure of all the States of the Union.

Well, what is the pretext now for all the clamor that has been gotten up in the country? The pretext is, that there is a bare possibility that the Territory of Kansas, organized in 1854, may become a slave State. That they are not *sure* they have obtained all has so excited the northern people that they feel bound to resist, and are determined to resist, the laws of Con-

gress, unless Kansas shall be surrendered by the South—shall become a free Territory, and consequently a free State. When the Kansas territorial bill was under consideration here, the editorial leader of the present revolutionary party who wields the power in this House—none other than Mr. Greeley, of the New York Tribune—who proclaimed that he would rather see this Capitol “blaze by the torch of the incendiary” than that the Kansas bill should become a law.

The following is an extract from one of his many incendiary articles on this subject:

“We urge, therefore, unbending determination on the part of the northern members hostile to this intolerable outrage, and demand of them, in behalf of peace, in behalf of freedom, in behalf of justice and humanity, resistance to the last. Better that confusion should ensue—better that discord should reign in the national councils—*better that Congress should break up in wild disorder—nay, better that the Capitol should blaze itself by the torch of the incendiary, or fall and bury all its inmates beneath its crumbling ruins, than that this perfidy and wrong should be finally accomplished.*”

From the time this article was written to the present hour Greeley and his allies have spared no effort to array one section of the country against the other. They are the advisers and endorsers of all the revolutionary movements on foot here. In this connexion, I quote from a late letter of W. O. Duval, another leading New York republican, to show the purposes of these men:

“I sincerely hope a *civil war* may soon burst upon the country. I want to see American slavery abolished in my day—it is a legacy I have no wish to leave to my children; then my most fervent prayer is, that England, France, and Spain *may speedily take this slavery-cursed nation into their special consideration*; and when the time arrives, for the streets of the cities of this land of the free and home of the brave’ *to run with blood to the horses’ bridles, if the writer of this be living, there will be one heart to rejoice at the retributive justice of Heaven. This, of course, will be treason in the eyes of the doughfaces in this land. Well, they are familiar with Dr. Henry’s celebrated prescription—‘make the most of it.’*”

They went to work to execute the purposes so boldly avowed by these republican leaders. After the Kansas-Nebraska bill was passed, who were the first to organize a party here for the purpose of resistance? I do not know whether you, sir, [Mr. HAVEN,] were one of the number, or not, but I understand that the gentleman who presides over this House [Mr. BANKS] was one of the leading spirits in the organization. Mr. MACE has testified before the Kansas investigating committee that he was one, and he has stated that that organization was made up of nearly all the members of the anti-Nebraska party of this House. What object was that organization intended to secure? In the language of Mr. MACE, “the leading, primary object of the association was to prevent the introduction of slavery into Kansas;” and they believed that unless “vigorous steps of that kind were taken, Kansas would become a slave State.” They were not willing to leave the question to the decision of the people of the Territory.

The following are extracts from Mr. MACE’s testimony, on page 1132, report No. 200, House of Representatives:

“Immediately after the passage of the Kansas-Nebraska act, I, together with a number of others, who were members of Congress and senators, believing that the tendency of that act would be to make Kansas a slave State, in order to prevent it, formed an association here in Washington, called, if I recollect aright, ‘*The Kansas Aid Society.*’ I do not remember all who became members of that society, but quite a number of members who were opposed to slavery in Kansas, of the lower House, and also of the Senate, became members of it, and subscribed various sums of money. I think I subscribed either \$50 or \$100; I am not now prepared to say which.

“I think Mr. Goodrich, of Massachusetts, was the president of the society. I am not certain about the vice-presidents; probably Mr. Fenton, of New York, and myself, were vice-presidents. The names of the president and vice-presidents were attached to our circulars, which we sent throughout the country.

“My recollection is, that, generally, those members of the House and Senate who were opposed to the Kansas-Nebraska act became members of this society, and contributed to it.

“I think no other object was mentioned or specified, except the *prevention of slavery in Kansas.* I think that was the *sole object* of the movement.

“I do not recollect whether Mr. Speaker Banks was a member of that society or not, or whether Senator Seward was or not. Mr. Goodrich kept the books. My impression is that a majority of those who voted against the bill were members of that organization. I do not remember the total amount of money raised by means of that organization.”

This is what was done just after the passage of the bill, by the members of Congress here at the Capitol. This was the first step. Well, then, sir, let us see what was done in Kansas as the next step in the progress of the revolution. At the meeting held at Big Springs on the 5th September, 1855, (see page 89,) it was

“*Resolved, That every reliable free-State man in the Territory be furnished with a rifle, a brace of pistols, and a sabre gratis; and that he be required to take an oath to come when called upon, and muster into service under his superior officer, and to sacrifice his life, if necessary, to rescue the person and property of any person who would be brought under the jurisdiction of the present laws of the Territory.*”

Such are the recommendations in Kansas. “Every reliable free-State man in the Territory”

was to be "furnished with a rifle, a brace of pistols, and a sabre gratis," and he was to be bound to fidelity by the obligations of "an oath." Their purpose to resist the laws of the Territory by force, is boldly avowed in this resolution.

These are "temperate" gentlemen; "moderate" gentlemen! They are law-abiding men! They love this Union! they respect the constitution! and they are anxious to see them preserved! And yet, after the Kansas bill was passed by a constitutional majority of both houses of Congress, after it was constitutionally approved by the President, and became a law of the land, the very men, many of whom have been subsequently sent to Kansas by senators and representatives in Congress, met together and "peaceably" adopted a resolution to furnish every man with "a rifle, pistol, and sabre," to exclude the South from Kansas by the use of money and arms.

Let us see what more they did. I charge here that they swore them to the commission of TREASON, and I intend to prove it. Out of their own mouths will I convict them. From the evidence taken by the commission sent to Kansas, as imbodyed in the report to which I have before referred, I will demonstrate the charge which I have preferred against J. H. Lane and his free-State conspirators.

I rely upon the deposition of the Rev. Andrew J. Francis, which was taken by the commission in Kansas, and is recorded at pages 91, 92, 93. Here is the oath which he says was administered to him by James H. Lane, a leader in the treasonable order of the "*Kansas Regulators*," of which Andrew H. Reeder was also a member. Listen to it, I beg you, with attention:

"I, of my own free will and accord, in the presence of Almighty God and these witnesses, do solemnly swear that I will always hail, forever conceal, and never reveal any of the secrets of this organization to any person in the known world, except it be to a member of the order, or within the body of a just and legal council. I furthermore promise and swear, that I will not write, print, stain, or indite them on anything moveable or immovable, whereby the least figure or character may become intelligible to myself or any other person. I furthermore promise and swear, that I will at all times, and under all circumstances, hold myself in readiness to obey, even to death, the orders of my superior officers. I furthermore promise and swear, that I will at all times, and under all circumstances, use my influence to make Kansas a free white State. I furthermore promise and swear, that, all things else being equal, I will employ a free-State man in preference to a Missouri man, or a pro-slavery man. I furthermore promise and swear, that all business that I may transact, so far as in my power, shall be transacted with free-State men. I furthermore promise and swear, that I will at all times, and under all circumstances, hold myself in readiness to take up arms in defence of free-State principles."

And to what extent? I ask the majority of this House, who have undertaken to endorse these men, to listen to what extent: "EVEN THOUGH IT SHOULD SUBVERT THE GOVERNMENT." And yet there is found a majority of this House—a large majority of gentlemen on this floor from the northern portion of the Union—who are ready to endorse the conduct of this man, who is now claiming admission into the other end of this Capitol as a senator—a man who administers oaths that impose the crime of treason upon the party who is to fulfil the obligation!

Sir, are not these revolutionary times? Has anything like this ever been heard of before in the Capitol of these United States? Has anybody been found willing to endorse men who have subscribed to an oath to commit treason against the government of the United States? But, sir, that is not all. Hear the balance of this horrid oath:

"Even though it should subvert the government, I furthermore promise and swear, that I will at all times, and under all circumstances, wear upon my person the regalia of my office and the insignia of the order. I furthermore swear, that I will at all times, and under all circumstances, wear on my person a weapon of death. I furthermore promise and swear, that I will at all times, and under all circumstances, keep in my house at least one gun, with a full supply of ammunition. I furthermore promise and swear, that I will at all times, and under all circumstances, when I see the sign of distress given, rush to the assistance of the person giving it, even when there is a greater probability of saving his life than of losing my own. I furthermore promise and swear, that I will, to the utmost of my power, oppose the laws of the so-called Kansas legislature. I furthermore promise and swear, that when I hear the words of danger given, I will repair to the place where the danger is. I furthermore promise and swear, that if any part of my obligation is at this time omitted, I will consider the same as binding when legally informed of it. I furthermore promise and swear, that, at the first convenient opportunity, I will commit this obligation to memory. To all of this I solemnly swear, without equivocation or self-evasion, binding myself under the penalty of being declared a perjurer before Heaven and a traitor to my country."

After this oath had been repeated to him, Mr. Francis stated to Lane that it "was a very serious obligation." Lane replied "it was," and then proceeded to instruct him in the signs, grips, and pass-words of the order. After detailing much other conversation, the witness says:

"I remarked to the Colonel that I was sworn to support those laws in taking my oath as a lawyer, and that I considered that that oath was administered by a higher power than he exercised, and hence I should not keep the obligation he had given to me; and under no circumstances would I do anything to subvert the institutions of the country, or place myself in opposition to the laws; and he might depend upon it, I would expose it the first convenient opportunity. I also told him I could not consistently keep both obligations that had been imposed upon

me; that I was also a member and minister of a religious denomination, and that it would not be consistent with my Christian duties to keep the obligation he had imposed on me; that I should most certainly, when the subject came up, expose it. *He stated then to me that if that was my determination, and I did express myself so publicly, I would hardly get away from the city with my life.* I replied to him that I would express myself so under all circumstances, both in public and private."

Talk about the evil effects of slavery upon the morals and patriotism of those who own this species of property! When or where has the history of the South been disgraced by such acts as sully the characters of these free-State patriots of Kansas?

Again, sir: Andrew H. Reeder was before this House the other day, and received eighty-eight votes for his admission as delegate from the Territory of Kansas. He was not elected in pursuance of any law, but in defiance and violation of all law—territorial and congressional—and yet, sir, eighty-eight men (members of this House) voted to assign to him the seat of Whitfield. In a letter to one of his brethren in Kansas, bearing date January 20, 1856, (while he was in attendance upon this House,) Reeder advised *the packing of juries, as a "surer reliance"* for free-State men than the Supreme Court. His letter will be found on pages 1134 and 1135 of the report:

"You speak of your probably coming on here in February, as the legislature meets in March. I do not see how you can do this, in case you are elected; nor do I now see how you are to get your case into the Supreme Court of the United States, except by writ of error, and that can only be after judgment and at a great expense; nor do I see how you can raise, in the Supreme Court, any point as to the validity of the laws, except the one of their removal to the Mission. I have, however, not examined the case; still, I should think that a few free-State men on the jury would be a surer reliance than the Supreme Court. I should hesitate long before spending much money on the latter. I note what you say about Lane. It is all very well; but it is a good rule never to make an enemy unnecessarily, or to aggravate one without cause. Why not continue to correspond for the 'Post,' or some other paper?"

"Remember me kindly to Robinson and Conway and other friends. Latter is also here.

"Yours, truly,

A. H. REEDER."

Such is the man whom you have been seeking to bring into this House; a man who never has claimed that he was elected in pursuance of any law of the land; a man who has advised his followers, for the purpose of defeating the great ends of justice, to pack juries; and yet, with this evidence spread out before them, 88 men in this House have voted to admit him as a delegate from the Territory of Kansas! Verily, sir, these are strange times, and things are greatly out of joint, when men can, by the mere force of party drill, be brought up to a position like this.

But let us go a little further: I now call the attention of the committee to some remarks of Mr. Thayer who is the treasurer of one of these emigrant aid societies, and who delivered an address at Brooklyn, New York, last winter. I have that address now before me, and desire to call attention to certain portions of it, to show the power of the organization, its purposes, and the means employed:

"I come to ask you if this mighty organization shall be sustained?"

"They go as the apostles of liberty in the West.

"The first men who went to Kansas went there to establish freedom.

"But there are other reasons why this organization ought to be sustained. It benefits the country by placing in the West the institutions of the North."

"If this is done" (the power of the organization increased) "the lecturer pledged himself to furnish men who would put themselves under bonds that Kansas will be a free State.

"There was even a possibility that the EMIGRANT AID SOCIETY, or some other northern organization, would yet direct their efforts towards the colonization of VIRGINIA.

"It is a fact that the North can be united upon one thing, and that is, making money; and money power is the only power that is fit to be pitted against slavery."

These extracts furnish food for serious and anxious reflection. They show clearly that the purpose has been to make Kansas free territory, even if it were found necessary to subvert the government to accomplish the object. Kansas secured, their efforts are then to be directed to Virginia.

The proposition is here laid down, that *their money, their associated wealth, their capital* in the North, is to be used for the purpose of increasing their power, and is to be placed in the scale against the South, in the hope and under the confident belief that the South is to be weighed down by their money power. These are the means they rely upon to carry out their schemes in regard to this Territory of Kansas. They expect by the aid of money to accomplish, not only in the Northwest and the West, but by means of its influence to accomplish in the South, all that they desire to effect.

Six of the seven Territories are under northern institutions and influences, and yet such unlawful practices to exclude southern men and southern institutions from the seventh and last Territory are upheld, countenanced, and passionately justified by a majority of northern representatives in Congress.

Are such practices in accordance with the views and judgments of the people of the North? I think not. The fanatics think they are. An authoritative decision at the polls will soon decide, beyond the possibility of mistake, which opinion is correct. I await that decision with

confidence and with hope. Upon that decision depend vast interests, and the future harmony and welfare of our country. May the electors so discharge their high duty as to *honor*, in verity and truth, their high-toned, just, constitution-respecting and Union-loving forefathers!

The Topeka constitution—the premature offspring of anarchy—comes next in these revolutionary movements. The convention which framed the constitution was not in any sense legally or properly organized, and the adoption of the constitution was not the result of the regular and solemn action of the popular power of the Territory. Its adoption was a miserable farce, without a parallel in the history of the nation. In proof of this, let candid men decide when they shall read the facts of its history as they are recorded:

About midnight the President said:

“Gentlemen: The constitution has been read for the first time; those in favor of its passage will signify the same by saying aye.”

“Aye!” shouted every delegate without exception, in a loud and enthusiastic tone.

“I move that the constitution be read a second time by its title,” said Mr. Parrott.

“The constitution of Kansas,” read the secretary.

“Those in favor of its passage,” said the President, “will signify by saying aye.”

I never saw such a perfectly dramatic scene as I looked at when the president said so. Every delegate involuntarily held up his hand and shouted *aye*—half rising as he gave in his vote.

“I move that the constitution be read by its title a third time,” said Mr. Delahay.

It was read the third time, and again the president put the question.

An enthusiastic “aye” succeeded.

“The constitution is adopted,” said the president.

“Three cheers for the first free constitution of Kansas,” said Mr. Schuyler, of Council city.

Every delegate and spectator immediately raised his hat, and, waving it in the air, gave three times three loud, long, and hearty cheers.

As the sound of the cheering died away, the hour and minute hands of our watch were pointing at XII.

Such was the mode of its adoption, as described by an eye-witness—the correspondent of the “*St. Louis Democrat*!”

This constitution, thus adopted, a majority of the House desire to recognise. It is my purpose to show that a constitution gotten up in such manner violates every principle which lies at the foundation of our government, and is at war with the genius and sober usages of the American people. In support of this position I will rely upon an authority which I suppose no northern man will question. I allude to Daniel Webster's great argument before the Supreme Court of the United States in the case of *Martin vs. Luther M. Borden* and others, delivered on the 27th day of January, 1848. I will hurriedly enunciate the principles laid down by Mr. Webster, for the purpose of making an application of those principles to this Topeka constitution, and the manner of its adoption:

“First, and chief, (said Mr. W.) no man makes a question that the people are the source of all political power. Government is instituted for their good, and its members are their agents and servants.”

Again Mr. Webster says:

“Let all admit, what none deny, that the only source of political power in this country is the people. Let us admit that they are *sovereign*, for they are so; that is to say, the aggregate community, the collected will of the people, is sovereign.”

Again Mr. Webster says:

“Having agreed that all power is originally from the people, and that they can confer as much of it as they please, the next principle is, that, as the exercise of legislative power and the other powers of government immediately by the people themselves is impracticable, they must be exercised by the REPRESENTATIVES of the people; and what distinguishes American governments as much as anything else from any governments of ancient or of modern times, is the marvellous felicity of their representative system.”

Again Mr. Webster says:

“The power is with the people; but they cannot exercise it in masses or *per capita*; they can only exercise it by their representatives.”

“Now, the basis of this representation is suffrage.”

“This being so, then follow two other great principles of the American system:

“The first is, that the right of suffrage shall be guarded, protected, secured against force and against fraud. And the second is, that its *exercise* shall be prescribed by *previous law*; its *qualifications* shall be prescribed by *previous law*; the *time* and *place* of its exercise shall be prescribed by *previous law*; the *manner* of its exercise—under whose supervision—*always sworn officers of the law*—is to be prescribed. And then, again, the results are to be certified to the central power by some *certain rule*, by some *known* public officers, in some *clear* and *definite* form, to the end that two things may be done: first, that every man entitled to vote may vote; second, that his vote may be *sent forward* and *counted*, and so he may *exercise his part of sovereignty* in common with his fellow-man. In the exercise of political power through representatives we know nothing, we never have known anything, but such an exercise as should be *carried through the prescribed forms of law*; and when we depart from that we shall wander as widely from the *American track* as the pole is from the track of the sun.”

Let me make an application of these principles to Kansas. Was the “right of suffrage,” as exercised in the election of delegates to the convention that formed the Topeka constitution,

"guarded, protected, and secured against force and against fraud?" Were they elected under and by virtue of law, passed by any competent authority, either congressional or territorial? Were there any sworn officers to conduct that election? Was there any certain place or central point to which the results of the election might be certified? Were there any of the forms and solemnities of law which were calculated to guard the ballot-box, and to protect it against force and against fraud? Was anything done to secure a fair expression of the public sentiment of all parties in the Territory—to allow every man to vote who had the right to vote, and to deny to those who had not that right the privilege of voting?

I defy mortal man to show a solitary instance in the history of this country where there has been a greater departure from the "American track" than in this instance of the Topeka constitution, which was brought in here and adopted by this House.

Hear Mr. Webster again :

"We are not to take the will of the people from *public meetings*, nor from tumultuous assemblies, by which the timid are terrified, the prudent are alarmed, and by which society is disturbed. These are not *American* modes of signifying the will of the people, and they never were."

Once more from Mr. Webster :

"Is it not obvious enough that men cannot get together, and count themselves, and say they are so many hundreds, and so many thousands, and judge of their own qualifications, and call themselves the people, and set up a government? Why, another set of men, forty miles off, on the same day, with the same propriety, with as good qualifications, and in as large numbers, may meet and set up another government," &c. "What is this but ANARCHY?"

Yes, sir! and what was it in Kansas but "*anarchy*?" A set of desperate men, lusting for power and place, got together, declared that their party constituted the majority of the people of Kansas, judged of their own qualifications, and set up a State government. If Mr. Webster were living, and had this day written the lines I have just read in your hearing, he could not have described the conduct of the free-State party in Kansas with greater accuracy and force. Indeed, these lines look as if they had been written with special reference to this case: "*What liberty*" (said Mr. W.) "*is there here, but a tumultuary, tempestuous, violent, stormy liberty—a sort of South American liberty, without power except in its spasms—a liberty supported by arms to-day, crushed by arms to-morrow. Is that OUR LIBERTY?*"

"Is that *our* liberty?" No, thank God! Ours is a liberty regulated by law. It is not "a liberty supported by arms." It is not a "violent stormy liberty" of the South American kind. Ours is a rational liberty, and such it has been everywhere in our country, until a band of lawless men in Kansas inaugurated revolution, boldly assailed the laws of the land, and attempted to subvert the government.

In the year 1843 Mr. Clay addressed a letter to Rev. Walter Colton, in which he requests Mr. C. to write a tract on the subject of abolition, and in that letter he speaks of the abolition party in the following language:

"It is manifest that the ultras of that party are extremely mischievous, and are hurrying on the country to fearful consequences. They are not to be conciliated by the whigs. Engrossed with a single idea, they care for nothing else. They would see the administration of the government precipitate the nation into absolute ruin before they would lend a helping hand to arrest its career."

After making several suggestions in regard to the points which should be made in the tract, he says:

"But the great aim and object of your tract should be to arouse the laboring classes in the free States against abolition. Depict the consequences to them of immediate abolition. The slaves, being free, would be dispersed throughout the Union; they would enter into competition with the free laborer—with the American, the Irish, the German—reduce his wages, be confounded with him, and affect his moral and social standing. *And as the ultras go both for abolition and amalgamation, show that their object is to unite in marriage the laboring white man and the laboring black woman, to reduce the white laboring man to the despised and degraded condition of the black man.*"

I have not time to comment on these views of Mr. Clay. Having alluded in another part of my remarks to some of the points suggested in these extracts, I pass on to other questions which I feel called upon to discuss, and which, in my judgment, demand the serious consideration of the national conservative men of our country.

This revolutionary spirit exists not only in the Territory of Kansas, but I fear it is spreading. It has shown itself here amongst us. On the 21st day of July the distinguished gentleman from Indiana [Mr. DURN] addressed this House. I listened to his remarks on that occasion with regret. I could but lament that his brilliant genius was not employed in denouncing those who are fomenting and encouraging strife in Kansas, by the aid and comfort which they are furnishing to the revolutionary party there.

Every gentleman will recollect the fire, the energy, and the severity which marked the utterance of every sentence. When it was delivered the House was taken by surprise. No one expected (at least I did not) such sentiments from that quarter. I knew he was opposed to the repeal of the Missouri Compromise, and was anxious to see it restored; but it never occurred to me that he was willing to "*cut off the supplies and stop the wheels of government,*" un-

less that restoration were effected. The restoration of that odious line will never give "peace" to the country. The extracts which I quote from that speech will show its tone and spirit:

"The chairman of the Committee of Ways and Means [Mr. CAMPBELL] has told us we must remain here until the appropriation bills are passed. Sir, I have intimated heretofore, and now deliberately repeat, that, until some measure shall be passed into a law which will, to my mind, give assurance of a just and permanent settlement of these troubles in Kansas, no appropriation will ever pass this House by my vote. I will not grant one dollar to maintain and advance the movements of the government in a course which promises nothing but universal ruin. I will give no support and no countenance in any way to such a deplorable state of affairs as we are now in the midst of; much less will I give means still further to advance and aggravate this condition of things. I speak for myself alone, and without reserve or hesitancy. I would cut off the supplies and stop the wheels of government rather than let it move an inch further in its present most ill-directed and perilous course. If those who control that course are refractory—if they will not heed the clear and distinct utterances of an overwhelming public sentiment, justly aroused to indignation against a great wrong—if the dangers that threaten us will not warn or check them—I would cut off the sinews of power, and thus compel *submission* to an overwhelming public necessity. [Cries of 'Good!' 'That is it!' 'That is the doctrine?'] I would promptly and sternly meet the consequences of such a course, whatever they might be. It is a remedy allowable under our institutions. It is not revolutionary or violent, but lawful, peaceful, quiet, and *effective*. It is a means of certain redress against the abuse of power and attempted usurpations, without the terrible resort of revolution."

And again, near the conclusion, I quote this emphatic language:

"Sir, from the first to the last, I have steadily labored with an unwavering determination that has never faltered since the passage of the Kansas-Nebraska act, until this moment, for the restoration of the Missouri restriction. With a purpose that I have never lost sight of, and that I never will lose sight of, until that is accomplished, so long as I hold a seat upon this floor, or can, by my vote elsewhere, promote that object, I shall continue to labor with unyielding stubbornness for that restoration in some shape or other. I am impelled to this because, in the first place, it is *right*; and in the second place, because there is no peace for the country, and there can be no *peace*, until that is—in substance or in terms—in some form or other—accomplished. Let gentlemen North and South consider the matter well, and they will be constrained to this same conclusion. Let them remember, if they please, that in all *future time*, or until this restriction is again applied to the Territories of Kansas and Nebraska, there neither can, nor will, be peace. I speak this with no meaning of offence or spirit of threatening, but rather as a fact which men may deplore or defy as they will; such is our certain, our necessary future."

I know not how they may be regarded by others, but, to my mind, these sentiments are revolutionary, and, if carried out, political confusion and ruin must be the result. When those sentiments were responded to upon the other side of the hall by the term "Good, good," it was calculated to make the impression, not only upon the minds of this House, but upon the mind of the country, that there was a party here, who, in the language of Col. Lane, were ready to carry out their purposes, "even though it should subvert the government."

Look at the amendment which has been engrafted upon the army appropriation bill. The remarks made upon the other side of the House to-day, in regard to the appropriations for the salaries of the territorial officers of Kansas, show clearly that they are ready "to cut off the supplies, and to stop the wheels of government," be the consequences what they may. They have the power—we shall see whether they will use it.

There is another thing in this connexion to which I wish to call attention. While these gentlemen have undertaken on all occasions here to denounce the President of the United States, there never has been, in the history of this government, a higher tribute paid to executive honesty and integrity than was paid unconsciously by the gentleman from Ohio and his allies in the adoption of his amendment to the army bill. The whole power of the army is placed by these gentlemen at the discretion of the President to suppress insurrection, to repel invasion, and to keep peace and order in Kansas, without anything to control his action save his own mere will. Those very gentlemen who have been assailing him for months as untrustworthy and as having prostituted his office for the purpose of increasing the slave power, have voted for this amendment. The republican majority have secured its adoption, and it now stands as the recorded evidence of their confidence in Franklin Pierce:

"*Provided, nevertheless, That no part of the military force of the United States herein provided for shall be employed in aid of the enforcement of the enactments of the alleged legislative assembly of the Territory of Kansas recently assembled at Shawnee Mission, until Congress shall have enacted either that it was or was not a valid legislative assembly, chosen, in conformity with the organic law, by the people of the said Territory; And provided, That until Congress shall have passed upon the validity of said legislative assembly of Kansas, it shall be the duty of the President to use the military force in said Territory to preserve the peace, suppress insurrection, repel invasion, and protect persons and property therein, and upon the national highways in the State of Missouri, from unlawful seizure and searches. And be it further provided, That the President is required to disarm the present organized militia of the Territory of Kansas, and recall all the United States arms therein distributed, and to prevent armed men from going into said Territory to disturb the public peace or aid in the enforcement or resistance of real or pretended laws.*"

Let it go forth to the country, that the majority here, in direct opposition to all their pro-

fessions, have passed this proviso, and have thus given assurance to the nation that implicit reliance can be reposed in the President's wisdom, honesty, and patriotism.

In these revolutionary times it was not to be expected that the judiciary could escape the assaults of the enemies of law and order. In the Washington correspondence of the New York (daily) Times of the 30th of July last, Judge Crawford, of this District, is thus spoken of:

"It becomes an important question what shall be done to reform the criminal court of this District. Impeach Judge Crawford, some say. I answer that party spirit will sustain him, and, for proof, refer to votes of Congress already recorded during the present session. Another remedy is to legislate him out of office; that cannot be done, because the democratic Senate will interpose its negative, or President Pierce his veto. The only thing which *can* be done is to refuse to vote his salary in the general appropriation bill, and so force him to resign. The measure is an extreme one; but if it is necessary, as it would seem that there can be no doubt, the friends of justice and humanity ought not to hesitate."

In this age of revolutionary progress, everything must be made to conform to the will of the dominant majority here. Even the judiciary, created for the protection of person and property, must decide according to the will of the majority in this House, or be legislated "out of office!" Must the earth quake before the people cease to sleep?

And, finally, it has been intimated in reference to the presidential election, that if the ballot-box does not secure a triumph for their candidate they will try the merits of the cartridge-box. If Col. Fremont cannot secure strength enough before the people to elevate him into the presidential chair, other means are to be resorted to.

I allude in this connexion to the remarks of James Watson Webb, an editor of one of the organs of the republican party—an editor who wields a vast influence over that party, and has much to do in directing its movements. In the Philadelphia convention he is represented to have said:

"They ask us to give them a nomination which, when put fairly before the people, will unite public sentiment, and, through the ballot-box, will restrain and repel this pro-slavery extension, and this aggression of the slaveocracy. What else are they doing? They tell you that they are willing to abide by the ballot-box, and willing to make that the last appeal. *If we fail there, what then? We will drive it back, sword in hand, and, so help me God! believing that to be right, I am with them.* [Loud cheers, and cries of 'Good!']"

Is this not the language of a revolutionist? Is it not the language of a man who regards the success of his party as of far more consequence and importance than the peace of his country? If they fail to secure a triumph at the polls, then they will resort to arms! Let all true national men who love the Union bear these things in mind, and prepare to meet the alarming issue tendered.

A word or two more in regard to the Kansas question, and I am done. When the Territory of Kansas was first organized, Missourians, in common with citizens of the other States, feeling a deep interest in the institutions of their own State, and anxious to secure protection, as far as possible, to their interests, removed over in large numbers into Kansas, staked off their claims, and made all the necessary arrangements to remove their families at the earliest moment. Had they not the right to do it? Was it not a part of the privileges of American citizens, when that Territory was thrown open to settlement, if they thought they could better their condition, secure homes more desirable, advance their happiness, and promote their pecuniary interest, to go, in common with others, into that Territory, and found institutions like their own? I imagine there never has been a time in the history of Kansas when a majority of the people of that Territory were not citizens of the State of Missouri. At this time I imagine that a majority of the entire population of Kansas are those who have removed from the State of Missouri into the Territory.

And now let us see what you propose to do. Suppose your proposition to remove the army from Kansas is carried out—an army located there upon your own application—what will be the result? Strife, war, and bloodshed, between free-State settlers and the settlers of the pro-slavery party in that Territory. Is there a man among you, from all the northern States, in the event of such difficulties occurring in that Territory, who would not, in his own district, raise one regiment, and furnish it with supplies and ammunition, and send it into the Territory for the purpose of protecting, aiding, and sustaining his free-State friends? Is there one man upon the other side of the House who, when war had actually broken out, and life was being sacrificed—when everything portended a battle which must end in the extermination of one party or the other—I say, is there one upon that side of the House who voted for the admission of Andrew H. Reeder as delegate, who would not, under such circumstances, recommend to his constituents to arm themselves, and encourage them to march to the aid of their free-State brethren? The pro-slavery party would take the same course, and thus both parties would send their regiments into that Territory from which the United States troops, in obedience to your wishes, and in conformity with your legislation, had been withdrawn. If that army had not been sent there to preserve the peace, we should have heard far louder shrieks for freedom than have yet been heard. They would have been heard all over the country. It was necessary to pursue that course in order to protect the free-State party in that Territory, and save them from the hands of those they had so greatly outraged. Had the army been withdrawn, the result would have been that we should have had a sectional fight long before this day. The South would have sent men and money to the assistance of their

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