

SPEECH  
OF  
HON. JOSEPH LANE, OF ORE.,

IN REPLY TO  
SENATOR JOHNSON, OF TENNESSEE,

DELIVERED IN

THE SENATE OF THE UNITED STATES, DEC. 19, 1860.

Mr. LANE. I could not hope, Mr. President, to reply to the remarkable speech of the honorable Senator from Tennessee within the time that the Senate would be willing to listen to me; nor at this late hour could I expect to reply to his very long speech. He has spoken very handsomely of the gallant conduct of that glorious band, the northern Democracy of the country, who, though in a minority at home, have struggled for the rights of their southern brethren — for the equality and rights of all the States. I belong to that portion of the people of this country: and I will say to that honorable gentleman that while they struggle for the constitutional rights of the other States of the Union, as they have always done, and as they will continue to do, there is one thing that they will not do: they will not march under his banner to strike down a gallant, chivalrous, and generous people contending for rights that have been refused them by the other States of this Union. They will not march with him under his bloody banner, or Mr. Lincoln's, to invade the soil of the gallant State of South Carolina when she may withdraw from a Confederacy that has refused her that equality to which she is entitled, as a member of the Union, under the Constitution. On the contrary, when he or any other gentleman raises that banner and attempts to subjugate that gallant people, instead of marching with him, we will meet him there, ready to repel him and his forces. He shall not bring with him the northern Democracy to strike down a people contending for rights that have been refused them in a Union that ought to recognize the equality of every member of the Confederacy.

Mr. President, to take up this remarkable speech, to analyze it, to review it, and to consider it in the manner that it deserves, would require more time than I can expect to have; but I may be permitted briefly to notice some of the points that the honorable Senator made as he went along in his labored course. He took occasion to give an account of the action of the Senate upon certain resolutions introduced here, setting forth the principles that were made the issue in the late contest, and that were overriden and trodden down. He called the attention of the Senate to a proposition introduced by the honorable Senator from Mississippi [Mr. Brown] to declare that now is the time for action; that a law ought to be passed at this time protecting property in the Territories. Though it was my opinion, then, that it would have been well to pass such a law, yet that Senator knew, and so did every other one, that it was impossible in this Congress to pass such a law. We might have passed such a bill through this body, but it could never have passed the other. Then it was our duty, as it was our privilege, to set forth the principles on which this Government reposed, and which must be maintained, or the Government cannot exist. They were the principles upon which this great battle was fought, that resulted in the election of Mr. Lincoln. They were the principles presented to the American people, more plainly and directly put than in



In the late canvass, as I stated in the outset, the issue was that presented to the Senate in the resolutions offered by the honorable Senator from Mississippi. [Mr. DAVIS] The principles of those resolutions were stricken down, and M. Lincoln was elected. I propose to look at his views very briefly, and see whether the States have not some little reason for alarm, or cause of action, if you please. I take it, they are going to act anyhow, whether we please or not; and whether I approve their action or not, I pledge my word that I will never draw my sword to strike them down for exercising a right of a sovereign State—a right secured by the adoption of the Constitution to the members of this Confederacy. The gentleman who has been elected President of the United States is a stranger to me personally; I have never had the pleasure of seeing him; but I have seen his opinions, and I will read what he said in the somewhat recent canvass with the honorable Senator from Illinois, [Mr. DOUGLAS.] I take it, he was pretty closely pressed in that struggle, and I will make some allowance: for he has said nearly the same thing over on several different occasions. He said:

“I did not even say that I desired that slavery should be put in course of ultimate extinction. I do say so now, however, so there need be no longer any difficulty about that. It may be written down in the great speech.”

“I have always hated slavery, I think, as much as any Abolitionist. I have been an old line Whig. I have always hated it; but I have always been quiet about it until this new era of the introduction of the Nebraska bill began. I always believed that everybody was against it, and that it was in course of ultimate extinction.”

“We are now far into the fifth year since a policy was initiated with the avowed object and confident promise of putting an end to slavery agitation. Under the operation of that policy, that agitation has not only not ceased, but has constantly augmented. In my opinion, it will not cease until a crisis shall have been reached and passed. A house divided against itself cannot stand. I believe this Government cannot endure permanently half slave and half free. I do not expect the Union to be dissolved.”—

Neither does the Senator from Tennessee—

—“I do not expect the house to fall; but I do expect it will cease to be divided: it will become one thing or all the other. Either the opponents of slavery will arrest the further spread of it, and place it where the public mind shall rest in the belief that it is in the course of ultimate extinction, or its advocates will push it forward till it shall become alike lawful in all the States, old as well as new, North as well as South.”

Now, is there any mistaking this language? Is there any mistaking the idea that was running through Mr. Lincoln's head when he uttered these words? That is not all. He said, on another occasion, during the same canvass, in explanation of this language:

“I only said what I expected would take place. I made a prediction only; it may have been a foolish one, perhaps. I did not even say that I desired that slavery should be put in course of ultimate extinction. I do now, however; so there need be no longer any difficulty about that.”

“If I were in Congress, and a vote should come up on a question whether slavery should be prohibited in a new Territory, in spite of the Dred Scott decision, I would vote that it should.”

Then, sir, in spite of right, in spite of the Constitution, in spite of the decision of the Supreme Court, he would vote that slavery should be prohibited in the Territories. Would you believe such a man as that on his oath? Could you believe that a man who could hold that doctrine would be held by his oath? I would not; not a bit of it. I would not trust a man that can defy the Constitution; that can trample upon the rights of the States; that can say that he disregards the opinion or decision of the Supreme Court; that he would not respect it; and that, though he had taken an oath to support the Constitution of the United States in the discharge of his duty as a member of Congress, he would vote against the right of these States in the common Territories. I ask, then, have not the southern States a right to feel concern? Have they not a right to feel apprehensive as to the course of the party that was represented the other day by the honorable Senator from Ohio, [Mr. WADE,] who said in his place that slavery should never go on one other inch of the territory of this country? Can they mistake this thing? A majority of the people of the North have decided that it shall not. Their President says it shall not, and their Senators say it shall not. Then how can the States, I would ask the honorable Senator from Tennessee, expect in this Union to get their rights when they are in a minority? What power have they to secure them? Are they to stay here and fight for them? He says this is the place to win them. Will he do it against an overwhelming majority? Did ever a minority in legislation succeed in passing the laws of the land? Barely indeed, if ever.



But, sir, I have not yet presented Mr. Lincoln's whole record. In the same speech from which I last quoted, he said :

"What I do say is, that no man is good enough to govern another man without the other man's consent. I say this is the leading principle, the sheet anchor of American republicanism. Our Declaration of Independence says :

"We hold these truths to be self-evident—that all men are created equal; that they are endowed by their Creator with certain inalienable rights; that among these are life, liberty, and the pursuit of happiness; that to secure these rights, governments are instituted among men, deriving their just power from the consent of the governed."

"I have quoted so much at this time merely to show, that according to our ancient faith, the powers of government are derived from the consent of the governed. Now, the relation of master and slave is, *pro tanto*, a violation of this principle. The master not only governs the slave without his consent, but he governs him by a set of rules altogether different from those which he prescribes for himself. Allow all the governed an equal voice in the government; and that, and that only, is self-government."

And it is remarkable that while Mr. Lincoln does not want to govern negroes without their consent, both he and the Senator from Tennessee are for governing sovereign States of white men without their consent.

Mr. Lincoln, it is perceived, wants negro equality. He wants to place the negro on an equality with the white man. He wants the northern States to have negro citizens as well as white; and to render those States the rulers of the southern States, because they will not have negroes for their citizens.

But, sir, I want to return to the view of the Senator from Tennessee for a moment. He spoke of the price of the acquisitions of territory down South, and he spoke particularly of Florida. He looked at it as a matter of dollars and cents, never at principle, never at right; but he counted what it had cost, and what it had cost us to turn a few Indians out of there; and now he says the people in that State, that cost so much, are complaining, because, he ought to have said, they could not have the rights to which they are entitled under the Constitution. Then he is concerned about the navigation of the Mississippi river. He says that the great State of Tennessee and he, himself, are concerned about the navigation of that river. I believe it is recognized as the law of nations, as the law of all civilized nations, that a great inland sea running through several Governments shall be open equally to all of them; and besides, as the honorable Senator from Louisiana said, there is no man in Louisiana that would think for a moment of depriving Tennessee of the right of navigating that great river. No, sir, nor Kentucky either, nor Indiana, nor Illinois, nor any other State whose waters flow into that mighty stream. No such thing would ever be done. On the contrary, if they should go out of the Union—and that is not a matter for me to decide—I am sure that comity and good faith and proper regulations would exist and prevail between them and all the powers owning territory upon that great river.

Indeed, sir, if a dissolution of this Union shall take place, I look to the day when every one of those great northwestern States shall become a portion of that southern confederacy. They will not remain with that portion of this country that has agitated this question in season and out of season, in the school-house, and in the church, until they have poisoned the northern mind. I have no idea that they will remain with the people that have brought so much trouble on so great a country as this. They would say, "You of the South have never attempted to encroach on the rights of any northern State; you have never said that a State shall not come in without slavery; you have always voted to bring in free States; you have been just in all things; you have stood by the Constitution, and we can risk you; but we cannot risk these agitators and fanatics who have brought all this trouble upon the land." Sir, if dissolution comes, it will come for reason; it will come for right; and if dissolution takes place, who would use force or talk about force in this country? Who is the man hardy enough to inaugurate force? Who is the man hardy enough to undertake to execute Federal laws in South Carolina and other States after they have become separate and independent Governments? Who is the man, I would inquire again, that would undertake to collect revenue in South Carolina, hold courts there, and execute laws there, when she is not a member of this Confederacy?

I will say, that that is bringing about civil war; that it is inaugurating a policy that will drench this country in blood. The man that will do it will be looked upon as the worst murderer that ever disgraced humanity. Civil war in this country! Conquer States, and hold them as provinces! Where is authority to do it? Thank



God, it is not in the Constitution. No such power is conferred upon this Government. It cannot be exercised, and I feel proud of it. I am a man of peace. I dislike war. I would never make it or encourage it, except in defense of right, in defense of honor, in defense of truth and justice. I would go into battle and fight for the right; but I will never force war upon a people, or inaugurate it, unless it is authorized, and unless it is my duty to do so in defense of right; but certainly I would not make war to conquer a people contending simply for a right that has been refused, for a right they cannot have in the Union, and for a right that they can have out of the Union, even if tyrants, or rulers that would be tyrants, should undertake to coerce them. The man that would do it, the man that would inaugurate it, would drench this country in blood. My heart would pain me, and I could not rest at all, if I could believe such a calamity should happen. If it should come unfortunately upon this country, inaugurated by a tyrant, who would like to conquer and hold American citizens as vassals, then I will say to that coward who would do it, "You will walk over your humble servant's body first." I shall never cooperate with any portion of this country, North or South, that would strike down a people contending for their rights.

Now, sir, what chance have they to get rights in the Union? Even if a dissolution takes place, if that calamity shall fall upon us, I look forward to the day when a reorganization can be made. I look upon a dissolution now as a fixed fact; I look upon it as inevitable; but shall we not all look forward with hope, with anxious and patriotic hope, to the day when a reorganization shall take place, when all these States can come together in one great and happy Union, that shall secure right, justice, and equality, to every portion of the Union? If we would bring about that reorganization, if we would rebuild the fabric that has been stricken down, we must maintain peace. Inaugurate force, sir, inaugurate war in this country, and all hope of reconstruction has vanished forever.

Sir, I look forward, as anxiously as ever a father looked for the return of his son or his beloved daughter, to the period when the day shall arrive that a reorganization may take place out of the States that have felt it their duty to go out of this Union for reasons that are so manifest that no just and candid man can say they are not right. I am looking to that reorganization with a view of having a better Government than the present. This one will not longer answer the purpose. The Constitution cannot be understood by the sections. One side understands it one way, and the other another; and that dominant party, the party that are soon to come into power, will not take the decision of the Supreme Court upon the Constitution; they will not recognize it.

Now, sir, I cannot say that this Government is a failure. I cannot, in my heart, say that this great Government has been a failure. On the contrary, I regard it as a great success; a magnificent success; one that satisfies me, and will satisfy every intelligent man in the country, that men are still capable of self-government. Is it not strange, wonderful—remarkable, indeed, that our fathers could have created a Government to last so long, to answer the purpose so well as this has done? It is no evidence of the want of capacity of man to govern himself, that this Government now will not answer the purpose. It is unfortunately manifest, by the action of an arrogant sectional party, that it will not do. It must be changed. It will be changed. Let us look forward to the day, and pray God that it may come soon, when the Government shall be so changed that all can live together again as a band of brothers.

The honorable Senator from Tennessee reminded us of the glorious Old Dominion, of Washington, and of his successes. Why, sir, if he was living to-day, if he could rise from his hallowed tomb and say: "I have a right in the common territory, that I struggled for in that seven years' war of independence," that party that has succeeded in electing Lincoln would not allow him to go into the Territories with his slave. Then how can he say that the Union can remain as it is?

He told us of the great Jackson. Why, sir, if Jackson could rise from his tomb at the Hermitage, and attempt to go into the Territories with his slaves, he would be met with Sharpe's rifles, and turned out, and, if needs be, forced away by the party that have succeeded in electing a President on that issue; for, on that question of free territory there is no difference of opinion in the Republican party. They differ on many other things. Every element on earth meets together there; every opinion on earth meets together there; and, though they differ in every-



thing else, upon that question of free territory they stand united. What will you do with them? Submit? Are gallant, independent, sovereign States to submit to inequality, to inferiority? If a majority were to say that I have no right in the Territory, that I cannot go there with my property on equal terms with other men, and I were to submit, what would you pronounce it, I ask? What would you pronounce the submission man that would submit to be a member of a confederacy upon terms of inferiority, inequality, and degradation?

That doctrine will not do. Equality must prevail. I look upon this Government to-day as the greatest Government ever created by the wit of man. I look upon our Constitution as the best system of government ever formed by man. I would to God it could be maintained as it is. I wish that equality could prevail. I would to Heaven that justice could be dealt out fairly to every man of every State of this Union, as provided by that great system of government. But it cannot be so. Public opinion is in its way. The northern sectional party is opposed to it; and you cannot have rights equal with them under the Constitution as it is. They break it up, not we. They destroy it by refusing to comply with its provisions. They trample it under foot, because they will not do justice to their friends. They claim the territory, though won by the blood of the gallant southern men as well as the northern men. They refuse to the southern man one inch of territory for his property, though it cost him his money and his blood.

If it was possible, as the Senator said in the closing portion of his remarks, that this Government could be now changed, if the Constitution could be amended in its provisions, so as to extend justice and equality to everybody; who in this land would not rejoice, and rejoice with a glad heart? Why, sir, there is no punishment that could be inflicted on me that I would not bear for the sake of perpetuating this Union; but I would bear nothing, or agree to nothing, that would not perpetuate it on terms of equality, justice, and right. These are the principles on which it must be maintained, or dissolution is inevitable. If the party that succeeded in the late triumph had indicated to the country that they were now ready to see justice done; that they were ready to extend to every southern State the rights they claim for themselves; if they had, at the beginning of this Congress, said "Amendments of the Constitution will be acceptable to us, and ratified by our people, extending justice to all," to-day the Union would have been safe, and secession would not have been possible.

Mr. President, that party seem to be blind to their obligations upon this great question. They are bringing ruin and destruction upon a happy, prosperous, and free people. By their action and by their refusal to meet on terms that would be honorable and acceptable to all, and just to every State alike, they have thrown out of employment to-day thousands and tens of thousands of hard-working men that cannot get bread for their children. They have thrown out of employment the laborers of the northern States. They have brought commercial distress upon the country. They have beggared thousands of people, and, before the winter is over, hundreds and thousands of honest, industrious, working people will be suffering and starving for bread; thrown out of employment because that party will not meet the other upon principles of justice, equality, and right. The responsibility is upon their shoulders. The great responsibility rests with them; and when the starving thousands shall assemble and march in the streets asking for bread, and it shall be pointed to them, "This distress is not brought on you by the South, for they have been just to you and to every State in the Union; but it has been brought upon you by your sectional party determined to force a minority to submit to the unjust demands of an arrogant majority," what will be the consequence? They are responsible. Let the consequences fall upon them. And yet they indicate to us that they will coerce States into submission, make it a sectional war, and use these thousands of good men to fight battles that they would impose upon the country rather than do justice! I know these honest working men will do no such thing. Do you believe they will join you? Never; no, sir, never. The heart of the Democracy of the northern States is sound. They ask nothing but what is right, and they will never join a sectional party in crushing that spirit of justice and equality.

Sir, to-day, in Ohio, you have thousands, yea, tens of thousands of Democrats, as pure, as patriotic, as live on the face of the world, that will never join a sectional party to coerce a State, whether led by southern or northern men. In In-



diana. I know the Democracy. I know them to be pure. I can say the same of Illinois, and of all the northern States. So it is as to New York, Pennsylvania, and Connecticut particularly. Why, sir, on the face of this earth you cannot find the same number of men as now constitute the Democracy of that glorious State of Connecticut, that are more pure and devoted to right and justice and to the constitutional Union, than the Democracy of Connecticut. How can these gentlemen, then, say to us that they will coerce States, and force them to submit to wrong? Where will they get the men to do it?

The condition of the country, I assure you, sir, affords me no pleasure. It gives me constant anxiety, pain, and suffering. No man living, I think, loves his country more than I do. No man would go further to promote its existence and the perpetuity of the Union than I. If laying down my life to-day would bring justice and equality to the States, and restore that fraternal feeling which prevailed in the earlier and better days of our Republic, and place it upon a footing that would extend justice and right to all, that would promote its welfare, how happy would I be to compromise by saying, "Sacrifice me, but save this great Confederacy, and let justice and equality prevail in all portions of the Union." Then I say, s.r, this condition of things affords to me no gratification. On the contrary, it has given me the deepest sorrow and regret. I want this Union perpetual. I want the Constitution maintained. I desire equality to prevail. See that equality prevails; but, sir, [Mr. Foor in the chair] it is in your power. It is in the power of that section in which you live and which you represent, to yet save this Union, and to bring about the early reorganization of a great Republic upon a basis that will be permanent and lasting, if you would only speak earnestly and say, "Gentlemen, it is all an error; we never intended to deprive you of the South of your equality in the Territories, and we are willing to provide in the Constitution that every State shall have her equal rights in the common territory of a common country; that every man shall have a right to go with his property there, and have it protected while the territorial condition remains," and live up to all other constitutional rights. Do this; meet the Democracy of the North and South upon this great principle, and maintain the integrity of the Constitution as it was handed down to us by our fathers, and we will go on prospering and to prosper until, indeed, this shall be the greatest country on the face of the earth.

Why, sir, to break up such a fabric, to break up such a Union, to destroy such a Constitution, is a matter of the deepest regret to every good man North and South. There is not one State in the South that would do it without cause. There is no State North, but for the influence of the Republican party, that would do it. But you see that a party North has imposed conditions that cannot be recognized; conditions of inequality that cannot be submitted to. They must be changed; that party must change in principle, in sentiment, and in doctrine, or the Union will break up, and the responsibility rests upon them. They have destroyed the Union; not the South. They have forced the South into dissolution. It has not been sought by the South; it has not been courted by them. They have not sought or desired it. They have pleaded for right. They ask nothing more. Give them that, and the perpetuation of this glorious Union is insured; and that is my earnest desire.

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