





# SPEECH

OF

## ORRIS S. FERRY, OF CONNECTICUT.

Delivered in the House of Representatives, February 10, 1860.

The House being in Committee of the Whole on the state of the Union, and having under consideration the President's annual message—

Mr. FERRY said:

Mr. Chairman, in adopting the principles which govern my public conduct, I am not aware that I am actuated by any desire to advance the interests of one section of the country beyond those of any other. I have sought always to advocate such measures, and such only, as, in my deliberate judgment, were calculated to promote the welfare of the entire Confederacy. I have felt it to be my duty to act in political affairs not merely for the present, but for the future also; not only for the twenty-five millions of the present generation, but for the forty millions of the next; not only for the thirty-four States of to-day, but for the fifty sovereignties which some of us may live to see confederated under the Constitution of the Republic; in a word, not to be a politician simply, but, in so far as I am able, to be a statesman. It is with such motives that I have made my choice between the great political organizations which divide the public sentiment of the country, and my only antagonisms are those which necessarily arise when I find my cherished principles assailed; schemes, which seem to me destructive, pressed into legislative enactments; or measures which I deem beneficial strenuously resisted. I have no controversy with the people of the South; I am heartily tired of the sectional watch-words which have so long resounded in our ears, and I shall not permit myself to be drawn into a dispute upon local and geographical distinctions. My controversy is with those who guide the action of the Democratic party; it is there that I find the sources of the evils which afflict us, the fountains of treasonable sentiment, and the

causes which have led the Government of this Republic into a well-nigh universal betrayal of the common rights of humanity. And when I speak of the Democratic party, I mean the organization which is *now* called by that name. There was a Democratic party once, sir, of a far different character, and which spoke with a widely different utterance. There was a Democratic party once, from whose platform all mention of the inalienable rights of man was not erased, and to whose ears freedom had not become a hateful sound. That party is no more; I speak not of *it*: it is the living issues and the living organizations of the present which I choose to meet.

For the first eight weeks of the session, the Democratic party in this House occupied its time, almost without interruption, in the discussion of the slavery question. The President devotes a large portion of his message to the same topic. The Vice President has been home to Kentucky, and, from the legislative halls of that State, has addressed an essay to the nation upon the same subject. A Democratic Senator from Ohio introduced into the Senate, as the first measure of the session, a resolution opening anew the whole of this vexed question. The consequence, if not the object, of these proceedings, is seen in a wide-spread agitation throughout the country, disturbing its business interests, and endangering the peace and good order of society. The discussion which was forced upon this House has had a large share in producing these unhappy results; nor has the manner in which it has been conducted by gentlemen upon the other side of the Hall been calculated to diminish its pernicious effects. With a few honorable exceptions, they have suffered passion to usurp the place of reason; have substituted vituperation for argument, and

abusive epithets for facts. I shall not follow their example. If I cannot preserve the ordinary courtesies of decent private life, even in mentioning in debate the political designation of an opponent, I will hold my peace.

But, sir, the Republican members of this body would be negligent of their duty to the true and loyal men who sent them here, if they should not reply, to some extent and at a fitting time, to these unprecedented and unfounded assaults upon them. It is in partial discharge of this duty that I now address the House. In so doing, I shall endeavor to state fairly what seem to me the necessary results of the doctrines avowed by the leading members of the Democratic party on this floor, to controvert those doctrines as well as I am able to do, and to set forth frankly my own views upon the questions at issue. The time has come when we should fully understand each other; and I am sure that all honorable gentlemen will agree with me, that we ought no longer to deceive ourselves, or delude the people with specious equivocations and juggling platitudes.

The prevalent opinion among those who framed the Constitution of this Government was that, in political economy, slavery was to be regarded as an evil; to some extent, indeed, a necessary evil, in communities where it had existed for many generations, and become interwoven with the social habits and business interests; but still an evil, whose peaceable and legal removal was an object of earnest desire. In relation to its original establishment in a new society, the opinion was more decided; such establishment was justly considered a great moral wrong, a sin against God, and a crime against humanity, as well as repugnant to the principles of a sound political economy. And such continued to be the general opinion of the country for more than a generation after the adoption of the Constitution. I shall not weary the House with quotations in confirmation of these statements; the proofs of their correctness will readily occur to all intelligent men. The Democratic party of to-day denounces these sentiments as false and fanatical. It holds, as an abstract proposition, that property in man exists of natural right; no more to be condemned in morals or deprecated in policy than property in cattle or merchandise; that the system of American slavery, which is based upon this property in man, is also, and without reference to collateral circumstances, right—right, not merely where it exists as an involuntary inheritance from preceding generations, but rightfully to be originally established in a community, as a component part of its domestic institutions. And not only this, but that, as a system, it is expedient; productive of vast benefits where it already exists, and calculated to produce the greatest good in societies where, under favoring influences of soil and climate, it may be newly established.

The Democratic party, moreover, insists that

this property in man is distinctly recognised and protected by the Constitution of the United States; that wherever the term "property" is used in that instrument, it embraces slaves as truly as any object of legitimate ownership; and that every conclusion of legal or logical sequence from the language of the Constitution, which may apply to merchandise of any description, is equally applicable to this. I am aware that there is a section of the Democratic party which does not concur in all of the foregoing views, and I shall have occasion to consider its position in the course of my remarks. The influence of this portion in public affairs is, however, at present, comparatively small. The Executive department of the Government, the Democratic members of the Federal Judiciary, and an overwhelming majority of the Democratic members of both houses of Congress, embrace the opinions which I have now stated. In the discussions in the other wing of the Capitol, and upon this floor, I have heard these doctrines set forth scores of times as component parts of the Democratic creed, and they have been received almost without a word of disapprobation from any one claiming to belong to the Democratic organization. Indeed, I think that it may properly be assumed that, but for the stern resistance which is made to these principles by the Republican party, they would be practically carried out, in all their logical results, by all the departments of the Federal Government. It is proper, therefore, that I should briefly indicate those results.

In the first place, then, if these principles be correct, there is no justification or palliation for the laws of the United States against the African slave trade. If property in man, as in merchandise, exists of natural right, if its establishment in new communities is just and expedient, if the Constitution applies to it the same universal guaranty which it applies to all objects of legitimate ownership, then human beings are as proper an article of commerce as cotton; the statute which declares the slave trade piracy is a hideous iniquity, and its execution would be judicial murder. Again, assuming the correctness of the principles already enunciated, it is the imperative duty of Congress to provide forthwith, by further legislation, for the protection of property in slaves in the Territories of the United States. Whatever else may be said of this species of property, it is certainly true that it is regarded by the greater portion of Christendom with peculiar repugnance. The emigration which flows into the Territories is very largely composed of men who share in this feeling, and the consequence has been that slaveholders have felt that their estate in their human chattels was entirely insecure, when once removed beyond the protection of State sovereignty. To say that the Constitution guaranties to the owner of property the absolute enjoyment of his rights therein, throughout the Federal possessions, and then

to refuse a remedy for the violation of those rights, is but a solemn mockery. Nor is this all. The same reasoning necessarily interposes the limitations of the Constitution against the capacity of the people of a Territory to abolish slavery when they come to make their State Constitution; and every State in this Union, which has emerged from the Territorial condition since 1789, and, in so doing, has incorporated into its Constitution what I think I may properly call the anti-slavery clause, and has hitherto relied upon that clause as a sufficient security for its free system, is to-day in its legal condition, according to this exposition of the Constitution of the United States, as much a slave State as South Carolina or Georgia. For where, I may ask, did the people, while in their Territorial condition, as they must have been while in the act of making their Constitution, acquire their power to abolish slavery within their borders? From any inherent right so to do? This is vehemently denied. From any act of Congress? It is expressly affirmed that Congress can confer no such power. From the Constitution of the United States? The answer is an unqualified negative. Whence, then, does this power come? The gentleman from Texas, [Mr. REAGAN,] in his very able speech, gave the only answer of which, upon the Democratic theory, the question is susceptible. The power is a "revolutionary" one; against all constitutions, all laws, all governmental authority; it comes by "revolution." The whole Democratic Territorial policy is thus reduced to a system, not of order, but disorder; not of regulated law, but of chronic anarchy; not of peace and stability, but of "revolution."

Such are the fundamental principles of the Democratic party, and such are their logical results. I meet them in their very beginnings, for it is there that we shall find the starting point of divergence between the two great parties upon this subject. I affirm that property in man does not and cannot exist of natural right. It fills me with unspeakable mortification to be compelled, in this enlightened age and this Christian Republic, to go back to demonstrate the primary truths of common morality. But the necessity exists. The Democratic organization, extending into every town and village in the Confederacy, is fast becoming debauched and demoralized in regard to this whole matter. Its leaders teach that slavery is right; and the masses everywhere are being gradually led—by a course downward in morals and backward in civilization—to adopt that teaching as true. If this doctrine shall become the predominant belief throughout the greater portion of the country, and systems of bondage come to be justified and approved by the masses of the people, then I believe that real freedom will speedily thereafter disappear from the Republic. I repeat, therefore, that property in slaves does not and cannot exist of natural right. There is no voice of

inspiration asserting in man such dominion over his fellow-man, Be that which gave to our race "dominion over the fish of the sea, and over the fowl of the air, and over every living thing that moveth upon the face of the earth;" and we are, therefore, left to rest our judgment upon the just instincts of the human heart, and the honest guidance of an enlightened conscience. And to these I appeal. There is not a literature of any people or age which does not depict liberty as better than life, and slavery as worse than death. There is not a man in this House who would not sooner lie down in his grave than become a bondman; there is not one of us who would not rather see the face of his child upturned to him, dead in its coffin, than to see that child sold as a slave. No promises of sufficient food and decent apparel and comfortable shelter, or care in sickness and support in old age, could change this preference; and if long ages of servitude have produced, in isolated instances, a different choice, the common sense of mankind justly finds in such phenomena a more conclusive proof of the brutalizing influences of bondage. The laws which are made for the security of this species of property afford further evidence that it is based upon wrong. It is impossible that any relation, right in itself, should require such utterly repulsive enactments for its maintenance in a civilized society. I have, to some extent, looked into the statutes and judicial decisions of those communities where the institution prevails, and I find that they compose a merciless, remorseless, terrible machinery for changing a man into a brute. There is but one step wanting to make the work complete; they have not yet legalized murder. I find judges of the highest tribunals declaring that this fearful system is absolutely necessary for the preservation of property in man; and when they have proved that proposition, they have demonstrated that such property cannot originally exist of natural right.

But it is said that, however this may be, we must take things as they are; that property in man is recognised in the Constitution of the United States as legally right, and entitled to the same legal protection as other property, wherever that Constitution is the organic law of the community; that the Constitution is the organic law of the community throughout all the Federal possessions; that this practical recognition of the legal rectitude of slavery is even more potent than would be the universal acknowledgment of the right of property in man; for, as things actually are in our system of government, wherever the Constitution prevails, except where checked and limited by State sovereignty, there is thus superadded to natural right the guaranty of positive law. I might reply to this assumption, that the best expounders of constitutional law in this country have held, with great unanimity, that the Con-



stitution of the United States does not become a part of the Territorial law until made so by act of Congress, or by the change from the Territorial to the State condition. But it is unnecessary to follow that line of argument, and it would lead me too far from my purpose.

My answer to the assumption which I have mentioned is, that the Constitution of the United States nowhere recognises any natural right of property in man, and nowhere creates such legal right. The Constitution purposely, carefully, guardedly, ignores the very existence of such property. The slave is represented on this floor as a *person*, not as a chattel; the clause for the rendition of fugitives does not purport to restore merchandise to its owner, but a debtor to his creditor; representation and direct taxation are to be apportioned among the several States according to an enumeration of *persons*, not according to an enrollment of property. All that the Constitution of the United States does in reference to this species of property in the States where it exists is to let it alone; the protection which it enjoys from Federal interference is the protection of State sovereignty, and not of the Constitution; and its assurance of the efficiency of that protection is found in the provision that "the powers not delegated to the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people." The Constitution nowhere undertakes to designate what shall be regarded as property; it does not define property at all. That which the local sovereignty treats as property within its jurisdiction, is just so far treated as property by the Constitution; if claimed to be property outside of that jurisdiction, it must possess the natural, generic characteristics of property, which I have shown slavery does not.

It is, in my judgment, a libel upon the Constitution to say that slavery exists anywhere by virtue of its provisions. If ever there was an instrument of Government in the world that breathed the very spirit of freedom, it is the Constitution of the United States. It was made "to establish justice and to secure the blessings of liberty;" it declares that "the privilege of the writ of *habeas corpus* shall not be suspended," except in cases of rebellion or invasion; that "no bill of attainder or *ex post facto* law shall be passed;" that "no title of nobility shall be granted by the United States;" it subjects the chief Executive Magistrate to impeachment; it provides that "the trial of all crimes, except in cases of impeachment, shall be by jury" of the vicinage; it guarantees "to every State in this Union a republican form of government;" it forbids the enactment of any law by the Federal Legislature "respecting an establishment of religion, or prohibiting the free exercise thereof, or abridging the freedom of speech or of the press, or the right of the people peaceably to assemble and to petition the Government for a redress of griev-

ances;" it declares that "the right of the people to keep and bear arms shall not be infringed; that the right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures shall not be violated;" that "no person shall be deprived of life, liberty, or property, without due process of law;" and then, to cover all possible contingencies of danger to the liberties of individuals, it declares that "the enunciation, in the Constitution, of certain rights, shall not be construed to deny or disparage others retained by the people;" and there is no word in that instrument which, even indirectly, implies that the meaning and application of these general terms are to be restricted by any considerations of race or lineage. No, sir, not one; and those who go about to find such restriction are compelled to resort to indirection and outside interpretation to accomplish their purpose. Every page of the Constitution of the United States is radiant with the light of universal liberty. He who would find there pretext or excuse for bondage, must turn his back upon that light, and grope his way among the shadows of distorted and doubtful construction.

Why, sir, what were the statesmen of the last century about, when they affixed their signatures to the instrument that severed the political ties which had bound the colonies to Great Britain? What were they doing when they framed this Constitution about which we dispute so much? "Our institutions," answers Reverdy Johnson, in his pamphlet, "are redolent of freedom. For freedom our ancestors contended during seven years of trial. It was *her* teachings that inspired and supported them during their fearful struggle." Freedom, I ask, then—for whom, or for what? For the owners of capital, or the possessors of the soil, alone? Not at all, sir; not at all. The freedom whose teachings inspired and supported our ancestors was the freedom of *man*, of all races, in all ranks, and of every lineage. It is the distinguishing characteristic of our revolutionary war, that it was fought upon this principle. Universal equality in political rights, and the indefeasible title of all men to social and civil liberty, were the foundations of the great argument by which it was justified. Other nations, in other times, had contended for the rights of kings and princes. The wars which history recounts, had been the struggles of *Governments* for conquest or defence. In their beginning and in their ending, little thought had been taken for the masses who bore their burdens; the causes of both lay hidden in the caprice of monarchs, the pride of aristocracies, the avarice of capitalists, or the exigencies of commerce.

With our fathers the case was very different. From whatever causes of unjustifiable taxation the collision may originally have occurred, in the solemn document which they put forth as their justification for taking up arms, they

based everything upon the right of man, by virtue of his humanity, to political equality and civil liberty. It has been said that the language used had no reference to any other than the white race; I can bring you, sir, hundreds of expressions in the writings of the revolutionary fathers and of the framers of the Constitution, wherein slavery is spoken of as antagonistic to the principles of the Declaration; every one of which expressions is utterly meaningless, unless those principles were intended to be as universal in their application as the race of man. The doctrine of the Declaration has been called a "glittering generality;" but two of those whose hands were committed the drafting of that instrument were Benjamin Franklin and Roger Sherman: and neither the shrewd sense of the Boston printer nor the sterling judgment of the Connecticut shoemaker was likely to be betrayed into the adoption of rhetorical formulas. In all nations, and in all ages, the masses of mankind have been, as they ever must be, composed of those who live by the labor of their hands; the theory of kingly and aristocratic rule has been, and of American Democracy now is, that for those masses servitude is the normal, fitting, and safe condition; the theory of the statesmen of 1776 and of the Republicans of 1860 is, that for those masses liberty is right, and safest, and best.

I appreciate the difficulties which surround the practical application of the latter theory in a society where slavery has existed for centuries, and become interwoven with the social relations and the interests of capital; and I rejoice that no political duty demands of me a solution of those difficulties; but that such practical application ought to be made, whenever and wherever a new community is being established, I cannot doubt; and both history and the language of the Constitution, as already cited, prove conclusively that such also was the opinion of the founders of this Government. In the affairs of States and nations, as in those of individuals, no violation of the principles of moral rectitude can ever be practically expedient. Evil, however fair it may seem, and to whatever extent it may be disguised by specious names, will in the end work out only evil. And such, if I may believe the concurrent testimony of many of the purest patriots, the most upright statesmen, and the most judicious citizens of that portion of the Confederacy in which the institution exists, has been its practical result there. As I before remarked, I will not weary the House with stale quotations, but if I can place any reliance upon the evidence of such men as Jefferson, Madison, and George Mason, or, at a later period, of McDowell, Faulkner, and Thomas Marshall, all capable eye-witnesses of the effects which they portray, and all loyal and upright Southern gentlemen, slavery is the fruitful parent of ignorance, poverty, and vice, destructive of those essential elements of all true popular liberty, freedom of speech,

of the press, and of political action, and especially injurious to the comfort and happiness of the laboring classes of freemen.

It is no reply to these statements, to say that the opinions of the last century were formed while the slave trade was in full operation; that infamous traffic had long ceased at the time of the memorable debate in the Virginia House of Delegates in 1832, but the language of the statesmen of that Commonwealth was as decided, at the later period, as that of their fathers had been. The able and truthful men, whom I have named, spoke of *facts*, as they existed under their own observation in 1787 and 1832. If they told the truth, those facts remain as the basis of legitimate argument, however much a new generation may have departed from the speculative faith of their fathers.

To these considerations of expediency should be added another, which operates very powerfully upon my political conduct. While I have no particular apprehension for the safety of the Union, I am yet fully sensible of the manifold advantages which we derive from its existence. Every measure which has even a remote tendency to weaken the ties which bind the Confederacy together, should be sternly opposed; and I know of no measure, whose tendencies in that direction are more obvious to a reflecting mind, than the schemes now so prevalent for the extension of slavery. Upon this topic, permit me to quote the opinions of Governor McDowell, of Virginia, a statesman whose high intellectual attainments were only equalled by the generous qualities of his heart. He says:

"The existence of slavery creates a political interest in this Union, which is, of all others, the most positive; an interest which, in relation to those who do not possess it, is adversary and exclusive; one which marks the manners of our country by a correspondent distinction, and is sowing broadcast amongst us, both in our official and private intercourse, the seeds of unkindness and suspicion. On this interest geographical parties have been formed; on its maintenance or restriction the bitterest struggles have been waged; and, as it contains an ingredient of political power in our Federal councils, it will always be the subject of struggle. \* \* \* Slave holding and non-slaveholding must necessarily constitute the characteristic feature of our country—must necessarily form the broad and indivisible interest upon which parties will combine, and which will and does comprehend in the jealousies which now surround it, the smothered and powerful, but, I trust, not the irresistible causes of future dismemberment. To all of its other evils, then, slavery super-adds the still further one of being a cause of national dissension, of being a fixed and repulsive element between the different members of our Republic—of compelling with strong tendency, and aggravating all smaller tendencies to political distrust, alienation, and hostility."

The Virginia statesman from whose lips these words of almost prophetic wisdom fell in 1832, had the discernment to perceive, and the manliness to declare, that if disunion was to be apprehended at all, the causes of apprehension were to be found, not in opposition to slavery, but in slavery itself. To give these causes greater force and permanence by expanding and strengthening this disorganizing system, is to act the part of the madman who applies the torch to his own habitation.

A very able gentleman from Mississippi, [Mr. LAMAR,] to whom I always listen with

pleasure, however much I may dissent from his opinions, in the course of an interloctory discussion some weeks since, asserted that those who are striving for the expansion of slavery are "seeking colonization and empire in a manner not inconsistent with the rights or interests of a single freeman north of Mason and Dixon's line," and asked, with great earnestness of manner, what there was in that for us to complain of. To which I answer: your proposition, from your stand-point, may seem conclusive; from mine, it is utterly fallacious. Grant that we both seek expansion and colonization; we do it under a common Government and a common flag, and are both responsible for the character and effects of the expansion of each. We seek to carry with us no system of social or political economy which either you or we believe to be hateful to God or unjust to man; you desire to spread abroad a system which we believe to be both, and to do so under the protection of a Government for which we are responsible as well as you. We are both acting, not for the present only, but for the immediate and the distant future. Our children, as well as yours, are to remember, with unavailing shame and sorrow, that their fathers entailed upon them an institution whose evil tendencies I have already portrayed. When the descendants of the slaves whom you shall export to Chihuahua or Tamaulipas, shall feel within them those aspirations for liberty which, sooner or later, will kindle in every human heart, it must be our arms, as well as yours, that shall quench those aspirations in darkness and blood. Upon us, as well as upon you, will devolve the duty of betraying the fugitive from Sonora or Colorado. You tell us exultingly that the negro has twenty Representatives upon this floor; it is our concern, as well as yours, when you demand the admission of a half score more to represent the degraded bondmen of Cuba.

Having now attempted to show that the Democratic party, as an organization, is committed to the principle that slavery is in accordance with natural right, and is so expressly recognised and guaranteed, to use the phrase of the day, by the Constitution of the United States, that there is thereby superadded to the obligations of natural right, the authority of positive law for its expansion everywhere in the Federal Territories; that, in addition to the sanctions of natural right and positive law, a true expediency justifies such expansion; and having further attempted to show that all these doctrines are unsound in theory, wrong in morals, and vicious in tendency, I am next led to consider the position of that portion of the Democratic organization which stands without the pale of full party communion upon these topics. I suppose that I may, with propriety, look to the opinions most recently avowed by Mr. DOUGLAS, for the principles which are embraced by this class of politicians; and,

if I truly understand those opinions, they are, to my mind, more detestable in morals, and worse in logic, than the doctrines which I have already considered. I have said that the starting-point of divergence between the great parties is found in the question, "Is it right or wrong to establish slavery?" The Democrat in full communion asserts the former, and reasons properly enough upon his theory of morality; I aver the latter, and endeavor to reason in like manner. But to Mr. DOUGLAS, right and wrong, in this affair, are matters of profound indifference. He ignores morality altogether. His confession of faith is a political atheism. He evades the question of expediency in like manner. Is slavery the blessing that its friends claim it to be, or a curse, as its enemies assert. How is it to affect the prosperity of the future States of the Confederacy, the happiness of the coming generations of the people? To such inquiries he returns no answer; in fact, he asserts that he does not care how they are answered. For aught that he knows or cares, slavery is just as good as freedom, freedom just as bad as slavery; each no better and no worse than the other. A position more vicious in morals or more utterly devoid of the first elements of statesmanship, I have never encountered in political study. It is an attempt to arbitrate between conflicting principles, by renouncing all principle. It strives to adjust permanent antagonisms by the shallowest of temporary expedients. It is exactly adapted to the wants of swindling politicians and lying demagogues. It proceeds from a source where selfish ambition, untiring energy, shuffling inconsistency, and brazen assurance, are the chief qualities which excite the public attention. It is now seeking to evade responsibility, by shifting to the judicial the proper duties of the legislative department. Faithless to everything except personal ambition, it has taught all parties and all sections that it cannot be trusted beyond the contracted circle of its own selfish interests. It is destined to be crushed out, as it ought to be crushed out, in the struggle which is going on between parties thoroughly in earnest, and each animated by convictions of right and duty.

In conclusion, I will indicate the measures which seem to me proper, in order to prevent the farther extension of slavery. My own principles, as already set forth, clearly forbid all Federal interference with the institution in the States where it exists. Abolitionists, properly so called, denounce the Constitution, because it does not give to the General Government the power of intervention; and denounce us, because, notwithstanding that fact, we love and stand by the Constitution. Duty and responsibility are correlative terms. No political responsibility for the existence of slavery in the States reaches me, and I have, therefore, no political duty to discharge in relation to its extinction there. And beyond this, as a citizen



of the Republic, I am bound, in my judgment, to respect the local as well as the Federal rights of all its other citizens. To interfere by stealth and indirection between the master and slave; to aid or encourage what are termed underground railroads, or other secret machinery, for the violation of those local rights, is a violation of my own obligations, and should be frowned upon by every loyal citizen. And by, if possible, still more solemn obligations, am I bound not to interfere with violence. There is no evil with which God, in His anger, has ever visited this earth, that will compare, in manifold horrors, with servile insurrection; and for that reason, among others, do I pray that He, in His mercy, in His own good time and way, will remove the evil of slavery from all our borders; but the man who, in the full possession of his mental faculties, goes into a slave State, with force and strong hand, to wrest the bondman from his master, and perils in his effort to the sacrifice of human life—however unselfish his motives, however lofty his courage, however Christlike his fortitude—is guilty of murder; and no one, not even the wife of his bosom or the child of his old age, can demand, upon any principle of human or divine justice, that the stern sentence with which the law visits that crime should not be executed.

Nor do I believe it to be at present necessary that Congress should endeavor, by prohibitory legislation, to exclude the system from the Territories which we already possess. I have no doubt of the power of Congress so to do; but it is, after, neither necessary nor expedient to exercise acknowledged powers. I do not consider the Supreme Court as having made a judicial decision upon this subject. Its members have expressed a political opinion, not called for by the case, which is entitled to the same respect as a similar opinion uttered by an equal number of able, upright, and learned men, in any other station would be, and no more. The time may come when this power of the Federal Legislature will again be called into requisition, as it so frequently was during the sixty years which succeeded the formation of the Government. At present, I see no necessity for its exercise. The greater portion of our organized Territories is already secure against the ingress of slavery. The organic acts which called the remainder into political existence provide expressly that such of their Territorial laws as shall be disapproved by Congress shall become null and void.

Whenever a Territorial Legislature is mad enough or venal enough to enact a slave code, I would exercise the power thus conferred upon Congress, and annihilate the iniquitous statute.

In every act for the organization of future Territories, I would incorporate the same clause, and execute it in like manner, whenever a similar occasion should arise. I would endeavor to restrain that insane lust of dominion which is perpetually seeking foreign acquisition, and is fast becoming the bane of the Republic. I would elect a President of the old Republican faith, whose executive and judicial officers, everywhere, should be governed, in the discharge of their duties, by fidelity to the Constitution and the laws, as steadily construed and enforced for more than sixty years after the formation of this Government. I would enact a Homestead law, which, by the bestowal of unbought titles to the soil, should invite the laboring freemen of the United States to lay the foundations of civilized society throughout all our Territories, under the benign influences of universal industry and all-pervading liberty; and if my fellow-citizens of the slaveholding States desired it, I would pledge the revenues of the Government for the purchase of a region beyond our present limits, wherein to colonize their surplus servile population, afar from irritating contact with an other and a prouder race. And then, sir, I would risk slavery extension!

In doing all this, I believe that I should not violate any constitutional right of any man, or class of men, in the Confederacy; I believe that I should not prejudice the real interests of any part or section of the country; I believe that I should be doing that which is best for the present generation, and which will be best for the generations that are to come after us. I should have no apprehension of disunion or rebellion, or civil convulsion of any kind. I know that the people of my section are true to the integrity of the Republic; and I believe that the *people* of all sections are. The mutterings of treason, the gasconade of secession, the senseless bravado about disunion, do not come from the popular heart anywhere. They fall, without due reflection perhaps, from the lips of some honorable gentlemen who, in the excitement of the moment, may mean what they say; but, for the most part, they are the desperate resort of the desperate politicians of the Democratic party. To meet such extravagance and folly with sober argument would be to clothe them with a dignity beyond their importance. The gentlemen who utter these things profess an unwillingness to wait for "*overt acts*." I do not doubt that they will be found just as unwilling to commit "*overt acts*." Common sense, I trust, has not yet entirely forsaken them. When it shall do so, they may find, too late, that it has not forsaken the constituencies which sent them here.





