Mr. Rayner's Second Speech

ON THE BILL FOR REDISTRICTING THE STATE.

In the House of Commons, Dec. 15, 1846.

IN REPLY TO MESSRS. ELLIS, SMITH AND OTHERS.

Mr. RAYNER said, it would be recollected by the House, that in his opening Speech on this question, he had laid down distinctly the grounds on which the proposed measure could be sustained: that he had at least attempted to show both its constitutionality and expediency, according to the strict principles of logical argumentation. And it was to him a matter of gratulation, that his arguments still stood untouched, and he might almost say unassailed. They had not been answered. For notwithstanding (said Mr. R.) the ingenious speech of the gentleman from Rowan, (Mr. Ellis,) he has managed to evade all the prominent points of my argument; has represented me as absurdly maintaining doctrines which I never asserted; and has indulged in generalities or abstract propositions, which have nothing to do with my argument, and in most of which I heartily concur.

The gentleman from Rowan says that the power of this General Assembly to re-district the State at this time, as claimed by me, is in violation of the minority principle of the constitution. For this the gentleman gives us his own assertions merely. What provision of the constitution he alluded to, he did not deign to inform us. If he means that great principle of representation, right and justice, which pervades the structure of our government, if he means that fair and equal distribution of power, between rival interests and conflicting views of public policy which enters into the basis of all our free institutions, then I take issue with him. And I will call back his recollection to the views I presented, to show that this bill was framed with a view of combining the great elements which should enter into an arrangement of this kind, so as to result in dividing, as fairly as possible, the representative power of the State, between the two political parties. What then does the gentleman mean by the minority principle? Does he mean the right of the minority to have the predominance over the majority in the national representation, as provided for by the act of '43? If that is Democratic doctrine, then I deny there is any such principle recognized by the Constitution; and I call for the reading of it, if there is. The gentleman complains most bitterly, and seems to regard it as an act of party tyranny, that under the bill now before us, the Whig party with a majority of 7,000 in the State, will have the preponderance of representation in Congress. He says that under this bill the Whigs will have six members, and the Democrats three. I showed in my first speech on this question, that the Democrats could not consistently deny that this bill gave them four members—but suppose it to be as the gentleman says. If it be tyranny, that the Whigs with a majority of 7,000 in the State, have six members out of nine under this bill—how much greater tyranny is it, how much more intolerable grievance that under the act of '43 the Democrats in a minority of 7,000 should have six out of the nine? Is this Democratic justice? Is this Democratic equality? Is this Democratic devotion to popular rights?—If the predominance of the majority is so tyrannical and oppressive, how much more galling to the pride and independence of a freeman, how much more in conflict with the just design of our institutions, must be the despotic rule of a minority over a majority—which was effected by the act of '43, and which the bill before us is calculated to prevent for the future.

The gentleman assumed that the object and the only object of this bill was to secure to the ascendant party in the State, the majority of representatives in the Congress of the United States. And he went on to show at considerable length, the evils that would necessarily result from a constant change of the Districts, as one party or the other happened to be in power.—I agree with all the general reasoning of the gentleman in pointing out such evils, *growing* out of such motives, as he has assigned. But then this does not touch my positions. I would appeal to the gentleman's candor, and ask him if it is a fair way of answering an argument, to try to make up issues which do not legitimately grow out of the subject under discussion? He represents me as insisting that the distribution of political power is the first great primary consideration which should enter into the arrangement of Congressional Districts. I laid down no such doctrine. The House will bear me witness, that I distinctly stated that the *primary* elements which should enter into such an arrangement, were compactness of territory, community of interests, and equality of numbers—and that these should, if possible, be so harmonized as to work out the *secondary* and *incidental* result of a fair and proportionate distribution of power between the rival interests of political policy. How does the gentleman meet this argument? Does he attempt to controvert it? Not at all. He knows he cannot. But he very cunningly avoids all allusion to my positions in regard to compactness of territory, community of interests, and equality of numbers—which I attempted to show had been disregarded by the act of '43—and takes issue with me upon the position, that distribution of political power was the leading object of the bill before us. This issue I never tendered, and the gentleman cannot now force it on me. That which I laid down as an incidental result growing out of certain fundamental prerequisites, he represents me as insisting to be the leading and primary object of our action. So that all the gentleman's labor bestowed upon this branch of the subject has been in vain. It has merely knocked down a man of straw which he himself has set up.

The gentleman argues that the precedent we are likely to set, will be constantly resorted to in the mutations of party—and that in the heat and excitement of political contests, majorities will so model the Districts as to give the entire representation to the party temporarily in the ascendant, and thus deprive large minorities of any representative power. His fears are all imaginary. To prevent this, aptly comes in the application of the principles I laid down—of compactness, community, equality, &c.—which the gentleman seems to have so entirely forgotten. If these three prerequisites be observed, together with the provisions of the act of Congress that the Districts shall be of contiguous territory, and elect but one member each, then every avenue for partizan fraud and oppression will be effectually blocked up. All these considerations being properly observed, it is almost impossible to conceive a case, where the minority can be deprived of their due influence. And if a due combination of all these considerations should work together so as to effect the result of giving the majority party in a State, whether Whig or Democratic, the entire delegation in Congress, still it is one of the imperfections necessarily attendant on all human inventions, and cannot be avoided. For instance, Michigan and Missouri have already elected their delegation to the next Congress. The delegations from both States are unanimously Democratic.—Now if the Legislature of these States in laying off the Congressional Districts, consulted compactness, community, and equality; and yet it was found that these could not be so combined as to leave a single Whig District in either State—I ask the gentleman from Rowan, is it rightfully done or not? For myself, I say it was. On the other hand, if these considerations were not consulted, then I insist it is the duty of the Whig party, if they ever get in power, to reconstruct the Districts, so as to subserve these ends.

But if party violence is likely to produce the evils spoken of by the gentleman from Rowan, and to usurp the entire delegation in Congress from any one State, as one party or the other gains the ascendancy; why is not such party injustice likely to prevail at every decennial period? In fact, if the position be assumed, that the arrangement of the Districts must remain for ten years unaltered; will not rival parties struggle more violently for supremacy at every election just preceding the decennial periods of arranging the Congressional Districts? And will not the successful party, embittered by the scenes of a contest just ended, be more likely to secure their own power, and to rivet the chains of oppression much more firmly on the vanquished—if they can have an assurance that their work is to be untouched for ten years? Will not I say, that "ambition and aspiration for power" of which the gentleman spoke, be more likely to work oppression, if its exercise cannot be thwarted for ten years; than if it is exerted with a knowledge that a day of retribution may sooner come? But Sir, establish the principle, that if a party in power will so far forget right and justice, as to disregard the great Constitutional requirements which should prevail in the arrangement of the Districts—still a succeeding Legislature may reverse their action; and you will thus have the strongest guaranty, that they will exercise their power with moderation and discretion. It strikes me that the gentleman's argument militates directly against the conclusion to which he wishes to arrive. I concur in every thing he has said in regard to the evils growing out of a tyrannical exercise of power by majorities. The object of the bill before us is to effect no such purpose. So far from it, it is designed and calculated to cure a still greater evil than that, even.—It is to prevent and guard against a tyrannical exercise of power by a *minority* over a majority.

The gentleman from Rowan stated in his speech, that in the case of conjoint powers, the exercise of power by Congress takes all authority over the subject from the States. By conjoint powers, I understood him to mean from the course of his argument, powers which the States may exercise in the absence of Congressional action. I admit the correctness of his position to a certain extent, but not in the general terms he has laid it down. In the cases of such conjoint powers, I admit State action must be superceded by that of Congress; but only to the extent of the conflict between them. Where Congressional action ends, there State action commences, and continues as valid and binding as before Congress interfered. I admit, that as far as Congress has legislated in regard to the Districts, its authority is obligatory and paramount, and no farther. Well, to what extent has Congress legislated in regard to the Congressional Districts in North Carolina? First, that the State shall have but nine members. Well Sir, the bill on your table provides but for nine Districts. Secondly, that the Districts shall be composed of contiguous territory. The bill fully observes that requisition—no one denies it. Thirdly, that no District shall elect more than one representative. This is fully conformed to … the Districts are all single. Congres… action goes no farther than this. … gard to the shape, the size, the co… parts, or the period of time … to the change of the several Districts, …re is no conflict. Congress not having legislated as to either, the power of the State is full and ample on all, even tho… Congress had never interfered.

The gentleman, by way of illustration, cited the power of Congress to establish a uniform Bankrupt law throughout the United States, and stated th… until Congress exercises that power, … States may legislate on the subject; … that as soon as Congress acts, then … State laws are made void, *as far as they conflict* with the laws of Congress. Ay, indeed! As far as they conflict with the … of Congress! I agree with him, and the qualification of his, as to the *conflict*, destroys the aptness of his illustration. … an argument directly in my favor. But suppose Congress should pass a law on the subject of Bankruptcy, limited in its pro… hibit the States fro… ject, beyond the ext… of the State should … debarred from alter… legislation until Cong… the subject? For inst… gress should pass a B… visions of which should … itor and debtor living in … and should leave it to the State Legislatures to apply its provisions to creditors and debtors both living in the same State, if they should see proper to do so. Suppose the Legislature of a State should adopt it; could it not afterwards dispense with it, or change the mode of its execution, unless actually prohibited by the terms of the law itself? Suppose such a law were to leave issues of fraud arising under it, to be tried by the State Courts—will any one pretend that the State could not afterwards change its Statutes in regard to the selection, summoning and empannelling of Jurors? Would the States be prohibited from acting until Congress had legislated further? This presents a case, exactly parallel to that involved in the question now under discussion. In the case supposed—I mean the trial of issues in the State Courts—Congress would leave one of the incidental details of the execution of a law to the State regulations. Just so in regard to laying off the Districts. In either case, provided the requisitions of the Act of Congress are complied with, provided all conflict between State and Congressional action is avoided, State legislation in regard to details—where something is left for the States to do, in order to the proper execution of the law—is at any time valid and conclusive.

The gentleman from Rowan, continued to dwell upon the powers of Congress under the Constitution to regulate the manner of elections, and the exercise of that power under the Appointment Act of '42. The cautious manner and ingenious language in which he dealt with this part of the subject, is well calculated to mislead, unless closely scrutinized. Speaking of the Apportionment Act of '42, he said, that Congress had there, to a certain extent, assumed the power over the manner of elections, and to that extent the States were deprived of it. This I have admitted again and again. But to what extent?—that is the true question. I have shown that this extent was only as to contiguity of territory, and single districts. He does not deny this, whilst he yet cautiously abstains from any definite exposition of the "certain extent" mentioned by him. He jumped to the conclusion, however, that the only power left to the States, by the Act of Congress, over the manner of elections, was the arrangement of the districts—and he stated distinctly, that when that was done, the State power was at an end. If he will reflect a moment, he will see that he is entirely mistaken. The appointment of Poll keepers, the Officers to whom the returns shall be made, the mode in which the votes of the several Counties shall be compared, whether a majority or a plurality shall elect, whether the voting shall be by ballot or *viva voce*, are all powers over the manner of Elections, which are left to the States; and the exercise of which varies in almost every State. Will it be pretended that the States may not, from time to time and at any time, alter any one of these regulations as to the manner of holding elections? He says the arrangement of districts being left to the States after it is done, they can not again remodel it, without the consent of Congress. … then, according to this reasoning, … pointment of Pollkeepers being … part of the manner, as the arrangement of the districts—of course the States cannot alter their laws in regard to the former, oftener than once in ten years, if it can not as to the latter. And I presume he will readily admit, in the very face of his argument, that this General Assembly may now, if it sees fit, enact a law, that none but Justices of the peace shall keep the Polls—that the returns shall be made to the Clerks instead of the Sheriffs—that it shall require a majority instead of a plurality of votes to constitute an election—that the returns of the several Counties shall all be made to the Governor of the State. The power over all these, left to the States by the Act of Congress, is the very same as over the arrangement of the districts. They all pertain to the manner of holding elections. Still the gentleman from Rowan insists, that if the Act of Congress has not taken from the States the power over the manner of elections, or the States have arranged the Districts, then the law is a dead letter.—Now, say, if it has taken from the States all power over the manner of elections, indeed is it a dead letter. The Act of Congress makes no provision for the appointment of Pollkeepers, for the returns and comparing of the votes, as to whether a majority or plurality shall make an election, or how the election of members should be certified. And if the Act of Congress has taken these powers from the States, it would be utterly impossible to execute the law.

The only … in which the gentleman from Rowan made, to the *extent* of the power assumed by Congress over the *manner* of elections, was that Congress must have intended to take as much power from the States as should be necessary to secure the object and intent of the law itself. In this I agree with the gentleman. But what was the object and intent of the law? He says the leading object was to abolish the General Ticket system: and in providing for the District system, to give minorities a representation in Congress. In this I also agree with him. But what a strange and unheard of conclusion does he draw from these premises, in which we both so fully agree! He says if the States may re-district at pleasure, they may *eventually* restore the General Ticket system, by so arranging the districts, amid the violence of party contests, as to give the political majority the entire representation in Congress. Now, as I have said before, … to be less … ten years, … arrangement of … And will not the fear of a … cause majorities to do more … if they know that their action is subject to revision afterwards? But the danger apprehended by the gentleman is scarcely possible. If compactness of form, community of interests, and equality of numbers be consulted, the minority can scarcely fail of obtaining justice. Now, Sir, I can point out the gentleman an evil, from maintaining the districts unaltered for ten years, greater than that which seems to annoy him, of a majority usurping too much power. And that is, when a party in a large political numerical minority in a State, happens by accident to obtain the supremacy in the Legislature just previous to a decennial period of arranging the districts, and usurps to themselves undue power, by which the majority are oppressed, and thousands of freemen must remain disfranchised, for ten long years. That is exactly our condition now. Our grievance is a real one, whilst that which the gentleman seems to dread is an imaginary one.

I think I can put a case to the gentleman from Rowan, where he will admit a State may rightfully change a Congressional District, at any time. I mean in the case of making a new County. At this very session, the General Assembly has out of the combined portions of Lincoln and Catawba, made one new County, and changed the limits of two others. May not the General Assembly rightfully append this new county to either of the Congressional districts to which it is contiguous—and thereby to that extent, reconstruct these two districts. And if to that extent, why not to any extent? And if one or two districts, why not the whole? Again, the new States on our Western frontier, are constantly adding new Counties, as population and settlement progress. May they not add their new Counties to one district or another that is contiguous—and thus render it necessary to revise their arrangement of districts at almost every session? Or must they remain unaltered for ten years, as every decennial arrangement leaves them, no matter how population may fluctuate, or the march of improvement change its direction?

The gentleman from Rowan, in alluding to one passage in my report on this subject, places such an absurd construction on it that I must think he read it in so great a hurry as not to catch its meaning. I allude to that part of the report, which lays it down that the power of Congress and of the States, in the first instance, is the very same over the *manner* as over the *times* and places of election. The report goes on to say, that "they therefore, who maintain that the Legislature cannot alter the power when once regulated by law, must also maintain that the *times* and *places* once fixed are unalterable." In order to prove this position of the report, he went on to argue that Congress might take from the States all power over *time*, *place* and *manner*, or take it as to manner and leave untouched the times and places to the States. All this labor was vain. It is the very argument I used myself; and does not all meet the position taken in that passage of the report alluded to. The gentleman seems to construe the words "regulated by law," as meaning regulated by a law of Congress. I did not so design to be understood, and it does not seem to me that any such construction can be rationally placed on my language.—Of course the language of the report must be understood as meaning "regulated by a law of the Legislature of a State," for that part of the report immediately preceding is touching on the powers and rights of the States; and in the very passage commented on by the gentleman from Rowan, the word "Legislature" occurs just preceding, and in connexion with the words "regulated by law." The doctrine of this part of the report I still maintain.—The power of States over the times, places and manner of holding elections is the same, in the first instance. Congress has assumed the power over the manner, in part only. The power of States, over the remaining portion of the manner left them, is still the same as that over the times and places. And I do maintain, which cannot be denied, that if the power of the States over that portion of the manner left them—as for instance the arrangement of the Districts—when once exerted cannot again be exercised for ten years; so must the times and places once fixed by State legislation be also unalterable for the same period. For they all rest upon the same authority, and are subject to the same control by Congress.

The gentleman from Rowan, cited the authority of Mr. Madison in the Federal Convention, and of Mr. Davis, of Kentucky, in the House of Representatives, for the purpose of sustaining his views. Now with all due deference to the gentleman, I think both are decidedly against him. Mr. Madison in his remarks alluded to, was speaking of the propriety of giving to Congress the supervisory power over the election, which was afterwards engrafted in the Constitution. He was pointing out the evils that might supervene, if the power was left to the States without control. In every line and word quoted from Mr. Madison I heartily concur—the very evil he then predicts has already occurred, and it is for the purpose in part, of remedying this evil foreseen by Mr. Madison, that the bill now before us was introduced. Although the Act of Congress of '42 did interfere with the State regulations to a certain extent, yet it did not interfere far enough to prevent the evils foretold by Mr. Madison. The very sentence from Mr. Madison's remarks, which the gentleman from Rowan read with so much emphasis, and on which he seemed principally to rely, is the strongest argument in favor of the bill. It is this—"Whenever the Legislatures had a favorite measure to carry, they would take care so to mould their regulations as to favor the Candidates they wished to succeed." Why Sir, if that great man had been speaking with the tongue of inspiration, he could not have more exactly foretold the conduct and object of the Democratic Legislature of '42-'3. What "favorite measures" did they have to "carry?" Why the reduction of the Tariff, and the enactment of the Sub-treasury. How did they "mould their regulations?" Why by throwing the Districts into such shapes—in utter disregard of compactness, community, and equality—as to secure the election of six of the nine "candidates they wished to succeed," although in a minority of 7,000 in the State. The act of Congress of '42 being silent as to the arrangements of the Districts, the supervisory power of Congress thus far does not effectually reach the evil foretold by Mr. Madison; and the simple question is, will this Legislature remedy it, by giving the District such compactness of form, community of interest, and equality of numbers, as will restore a proper and just balance of power, between the rival parties?

The gentleman from Rowan was equally unfortunate in his reference to the remarks of Mr. Davis in the House of Representatives on this very apportionment act of '42. Mr. Davis says, as quoted by the gentleman, that the Districts should be "*in convenient form*, of contiguous territory, and to remain immutable until the next apportionment of representation." Here it will be seen that *convenience of form* is made a condition precedent to immutability. I agree with Mr. Davis, that if *convenience of form*—which term may be held to combine both compactness of territory and community of interests be consulted, it would be good policy, that the Districts should remain immutable for ten years. & it is because convenience of form was regarded by the Legislature of '42-3 it is because the Democrats then so "moulded their regulations as to favor their candidates" in six of the nine districts of the State, that we now propose to remedy the intolerable grievance under which the majority have so long suffered.

The gentleman from Rowan misstated my argument entirely, in alluding to the analogy I drew between the election of Members of Congress and Electors of President and Vice President of the United States. He represented me as insisting, that because the States had frequently changed the mode of electing President and Vice President, therefore, they had a right to change at pleasure, the Congressional Districts. I certainly could not have made use of any such absurd argument.—The analogy I presented, growing out of the appointment of Electors, was for the purpose of showing the absurdity of the argument on the other side. It was urged by the gentleman, and the doctrine has been mainly relied on by the Democratic Press, that as the Constitution provides for an enumeration of the people and a consequent apportionment of Representatives, once in ten years only, that *therefore*, when the States have arranged their Congressional Districts, in accordance with, and to meet the provisions of such decennial apportionment, this arrangement of districts must also remain for ten years. For the purpose of proving the absurdity of that argument, I stated that, under the Constitution, the arrangement and number of Electoral Districts was just as much dependant on every decennial enumeration and apportionment as of the Congressional Districts—and therefore, if the one must necessarily remain for ten years so must the other. That was my argument: and I still insist it is correct. But, then I went on to show, that the States had uniformly changed the Electoral Districts *at any time*, and that if this was rightfully done, which had never been disputed, of course the Congressional Districts might likewise be rightfully changed at any time. I did not so much rely on this analogy between the Electoral and Congressional Districts, to sustain my own position, although it is decidedly in point, as to show the absurdity of the argument on the other side.

The gentleman from Rowan represented me as saying, that the Bill before us was as perfect as the ingenuity of man could make it. The gentleman misunderstood me greatly. I said no such thing. I said, considering the peculiar form of the State, and the diversity of its interests, I believed the Bill came as near combining compactness, community, equality, &c., as was practically attainable. I said further, that I defied "the ingenuity of man" to make more than three decidedly Democratic districts in the State, unless the *gerrymander* was to some extent resorted to—provided these three leading considerations, were duly observed.

In reply to the position I assumed, that the Democratic party on this floor were estopped from saying the Edenton District was Whig, after having endorsed the course of Mr. Biggs in Congress, by voting for him for Senator, the gentleman from Rowan replies, that the Whig party have often sustained and endorsed men who had in Congress gone counter to the will of their constituents, and mentioned the cases of Messrs. Preston, Evans, and others. This kind of retort, though a very convenient, is by no means a legitimate mode of answering an argument. It shows that the gentleman considers the position of himself and his party an awkward one.—All the cases mentioned by him, are those of Senators. Well, what is the doctrine of the Whig party on this subject? What was the doctrine I laid down in my first Speech on this Bill? It is this—that whilst the House of Representatives should reflect the wishes, the feelings, the impulses, even, of the popular mind, the Senate was designed by the Constitution to be the conservative branch—the barrier against tumult, faction and innovation. And that in order to the accomplishment of the purposes of its creation, its members should enjoy perfect freedom and independence of action. If in this doctrine we … we are at least consistent. And it was on the score of consistency I insisted that the Democrats on this floor could not take the ground that the Edenton District … Whig, after having endorsed Mr. B… contending as one of their cardinal p… ples, that the Representative is und… circumstances, bound to conform … wishes of his constituents.

But the gentleman from Rowan … that the Whigs have endorsed th… Mr. Haywood. How have we end… Mr. Haywood in our public Represen… character? The endorsement of Mr. B… of which I spoke, was with referen… the discharge of his public duty—… was because the Democratic party … tain as one of the cardinal principles of … creed, that the Representative s… always reflect the wishes of his con… ents, that I alluded to their endors… of Mr. Biggs, in the last vote for Se… But how have we, as a party, en… Mr. Haywood? I am ready to en… him, as I am ready to endorse the … man from Rowan himself—that is, … possesses talents, moral worth, a… scientiousness in the discharge of … duty; and that he is entitled to … forbearance in the difference … which may prevail between us. T… extent does our endorsement go … further. 'Tis true, in our private … we have defended him against … ions of those who have impugned his … rity and his honor. And why? Because … fair fame and reputation of her … ed sons, is the public property of … which we should cherish and … we would her honor and her … I have ever differed with Mr. Hay… I shall no doubt continue to differ … on political questions. But wh… man whose character and tal… reflected credit on the State whose … courtesy and devotion to business … to him most of the leading me… Senate, of both parties when I … man attempted to be hunted dow… he would not sacrifice his conv… duty to the behests of party—I … should … it, as an alarming sy… the decline of public virtue, and … degeneracy of this age. And … become a party which th… nurtured with an almost parental … to which his character and tal… added respectability and streng… …-like, to sting the bosom th… it into life. Aye, sir, they will … need the force of his mighty arm … will soon again be heard, crying … Hercules, to come once more to their …

I am willing to do full justice to … genuity, and I may add, ability … the gentleman from Rowan manag… case. That he has not more eff… answered my positions, is evide… to be attributed to the weakness … cause, than to lack of strength.

The gentleman from Orange (M… commenced his speech by deprec… discussion of party politics on th… If he thereby wishes to detract … first speech, in intimating that … mere political harangue, then … of this House will judge between … I leave it to them to say, whether … three-fourths of my Speech w… *attempt*, at least, to deal with … in a close and logical manner, … in the close of my Speech I did … vindicate the great political … pending, as legitimately conn… the subject before us. Now … am no advocate for violent and … political discussion in the halls … tion, yet I believe that the Sta… tures should ever bestow a vi… tion upon the proceedings of … Government. I am States … enough for that. I believe … most effectual mode of … popular influence to the Fed… Exist, because the General … was in design adopted by … ing in their separate and … relations as distinct … secondly, because I believe, … the course of time, … and disru… of our present system, should ever … our fate, it is to be upon the political … compact organization of the States … we shall have to rely, a save us from … horrors of anarchy and confusion. … these almost indestructible elements … be elaborated other systems of free … ernment, as long as the genius of liber… has an abiding place in our land. P… al discussions then if restrained wi… due limits, I look on as serviceable … tends to teach us our strength and infl… in the confederacy and to prevent … listless and indifference in regard to … interference with our rights by the … neral Government. But when did … gentleman from Orange contract suc… horror for an allusion to National po… here? It must have been since his p… was in a majority in the General Ass… bly. For the Session of the Assem… of '42-'3, when the present arrange… of Congressional Districts was made… arrangement which we complain of as … an outrage on our rights—has been … termed "the Session of Resolutions." Almost every question within the sco… Congressional legislation was made … subject of Senatorial instructions. … Session was prolonged almost through … month of January, in the discussion … passage of Resolution, for the annoy… of Mr. Mangum, which now encumber … pages of your Statute Book. Discuss… on party politics are very right and pr… when the gentleman's party happens to … in a majority; but they are an outrag… all decency and propriety, when … Whigs happen to be in power.

The gentleman from Orange seems … think, the Whigs are estopped from … objections to the Bill of '43, because … Whigs in the Senate voted for it … pointed my attention, in a tone of … triumph, to "a book called the Jou… with which he said, it was "charitabl… suppose, I "was not familiar." … gentleman may save his charity for a … more needful occasion. I am just fa… enough with that book called the Jou… to know that these eight Whigs … the Bill through sheer dread of anoth…