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Carolina Watchman.

Devoted to Politics, News, Agriculture, Internal Improvements, Commerce, the Arts and Sciences, Morality, and the Family Circle.

VOL. XVI. SALISBURY, N. C., FEBRUARY 1, 1859. NUMBER 36

Speech of Mr. Marshall of Kentucky,

Delivered in the House of Representatives, on the 19th Jan., 1859.

EVENING SESSION.

The committee resumed its session at seven o'clock, p. m., (Mr. BARKSDALE in the chair.)

Mr. MARSHALL, of Kentucky. Mr. Chairman, when the member from Maine, who sits on my right, (Mr. WASHBURN,) finished his speech, a few days since, upon the mission and duty of the Republican party, I tried to obtain the floor to improvise a reply to it. Failing in that effort, I have waited the publication of the speech, and have given it an attentive perusal. It is a *representative speech*. It assumes a tone of suggestive advice, which denotes at once the solicitude of the counsellor and the reserved authority of the commander. Replete with promises of rewards to the faithful and of penalties to the disobedient, the very style of that speech asserts the prerogative of leadership and discards the equality of fellowship. It was written out in advance of its delivery, and was merely read here *pro forma*. It was meant for the country. It was pronounced with a deliberateness and precision of emphasis which made its general tone authoritative; indeed, the member spoke *ex cathedra*. His frequent use of the terms "oligarchy" and "oligarchic" served a different purpose than merely to string together unusual words; they pointed out the connection of this speech with one delivered at Auburn, somewhat more than a year since, by a distinguished leader of the Republican party, who represents the State of New York in the other wing of the Capitol. Both are minerals from the same mine; particles of the same system; music from two instruments, but composed by the same master; emanations from one intellect, only diversified in the effectiveness of the production, by being published through different channels.

Though the principle enunciated has been expressed, heretofore, its repetition now by the member from Maine, serves to prove that his speech is a representative speech, duly studied and prepared; and that it was intended as the bugle note from certain leaders of the Republican party, summoning the people of the free States to another sectional effort in the next presidential election, to be made under the auspices of extremists who essay to lead and control the Republican organization, and to convert it to their own uses. I make no doubt, from this beginning, that we shall hereafter be entertained with new editions of the Rochester speech from the same distinguished author, reading us the second lesson, which treats on homogeneousness of material as a necessity to the vitality of systems and States. Under this view it may be as well to reply at once to the whole theory of the Senator from New York, and to embrace in one speech all I have to say about the policy of maintaining a political organization upon the basis proposed by him, and offered here to public discussion by the members from Maine and Ohio. I confess that I am not discontent that the occasion has been presented for a public debate, in which the schools of American politics may be classified and arranged intelligently for popular examination; and the lines which divide them may be clearly defined, so that men, who have principles, may see policies which are suggested and the courses which are to be pursued. They may thus, at least, learn to stand by their principles, and come up to the patriotic discharge of their duty.

I shall offer no apology for any want of polish that may appear in the preparation of my remarks upon this occasion. I shall not study antitheses, weigh phrases, or call poetry to adorn the presentation of my views. I want to reach the hearts of my countrymen; and I know the easiest way to my object, is to speak with the simplicity of truth and the directness of candor. My only aim is to bring their minds to the earnest contemplation of the future which awaits the country, and to urge them to avoid the calamities to which we shall be subjected if they lend willing ears to unwise councillors, who fail to present and do not promise to pursue any scheme of practical statesmanship.

I shall address myself in the first place to the people of the free States. I am not of the class the gentleman from Maine calls "the slavery propaganda!" I am a citizen of a slave-holding State, was born and reared where the institution of slavery exists, and I have noted well the workings of the system upon the social and industrial habits of the people among whom I live. I am not exercised about the extension of slavery. I would not legislate affirmatively to compel its extension, any more than I would to prohibit it by legal enactments. I am one of those who believe that more harm than good has been done by agitations upon this subject, and that the continuance of such agitation, both North and South, can produce no other effect than to alienate from each other people who should be united, and to jeopardize institutions which secure to the people of this country a larger share of liberty, political equality, and freedom in the pursuit of happiness, than has been granted to any other community. I would not re-open the slave trade with Africa; on the contrary, I should oppose that proposition with whatever influence and talent I possess; and there does not live in the free States a citizen who would discountenance infractions of the policy which forbids that trade sooner than I would, or press the sanctions of legal penalties for a violation of the laws upon that subject farther than I would.

It were useless to discuss the oft-mooted question whether slavery is an evil. My observation of its effects upon society has brought my mind to the conclusion that benefits spring from it, and some evils follow in its train. But this speculative theorem has nothing in it of the practical with which the American statesman, in my opinion, can deal. There should be some limit to agitation which disturbs society, by constantly seeking a disarrangement of the basis on which it rests. The people of the free States, when once convinced that no practical benefit can flow from the efforts of men, who, professing philanthropy, in fact seek political power, and the gratification of personal ambition through the instrumentality of such agitation, will surely withdraw from this class their countenance—at least so far as to direct them to some other means of becoming famous than at the expense of the peace and harmony of the Government under which we have lived and prospered together for nearly a century. With this introduction I enter upon the argument.

The following propositions characterize the speeches to which I am replying, to wit:

1. The great problem to be solved under our system is, whether our Government shall be a confederacy of republics, or of oligarchies—of democracies, or of aristocracies.

2. Whether the States shall advance under the bounding spirit of freedom, or languish under the blighting influence of slavery.

3. Whether we shall reduce the Declaration of Independence to a practical governmental truth, or leave it to fill a niche in the temple of political philosophy merely.

I ask my countrymen to examine for themselves how the decision of either or of all these theorems is to be attained in practice, and, if attained, how can they affect their country in its career? When gentlemen characterize the slaveholding States as oligarchies rather than as republics or democracies, this epithet is applied with intent to obtain a leverage in the minds of the laboring masses of the free States *by producing their discontent*; and through that discontent either to urge those masses to interfere with "these oligarchical institutions" of the slaveholding States, despite constitutional obligations, or to assume an exclusive control over the destinies of embryo States that may become hereafter members of the Union. The first of these objects politicians emphatically deny. They say, on the contrary, *they would protect the right of the master in the States where slavery obtains*. As to the second, they admit that, being opposed to the extension of slavery in the Territories, they feel that everything in the power of the people of the free States should be done to prevent that extension.

I know the people of the free States do not like the system of slavery; I know they are opposed to an extension of slavery. I neither seek to change their opinion, nor to prevent its free expression. But just at this point, let me ask, have the people of the free States the *power*, through congressional action, to prevent the extension of slavery to the Territories? This question is one, not of negrophilism, but of the constitutional right and political expediency. It is not to be fairly decided by mere impulse of feeling, but its decision rests on the constitutional sanctions under which we live, and upon which the States and people of this country have established their political relations to each other. It is not a question of ethics or philanthropy; but one of political rights and power only. Now, I ask my countrymen of the free States if this question has not been heard and decided often enough to be considered settled? It was decided in 1850, by the legislation of that date, after a struggle of three years. It was decided in 1853, by the Whig and Democratic parties voluntarily adopting, in national conventions, resolutions to stand by the principles of the compromise of 1850. Southern men seem to have thought they were again deciding this question when they voted for the Kansas-Nebraska act in 1854. Northern men who voted for that act were willing to regard it as a *judicial question*. How far the right to carry a slave into a Territory extends, has been since *judicially* decided by the highest constitutional tribunal we have.

We are told that the Dred Scott case has been misinterpreted; that this point was not before the court; what the "slaveholding judges" said was mere *obiter dicta*; and finally, that the political power of Congress cannot be controlled by a co-ordinate department of the Government. But these exceptions to the decision will not avail. The Supreme Court is a *constitutional* tribunal, to last as long as the Government of the United States; and it has pronounced its opinion on the point in question, not only unmistakably as a court, but with such force in the separate opinions of its members, both from free and slave States, that there is no longer any doubt of the views of the tribunal. It is the supreme law until that decision shall be reversed.

The American party placed its *dictum* also on record through its national council against the continuance of this agitation. How can a point be settled if this has not been settled? I present the action of *Congress* whereby this asserted power was repudiated and its exercise refused. I present the action of the people through national conventions, indorsing, accepting, and guaranteeing this congressional decision, and pledging the country to stand by and sustain it. I might cite a later case, in which men of all parties came together to vote for the Crittenden-Montgomery amendment—a bill drawn upon the principles of the legislation of 1850, which commanded the majority of this House at its last session. After so many and so often-repeated declarations of tribunals, courts, Congress, and people what must we think of the pertinacity which now seriously proposes "to fight our battles o'er again?" I respectfully submit to the people of the free States that it is an overdraft upon their prejudices, which should be protested by their patriotism and intelligence.

It is nothing more nor less than an effort to *abolitionize* the Republican party; for it places in their mouths new dogmas of the most radical stamp, which far surpass anything that party has heretofore professed as cardinal. Sir, we were told, two years since, at least by the Americans who were then acting with the Republican party, but claiming to be Americans, that the mission of the Republican party would be ended when the destiny of Kansas should be settled; that it originated in, and was limited to, opposition to the introduction of slavery into Kansas. This was its only purpose. Because the people of the free States were indignant at the repeal of the Missouri compromise act of 1820, they then determined slavery should not make any advantage from a proceeding which they deemed aggressive and marked by bad faith. Now the destiny of Kansas is sealed; the Republican organization has no further mission to perform, consistently with the design in which it originated. Men have now an opportunity to halt and to take a new observation. At this point of time and opportunity I address myself to the Americans of the free States particularly, under hope that they will seriously consider *their* duty; and that they will now choose definitely between the conservatism of Americanism and the radicalism and abstractions of an abolitionized Republican organization.

Heretofore, I have understood their position and the tendencies which controlled them. I could easily comprehend that a man, professing all the material tenets of the American doctrine, at the same time felt all the opposition to the repeal of the Missouri compromise act, which was so general a sentiment among the people of the free States. I can see how such a man, adhering to the American cause, thought there was no inconsistency in maintaining the other proposition likewise. I can understand how he became committed to a current whose velocity he could not resist and whose direction he could not control, until he stood before the country apparently so Republicanized that the light of his Americanism shone as a farthing candle only, compared with the intensity of his Republicanism. But, sir, the vote of Kansas on the Lecompton constitution has settled all doubt as to the will of the Kansas people. Hereafter no party, and no considerable body of any party, out of Kansas, will seek to interfere in the disposition of the slavery question by Kansas. The will of the Kansas people will be carried out, and Kansas will come into the Union, as a State, under such constitution as shall express the voice and command the acquiescence of the people who are to live under it. That contest is closed; even the distinguished Senator from New York announces that it is closed; the leading Democrats of the South recognize it as closed. I hope I may be pardoned for an expression of my own thankfulness that it has been so settled as to vindicate the great principles of non-intervention and popular sovereignty, which were canonized by the legislation of 1850.

In this exigency, what should become of the Republican organization? If the avoidance of slavery extension in Kansas, because that would have been violative of the provisions of the Missouri Compromise act, were the sole cause of the origin of that organization, shall it cease when its real mission has been fulfilled? Or shall it erect new altars before which its members shall be called to worship? adopt new banners, which its masses shall be required to follow? The latter course is palpably the determination of those with whom the gentlemen from Maine and Ohio act. And that determination on their part is a summons to all the Americans of the free States; conservative men of the free States, to choose now between a political array guided by these leaders, upon mere abstractions to radical sectional purposes, and to ultimate overwhelming defeat, and that moderate practical school of politics which seeks harmony between the different sections of the Republic, by recognizing the rights of all sections, and by working for the general good, with a patriotic zeal that comprehends the interest of each part of the country as the greatest good of the whole.

The theory of the Senator from New York may be summed up thus:

1. Slaveholding States are obligarchies, and, as such, are not consistent with that republican equality which should exist between men who live under democratic institutions.

2. Slaveholders, being obligarchists, prefer an aristocracy to a democracy; and their efforts in the history of the Government of the United States proving them to be aggressives, cites all who love democracy rather than obligarchy and aristocracy, *to present an opposition to slaveholders*.

3. History and example prove that there must be homogeneousness of labor in a country governed under one political system; therefore, *we* must ultimately all be free, or all be slaves; and this fact being accepted as axiomatic, the corollary from it is, that all free people in the free States should unite in one effort to pet down slaveholders in this Government, or, at least, to assume control of its policy and future destiny, regardless of the views, interests, or wishes, of slaveholders.

4. There being no sentence in the English language, it would be politic to employ exactly the result to flow from the practice upon the foregoing political views and purposes, we had best rest the new organization on the general principle, "all men are created equal, and are endowed by their Creator with certain unalienable rights, amongst which are life, liberty, and the pursuit of happiness." This will be like Napoleon, who assumed the empire to protect the liberties of France."—Now, I respectfully submit to the people of the free States that these propositions disclose an intent to practice, under a vague generality, upon a theory of absolute hostility to slavery, as it exists in our country, which is at war with the compromises of the Constitution, the character and original basis of the Government of the United States, and which can by possibility prove successful only upon a dismemberment of the Union, and the ruin of that political edifice which was constructed by our forefathers *for* the benefit of their posterity.

I need not multiply words to exhibit the character and purposes of this school of politics. It is exposed as plain and undisguised abolitionism by the very statement of its own dogmas. It is the abolition element of the Republican party seeking to lead and control that organization to its own purposes, and, under its name, to revive and pursue a theory heretofore repelled and repudiated by the good sense and patriotism of the people of the free States.

The answer to this whole theory may be briefly summed up thus: our forefathers, inhabiting the British colonies in America, by common effort, achieved independence and formed a Confederation. In most of the colonies which then combined, slavery was *an existing fact*. In the subsequent establishment of the Government under the Constitution of the United States, this fact was left where it was found, to be controlled by the separate municipalities in which it existed; no further note being taken of it in the Constitution than the provision touching the extradition of fugitives from service, the power to repress the slave trade, and the representation accorded to three-fifths of the colored population. This last provision was a compromise made by slaveholders with statesmen from the North, who insisted upon the representation of the whole of that population. The explanation of this effort on their part is found in the fact that representation and direct taxation were established as co-relatives by our Constitution; and the northern statesmen of that day were solicitous to expose as large a surface of their neighbors as possible to the burden of maintaining the Government. The practice of supporting Government by a tariff of duties on imports shut off the slave population from a direct taxation upon their value, and left in operation only their political representation; a result which, examined alone, seems to leave no corresponding equivalent to the North, but which has in fact secured fortune and power to that section, through the encouragement given to mechanical and manufacturing industry which has found its permanent home in the midst of the North, under the well-directed energy of that people.

When gentlemen from the free States at this day criticise the institutions of the slave States as oligarchic or aristocratic, will they answer if they are more so now than they were when the Confederation existed, or when the Constitution was adopted? And if, finding fault with these features, they would make them cause for a crusade against slaveholders, will they not admit that their position invokes a censure upon those men who in the ancient time entered into those constitutional obligations with those obligarchies that established the very relations which exist to-day? How can those relations be changed without disunion, or usurpation of power within the Union? If those men will avow disunion as their purpose, the patriotism of the people of Maine even, will soon dispose of their theory and of them. If they will avow usurpation of power contrary to constitutional obligation, will not the people whom they address spurn their counsels and maintain their own plighted faith to brethren and country-men? There is no concession in the Constitution by which those gentlemen or their constituents can legitimately interfere with the institutions of a State which are republican in form, or in any manner control a State in the adoption or rejection of a given system of domestic labor. They declare that they do not seek to interfere with slavery in States where it exists—that *there* they would extend to it all the protection secured by the Constitution. They aver that they only seek to prevent its extension to *Territories*. The argument already adverted to proves that this proposition is itself a suggested usurpation of power not conferred on Congress. I have already cited to this point the results of several contests—contests in which these very leaders were actually and actively engaged, *and in which they were defeated*. Their theory has been rejected not only because it recommends usurpation, but it has been condemned by men who refuse it on grounds of general political expediency.

There is another consideration bearing on this view of my subject which of itself should secure the rejection of this theory, and which expose it as a mere abstraction seized on by politicians totally bent upon mischief. Our country has extended from east to west until its boundaries in that direction rest upon the Atlantic and Pacific oceans. The State of California and Oregon have determined against the introduction of slavery into their borders. Minnesota has rejected it. Kansas has also substantially settled the question for herself. Texas has already determined its future by the voice of her people, and the resolutions of annexation. The Indians own and occupy the region between Kansas and Texas.—Utah and New Mexico were created by the act of 1850. In the case of Utah, I well remember the Wilmot proviso was offered to the bill as an amendment, and received only some forty-eight votes. I cite this fact to show that, after the passage of the New Mexico bill in 1850, with the guarantees it contains, there was but an inconsiderable number of Representatives here, even from the free States, who continued to urge the power of Congress which the gentlemen claim, and the expediency of its application to Utah. In the free States, who that ever professed that ardent love of the Union which should distinguish a genuine American, will to-day or hereafter join a crusade, whose professed object is to pull down and to tear away the principles which constitute the chief glory of that conservative Administration which, under the auspices of Fillmore and Clay and Webster, assisted by the patriotism of Dickinson and other Democrats, gave peace to a distracted and divided country?

I have adverted to the political status of the Pacific slope, to that of Texas, Minnesota, Kansas, and the Indian Territory, and to the guarantees to New Mexico and Utah contained in the act of 1850, to bring before the popular mind the fact that they cover every inch of territory within the present boundary of the Union except that inconsiderable section embraced by the Gadsden purchase, known as the Mesilla valley. Having no further power of continental expansion in an eastern or western direction, let us look to the north and south. Passing the present cordon of free States, we find the whole north in the hands of Powers quite able to hold their possessions, and a climate, too, entirely uninviting to the establishment of slavery. Any professed expectation of its spread thither will be condemned by ordinary intelligence as entirely apocryphal. Looking to the south, we find a people of a different race from our own, involved in anarchy and civil wars, and unable to respond to any national obligation. We find a climate and productions where slavery might be advantageously employed in the development of the resources of the land. Should it be the fate of our country to be compelled to absorb a portion of Mexico, or even in the whole of it, there is no probability of its being done at any early day. When it is done, shall we be told by the people of the free States that *they stand on guard* to prevent the *States* in that direction from introducing slavery, if the people inhabiting them may desire to do so? Why, even those advocates of the theory of the Senator from New York do not pretend to control the action of *States*, and when ever any part of Mexico enters our system, it will be absorbed *by States*. The idea of a protectorate over a part of a State which the President has advanced, implying, as it does, paralysis to the administrative functions of the State, will never obtain. But, if those States come into our Union, it will only happen when they come as Texas did, with institutions already organized, *upon the character of which no question can arise here*.

Looking, then, at our present condition and our capacity of future expansion, I respectfully submit that *there is no excuse for the renewal of slavery agitation*. This country needs no legislation about slavery. The power of Congress requires no assertion on this distracting theme; because the guarantees of existing law are already applied to every foot of ground within the present boundaries of the Union. Where will these Republican leaders find territory on which to make tangible application of their peculiar dogmas? If any such place exists, I appeal to his Democratic party, which now holds the power both in this and the other wing of the Capitol, to bring forward bills at once to establish territorial governments therein, consistently with the principles which have been decided heretofore in this forum, and in the judicial department of the Government; principles upon the preservation of which I alone do honestly believe the harmony of the American Union can be preserved. I wish that the sluices of possible future agitation may be closed, and that the bitter waters of sectionalism may be stayed forever.

Mr. Chairman, I have nothing further to add, in order to attest my steadfast opposition to the dogmas asserted by those to whom I have been replying; nothing which would point out more clearly than what I have said, the broad and salient fact there can be no coalition between the politicians of that school and men who think as I do. When the gentleman from Maine abandons his obnoxious abstractions and sectional views, and shall be ready to march upon a platform of broad, Union-loving, and practical statesmanship, that shall discard negrophilism, and exhaust its benevolence and its wisdom in some effort to restore the country to prosperity and to serve the interests of the white men who inhabit it, we may combine; but on his idea, resistance will last while I live.

The gentleman gave me to understand that if we could not stand by the Republican principles as he expounders them, Maine and New York and other States would go into the possession of the Democratic party. Sir, I have long suspected there was but a single point of difference between Republicans like the gentleman from Maine, and the Democrats. He confirms my supposition by the declaration that, if an opposition cannot be framed upon the ideas announced in his speech touching slavery, we may expect an exodus of his whole tribe to the Democratic party. This means, I suppose, that on this question of the power of Congress over slavery alone, they differ; or, at least, that if the Republicans cannot win power on their own basis, they consider the present Democratic party their next best chance. I cannot contradict the gentleman, nor dissuade him from his inclinations. I can only say to him that not even such a misfortune as a painful separation from him can produce a modification of my principles; and when he arrives in the Democratic camp, I can only wish the leaders of that organization much joy of the acquisition of a new patch to their political quilt, which already exhibits nearly every color of the rainbow.

The gentleman from Maine denounces an opposition to Democracy based upon any other theory than his own, as a "contrivance which would go to pieces immediately on being launched by the American people." He proposes, more sensibly, I suppose, to administer the Government of this country upon the single principle he has announced, being the first sentence of the Declaration of Independence, accompanied by a running commentary upon the wickedness of African slavery. When the American people install an Administration upon his idea, there will be very little chance of its failure by a quarrel over the spoils; for there will be none to administer; more likely an opportunity of "lashing southern men into the Union," as has been promised among the interesting exercises of such an occasion.

Mr. Chairman, I think that I do not estimate improperly the great volume of American sentiment. I have seen the political storm blowing with fearful violence before to-day. I have seen the gentleman from maine, and others of his peculiar school, marshaling their hosts to the struggle over these same issues, and I have seen them fall back, beaten, discomfited, and overwhelmed. They never failed to claim everything; they seldom win anything by their own unaided force. In the elections which transpired last fall, they claim the return of a large Republican strength; whereas, I understand the fact to be, that a large proportion of the returns belong to the exertion of more conservative men, and will come here to represent more conservative and practical principles than those enunciated by the members from Maine and Ohio. It will remain for the opening of the next Congress, to determine the extent to which the Republicanism of the gentleman will exert a power. I predict that it will never repeat the success which once it achieved in this Hall, by reason of the course pursued then by the Democratic leaders. I cannot bring myself to the belief that the party to which the gentleman would yield the lead of the Opposition, numbers more real strength to-day, than when it supported Mr. Hale for the Presidency.

To exhibit this fact, no more is wanting than that the Americans and conservative men of the free States, who do not intend to be led into another sectional contest, and who do not desire to roll this stone of Sysiphus forever, shall take their proper position, renew their devotion to principles which demand adoption for the good of their country, and refuse hereafter, calmly and steadily, to fuse with any aid and every species of radicalism. The first thing to be done—the first thing to be done—the first step to be taken—must be taken by the people at home. They should meet in primary assemblies, confer freely with each other, sift and examine the proposed bases for future action, select, each man for himself, the principles of administration he is willing to espouse, *and then stand by these to the close*. If a conservative national ticket can be formed which will represent the ideas that succeeded in 1850 in quieting the agitation of that year, and which were so well received by the whole country last year, because they were built upon the same sound and national basis, then there will be room to hope for the return of this country, from its present awful condition, to an era of well regulated prosperity; but on the basis of the gentleman from Maine, and the Senator from New York, there is no reason to hope; and, indeed, it is creditable to the good sense of the country that there is no room for hope.

Why, sir, is it not shocking to hear a national contest for the Presidency deliberately planned and proposed in this Hall? What man be the intimation which conceives that the American people will, in cold blood, divide themselves by a sectional line upon a sectional question, having nothing practical to its issue, and no foot-ground in the Republic on which an application can be made of the result? It is a mere abstract dogma; a dead and extinct dogma; a dogma that cannot be reduced to practice in American statesmanship, that these gentlemen advocate as the basis of organization. Suppose they were indulged, do they not know that in fourteen, if not fifteen, States, they could find supporters enough to muster an electoral ticket? Ah! they reply, what care we for that. I know not what *they* care; but I ask my countrymen of the free States, if *they* should not have a care and avoid the poising a presidential contest upon such points as will justly alarm a whole section of the Confederacy for the security of its rights and property? We hear these gentlemen say they do not intend to strike *at slavery in the States*. What, then, does the *nationale* of the argument of the Senator from New York mean, when he teaches that in this country we must all be free or all be slaves? that we must be reduced practically to a homogeneous basis, and have but one system of labor? What should the people of the slaveholding States understand by it, were their countrymen of the free States to go to work deliberately to elect a President upon a basis like that suggested by the Senator from New York? Sir, they could have but one understanding of its meaning. They would be forced to the unwilling conclusion that superior numbers, greedy and avaricious of power, had enlisted in a crusade against their constitutional rights, and had determined upon an administration with a view to hold them, if not in absolute duress, at least with the sword of Damocles suspended over their heads. Thus forewarned, they might not abide the torture of suspense, and they might sever relations which no longer preserved even a decent semblance of political equality.

It is because I feel an abiding assurance that the masses of the people in the free States do *not* desire to afford, by their action, any *just* ground for alarm to their neighbors and countrymen, and especially when they can effect no purpose thereby, unless it be to exhibit a hostility that can find no constitutional channel for expression, that I announce my conviction here to-day, that the new party which the gentleman from Maine will be able to lead into the field under the banners of the Senator from New York, will not be much, if any larger, or more respectable than the old Abolition party, as it existed in 1852. Other men will decide that the mission of the Republican party ended with the Kansas imbroglio, and that the vote on the Crittenden-Montgomery amendment—the last and noblest act of its career—pledged them to the principles of 1850, by which, for the sake of the Union, they will hereafter steadily abide.

I was not much surprised, Mr. Chairman, to hear the intimation from the member from Maine, that when, from any cause, Congress could not conveniently apply the Wilmot proviso to the organic act of a Territory, his party would next rely upon the territorial people to apply it themselves by territorial legislation. This is the easy and natural gradation. This second mode of affecting the rights of slaveholders in the Territories is of Democratic origin. I remember that in the canvass of 1856, I denounced this *squatter sovereignty* as being in all its practical bearings as hostile to the fair enjoyment of the rights of the slave-holder in the Territories as the Wilmot proviso. I remember to have said, that if the Kansas-Nebraska bill received such a construction as to authorize *this* idea of "popular sovereignty"—and it was *this* to which Mr. Buchanan pledged himself when adopting the Cincinnati platform—I would not give "the toss of a copper" between him, as the embodiment of this idea, and Mr. Fremont, as the embodiment of the idea of "congressional sovereignty" applying the prohibition through the Wilmot proviso.

This frank remark was repeated from Lexington to Louisiana, by the members of the Democratic party, as something *perfectly heretical*; and had I belonged to the Democratic church, I suppose I should have been excommunicated with as much facility, for such an objection, as the distinguished advocate of this idea of "popular sovereignty" has been, within the past year, for adhering to the idea. After the presidential election, it was confessed on that side of the House that the Kansas-Nebraska bill did receive two constructions, differing at the North and South, but southern Democrats declared that *the difference was "immaterial."* In the midst of that discussion, the honorable member from Tennessee, [Mr. JOHN,] came forward and made a speech in advocacy of the idea which has been since so much denounced by southern Democrats; yet I see he holds his place in the very empyrean of Democracy. I then presumed, from the facts exhibited and the wide latitude for differences of opinion given in that party, that it was probably true that the whole party concurred in the declaration to which I have alluded. Testimonies of like character have since then been afforded by other leaders of that party, engaged in the actual administration, which serve to confirm and strengthen the opinion that *in the Democratic party differences of opinion are immaterial.*

When the member from Maine announces that *his party* deems this squatter sovereignty the next best abolition specific to the Wilmot proviso, I suppose his other declaration should not excite so much surprise; to wit, that if Maine cannot have *his* idea as the basis of organization against slavery extension, she will throw herself into the arms of the Democracy *upon the squatter sovereignty* idea as the next best chance of affecting slavery in the Territories adversely. I am still of the opinion that there is not room "for the toss of a copper" between squatter sovereignty and the Wilmot proviso; or, to speak more plainly, between territorial prevention of *enjoying* a right and the congressional prohibition of the use of it. And it does seem to me that a party containing elements both for and against *this* idea of popular sovereignty, cannot be firmly attached to any particular set of opinions on the subject, or must have a capacity to admit into its organization every variety and shade of opinion. Can it be there is nothing in the differ-