

Bedford Gazette.



BY GEO. W. BOWMAN.

Freedom of Thought and Opinion.

TERMS, \$2 PER YEAR.

NEW SERIES.

BEDFORD, PA. FRAY MORNING, JAN. 25, 1856.

VOL. XXIV, NO. 22.

PRESIDENT'S MESSAGE.

Fellow-Citizens of the Senate and House of Representatives:

(Concluded from last week.)

ARMY.

The army, during the past year, has been actively engaged in defending the Indian frontier, the state of the service permitting but few and small garrisons in our permanent fortifications. The additional regiments authorized at the last session of Congress have been recruited and organized, and a large portion of the troops have already been sent to the field. All the duties which devolve on the military establishment have been satisfactorily performed and the dangers and privations incident to the character of the service required of our troops, have furnished additional evidence of their courage, zeal and capacity to meet any requisition which their country may make upon them. For the details of the military operations, the distribution of the troops, and additional provisions required for the military service, I refer to the report of the Secretary of War and the accompanying documents.

Experience, gathered from events which have transpired since my last annual message, has but served to confirm the opinion then expressed of the propriety of making provision, by a retired list, for disabled officers, and for increased compensation for the officers, retained on the list for active service. All the reasons which existed, when those measures were recommended on former occasions, continue without modification, except so far as circumstances have given to some of them additional force.

The recommendations, heretofore made for a partial reorganization of the army, are also renewed. The thorough elementary education given to those officers who commence their service with the grade of cadet, qualifies them, to a considerable extent, to perform the duties of every arm of the service; but to give the highest speciality to artillery, requires the practice and special study of many years; and it is not, therefore, believed to be advisable to maintain, in time of peace, a larger force of that arm than can be usually employed in the duties appertaining to the service of field and siege artillery.

The duties of the staff in all its various branches belong to the movements of troops and the efficiency of an army in the field would materially depend upon the ability with which those duties are discharged. It is not, as in the case of the artillery, a speciality, but requires, also, an intimate knowledge of the duties of an officer of the line, and it is not doubted that, to complete the education of an officer for either the line or the general staff, it is desirable that he should have served in both. It is, therefore, recommended on a former occasion that the duties of the staff should be mainly performed by details from the line; and, with conviction of the advantages which would result from such a change, it is again presented for the consideration of Congress.

NAVY.

The report of the Secretary of the Navy, heretofore submitted exhibits in full the naval operations of the past year, together with the present condition of the service, and it makes suggestions of further legislation, to which your attention is invited.

The construction of the six steam frigates, for which appropriations were made by the last Congress, has proceeded in the most satisfactory manner, and with such expedition, as to warrant the belief that they will be ready for service early in the coming spring. Important as this addition to our naval force is, it still remains inadequate to the contingencies of the protection of the extensive sea coast and vast commercial interests of the United States. In view of this fact, and of the acknowledged wisdom of the policy of a gradual and systematic increase of the navy, an appropriation is recommended for the construction of six steamships of war.

In regard to the steps taken in execution of the act of Congress to promote the efficiency of the navy, it is unnecessary for me to say more than to express entire concurrence in the observations on that subject presented by the Secretary in his report.

POST-OFFICE.

It will be perceived by the report of the Postmaster General, that the gross expenditure of the department for the last fiscal year was nine million nine hundred and sixty-eight thousand three hundred and forty-two dollars, and the gross receipts seven million three hundred and forty-two thousand one hundred and thirty-six dollars, making an excess of expenditure over receipts of two million six hundred and twenty-six thousand two hundred and six dollars; and that the cost of mail transportation during that year was six hundred and seventy-four thousand nine hundred and fifty-two dollars greater than the previous year. Much of the heavy expenditures to which the Treasury is thus subjected, is to be ascribed in the large quantity of printed matter conveyed by the mails either franked, or liable to no postage by law, or to very low rates of postage compared with that charged on letters; and to the great cost of mail service on railroads and by ocean steamers. The suggestions of the Postmaster General on the subject deserve the consideration of Congress.

INTERIOR.

The report of the Secretary of the interior will engage your attention, as well for the useful suggestions it contains, as for the interest and importance of the subjects to which they refer.

The aggregate amount of public lands sold during the last fiscal year, located with military scrip or land warrants, taken up under grants for roads, and selected as swamp lands by States, is twenty-four million five hundred and fifty-seven thousand four hundred and nine acres; of which the portion sold was fifteen million seven hundred and twenty-nine thousand five hun-

dred and twenty-four acres, yielding in receipts the sum of eleven million four hundred and eighty-five thousand three hundred and eighty dollars. In the same period of time, eight million seven hundred and twenty-three thousand eight hundred and fifty-four acres have been surveyed; but, in consideration of the quantity already subject to entry, no additional tracts have been brought into market.

The peculiar relation of the general government to the District of Columbia renders it proper to commend to your care not only its material, but also its moral interests, including education, more especially in those parts of the district outside of the cities of Washington and Georgetown.

The commissioners appointed to revise and codify the laws of the district have made such progress in the performance of their task, as to insure its completion in the time prescribed by the act of Congress.

Information has recently been received, that the peace of the settlements in the Territories of Oregon and Washington is disturbed by hostilities on the part of the Indians, with indications of extensive combinations of a hostile character among the tribes in that quarter, the more serious in their possible effect by reason of the undetermined foreign interests existing in those Territories, to which your attention has already been especially invited. Efficient measures have been taken, which, it is believed, will restore quiet, and afford protection to our citizens.

In the Territory of Kansas there have been acts prejudicial to good order, but as yet none have occurred under circumstances to justify the interposition of the Federal Executive. That could only be in case of obstruction to federal law, or of organized resistance to territorial authority, assuming the character of insurrection, which, if it should occur, it would be my duty promptly to overcome and suppress. I cherish the hope, however, that the occurrence of any such untoward event will be prevented by the sound sense of the people of the Territory, who, by its organic law, possessing the right to determine their own domestic institutions, are entitled, while deporting themselves peacefully, to the free exercise of that right, and must be protected in the enjoyment of it, without interference on the part of the citizens of any of the States.

The southern boundary line of the Territory has never been surveyed and established. The rapidly extending settlements in that region, and the fact that the main route between Independence, in the State of Missouri, and New Mexico, is contiguous to this line, suggest the probability that embarrassing questions of jurisdiction may consequently arise. For these and other considerations, I commend the subject to the consideration of Congress.

CONSTITUTIONAL THEORY OF THE GOVERNMENT.

I have thus passed in review the general state of the Union, including such particular concerns of the Federal government, whether of domestic or foreign relation, as it appeared to me desirable and useful to bring to the special notice of Congress. Unlike the great States of Europe and Asia, and many of those of America, these United States are wasting their strength neither in foreign war nor domestic strife. Whatever of discontent or public dissatisfaction exists, is attributable to the imperfections of human nature, or is incident to all governments, however perfect, which human wisdom can devise. Such subjects of political agitation, as occupy the public mind, consist to a great extent of exaggeration of inevitable evils, or over zeal in social improvement, or mere imagination of grievances, having but remote connection with any of the constitutional functions or duties of the Federal government. To whatever extent these questions exhibit a tendency menacing to the stability of the Constitution or the integrity of the Union, and no farther, they demand the consideration of the Executive, and require to be presented by him to Congress.

Before the Thirteen Colonies became a confederation of independent States, they were associated only by community of transatlantic origin, by geographical position, and by the mutual tie of common dependence on Great Britain. When that tie was sundered, they severally assumed the powers and rights of absolute self-government. The municipal and social institutions of each, its laws of property and of personal relation, even its political organization, were such only as each one chose to establish, wholly without interference from any other. In the language of the Declaration of Independence, each State had full power to levy war, conclude peace, contract alliances, establish commerce, and to do all other acts, and things which independent States may of right do. The several colonies differed in climate, in soil, in natural productions, in religion, in systems of education, in legislation, and the forms of political administration; and they continued to differ in these respects when they voluntarily allied themselves as States to carry on the war of the revolution.

The object of that war to disenthral the United Colonies from foreign rule, which had proved to be oppressive, and to separate them permanently from the mother country; the political result was a foundation of a federal republic of the free White men of the colonies, constituted, as they were, in distinct, and reciprocal independent State Governments. As for the subject races, whether Indian or African, the wise and brave statesmen of that day, being engaged in no extravagant scheme of social change, left them as they were, and thus preserved themselves and their posterity from the anarchy, and the ever-recurring civil wars, which have prevailed in other revolutionized European colonies of America.

When the confederated States found it convenient to modify the conditions of their association, by giving to the general government direct access in some respects, to the people of the States, instead of confining it to action on the States as such, they proceeded to frame the

existing constitution, adhering steadily to the original intention of the States to impose their justifying thought which was, to delegate only on the others, or refuse to fulfill their such power as was necessary and proper to the execution of specific purposes, or, in other words, to retain as much as possible, consistent with the capacity left of common advantage, but only with those purposes, of the independent power and means of reciprocal injury and mischief of the individual States. For objects of common defence and security, they intrusted to the general government certain carefully defined functions, leaving all others as the undelimited refusal on the part of any one of them to gated rights of the separate independent sovereignty with constitutional obligations, arising from erroneous conviction or blind prejudice.

Such is the constitutional theory of our government, whether it be perpetuated by direction or indirection, the practical observance of which has carried us, and us alone, among modern republics, through nearly three generations of time. Placed in the office of Chief Magistrate as the executive agent of the whole country, bound without the cost of one drop of blood shed in the battle field against foreign foes, has elevated the feeble colonies into powerful States, and, in addition, it would be palpable neglect of duty on his part to have raised our industrial productions and commerce which transports them, to the level beyond all things at the present time, vitally of the richest and the greatest nations of Europe. And the admirable adaptation of our political institutions to their objects, combined with local self-government with aggregate strength, has established the practicability of a government like ours to cover a continent with a population of more than thirty millions.

The Congress of the United States is, in the eyes of the world, the most august assembly in the Old World which has ever obtained, and which imparts to America, exemption from the mutability of leagues for common action on the wars, the mutual invasions, and vague aspirations after the balance of power, which convulse from time to time the powers of Europe. Our co-operative action rests on the conditions of permanent confederation by power in the separate reserved rights of the States, and their equal representation in the Senate. That independent sovereignty in every one of the States, with its reserved rights of local self-government assured to each by their co-equal power in the Senate, was the fundamental condition of the constitution. Without it the Union would never have existed. However desirous the larger States might be to organize the government so as to give to their population its proportionate weight in the common councils, they knew it was impossible, unless they conceded to the smaller ones authority to exercise at least a negative influence on all the measures of the government, whether legislative or executive, through their equal representation in the Senate. Indeed, the States themselves could not have failed to perceive that the power was equally necessary to them, for the security of their own domestic interests against the aggregate force of the rest of the Union.

It is impossible to present this subject as truth and the occasion require, without noticing the reiterated, but groundless, allegation, that the South has persistently asserted claims and obtained advantages in the practical administration of the general government, to the prejudice of the North, and in which the latter has acquiesced. That is, the States, which either promote or tolerate attacks on the rights of persons and of property in other States, to disguise their own injustice, pretend or imagine, and constantly thus systematically assailed, are themselves the aggressors. At the present time, this imputed aggression, resting as it does, only in the vague declamatory charges of political agitators, resolves itself into misapprehension, or misinterpretation of the principles and facts of the political organization of the new Territories of the United States.

What is the voice of history? When the ordinance, which provided for the government of the territory northwest of the river Ohio, and for its eventual subdivision into new States, was adopted in the Congress of the confederation, it is not to be supposed that the question of future relative power, as between the States which retained, and those which did not retain, a numerous colored population, escaped notice, or failed to be considered. And yet the concession of that vast territory to the interests and opinions of the northern States, a territory now the seat of five among the largest members of the Union, was, in great measure, the act of the State of Virginia and of the South.

When Louisiana was acquired by the United States, it was an acquisition not less to the North than to the South; for while it was important to the country at the mouth of the river Mississippi to become the emporium of the country above it, so also it was even more important to the whole Union to have that emporium; and although the new province, by reason of its imperfect settlement, was mainly regarded as on the opposite boundaries of the United States, with far greater breadth above than below, and in territory, as in everything else, equally at least an accession to the northern States. It is mere delusion and prejudice, therefore, to speak of Louisiana as acquisition in the special interest of the South.

The patriotic and just men who participated in that act were influenced by motives far above all sectional jealousies. It was in truth the great event, which, by compelling for us the possession of the valley of the Mississippi, with commercial access to the Gulf of Mexico, imparted unity and strength to the whole confederation, and attached together by indissoluble ties the East and the West, as well as the North and the South.

As to Florida, that was but the transfer by Spain to the United States of territory on the east side of the river Mississippi, in exchange for large territory, which the United States transferred to Spain on the west side of that river, as the entire diplomatic history of the transaction serves to demonstrate. Moreover, it was an acquisition demanded by the commercial interests and the security of the whole Union.

In the meantime the people of the United States had grown up to a proper consciousness of their strength, and in a brief contest with France, and in a second serious war with Great Britain, they had shaken off all which remained of undue reverence for Europe, and emerged from the atmosphere of those trans-Atlantic influences which surrounded the infant republic, and had begun to turn their attention to the full and systematic development of the internal resources of the Union.

Among the evanescent controversies of that period the most conspicuous was the question of regulation by Congress of the social condition of the future States to be founded in the territory

of Louisiana. The ordinance for the government of the territory northwest of the river Ohio had contained a provision, which prohibited the use of servile labor therein, subject to the condition of the extraditions of fugitives from service due in any other part of the United States. Subsequently to the adoption of the constitution, this provision ceased to remain as a law; for its operation as such was absolutely superseded by the constitution. But the recollection of the fact excited the zeal of social propagandism in some sections of the confederation; and when a second State that of Missouri, came to be formed in the territory of Louisiana, proposition was made to extend to the latter territory the restriction originally applied to the country situated between the rivers Ohio and Mississippi.

Most questionable as was this proposition in all its constitutional relations, nevertheless it received the sanction of Congress, with some slight modification of line, to save the existing rights of the intended new State. It was reluctantly acquiesced in by southern States as a sacrifice to the cause of peace and of the Union, not only of the rights stipulated by the treaty of Louisiana, but of the principle of equality among the States guaranteed by the constitution. It was received by the northern States with angry and resentful condemnation and complaint, because it did not concede all which they had exactly demanded. Having passed through the forms of legislation, it took its place in the statute book, standing open to repeal like any other act of doubtful constitutionality, subject to be pronounced null and void by the courts of law, and possessing no possibility of efficacy to control the rights of the States which might thereafter be organized out of any part of the original territory of Louisiana.

In all this, if any aggression there were, an innovation upon pre-existing rights, to which portion of the Union are they justly chargeable? This controversy passed away with the occasion, nothing surviving it save the dormant letter of the statute. But, long afterwards, when, by the proposed accession of the republic of Texas, the United States were to take their next step in territorial greatness, a similar confluence occurred, and became the occasion for systematized attempts to intervene in the domestic affairs of one section of the Union, in defiance of their rights as States, and of the stipulations of the constitution. These attempts assumed a practical direction, in the shape of persevering endeavors by some of the representatives in both houses of Congress to deprive the southern States of the supposed benefit of the provisions of the act authorizing the organization of the State of Missouri.

But, long afterwards, when, by the proposed accession of the republic of Texas, the United States were to take their next step in territorial greatness, a similar confluence occurred, and became the occasion for systematized attempts to intervene in the domestic affairs of one section of the Union, in defiance of their rights as States, and of the stipulations of the constitution. These attempts assumed a practical direction, in the shape of persevering endeavors by some of the representatives in both houses of Congress to deprive the southern States of the supposed benefit of the provisions of the act authorizing the organization of the State of Missouri. But, the good sense of the people, and the sectional prejudice, and the political errors of the day, and the State of Texas returned to the Union as she was, with social institutions which her people had chosen for themselves, and with express agreement, by the re-annexing act, that she should be susceptible of subdivision into a plurality of States.

Whatever advantage the interests of the Southern States, as such, gained by this, were far inferior in results, as they unfolded in the progress of time, to those which sprang from previous concessions made by the South. To every thoughtful friend of the Union—to the true lovers of their country—to all who longed and labored for the full success of this great experiment of republican institutions—it was cause of gratulation that such an opportunity had occurred to illustrate our advancing power on this continent, and to furnish to the world additional assurance of the strength and stability of the constitution. Who would wish to see Florida still a European colony? Who would rejoice to hail Texas as a lone star, instead of one in the galaxy of States? Who does not appreciate the incalculable benefits of the acquisition of Louisiana? And yet narrow views and sectional purposes would inevitably have excluded them all from the Union.

But another struggle on the same point ensued, when our victorious armies returned from Mexico, and it devolved on Congress to provide for the territories acquired by the treaty of Guadalupe Hidalgo. The great relations of the subject had now become distinct and clear to the perception of the public mind which appreciated the evils of sectional controversy upon the question of the admission of new States. In that crisis intense solicitude pervaded the nation. But the patriotic impulses of the popular heart, guided by the admonitory advice of the Father of his country, rose superior to all the difficulties of the incorporation of a new empire into the Union. In the councils of Congress there was manifested extreme antagonism of opinion and action between some representatives, who sought by the abusive and unconstitutional employment of the legislative powers of the government to interfere in the condition of the incipient States, and to impose their own social theories upon the latter; and other representatives who repelled the interposition of the general government in this respect, and maintained the self-constituting rights of the States. In truth, the thing attempted was, in form alone, action of the general government, while in reality it was the endeavor, by abuse of legislative power, to force the ideas of internal policy entertained in particular States upon allied independent States. Once more the constitution and the Union triumphed signally. The new Territories were organized without restrictions on the disputed point, and were thus left to judge in that particular for themselves; and the sense of constitutional faith proved vigorous enough in Congress not only to accomplish this primary object, but also the incidental and hardly less important one of so amending the provisions of the statute for the extradition of fugitives from service, as to place that public duty under the safeguard of the general government, and thus relieve it from obstacles raised up by the legislation of some of the States.

Vain declamation regarding the provisions of Louisiana. The ordinance for the government of the territory northwest of the river Ohio had contained a provision, which prohibited the use of servile labor therein, subject to the condition of the extraditions of fugitives from service due in any other part of the United States. Subsequently to the adoption of the constitution, this provision ceased to remain as a law; for its operation as such was absolutely superseded by the constitution. But the recollection of the fact excited the zeal of social propagandism in some sections of the confederation; and when a second State that of Missouri, came to be formed in the territory of Louisiana, proposition was made to extend to the latter territory the restriction originally applied to the country situated between the rivers Ohio and Mississippi.

Most questionable as was this proposition in all its constitutional relations, nevertheless it received the sanction of Congress, with some slight modification of line, to save the existing rights of the intended new State. It was reluctantly acquiesced in by southern States as a sacrifice to the cause of peace and of the Union, not only of the rights stipulated by the treaty of Louisiana, but of the principle of equality among the States guaranteed by the constitution. It was received by the northern States with angry and resentful condemnation and complaint, because it did not concede all which they had exactly demanded. Having passed through the forms of legislation, it took its place in the statute book, standing open to repeal like any other act of doubtful constitutionality, subject to be pronounced null and void by the courts of law, and possessing no possibility of efficacy to control the rights of the States which might thereafter be organized out of any part of the original territory of Louisiana.

In all this, if any aggression there were, an innovation upon pre-existing rights, to which portion of the Union are they justly chargeable? This controversy passed away with the occasion, nothing surviving it save the dormant letter of the statute. But, long afterwards, when, by the proposed accession of the republic of Texas, the United States were to take their next step in territorial greatness, a similar confluence occurred, and became the occasion for systematized attempts to intervene in the domestic affairs of one section of the Union, in defiance of their rights as States, and of the stipulations of the constitution. These attempts assumed a practical direction, in the shape of persevering endeavors by some of the representatives in both houses of Congress to deprive the southern States of the supposed benefit of the provisions of the act authorizing the organization of the State of Missouri.

But, the good sense of the people, and the sectional prejudice, and the political errors of the day, and the State of Texas returned to the Union as she was, with social institutions which her people had chosen for themselves, and with express agreement, by the re-annexing act, that she should be susceptible of subdivision into a plurality of States.

Whatever advantage the interests of the Southern States, as such, gained by this, were far inferior in results, as they unfolded in the progress of time, to those which sprang from previous concessions made by the South. To every thoughtful friend of the Union—to the true lovers of their country—to all who longed and labored for the full success of this great experiment of republican institutions—it was cause of gratulation that such an opportunity had occurred to illustrate our advancing power on this continent, and to furnish to the world additional assurance of the strength and stability of the constitution. Who would wish to see Florida still a European colony? Who would rejoice to hail Texas as a lone star, instead of one in the galaxy of States? Who does not appreciate the incalculable benefits of the acquisition of Louisiana? And yet narrow views and sectional purposes would inevitably have excluded them all from the Union.

But another struggle on the same point ensued, when our victorious armies returned from Mexico, and it devolved on Congress to provide for the territories acquired by the treaty of Guadalupe Hidalgo. The great relations of the subject had now become distinct and clear to the perception of the public mind which appreciated the evils of sectional controversy upon the question of the admission of new States. In that crisis intense solicitude pervaded the nation. But the patriotic impulses of the popular heart, guided by the admonitory advice of the Father of his country, rose superior to all the difficulties of the incorporation of a new empire into the Union. In the councils of Congress there was manifested extreme antagonism of opinion and action between some representatives, who sought by the abusive and unconstitutional employment of the legislative powers of the government to interfere in the condition of the incipient States, and to impose their own social theories upon the latter; and other representatives who repelled the interposition of the general government in this respect, and maintained the self-constituting rights of the States. In truth, the thing attempted was, in form alone, action of the general government, while in reality it was the endeavor, by abuse of legislative power, to force the ideas of internal policy entertained in particular States upon allied independent States. Once more the constitution and the Union triumphed signally. The new Territories were organized without restrictions on the disputed point, and were thus left to judge in that particular for themselves; and the sense of constitutional faith proved vigorous enough in Congress not only to accomplish this primary object, but also the incidental and hardly less important one of so amending the provisions of the statute for the extradition of fugitives from service, as to place that public duty under the safeguard of the general government, and thus relieve it from obstacles raised up by the legislation of some of the States.

Vain declamation regarding the provisions of Louisiana. The ordinance for the government of the territory northwest of the river Ohio had contained a provision, which prohibited the use of servile labor therein, subject to the condition of the extraditions of fugitives from service due in any other part of the United States. Subsequently to the adoption of the constitution, this provision ceased to remain as a law; for its operation as such was absolutely superseded by the constitution. But the recollection of the fact excited the zeal of social propagandism in some sections of the confederation; and when a second State that of Missouri, came to be formed in the territory of Louisiana, proposition was made to extend to the latter territory the restriction originally applied to the country situated between the rivers Ohio and Mississippi.

Most questionable as was this proposition in all its constitutional relations, nevertheless it received the sanction of Congress, with some slight modification of line, to save the existing rights of the intended new State. It was reluctantly acquiesced in by southern States as a sacrifice to the cause of peace and of the Union, not only of the rights stipulated by the treaty of Louisiana, but of the principle of equality among the States guaranteed by the constitution. It was received by the northern States with angry and resentful condemnation and complaint, because it did not concede all which they had exactly demanded. Having passed through the forms of legislation, it took its place in the statute book, standing open to repeal like any other act of doubtful constitutionality, subject to be pronounced null and void by the courts of law, and possessing no possibility of efficacy to control the rights of the States which might thereafter be organized out of any part of the original territory of Louisiana.

In all this, if any aggression there were, an innovation upon pre-existing rights, to which portion of the Union are they justly chargeable? This controversy passed away with the occasion, nothing surviving it save the dormant letter of the statute. But, long afterwards, when, by the proposed accession of the republic of Texas, the United States were to take their next step in territorial greatness, a similar confluence occurred, and became the occasion for systematized attempts to intervene in the domestic affairs of one section of the Union, in defiance of their rights as States, and of the stipulations of the constitution. These attempts assumed a practical direction, in the shape of persevering endeavors by some of the representatives in both houses of Congress to deprive the southern States of the supposed benefit of the provisions of the act authorizing the organization of the State of Missouri.

But, the good sense of the people, and the sectional prejudice, and the political errors of the day, and the State of Texas returned to the Union as she was, with social institutions which her people had chosen for themselves, and with express agreement, by the re-annexing act, that she should be susceptible of subdivision into a plurality of States.

Whatever advantage the interests of the Southern States, as such, gained by this, were far inferior in results, as they unfolded in the progress of time, to those which sprang from previous concessions made by the South. To every thoughtful friend of the Union—to the true lovers of their country—to all who longed and labored for the full success of this great experiment of republican institutions—it was cause of gratulation that such an opportunity had occurred to illustrate our advancing power on this continent, and to furnish to the world additional assurance of the strength and stability of the constitution. Who would wish to see Florida still a European colony? Who would rejoice to hail Texas as a lone star, instead of one in the galaxy of States? Who does not appreciate the incalculable benefits of the acquisition of Louisiana? And yet narrow views and sectional purposes would inevitably have excluded them all from the Union.

But another struggle on the same point ensued, when our victorious armies returned from Mexico, and it devolved on Congress to provide for the territories acquired by the treaty of Guadalupe Hidalgo. The great relations of the subject had now become distinct and clear to the perception of the public mind which appreciated the evils of sectional controversy upon the question of the admission of new States. In that crisis intense solicitude pervaded the nation. But the patriotic impulses of the popular heart, guided by the admonitory advice of the Father of his country, rose superior to all the difficulties of the incorporation of a new empire into the Union. In the councils of Congress there was manifested extreme antagonism of opinion and action between some representatives, who sought by the abusive and unconstitutional employment of the legislative powers of the government to interfere in the condition of the incipient States, and to impose their own social theories upon the latter; and other representatives who repelled the interposition of the general government in this respect, and maintained the self-constituting rights of the States. In truth, the thing attempted was, in form alone, action of the general government, while in reality it was the endeavor, by abuse of legislative power, to force the ideas of internal policy entertained in particular States upon allied independent States. Once more the constitution and the Union triumphed signally. The new Territories were organized without restrictions on the disputed point, and were thus left to judge in that particular for themselves; and the sense of constitutional faith proved vigorous enough in Congress not only to accomplish this primary object, but also the incidental and hardly less important one of so amending the provisions of the statute for the extradition of fugitives from service, as to place that public duty under the safeguard of the general government, and thus relieve it from obstacles raised up by the legislation of some of the States.

Vain declamation regarding the provisions of Louisiana. The ordinance for the government of the territory northwest of the river Ohio had contained a provision, which prohibited the use of servile labor therein, subject to the condition of the extraditions of fugitives from service due in any other part of the United States. Subsequently to the adoption of the constitution, this provision ceased to remain as a law; for its operation as such was absolutely superseded by the constitution. But the recollection of the fact excited the zeal of social propagandism in some sections of the confederation; and when a second State that of Missouri, came to be formed in the territory of Louisiana, proposition was made to extend to the latter territory the restriction originally applied to the country situated between the rivers Ohio and Mississippi.

Most questionable as was this proposition in all its constitutional relations, nevertheless it received the sanction of Congress, with some slight modification of line, to save the existing rights of the intended new State. It was reluctantly acquiesced in by southern States as a sacrifice to the cause of peace and of the Union, not only of the rights stipulated by the treaty of Louisiana, but of the principle of equality among the States guaranteed by the constitution. It was received by the northern States with angry and resentful condemnation and complaint, because it did not concede all which they had exactly demanded. Having passed through the forms of legislation, it took its place in the statute book, standing open to repeal like any other act of doubtful constitutionality, subject to be pronounced null and void by the courts of law, and possessing no possibility of efficacy to control the rights of the States which might thereafter be organized out of any part of the original territory of Louisiana.

law for the extradition of fugitives from service with occasional episodes of frantic effort to obstruct their execution by riot and murder, continued, for a brief time, to agitate certain localities. But the true principle, of leaving each State and Territory to regulate its own laws of labor according to its own sense of right and expediency, had acquired fast hold of the public judgment, to such a degree, that, by common consent it was observed in the organization of the Territory of Washington.

When, more recently, it became requisite to organize the Territories of Nebraska and Kansas, it was the natural and legitimate, if not the inevitable, consequence of previous events and legislation, that the same great and sound principle, which had already been applied to Utah and New Mexico, should be applied to them;—that they should stand exempt from the restrictions proposed in the act relative to the State of Missouri.

These restrictions were, in the estimation of many thoughtful men, null from the beginning, unauthorized by the constitution, contrary to the treaty stipulations for the cession of Louisiana, and inconsistent with the equality of these States.

They had been stripped of all moral authority, by persistent efforts to procure their indirect repeal through contradictory enactments. They had been practically abrogated by the legislation attending the organization of Utah, New Mexico and Washington. If any vitality remained in them, it would have been taken away, in effect, by the new territorial acts, in the form originally proposed to the Senate at the first session of the last Congress. It was manly and ingenious, as well as patriotic and just, to do this directly, and plainly and thus relieve the statute-book of an act, which might be of possible future injury, but of no possible future benefit; and the measure of its repeal was the final consummation and complete recognition of the principle, that no portion of the United States shall undertake, through assumption of the powers of the general government, to dictate the social institutions of any other portion.

The scope and effect of the language of repeal were not left in doubt. It was declared, in terms, to be "the true intent and meaning of this act not to legislate slavery into any Territory or State, nor to exclude it therefrom, but to leave the people thereof perfectly free to form and regulate their domestic institutions in their own way, subject only to the constitution of the United States."

The measure could not be withstood upon its merits alone. It was attacked with violence on the false or delusive pretext, that it constituted a breach of faith. Never was objection more utterly destitute of substantial justification. When, before, was it imagined by sensible men

enacted ten or forty years ago, is irrefragable; that an act of Congress is above the constitution? If, indeed, there were in the facts any cause to impute bad faith, it would attach to those only who have never ceased, from the time of the enactment of the restrictive provision to the present day, to denounce and condemn it; who have constantly refused to complete it by needful supplementary legislation; who have spared no exertion to deprive it of moral force; who have themselves again and again attempted its repeal by the enactment of incompatible provisions; and who, by the inevitable reactionary effect of their own violence on the subject, awakened the country to perception of the true constitutional principle of leaving the matter involved to the discretion of the people of the respective existing or incipient States.

It is not pretended that this principle, or any other, precludes the possibility of evil in practice, disturbed as political action is liable to be by human passions. No form of government is exempt from inconveniences; but in this case they are the result of the abuse and not of legitimate exercise of the powers reserved or conferred in the organization of a Territory. They are not to be charged to the great principle of popular sovereignty; on the contrary, they disappear before the intelligence and patriotism of the people, exerting through the ballot-box their peaceful and silent but irresistible power.

If the friends of the constitution are to have another struggle, its enemies could not present a more acceptable issue than that of a State, whose constitution clearly embraces a republican form of government, being excluded from the Union because its domestic institutions may not in all respects comport with the ideas of what is wise and expedient entertained in some other State. Fresh from groundless imputations of breach of faith against others, men will commence the agitation of this new question with indubitable violation of an express compact between the independent sovereign powers of the United States and of the republic of Texas, as well as of the older and equally solemn compacts, which assure the equality of all the States.

But, deplorable as would be such a violation of compact in itself, and in all its direct consequences, that is the very least of the evils involved. When sectional agitators shall have succeeded in forcing on this issue, can their pretensions fail to be met by counter pretensions? Will not different States be compelled respectively, to meet extremes with extremes? And, if either extreme carry its point, what is that so far forth but dissolution of the Union? If a new State, formed from the territory of the United States, be absolutely excluded from admission therein, that fact of itself constitutes the disruption of Union between it and the other States. But the process of dissolution could not stop there. Would not a sectional decision, producing such result by a majority of votes, either northern or Southern, of necessity drive out the oppressed and aggrieved minority, and place in presence of each other two irreconcilably hostile confederations?

It is necessary to speak thus plainly of projects, the offspring of that sectional agitation now prevailing in some of the States, which are as impracticable as they are unconstitutional,