BY DAVID OVER.

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SPEECH

OF

HON. EDWARD WPHERSON,
Of Pennsylvania, Delivered in the
HUSE OF REPRESENTATIVES, JAN.
23, Tagot.
The House having under consideration to report from the select committee of thirty-three—
Mr. McPHERSON said:
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The midd of a revolution. It is more accurated to say, that we are in the prosence of a vast conspiracy, which has at length assumed the proportions of revolution. It propose to examine and try to understand the construction of the continuous transportation of the total of Three pregnant questions.
The blow comes from compirators, who natulated too got the list of the total of the selection of the State of South Garolian is 1850, in a debate upon a proposition for a southern congress, we find that one menher (Mr. W. S. Lyles and that the remody for their wrongs was the amon of the State of South Garolian is 1850, in a debate upon a proposition for a southern congress, we find that one menher (Mr. W. S. Lyles and that the remody for their wrongs was the amon of the State of South Garolian is 1850, in a debate upon a proposition for a southern congress, we find that one menher (Mr. Parker) said, in the detate upon the recording of the State of South Garolian for a long series of years, until, at last, it has come to that point when we may say the matter is entirely right." Another member, (Mr. Parker) said, in the detate upon the recording a sense of the United States, said that the sense of the Order of the United States, and through you can be considered that the remody for the said the sense of the United States, and the subscience of the United States, and the provide of the subscience of the United States, socking

answer. Do you need further evidence ! Recall the secession excitement of 1850, the Nashville convention of 1851, the frequent (so-called) southern commercial conventions, the repeated fillibus-tering expeditions, the secession demonstrations of 1857-58, and the organization of "United Southerners," described and recommended by Mr. Yancey, in his Slaughter letter of June 15, 1858, whose purpose was to "establish committees of safety" all over the cotton States, to "fire the southern beart, instruct the southern mind, give courage to cach other, and, at the proper moment, by one or-ganized, concerted action, to precipitate the cotton States into a revolution." This league included men of all parties who, (such is the description,) "keeping up their old party relations on all other questions, will hold the southern issue paramourt, and will influence parties, Legislatures, and statesmen." What fearful, if not fatal, measure of success has crowned their ceaseless endeavors to rouse, excite, and inflame the southern mind to the desired points of revolution, the seditious condition of the Gulf States demonstrates.

ITS CHARACTERISTICS.

The conspiracy was wide-spread, combined many powerful influences, and appropriated the aptagency of a secret, and probably oath-bound, organization It apparently invaded the Cabinet, making executive officers connivers at, if not participants executive officers connivers at, if not participant in, its atrocious policy. It penetrated the Depart ments, and used their machinery for its nefarious purposes. And it has been suggested, not im-probably, that the House and Senate Chambers have not escaped defilement. At its touch, privacy was penetrated, secret doors opened, all informa-tion gained, and all desirable dispositions effected. So intelligent were the guiding spirits, and so per-fect their arrangements, that when, at a given sig-nal, creason lifted its bead in a thousand quarters. few supposed that the sudden and simultaneous movement was the result of foresight and prep-eration. A conspiracy so wide, complete, and ex-tensive, never before threatened the overthrow of the national Constitution, and the destruction of

man hopes and rights. If judged by its causes, real or pretended, it must be pronounced unjustified; if by its characteris-tics, wicked and diabolical. In every element, it is hateful and despicable. It was conceived in disappointed personal ambition, and born of cuning and calculating malignity. It has fed and ning and calculating malignity. It has see and thrived upon the worst of passions, and its very grossness betrays the hideousness of its life. Its footprints are plainly traceable upor the nation's pathway for a quarter of a century; and now into this magnificent but uncompleted Capitol has come its ghastly and horrid form, its scowling face and wrathful words and hating heart. To many, unsuspicious of such deprayity, it has come unawares. Others have long observed its stealthy creep. It has been here before. A year ago it moved anhas been here before. A year ago it moved angrily through these marble Halls. It has returned, tenfold more violent and vicious. As it is, we must meet it—either succumb to it, parry it, or maintain the contest necessary to destroy it.

ITS HISTORY.

This suggests the second point: What means They retired vanquished, fleeing to the sand hills of the Palmetto State, where, nursing their wrath, they kept it warm. While the here lived, he control of the party from the majority to the "The right of the people of a single State to

consistence of Alabama:

From developements now being made in South Carolina, it is perfectly manifest that a party exists in that State, seeking a dissolution of the Union, and for that purpose employ the pretext of the rejection of Mr. Tyler's abominable treaty."

In May, 1833, General Jackson, in his letter to Rev. Andrew J. Crawford, after congratulating himself on the death of nullification, and the defeat and dishonor of its advocates, remarked as follows:

"The tariff, it is now known, was a mere pretext."

""" "Therefore the tariff was only the pretext will be the negro or slavery question."

How accurately the sagacious patriot measured the conspirators; how thoroughly he comprehended them; how clearly he foresaw their network of devices!

How firmly they seized the pretext, how perseverngly they have handled it, letitheir ever increasing agitation, their ever-rising exactions, their destruction of men and parties for infidelity to it, and their more and more unreasonable demands." as contrasted with the nations' they are retiring! Largely depriving the national Governational control of vitality, they have proportionably exaggerated the State Governments—allegiance to which, in violation of the Drain, in violation of the precise tanguage and an irresisfible logic, to denationalize its policy, destroying its nobler features, and supplanting then with either the shadows of former substance or the desiry distinct the entire theory of the Constitution, they have intensified the party. they proceeded, by early procee struction of men and parties for infidelity to it, and and rights of the States, to whose "peculiar systheir more and more unreasonable demands, give tem," as contrasted with the nation's, they are tem," as contrasted with the nation's, they are now, by natural consequence, attempting to give extra territorial vitality in derogation of the general weal. The necessary result of this policy, embraced by many with that view, has been to weaken the bonds of the Union, and, by a gradual but certain process, to prepare the people sought to be enticed for the rebellious and revolutionary surposes now avowed. On every occasion, in every mode, and on every subject save one, they have

dwarfed the policy of the Democratic party, and left it a husk without life-giving or life-sustaining

I have said, on every subject save one

refer, of course, to that which is their chiefest pretext. On all questions affecting slavery, they treat the Constitution with violence, stretching it far beyond its letter or spirit .-To this end they have adapted themselves, successively, with amazing readiness, to every necessity of the hour. Aprious to break down the doctrine of Congressional prohibition, they adopted the theory of leaving to the Territorial Legislatures the control of the 'domestic institutions' of the people. That passing purpose sufficiently secured, they denied the er of the Territorial Legislatures hostilely to touch slavery. Using this doctrine for a temporary purpose, they threw it aside as worthless, setting up in its place the dogma that, as the Constitution recognizes slavery, neither Congress nor the Territorial Legislature can prohibit it, and both must protect it against a hostile local sentiment. Proclaiming the sanctity of compromises until that of 1850 is accepted, they repudiate all such notions in 1854 and destroy the Missouri compromise of 1820, which while not in their way, was esteemed well nigh sacred, and fit to be extended to the Pacific. In their eagerness for the admission of slave States, they sought, in 1858, to drag Kansas into the Union against the will of her people, under a fraudulent slavery constitution | biter." which did not embody the popular wish, and of wrong repudiated by the Territory, condemued by the conscience of the country, and, after the act, confessed by a distinguished supporter, to have been a disgraceful measure, gress." While in 1860 and 1861, they resisted to the last point the admission of Kan- of New York, he said: great men to be preserved forever.

Their first attempt apon the Government was made in 1822, when they met the iron will and stelling patriotism of Andrew Jackson, whose Roman virtue no bribes could sway or threats subdue. They retired varquished, fleeing to the sand the

1848, Gen. Cass gained their support by abandoning former opinious, and adopting new ones, couched, however, in such Delphic words ent sections. In 1849-50, a sagacious and pressly formed to attain: patriotic southern President, when resisting their machinations, was struck down by death. In 1852, they nominated General Pierce, whose antecedents and surroundings were satisfactory. During his administration vast evil was done, and vastly more prepared. In 1856 they gracefully yielded to the necessity of the nation of Mr. Buchanan, who did falter in their service until it would have been treasonable to go further. In 1860, their real character and purpose was disclosed. Fearing and hating Mr. Douglas for one act of disobedience, they expended every effort to prevent his nomination. The two third rule and other appliances failing, they kept the Charleston Cenvention several weeks in session, forced an adjournment to Baltimore, where failing to defeat Mr. Douglas, they seceded, broke the convention in twain, nominated a second candidate, hopelessly divided the Democratic

party, and compelled a Republican victory. Thus, the Democratic party divided, the Republican party triumphant, the whole southern people purposely misled as to its opinions and policy, and the fitting occasion supposed to have arrived for placing the match to the magazine, the conspiracy was unveiled. To day it stands before the American people the most hideous development in their history or

that of any other nation. ITS PURPOSE AND PATH. I proceed to the third question: whither does it tend, and by what path? The path is the asserted right of secession; the end, the dissolution of the present Union. On the other question, at least equally important: what shall follow dissolution? there is great difference of opinion. Some prefer a southern confederacy, with a constitution much like the present, others propose a reconstruction of this Government, with new guarantees and conditions, on the extent of which they again The differ. All, however, I believe, agree in "sloughing off" New England. Others inoline to a constitutional menarchy; others again, as foreshadowed by Governor Pickens, of South Carolina, to a strong military government. There is much method in their madness; they agree upon the destructive part of their policy, but largely differ upon the constructive; no new experience, since to pull down requires only brute force; to build up requires great qualities. I have heard it lately said that three things were necessary in governmental construction: wise men, money,

mination The path chosen is by the alleged right possessed by each State to seede at plessure thority, against common sense, and repudiated in terms by the most eminent of statesmen .-Mr. Madison, in the recently published letters to N. P. Trist, Esq., written in 1832, says:

southern movement must have disastrous ter-

"I partake of the wonder that the men you name should view secession in the light mentioned. The essential difference between a free government and a government not free is, that the former is founded in compact, th parties to which are mutually and equally bound by it. Neither of them, therefore, can have a greater right to break off from the bargain than the others have to hold him to it. And cortainly there is nothing in the Virginia resolutions of 1798 adverse to this principle, which is that of common sense and common justice. The fallacy which draws a different conclusion from them lies in confounding a single party with the parties to the constitutional compact of the United States. The latter, having made the compact, may do what they will with it. The former, as one of the parties, owes fidelity to it till released by consent, or absolved by an intolerable abuse of the power created."

In the same letter, Mr. Madison alludes to letters to Monroe and Carrington, to the effeet that it was not necessary to find a "right to coerce in the Federal articles, that being inherent in the nature of a compact."

Mr. Madison again says:

"Many seem to have lost sight of the great principle, that compact is the basis and essence of free government; and that no right to disregard it belongs to a party till released from it by causes of which the other parties have an equal right to judge. In the event of an irreconcilable conflict, not of rights but of opinions and claims of right; force becomes the ar-

Again: he called upon all real friends of was known to be in opposition to it -a measure | the Union to "finally rally against those speeulative errors, which, assuming a practical character, must subvert it."

The same views are found in his correspondence with Mr. Webster, and, at an earlier date, which "should have been kicked out of Con- with Alexander Hamilton, to whom pending the ratification of the Constitution by the State

sas with free institutions conformable to the popular will. So wholly have the conspirators right to withdraw if amendments be not deciwielded the Democratic organization in their ded on under the form of the Constitution, destruction of the old landmarks set up by within a certain time, is a conditional ratification; that it does not make New York a mem-As the conspirators debauehed the creed ber of the Union, and consequently that she and policy of the Democratic party, so they should not be received on that plan. Compacts

minority, who have held it ever since, and thro'; absolve themselves at will, and without the the protest of New England. Neither is this law been rendered inoperative; but in every it have ruled the country. In 1847, they consent of the other States, from their most the complaint which the people of the South case it has been executed, and generally with threatened the 'crushing out' process against solemn obligations, and hazard the liberties can make, for they have never been united in out disorder; that it has been more faithfully all who advocated the Wilmot proviso. In and happiness of the millions composing this 1848, Gen. Cass gained their support by aban- Union, cannot be acknowledged; and that such authority is utterly repugnant both to the principles upon which the General Government that they were interpreted oppositely in differa is constituted and the objects which it was ex-

The doctrine has never been countenanced by the Supreme Court, or by such statesmen as John Quincy Adams, Clay, Dentou, C. Webster. It is a doctrine unknown in history, ancient or modern, and especially in those confederacies whose frames were so carefully by esolution, that "the right of secession is not only unauthorized by the Constitution, but is repugnant to its letter and spirit." In 1851, the State convention of Mississippi, called to consider the compromise measures of 1850, resolved that

The asserted right of secession from the Union on the part of a State is utterly un-sanctioned by the Federal Constitution."

Mississippi is now a seceding State—so readily are discarded opinions assumed when suited to a supposed emergency.
So much for the path, which has been hown by force, and does not legally exist.

ITS JUSTIFICATION.

Now for the justifying reasons. Mr. Madison says a people may be absolved from allegiance when there is, on the part of Government, 'an intolerable abuse of the power created.'- I do not recall a single instance in which aid Does that abuse exist?

I propose to examine this point fairly-weiv-ing all technical points- and therefore to condense from the papers issued by the convention of South Carolina a statement of their grievances in justification of their action. Those dependence, each prepared by a separate committee; the former reported by Mr. Memminger, the latter by Mr. Rhett-both gentlemen in barmony with the sentiment of their State, and |

thoucughly familiar with the causes of com-

The former paper is the more elaborate. It pens with a statement "that the one great evil, from which all other evils have flown, is to overthrow of the Constitution of the United States," the Government being no longer free, but a despotism, such a Government as our fathers resisted in 1776. It assumes a parallina and the colonios, and sustains it by assert-ing that the Northern States, "naving the majority in Congress, claim the same power of and the favor of God. If this be true, this Southern States are taxed for the benefit of the North, and that the representation of the southern States in Congress is useless to protect them against taxation. It also complains that, The rath chosen is by the alleged right possessed by each State to seede at plessure from the Union. It is searcely necessary to say that this is a doctrine wholly without aurevenue-to promote, by prohibition, northern manufactures; and that of the taxes collected of the argament. To all of which it may be

First - That the Constitution, so far from being overthrown, has been administered upon substantially the same principles, "making due allowance for the imperfection and errors incident to all human affairs," from the organization of the Government to the present time .-During it, the Supreme Court has changed less frequently than any other department of the Government; and for many years a majority of the judges have been from the southern States. The tendency of its decisions, also, has, within the last thirty years, been more and more narrowing down to the standard of South Carolina school, as is known by every student of our politics. Besides, the general legislation of in this document, and use assertions too false glosses and dangerous misinterpretations our country has been closely confined, and in strong." repeated instances have been nullified, by the interposition of the executive power, which has Mr. Jefferson's opinions as expressed in his without material exemption, been in the hands gressional prohibition of slavery from the Ter- lation (meant to protect domestic manufactures or under the control of the southern States.

Second-The attempted parallel fails, be cause the colonies were not represented in Parliament; and the southern States are represented in Congress, precisely in proportion to their claims and in accordance with the provisions of the Constitution ratified by all and binding all. It fails, also, because the British Parliament is omnipotent; and the Congress is limited, as all severity and uniformity. Neither is the parallel more happy as the results than as to the principle; for, although it is asserted that the representation of the southern States is use less to protect them against taxation," I challenge any one to point out a case in which a messure of taxation has been resisted by the South and enforced by the North. There is no such case. But if there were, it would not necessarily relieve the southern States from their allegiance; for, to be justified, they must be able to point out an "intolerable abuse."-That is impossible. The claimed parallelism not existing, it is easy to see wherein the two parties essentially differ. The colonists planted themselves upon their principle, without regard to the amount; the South Carolinians chrefly upon the amount, subordinately upon the principle, and erroneously upon both.

Third-The allusion to the tariff question is wisely restricted to the last forty years, since, prior to that time, South Carolina Representatives voted for protective tariffs. Mr. Calhonn made an able speech, in this House, in favor of the tariff act of 1816; and South Carolina and other southern members supported it against !

favor of a purely revenue tarifi. No protective bill ever passed without southern support; the southern States; and that in no case has and that of 1842, which had a majority of but an alleged slave escaped except when adjudged one vote in each House, received thirteen south-ore votes in the House and five in the Senate. That the legislation of the fifteen States The tariff policy was inaugurated under Wash. ington, and has continued with various modifications up to the present time; and it is a remarkable, and for the authors of the address a be revised, and placed in proper shape; but if humiliating fact, that the present tariff law was this were not so, there is a remedy for the case humiliating fact, that the present tariff law was ry, ancient or modern, and especially in those confederacies whose frames were so carefully studied by the fathers of our Government. In 1838, the Legislature of Kentucky declared, or protective, and in favor of direct taxation. Furthermore, for the last fourteen years, the changes in our tariff system have been from one reduction to another, and complaint is less justified on this point now than at any former period. Besides, it is not true that porthern interests have teen solely protected by our tariffs, for in all, the southern interests of sugar, tobacco, and hemp, to say nothing of the iron interest of the South, have been largely proteeted. Thus this petulant complaint disappears—being, if an offence, not exclusively a porthern one; if a benefit to any interests, not

exclusively to nothern Fourth—It is complained that the taxes collected among them are not expended among them. I have no means of knowing what amount of money has been expended by Government for various purposes in the Southern States; but I do not not state in the states in was refused to an important work because located in a southern State. As to the fortifica- satisfactory for defending so grave a step. Intions erected by Government, most of which are now in the possession of seceding States, a of the convention felt the weakness of their report made a few years ago showed that \$13,-366,000 had been expended upon them, and it the declaration, Mr. Maxey Gregg objected that papers are two in number—the address to the is known that these works were completed and it was silent on the tariff and the unauthorized slaveholding States, and the declaration of instrengthened, others commenced; and that in expenditures of Government, while it laid "the the last three years large sums have been spent upon public buildings in Charleston, New Or- leans, and other southern cities. As to the of northern States in relation thereto. He other phases of this petty complaint, I commend further protested against weakening their cause

States they have been able to present to the from all agency in supporting the Government. Government inducements to obtain their sup- Another is stated by Judge Withers, and is plies, can we complain? Where else could to the effect that a jury in Pennsylvania, about

of Virginia and other slaveholding States, at in its opinion, from judicially perceiving its the beginning of the Government, and now only real design." contemplated to a limited extent by any party the address charges that the purpose of the Republican party is, the interference with slavery in the slaveholding States; a complaint, also prospective, but made in spite of the distinet and emphatic delaration to the contrary, admit, by the grants of the Constitution, which the Supreme Court has interpreted with much everywhere. Indeed, it is safe to say, that the Republican members of Congress will consect. with substantial unanimity to initiate proceedings by which such a prohibition shall be inserted in the Constitution, should it appear that this complaint is sincerely, and not hypoeritically made. The declaration of indepen of South Carolina touches this subject in detail, alleging:

First-That the laws of the General Government fail to make effective and valuable the fugitive clause of the Constitution. Second-That fifteen States have enacted

laws which either nullify the laws of Congress or prevent their execution. Third-That Mr. Lincoln has been chosen President

Fourth-That certain States have elevated to citizeuship certain persons who, by the supreme law of the land, are incapable of becoming citizens.;
Fifth-That after the 4th of March next,

the equal rights of the States will be lest, and the slaveholding States will no longer have the power of self preservation.

To all these it is easily answered: lo not a single case has the fugitive slave

named proves the imputations cast upon them false; or if they have the appearance of truth there is no reason to doubt that the laws will always hitherto been peacefully acquiesced in by those now victorious; that the mere elec-tion is not an offence; that the opinions of the President elect are grossly misrepresented and perverted in the State papers before named; that if disposed, he could not do what is wrongfully attributed to him; and that, as the next Congress would be constituted, the President ident would be powerless to control legislation. That the question of citizenship is one of constitutional law, which tribunals have been specially erected to decide. And that the last complaint is a prediction—not a fact—a prediction not founded on a true statement of past or present occurrences, and with no

people so flimsily justify themselves. It would be wonderful if any one believed their reasons attention to the subjoined extract from a speech made in the convention of South Caro-fugitive slave laws." Mr. Keitt, defending the address and its omission of the tariff, reminded "When we complain in the aggregate, or m Mr. Gregg that all of South Carolina's Repregeneral terms when we say that the grievances sentatives in Congress had voted for the pres-of South Carolina are found in the fact that ent tariff. With regard to the fugitive slave the Treasury has been depleted by illegal law, of whose non-execution complaint is made, but a despotism, such a Government as our fathers resisted in 1776. It assumes a parallelism between the complaints of South Caro-Usrolina, without qualification. There has ty, and had expressed it when a member of the been an unfaithful execution of the Constitubeen an unfaithful execution of the Constitu- Senate. Touching the (so-called) "personal tion on the part of its own general agent in liberty bills," Mr. Wardlaw thought the stress omnipotence in legislation as the British Par-liament"—the "general welfare" being the only limit to the legislation of either; that the What have we ourselves been doing? And in Withers intimated very distinctly that the the city of Charleston, too, where have you causes stated were not sufficient to secure his

market. Why? Because nobody else could and I present them, so as to make their case interests in the promotion of their mines and furnish the articles each wanted. Can you say, complete. One is named in the report of a therefore, that the Federal Government is to committee of the Senate of the State, namely; from them, three-fourths are expended at the North, thus impoverishing the former and enriching the latter. This exhausts one branch was the Federal Government obliged to get its the same spirit, the Mayor of New York, in necessary support for the Army and Navy? - his late message, claims for that city that it Where could the Federal Government fill up "contributes in revenue two-thirds of the exthe ranks of its Army and Navy? Will you penses of the United States." These two selfnot allow the Government to buy of its own exaggerating authorities thus account for one-citizens, as we have all done? If by the cunning of these men in the non-slaveholding lieve the bulk of the population of the country

> they have been procured? So far, the Govern- thirteen years ago, failed to find a true ver ment has been obliged to spend its money dict in a case of death arising out of the reamong the people of the North and Northwest capture of slaves. And another he states for bacon, lard, and all the supplies of the thus, in his report from the committee on the Army and Navy. I submit these views for relations of the slaveholding States: The disthe purpose of drawing the attention of the satisfaction with the government is not attribconvention to the fact that we may go too far utable to "anything in its structure, but to the and perversion of sundry of its provisions. Their last grievance has reference to the even to the extent, in one particular, of so slave question. While complaining of the con- covering up the real purposes of certain logisritories -- a policy inaugurated by the consent in one section) as to estop the Supreme Court

real design."

This completes the "dreary catalogue," as made by the champions of disunion. How pitiful the list! But it was the best possible. Not one has the ring of reality; not one will bear the test of fact. Several members expressed dissatisfaction with the papers; but none could strengthen them, and they were adopted. Thus they stand upon the page of history, challenging criticism and judgment, being as remarkable for sophistry in argument as inaccuracy in statement. What the verdict of mankind will be, who can doubt upon reading this paragraph from the speech of Judge Withers, uttered immediately before signing the ordinance of secession:

"I think if every member of the convention should draw up an indicament against the people of the unfaithful confederate States, and you might have any number of addresses upon that subject, you would probably find no two very nearly alike.—Since, therefore, every one's taste and judgment cannot be answered, if there be no substantial objection to the addresses before us, as I think there is not, it is proper to vote for them, and I shall do so."

Surely, those grievances cannot be very actual or well defined which no two of one hundred and fifty-five members of a convention elected for the purpose did or could agree in stating. Such concession is, itself, complete as an arraignment and condemnation of South Carolina, and a defence of the Government sought to be overthrown.

I turn willingly from this mortifying exhibition of maddened men seeking to pull down the pillars of the Republic. I say maddened for what else induced this passage in their address?

"It is now too late to reform or restore the Government of the United States. All confidence in the North is lost in the South. The faithfulness of half a century has opened a gulf of separation between them which no promises or engagements can all ""