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message as relates to territorial affairs to the

regretted more than myself that the discussion ternative was left to the friends of the adminis-

with all due respect, was, in my humble estimation, after all, only a huge structure resting on a very unsound and insufficient foundation. He has applied the facts and circumstances with great skill in maintaining his case; but he will pardon me for the expression of the opinion that, in tone and temper, in enlarged and sound theory, in practical and useful suggestion, in generous tolerance of differences with others, it will not, in my judgment, command so much of public favor as any one of the many former efforts of that gifted senator. It was his right-and no one will call in question his motives—but I do not believe it was wise in the senator to precipitate the senator and myself, the other day, touch in this body and in the soundary nor can I understand why he should have shown so much willnesses to weaken public confidence in the policy of the Tombia will be controlled to the policy of the men of his own party, whom he assisted to place in power, and a large increases of population, was not like contention and a positive proposed that it is critical moment wield the only functions as government capable of maintaining the procedure of the content o mated in no other light, and can subserve no useful purpose for the senator or the country.

True, it answered to excite momentary gratification on the other side of the chamber, and with the hope of accomplishing a great good.

The true the true of the numerous precedents to the contrary; but he care of the numerous precedents to the contrary; but he care of Kansas, all that the people have done shall be disregarded, not because they have not done it according to law, but for the reason that country when the Declaration of Independence was enunciated, nor when the Constitution was made; and yet he claims to understand both these instruments, and the purposes in view by their authors. Is this Kansas law more diffi cult of comprehension? Perhaps it is. At all events, it has certainly required more explana tion at the hands of its author: and it might seem that, so long as he finds it necessary to explain what he meant every month in the year, he could afford to pardon the President for the commission of even "fundamental error." But enough on this point. When the senator shall

have persuaded the people of the United States that the President does not understand the subject, I shall recur to it again.

But what will the honorable senator say as to the views of the late President, who was not out of the country when the law passed, but participated in every step of the struggle that gave it existence. He certainly understands the question; and I have sufficient authority for saying that he agrees with his successor o his Kansas policy, and consequently differs with

the senator from Illinois.

The most harmless part of the senator's words "and ratified by the people at these lection speech is that in which, whilst making a broad issue with the administration, he has attempt stricken out. Who struck these words out, issue with the administration, he has attempted to show that the President's views sustain or for what purpose they were omitted, is not those expressed by himself. He is certainly for me to answer. But, sir, I cannot be perentitled to all he can make for his cause in this suaded that it was intended thereby to scoure way; but if there was no great difference be- to the people of Kansas the right to vote on the tween the President and himself, there was then the less reason for making the issue. The other day, that wherever the law is silent on President's character for candor and fairness forbade that he should withhold or give the slightest administration of the preceding the should withhold or give the slightest administration. alightest coloring to any fact in the case, with a view even of sustaining the conclusions at which he felt required to arrive. Nor could he approach the subject in a partizan spirit. He has not cared to deal with the follies, wrongs, and bitter feelings which have been manifested and better feelings which here for the proposition has shown me that dents bearing on that point has shown me that dents bearing on that point has shown me that dents bearing on that point has shown me that dents bearing on that point has shown me that the converse of the proposition has the weight of authority, and that which he has laid down as the rule of precedent, has seldom, if ever, happened to be a subject to the converse of the proposition has the weight of authority. on either side of the question, in or out of Kansas; but he has preferred to consider the present and the future, and to determine what is best for the country. I do not claim for him infallibility of judgment, for that does not belong to humanity; but I do claim for him the est degree of patriotism and disinterestedness in all he has said and done on this dangerous question. The idea that he would seek to people, why did the senator insert the clause oppress any class of the people of Kansas, or which I have already quoted in his bill of the desire to impose upon them an odious government, should not be, and I trust is not, entertained in any quarter; that he will not trifle with this, or any other great question; and that, having recognized the validity of the laws gia, its import was in nowise affected, why Kansas, and the right of a convention to make a constitution and State government one day, he does not discard that vie but consistent with his character for integrity of purpose, and clearness of perception.

But what does the senator mean by assum ing that the Kansas policy of the message is not an administration measure? Does he mean that the cabinet do not agree with the President? I understand differently. Or does ho mean that the administration, having laid down its policy, will hold that those who assail and denounce that policy do not oppose the administration? There is surely no room for misun-

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"OUR COUNTRY-MAY IT ALWAYS BE BIGHT-BUT RIGHT OR WRONG, OUR COUNTRY."

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CARLISLE, PA., THURSDAY, JANUARY 21, 1858.

NO. 32.

message as relates to territorial affairs to the Committee on Territories.

Mr. Bigler. Mr. President: No one has regretted more than myself that the discussion promise on this angry feud would have failed of two years past, a portion of whom had attempton the Karsas policy of the administration has been precipitated upon the Senate and the country. I preferred to avoid discussion until the result of the election on the slavery clause had transpired, and until Kansas should present the contest about slavery, that the ordinary the contest about slavery, that the ordinary to the contest about slavery, that the ordinary to serve the discussion of whom had attempt controvert them. Indeed it would be hardly to each of the result of the election of the slavery clause had the contest about slavery, that the ordinary the contest about slavery, that the ordinary the contest about slavery, that the ordinary the contest about slavery that the ordinary to each ordinary the discussion of the manifestations of willingness on the part of the manifestations of willingness on the part of the contest about slavery, that the ordinary the contest about slavery that the contest about slavery that the contest about slavery that the ordinary the contest about slavery that the contest about slavery that the ordinary the contest about slavery that the contest about slavery that the ordinary the contest about slavery that the contest about slavery that the contest about slavery that the ordinary the contest about slavery that the contest about slavery herself for admission as a State; but the Sen- the contest about slavery, that the ordinary definition of manistron as a State; but the sen-lator from Illinois [Mr. Douglas] deemed a dif-ferent policy necessary and proper, and no al-ferent policy necessary and proper, and no alchanged at any time, had not first received the tration but to respond.

I think I aim dily sensible of the important and delicate character of the subject to be discussed, and I am sure I never was more anxious to do my duty; never more willing to the popular vice; the popular vice; the clear terms of the forganic law, it is a question of the popular vice; that this process people themselves; and that when Congress, the other is the popular vice; that the process people all the Legislative authority with which the foderal government restrained in the matter of institutions of government of the process. States, and I am sure I never was more anxious to do my duty; never more willing to the foderal government of institutions of government of the foderal gover

Fortunately, in our present difference, I think my cause the stronger of the two, and on it I can rely with safety.

Now, sir, it would be idle to attempt to answer the senator's arguments, and controvert his conclusions, were I to concede the corrections. This I cannot do, and so of Governor Walker, who, in his inaugurous and responsionintes, or think my cause the stronger of the two, and on it I of courts, corporations, banks and railroads shall be settled by a vote of the people, and must revert to them after having performed the functions for which it is delegated, and that the people, and others have submitted their constitutions to a vote of the people, and others have submitted their constitutions to a vote of the people, and others have submitted their constitutions to a vote of the people, and others have submitted their constitutions to a vote of the people, and others have submitted their constitutions to a vote of the people, and others have submitted their constitutions to a vote of the people, and others have submitted their constitutions to a vote of the people, and others have submitted their constitutions to a vote of the people, and others have submitted their constitutions to a vote of the people, and others have submitted their constitutions to a vote of the people, and others have submitted their constitutions the form, provide for submitting the great distraction on the vote. Cortain States, under on a vote of the people, and others have submitted their constitutions to a vote of the people, and others have submitted their constitutions to a vote of the people, and others have submitted their constitutions that the functions for which it is delegated, and that the people, and others have submitted their constitutions to a vote of the people, and others have submitted their constitutions that the functions of the people of th I shall show why I cannot at different points ral address, held that the legislature was "the power ordained for that." But the most startpower ordained for that." But the most startpower ordained for that." But the most startto discard our whole representative system and

chagrin on this; but on neither side, nor in the and as no movement had been made in that dicountry, will the sentiment meet even a rerection in the Territory, I waived this objecspectful response, when the impulses of the tion, and concluded to support the measure. I hour shall have yielded to sober reflection. The have a few items of testimony as to the correctness of these impressions, and with their subtion, and concluded to support the measure. I mission I shall be content.

same are hereby, offered to the said convention | Bo that as it may, he cannot convince me that | that all the people have gained by non-interof the people of Kansas, when formed, for their free acceptance or rejection; which, if accepted by the convention, and ratified by the people at the election for the adoption of the constitution, shall be obligatory upon the United States

and the said State of Kansas.' The bill read in place by the senator from Georgia on the 25th of June, and referred to the Committee on Territories, contained the same section, word for word. Both these bills were under consideration at the conference referred to; but, sir, when the senator from Illinois reported the Toombs bill to the Senate, with amendments, the next morning it did not contain that portion of the third section which indicated to the convention that the constituconstitution. I know the senator assumed the stance in which the people have voted on the preparatory constitution where the act of Conress was silent on the subject. But, yielding this point, how is the senator to reconcile this position with the understanding of the subject he has so clearly indicated no other occasions? he has so clearly indicated no other occasions? For instance, if it be an allowable conclusion, that where the law is silent on the subject, the constitution must be submitted to a vote of the people, why did the senator insert the clause provision in the law for the admission of Minn-

was to bring Kansas into the Union without a they are determined to disregard their own lovote on the constitution. Possibly my impressial laws, that the responsibility is not their own? vote on the constitution. Possibly my impressions are not warranted: but be that is it may, I cannot be pursuaded that the senator inten that the senator intonded to secure to the people the right to vote on the constitution, by striking from the bill the words making that policy necessary, or that the convention would have been bound to extend that opportunity to the people, simply because the act of Congress said no such thing. But enough on this point. Now let me proceed to a more important branch of my remarks.

I hold also that there are but two sources of ions to do my duty; never more willing to sacrifice pride of opinion, or to restrain passion and prejudice, in order to see clearly the publication of the deal; that, if they are accounted to the sacrifice pride of opinion, or to restrain passion and prejudice, in order to see clearly the publication of the United States. It nools no argument, then, to administration. The senator from Illinois has delivered what may be termed a great speech against the Kansa policy of the administration. No man who know him will doubt his ability to make the most out of any state of facts and circumstance before him. Few men can equal him in this particular. For myself, I make no such pretension; but, as to our rights, privileges, and responsibilities, on this floor, we are equals. For myself, if make no such pretension; but, as to our rights, privileges, and responsibilities, on this floor, we are equals. For myself, I make no such pretension; but, as to our rights, privileges, and responsibilities, on this floor, we are equals. For myself, I make no such pretension; but, as to our rights, privileges, and responsibilities, on this floor, we are equals. For myself, I make no such farm and responsibilities, on this floor, we are equals. For myself, I make no such farm and responsibilities, on this floor, we are equals. For myself, I make no such farm and responsibilities, on this floor, we are equals. For myself, I make no such and responsibilities, on this floor, we are equals. For myself, I make no such and responsibilities, on this floor, we are equals. For myself, I make no such in the particular of the administration and State prepared. In this light, the act must not be administration for the texted on proper in the state of the such farm and the sentence of the such farms and the s

many former efforts of that gifted senator. It was his right—and no one will call in question the unpleasant difference between the honorable motives—but I do not believe it was wise ble senator and myself, the other day, touch-lis motives—but I do not believe it was wise ble senators at his residence.

It is no matter of pleasure to me to recur to the unpleasant difference between the honorable make a Constitution and a State government without even the color of authority from Congress, the inclining that work, either as to its substance or form; which had their origin in the origin

the people have not the right to make their do-

as to the mode, manner, and way of making them. The senator proposes to reject what the people have done, and confer upon them new grants of power; and yet, if there is any one thing clear in all this Kansas question it is that as to the kind of institution the people have done, and confer upon them new grants of power; and yet, if there is any one thing clear in all this Kansas question it is that as to the kind of institution the people have gained by non-intervention, with the moral and legal right in commenced rebellion against the laws, and store the form they have a power in the people have gained by non-intervention, with the moral and legal right in its commenced rebellion against the laws, and store the form they have a power in the people have gained by non-intervention, with the moral and legal right in its commenced rebellion against the laws, and store the form they have a power in the people have gained by non-intervention. as to the kind of institutions the people shall have, and the way in which they shall be made, they already have complete authority. It is true that Congress still has the power to say that Kansas shall not come into the Union: but I cannot see how that body can confer any additional authority as to the way in which she shall gerous controversy in Kansas, considering the in the extract I have given from his address. be prepared to come in. I will not be contra-dicted when I say that the question between the friends and enemies of the Kansas bill was whether the people of the whole Union, acting through their representatives in Congress, should legislate on slavery in the Territory—no one ever claiming the right to legislate on any other domestic institution—or whether the question should be dealt with by the people of the Territory in their own way, through local represen-tatives of their own selection. This question was settled as no other question had ever bee settled before-by the concurrence of all the departments of government, by Congress, by the executive, by the judiciary, and by the people at the polls. And, Mr. President, I must confess to great amazement when I heard the honorable senator assume, the other day, that the people of Kansas, acting under his boasted grant of "perfect freedom," could not, in the but because it had not been done in the righ way. The organic act says they shall do this thing "in their own way." Will the senator provision in the law for the admission of Minnesota? Then, again, if by striking these words out of the bill of the senator from Georgia, its import was in nowise affected, why where they stricken out?

Such, sir, were the facts and cicumstances which led me to believe that the Toombs bill was to bring Kansas into the Union without a Certainly not.

Wherein, then, is the case of the convention defective? I deny in toto the senator's right to go behind the legal and authorized aspect of the case. Congress is not hereafter to deal with the question of making institutions in Kansas, either as to their character or mode of formation. The rights of the people as to this mat-ter are circumscribed by the Constitution only;

SPEECH

OF

HON. WM. BIGLER, OF PENNSYLVANIA,
ON KANSAS AFFAIRS.

DELIVERED IN THE SENATE, DEC. 21, 1857.

On motion of Mr. Bigler, the Senate proceeded to the consideration of the motion of Mr. Douglas, to refer so much of the President's message as relates to territorial affairs to the Convention was morally bound to ascertain the Convention of the almost clamorans decided to a convention of the almost clamorans decided to a convention of the institution of the almost clamorans decided by themselves and also that the people shall be left "perfectly in a legal anid orderly manher, under the broad and sho that the people shall be left "perfectly in a legal anid orderly manher, under the broad and sho that the people shall be left "perfectly free to form and Iso that the people shall be left "perfectly and also that the people shall be left "perfectly in a legal anid orderly manher, under the broad and sho that the people shall be left "perfectly in a legal anid orderly manher, under the broad and sho the torm and subtitution of the Union as State constitution of the Union as State constitutions in their own way, subject only to the Convention, be a convention of the states on the proportion of the people shall be left "perfectly in a legal anid orderly manher, under the broad also that the people shall be left "perfectly in a legal anid orderly manher, under the broad and sho that the people shall be left "perfectly in the second should be the torm of the organic act, ind, in these days of the organic act, ind, in these days of the test of the test of the test of the Union as State constitution of the Union as State constitution of the Union as the tion and also that the people shall be left "perfectly in the test of the organic act, ind, i

The honorable senator has resorted to musty authorities to sustain his new position; but I am not disposed to resort to means of that kind to controvert them. Indeed at would be hardly perty, including slaves, and logislate for them-selves up to the full measure allowable by the

nore dubious.

Even the honorable senator from Illinois does

But he holds that when the people of Kansas move in the matter of establishing their gov-

a state at the earliest period practicable, therewithin her own limits, where the differences. whatever they might be, could not fail of prompt and legitimate adjustment. Entertain-ing these impressions and views, I was rejoiced to perceive that the people of Kansas had de ermined to call a convention to form a constitution and State government preparatory to admission into the Union as a State. The proention, under direction of the territorial laws.

terms:
"The people of Kansas, then, are invited by the highest authority known to the Constitution to participate freely and fairly in the election of delegates to frame a constitution and State government. The law has performed its entire ppropriate function when it extends to the pcole the right of suffrage, but it cannot comnel free exercise of the right of suffrage, authorize those who do vote to act for them in that contingency, and the absentees are as much bound under the law and Constitution, where there is of those who do vote, as although all had parmust be voluntary, self-government would be impracticable, and monarchy or despotism would remain as the only alternative.

ever, the course they will adopt on this subject. But why incur the hazard of the preliminary formation of a constitution by a minority, as alleged by you, when a majority, by their own roundly abused; and I do not intend to come votes, could control the forming of that instruto its defense, for from many of the details of

"But it is said that the convention is not legally called, and that the election will not be freely and fairly conducted. The territorial legislature is the power ordained for this purpose by the Ongress of the United States; and in op the Ungress of the United States; and in opposing it you resist the authority of the federal government. That legislature was called into being by the Congress of 1854, and is recognized in the very latest congressional legislation. It is recognized by the present Chief Magistrate of the Union just cheen by the

sas, to a fair vote of all the actual bona fide residents of the Territory, with every possible se-

mestic institutions in their own way, until he repeats so much of the organic act as says they shall do this precise thing.

dom in Kansas? Is that what we have gained in this work, and from this spirit of in-subordination, in my judgment, all the subsequent misshall do this precise thing. form, then the senator's law of 1854 is a bald in the main, these very men who at this mo imposture, a delusion, and a deception-"the ment are clamoring most about oppression and word of promise to the ear to be broken to the usurpation, and about sacred rights, which hope?—"the thorn beneath the rose." ope"—"the thorn beneath the rose."

they indignantly refuse to exercise. Governor But let us pass to a more practical view of Walker labored zealously to bring these men sources and the character of the strife, satisfied But they were joined to their idol-the Topeka my mind, even before I became a member of farce. The consequence was, that there was this body, that the surest, if not the only, way virtually no contest for delegates, and only of ending this bitter sectional struggle, and about twenty-two hundred votes were polled. Quieting the country, was to admit Kansas as But still the convention, on the theory of Governor Walker, had been invested with the auby circumscribing all concern about her affairs thority of nearly the whole population to make a constitution and State government.

This large class of the people who neglected to vote for delegates became clamorous against the convention, and even assembled at Topeka on the proposition to submit the whole constitution to a vote of the people, which was decidbed government into operation. I was in the Territory for some time prior to and after Subsequently, a motion to submit the slavery for the avowed purpose of putting their own bogus government into operation. I was in the Territory for some time prior to and after the election, and speak from personal observaion as to the spirit of insubordination manifested by some, expending itself in bitter denun-ciations of the President and Governor Walker for attempting to administer what, in the chaste phrase of the malcontents, were the "bogus laws of a bogus legislature," averring that they would have no form of government from the convention gotten up under these laws, no matter how perfect it might be; that though that "bogus convention" should submit for their approval their own Topeka constitution, they would spurn it with contempt. This spirit was persisted in to the end. Governor Walker, as must be obvious to all, was not and the performance of that duty. Throughout our whole Union, however, and wherever free government prevails, those who abstain from the ine did discharge with great ability. But the he did discharge with great ability. yond this, he could not go. He had no connection with, agency in, or responsibility for, the work of making a constitution. In the exercise of his discretion, and with the intention of no fraud or violence, by the act of the majority doing what was best, he had at first advised the people to vote, but all would not do so .ticipated in the election. Otherwise, as voting He also urged the delegates composing the convention to submit their work to the approval of the people, holding this to be right as a genderstanding on this point, and it is certainly not difficult to discover from the message of the President what that policy is.—The administration recognizes the legality of the proceedings in Kansas; so far as they have progressed in the matter of making a constitute of the legislative authority of the Territory shall and the restanding of the great of the process of the proces

tion is the servant and not the master of the people, yet I have no power to dictate the proceedings of that body. I cannot doubt, how-slavery as proposed by the late convention, disconnected from all other subjects, in preference to a vote on the constitution as a whole.

Magistrate of the Union, just chosen by the American people, and many of its acts are now mischievous and rebellious, was also calculated in operation here by universal assent. As the to produce such action. Nor is it candid to Governor of the Territory of Kansas, I must contend that this class of politicians in the Tersupport the laws and the constitution; and I ritory, and others out of it, when they dwelt covernmental authority for the people of a Teritory—the one is Congress, the other is the
itory—the one is Congress, the other is the
seeple themselves; and that when Congress, as
their own time and in their own way, they should
see that all constitutional laws are fully and
their own time and in their own way, they should to disputes about railroads, banks, corporations, courts, or legislative functions. The question—the all absorbing question—was, shall Kansas be a free or slave State? I behis hands at Topeka, and who put him through the shorter catechism of Kansas politics; never would have met him there, nor mentioned the name of constitution; had it not been for the question of slavery. They said "constitution," it is true, for the idea of a separate submission had not then been raised; but even they had no other question on their minds than that of whether Kansas should be a free or a slave. This Mr. President is headly plausible, for the shorter catechism of the shorter data the people can vote for og against it 7 Suppose I were a citizen of Kansas, and should go up to the polls and say, 'I desire to vote to make Kansas a slave State; here is my ballot.' They reply to me, 'Mr, Douglas, just vote for that constitution first, if you please.' 'Oh, no!' I answer, 'I cannot,' conscientiously,'''

have another to-day, by voting on so much of the constitution as relates to that subject. After all that has been said about fraud and trickery touching this issue, the great overshadowing fact cannot be denied, that the people o power ordained for that." But the most startling involved in this position of the honorable
senator is the assumption that it is the right
and duty of the federal government to interpose
between the people of a Territory and their
could have been a sound or safe practice as to
any State or Territory; but is utterly out of
the question of Independence,
which has committed all domestic and internal
affairs to the people to be regulated "in their
own way."

It is middle for that." But the most startling involved in this position of the honorable senator from Illinois does
to discard our whole representative system, and
to discard our whole representative system, and
the practice under it since the government betimes on the question in due to have held the same views at all
times on the question in difference thus submitted to the decision of the
people, I believe that Kansas will be admitted
by Congress without delay as one of the soveregulated "in their
own and local representatives. This never
roule which would require the submission of all
the statutes to the popular vote. Indeed, on
the free State. I am ware, sir, that the regtimes on the question in det edition be thus framed, and the question of the
people of a Territory, with every possible security against fraud and violence. If the constitution be thus framed, and the question of the
people, I believe that Kansas will be admitted
by Congress without delay as one of the soveregulated to a vote of the people of the Territory, with every possible setimes on the question. At
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fundamental times on the question of the
people of the Territory, with every possible setimes on the decision of the
people, I believe that Kansas will be admitted
by Congress without delay as one of the soveregulated to a vote of the people of the Territory of Kansas,
which did free centification. At
times on the question of the function of the people law calling the convention; another is, that the the voters were registered when the delegates convention, when formed, would have a right were elected, and yet the records show that

The senator from Illinois, in a speech deliver be. But if that ejection be fairly conducted, I done it according to law, but for the reason that in his opinion, they have not done it in the right way. Waiving for the present the question as to whether their way was right or not, the first question that suggests itself to the mind is, what has become of the great Kansas-Nebraska law; that new charter of rights to, the people of the Territories, which declares that it is and they can petition Congress for real the result of the real proposal to speak for herself throw the convention to speak for herself throw the convention to speak for herself throw the state either with or without slavery. I should do this under the firm belief that it is difficult to determine what the best mode possible of putting an end to the best mode possible of putting an end to the union. It is difficult to determine what the means to allege. He says "there may be a constitution preparatory to her delegates assembled in convention to form the redelegates assembled in convention to form the redelegates assembled in convention to form the delegates assembled in convention to form the redelegates assembled in convention to form the redelegates assembled in convention to form the redelegates assembled in convention to form the delegates assembled in convention to form the redelegates assembled in convention to form the redelegates assembled in convention to form the delegates assembled in convention to form the redelegates assembled in convention to form the limb of the flag that it is difficult to determine what the best mode possible of putting an end to the best mode possible of putting an end to the learn to the custom provides the period to the redeleg ed at Springfield, in his State, on the 12th of June last, said:

Dec. But it that electron be lattly conducted, shall feel required to vote for the admission of the State either with or without slavery. I mission I shall be content.

I have before me the bill reported by the senator from Illinoies, on the 7th of March, 1856, providing for the admission of Kansas as a State, the third section of which reads as following the senator from which reads as following for the admission of Kansas as a State, the third section of which reads as following for the admission of Kansas as a State, the third section of which reads as following for the admission of Kansas as a State, the third section of which reads as following for the admission of Kansas as a State, the third section of which reads as following for the admission of Kansas as a State, and the perfectly free to make their domestic institutions of the government here will have an opportunity, whenever the people of the Territory, or those of them who were willing to sustain the people of the Territory, or those of them who were willing to sustain the people of the Territory, or those of them who were willing to sustain the people of the Territory, or those of them who were willing to sustain the people of the Territory, or those of them who were willing to sustain the people of the Territory, or those of them who were willing to sustain the people of the Territory, or those of them who were willing to sustain the people of the Territory, or those of them who were willing to sustain the people of the Territory, or those of them who were willing to sustain the people of the Territory, or those of them who were willing to sustain the people of the Territory, or those of them who were willing to sustain the people of the Territory, or those of them who were willing to sustain the people of the Territory, or those of them who were willing to sustain the people of the Territory, or those of them who were willing to sustain the people of the Territory, or these of them who were will have an opposite them the people of the Territory, or the leave the people of the Territory, or these of them who were will be the Territory, or these of them who were will have an opposite redress of grievances. When was it pretended that individuals or communities could not petition Congress for redress or grievances? In God's name, who ever denied that right? Is that all the people have gained by non-intervention? Is that the full fruits of perfect free vention? Is that the full fruits of perfect free vention? Is that the full fruits of perfect free vention? Is that the full fruits of perfect free vention? Is that the full fruits of perfect free vention? Is that the full fruits of perfect free vention? Is that the full fruits of perfect free vention? Is that the full fruits of perfect free vention? Who were wining to sustain and the desire it, forever thereafter. Why then content the question as though the institutions under the question as though the question as though the question as though the institutions under the question as though the question as though the qu repeals so much of the organic act as says they shall do this precise thing.

It has conferred upon the people not only all the powers of Congress possessed under the powers of Congress possessed under the Constitution as to the kind of institutions which the convention; as Congress prescribes, and send them to Constitution as to the kind of institutions which the same of a netition for redress of the shang of a netition for redress of the same men had attempted to erect Kansas and so often incurred his just indig-[of Kansas,] and all free governments are found of their authority, and instituted for their benefit, and therefore they have at all times an inalienable and indefeasible right to alter, reform, or abolish their form of government in such a manner as they may think proper."

The mode of writing has they have a subject

The mode of voting has also been a subject of criticism. The honorable senator maintains that the elector must give his sanction to all the other provisions of the constitution before he can enjoy the opportunity of voting for or against slavery. This is clearly a mistake. The ballot, "constitution with slavery," or to make it certain that it will be returned out, "constitution without slavery," involves only no matter how the vote may stant," [Laughthe slavery clause. It is simply the question ter,] of whether Kansas shall be a free or a slave State, under the general forms agreed upon by the constitution. That this was intended by the constitution is made clear by its proceedings, if they have been given to me accurately by a gentleman from Lecompton. His informa-tion is, that, before the adoption of the form of article was agreed to by a majority of two votes. This view is clearly sustained by the proclama-tion of the President of the Convention, in

which he says the vote shall be for or against the introduction of slavery into the State of Cansas. The voting shall be ballot, and those voting for Kansas as a slave State shall vote a ballot with the to produce discontents and clamor about real words constitution with slavery, and those voting for Kansas to be a free State shall vote a ballot been ascertained. It is virtually an invitation vith the words "constitution with no slavery." t must be evident that if it had been intended to take the sanction of the elector on the whole constitution, the ballot would have been "for others who take this view, will be the first to could not be vested with any authority over the subject of making a State government.— Congress, that it has the sanction of the people But the honorable senator has labored to maintain his position by confounding the slav-ery question with the ordinary institutions of s civilized community. Notice the extraordina-ry character of the following extract from his

ing the Kansas-Nebraska bill. It was to settle that dangerous sectional fend that the doctrine of non-intervention was adopted. The repeal of the Missouri line has in no way affected the right of the people to have all, their domestic roundly abused; and I do not intend to come roundly abused; and I do not intend to come to its detense, for from many of the details of its proceedings I dissent. But it would not be candid to contend that there was nothing in the candid to contend that there was nothing in the conversation to the enemies of the conversation to the white man," he utters a contiment that the conversation to the white man, he utters a contiment that the conversation to the white man, he utters a contiment that the conversation to the white man, he utters a contiment that the conversation to the white man, he utters a contiment that the conversation to the white man, he utters a contiment that the conversation to the white man, he utters a contiment that the conversation to the white man, he utters a contiment that the conversation to the white man, he utters a contiment that the conversation to the conversation are negroes to have in the government of Kanans, or who is proposing to restrict any of the rights of the white man, unless it be himself, when he denies them the right to make a government without the consent of Congress? I know how presumptuous it is in mo to differ with that Sonator; but I cannot forbear to deny that the question of railroads, courts, banks, legislative functions, &c., were in any way in volved in the repeal of the Missouri line, and the inauguration of the doctrina of non-intervention;; and, yet, sir, the sonator has confounded the question of slavery, and that of the natural, inalienable, and undisputed rights of the people, in such a way as to make the im-pression, if possible, that all those had been granted, guarantied, and protected by a new bill of rights, adopted in 1854; in the shape of the Kansas-Nebraska law.

Then, again, as to the vote on the slavery

clause, he says:
"Let me ask, sir, is the slavery clause fairly

by bringing it down to an exception that applies to the negro and does not extend to the benefit of the white man."

Now, Mr. President, can it be possible that the senator from Illinois expected to make the Senate and the country believe that the people of Kausas are indebted to the famous organic act for their right to the enjoyment of life, liberty, and property, and the ordinary institutions of a civilized community? He scouts the idea that the great principle of popular sovereignty should be efritted away by bringing it down to an exception that applies to the negro, and not to the white man." Whatever he may mean, his language is calculated to make an impression that the Kansas Nobraska bill settled some disputeabout the ordinary institutions

tled some dispute about the ordinary institutions of government in the Territories. I cannot

agree, sir, that that view is either candid or allowable. Who ever denied the right of the

people to make their ordinary institutions? When was that a question which divided parties, or shook the Union to its foundation? The

simple truth is, that the question of slavery, and that only, was involved and considered in pass-

by bringing it down to an exception that applies

This, Mr. President, is hardly plausible; for I have already shown the fallacy of the senator's been treated as the question, and the only one.

That question the people of Kansas had an opportunity to settle in June last, by electing delegates to carry out their will. They are to show that the senator's plan would be liable to

nearly the same objections.

He insists that the constitution, as a whole, should be submitted. Now, suppose this had been done with the slavery article in it, and he had made his appearance at the polls as a proslavery man. Locking at the constitution, he slavery man. Locking at the constitution, he finds that he cannot approve of the other provisions. He says, "I wish to vote for slavery, but it is not possible that I can swallow the bank and railroad scheme, and the plan for courts and corporations in this constitution. I cannot conscientiously do this, and I must be deprived of the right to establish slavery in the Territory." required, and every white citizen above twentyone years of age can vote. I regard the registry as very imperfect; but I cannot understand ceptable to him, and he is exceedingly anxious which invite special attention at this time.—
The first is the full recognition, by both the governor and secretary, of the validity of the law calling the convention; another is, that the how will the senator guard against the repetition of similar hardships, under any law Congress may pass? Cortainly, he will not propose to prescribe all the action of the people in convention. This has never been done, and never can. be done. The truth is, that the senator, in his be done. The truth is, that the senator, in his ardor to maintain what he conceives to be a just position, has been driven into the use of abstruse technicalities, and, in more instances than one in this discussion, has diveld upon alleged wrongs in the proceedings of the Lecompton convention; against the repetition of which he can in no way protect the people;

In another part of his speech the honorable senator remarks:

and will save the whole difficulty. How can it? Perhaps there may be a large vote. There may ginning, and so often incurred his just indig-nation for their folly, are more reliable than the democratic party. I can only say that, if ha thinks this, he has changed his estimate of the character of both parties within a brief period. But, be this as it may, the senator has lamented an evil which he cannot remedy. Then,

again, he says:
"I care not how that vote may stand. take it for granted that it will be voted out, think I have seen enough in the last three days

ter.]
Here is a second edition of anticipated fraud, I heard with pain and regret these words as they fell from the senator's lips. How does he know that the slavery article will be "returne out," no matter how the vote may stand ?-What had the senator seen within three days to force this conclusion upon his mind? If he has knowledge of a scheme of base fraud to cheat the people, or to impose on Congress, I know he is the man to develop it; and when so developed, no man will go further than myself to punish the offenders. If he cannot do this, then why allude to it at all? Why, in this unhappy manner and offensive spirit, cast imputation upon those who have been, and are still, his friends? I can readily perceive-and it is that which I most regret-how such a sentiment from so high a source is calculated to malcontents to continue the strife.

The honorable senator, in his dilligent efforts to render the doings of the Lecompton convention odious, has even dwelt on that clause, of the proposed constitution interdicting the migration of free negroes to Kansas. He was candid enough to admit that the constitution of his own State contained the same inhibition; and we all know that the Topeka party, by \$ popular vote, have instructed the legislature to pass a law to the same effect. But the senator should have done "the Lecompton concern," as late speech:

"Sir, what would this boasted principle of populr sovereignty have been worth, if it applied only to the negro, and did not extend to the white man? Do you think we could have aroused the sympathies and the patriotism of this broad republic, and have carried the Presidential election last year in the face of a tremendous opposition, on the principle of extending the right of self-government to the negro question, but denying it as to all the relations affecting white mon?"

"Sir, I have spent too much strength and breath, and this same State, no longer since the constitution; and have; and that this same State, no longer since the product of the proposition. the example for the late action of Kansas by

[CONCLUDED ON SECOND PAGE.]