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J. H. LARRIMER, Editor.

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J. H. LARRIMER.

Select Poetry.

Sonnet to March.

Oh wicked March, foul mouth of frost and mire,
Thyself, of wintry ills malignant born,
Ofagues, coughs, and gaunt consumption, dire,
Awake, with all thy horrors, hence, begone.
Like Judas, wearing now a smiling face,
Thy humor seems like that of genial May,
Luring the unwary to each sunny place;
Yet, but an hour, or haply, half a day,
And lo! thick, chilling vapors rise aloft,
Cold streams along their icy channels flow,
The hard and polished track grows thin and soft,
And pools abound, of mire and melting snow.
Such is thy smile—thy frown so vastly worse,
My wit despairs to find sufficient curse.

From the Home Journal.

Tales of the South.

BY A SOUTHERN MAN.

THE AVENGER.

The purchase of Louisiana by the United States, from France, in 1803, greatly stimulated the spirit of emigration throughout the south. The fertile soil, navigable waters, and almost tropical climate and productions of the new State, invited a rapid flow of population and wealth within its limits, especially from the more neighboring States.

Among the earliest adventurers who went to seek a home in the newly-acquired *El Dorado* of the south, was a Mr. M., a native and resident of the State of Georgia. He was a planter of moderate means, respectable in all the relations of life, and much esteemed in the circle of his acquaintances. Having purchased lands in one of the interior parishes of the State, he returned to Georgia for the purpose of raising funds to pay for them, and to make the preliminary arrangements for removing his family to his new home. It was generally known throughout the neighborhood of his residence that he had bought lands in Louisiana, and was soon to return with the money to procure titles to his purchase.

The necessary preparations for his departure being completed, Mr. M. set out on his journey accompanied by his son A. M., then a youth seventeen years of age. Both were well mounted on good horses—the overland travel to Louisiana having to be performed in that day all the way on horseback. The father was provided with a brace of horsemen's pistols, and wore next to his person a belt, impermeable to perspiration and moisture, in which the purchase money to pay for his lands was deposited and carefully saved up.

The route of the travellers lay across the present States of Alabama and Mississippi, which were then embraced in the Mississippi territory. The country was comparatively uninhabited except by Indians.—A few straggling settlements of whites, dotted here and there, the surface of the wilderness, and gave shelter and direction to the adventurous travellers who visited or passed through the country. The Indians were peaceable, and seldom molested the whites, tendering a ready welcome to all who sought the hospitality of their huts.

Mr. M. and his son passed safely, and without adventure of any kind, through the territory of the present State of Alabama, and had entered a densely wooded section of country now embraced in Leake county, Mississippi. They were riding in the forepart of the day, some twenty steps apart, the father in front and the son immediately in his rear, when two men suddenly emerged from a thicket of undergrowth on the margin of the trail they were pursuing. They were armed with muskets, and had their faces blackened, but their ungloved hands showed them to be whites. They came quite near to Mr. M., a little in advance of his position in the trail, and somewhat to one side. As soon as he saw them, divining their purpose, Mr. M. began to dismount on the side of his horse opposite to his assailants, intending, as may be conjectured, to place the body of the animal between him and the robbers—a position most favorable to defensive operations with his pistols. He had scarcely leaped his horse, in the act of dismounting, when one of the robbers discharged his musket. The lead passed through the body of Mr. M., and he fell to the ground, perfectly dead. The other robber, in the meantime, had kept his gun levelled at A. M., threatening to kill him if he either advanced or attempted to draw a weapon. As soon as his father fell,

he turned his horse and fled in the direction they had come.

It was many miles back to a white settlement, A. M., stimulated by the hope of revenge and the fear of pursuit, rode with impetuous speed, and soon reached the house he and his father had stayed at the night before. Tidings of the murder and robbery soon spread through the settlement, and brought together its entire male population. Armed, and provided with implements to inquire for the body of Mr. M., they speedily set out for the spot where he had been killed. They found the body in the same place, and nearly in the same position, in which it had fallen. The pockets had been rifled of the money—a small sum—reserved to defray the expenses of the journey; the pistols, a set of silver sleeve-buttons, and some small articles worn about the person or carried in the pockets, were also missing. But the belt, containing a large amount of money, was untouched, the robbers having failed to discover it.

A rude grave was dug, and the body, still warm but entirely lifeless, was placed in it, and covered over with turf. The spot was marked, for future recognition, by deep cuts upon the nearest trees, and, as indicated, at this day, by a handsome monument, reared, in after years, by the filial piety of the son.

After the burial, search was made for traces of the robbers. Except in the immediate neighborhood of the spot where the killing occurred, no signs of their presence—not even of the way by which they had come and departed—could be discovered. Upon the left breast of the white vest worn by M., the full impression, in blood, on the left hand, with the ring finger shortened to the first joint, was distinctly visible, and carefully noted by all present. No other mark or impression could be seen upon the clothes or traced upon the ground, beyond a narrow circle immediately around the spot where the body lay. Pursuit being thus impracticable all idea of it was abandoned. The company returned to the settlement, and A. M., having sold his father's horse and equipments for a fair price to one of the settlers, went to Georgia.

The events just described, made, of course, a vivid and lasting impression upon the mind of A. M. The suddenness and bloody issue of the assault—the assassin's unfairness of the attack, which left his father no chance for defence, and himself no opportunity for assistance—a suspicion that the perpetrators of the murder were from the same section of Georgia as his father, where, perhaps, they had learned the facts which fired their avarice and inspired the diabolical plan for gratifying it—above all, the untimely loss of a parent whom he greatly venerated and ardently loved—all these circumstances aggravated the crime of the murder in his eyes, and implanted a deep-seated, ineradicable purpose to avenge it. Though young, he possessed the vigor of will and bravery of heart to form and to execute the most daring plan for the detection and punishment of the assassin slayers of his father. He felt, indeed, that the case called for the infliction of the retributive blow by his own hand, the guilty should, if ever, be punished. Thus the spirit and the purpose of the AVENGER entered into his soul. With what vigor they impelled, and to what issued they conducted, the progress of the narrative will disclose.

Having attained his majority, A. M. removed from Georgia to Alabama; married, settled upon a plantation of his own, and became an assiduous and prosperous planter. But these changes in his outward condition wrought no change in his inward resolution. In strong and inflexible nature, and such was his fixed purpose, of any sort, loses none of its vigor with the lapse of time. The desire to avenge his father's death rather strengthened as he grew older, and lost none of its intensity by his greater geographical propinquity to the scene of the murder which his removal from Georgia to one of the western counties of Alabama had produced. Amid all the incessant activities of his planter life, the memory of that terrible scene of assassination in the wilderness still survived, undimmed in freshness and ineffaceable as the lineaments of the soul upon which it was impressed. The unavenged blood of his father seemed to be demanding crying from the ground, and demanding expiation for the treachery and murder by which it had been spilt. To avenge it remained still the cherished purpose of his life, made holy to his heart by filial reverence, and approved to his intellect by the precepts of that unwritten, perhaps erring, code of ethics which teaches that the child is the natural avenger of the blood of the parent.

But at what point to begin his detective inquiries, and by what means to prosecute them, remained still, as it had been from the first, an apparently insurmountable difficulty in the case. For all the ordinary methods usually employed for the detection of criminals had been already tried. Rewards, official and private, liberal in amount, and accompanied with the best description that could be given of the murderers, had been offered for their apprehension. Personal search had been made by himself and others throughout all the inhabited sections of country contiguous to the place of assassination. Inquiry had been pushed, by means of letters and handbills, into every more distant locality likely to be the resort of the criminals. But no tidings of them had been received. Year after year passed by; the baffled inquiry still went on, and all but one had forgotten, or ceased to feel any interest in the affair.

After such repeated and prolonged failure in the use of every available means of detection, the best, in fact, that A. M. could do, was patiently to await

the developments of time, using every precaution he could, to not overlook any disclosures which were calculated to lead to a discovery of the murderers. With this view he read the reports of criminal and police courts, the confession of convicts, accounts of murders and robberies, proclamations of State executives, offering rewards for fugitives from justice, published catalogues and reports of penitentiaries, and, in fine, the whole mass of those multitudinous publications of every kind which compose the criminal literature, so to speak, of the country. He had full faith in the adage, that murder will out, and felt that the justice of Heaven itself was pledged for the ultimate detection and punishment of the slayers of his father. And, therefore, it was he continued, through the long years of failure, to believe and assert that he should live to see retribution overtake them at last.

A. M. was now a middle-aged man, with sons and daughters growing up around him. Two States had been carved out of the Mississippi territory, and admitted into the Union. The wilderness and the Indians had disappeared from both. In the one, the wild moss was waving, rank and green, over the grave of the murdered father; in the other, the evergreen, the monument, reared, in after years, by the filial piety of the son.

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(Continued next week.)

Mason and Dixon Line.

Many persons are ignorant of the origin of Mason and Dixon's Line, and think it was established as a separation between the free and slave States. It originated by the arrangement of a dispute between Wm. Penn and Lord Baltimore, begun as early as 1682 with reference to the boundaries of their respective grants of land, now forming the States of Pennsylvania, Delaware and Maryland; Lord Baltimore claiming to, and including the 40th degree of North latitude. The case was brought in to the English Court of Chancery, and decided against Lord Baltimore. But the commissioners appointed to mark the boundaries failed to agree, and after further litigation and delay, the matter was settled by mutual agreement between the surviving heirs of the original litigators, and in 1773, Mr. Charles Mason, of the Royal Observatory was sent to Pennsylvania to measure the degree of latitude. This duty, in connection with Jeremiah Dixon, he accomplished—established the famous Mason and Dixon's Line between the present State of Pennsylvania on the north and Maryland on the south—and making his report to the Royal Society of London in the year 1776.

ADVERTISING.—The Philadelphia Bulletin, in some remarks upon advertising, very justly remarks:

Discontinuing advertising is like taking down one's own sign. It is a sort of intimation of retirement of business, and the public treat it as such. Or they may regard it as evidence that something has gone wrong, which requires privacy for investigation. Whatever construction may be upon it, the result is disastrous. Now, we advise all our readers who may have fallen into the common error of the season to come out of their holes, to put up their signs once more, and to advertise in as many papers as they did in the best times. While business creates advertising it is equally true that it creates talk and a stir in business circles and reminds men that they have no right to be leading drone's even in the worst of times advertising always pays well, and the more of it there is, the greater will be the circulation of money, and the sooner will be restored a condition of prosperity.

JOHN NEAL SAYS "the eagle has a contempt for all other birds." The owl, however, is more contemptuous still—he hoots at everything.

DEATH OF THE VICTIM OF A LEGAL "ERROR."—The Boston Traveller's Paris correspondent, under date of Dec. 30, furnishes the particulars of the death, at the early age of thirty-six, of one who, though entirely innocent, suffered seven years' imprisonment in the galleys, on a charge of murder and arson:

"This week carried to the grave a broken-hearted man, poor Lesnier's history is a sad one: The 30th of June, 1848, he was tried, convicted, and sentenced to the hulks for life, as being guilty of murder and arson. He was in the hulks, treated as a convict for seven years, when it was discovered that he was innocent of the crimes, the true culprit having confessed his guilt. The government did everything they could to atone for the error; they made him chief commissary of administrative inspection of the Southern railways, and gave his father a tobacco seller's place; but seven years of agony, seven years spent in conscious innocence and proclaimed guilt are too heavy trials for human nature, and the unhappy man died a day or two ago, only six-and-thirty years old, and only two years since his liberation. Instances of these mistakes are not unrequent in France, where the criminal practice is very imperfect, and the judge is made the prosecuting Attorney. But the French hold it better that ten innocent should suffer, than one guilty man should escape."

CARRYING A STEAMBOAT OVERLAND TO RED RIVER.—A writer in the St. Paul Pioneer, dated at Crow Wing, says:—About the 8th inst. the work of taking to pieces the Anson Northup, and preparing the frame of the new boat, was commenced; and to-day, the 19th of February, the whole of the portable frame of the boat, the boiler, engines, machinery, and tools, amounting to more than fifty tons of freight, besides stores and baggage of the men, and hay for the teams are trudging away with their load over the prairies, and through the pineries toward the Red River of the North. The boiler and the heavy machinery must be hauled on runners the distance of one-hundred and sixty miles. The new portions of the boat will be taken from Swan River, one hundred and ninety miles. The new boat, which is to bear the appropriate name of the Pioneer, is to be one hundred feet long, twenty feet beam, with a depth of four feet in the hold, and is calculated to carry from seventy-five to one hundred tons of freight. The train is accompanied by about forty teamsters and mechanics, who will commence work as soon as they reach the Red River, and the boat will probably be in running order by the first of May.—The road is good as far as Otter Tail City, and teams have been brought to the Red River during the past week, so that the track is probably well broken all the way.

MASQUERADERS IN MILWAUKEE.—A great masquerade ball was given in Milwaukee about a week ago. The News of that city, in the course of an article describing it, says:

"One gentleman fell in love with his own sister, while another man danced, talked, and promenade with a gentleman in woman's dress, three hours, in the vain hope of finding out who the dear creature was. One young man took his mother to the supper, and great was the surprise of both on learning how matters stood. One of our leading merchants gave his ring to a young lady if she would raise her mask that he might see her features, when it was his own sister, who he supposed was at home with the toothache! Two gentlemen got into a warm dispute as to who a certain young lady with a black domino was, and after making a wager of two bottles of champagne, found out that the young lady was the younger and mischievous brother of the losing party."

DEPARTURE OF THE SEMINOLES FROM FLORIDA.—The New Orleans True Delta, of the 22d of February, says: "The steamship Magnolia which arrived here yesterday, stopped at Punta Rassa, and received as passengers the last of the Florida Seminoles that will ever emigrate to the West. They were about seventy in number, twenty of whom are warriors. When the steamer touched at Punta Rassa, the Indians were willing and even eager to get on board. A few hours before that they were exceedingly dissatisfied, and manifested considerable opposition to leaving. It required the utmost tact of Col. Rector to induce them to await the coming of the vessel. Had she not arrived at the designated time, they would have betaken them to their canoes and fled to the jungles of the interior. The few Seminoles that remain in Florida—Sam Jones' band, will scarce again be heard of. They are engaged in digging 'coconino,' (arrow root) for certain traders on the eastern coast."

RETIREMENT OF GENERAL HOUSTON.—This veteran hero and statesman has closed his long and eventful public career. In 1814 he was a volunteer in Jackson's army in the Creek war; more than forty years ago was a member of Congress; then Governor of Tennessee, which office he suddenly resigned to take up his residence among the Indians, and adopted their mode of life; afterwards, in conformity with a plea formed by himself and General Jackson, he went to Texas with a view to revolutionize and annex it to the United States, which, after encountering the greatest difficulties, and overcoming every obstacle, he accomplished their purpose, and Texas became a State. Previous to the annexation he was President of Texas, and since that time has represented the State on the floor of the U. S. Senate.

PICCOLONINI, in reply to a serenade at Troy, said:—"Shentlemen: I am ver mooch obliged for ds complement. I am ver poor speak English, but I feels shleepy."

Speech of Senator Bigler

ON THE QUESTION OF

Slavery in the Territories.

Delivered in the Senate of the U. S. Feb. 23, 1859.

During the discussion of the Appropriation bill, in the Senate of the United States, on the 23d ult., Senator Hale moved, as an additional section, to repeal the restrictive clause of the act to admit Kansas. Upon this question Senator Bigler spoke as follows:

Mr. President, I shall occupy the time of the Senate for a very few minutes, and, indeed, sir, I regret the necessity of saying anything on this occasion.

I think it was on the 2d of July, 1856, about 6 o'clock, in the morning, when the Senator from Illinois (Mr. Trumbull) proposed an amendment to what was known as the Tomb's bill, in which this question of the power of a Territorial Legislature over the subject of slavery was raised, and for the first time presented to my mind for practical consideration. His amendment was intended to define the view of Congress on this subject.

On that occasion I expressed the opinion that, by the Kansas and Nebraska policy, the whole question of slavery in the Territories had been referred to the people, and that they, through a proper law-making power, could control the subject; but at the same time, I held, as I believe it had been almost universally held by the friends of the Kansas policy, that the question was a judicial one; that it was not one for Congressional decision; that it must be decided by the Supreme Court of the United States, and not by Congress; that Congress had conferred upon the people whatever power it possessed over the subject under the constitution; that as to the language of the Kansas Nebraska act, there could be no difference of opinion; it was explicit; and the only question left for decision was, what measure of power does Congress possess? That question was necessarily a judicial one; and that was the very question, together with that of the rights of slave owners in the Territories, which it had been agreed should be taken from Congress and referred to the Court.

I was among those who held the opinion that the people of a Territory, through their local Legislature, under the language of the Kansas law, had the power, if not the right, to control the question of slavery. I say power, if not the right, because there is a clear distinction between the right and power of a people. They may have the power to do it which it is not their right to do; and in this connection that distinction becomes important; for I take it, the question under discussion is more one of legal right, than one of the power of a majority, or the power of a people.

There is certainly a very clear distinction between intervention by Congress to establish or abolish slavery in a Territory, or, if you please, to influence in any way, the question of its expediency, and the exercise of the power of Congress to execute a right established by a decree of a court. I am against all Congressional interference to encourage slavery, or to extend, or to restrict, or to maintain the institution against the will of the people of a Territory. We have agreed to leave all questions that may arise as to the institution in the Territories, to the people and the courts.

If the rights of any citizen be seriously impaired, his remedy is the courts, and not in Congress; but a question may arise behind all these, and that is the question of executing an established right. There may be a case in which whatever power remains to Congress should be exercised to maintain the rights of the citizen as ascertained by the Courts. It cannot be denied that the Senator from Illinois, (Mr. Douglas,) at one time, entertained the opinion that such an occasion might arise; for he held and said that, in reference to Utah, such an exigency had arisen, and that the law organizing the Territory ought to be repealed; and thereby he claimed for Congress the highest degree of power ever pretended to by Congress; and this for the reason that the Mormons would not obey the law or the decisions of the Courts. A similar state of facts in any other Territory might warrant a similar remedy. Should the Legislature of Kansas confiscate the property value of the slaves now in the Territory, and the Courts should decide such an act unconstitutional would the execution of the decision of the Court be called Congressional intervention for slavery? Certainly not. I claim to stand on the Democratic platform, as defined at Baltimore and Cincinnati, on the broad doctrine of nonintervention by Congress in the matter of slavery; but I cannot close my eyes to the distinction between the action of Congress to encourage a policy, and the maintenance of the rights of the citizen, as defined by the Supreme Court. And this point, more than any other, has baffled my judgment; and my mind was to-day dwelling upon the very inquiry presented by the Senator from Alabama, (Mr. Clay,) to wit: if the citizen of a slaveholding State has a right as decided by the Supreme Court, to take his slave into a Territory and possess him there during the Territorial existence, whence comes that right, and how can its enjoyment be destroyed by a community not possessed of sovereign power? Nor can I understand what is intended by claiming for the local Legislature the legal means to destroy a constitutional right.

Mr. Pugh.—Allow me to ask the Senator a question.

Mr. Bigler.—In a few moments if the Senator pleases. What is a right that cannot be enjoyed, but a delusion and a fraud? The Supreme Court has held that the right to repossess a fugitive slave is in the owner; but what is that right worth, unless the means of executing it be furnished by Congress? And what is the right

of a citizen in a Territory worth, if it cannot be enjoyed? What does it avail to the citizen that he has the right, under the decision of the Supreme Court, to take his property into a Territory, if a majority may deprive him of the enjoyment and use of that property? There is no constitutional right unless it can be enjoyed; the value of that enjoyment, it is true, may be lessened by a general public policy or by popular prejudice; but I do not see how it can be destroyed; it is too true that the constitutional right of the owner to reclaim his fugitive is, in some instances, almost destroyed in this way. It is for the Courts, and not for Congress, to decide all legal questions that may arise as to the rights of slave property in the Territories; that is the Democratic policy; but is it not clear that a necessity will never arise for the interference of Congress to execute a right decreed of the Courts.

Now, sir, I do not intend to enter at length upon the question of how far it may be the duty of Congress to go to execute a decision of the Supreme Court against the action of a Territorial Legislature; that exigency has not arisen, and I hope it may never arise; but I do not think the case so clear against all interference as some of my Northern friends; I am not for intervention by Congress in the popular sense; I am against it; and I concur in nearly all that has been said by the Senators from Ohio and Michigan, as to the political consequences of such a measure. I deprecate, too, the precipitation of a question into the discussions of this body which may never arise—a mere imaginary state of affairs, the discussion of which must prove prejudicial to the Democratic party—a party which, in its career of usefulness, integrity, of patriotism, of success, has had no parallel in the history of this or any other country. I have believed, and I still believe, that the best interests of the Nation, its progress, and its glory, are closely identified with the perpetuity and ascendancy of this organization. Why, then, should its ship be wrecked on imaginary breakers? Why should it be stranded on shoals that should never be encountered? I regret exceedingly that my friend from Mississippi, (Mr. Brown,) should have felt moved to initiate a discussion which evidently could lead to no other result than disaster to the Democratic party. Sir, it will be time enough to determine how far Congress should go to maintain the legal rights of a citizen in a Territory against the action of the local Legislature, when the necessity shall arise. I hope we may never have occasion for the discussion of a question of this kind for a practical end, and I warn our Democratic friends from the South, as they value the ascendancy of the Democratic party in the North, as they value the ascendancy of that organization which has uniformly stood by their constitutional rights, not to force unnecessarily an issue of this character; for the uncalculated issue will be even more injurious than would be the discussion of the real question.

I know how prolific, intricate, delicate, and dangerous this question is; and it was with the utmost reluctance, that I could bring myself to the expression of any view which I entertain. What I have expressed, were the thoughts of the moment, unprepared and without reflection, for I anticipated no such debate as that we have had to-day. But, sir, I preferred to express to the Senate and to my constituents, just what I feel on this subject, regardless of any consequences to myself in the future. I do not favor the idea of Congressional interference. The Democratic party are pledged against that doctrine, they ought not to entertain it now; but does it follow that a state of affairs may not arise in a Territory, when it would be necessary for Congress to interfere, not as to questions of local policy in the Territory, but to execute a law; to execute a right that had been established by the proper Courts. I have made it a rule in my political career, to maintain the Constitution of the United States as defined by the Supreme Court, and shall ever do so. In reference to this very subject, the decision of the Supreme Court in the Dred Scott case, has, to some extent, overruled a doctrine which I had entertained and expressed freely; but I say, it is now my duty to stand by that decision, regardless of any peculiar views I may have had on my own part, or of any prejudice I may therefore encounter.

Mr. President, I shall not trespass upon the Senate further. I am deeply sensible of all the responsibilities that surround this subject. Perhaps I should amplify; perhaps I should say very much more in order to protect myself against misrepresentations; but I care not to trouble the Senate further. "Sufficient unto the day is the evil thereof;" and if it ever become necessary to meet exigencies so momentous as those anticipated here to-day, I trust they may be met in a spirit of forbearance and of patriotism; that spirit which will maintain the unity of the States; that spirit, too, which will maintain the unity of the Northern and the Southern Democracy for the sake of the Union of the States and the future growth and glory of the country.

I observe, sir, that my friend from New Hampshire (Mr. Hale) is exceedingly anxious to get the floor, and he shall have it in a minute. I am quite desirous to hear his musical voice on this subject. I know that he has very clear opinions on the question, and is not so much concerned about the great constitutional question involved; not so much agitated about the results to Kansas, or Utah, or any other Territory; but he is especially delighted because he thinks the Democratic party are getting into a disastrous muddle. [Laughter.]

The lady whose heart swelled with indignation has reduced it with poultices.