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"REGARDLESS OF DENUNCIATION FROM ANY QUARTER."

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## TOWANDA:

Thursday Morning, December 21, 1857.

### SPEECH OF HON. S. A. DOUGLAS, In the Senate, Dec. 9, 1857.

On motion of Mr. DOUGLAS, the Senate resumed the consideration of the motion made by him yesterday, to print the President's message and accompanying documents, with fifteen thousand extra copies.

Mr. DOUGLAS. Mr. President, when yesterday the President's message was read at the Clerk's desk, I heard it but imperfectly, and I was of the impression that the President of the United States had approved and endorsed the action of the Lecompton convention in Kansas. Under that impression, I felt it my duty to state that, while I concurred in the general views of the message, yet, so far as it approved or endorsed the action of that convention, I entirely dissented from it, and would avail myself of an early opportunity to state my reasons for my dissent. Upon a more careful and critical examination of the message, I am rejoiced to find that the President of the United States has not recommended that Congress shall pass a law to receive Kansas into the Union under the constitution framed at Lecompton. It is true that the tone of the message indicates a willingness on the part of the President to sign any bill that Congress may pass, if we shall see proper to pass one receiving Kansas into the Union under that constitution. But, sir, it is a fact of great significance, and worthy of consideration, that the President has refrained from any endorsement of the convention and from any recommendation as to the course Congress should pursue with regard to the constitution there formed.

The message of the President has made an argument—an unanswerable argument in my opinion—against that constitution, which shows clearly, whether intended to arrive at that result or not, that consistently with his views and his principles, he cannot accept that constitution. He has expressed his deep mortification and disappointment that the constitution itself has not been submitted to the people of Kansas for their acceptance or rejection. He informs us that he has unqualifiedly expressed his opinions on that subject in his instructions to Governor Walker, assuming, as a matter of course, that the constitution was to be submitted to the people before it could have any vitality or validity. He goes further, and tells us that the example set by Congress in the Minnesota case, by inserting a clause in the enabling act requiring the constitution to be submitted to the people, ought to become a uniform rule, not to be departed from hereafter in any case. On these various positions I agree entirely with the President of the United States, and I am prepared now to sustain that uniform rule which he asks us to pursue, in all other cases, by taking the Minnesota provision as our example.

Republic, on a careful perusal of the message, to find so much less to dissent from than I was under the impression there was from the hasty reading and the imperfect hearing of the message in the first instance. In effect, he refers the document to the Congress of the United States—as the Constitution of the United States refers it—for us to decide upon it under our responsibility. It is proper that he should have thus referred it to us as a matter for Congressional action, and not as an Administration or Executive measure, for the reason that the Constitution of the United States says that "Congress may admit new States into the Union." Hence we find the Kansas question before us now, not as an Administration measure, but as a measure coming before us as our free action, without any recommendation or interference, directly or indirectly, by the Administration now in possession of the Federal Government. Sir, I propose to examine this question calmly and fairly, to see whether or not we can properly receive Kansas into the Union with the constitution framed at Lecompton.

The President after expressing his regret and mortification and disappointment, that the constitution had not been submitted to the people in pursuance of his instructions to Governor Walker and in pursuance of Governor Walker's assurances to the people, says, however, that by the Kansas-Nebraska act the slavery question only was required to be referred to the people, and the remainder of the constitution was not thus required to be submitted.—He acknowledges that, as a general rule, on general principles, the whole constitution should be submitted; but according to his understanding of the organic act of Kansas, there was an imperative obligation to submit the slavery question for their approval or disapproval, but no obligation to submit the entire constitution. In other words, he regards the organic act, the Nebraska bill, as having made an exception of the slavery clause, and provided for the disposition of that question in a mode different from that in which other domestic or local, as contradistinguished from Federal questions, should be decided. Sir, permit me to say, with profound respect for the President of the United States, that I consider that on this point he has committed a fundamental error, an error which lies at the foundation of his whole argument on this matter. I can well understand how that distinguished statesman came to fall into this error. He was not in the country at the time the Nebraska bill was passed; he was not a party to the controversy, and the discussion that took place during its passage. He was then representing the honor and the dignity of the country with great wisdom and distinction at a foreign court. Thus deeply engrossed, his whole energies were absorbed in conducting great diplomatic questions that directed his attention from the mere territorial questions and discussions then going on in the Senate and the House of Representatives, and before the people at home. Under those circumstances, he may well have fallen into the error, which I consider fundamental as it is

in regard to the object of the Nebraska bill and the principles asserted in it.

The President, in his message, has made an unanswerable argument in favor of the principle which requires this question to be sent back. It is stated in the message, with more clearness and force than any language I can command; but I can draw your attention to it and refer you to the argument in the message, hoping that you will take it as a part of my speech—as expressing my idea more forcibly than I am able to express it. The President says that a question of great interest, like the slavery question, cannot be fairly decided by a convention of delegates, for the reason that the delegates are elected in districts, and in some districts a delegate is elected by a small majority; in others by an overwhelming majority; so that it often happens that a majority of the delegates are one way, while a majority of the people are the other way; and therefore it would be unfair, and inconsistent with the great principle of popular sovereignty, to allow a body of delegates, not representing the popular voice, to establish domestic institutions for the mass of the people. This is the argument to show that you cannot have a fair and honest decision without submitting it to the popular vote. The same argument is conclusive with regard to slavery.

But, Mr. President, is estimated in the message that although it was an unfortunate circumstance much to be regretted, that the Lecompton convention did not submit the constitution to the people, yet perhaps it may be treated as regular, because the convention was called by a Territorial Legislature which had been repeatedly recognized by the Congress of the United States as a legal body.—I beg Senators not to fall into an error as to the President's meaning on this point. He does not say, he does not mean, that this convention had ever been recognized by the Congress of the United States as legal or valid.—On the contrary, he knows, as we here know, that during the last Congress I reported a bill from the Committee on Territories to authorize the people of Kansas to assemble and form a constitution for themselves. Subsequently, the Senator from Georgia (Mr. Toombs) brought forward a substitute for my bill which, after having been modified for him and myself in consultation, was passed by the Senate. It is known in the country as "the Toombs bill." It authorized the people of Kansas Territory to assemble in convention and form a constitution preparatory to their admission into the Union as a State. That bill, it is well known, was defeated in the House of Representatives. It matters not, for the purpose of this argument, what was the reason of its defeat. Whether the reason was a political one whether it had reference to the then existing contest for the Presidency; whether it was to keep open the slavery question; whether it was a conviction that the bill would not be carried out; whether it was because there were not people enough in Kansas to justify the formation of a State—no matter what the reason was, the House of Representatives refused to pass that bill, and thus denied to the people of Kansas the right to form a constitution and State government at this time. So far from the Congress of the United States having sanctioned or legalized the convention which assembled at Lecompton, it expressly withheld its assent. The assent has not been given, either in express terms or by implication; and being withheld, this Kansas constitution has just such validity and just such authority as the Territorial Legislature of Kansas could impart to it without the assent, and in opposition to the known will, of Congress.

Now, sir, let me ask what is the extent of the authority of a Territorial Legislature as to calling a constitutional convention without the assent of Congress? Fortunately this is not a new question; it does not now arise for the first time. When the Topeka constitution was presented to the Senate nearly two years ago, it was referred to the Committee on Territories, with a variety of measures relating to Kansas. The committee made a full report upon the whole subject. That report reviewed all the irregular cases which had occurred in our history in the admission of new States. The committee went on the supposition that whenever Congress had passed an enabling act authorizing the people of a Territory to form a State Constitution, the convention was regular, and possessed all the authority which Congress had delegated to it; but whenever Congress had failed or refused to pass an enabling act, the proceeding was irregular and void, unless vitality was imparted to it by a subsequent act of Congress adopting and confirming it. The friends of the Topeka constitution insisted that although their proceedings were irregular, there were not so irregular but that Congress could cure the error by admitting Kansas with that constitution. They cited a variety of cases, amongst others the Arkansas case. In my report, sanctioned by every member of the Committee on Territories, except the Senator from Vermont, [Mr. COLLAMER] I reviewed the Arkansas case as well as the others, and affirmed the doctrine established by General Jackson's administration and enunciated in the opinion of Mr. Attorney General Butler, a part of which opinion was copied into the report and published to the country at the time.

Having thus shown that the convention at Lecompton had no power, no authority to form and establish a government, but had power to draft a petition, if it embodied the will of the people of Kansas, ought to be taken as such an exposition of their will yet, if it did not embody their will ought to be rejected—having shown these facts, let me proceed and inquire what was the understanding of the people of Kansas, when the delegates were elected? I understand, from the history of the transaction, that the people who voted for delegates to the Lecompton convention, and those who refused to vote—both parties—understood the Territorial act to mean that they were elected only to frame a constitution, and submit it to the people for their ratification or rejection. I say that both parties in that Ter-

ritory, at the same time of the election of delegates, so understood the object of the convention. Those who voted for delegates did so with the understanding that they had no power to make a government, but only to frame one for submission; and those who staid away did so with the same understanding.

Now for the evidence. The President of the United States tells us, that he had unequivocally expressed his opinions, in the form of instructions to Governor Walker, assuming that the constitution was to be submitted to the people for ratification. When we look into Governor Walker's letter of acceptance to the office of Governor, we find that he stated expressly that he accepted it with the understanding that the President and his whole Cabinet concurred with him that the constitution, when formed, was to be submitted to the people for ratification. Then look into the instructions given by the President of the United States, through Gen. Cass, the Secretary of State, to Governor Walker, and you there find that the Governor is instructed to use the military power to protect the polls when the constitution shall be submitted to the people of Kansas for their free acceptance or rejection. Trace the history a little further, and you will find that Governor Walker went to Kansas and proclaimed, in his inaugural and in his speeches at Topeka, and elsewhere, that it was the distinct understanding, not only of himself, but of those in higher power than himself—meaning the President and his Cabinet—that the constitution was to be submitted to the people for their free acceptance or rejection, and that he would use all the power at his command to defeat its acceptance by Congress, if it were not thus submitted to the vote of the people.

Mr. President, I am not going to stop and inquire how far the Nebraska bill, which said the people should be left perfectly free to form their constitution for themselves, authorize the President, or the Cabinet, or Governor Walker, or any other territorial officer, to interfere and tell the convention of Kansas whether they should or should not submit the question to the people. I am not going to stop to inquire how far they were authorized to do that, it being my opinion that the spirit of the Nebraska bill required it to be done. It is sufficient for my purpose that the Administration of the Federal Government unanimously, that the administration of the territorial government, in all its parts, unanimously understood the territorial law under which the convention was assembled to mean that the constitution to be formed by that convention should be submitted to the people for ratification or rejection, and, if not confirmed by a majority of the people, should be null and void, without coming to Congress for approval.

Not only did the National Government and the territorial government so understand the law at the time, but, as I have already stated the people of the Territory so understood it.—As a further evidence on that point, a large number, if not a majority, of the delegates were instructed in the nominating conventions to submit the constitution to the people for ratification. I know that the delegates from Douglas county, eight in number, Mr. Calhoun, president of the convention, being among them, were not only instructed thus to submit the question, but they signed and published, while candidates, a written pledge that they would submit it to the people for ratification. I know that men, high in authority and in the confidence of the territorial and National Government, canvassed every part of Kansas during the election of delegates, and each of them pledged themselves to the people that no snap judgment was to be taken; that the constitution was to be submitted to the people for acceptance or rejection; that it would be void unless that was done; that the Administration would spurn and scorn it as a violation of the principles on which it came into power, and that a Democratic Congress would hurl it from their presence as an insult to Democrats who stood pledged to see the people left free to form their domestic institutions for themselves.

Not only that, sir, but up to the time when the convention assembled, on the 1st of September, so far as I can learn, it was understood everywhere that the constitution was to be submitted for ratification or rejection. They met, however, on the 1st of September, and I think it was wise and prudent that they should have adjourned. They did not wish to bring any question into that election which would divide the Democratic party, and weaken our chances of success in the election. I was rejoiced when I saw that they did adjourn, so as not to show their hand on any question that would divide and distract the party until after the election. During that recess, while the convention was adjourned, Governor Ransom the Democratic candidate for Congress, running against the present delegate from that Territory, was canvassing every part of Kansas in favor of the doctrine of submitting the constitution to the people, declaring that the Democratic party were in favor of such submission, and that it was a slander of the Black Republicans to impute the charge that the Democratic party did not intend to carry out that pledge in good faith. Thus, up to the time of the meeting of the convention, in October last, the pretense was kept up, the profession was openly made and believed by me, and I thought believed by them, that the convention intended to submit a constitution to the people, and did not attempt to put a government in operation without such submission. The election being over, the Democratic party being defeated by an overwhelming vote, the Opposition having triumphed, and got possession of both branches of the Legislature, and having elected their territorial Delegate, the convention assembled, and then proceeded to complete their work.

Now let us stop to inquire how they redeemed the pledge to submit the constitution to the people. They first go on and make a constitution. Then they make a schedule, in which they provide that the constitution, on the 31st of December—the present month—shall be submitted to all the bona fide inhabitants of the Territory on that day, for their free acceptance or rejection, in the following manner,

to wit:—thus acknowledging that they were bound to submit it to the will of the people, conceding that they had no right to put it into operation without submitting it to the people, providing in the instrument that it should take effect from and after the date of its ratification, and not before; showing that the constitution derives its vitality, in their estimation, not from the authority of the convention, but from that vote of the people to which it was to be submitted for their free acceptance or rejection. How is it to be submitted? It shall be submitted in this form:—"Constitution with slavery or constitution with no slavery." All men must vote for the constitution, whether they like it or not, in order to be permitted to vote for or against slavery. Thus a constitution made by a convention that had authority to assemble and petition for a redress of grievances, but not to establish a government—a constitution made under a pledge of honor that it should be submitted to the people before it took effect; a constitution which provides, on its face, that it shall have no validity except what it derives from such submission—is submitted to the people at an election where all men are at liberty to come forward freely without hindrance and vote for it, but no man is permitted to record a vote against it.

That would be as fair an election as some of the enemies of Napoleon attributed to him when he was elected First Consul. He is said to have called out his troops and had them reviewed by his officers with a speech, patriotic and fair in its professions, in which he said to them: "Now, my soldiers, you are to go to the election and vote freely just as you please. If you vote for Napoleon, all is well; vote against him, and you are to be instantly shot." That was a fair election. [Laughter.] This election is to be equally fair. All men in favor of the constitution may vote for it—all men against it shall not vote at all. Why not let them vote against it? I presume you have asked many a man this question. I have asked a very large number of the gentlemen who framed the constitution, quite a number of delegates, and a still larger number of persons who are their friends, and I have received the same answer from every one of them. I never received any other answer, and I presume we never shall get any other answer.—What is that? They say if they allowed a negative vote the constitution would have been voted down by an overwhelming majority, and hence the fellows shall not be allowed to vote at all. [Laughter.]

Mr. President, that may be true. It is no part of my purpose to deny the proposition that that constitution would have been voted down if submitted to the people. I believe it would have been voted down by a majority of four to one. I am informed by men well posted there—Democrats—that it would be voted down by ten to one; some say by twenty to one. But is it a good reason why you should declare it in force, without being submitted to the people, merely because it would have been voted down by five to one if you had submitted it? What does that fact prove? Does it not show undeniably that an overwhelming majority of the people of Kansas are unalterably opposed to that constitution? Will you force it on them against their will simply because they would have voted it down if you had consulted them? If you will, are you going to force it upon them under the plea of leaving them perfectly free to form and regulate their domestic institutions in their own way? Is that the mode in which I am called upon to carry out the principle of self-government and popular sovereignty in the Territories—to force a constitution on the people against their will, in opposition to their protest, with a knowledge of the fact, and then to assign, as a reason for my tyranny, that they would be so obstinate and so perverse as to vote down the constitution if I had given them an opportunity to be consulted about it?

Sir, I deny your right or mine to inquire of these people what their objections to that constitution are. They have a right to judge for themselves whether they like or dislike it. It is no answer to tell me that the constitution is a good one and unobjectionable. It is not satisfactory to me to have the President say in his message that the constitution is an admirable one, like all the constitutions of the new States that have been recently formed.—Whether good or bad, whether objectionable or not, is none of my business and none of yours. It is their business and not ours. I care not what they have in their constitution, so that it suits them and does not violate the Constitution of the United States and the fundamental principles of liberty upon which our institutions rest. I am not going to argue the question whether the banking system established in that constitution is wise or unwise. It says there shall be no monopolies, but there shall be one bank of discount in the State, with two branches. All I have to say on that point is, if they want a banking system let them have it; if they do not want it let them prohibit it. If they want a bank with two branches, be it so; if they want twenty it is none of my business, and it matters not to me whether one of them shall be on the north side and the other on the south side of the Kaw river, or where they shall be.

While I have no right to expect to be consulted on that point, I do hold that the people of Kansas have the right to be consulted and to decide it, and you have no right to deprive them of that privilege. It is no justification, in my mind, to say that the provisions for the eligibility for the offices of Governor and Lieutenant Governor require twenty years' citizenship in the United States. If men think that no person should vote or hold office until he has been twenty years in the country, they have a right to think so; and if a majority of the people of Kansas think that no man of foreign birth should vote or hold office unless he has lived there twenty years, it is their right to say so, and I have no right to interfere with them. It is their business, not mine; but if I lived there I should not be willing to have that provision in the constitution without being heard upon the subject, and allowed to record my protest against it.

I have nothing to say about their system of taxation, in which they have gone back and resorted to the old exploded system that we tried in Illinois, but abandoned because we did not like it. If they wish to try it and get tired of it and abandon it, be it so; but if I were a citizen of Kansas I would profit by the experience of Illinois on that subject, and defeat it if I could. Yet I have no objection to their having it if they want it; it is their business, not mine.

So it is in regard to the free negroes. They provide that no free negro shall be permitted to live in Kansas. I suppose they have a right to say so if they choose; but if I lived there I should want to vote on that question. We, in Illinois, provide that no more shall come there. We say to the other States, "Take care of your own free negroes and we will take care of ours." But we do not say that the negroes now there shall not be permitted to live in Illinois; and I think the people of Kansas ought to have the right to say whether they will allow them to live there, and if they are not going to do so, how they are to dispose of them.

So you may go on with all the different clauses of the constitution. They may be all right; they may be all wrong. That is a question on which my opinion is worth nothing. The opinion of the wise and patriotic Chief Magistrate of the United States is not worth anything as against that of the people of Kansas; for they have a right to judge for themselves; and neither Presidents, nor Senators, nor House of Representatives, nor any other power outside of Kansas, has a right to judge for them. Hence it is no justification, in my mind, for the violation of a great principle of self-government, to say that the constitution you are forcing on them is not particularly objectionable, or is excellent in its provisions.

Perhaps, sir, the same thing might be said of the celebrated Topeka constitution. I do not recollect its peculiar provisions. I know one thing: we Democrats, we Nebraska men, would not even look into it to see what its provisions were. Why? Because we said it was made by a political party, and not by the people; that it was made in defiance of the authority of Congress; that if it was as pure as the Bible, as holy as the ten commandments, yet we would not touch it until it was submitted to and ratified by the people of Kansas, in pursuance of the forms of law. Perhaps that Topeka constitution, but for the mode of making it, would have been unobjectionable. I do not know; I do not care.—You have no right to force an unobjectionable constitution on a people. It does not mitigate the evil, it does not diminish the insult, it does not ameliorate the wrong, that you are forcing a good thing on them. I am not willing to be forced to do that which I would do if I were left free to judge and act for myself. Hence I assert that there is no justification to be made for this flagrant violation of popular rights in Kansas, on the plea that the constitution which they have made is not particularly objectionable.

But, sir, the President of the United States is really and sincerely of the opinion that the slavery clause has been fairly and impartially submitted to the free acceptance or rejection of the people of Kansas, and that, inasmuch as that was the exciting and paramount question, if they get the right to vote as they please on that subject they ought to be satisfied; and possibly it might be better if we would accept it, and put an end to the question.—Let me ask, sir, is the slavery clause fairly submitted, so that the people can vote for or against it? 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 vote for that constitution conscientiously. I am opposed to the clause by which you locate certain railroads in such a way as to sacrifice my county and my part of the State. I am opposed to that banking system. I am opposed to this Know Nothing or American clause in the constitution about the qualification for office. I cannot vote for it." Then they answer, "You shall not vote on making it a slave State." I then say, "I want to make it a free State." They reply, "Vote for that constitution first, and then you can vote to make it a free State; otherwise you cannot." Thus they disqualify every free-State man who will not first vote for the Constitution; they disqualify every slave-State man who will not first vote for the constitution. No matter whether or not the voters state that they cannot conscientiously vote for those provisions, they reply, "You cannot vote for or against slavery here. Take the constitution as we have made it, take the elective franchise as we have established it, take the banking system as we have dictated it, take the railroad lines as we have located them, take the judiciary system as we have formed it, take it all as we have fixed it to suit ourselves, and ask no questions, but vote for it, or you shall not vote either for a slave or free State." In other words, the legal effect of the schedule is this: all those who are in favor of this constitution may vote for or against slavery, as they please; but all those who are against this constitution are disfranchised, and shall not vote at all. That is the mode in which the slavery proposition is submitted. Every man opposed to the constitution is disfranchised on the slavery clause.—How many are they? They tell you there is a majority, for they say the constitution will be voted down instantly, by an overwhelming majority, if you allow a negative vote. This shows that a majority are against it. They disfranchise and disfranchise every man who is against it, thus referring the slavery clause to a minority of the people of Kansas, and leaving that minority free to vote for or against the slavery clause, as they choose.

Let me ask you if that is a fair mode of submitting the slavery clause? Does that mode of submitting that particular clause leave the people perfectly free to vote for or against slavery as they choose? Am I free to vote as I choose on the slavery question, if you tell me I shall not vote on it until I vote for the Maine liquor law? Am I free to vote on the slavery question, if you tell me that I shall not vote either way until I vote for a bank? Is it freedom of election to make your right to vote upon one question depend upon the mode in which you are going to vote on some other question which has no connection with it? Is that freedom of election? Is that the great fundamental principle of self-government, for which we combined and struggled, in this body and throughout the country, to establish as the rule of action in all time to come? The President of the United States has made some remarks in his message which strikes me it would be very appropriate to read in this connection. He says:—"The friends and supporters of the Nebraska and Kansas act, when struggling on a recent occasion to sustain its wise provisions before the great tribunal of the American people, never differed about its true meaning on this subject. Everywhere throughout the Union they publicly pledged their faith and honor that they would conscientiously submit the question of slavery to the decision of the bona fide people of Kansas, without any restriction or qualification whatever. All were cordially united upon the great doctrine of popular sovereignty, which is the vital principle of our free institutions."

Mark this:—"Had it then been insinuated, from any quarter, that it would have been a sufficient compliance with the requisitions of the organic law for the members of a convention, thereafter to be elected, to withhold the question of slavery from the people, and to substitute their own will for that of a legally ascertained majority of their constituents, this would have been instantly rejected."

Yes, sir, and I will add further, had it been then insinuated from any quarter, and believed by the American people, that we would have submitted the slavery clause in such a manner as to compel a man to vote for that which his conscience did not approve, in order to vote on the slavery clause, not only would the idea have been rejected, but the Democratic candidate for the Presidency would have been rejected; and every man who backed him would have been rejected too.

The President tells us in his message that the whole party pledge our faith and our honor that the slavery question should be submitted to the people, without any restriction or qualification whatever. Does this schedule submit it without qualification? It qualifies it by saying, "You may vote for the constitution; but you shall not do so without doing that."—That is a very important qualification—a qualification that controls a man's vote and his action and his conscience, if he is an honest man—a qualification confessedly in violation of our platform. We are told by the President that our faith and our honor are pledged that the slavery clause should be submitted without qualification of any kind whatever; and now am I to be called upon to forfeit my faith and my honor in order to enable a small minority of the people of Kansas to defraud the majority of that people out of their elective franchise? Sir, my honor is pledged; and before it shall be tarnished, I will take whatever consequences personal to myself that may come; but never ask me to do an act which the President, in his message, has said is a forfeiture of faith, a violation of honor, and that merely for the expediency of saving the party. I will go as far as any of you to save the party. I have as much heart in the great cause that binds us together as a party as any man living. I will sacrifice anything short of principle and honor for the peace of the party; but if the party will not stand by its principles, its faith, its pledges, I will stand there, and abide whatever consequences may result from the position.

Let me ask you, why force this constitution down the throats of the people of Kansas, in opposition to their wishes and in violation of our pledges. What great object is to be attained? *Cui bono?* What are you to gain by it? Will you sustain the party by violating its principles? Do you propose to keep the party united by forcing a division? Staud by the doctrine that leaves the people perfectly free to form and regulate their institutions for themselves in their way, and your party will be united and irresistible in power.—Abandon that great principle, and the party is not worth saving, and cannot be saved, after it shall be violated. I trust we are not to be rushed upon this question. Why shall it be done? Who is to be benefited? Is the South to be the gainer? Is the North to be the gainer? Neither the North nor the South has the right to gain a sectional advantage by trickery.

But I am beseeched to wait until I hear from the election on the 21st of December. I am told that perhaps that will put it all right, and will save the whole difficulty. How can it? Perhaps there may be a large vote.—There may be a large vote returned. [Laughter.] But I deny that it is possible to have a fair vote on the slavery clause; and I say that it is not impossible to have any vote on the constitution. Why wait for the mockery of an election when it is provided unalterably that the people cannot vote—when the majority are disfranchised?

But I am told on all sides, "Oh, just wait; the pro-slavery clause will be voted down."—That does not obviate any of my objections; it does not diminish any of them. You have no more right to force a free-State constitution on Kansas than a slave-State constitution. If Kansas wants a slave-State constitution she has a right to it; if she wants a free-State constitution she has a right to it. It is none of my business which way the slavery clause is decided. I care not whether it is voted down or voted up. Do you suppose, after the pledges of my honor that I would go for that principle and leave the people to vote as they choose, that I would now degrade myself by voting one way if the slavery clause be voted down, and another way if it be voted up? I care not how that vote may stand. I take it for granted that it will be voted out. I think I have seen enough in the last three days to make it certain that it may be returned out, no matter how the vote may stand. [Laughter.]

Sir, I am opposed to that concern because it looks to me like a system of trickery and jugglery to defeat the fair expression of the will of the people. There is no necessity for crowding this measure, so unfair, so unjust as it is to all its opponents, upon us. Why can we