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reday Morning, April 15, 1858.

ANSAS—THE LECOMPTON CONSTITUTION. SPEECH

G. A. GROW

MARCH 25, 1858.

GROW said : the third section of the fourth article of constitution, it is provided that "new may be admitted by the Congress into Under that clause eighteen have been added to the Union since its on: thirteen with and five without an Congress authorizing the formation of e government. But in every applicawhether with or without an enabling act, and most important question for the ation of Congress is, whether the conpresented embodies in its essential the will of the people to be affected If it does not, then it should be rejectpatter what the authority or mode of

ation. The people of a Territory have t, like any other portion of the Ameriunder the first clause of the amendthe Constitution, to petition the goat all times, and it is in the discreower of Congress to grant their prayas a State is, in all cases, in the nature An enabling act is not, theresolutely necessary for the people of a on and State government, in order

erritorial government is established by , it cannot be superseded by any othment without the assent of Congress. t, however, material whether that asgiven before or after the action of the

the Territory. e this occasion, in passing, to express gations to my colleague, [Mr. Philor the notice and importance which he

to my views on this point, expressed the last Congress. As he quoted th approval, I am rejoiced to know and his political associates still adne doctrine of the Jackson democra-I hope that they may yet return to ples and teachings of Jefferson and ers of American democracy, from which he last few years, they have so widely

great question which presents itself in is, does the constitution meet the people who are to be affected by ion in the action of Congress on eveation for a new State in the history government. In the case of Michigan, me here against the forms prescribed her action; yet Congress took the will of

ple, and set aside all formalities. e case upon which we are now called we have only the form of a constitusented by one man, and the argument President in its favor; while the peo-Kansas, who are to be affected by it, against admission into the Union unn every form by which they can make

entire history of the Lecompton consti proves that a large majority of the peo-Kansas are opposed to it. The evidence fact, in the possession of the House, is onstrance of its citizens laid upon your the protest of the State officers elected is constitution, also of the delegate on or: the resolutions of the legislative asand the vote of the people on the 4th ary. In all the reliable information the Territory there is but one opinion ex-

to General Cass, says: it as a fact, based on a long and intimate ass th the people of Kansas, that an overwhelming of that people are opposed to that instrument; titers state that but one out of twenty of the cansas sustain it." * * * " Indeed, dismay to ourselves under the influence of the ment, the facts will demonstrate that any orgress to force this constitution upon the sas will be an effort to substitute the will ority for that of an overwhelming majori

ernor Stanton corroborates this state

in only be maintained by the arms of the federa

State officers elected on the 4th of last, under this constitution, protest

following language: the officers elected under said constitution,

sac officers elected under said constitution, up-pectfully and earnestly pray your inoncrable bo-to admit Kansas into the Union under said con-t, and thus force upon an unwilling people an or-w against their express voilt, and in violation of disciple of popular government." also have the resolutions of the legisla-

sembly of the Territory, passed on the

the people of Kansas being opposed to said con-Congress has no rightful power under it to ad-Territory into the Union as a State, and we, the tatives of said people, do hereby, in their name, heir behalf, solemnly protest against such ad-

And on the last day of its session the legispassed, unanimously, the following re-

a constitution: that we hurl back, with scorn, is charge contained in the message of the Presimpanying the Lecompton constitution, to the the freemen of Kansas are a lawless people; ing upon the justice of our cause, we do hereby of the people we represent, solemnly pledge to each other, to our friends in Congress and in the compton constitution and government by of arms, if necessary: that, in this perilous hour tory, we appeal to the civilized world for the of our position, and call upon the friends of free-twhere to array themselves against the last act sion in the Kansas drama." stitution; that we hurl back, with scorn

thus they have protested in every form

And last of all they protested at the ballotbox, with over ten thousand voices. On the 4th of January last, a vote was ordered to be taken for and against this constitution by the legislature, which is recognized as valid by all parties in the Territory, and by the President, in declaring to Governor Denver that the people must be protected in voting for or against the constitution on that day. Almost eleven thousand voters protested then against that constitution, as not embodying their will. On the 21st of December, the vote was only six thousand five hundred and twenty-six, half of which has been proven fraudulent by the investigating committee ordered by the legislature; so that not more than three thousand legal votes were cast on the proposition then to eight thousand against this constitution.—Yet we are asked to enact it into the organic law of the people, and to institute under it a State government of officers elected by fraud. We are asked to cast aside the vote of the people on the 4th of January, because they did not vote at the preceding elections.

it is not denied that it expressed the popular will; but that the people could not vote on their constitution at any other election than the one fixed by the delegates to the convention. It was the same legislative power that fixed the election of the 4th of January that called the convention with the exception that the legislature that fixed the election derived its power from the people, while the one that called the convention was a usurpation. But treating them both as valid, the last one had The application of a people for ad- as much power as the first, and was the legislative power of the Territory, and must continue to be till it is superseded by some goverument, with the consent of Congress. Until before they can proceed to form a that time it has full legislative power to enact, repeal, or modify any existing laws of the Terfor admission into the Union. Yet ritory; and if the Lecompton convention prevents that, then, in the language of the President, it would be rebellion; for the territorial government would be superseded without the consent of Congress. Why does he not send his army to put down this constitution and its supporters, as he did to put down the Topeka party on the 4th of July, 1856? If the territorial legislature does not possess the legislative power of the Territory, then the people have parted with their sovereignty, irrevocably, for four months, or until the action of Congress upon this constitution. If so, they could as well part with it forever, and thus your reason would subvert all the maxims of our system of government. The time and mode of voting on the 4th of January was established by the legislative authority of the Territory, an authority as valid and as legal as was the same authority in calling the con-

It is argued that though this constitution does not embody the will of the people, yet vote before its formation, though they did afthat the people of this country, who are the depositaries of the sovereignty of the governgo to the polls to-day. It is one of the rights of American citizens to absent themselves from elections if they choose; and I grant you that when all have the privilege of voting, those who do not vote must submit to the action of those who do. But when the majority do vote, where is the reason for turning a deaf ear to their voice? If the people withhold their votes at a primary election, does that deprive them of the right to vote upon the great question of what shall be their fundamental law? They did vote on the 4th of January; and why disregard the will of the people fully expressed at the ballot-box? This is not a ques-State because the minority have not voted; for in this case they went to the polls and did vote. But you say they shall not vote to-day because they refused to vote yesterday. That d as to the opposition of the people to is a matter which does not concern you. The onstitution. Governor Walker, in his people themselves are the ones to decide under what circumstances they will vote, or withhold their votes. They voted at the first election held in that Territory, at which a fair expression of the public will could be given.

At the election for the call of a convention, the test oaths were upon the statute-books of Kansas, which would disfranchise all who would not submit to degradation; all the tests and laws which were declared by General Cass, in the Senate, to be a "disgrace to the age and the country." Senator Bayard said they were shocking to the moral sense :" and Senator Weller that they were "infamous in their character," "in violation of the Constitution," and "revolting to every feeling of humanity. Mr. Clayton denounced them as "unjust, iniquitous, oppressive and infamous laws."

These test laws were thus denounced upon the floor of the Senate of the United States by men who could not be charged with fanati cism. No one, then, could vote on the call for the convention who was not ready to submit to those test oaths; and but 2,670 votes were polled for the convention, though the delegate to Congress, at the same election, received 4,276. These test oaths were repealed, it is true, before the election of delegates ; but in the election of delegates half of the counties were disfranchised, and that, too, by no fault of theirs. Fifteen of the counties were entirely disfranchised, and four others partially. Governor Walker, in his letter to General Cass of the 15th December, 1857, says:

"In nineteen of these counties there was no census, and therefore there could be no such apportionment there of delegates, based upon such census. And in fifteen of these counties there was no registry of voters. These fitteen counties, including many of the oldest organized counties of the Territory, were entirely disfranchised, and did not give and (by no fault of their own) could not give a solitary vote for delegates to the convention."

"In fitteen counties out of thirty-four, there was no registry, and not a solitary vote was given or could be

registry, and not a solitary vote was given or could be given for delegates to the convention in any of these cour

Governor Stanton, in corroboration of this statement, in his address to the peaple of the

But it has been urged by the advocates of Lecompton that the disfranchisement of these counties was the fault of the voters themselves in not being registered; that after the census was taken, an opportunity was given for correcting the list. But how correct a list were there is none? and the voters who were disfranchised had no opportunity to put themselves upon the list, for no registry was made, people. and no correction could be made until there was a registry.

MR. CLEMENS. I wish to ask the gentleman if the law does not require that the list shall be posted up in a conspicuous place in each county, in order to give the people the right submitted, leaving a majority of from seven and power before the proper authorities to have their names inserted? And in addition to that, did not, in four of these counties, your party interpose every obstacle against taking the census, and interfere with the officers whose duty it was to take the census?

Mr. Grow. Can you correct a list until it is made? The law requires a copy of the That election, it is said, was illegal, though lists to be posted, then they could be corrected. I will read the law which required the census and registration, passed 19th February, 1857, which provides that a census shall be taken by the sheriffs of the several counties : and in case there shall be no sheriff, then by the probate judge of the courts; and in case of vacancy in the office of both sheriff and probate judge, the governor to appoint some competent resident of said county. The duty of the census taker is thus prescribed by the third section of

" It shall be the duty of the sheriff, probate judge, or "It shall be the duty of the sheriff, propate judge, or person appointed by the governor as herein provided, in each county or election district, on or before the 10th day of April next, to file in the office of the probate judge for such county or election district a full and complete list of all the qualified voters resident in his said county or election district on the 1st day of April, 1857, which list shall exhibit, in a fair and legible hand, the names of all such legal voters."

And in the fifth section it is provided that

"Said probate judge shall remain in session each day, Sundays excepted, from the time of receiving said returns, until the first day of May next, at such place as shall be most convenient to the inhabitants of the county or election district; and proceed to the inspection of said returns, and hear, correct, and finally determine, according to the facts, without unreasonable delay, all questions ing to the facts, without unreasonance delay, an questions concerning the omission of any person from said returns, or the improper insertion of any names on said returns, and other questions affecting the integrity or fidelity of said returns; and for this purpose shall have power to administer oaths and examine witnessess, and compel their attendance in such manner as the judge may deem necessary.

Now, unless a return was made by the census taker to the probate judge, there would be no list to correct, and of course, there was no way for the voter to be registered, and if not registered he could not vote. Nineteen of these counties which were disfranchised gave a vote on the 4th of January, as certified to by Gen. Denver, of one thousand six hundred and twenty-four against this constitution.

MR. CLEMENS. As the gentleman from Penn-That has been the first and the control- they must submit to it because they did not sylvania is making a fair argument, I desire to ask another question. I put it to the gentleterwards. It is a new and a strange doctrine man from Pennsylvania whether, every counment, have not the right to vote upon the taking a vote and making a registry did not and the universally recognized maxims of free same subject to-morrow because they refuse to come exclusively from the free State party of Kansas?

> Mr. Grow. No, sir, not to my knoweledge; and in fifteen of these counties which were totally disfranchised the people of these counties were no way in fault for no census being taken by the officers required by law to do it ; and if there was none taken, then they could not vote, as I have shown. The people of some of them. Andrson county in particular, petitioned the governor, stating that no census had been taken, and asking what they should do. He answered that he had no power to reme dy the omission, but advised them to go on and elect delegates, and that the convention tion of whether the minority shall control the would undoubtedly receive them. In Anderson they did elect delegates, but the convention did not receive them.

Under the pretended submission the 21st of December, there was no opportunity for an expression of opinion on the constitution; for nothing could be voted on save the future importation of slaves, and that only by swearing to support the constitution itself, if adopted Even if they did that, they could only vote on the slavery cause that permitted future trans portation of slaves, with no power whatever to vote slavery out. For if everybody voted against what was called the "slavery clause," there still remains the clause against which nobody was allowed to vote, viz: "that the rights of property in holding slaves, now in this Territory, shall in no manner be interfered with. "This was not submitted; and to make it perpetual, another clause, not submitted provides that by no future "revising, altering, or amending of the constitution" shall "alteration be made to affect the right of property in

the ownership of slaves." But I pass on, having shown conclusively from the record that the people Kansas never had, until the 4th of January last, a fair opportunity to be heard upon the formation of his constitution, either in calling the convention, or in the election of delegates. The only time they could vote fairly was on the 4th of

rotes then are of no consequence. Why did they not vote before? First, on account of the test oaths at the time the question of the convention was voted on. Next, when the delegates to that convention were elected, more than half of the counties were entirely disfranchised; and there were a large number of the free State party in the other counties who could not vote. Yet it is asked why, under this state of things, they did not go to the polls and vote. These facts would be a sufficient reason of themselves for their abstaining from voting; but in addition they were assured that they would have an opportunity to vote on the constitution itself. They had a right to expect it by every consideration of fairness and justice, whether they voted for delegates or not. In the State which I have the honor, in part to represent, should the question be submitted whether a constitutional convention should be called or not, I

ed counties in any adjacent county, as has been falsely submitted; but when the constitution is framed, and I desire to vote on it, where is the justice under our system of government of excluding me from voting upon it? Gentlemen have quoted precedents to show that it is not necessary to have a vote on the constitution. We have been told that the constitutions of New Jersey and other States were never submitted; and that, therefore, there is no need of submitting a constitution to the vote of any

The gentleman from Rhode Island on m left, [MR. BRAYTON,] represents a State, which for nearly two centuries, had a charter from Charles the Second as its constitution, and it never was voted on by the people, and for over three-quarters of a century after the Declaration of Independence it continued to be the organic law of Rhode Island; and the argument is, that that being so, there is no need of the people of Kansas voting on their constitution. New Jersey never voted on her constitution ; therefore, say these precedent finders, why should the people of Kansas be allowed to vote on theirs? If each of the States of the Union had to-day a constitution that was never submitted to a vote of the people, but was acquiesced in, framed by the delegates, would that be any reason why, when there are two great parties in a State, differing on fundamental principles, and as to their proposed organic law, a majority of the people ought to be deprived of the chance of voting upon it? We often pass laws here by one vote, or no vote at all, because there is no difference of sentiment on it, but is that any reason why we should not have a chance to vote when we do differ? When there is a general acquiescence by a people in a constitution, then it is of no consequence whether it be submitted or not; but when a portion of the people demand that it shall be submitted, are they to be told that they are not to exercise the right of voting on

vote on theirs? There is no precedent for a constitution being put in force, in this country anywhere, without a submission to a vote of the people, if any considerable portion of them desired it, or if there was any great diversity of sentiment as to its essential provisions. That in such a case it is not necessary to submit the constitution to a vote, is a doctrine asserted for the first time in our history on this constitution.

it, because some other people did not wish to

What is the difference in a law being passed for a people by a despot, or by nominal representatives, whose acts are beyond the supervision of the constituency?

If such a doctrine is to be established in the politics of this country, we may well ask, are we upon the banks of the Danube and Bosphorus, or on soil drenched by martyr blood in its consecration to freedom? The disregard of the people, in the refusal to submit their organic law for their approval, if they desire it, is to me, a despotism equally odions with that of Austria, or any other tyranny.

The people of Kansas had a right to expect that the constitution of the Lecompton conventy in which a vote was not taken, or in which | tion would be submitted for approval or rejeca registry was not made, the obstacles against | tion, not only by every consideration of justice | peka legislature, says : government, but by the pledges of all who were supposed to have any control over the matter.

How could the popular will be so well ascertained as by an election? In no other way are you sure of embodying it, for the reason which the President, in his annual message

states why a constitution should be submitted 'The election of delegates to a convention must neces "The election of delegates to a convention must necessarily take place in separate districts. From this cause it may readily happen, as has often been the case, that a majority of the people of a State or Territory are on one side of a question, whilst a majority of the representatives from the several districts into which it is divided may be upon the other side. This arises from the fact that in some districts delegates may be elected by small majorities, whilst in others those of different sentiments may recipe majorities sufficiently great not only to overnay receive majorities sufficiently great, not only to over come me votes given for the former, but to leave a large majority of the whole people in direct opposition to a majority of the delegates. Besides, our history proves that influences may be brought to bear on the represen-tative sufficiently powerful to induce him to disregard the will of his constituents." e the votes given for the former, but to leave a larg

The Washington Union of 7th of July, 1857, held the same views as to the duty and propriety of the constitution of a people being submitted to a vote if desired:

Under these circumstances, there can be no such thing as ascertaining clearly and without doubt, the will of the people in any way, except by their own direct expression of it at the polls. A constitution not subjected to that test, no matter what it contains, will never be acknowledged by its opponents to be anything but a fraud." tution of Kansas be submitted to a direct vote of the peo ole, the unhappy controversy which has heretofore raged n that Territory, will be prolonged for an indefinite time

Governor Walker, everywhere in Kansas oledged his honor, by the approval, as he told the people, of the President and his Cabinet. that the constitution should be submitted. In his inaugural to the people of Kansas, after quoting his instructions from the President.

convention submit the constitution to a direct vote of all the actual resident settlers of Kansas, and the election be fairly and justly conducted, the constitution will be and ought to be rejected by Congress.'

Without stopping for further reference to January, and yet gentlemen upon this floor in- his inaugural, in which he is most emphatic on sist that because they did not vote before, their this point, I read from a speech of his delivered at Topeka, on the 8th of June, 1857, and published in the Topeka Statesman of the 9th

"At the next election in October, when you elect the territorial legislature, you can repeal these laws; and you can, also, by a majority of your own votes adopt or reject the constitution presented for your consideration next fall. Can you not peaceably decide this question in the mode pointed out by the act of Congress, if you, as you can and will, have a full opportunity of recording your vote? [A voice. "How are we to get it?" You will get it by the convention submitting the constitution to the vote of the whole people. [A voice. "Who is to elect the convention? That is a grand question."] Gentlemen, it is a comparatively small point by whom the constitution is submitted. Don't let us run away after shadows. The great substantial point is this: Will the whole people of Kansas next fall, by a fair election, impartially and fairly conducted by impartial judges, have an opportunity to decide for themselves what shall be their form of government, and what shall be their social institutions? I say they will; but I go a step further. [A voice "Have yon the power?"] If I have not the power to bring it about, if the convention will not do it, I will join you in lawful opposition to their proceedings. [Cries of "Good!" "We hold you to your promise. Nothing can be asked fairer than that."] "At the next election in October, when you elect the

These promises were given in the most aumay stay from the polls when that question is thoritative forms; first, on the general doc all

trine of free Governments, that the people shall have an opportunity to pass on their or ganic law; and next they had the positive pledges of the men who had authority to give those pledges. And yet, Judas-like, they were betrayed by a kiss. Governor Walker, in his letter to General Cass, of December 15, 1857, says :

"In truth, I had to choose between that arresting is mrection, at whatever cost of American blood, by the feral army, or to prevent the terrible catastrophe, as eral army, or to prevent the terrible catastrophe, as I did, by my pledges to the people of the exertion of all my power to obtain a fair election, and the submission of the Constitution to the vote of the people for ratification or rejection," * * * * "Not a drop of blood has been shed by the federal troops in Kansas during my Administration. But insurrection and civil war extending. I fear, throughout the country, were alone prevented by the coarse pursued by me on those occasions; and the whole people, abandoning revolutionary violence, were induced by me to go for the first time into a general and peaceful election."

Here, Mr. Chairman, were these rebelsthese men whom the President arraigns before the country as opposed to all law and order, and all forms of civil government; who, when your civil officer proclaimed to them that they shall have a fair chance to vote, and that they would not be cheated out of their rights by fraud and violence, as they had before in the whole history of Kansas, said that they asked nothing fairer than that; and they went to the polls holding your executive officer to the his word; which, had he been permitted by dust, the ballot-box violated, their houses the President to keep, there would have been now no disturbance in Kansas.

The government told them that they would have the privilege of going to the polls and officers; yet in the face of the unanimous voting for or against the constitution ; yet that right was denied them; and you insist now on consummating the wrong.

These men whom the President has arraigned as traitors and rebels, and therefore not to have the rights of freemen, were quiet- ple ed by the simple declaration that they should you from the despatches that came to the the country. President, to show that he falsifies the truth

resistance to tyrants is obedience to God." The President cannot find on record an in-

forcible resistance." President of April 11, 1856, speaks of the T

"The legislative action of this body was mainly pros-pective m its character, and looks forward to the admis-sion of Kansas into the Union as a State, or to future legislation before their enactments are to be enforced as

Governor Geary, in his farewell to the people of Kansas, bears the following testimony as to the character of his people :

"The great body of the actual citizens are conserva-tive, law-abiding and peace-loving men, disposed rather to make sacrifices for conciliation and consequent peace, than to insist for their entire rights, should the general good thereby be caused to suffer."

What was the character of the government been long since overturned, if he had not maintained it with the army of the United States? Gov. Geary, in his despatch to Mr. Marcy, September 9, 1856, (Executive Documents, third session thirty-fourth Congress, volume 1, part 1, page 88,) says:

part 1, page 88,) says:

"I find that I have not simply to contend against bands of armed ruffians and brigands, whose sole aim and end is assassination and robbery, infatuated adherents and advocates of conflicting political sentiments and local institutions, and evil disposed persons, a tuated by a desire to obtain elevated positions, but worst of all, against the influence of men who have been placed in authority, and have employed all the destructive agents around them to promote their own personal interests at the sacrifice of every just, honorable, and lawful consideration. I have barely time to give you a brief statement of facts as I find them. The town of Leavenworth is now in the hands of armed men who baving been enrolled as militia, perpetrate outrages of the most atrocious character, under shadow of authority from the territorial government. Within a few days these men have robbed and driven from their houses unoffending citizens; have fired upon and killed others anys these men have roosed and arter from their nouses unoffending citizens; have fired upon and killed others in their own dwellings, and stolen horses and property under the pretence of employing them in the public ser-vice. They have seized persons who had committed no offense, and after stripping them of all their valuables, placed them on steamers, and sent them out of the Ter-tory."

"In isolated or country places no man's life is safe. mere plunder, are of a daily occurrence. Almost every farm-house is deserted, and no traveller has the termerity to venture upon the highway without an escort."

Same document, page 72, Lieutenant McIntosh, of the first cavalry, writes Woodsen, acting governor at the time, that-

"It is a notorious fact that some of the band who orig-

"It is a notorious fact that some of the band who originally came into this Territury with Colonel Buford have committed gross outrages, and I can say with certainty that there are still small parties of his men now in the Territory acting in the most lawless manner." * "Great complaints are constantly made to me of the stoppage of wagons and men on the road, and in a great many instances robberies have been committed."

These men are some of the peaceable emi grants that went from the South, each present- ed under the forms of law. Justice and right ed by a clergyman of the Palmetto State with a bible instead of a Sharpe's rifle.

Same document, page 106, Governor Geary, in a despatch to Mr. Marcy, September 16,

"The whole country was evidently infested with armedbands of marauders who set all law at defiance, and travelled from place to place, assailing villages, sacking and

Governor Geary, in his message to the legis lature, says :

"There is not a single officer in the Territory amena to the people or to the governor; all having been ap-pointed by the legislature and holding their offices until 1857. This system of depriving the people of the just exercise of rights cannot be too strongly condemned."

Governor Geary, in his farewell to the people of Kansas, gives the following picture of its condition :

" I reached Kansas and entered upon the discharge of "I reached Kansas and entered upon the discharge of my official duties in the most gloomy hour of her history. Desolation and ruin reigned on every hand. Homes and firesides were deserted. The smoke of burning dwellings darkened the atmosphere. Women and children, driven from their habitations, wandered over the prairies and through the woodlands, or sought refuge and protection among the Indian tribes."

While such was the condition of Kansas, and these wrongs were perpetrated by the acquiescence, if not instigation, of the administration, its supporters in Pennsylvania called upon the voters in the following language. I read from a handbill for a democratic meeting. at Mifflinburg, Sep. 27, 1856:

"Democrats! Whigs! Republicans! turn out and learn the fact that it is the Democratic party that is la-boring for freedom for Kansas, the assertions of opposi-orators to the contrary notwithstruding."

Four Governors have returned from the Territory, all telling the same story to the American people; that is, that the rights of the people of Kansas have been trampled in the burned, their presses destroyed, their public buildings battered down by United States cannon under the direction of United States voice of these men who have been upon the ground, seen with there own eyes, and heard w th there owa ears, the President and his ediererents insist that they know best what is the condition of Kansas and the will of its peo-

Why should this great fraud upon the rights have justice. All opposition eases then, and of a people be consummated? What reason hey follow the course marked out by Gov. can there be, what overshadowing necessity Walker to pacify Kansas. You could have exists, for so great a violation of the principles pacified Kansas in five minutes, at any time of free government. The only reason urged within the last four years, by securing to her by its advocates for sustaining so glaring frauds people a ballot-box free from fraud and vio- upon popular rights is, that it will give peace lence. It was all they asked. I will read to Kansas, and end the political agitations of

Peace is the siren song that has ever preof history when he charges these men with re- reeded the perpetration of every new outrage bellion and treason. They have done what upon the sentiments of the north, and the American freemen, true to the blood that runs rights and interests of free labor. On the 4th in their veins, and true to the great heritage of March, 1853, from the steps of yonder porwhich they received from their ancestors, tico, the President congratulated the country should do. They would never submit to a that "the agitation of the slavery question usurpation of their political rights. They be- was at rest." The troubled waters of past lieve in the motto of Thomas Jefferson, that political dissensions had subsided, and not a ripple disturbed the surface. The ark of our covenant reposed on dry ground, and the dove stance of the people of Kansas ever resisting had found a resting place. Every foot of ter-the laws of the United States. They simply ritory then owned by the federal government ritory then owned by the federal government refused to support the territorial organization. was fixed in its character of slave or free, by They said, "we will have nothing to do with by some law which Mr. Webster, in his deluit; you may go on and administer it as you sion, thought to be irrepealable. And under please; we pay no attention to it, but offer no | the then existing judicial decisions and constitutional constructions it was all fixed for free-Governor Shannon, in his dispatch to the dom. No note of discord jurred on the universal harmony The patriot was congratulate ing himself that the era of good feeling and brotherhood had at last dawned upon his country. What disturbed this unruffled calm, and

again broke up the fountains of the deep? On the 30th of May, 1854, five hundred thousand square miles of this territory, once consecrated to freedom forever by solemn act of our fathers, was opened to the spread of the institutions of human bondage. The passage of the bill at the dead hour of the night, was heralded from this Capitol by the boom of cannon, since echoed from the plains of Kansas in the sighs of its widows and orphans, and the wail of its martyrs to freedom. In order in Kansas that the President says would have to drown these cries, and, if possible, to stifle the awakened sense of justice, and the excited sympathies of the humane heart, we are now called upon to perpetrate still another great outrage upon the rights of this people.

> Peace among a brave people is not the fruit of injustice, nor does agitation cease by the perpetration of wrong. For a third of a century the advocates of slavery, while exercising unrestricted speech in its defence, have struggled to prevent all discussion against it. In the south penal statutes, mob law, and brute force; in the north by dispersing assemblages of peaceable citizens, pelting their lecturers, burning their halls, and destroying their presses. In this forum of the people, by finality resolves, on all laws for the benefit of slavery, not, however, to effect those in behalf of frecdom, and by attempts to stifle the great constitutional right of the people at all times to pet tion their government. Yet, despite threats, mob law, and finality resolves, the discussion goes on, and will continue to, so long as right and wrong, justice and injust, humanity and inhumanity, shall struggle for supremacy in the

> The President makes the same excuse for his treatment of Kansas that tyrants ever employ in justification of their cruelty and wrong. That is, that the injured and oppressed, because they will not kiss the hand that smites, are rebels and traitors; and the wrong-doer, while perverting the truth and suppressing the facts of history, strives, with hard words, to heap obloquy and reproach upon the character and motives of men in every way the equal, if not the superior, of the traducer.

> All the wrongs of Kansas are sustained by the administration, because they were perpetratseem to be of less consequence than forms and precedents. The cruelest tyranny on the face of the earth rests on forms of law where it

> The bloodiest pages in the drama of man's existence have been written under the color of law, and too often in the name of justice and liberty. The Jew crucified the Saviour because he was a fanatic, and stirred up dissensions among the people. The law-and-order conservatism of the middle ages ostracised Luther as a heretic because, while exposing the corruptions of the church and the reigning dyuastises he proclaimed to the people the great truths first taught on the sea shore, and along the hillsides of Judea. The Gruth of the forest cantons of Switzerland, planning at this

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