[Continued from second page.]

Mr. Wentworth moved an amendment to the bill, which entitled him to the floor. He yielded his right to it, to such an extent as might be necessary to the gentleman from Missouri to conclude his remarks.

The chairman in response to an inquiry, said the amendment in the second degree was debateable.

Mr. Benton—That is all I want (Laughter.) Members again crowded around him.

Mr. Smith of Virginia rose to a question of order, and after this was disposed of,

Mr. Benton resumed, saying:

Amphibology is a cause for the rejection of bills, not only by Congress, but by the President when carried to him for his approval. General Jackson rejected one for that cause, and it was less amphibilogical than this; it was the last night of the last day of his last administration, and a quarter before midnight Congress had sent him a bill to repeal the specie circular, and to inaugurate the paper money of a thousand local banks as the currency of the Federal Government. It was an object not to be avowed, nor to be done in any direct or palpable manner. Paraphrases, circumlocution, ambidexterity, and ambiguity were necessary to cover up the design; and it was untelligible. The President read it, and could make nothing of it; he sent to his Attorney General, who was equally puzzled. He then returned it with a message to the Senate, refusing to sign the bill for amphibology. We should reject this bill for the same cause, if for nothing else. Hard is the fate of party fealty. It has to keep up with the ever-changing measure. Often have these bills changed; and under every phase they have had to be received as a test of orthodoxy; and have more changes to undergo yet, and to continue to be a test under all mutations.

SQUATTER SOVERIGNTY EXPOSED.

And now, what is the object of this movement which so disturbs Congress and the country? What does it propose to accomplish? To settle a principle, is the answer—the principle of non-intervention, and the right of the people of the territory to decide the question of slavery for themselves. Sir, there is no such principle. The territories are the children of the states. They are minors, under age, and it is the business of the states, through their delegations in Congress, to take care of them until they are ripe for state government; then to give them that government, and admit them to an equality with their fathers. That is law, and has been so admitted since the first ordinance, in 1784.

The states in Congress are the guardians, of the territories, and are bound to exercise that guardianship; and cannot abdicate it without a breach of trust and a dereliction of duty. Why, sir, territory itself is the property of the states, and they do with it what they please—permit it to be settled or not, as they please; cut it up by lines, as they please; sell or give it away as they please; chase white people from it, as they please. This has been always the case. There is a proclamation now extant of the old Congress of the confederation, describing the first settlers in the Northwest territory as "disorderly persons," and ordering them to be driven off by the military.

I remember many such military expulsion in the early settlement of the western country often executed with severity; burning houses, cutting up corn, destroying fences, and driving off people at the point of the bayonet, and under the edge of the sabre. As late as 1834–'35, and after the extension of the Indian title to the Platte country in Missouri, similar orders were given to the then colonel dragoons commanding on that frontier, the now senator in Congress, Henry Dodge, to expel the people from that purchase; orders which he executed in gentleness and mercy, going alone, explaining his business, and requiring them to go away, which they did, like good and orderly people; and when he was gone, came back like sensible and industrious people, and secured their pre-emptions. Not only settled, but organized territory, has been so treated by the federal government, and worse; the people driven off, and their homes given away. This happened in Arkansas in 1828, when twelve thousand square miles of her organized territory was given to the Cherokees, and the people driven away. Why sir, this very line of 36 deg. 30 min. with all the territory on one side of it, and two degrees on the other side, were given away to the King of Spain. This has been seventy years' practice of the government—to treat the territories as property, and the people as uninvited guests, to be entertained or turned out, as the owner of the house chooses. Fine sovereigns these? chased off by the military, and their homes given to Indians or Spaniards. The whole idea of this sovereignty is a novelty, scouted from Congress when it first appeared in the Senate, contradicted by the constitution and the whole action of the government, in all time; and contradicted by the bill itself, which to secure it. The provisions of the bill are a burlesque upon sovereignty. It gives to the people, instead of receiving from them, an organic act. One in which they are denied every attribute of sovereignty. Denied freedom of elections; denied freedom of voting; denied choice of their own laws; denied the right of fixing the qualification of voters; subjected to a foreign supervision; and controllable by the federal government, which they have no hand in electing; and only allowed to admit, and not to reject slavery. Their sovereignty only extends to the subject of slavery, and only to one side of that—the admitting side; the other half of the power being held to be denied by the constitution, which is extended over them, and which (according to the reading of the supporters of this bill,) forbids any law to be made which will prevent any citizen from going there with his slaves. This is squatter sovereignty, non-intervention, and no power to legislate in territories upon slavery. And this is called a principle—the principle of non-intervention—letting the people alone, to settle the question of slavery for themselves. How settle it! That can only be done in an organic act; and they have no such act, nor can have one till they make a constitution for a State government. All the rest is legislation, which settles nothing, and produces contention at every election. Sir this principle of non-intervention is but the principle of contention—a bone given to the people to quarrel and fight over at every election and at every meeting of the legislature, until they become a state government. Then, and then only, can they settle the question.

For seventy years—since the year 1784, when the organizing mind of Jefferson drew the first territorial ordinance—we had a uniform method of providing for the government of territories, all founded upon the clause in the Constitution which authorizes Congress to dispose of, and make rules and regulations respecting the territory and other property of the United States. This mode of government has consisted of three grades, all founded in the right of Congress to govern them. First grade: a Governor and judges, appointed by the United States, to adopt laws from other states, to be in force until disapproved by Congress. Second grade: a territorial legislature, when the inhabitants shall amount to five thousand men above the age of twenty-one, composed of a council partly appointed by the United States, and a House of Representatives, elected by the people at the rate of one representative for every five hundred voters; its legislation subject to the approval of Congress. Third grade: entrance on the state government, in full equality with the other states. This is the way these Territories have been governed for several years; and I am for adhering to it.

THE PRETEXT OF QUIETING THE SLAVERY QUESTION.

And now, what is the excuse for all this disturbance of the country; this breaking-up of ancient compromises; arraying one half of the Union against the other, and destroying the temper and business of Congress! What is the excuse for all this turmoil and mischief? We are told it is to keep the question of slavery out of Congress! Great God! It was out of Congress! Completely, entirely, and forever out of Congress, unless Congress dragged it in by breaking down the sacred laws which settled it. The question was settled, and done with. There was not an inch square of territory in the Union on which it could be raised without a breach of a compromise. The ordinance of '87 settled it in all the remaining part of the northwest territory beyond Wisconsin; the compromise line of 36 deg. 30 min. settled it in all country north and west of Missouri to the British line, and up to the Rocky Mountains; the organic act of Oregon, made by the people and sanctioned by Congress, settled it in all that region; the acts for the government of Utah and New Mexico settled it in those two territories; the compact with Texas, determining the number of slave states to be formed out of that state, settled it there: and California settled it for herself. Now, where was there an inch square of territory within the United States on which the question could be raised? Nowhere! Not an inch! The question was settled every where, not merely by law, but by fact. The work was done, and there was no way to get at the question but by undoing the work! No way for Congress to get the question in, for the purpose of keeping it out, but to break down compromises which kept it out.

HOW CAN IT BENEFIT THE SLAVE STATES?

What advantage do the slave states expect from this bill? Certainly they expect the extension of slave power, and slave population. That may prove a fallacious expectation. The question of slavery in these territories, if thrown open to territorial action, will be a question of the majority for or against slavery; and what chance would the slaveholders have in such a contest? No chance at all. The slave emigrants will be outnumbered, and compelled to play at a most unequal game, not only in point of numbers, but also in point of stakes. The slaveholder stakes his property; and has run it off, or lose it, if outvoted at the polls. I see nothing which slaveholders are to gain under this bill—nothing but an unequal and vexatious contest, in which they are to be losers. I deprecate such a contest, and did my part to keep it out of the state of Missouri when her constitution was formed. I was not a member of the convention, but was a chief promoter of the clause which forbid the legislature to emancipate slaves without the consent of their owners. I promoted that clause for the sake of peace—for the sake of keeping the slavery question out of her elections and legislation—for the sake of preventing perpetual strife among the people. What I did for Missouri, I would do for the territories; and if it was an open question would vote one way or the other to settle it; but it is not an open question; and cannot be opened without a breach of faith, and the destruction of the peace of the country.

IT IS UNFAIR TO THE NORTH.

Sir, the question has been decided. The free states are against this bill; and it is an ill return for their past generous conduct to endeavor to force it upon them. They have been not only just, but magnanimous to the slave states. What was the condition of the slave states thirty years ago in relation to the use of the soil within their limits? Debarred of a great part of its use: an Indian population covering more or less of almost every slave state, and preventing the expansion of its use: an Indian population covering more or less of almost every slave state, and preventing the expansion of its population. What is it now? All relieved. The Indians are all gone; their lands all bought under the dominion of the white man; and the area of slave population, and of slave cultivation greatly increased—to the extent of a third or a fourth of its soil in some of the states. How was this done? Certainly by the help of free state votes, for it could not have been done without them; by the help of their votes in procuring the appropriations, and ratifying the treaties which the removal of the indians required. Missouri got her fine southwest quarter relieved by these means. The same votes gave us the Platte country; seven fine counties added to the state! and that by altering the compromise line to include it, and actually converting that fine region from free soil to slave soil. Northern votes enabled it to be done; northern votes altered above an hundred miles of the compromise line for our benefit, upon our request; and I will never be ungrateful to the North for it, nor requite it by a breach of the line to their prejudice.—And how did we obtain the northern votes which were necessary for all these measures—the appropriations and treatise for all these Indian removals, and for that alteration of the compromise line which gave us the beautiful Platte country? How did the Missouri delegation of that day—the most amiable and talented Dr. Linn and myself, in the senate, and Gen. Ashley in the House—how did we obtain that great boon for our state?—Did we get these votes by belching abolitionism against the North? No, no; we got them by appealing to the justice and the fraternal feeling of our northern brethren, and to which we never appealed once in vain. Who, in the last hard trial to get the Cherokees out of Georgia, gave us fourteen affirmative votes to balance seven negatives from the South, and saved the treaty by one vote? And, I who was part of these transactions, accustomed to solicit northern votes and express thanks for them, will not now return them evil for good by attempting to deprive them of their share of a compromise which we imposed upon them.

NOBODY WANTS IT TO PASS AT THE SOUTH.

It is now four months since this movement for the abrogation of the Missouri Compromise commenced in this Congress. It began without a memorial, without a petition, without a request from a human being. It has labored long and hard in these halls, and to this hour there is not a petition for it from the class of states for whose benefit the movement professes to have been made!—not a word in its favor from the smallest public meeting or private assemblage of any slave state. This is the response of the South to this boon, tendered to it by northern members, under a northern President. It is the response of silence—more emphatic than words—and worthy of especial note in this debate. It argues well for the harmony of the Union, and goes to show, (what in fact, has been often seen,) that the troubles of the country come from uneasy politicians—its safety from the tranquil masses.

The committee then rose, and after an ineffectual effort to proceed to the business on the Speaker's table,

The House, at three o'clock, adjourned.

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