TELDALE VISC Denincrat.

A WEEKLY JOURNAL-DEVOTED TO POLITICS, NEWS, LITERATURE, ACRICULTURE, ECIENCE, AND MORALITY.

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SPEECH OF HON. G. A. GROW. OF PENNSYLVANIA.

In the Honse of Representatives, May 10 The House being in the Committee of the Whole on the state of the Union-

Mr. Grow said: Mr. CHAIRMAN: The bill under consideration provides for organizing two territorial, governments, to be called Nebraska and Kansas, embracing together about six hundred and nies, and extending from New Mexico to the tation of these questions at this time as use-British possessions, and from the western limites and unnecessary, and not being one of otherwise." It was a settlement of a sectionits of Minnesota and the organized States to those who believed that discussion on one all strife, conflicting interests, and conflicting

The provisions of the bill are those usually inserted in bills for the organization of territorial governments, with the exception of the fourteenth section, which repeals to much of the Hissouri Compromise act as prohibited the Hissouri Compromise act as prohibited sharery in all the territory purchased of France, lying north of the parallel of 36 deg. 30 min. The latitude, The opposition to this bill, and that is to cease acting reconciliations made under such circumstances? If you do not observe the settlements of strife and discord made by your fathers, what of the Senator from Illinois, [Mr. Douglas,] made in opposition to these resolutions, in the latitude, The opposition to this bill, and that it is to cease acting reconciliations made under such circumstances? If you do not observe the settlements of strife and discord made by your fathers, what in all the territory purchased of France, served to such a such arrangements, to cease acting reconciliations made under such circumstances? If you do not observe the settlements of strife and discord made by your fathers, what in all the territory purchased of France, served to the served the second made by your served has a made in opposition to these resolutions, in the latitude. The opposition to this bill, and the transfer of the United States, on the 23d of But you say the arrangement to the provide the provide the provide the provide the provide that the continuous contents are the provide that the content is the provide that the content is the provide the provide the provide the provide the provide that the content is the provide north latitude. The opposition to this bill, applicable to the present time, in which he stitution secures to you the right to go into with the exception of the propriety of organization to this time said:

"Are not the friends of the compromise being two territorial governments at this time."

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"Are not the friends of the compromise being two territorial governments at this time."

"Are not the friends of the compromise being the institution of human bondage. Even if the compromise being the compromise being the institution of human bondage." instead of one, is common whom to this senate will be coming agitators, and will not the country note to the same section, and to that provision denounce in the Abolitionists and Free Soilers?"

known as the Clayton amendment, which reknown as the Clayton amendment and the clayton amendment are known as the Clayton amendment and the clayton amendment are known as the clayton amendment and the clayton amendment are known as the clayton are stricts the elective franchise in the Territories first to commence and reopon an old quarrel."

to citizens alone. It having been the policy "Let us cease agitating, stop the debate, and mentito you and now you propose to come to citizens alone. It having been the policy of the Government heretofire to permit all drop the subject." persons residing in the territory, who hall declared their intention to become citizens, to that conviction I have acted ever since. "But participate in the organization of the government that months later, and all sections of the two ment, what reason is there for their exclusion great political parties of the country, in conin this case, or for their exclusion in any sim- rention at Baltimore, pledged to each other llar one? The facts that they are residents their faith and their honor to resist all atof the Territory is the best evidence that they tempts at renewing, in Congress or out of it, izens absolves them from allegiance to foreign | capyass of 1852, and gave my | best energies Powers, and clothes them with our nationality. Why, then, on the doctrines of sovereignity should they not be allowed a voice in this infant state of society in moulding the institutions under which they are to live! Their members, I congratulated myselfin its success, exclusion in this case, therefore, would not be only unjust, but inconsistent with the great

Nebraska is one vast wilderness, inhabited | dead never had any intercourse with the whites.

And why should they be disturbed now. lions! Why should the Government force its ri, [Mr. Carumers,] some days since, that is his doom. He must give way to an advancing civilization, and the forms of savage life must yield to its necessities. Extermination, some day, is therefore his inevitable fate-Destiny has stamped it on the annuals of his race, and time is fast fulfilling the decree. But is it a wise and humane policy, on the pair of the Government, needlessly to histon

its accomplishment? Sir, what reason is there for the organization of any territorial government at this time over any of this territory? There is but one f any force, and that, however, with me, is sufficient: it is to have an organized government to protect the emigrant, and contemplated railroad routes to California and Oregon. But one Territory is sufficient for that purpose, and would embrace all the white population now settled between Utah and the States.-One Territory, embracing about a fifth of this vast area, would form a continuous connection of Territories skirting the western borders of all the States, reaching across our en-tire limits, from the British possessions to Mexico. West of Wisconsin we should have Minnesota; of Iowa and Missouri, the new Territory; of Arkansas and Texas, New Mexico; while the Pacific coast is lined with Washington and Oregon. Why should the Government go to the expense of organizing territorial governments too deep where no white population, and no occasion for any for expenses of legislation would be not less than \$70,000 a year, besides the expense of keeping up military posts, requiring an increase of the Army, with its attendant expenditure, as well as a vast amount of elains upon the Government for Indian depredations upon the private property of the citizen. So that the entire expense of each of these Territories would nearly or quite reach \$100,000 a year. But this objection is merely to the propri-

reason with me why there should be but one territorial government instead of two organized at this time. But the great and controltinct acts of legislation were ingrafted on your statute book, and christened the compromise

sir, against their introduction in any form,

Washington and Oregon, containing four side of hundred and twenty-five million acres of land, being more than a fourth of all the public lands now owned by the Government.

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edming agitators, and will not the country hold that be the case, your fathers agreed with our us responsible for that which we condemn and fathers in 1820 that you would waive that

That was my opinion, then, sir, and upon and efforts to the success of the Democratic party, and the triumph of its nominees. Relying on the honor and integrity of the party, and the good faith mutually pledged by its

that at last there was an end of slavery agitation in the halls of Congress, and that the meine claimed to be embodied in this bill country could once more repose in peace. For the olive branch had been extended over But the territory proposed to be embraced by gones, and "the dead past was to bury its

years old, we find ourselves in the midst of another wild sectional controversy, and agitat Why hasten on the time when you must make in and out of Congress. The discovery is just treaties for the purchase of their lands, with made by a northern man, that great wrong and their long train of annuities swelling up the injustice has been done the South in the legisannual expenditures of the Government mil- lation of the country, and to which with remarkable hunrility she has quietly submitted officers and temporary governments on into for more than a third of a century. If the the wilderness far in advance of the tide of Missouri compromise be an indignity and a enigration, especially when it is to drive the wrong it was liented upon the south by ner red man from his last forest home? For when own sons. For, at the time of its passage, the buffale shall flee from the plains of Ne- there were eleven free and sleven slavehold braska at the approach of the white man, the ing States in the Union, and of the twentyhunting ground of the Indian will exist on wo southern Senators but eight in a full Sen in the land of "the Great Spirit." It will be ate voted against it. And of her eighty-one but a few years, at best, briore the civilization Representatives upon this floor, only thirtyof Western Europe and the regenerated civil- eight. So that of her one hundred and three mation of Eastern Asia, commingling on the Representatives in both branches of Congress, crest of the Rocky Mountains, will blot foreys forty-six only voted against this diagrant er from the generations of living men the last wrong, and a southern President consummarepresentative of the Indian race. True, as ted the injustice by signing the act with the was well said by the gentleman from Misson- advice and approval of a Cabinet, a majority of whom were from slaveholding States. Mr. Clay, in his speech of the 6th of March, 1850, in which he explains his connection with the Missouri Compromise, declared that "among those who agreed to that line were a majority

of southern members." " I have no earthly doubt that I roted, in common will my biher couthern friends for the adaption of the line of 30 deg. 30 min.

Here is his own declaration to settle force. er the controversy that has been raised in this Hall, whether he was in favor of the compromise establishing the line of 36 deg. 30 inin.

Mr. SMITH of Virginia. Will the gentleman permit me to say a word. Mr. Grow. If the gentleman will be short, for I have no time to spare. Mr. Surru. The proposition came upon

Mr. Grow. Oh, I will explain that myself, Mr. Clay was opposed to the restriction on the State of Missouri, but not to the establishthat is what the gentleman alludes to. Mr. Smirii. No, sir, it was not that; I will

of justice and of honor. has been made since the 23d of December, 1851, for on that day the Senator from Illi-

liberations of this Hall were to be in any way sion 32d Congress, col 26, page 113.

sixty-five thousand square miles—an area reasons then stated, and which I still believe compact, not adopted as such, to be sure, but Senate, July 22, 1850:

twice as large as the original thirteen Colo to be good, "that I regarded any further agiassented to or acquiesced in by all the States

"Nor can I admit for a service of the states of the sta through their Representatives in Congress, or

right so far as this Territory was concerned; and you have gone on and taken advantage ment to you, and now you propose to come in and share those secured to us, on the plea that, outside of State limits, you have the absolute right to plant slavery wherever the flag of the country floats. If that is one of your

constitutional rights, then there is no occa-

sion for repealing this act, for the courts would annual it. If it is constitutional, no northern have settled there with the intention of making it their permanent home, and their oath
whatever shape or color the attempt may be
ing it their permanent home, and their oath
whatever shape or color the attempt may be
in the declaration of intention to become citmode." Adopting that pledge, I entered the
tions. But if the Constitutional, no northern
man ought to vote to repeal it; if unconstitutionship, there is a tribunal organized by the
intention of intention to become citmode." Adopting that pledge, I entered the
tionship in the Constitutional, no northern
man ought to vote to repeal it; if unconstitutionship it there is a tribunal organized by the ony rights relative to slavery in the Territories, what are they? It extends the jurisdiction of Congress over the Territory. As the Territory is embraced in no other jurisdiction, it is, therefore, local and exclusive, not like that over the States, for there it is limited and

defined, leaving each State to settle for itself all questions of private rights, either of persons or property. But in the Territories, be-fore the organization of a legislative body, what legal jurisdiction can there be save that and what private rights are se without due course, of law !" Before any legislation, then, either by Congress or the local Legislature, while there is no legal jurisdiction of any kind extending over the Territory save the Constitution itself, how can it, by its own inherent force and power, enslave and hold in handons a languar being in rightetion of one of its most sacred and solemn guaran-

ties of personal rights! But when the Territory is converted into a State, it is then clothed with all the attributes of State sovereignty, and the jurisdiction of Congress and the Constitution, from being exclusive becomes imited and defined, and thus the two jurisdictions are harmonized.

Upon this point I will refer to the authoriy of but one of many distinguished names, and to which I desire especially to call the attention of the gentleman from Kentucky, [Mr. Breckenribee,] who combines, with so much credit to himself, the characteristic of his family name, as well as the sterling virtues of an oft-defeated, though unconquered, Kentucky Democrat, and also the attention of all others who were his disciples while living, and who revere his name now that he is dead. It is an authority that will not be questioned by them, and certainly not by a negeristics he goes. son of Kentucky; and upon this question it

has become canonized in the hearts of the Mr. Clay, in reply to this claim of constifutional right to carry slavery wherever the jurisdiction of that instrument extends, said in the Senate, 22d July, 1850:

"If I had not heard that opinion avowed, I should have regarded it as one of the most extraordinary assumptions, and the most indefensible positions, that was ever taken by man. You canpositions, that was ever taken by man. You cannot put your finger on the part of the Constitution which conveys the right or the power to carnot with the abodes of civilized life, seizing the standard of the Republic, he will bear it the standard of the Republic, he will bear it to across the mighty deep, to regenerate old dyty slaves from one State of the Union to any then the act of 1820, fixing the line of 36 deg.

The standard of the Republic, he will bear it across the mighty deep, to regenerate old dyin any way impair an act of Congress. If across the mighty deep, to regenerate old dyin any way impair an act of 1820, fixing the line of 36 deg.

The standard of the Republic, he will bear it across the mighty deep, to regenerate old dyin any way impair an act of 1820, fixing the line of 36 deg. vicate of Missouri, but not to the establishing slaves from one State of the Union to any nicat of this line of prohibition. I suppose Regritory of the United States. I leave the advocates of this doctrine with

their own champion who stood on the floor that line during its territorial existence, no explain, if the gentleman will permit me of the Senate of the United States to scout matter under what local jurisdiction it may Mr. Grow. Leannot consent to have the the idea, and to declare that if he had not be included. rentleman take up my time for that purpose. heard it, he would believe it, beyond the pre-The record shows that this deed was alone by sumption of man.

yet, it is charged by the Representatives of and that, therefore, no citizen can be exclu- And, I take it to be a sound and universally the South upon this floor, day by day, and ded from emigrating to them without injus- recognized principle of international law, that rial governments, in salaries to officers and the reiterated even by northern men, as one of the tice and degredation. Sir, no one proposes to the laws of a conquered country, not inconflagrant aggressions of the North in violation exclude any person from emigrating and set-sistent with the organic law of the conqueror, f justice and of honor.

Sir, this discovery of wrong and injustice it is true, is the common property of the guering power. Congress refused in 1850 to whole people but by the Federal Constitution change them, so they remained while enactthey agreed to put it under a supervisory ments for the Territory just the same as if power. That power is Congress; Congress is they had been re-enacted by Congress. And nois, [Mr. Douglas] declared, in the Senate power. That power is Congress; Congress is they had been re-enacted by Congress. And of the United States, that the Missouri commade a board of direction over this trust fund, iterritorial governments were therefore formed, promise "had been acquiesced in cheerfully to use it in such way as, in their sound dis-and cordially by the people for more than a cretion, will be most advantageous to the trust, tiled by the courts. And, sir, why not do the quarter of a century, and which all parties and will best accomplish the object of its cre-same thing in this case? Here is a law proand sections of the Union professed to respect ation, the promotion of the real and permaby that should govern our intercourse with and cherish as a fair, just and honorable adner interests of the country. Whoever goes to organize; so there was in Utali and New the Indian tribes. It is, however, a sufficient justment. And it was so regarded by the into the Territory, therefore, as a settler, must Mexico, and we left it untouched there, and members of the last Congress, both North and | conform to the "rules and regulations" estab-South. For the bill organizing Nebraska, lished by this supervisory board, created by should do the same thing now. That was with not a word in it relative to slavery, in- the common consent and agreement of the the opinion of the chairman of the Committroduced by Mr. Hall, of Missouri passed this whole country, and made one of the articles tee on Territories in the Senate, Mr. Deceling objection to even that, as proposed by Itoduced by Mr. Hall, of Missouri passed this whole country, and made one of the articles fee on territories in the senate, passed this whole country, and made one of the articles fee on territories in the senate, passed this whole country, and made one of the articles fee on territories in the senate, passed in his report on the bill he this bill is the repeal of the circumstance of compact. No person has any separate, passed in his report on the bill he this bill is the repeal of the circumstance of the addition of the ten of which were given by northern typics.

And in order to the senate passed this whole country, and made one of the articles fee on territories in the senate, passed this whole country, and made one of the articles fee on territories in the senate, passed this whole country, and made one of the articles fee on territories in the senate, passed the senate passed that he can have set first introduced, before the addition of the the act of 6th March, 1820. And in order the senate passed this whole country, and made one of the articles fee on territories in the senate, passed this whole country, and made one of the articles fee on territories in the senate, passed the senate passed that the senate passed the passed that the senate passed that the senate passed the so there were but thirty-three southern votes apart as his share to use as he pleases, any amendments, supersedures, and inconsistencies. sary briefly to refer to the political history of against it. Not a word of objection was more than he can take his share of the Pres- And I desire to call particular attention to a few years. During the first session of the made to it by any one because it did not red dent's House, or of this Capitol, and appro- the following extract from his report made Thirty-First Congress, five separate and dispend the Missouri compromise. Nor was it printe it to his own use. It can be used only on the introduction of the original bill, the then understood, to be inconsistent with the in such way as, in the judgment of Congress, 4th of January last: will conduce to the advantage of the whole legislation of 1850.

Will conduce to the advantage of the wholes "As Congress deemed it wise and produce to the advantage of the wholes "As Congress deemed it wise and produce to the advantage of the wholes "As Congress deemed it wise and produce to the last day of the session, Mr. Doug Any attempt to exclude any citizen from employed the 1850. either by affirming or repealing

"Nor can I adult for a single moment that

there is any separate or several rights upon the part of the States or individual members of a State, or any portion of the people of the United States, to carry slaves into the Territories under the idea that these Territories are held in com-mon between the several States."

In adhering to any opinion of the illustriecision in the famous Somersette case, in 1771, down to the present time, have been onstant and uniform, that there is no foundation for slavery in nature or reason, but that it must rest for its support solely on lo-cal law. The gentleman from Virginia, [Mr. Baxix,] who has just taken his seat, said that no court in the country had ever decided that slavery could not exist unless there was a law prohibiting it.

Mr. BAYLY. With the permission of the gentleman, I will say that in the case of Sommerselte the opinion of Lord Mansfield-Mr. Grow. I cannot yield to the gentleman to explain Lord Mansfield's decision. If I linve misstated his position, he can correct

But it has been decided by your own courts, by the highest judicial tribunals of your own States, of Kentucky, Missouri, Louisiana, and Mississippi, that slavery can only exist by has been abandoned by the North, therefore it admits or benefits slavery, but wrong when to such a proposition is the language of your posiitive municipal regulations; and, sir, I have only time to cite a few of them;

Shall it be said that because an officer of the Army owns slaves in Virginia, that when as offiof a post in the non-slaveholding States of Terriamong the most important of which is that many slaves as will suit his interest or conven"no person shall be deprived of life or liberty ience. It surely cannot be the law."—Rachael

Martin's Reports, 402.

The right of the master exists not by force of

"The state of slavery is deemed to be a mere

yound the territorial limits of its jurisdiction, open to the South. The wall of British pow- and all other crimes known to the criminal whenever one of its citizens goes beyond that, or would hard back the North, while the Isthhe is divested of the incidents of citizenship mus of Darien or Cape Horn alone would citizens from settling the public domain in that State, and takes on those of the State limit the South. For who believes that the or place in which he may be. He cannot territorial expansion of the Republic will not no control or voice in the matter, save to pay garry his light institutions and their incidents continue till it covers this whole continued? all the expense of their legislation and salawith him, but he takes upon himself the characteristics of citizenship of the place to which

dered it " inoperative ," for territory north of this Missouri compromise line was included civilized man, it is in vain, you attempt to within the limits of Utah and New Mexico. stay his progress by meridian lines or legisits character! During the territorial exist-ence of Unh and New Nexico, slavery is just than the river or mountain barriers of nations. as effectually excluded north of that line as it And when he has covered this whole confiwas on the 6th of March, 1820. For a Ter-30 min., is a valid enactment, slavery is of course excluded in all the territory north of

be included.
There was no principle established or act lone in the legislation of 1850 inconsistent southern men, under southern influence claim- But it is said that these Territories are com- even with this act of 1820; for there were ed at the time by the South as a triamph, mon property, and that all the citizens of the laws in New Mexico and Utah when we reand regarded by the North as a defeat. And United States have common rights in them; ceived them from Mexico, prohibiting slavery. hibiting slavery in the Territory we propose

"As Congress deemed it wise and prudent to

disturbed by the question of slavery during in the first of the people to govern the people t ance of a world proposing to disturb that was passed by the usual forms of legislation, and governed by the same law. If, then you which your sense of justice would not justify compromise, resolutions were introduced by yet, owing to the circumstances surrounding have an anomalous species of property, not you in asking to be done. Why not then Hence, from the necessity of the case, comes a southern member into the Demscratic cau- its adoption, it cannot, in the language of Mr. recognized by the common law by which the meet the question fairly, and say that no norbus, and subsequently into both branches of Dickinson, of New York, made in the Senate rights of every one else are determined, then there man would have ever thought of ma-Congress, to declare it a finality. I voted, the 12th January 1848, be regarded as an you must submit to whatever inconveniences king this proposition, unless he supposed ordinary act of legislation, upon the majority are incident to that species of property where that it would be acceptable to you. But, principle. It was rather in the nature of a ever you may take it. Mr. Clay said, in the sir, has the North made this tender? In the other wing of the Capitol a majority of nor-

them Senators, representing a constituency of only four million flive hundred and sixtythree thousand seven hundred and fifty, volittle more than half as many as the opponents of the bill. And at the first vote in this ous Kentuckian on the question of slavery, I House on referring the bill to the Committee trust no northern man will be charged with of the Whole, of the one hundred and two fanaticism. It saves are recognized as property by the common law of the land, by which all of our rights of property in the Territories are fixed, then you can take them there, stithoner of the word of the common so loud in favor of popular sovereignty, protested against the admission of California, the only case of real popular sovereignty which ever occurred in any Territory of the Union? Many of the gentlemen here who are now so loud in favor of popular sovereignty, protested against the admission of California because of the common and the common at the common and the co trust no northern man will be charged with of the Whole, of the one hundred and two ritories are fixed, then you can take them there, stituency of ten million two hundred thouand hold them as such. But if the right rests sand, while the twenty-three votes against only on local and municipal enactment; then it is presented a constituency of only two slavery from her limits. Ten southern Senn-there is no reason for charging the North with million three-shundred thousand. And on a want of fidelity to the compact, but you the vote a few days since to take up the bill, strenuous advocates of this bill, entered a forshould rather blame nature, and reason, and there were fory-one northern Democrats in common law of the land, in the enacting of which we have had no part. The decisions arowed opponents of the bill, so that there of courts, from the time of Lord Mansfield's were but thirty-seven really in its favor, favor of it, four of whom are open and nia, after her people in convention had framanyowed opponents of the bill, so that there cd her organic law, in the exercise of their were but thirty-seven really in its favor, representing a constituency of three million seven hundred thousand, while the forty-two Democrats against it represent a constituency of four million two hundred thousand, and he forty-five northern Whigs a constituency of four million five hundred thousand, so that the entire representation of the North without counting the absentees, is three million seven hundred thousand against it. And tion so manifestly designs, and which constitute the people of each State to devise in their own of the minety-one northern Democrats on this tutes the only sure and stable foundation on time their own remedies. But in this case floor, forty-nine are known to be open and which the Union can repose." avowed opponents of the bill. This, sir, is In the passage of the ordinance of 1787 —by our votes—to open to the introduction the record of the men authorized to speak for (for which every southern man voted) it was of slavery a vast empire from which it is exthe North, the record of her delegated agents. And is it not entitled to as much credit and

consideration as the proffer of any northern political aspirants with, I will not say southern interests, but "southern principles t"
But it is said, no matter whether the Missouri compromise is constitutional or not, it we are under no obligation to stand by it any it excludes it. In the case, now before us, own immortal Clay:

longer. When was it ever abandoned? Is the only difference in this bill, and other bills, and other bills which have been passed for years for the or
ever make one vote, to spread slavery over. Was it not placed there on the 6th of March, ganization of Territories, is the section releasers where it does not now exist."

1820? Has it ever been changed? Does it pealing the Missouri compromise. And it is And I might add to the not less emphatic not stand there still as an act of legislation ! that therefore which gives this bill its charac-Then, sir, how has it been abandoned ! It is ter par excellence of popular sovereignty .-States of the Union in which it has a legal extended to the Pacific ocean, so as to end in istence, a creation of the municipal law. —Supsalt water, the line would be perfectly just bitton on slavery.

Court of Louisiana, Lunsford vs. Coquillon 14 and constitutional, so the South constantly But any territorial government being an large results.

"Slavery is condemned by reason and the laws as the line terminates amid the crags and municipal regulations — Sup. Court of Missis:

sippi, Harry et al. vs. Decker & Hopkins, Walkno obligation to extend it over the nequisition no obligation to extend it over the acquisition of territory from Mexico; for it was an arrange-

wild beast, and bequeathing them a legacy to treaty-making power. What if there was, how does that change lative enactments. The habits of his life and nent with the abodes of civilized life, seizing

> Why, then, should the North have conin the inevitable acquisitions of the future especially when she had heretofore yielded, without a murmur, the lion's share of all our own rulers, make his own laws, and levy his acquisitions, the whole of Florida, nearly all own taxes? of Texas, and the half of Louisiana, so that the area of the slaveholding States to-day exeeds that of the free States, including Califormia, two hundred and eighty-five thousand of them: six hundred and eighteen square miles! But we are told that it is necessary to repeal this act of 1820, in order to give the people their inalienable rights—the right of popular sovereighty to be the right of a peo-

le to select their own rulers, make their own aws, levy and collect their own taxes.— And does this bill permit them to do that, or can it be done under any territorial organization framed by Congress! For when you deprive them of these essential requisites, or either of them, you deprive them of popular sovereignty? What rights of popular sovreignty do you confer or permit even by this bill ! You give them no voice in the selection of their rulers, in the levying and collecting their own taxes, for we pay the exand erect their public buildings, send them their executive and judicial officers, in whose Any attempt to exclude any citizen from emigrating to the Senate to take under the friends as an almoner of peace, and the down was sent forth over the troubled waters. A year passed away, and no loose by discovering the should be brought to a 'vote, and on loose by discovering the should be brought to a 'vote, and on loose by discovering the should be brought to a 'vote, and on the principal the Senate of the most tits engendered by the sectional Legislature. You this strip then forth from the necessity of the case, this bill, for he was sure there was a majority was heard in these Halls. The polytical animal transfer of the proposed and contests of the past form which you can be also and contests of the past form which you can be also and contests of the past form which you can be also and contests of the past form which you can be also and contests of the past form which you can be also and contests of the past form which you can be also and the wild be also and contests of the past form which you can be also and contests of the past form which you can be also and contests of the past form which you can be also and contests of the past form which you can be also and contests of the past form which you can be also and contests of the past form which you can be also and contests of the past form which you can be also and the proposed of the past form which you can be also and the proposed of the past form which you can be also and the past form which you can be also and the past form which you can be also and the past form which you can be also and the past form which you can be also and which you can be also and which you can be also and you have beined the wild be also and you have beined to take it undivided to the wild the past form which you can be also and you have beined to take it undivided to the wild the past form which you can be also and you have beined to the wild the past form which you can be also and you have beined to the wild the wild have been the past form and you will be a popular when you selection they have no choice, and to whom

to elect representatives for that purpose. radies. So the citizen in every State of the Union, is forced, from the nature of the case, to yield something of his inherent political

rights. Your territorial governments, in any and by the opinions of the most eminent shape, are an anomaly in our system of gov-statesmen of the Republic, living and dead: shape, are an anomaly in our system of goverument; and upon the doctrine of absolute popular sovereignty, you should throw your territorial governments to the winds, and three thousand seven hundred and fifty, vo- territorial governments to the winds, and ted against it, while the fourteen votes in its leave the people to form their own govern- Debates, page 213: favor represented a constituency of only four ment and manage their own affairs in their million five hundred and seventy-three, but own way. What did the pretented friends of this prin-

iple of popular sovereignty do in the case of Chlifornia, the only case of real popular sovof California, because of the exercise of poptors, five of whom are now in the Senate and mal protest against the admission of Califor- North? Ilopular sovereignty, and among the reasons select for themselves ! Sir so far as I am they assigned for dissenting from the bill was concerned as a Representative on this floor that "it gives the sanction of law, and thus I have no sentimentalities in reference to the imparts validity to the unauthorized action institution of slavery as it exists in the States: of a portion of the inhabitants of California It is there a local institution, under the proby which an cilious discrimination is made tection of local laws, and it is no concern of against the property of the fifteen slaveholding mine any more than any other of the domes-States of the Union who are thus deprived of tic institutions of the States. I would leave that position of equality which the Constitu- it there unmolested and undisturbed, with

In the passage of the ordinance of 1787 not then considered that slavery was neces- cluded by positive law. Not satisfied with sary in order that the States to be formed the settlement we made with you in 1850, by out of the Northwest Territory might come which we agreed to waive the exercise of into the Union on an equal footing with the what the North regarded as a constitutional original States, nor was its exclusion consid- right, you now ask us by our votes to permit ered degrading to the citizens of the South.

declared and voted from 1847 to 1850; but anomaly in our political system, the people who go there must submit to all the conditions incident to that anomalous position du-

power over the Territories is not only vested the law of nature, or of nations, till by virtue only of the positive law of the State."

State of Mississippi vs. Jones, Walker's Reports, 83.

The law of nature, or of nations, till by virtue onpurchase, and as such it has ever been respected. Had the North consented to extend it should have that power. For it would be this line over the territory acquired of Mexi a strange anomaly indeed if the Government municipal regulation, founded upon and limited co, it would have been an act of judicial in should pay all the expenses of legislation to the range of the Territorial law,"—Step. Court justice; for in the territorial expansion of the over which it has no courtol. It would be a United States, Prigg vs. Commonwealth of Pan country she would have hemmed herself in strange doctrine that a banditti of one hunupon twelve and a half degrees of latitude, dred, who, being the first settlers of a Terri-And as the law of a State extends not be- while unlimited expansion would have been tory, should legalize murder, theft, and arson It is one of the incidents of our position re- ries of their officers. If the power is not delsulting from the habits of our people and the character of the nationalities that surround ing to Congress the making of all "needful stitutional, that the legislation of 1820 rent the wilderness, snatching new areas from the or other property," it is clearly within the

A necessary incident of the power to hequire is the power to govern, and the power to govern confers the right to make such laws as the governing power shall think wise and necessary, relative to all subjects of legislapower is not, of course, limited to the mere empires. This, no matter what may be the views of your statesmen or the policy of your legislation, is our mission, our manifest desti- the territory is not embraced at all, then why ny-for energy, enterprise, wealth, and supe- are we legislating for the Territorics to-day? rior intelligence, are destiny—and he who would attempt to stay it may be borne down by the tide, but he cannot change the curters, and pay their taxes? Why, if there be no constitutional power to govern in the Tersented to exclude herself from a participation ritories, do we deny the citizen, even in this bill, the exercise of the great attributes of popular sovereignty, the right to select his

And such is the construction even of some of the ablest living statesmen of the South, but I have not the time to refer to but a few

"I agree with those who maintain that right to govern the Territories is in Congress, Mr. Hunter of Virginia, on the Oregon bill, Jan. 11, 1848; Appendix Congressional, Globe, vol. 19, page 902. I do not doubt the power of Congress to

make laws for the government of the people who inhabit a territory belonging to the United tates."
"There is no prohibition to be found in the

ional Globe rol. 18, page 1165.

"To my understanding it is therefore plain, that, by the treaty-making power, we have ex-

gressional Globe, vol. 19, page, 1174.

Inot understand the real sentiment of the North, or they fail to comprehend aright the

no power over their legislation. That is not the construction of the Constitution, as given to it by its framers, by the judicial interpretations of the highest tribunals of the land, by the action of the Government from the day of its organization to the present hour, Mr. Madison, in Congress, in 1790, on a question of referring an abolition memorial, is thus reported in the fourth volume of Elliot's

the ecssion of Georgia, in which Congress have certainly the power to regulate the subject of six-very; which shows that gentlemen are mistaken

in supposing that Congress cannot constitutionally interfere in the business in any way."

Such was the opinion of the man who had most to do in framing the Constitution of the United States. If then this power be not in violation of the Constitution, what right have the South to complain of its exercise because it is unpalatable to them! Did not they bind themselves to submit to whatever condition the carrying out of that Constitution imposed upon them as well as upon the

But, it, may be asked, why should the North care what kind of institutions a people we are called on for postive legislative action red degrading to the citizens of the South. slavery to go into territory from which it is Popular sovereignty, it seems, is right when excluded by the law of the land. My answer

language of his equally illustrious compeet, ience. It surely cannot be the law. Rachael because the North would not consent to example and still it is attempted to impose upon the tend the line of 36 deg. 30 min. across the people of the country by the cry of popular a seat on this floor. It was the almost dying the continent, as desired by the South? If ex-soveroignty, when this bill differs not an iotal declaration of the one, and having lived as a bosom of the other, it will, without a doubt, continue among the legacies that he will bequenth to the generations that are to come after him.

But gentleman tell us that slavery cannot

o there, by reason of climate and soil. There are, to day, north of the paralels of 36 deg. 30 min, eight hundred and sixty three thousand five hundred and eighty-nine slaves, being more than a fourth of all the slaves in spected. Had the North consented to extend it should have that power. For it would be the entire Union. If climate and soil, and the laws of nature and God, will keep slavery out of Kansas, why have they not expelled it from Missouri, Kentucky, Virginia, Maryland, and Delaware, during the two centuries since its first introduction there? With the same latitude, the same soil, and the same climate, the number of slaves has been constantly in creasing in all these States except. Delaware and Missouri. What differences of climate and soil, what different laws of nature and God, are to operate in the Territory of Kansas to prevent it from becoming a slave State. if this bill passes? But if slavery cannot go there, why repeal this act? Why excite be goes.

The goes in the character of the nationalities that surround ing to Congress the making of all needful character of the nationalities that surround ing to Congress the making of all needful ing to Congress the making of all needfu State; and yet northern men are asked to effect this by a postive legislative act by their votes. If the Missouri act is constitutional, what cause of complaint can there be because we refuse to repeal it! And while there is a tribunal that can annul it, why tion in the acquired Territory. And this ask us to yield our convictions on a controverted point?

But a reason urged in and out of this Hall by the opponents of this bill is, that you are voting with Abolitionists! Mr. Chairman. is there a man upon this floor so craven that he will refuse to vote the sentiments of his heart and utter his deep convictions because he will stand on the record with some man whose opinions, on other questions, he does not approve? The men who urge that reason libel their own integrity of character no less than the injustice they do to others; for no honorable man will prescribe a rule of conduct for others that he would not be governed by himself. Sir, I shrink from no companionship on the record, when my judgement approves the vote; it is no difference to me who I vota with. Nor have minorities any terror for me, or for the constituents I represent. They

stood alone in the Keystone in the last creat battle for free and untrammeled commerce. Traduced by almost the entire press of the State, aided by the corporate capital of the Commonwealth—as false to Pennsylvania interests and recreant to their party obligations as Pennsylvania Democrats-yet uncorrupted by patronage and unawed by power, they rallied around and upheld the banner of free trade and unrestricted commerce, which they had thrown to the breeze in 1844, while the standard of Democracy trailed in the dust in Constitution in respect to the power of Congress almost every other portion of the Common-over the question of slavery when legislating for wealth. When satisfied that they are right, a Territory."—Mr. Underwood, of Kentucky, on they stand by their convictions in sunshine or Oregon bill, July 25, 1848; Appendix Congress- in storm; and their representative if Arne to them, will do the same.

But it is said that it is necessary to repeal press authority to legislate for it when acquired. the Missouri compremise, in order to take the Now, sir, upon this power what are the restele-question of slavery out of Congress, and to tions and where are they to be found? There quiet agitation by removing it from the politare plainly none in the Constitution itself."— ical arena. Those who make this declaration Mr. Badger, of North Edrolina, Appendix Con- with so much apparent sincerity, either do not understand the real sentiment of the