ike hands with traitors. When clouds ring in the future, and there appears m of light to cheer our hearts, we are bmitting a proposition to sustain the n and laws, by miserable party dog- ve this Union of States as I love the t that leaps through my heart, and to it as long as a single star remains NEY. I rise to explain. In refer- question of slavery in the territo- course of my previous remarks, I ve fully explained my views, and ble to misapprehension. I asserted, assert, that equal rights prevail to- Territories as in all the States of the do not mean to assert by that, that ution admits slavery there, but that n of the United States, recognized the laws of the United States, has a into the territories; and I hold fur- y other construction of it excludes illions of citizens, for the benefit of ons. It is a well-known historical wherever slavery goes, free labor re- rom, and *vice versa*, slavery before free e, I say, that when you take up the Con- the United States, and give any differ- ction than that which has been given the origin of this Government, that edom is national, and that slavery ex- y municipal management and law, o a wrong to the vast number of free f the North, for the benefit of the who own labor at the South; and it as remarkably surprising that the of any portion of Pennsylvania directed towards the introduction of on of such a character, rather than f the free laborers of the State of ia.

LSH. Were it not for the peculiar which I have been placed by our Re- iends during this protracted discus- ld not occupy the Senate by making remarks upon the subject now un- but as my position has been very presented, and also that of the mi- his floor, in the views and opinions by us in reference to the great na- now impending, I feel called upon w words more to what has already The Senator from Crawford, (Mr. and other Republican Senators, argued as presented by the resolutions of- self, precisely as if I stood here to- tification of the position of South d an advocate of the right of seces- Senator from Crawford also held olutions, as well as my remarks, set nner of charges against the Repub- of Pennsylvania. If the Senator rd had listened to the remarks I morning, he would have found that I voided every allusion to the Repub- because I did not wish to initiate iscussion at a time when the dark- ere hanging over this confederacy. NEY. I expressly stated that I in- marks that I should make as per- Senator. I spoke of the party to longs.

SH. Indeed, Mr. Speaker, I was so hat I said this morning, and in fact aid so little, that I was taken to he Senator from Franklin (Mr. r not defining my position more greater length. All the arguments ard here to-day, and all the declara- ave been made in reference to trait- or; the position of South Carolina, ng else in reference to the question ight have been omitted entirely the discussion, without impairing in any strength of the arguments in opposi- resolutions, for I have not attempted outh Carolina, and have not spoken position of the resolutions of the m Philadelphia (Mr. SMITH) in refer- ssion. My resolutions did not re- subject; but, on the contrary, e a spirit of loyalty to the Con- d the Union, and declare, partic- Pennsylvania is now true, as she has efore, to that Constitution and Union; more, that the people of Pennsylva- nd unflinchingly by the Executive in ts to maintain that Constitution, ex- ce to the laws, and protect the proper- neral Government. A great deal has ere to-day, upon the question of sla- has originated, not by any initia- part, or on the part of any mem- Democratic party on this floor. I am however, that the dominant party on have been led to put themselves fore the people on this question. It t the sentiment of the Republi- y here, though I was much pained pressed to-day by a Republican Sen- his floor, that "it is too late to talk that conciliation invites contempt." ve that sentiment go abroad through on the wings of the wind, in order ople of Pennsylvania may see and are the real sentiments of the party e controlling power in this Legisla- the time to talk of peace and concil- gone by forever! And, sir, when I ame Republican Senator whether, un- stitution, he recognized the right to itive slaves, he evaded an answer, at when the subject came before the would answer my question; when d second of the resolutions I have of- ly bring that question before the his time. Much has been said here peat, that I have been sorry to hear, to which I cannot find time The propositions I offer are their nature, and I do not invite s which have been made, and de, upon the Democratic party. They troduced in any partisan feeling, or ose of throwing a fire-brand into our t this time. I have uttered not a llable which would justify any such Mr. Speaker, if to declare that the Constitution to which my resolu- ly refer relative to the rendition laves, is sacred, inviolate, and bind- people of all the States, is to in- ty question into the Senate, then, I admit have been guilty of so doing. If, ive utterance to the words of the Constitu- upon this floor, and to proclaim what I ere to be the opinions of the people of vania in reference to that clause in the tion, be throwing a fire-brand into the s of the Senate of Pennsylvania, ad guilty to the charge. And if, that the people of all the States l rights in the common terri- country, be a political dogma, then held responsible for the utterance of iment. But, I deny that such a con- n reasonably be put upon those reso- n my remarks this morning, I was ake no allusions to particular par- to the Republican or Democratic, forced to do so, in replying to ques- me, and positions taken by members ublican party. I submit that I e word in reference to the majority e of this country having decided principles of the Republican party. r from Bradford, (Mr. LANDON,) in of his remarks, beautiful and elo- ey were, seemed to throw upon me having assumed here that a majority e of this Union had not endorsed the f the Republican party. When I e sentiments, it was in reference to of the Senator from Blair. So personal explanation.

Mr. LANDON. I desire to inquire of the ator from York, whether he did not assert the man who is to be inaugurated on the of March next, was elected by a minority American people?

LSH. I certainly did so assert, in position assumed by the Senator from he raised the question, and I am ot responsible for the introduction of the subject. I will not enter into any elaborate defence of the resolutions I have presented to the attention of the Senate, as I prefer to let the subject be decided by a vote given according to the calm judgment of Senators. I shall vote against the propositions of the Senator from Huntingdon, as well as in opposition to those of the Senator from Philadelphia; and had I been inclined to vote for the latter, the remarks of the Senator from Bradford (Mr. LANDON) would certainly have induced me to vote directly against those propositions. I listened to his speech with careful interest; and when he said that the germ of his remarks were contained in the resolutions proposed by the Senator from Philadelphia, I determined that I could not, even if before so disposed, vote for those resolutions. I would, however, distinctly deny the charge that has been made upon the minority on this floor, that the resolutions proposed by myself are impliedly a defence of the present position of South Carolina and of the right of secession. When that question comes before us, as I presume it will, under the resolutions of the Senator from Philadelphia, I shall then, if necessary, say all that I have to say on that point. I do not hesitate to say that I am always to be found among the very first of those in this country, who would use all the force and power of the general government, to put down treason, to punish traitors, and to hang them all as high as Haman. If the people of South Carolina have committed treason against the government of the United States, I say, as I would have said of a certain portion of the people of Massachusetts, at the time Wendel Phillips and his confederates incited a mob to rescue the fugitive slave, Burns, and which mob, in its fury, murdered an unoffending citizen—let those who violate the law suffer, to the fullest extent, the punishment which should be meted out to them by the outraged laws of their country. I am not in favor or winking at treason in any portion of this great country, but of punishing it wherever it may be found, throughout the length and breadth of our Union. Sir, I am in favor of a perfect Union of these States, but I am also in favor of a just one; and I want the rights of the citizens of the South as religiously guaranteed and observed as those of the people of the North. I would have the people of the South feel that whatever their local institutions are, though they may be repugnant to the sentiments and feelings of a majority of the North, yet, as long as they wish their institutions to remain, they shall enjoy them without restraint, and that no band of traitors in the North, urged on by abolitionists, or their confederates, shall wrest from them their rights and property, and in the attempt murder the officers of the law. I would have even handed justice done to all sections without distinction, and until that is done, neither peace, quiet nor harmony can be found within the counsels of the nation. I have not, as yet, alleged that Pennsylvania has committed any clearly unconstitutional act in the passage of any statutory enactment, and I am willing to admit, for the sake of argument, that she has not done so; yet, it is clear that she has laws upon her statute books which are not in accordance with the true spirit of the Constitution, and if there is a single statute or section of a statute that is considered offensive to her sister States, such statute or section should be be promptly repealed, unless we believe, with the junior Senator from Allegheny, (Mr. IRISH), that "it is too late to talk of peace" and that "conciliation only invites contempt." What harm can result from such a course; and what good may not result from a determination on our part to show ourselves right upon the record? We have been told that the subject of the repeal of certain sections, as asked for by thousands of citizens, has been referred to the Judiciary Committee; but every Senator here is well aware of what the report of that Committee will be, after the remark of the Chairman, that he did not consider any of the laws named to be obnoxious or unconstitutional. I know precisely how this question is to be decided, but I am glad that the discussion we have had to-day has taken place, for facts and sentiments have been elicited which I would have clearly presented to the calm and unprejudiced minds of the people of Pennsylvania. I shall now leave this question. I feel, sir, that I have done my duty in the course I have pursued in reference to the difficulties now surrounding our country, and I sincerely trust that something may yet be accomplished by which the clouds may be drawn off which now obscure our national horizon, and that peace and happiness may once more be found within our borders.

Mr. M'CLURE. I have taken no part in the present discussion, except to keep our Democratic friends within range of the question. I need not remind the Senate that the Senator from York, when asked a question by the Senator from Blair, bearing directly upon the very germ of the discussion, made no satisfactory reply. I am grieved to be compelled to admit that our Democratic friends have discussed everything but the propositions before the Senate. In his resolutions, the Senator from York makes a startling proposition, viz: that we shall, by Legislative enactment, establish slavery in Pennsylvania, that we shall strike down the sacred writ of right;—yet, in the discussion of those question, she has not approached nor attempted to defend his own propositions, except in general terms. He alleges certain shortcomings against Pennsylvania, and yet when brought to the point, he had no evil to complain of. I do protest, in the name of Pennsylvania, against this tacit tarnishing of her own fair name. I say it is a wrong to Pennsylvania, especially when men living within her borders gather together these inuendoes and roll them as sweet morsels under their tongues; for no more fatal way of reaching the fair fame of Pennsylvania can be conceived of. If wrong has been done by our State, either by commission or omission, I cannot but think that there is not a Senator here who will not meet the question of the existence of that wrong frankly and manfully. There is no real or tangible proposition for Pennsylvania to entertain, or which has been advanced by the South. When you talk to the people of that section of Personal Liberty Bills they respond with their gammon; when you tell them that Pennsylvania will do right, they reply that they care not; that they are in favor of revolution. The gentleman from York must admit, upon reflection that there is not a personal liberty bill in all the States of the North this day so minute in its details as that of the State of Virginia, the very State for which he pleads. And if I were to offer that statute of Virginia as an amendment to the resolutions, the Senator would hurl the cry of treason at me. Even Vermont and Wisconsin, charged as the most ultra on this question, have no personal liberty bills surpassing in stringency that of Virginia. I protest against this habitual misrepresentation of Pennsylvania, and when the Senator from York insists upon the repeal of certain sections of the penal code, Virginia herself rises up and shows to the world that he is seeking to do in a free State, what Virginia will not even respect. I charge that this manœuver is for political effect and that it is not honestly and fairly meeting the grave proposition before this Senate; because we have labored in vain to-day to hold these gentlemen of the Democratic party to the propositions before us. While they have gone off in the most extravagant and eloquent terms on the subject of the necessity for preserving this Union, when their attention has been called to distinct questions before the Senate, they have reeled and staggered under it, and their eloquence has been silenced. This is not the place to fight any political battles. They have been fought during the last political campaign, as the Senator from York and myself well know, and certain principles have triumphed, which no man labored more than did that Senator to place clearly before the people of Pennsylvania. They were, that the election of Mr. Lincoln to the Presidency would establish the rule that the territories should remain as nature and nature's God made them, free. He made up the record, and the people responded. The Senator from Berks (Mr. CLYMER) did not appeal to the people to establish slavery. If a man had gone to old Democratic Berks and said to that Senator, Sir, you owe it to the Union of these States that you shall advocate the doctrine of the establishment of slavery in Pennsylvania, he would have turned from that man as insane. Nor did the Senator from York dare to make such a proposition. Yet, to-day, when the contest is over and the Democratic party has certainly nothing to lose, and we find them grasping at every possible position, in order to take advantage of the difficulties now existing between the North and South, and which I charge upon the party as the result of their humiliation and shame—they ask Pennsylvania to-day, in the face of its verdict, given after a contest conducted without excitement, when men thought and read—they ask us to say, in the face of the judgment of the people of Pennsylvania, that her people were mad and knew not what they did. I would call the attention of that Senator to the fact that these are new propositions that were not introduced into that contest, and the gentleman himself, in conducting the campaign, never dared to avow the doctrines and views he has put forth to-day. Bad as were his chances he would only have regarded such an avowal as piling disaster upon disaster. I assert that the issues in the late canvass were as distinctly marked as the sun at noon-day. It matters not that the minority have elected a representative man; such has been the custom, and no one complained before; and I now appeal to the Senator from York to answer me this question; what have the majority declared for, who are opposed to Mr. Lincoln, and the principles laid down in the Chicago platform?

Mr. WELSH. I will answer the gentleman when he finishes his remarks.

Mr. M'CLURE. I will put any two Democratic Senators on this floor into a room by themselves, and give them to next Monday night a week to decide what principle the majority, acting against Mr. Lincoln, were in favor of, and they will not by that time have agreed. They can agree that they desired to thwart the will of the people; for that they most earnestly labored to accomplish; but when it comes to the question of principle, there is no agreement between them. We are now defied by revolutionists, yet men here talk about debasing themselves by admitting we have done a great wrong, when they cannot show us any wrong whatever. The gentleman from York during the late canvass habitually taught the South that there was something wrong; he could not tell them wherein that wrong consisted, but merely gave utterance to a foolish assertion, and the South has unfortunately believed him. We might have a parallel case here. If the gentleman believes the South has the right to complain, why has he less valor than his southern brethren? and why is he, as the natural commander of the Democratic forces, not here proclaiming the right of revolution? It must be confessed that his party has been badly beated, that in 1858 we commenced turning them out of the high places of government, and that in 1859 and 1860 we made one clean sweep of himself and his party friends, and that they have now no high places of power in this Government, either State or National. Why not say that his party friends have been made powerless in the government, and are now denied all participation in official favors? Why not marshal his forces in rebellious array, draw his sword upon us, and swear by all that is gory that Mr. Curtin cannot be inaugurated except upon humiliating terms with the minority?

That is the piractical flag under which the South desires him to sail. If he says that the South is right in its present position, why is he not at the head of a revolution in the North? I shall vote against the resolutions of the Senator from York because they are thoroughly partisan, misrepresenting the sense of Pennsylvania. I shall never cast a vote to re-establish slavery in Pennsylvania, nor to strike down the sacred writ of right, as long as reason maintains her sway. In the execution of the fugitive slave law, no discrimination is made as to who is a citizen or who is not; but the Senator says that it matters not who he is, of whatever blood or color, that when a man is demanded by another as his slave, the party demanding shall carry him off merely because of such a demand.

Mr. WELSH. I would ask the Senator from Franklin whether the fugitive slave law allows the writ of *habeas corpus* to the fugitive slave?

Mr. McCLURE. I think it does not.

Mr. WELSH. Then, is the Senator in favor of the fugitive slave law, or opposed to it?

Mr. McCLURE. I am not in favor of such a law as the present fugitive slave law. I hope the Senator will understand that.

Mr. WELSH. Certainly, sir.

Mr. McCLURE. I am not in favor of such a law as the gentleman names. I bow to it, yea, more, yield a cordial deference to it; but when called upon to express my approbation of the provisions of any law which strike at my moral convictions, and that of other men, and demand that I shall be false to every sense of justice, I unqualifiedly express my disapproval thereof. The sooner the South understands this matter, the better will it be for the nation. If the Senators from York and Berks had truly and fairly represented Pennsylvania to the South, we would to-day have less difficulty. If those Senators would say that this law grated harshly upon their ears—and the Senator from Berks should say so, because it is the truth of the matter, I would then feel no hesitation in believing that they understood why men do not obey it in the spirit in which we say they shall. But they are habitually proclaiming to the South that they alone, in the North, mean to fulfil the laws, and to be truthful to our Constitutional obligations, and that all who oppose them, in party views, mean to be unfaithful to those laws. All who know those Senators, are aware that they are as slow to fulfil the requirements of the Fugitive Slave Law as the most violent anti-slavery man in Pennsylvania. I am pained to assert, but I am compelled to believe, that those gentlemen would not act, when the occasion required, in the spirit which their speeches would lead us to expect. I am sure that the Senator from York has never caught a slave, and I doubt whether there is, in any of those towns of his county where Union-saving appears to be preached regularly, from day to day, so much as a Commissioner under the Fugitive Slave Law.

Mr. WELSH. There has been no cause for the appointment of such an officer, as no fugitive slave has been arrested in that locality since the enactment of the Fugitive Slave Law. If such a thing shall happen, I believe there are hundreds of the citizens of the county of York who would be willing to assist their southern brethren in the strict enforcement of the law.

Mr. M'CLURE. I make no pretensions to fulfilling the requirements of the law better than any of my people; but in my own town, and in the town of York, I venture the assertion that there is no citizen who will take official recognition of that law.

Mr. WELSH. I repeat that I believe there are hundreds in the county of York who would take such official recognition, but no cause has ever arisen under the act of 1850, for the appointment of any Commissioners under the law in question.

Mr. McCLURE. The Senator from York very willingly says that these laws must be maintained, but he takes very good care not to be present when they are executed. In my own county, the law in question cannot be executed as it should be. I would not assert that you can find any man there who would be willing to nullify the law; but slaves are passing through that county every few weeks, and yet no man raises his hand for their detention, for the reason that under the present law for the rendition of fugitive slaves, every man who would carry out that law must submit to an enactment which seems to contemplate positive injustice. Why not tell the truth at once and say that the law cannot be executed because it is wrong. We hold no new principles taught us by the statesmen of this country who met the emergencies brought upon the country by the recklessness of the Democratic party. The principles they have advocated upon the stump and through their party press, are living libels upon Pennsylvania. The statutes proposed to be repealed were passed last session, by the gentleman's own party; they were reported by commissioners appointed by a Democratic Governor, and were voted for by the Senator from York, and his party friends. They were right a year ago, but are wrong now. Why? Because he alleges that some new token of obedience must be given to the South—not any right conceded, or wrong redressed, but some new act of obedience to the South; and the Senator from York rises up in behalf of the South, and declares that in the name of the Union we will do this. I have no fourth-of-July speech to make about these sections. I say that they ought to be, and shall be, carefully considered; and wherein they may be wrong, corrected. Pennsylvania has the moral and physical power of all the cotton States put together, and she will preserve this Union. If the principles decided by the people in the late contest cannot be operative to them under this government without civil war, secession and rebellion, the government is a failure and is not worth preserving. If I am told that I must stifle my convictions and sense of right and deny every principle which I have voted for, and which the nation has established by a great national verdict, thereby re-calling the government to the administration of justice and humanity and to a fair understanding of the land marks set up by our fathers, I reply that we are without a government. It is a shame for Pennsylvania to be hesitating and quibbling on party abstractions and dogmas, when the truth is at our doors that rebellion has not simply threatened us, but has torn down our flag, and fired broadsides upon our unoffending citizens. We have but one course to pursue, to declare the dignity, power and majesty of Pennsylvania. There is no power in the South which Pennsylvania will brook in violation of the laws. Those who have proposed here to repeal certain laws, do not pretend to assert that those laws are wrong or unconstitutional, but merely that we must make them acceptable to certain sections of the nation. I adhere to the assertion that the power of the Government is to be tested. If it is not equal to the present emergency then it is not worth preserving. We are only temporising with rebellion. You may talk about Personal Liberty Bills, about the rights of transit, etc., but men who have arms in their hands care nothing for your declarations. They strike at the great fundamental principle that this Government must be either free or slave. That is not my doctrine, but theirs. They demand the universal domination of slavery; that, that institution shall be brought to our own door; that its iron chains shall clank within our hearing; that they shall bring it into this State, where we have taught our children that free labor is honorable and ennobling. Senators on this floor demand that we shall yield to the wishes of citizens of Virginia and give them privileges here that we deny to our own people; that throughout the fair Territories of the west, wheresoever a rose blossoms, or the forest is green, that there Slavery shall go with its withering eternal desolation; that Pennsylvania, with her mighty intelligent people, schooled to labor, with her strong sinews reaching in every direction, shall be hemmed in and stigmatized as dishonorable and enslaving. There must be a conflict between these two ideas; for the South demands that the Slave shall go wherever the free man is to be found; or where the free man is located, the slave shall not be admitted. This is no new doctrine. If the Senator from York wishes to reach a solution of the present difficulty, he must assert that slavery shall be sectional and freedom universal; or *vice versa*, that freedom shall be sectional and slavery universal, and that the startling spectacle shall be presented to the world of our boasted Republic, with its starry flag of freedom, blackened in every acre of its fair inheritance. We may as well—and far better so—look it gravely in the face. I would not deceive the South, but rather have the people of that section believe that when the question comes before me I am prepared to meet it. There is no despotism of the old world which does not send to us a protest against the idea which has been advanced by some five or six southern States, being conceded that bondage and bondage alone shall be the basis upon which this government is to be fixed. And unless we disregard our State rights, and natural position of every Territory as stamped upon it by the living God, we say that you shall not destroy and scatter to the winds all the evidences of enlightened civilization which follow free enterprise. Wherever go the marks of the bondmen there goes desolation. Are you prepared for it? I may be called extravagant, but no man can deliberately look at the progress of events and deny that this is the issue; and every man who thus looks cannot fail to say that the Senators from York and Berks are trifling with the question. They are legislators, not mere orators; sworn men, sworn to meet every emergency which threatens the State, and to sustain, by all the moral and physical power they possess, this government, in order that it shall be indissoluble. I ask am I not right? In conclusion, I would reassert the fact that the very State in whose behalf they labor to show that Pennsylvania has done wrong, surpasses in her statutes the stringency of the Northern States. That State allows the negro to go into Court and demand, when his personal liberty is involved, that he shall be tried by a jury of white men. But the Senator from York shirks the question and humiliates his State. He makes patriotic speeches, but when gunpowder thunders about our ears, he should be engaged in a different work. I ask the Senate, are you prepared to comply with the demand that slavery shall be universal and that its black flag shall go wherever this nation extends? The doctrines of the Republican party do not infringe upon the rights of the South, but simply propose to bring the Government back to that high and holy mission first designed for it—to freedom, Constitutional liberty and State rights.—The citizens of the North and the South, of every clime, shall go into our territories and cause them to bloom and blossom as the rose, but cannot be devoted to slavery except by organic law. When we come to look at the progress of this government and its destiny, we must admit that its principles look to the gradual constitutional extermination of slavery, not by violence, but by simply allowing a great error to work out its own cure by the destruction of itself. If I were to-day what the world calls an abolitionist, I would hail the first broadside upon the "Star of the West" as the harbinger of extermination. There is no man so mad but who can reason at all, who will not point to that as the very first step towards immediate, universal, fearful emancipation. I want this people, in the language of Washington, Jefferson and Madison, and of every man who has learned and dared to be just to his country, to understand that before they belie themselves, and pervert the Constitution of this country into an instrument of despotism, it would be a happy day for this government, and especially for its white citizens, north and south, when, by peaceful and proper means, it will have no institution of slavery within its borders. I would be honest in saying that we mean simply to protect the free labor of this country without infringing in any degree upon the rights of the South. So long as they maintain the "peculiar institution," I shall allow it to eat as a cankering worm at their vitals. I remember when our sister State of Virginia was invaded, though my own county was Republican, not a man in the town in which I resided, would not have shouldered his gun and marched to defend the firesides of his brethren. And so would they act towards South Carolina did servile insurrection rise up within her borders. They would not hesitate to protect that people in all possible ways, from the worst of all revolutions, servile insurrections. While we would thus act, we mean to maintain, as truly as the needle of the compass of the mariner points to the pole, that freedom is the great principle of this government; that the sacred purpose and mission of this government, when it was founded, was to assert the fact that freedom is national. If that institution has rights by law, which it would impose on me, I will scarcely regard those rights. It has practically asserted the startling idea of universal slavery and the proposition to strike down free labor, prostrating millions of freemen and desolating thousands of homes, by saying that free labor shall not be protected in competition with the menial labor of the south. We have borne all this without complaint, and bowed submissively; but now when the Government is about to be restored to its ancient purity and purpose, I say that the will of the people must be fulfilled. This is the highest duty we can discharge towards this Government, and woe to that man who fails to be just to these principles and faithful to the government. I care not how men may act for miserable party purposes, but I assert that the high and holy mission of this confederacy shall be fulfilled.

Mr. WELSH. I am very sorry that the style of my argument on this question does not suit the Senator from Franklin. I did not expect that it would, but I confess that his style of arguing the question has gratified me to some extent. That Senator, in the political harangue that he has just delivered, for it cannot be called an argument upon the questions before the Senate, has met but one of those prominent questions. He has just returned from a pilgrimage to Springfield, and I presume he speaks *ex cathedra*, when upon the floor of this Senate he announces his hostility to the Fugitive Slave law. I ask him whether, during the late canvass, which he conducted with much ability, he would have dared to advocate the sentiments he has expressed so freely to-day; whether he would have asserted that he was opposed, and the Republican party was opposed, to the Fugitive Slave law?

Mr. M'CLURE. I speak for no one but myself. I asserted that I was opposed to the provisions of the present fugitive slave law.

Mr. WELSH. I am perfectly satisfied that the opinion thus expressed by him should go before the people of Pennsylvania, and I want his associates on this floor to acknowledge whether those are or are not their sentiments. The Senator from Franklin has made a long and evasive speech, in which he spoke of certain misrepresentations made by the Senator from York and Berks. I, sir, misrepresent no man nor party, but I assert one matter from the responsibility of which the Senator from Franklin cannot shrink. He has now either misrepresented the position of his own party, or put himself upon the record directly in opposition to that clause in the Constitution relative to the rendition of fugitive slaves.

Mr. McCLURE. I said distinctly that I recognized such a provison in the Constitution, to its fullest extent, and that the South have the right to have that provision faithfully carried out. I yield all obedience to it as the law of the land.

Mr. WELSH. I will not permit the Senator to shift his position. I ask him directly, if he is in favor of the execution of the present fugitive slave law?

Mr. McCLURE. I am in favor of upholding the provisions of that law now, and always was, so long as it is a law. I spoke of facts in my previous remarks to show that the Senator from York would not act under it officially. I spoke of the law as a failure, as wrong in its details, because it was needlessly repugnant. I am in favor of such a law as every citizen may fairly, faithfully and conscientiously execute.

Mr. WELSH. I wish that the Senator would speak for himself, when referring to the Fugitive Slave law. He previously asserted, that neither himself nor the Senator from York, would hesitate to refuse to accept a commission under that law. I frankly aver, that if I was commissioned to execute any of the provisions of the Constitution of the United States, I would not shrink from the performance of the duties assigned me. It is utterly impossible to argue with the Senator from Franklin, when he distinctly asserts that he is opposed to the provisions of the present Fugitive Slave law, and then avows the contrary.

Mr. M'CLURE. I must insist that the gentleman misrepresents my position. I said nothing of the kind. I said that the Fugitive Slave law was so stringent in its provisions that the moral feelings of the Northern people turned from it; that I was in favor of the enactment of such a law as would fulfil, faithfully and fraternally, the provisions of the Constitution in that respect.

Mr. WELSH. If the Senator from Franklin pleases, I would now have him repeat the question he put to me in the course of his remarks, and which I promised to answer.

Mr. M'CLURE. The Senator declared that a majority of the people of this country had determined against the doctrine which I advocate to-day. I ask him what principles that majority had declared in favor of?

Mr. WELSH. At the time in question, the Senator from Franklin was referring directly to the extension of slavery in the Territories. I asserted that about 900,000—nearly a million—of the freemen of this country, had decided against the platform of principles, in reference to the extension of slavery in the Territories, promulgated at Chicago, and that the three candidates, Breckinridge, Bell and Everett, and Douglas, clearly laid down the principle that, under the Constitution of the United States, the people of all the States had equal rights in the common territory of the Union. And I contend that that question was decided, by a majority of over 900,000, against the Chicago platform.

Mr. FINNEY. I ask the Senator from York, if in his opinion there is anything unconstitutional in the relation which the Constitution of our own State bears to the Constitution of the United States?

Mr. WELSH. I take it for granted that there is nothing unconstitutional therein.

Mr. FINNEY. Then I desire to call the attention of the Senator to this little item:

"That all prisoners shall be bailable by sufficient sureties unless for capital offences, when the proof is evident, or presumption great; and the privilege of the writ of *habeas corpus* shall not be suspended unless when, in cases of rebellion or invasion, the public safety may require it."

I understand that the fugitive slave law enacts speecific lines of duty. I am sworn—the Senator from York and myself being sworn on the same day, on two separate occasions—to support the Constitution, which Constitution conflicts with the fugitive slave law, because it secures to every human being under arrest for any charge the right to the writ of *habeas corpus*, except in cases of invasion or rebellion.

Mr. WELSH. I ask that Senator whether the Act of Congress of 1850 contravenes the Constitution of the State of Pennsylvania?

Mr. FINNEY. That is the reason why I stated that the Senator and myself were sworn to support the Constitution of the State of Pennsylvania. [Laughter.]

Mr. WELSH. Then the Senator prefers sustaining the State Constitution rather than the enforcement of the Fugitive Slave Law, enacted in accordance with the provision of the Constitution of the United States, which we both swore to support.

Mr. FINNEY. I prefer always to sustain that power which I am sworn to support. Our State Constitution is in accordance with the spirit and very letter of the Constitution of the United States; and I hold that there is no other way of protecting the personal liberty of a citizen, but by appealing to it. If a man arrests a citizen in this State, as he would a horse, and takes him out of the State; he is not amenable to law; but if that citizen asserts, with his own voice, that he has rights under the Constitution of the State of Pennsylvania, how are we going to act? I am bound by my oath to sustain the Constitution of Pennsylvania, but I never swore to sustain the Fugitive Slave law.

Mr. SMITH. The Senator from York asked the question of the Senator from Franklin whether he was in favor of the present fugitive slave law, and intimated that he would like to know whether the sentiment given by that Senator in response, was that of his colleagues. I cannot, myself, tell what are the sentiments of any Senator on this floor in regard to that law, except so far as he may have expressed them. But if the Senator from York is of the opinion that it will be of any advantage to him to know what are my opinions in relation to the Fugitive Slave law, I will tell him that I am opposed to any law which will outrage humanity and give a premium for perjury. But while that law remains upon the statute book, I hold that it is my sworn duty to uphold its execution.

Mr. M'CLURE. I would inquire whether that Senator is not in favor of a faithful execution of the provisions of the Constitution?

Mr. SMITH. I certainly am in favor of their faithful execution. The Senator from York, by the introduction of his resolutions, has given so wide a range to the discussion that it has taken in almost every subject but that most called for. But I think that the Senator from York has placed himself and friends, by his speeches and resolutions, in rather a tight place; for if that gentleman has expressed his sentiments that he has just delivered, for it cannot be called unconstitutional on our statute books, how is it, that he sets forth in his resolutions a declaration that all laws of the kind alluded to by him are unconstitutional?

Mr. WELSH. I rise to explain. I said I was willing to admit, for the sake of argument, that all such laws are unconstitutional.

Mr. SMITH. The Senator distinctly stated in answer to a question that he was not prepared to say that there was anything unconstitutional in any of the laws upon our books.

Mr. WELSH. My argument was directed to show the inexpediency of them.

Mr. SMITH. The Senator has stated in his resolutions that "it is the right and duty of every citizen and public officer of this Commonwealth to aid and assist in the execution of the Constitution of the United States, and the acts of Congress passed to carry its provisions into effect; that any Act of Assembly which interrupts, impedes, limits, embarrasses, delays or postpones the exercise of such right and duty, is a plain and direct violation of said Constitution, and that it is expedient to repeal the fifth and seventh sections of the Act entitled 'An Act to prevent kidnapping, preserve the public peace, etc.'" This is no time for the discussion of the subject of any such repeal. We have introduced resolutions here for the purpose of declaring our devotion to the Union and the Constitution. We have declared that we have a government in contradistinction to the declaration made by the Southern States that we have none. And while discussing these questions, the news has been flashed from one end of the country to the other, that the guns of traitors have been levelled against our national ships, while the Senator from York introduces a party platform bearing on the subject before us. Our own Government has solemnly pledged that Pennsylvania is now, as she has ever been, prepared to lend all her power and aid, in order to sustain the National Government; and now, in order to embarrass the operations of these resolutions, the Senator I have named has introduced a party platform upon which he acted during the last campaign. I ask the Senator in all frankness, did he expect to receive for his proposition a single vote over and above those of his party friends? Can the Senator from Lehigh, (Mr. SCHINDEL,) who is a Democrat, but who, nevertheless, repudiated that platform at the last election, vote for the same thing now? My friend from Huntingdon (Mr. WHARTON) will have to support his Douglas platform, probably, alone. We could have declared in the resolutions offered by myself, representing the principles of the party with which I act, our ideas with reference to the Fugitive Slave law, freedom of speech and of thought. But we refused to do that, and struck out everything calculated to excite the opposition of our political opponents; but they refuse to meet us in the spirit we propose, and introduce a firebrand among us. We advance the doctrine maintained by General Jackson in his famous proclamation, that the right of the doctrine of secession cannot be acknowledged. We propose also to say to the States differing with us in their institutions that we will protect them in their rights—that they may pass whatever local laws they choose, and we will give them that respect which every good citizen should give. We propose in another of the series of our resolutions to lend the power of our government whenever called upon, in assisting the government of the United States. The Senator from Berks started out in his speech with the assertion that Pennsylvania was founded to deeds of peace; but are we so wedded by deeds of peace that we will hesitate to use the strong arm of the government in suppressing rebellion? I have it from various sources—whether the news is entitled to credit or not, I cannot say—that the guns of the government of South Carolina, as it now exists, have been pointed at, and fired into one of the government vessels of our country. Should we hesitate in a state of affairs like this? We must vote directly on the proposition before us, that it may go to the country—that Pennsylvania with all her power and might will second the government in its efforts to maintain the Constitution and the laws unimpaired.

Mr. WELSH then withdrew his motion to indefinitely postpone the subject before the Senate.

The question before the Senate being on the amendment to the amendment, offered by Mr. WELSH, to insert the resolutions offered by himself,

The yeas and nays were required by Mr. McCLURE and Mr. WELSH, and were as follows, viz:

YEAS—Messrs. Blood, Clymer, Crawford, Mott, Schindel and Welsh.—6.

NAYS—Messrs. Benson, Bound, Finney, Fuller, Gregg, Hall, Hiestand, Imbrie, Irish, Ketchum, Landon, M'Clure, Meredith, Penney, Robinson, Serrell, Smith, Thompson, Wharton, Yardley and Palmer—*Speaker*—26.

So the question was determined in the negative.

Mr. WHARTON rose to a personal explanation as follows:

A few moments ago I was informed that actual hostilities had been commenced upon our National Government by the so-called government of South Carolina. With that understanding, I ask leave to withdraw my amendment.

Mr. HALL moved that leave be granted the Senator.

Agreed to.

The original resolutions offered by Mr. SMITH, being before the Senate, the first section was read by the Clerk, as follows:

Resolved, by the Senate and House of Representatives of the Commonwealth of Pennsylvania, in General Assembly met, and it is hereby resolved, That the Constitution of the United States of America was ordained and established, as set forth in its preamble, by the people of the United States, in order to form a more perfect union, establish justice, insure domestic tranquility, provide for the common defence, promote the general welfare, and secure the blessings of liberty to themselves and their posterity; and if the people of any State in this Union are not in the full enjoyment of all the benefits intended to be secured to them by the said Constitution, if their rights under it are disregarded, their tranquil-