

Editorial Circular.

To day we enter upon the FIFTEENTH YEAR of our Editorial Labors, in Bloomsburg, and open the Twenty-Fifth Volume of the "COLUMBIA DEMOCRAT."

We are profoundly grateful for the liberal patronage, through the partiality of kind and constant friends, that has been unceasingly conferred upon this time honored institution.

And now, dear friends and patrons, as an evidence of our determination to enhance the value of the old Columbia Democrat, and make it still more worthy of your generous confidence, we have engaged the assistance of Col. JOHN G. FREEZE, as Local Editor.

Col. Freeze is a gentleman of high literary ability and is favorably known in this community. In "Union there is strength," and under the new arrangement, we trust we shall be able to make the Columbia Democrat, as a Family Journal, the first in point of literary importance, as it has ever been in sound democratic principles, the leading Gazetteer in Northern Pennsylvania.

Want of space compels us to postpone any remarks on the Inaugural of Mr. Lincoln, this week. We shall dissect and examine it at our leisure in our next; and if we do not show it to be the most impudent, and crude, and silly composed document we have had since Gen. Taylor wrote that we "were at peace with all the world" and the rest of mankind, then we are slightly mistaken.

The Special Court on the 2d March, was attended by a very large delegation of our Locust and Roaringrock friends. In fact, the Court sat more especially, for the cause of some rather important business of the River.

SUICIDE OF THE MURDERER—John Cathcart, who was to have been hung in Clearfield, Pa., on the 12th of April, for the murder of his wife in last July, defeated the ends of justice, recently by hanging himself in jail.

CREASY & Co., of Light Street, keep a full Store and fashionable Goods,—sell cheap, treat their customers politely and always give them the best of bargains.

Col. KLINE, one of our members of the Legislature, treated us very kindly, when on a recent visit to Harrisburg, for which he has our thanks.

We are under lasting obligations to our excellent young friend, Master W. G. BAOWEA, Messenger to the Senate, for numerous public documents.

BARNEY HELAN, confined in the Lycoming county Jail, for the murder of his wife, last week cut his nasty throat, in Jail and died like a pig.

Hon. F. BOUND of the State Senate and Mr. Representative OSTERHOOT, have our thanks for polite attentions.

THE STATE CONVENTION.—On our first page will be found the Resolutions adopted at the Democratic State Convention. They represent the position of the Democratic party of Pennsylvania, are eminently appropriate to their object, and we are confident will meet the approbation of the Democracy of this county.

It may be alleged there are certain other incidental expenses necessary for the purpose of equipping the road. I grant this to be so; but I say all the additional expenses which may be considered necessary for the equipment of the road and placing it in running order, can be met by the amount of funds which will be secured by my amendment. Indeed, there will be a surplus in their hands.—That surplus, I have made, by my estimate, to be nearly two millions of dollars, \$1,785,180.

No, Mr. Speaker, if this argument is correct, (and I maintain that it is,) I think that it would be a most ruinous policy to allow that company to issue bonds to the amount of five millions of dollars, to take priority of the State claim. I can see no reason why such a thing can be asked.—It is certainly not necessary for the completion of the road; and, in my view, it would be disadvantageous both to the company and to the State, in every aspect of the case.

My second argument, Mr. Speaker, is,

REMARKS

DR. CHARLES H. HILL, OF MONTGOMERY COUNTY, DELIVERED IN THE HOUSE OF REPRESENTATIVES, Feb. 18, '61 ON THE BILL ENTITLED

"An Act to change the name of the Sunbury and Erie Railroad Company, and to facilitate the completion of a Railroad from Sunbury to Erie."

The bill being on second reading.

Mr. Hill, moved to amend by striking from the third line of the second section the words "one million" and insert the words "four hundred thousand" and in the fourth line the word "five" and insert "two."

Mr. Hill. I offer these amendments, Mr. Speaker, for the purpose of perfecting this bill, and I think they should be adopted for three very strong reasons.—The first is, that I consider that the sum named in the amendment is sufficient for the completion of this road. My second reason is, that it is the interest of this Sunbury and Erie Railroad Company to issue, or to be authorized to issue, no more bonds than are absolutely necessary for the completion of the object. My third reason is, that such a provision as this is proper with regard to the security of the State, and the safety of the claim which the State now holds upon this company.

In taking up the report of the company, I find that of this road, there are 140 miles completed and 142 which remain uncompleted. Of these 142 miles, we see by the same report, that 27 miles are in an ungraded condition.

Now, I desire to call attention to an estimate which I have made. I have taken the most liberal view that can be taken upon the matter; and I have made an estimate of the cost of the grading and the laying of the track. I have taken my date from a gentleman who stands high as an engineer, and who is in the confidence of this company. I have made the estimate, in the most favorable light, believing that it is more than will be necessary for the completion of this road. I find, sir, that for the purpose of laying the track of 142 miles, \$6,500 per mile is considered a large amount. It is certainly a very fair estimate per mile for the cost of laying the track. By calculation, it will be observed that, according to this rate, it will take \$923,000 for the purpose of laying the track on that portion of the road on which it is not now laid. Of the 27 miles yet ungraded, the company inform us, (and I have been also so informed by gentlemen who have travelled over this road and know it well,) that there is no considerable expense for excavation or grading. It is average estimate for grading, is \$12,500 per mile. It is supposed by those who are conversant with the subject, that the grading will not cost that much. Then, sir, the sum for grading this unfinished part of the road will be \$337,500. The total, for grading and laying the track of all the road on which track is not now laid will be \$1,260,500.

Now, if this is a fair estimate, (and if it is not, it is open to be controverted or denied,) if \$1,260,500 is sufficient for this purpose, why in the name of common sense, why, in the name of justice, do this company ask of us to authorize them to issue bonds for five millions of dollars? But, sir, this is not all. The Company in their last report have told us, that they have a balance of available funds to the amount of \$670,489 41. They also have, in addition to that balance, seven per cent, bonds and preferred debt script amounting to \$375,200, making in all in their hands an amount which may be converted into cash of \$1,045,689 41, which may be devoted to the completion of their road. Now, sir, add that \$1,045,000 to the \$2,000,000 which I have proposed to allow them by this amendment, and they then have in their hands \$3,045,689 41 for the purpose of completing the road; while, if my estimate be correct, (and I challenge gentleman to controvert it,) the completion of the road—the finishing of the grading and the laying of the track—will amount to only \$1,260,500.

I am aware, sir, that the exposition of figures may be considered a matter of dry detail; but I have given this exposition because figures do not and cannot lie, and because I desire gentlemen to vote understandingly. It may be alleged there are certain other incidental expenses necessary for the purpose of equipping the road. I grant this to be so; but I say all the additional expenses which may be considered necessary for the equipment of the road and placing it in running order, can be met by the amount of funds which will be secured by my amendment. Indeed, there will be a surplus in their hands.—That surplus, I have made, by my estimate, to be nearly two millions of dollars, \$1,785,180.

No, Mr. Speaker, if this argument is correct, (and I maintain that it is,) I think that it would be a most ruinous policy to allow that company to issue bonds to the amount of five millions of dollars, to take priority of the State claim. I can see no reason why such a thing can be asked.—It is certainly not necessary for the completion of the road; and, in my view, it would be disadvantageous both to the company and to the State, in every aspect of the case.

My second argument, Mr. Speaker, is,

that it is not for the interest of this company that they shall be authorized to issue more bonds than are absolutely necessary for the purpose of the completion of the road.

If these five million dollars worth of bonds are to be huckstered about among the stock-jobbers and brokers, and to be as a mortgage upon this road, I maintain, sir, that they will be of much less value than if the mortgage consisted of two millions, instead of five. If five million dollars worth of bonds be issued, I maintain and believe, Mr. Speaker, that instead of selling them upon the market at twenty per cent, which they now claim will have to be the sacrifice, they will not sell them for half price. Bonds issued to the amount of five million dollars by that company will not command in the market, at this time, fifty per cent of what is upon their face. They will be sold, sir, and profit will be made somewhere. This State will not reap the profit; the tax payers will not reap upon the profit; the company—the bona fide company will not reap the profit; hence, sir, I consider, that for the sake of the company, this issue should not be allowed to be made.

In the third place, Mr. Speaker, I argue that this amendment which I offer, should be adopted for the security of the State and the safety of the bonds, which the State now holds in that company. I maintain, Mr. Speaker, and I say it with earnestness—with a full confidence that what I am saying will be found to be true, and I desire it to be placed upon the record, that in after years, its truth may be tested—that if this bill should pass, as it is now before us, the claims which the State now has upon that company, will not pay one dollar; that if this bill passes as it is now upon our tables, the State, from all her valuable canals, which cost our people more than twenty millions of dollars and from the bonds which she now holds against that company of three millions five hundred thousand dollars, will never realize one dollar; and the men who vote for this bill will give their aid in extinguishing all this claim which the State has against that company.

Why, Mr. Speaker, if these bonds of five million dollars are to take priority of the State claim, and the State comes in with a second mortgage, who supposes for an instant that the State would ever get a dollar if these five millions of mortgage bonds should be foreclosed. On these grounds then, sir, I urge upon this House, and upon the friends of the company that they adopt the amendment which I have offered.

For another reason, Mr. Speaker, any time hereafter the two millions of dollars which I have proposed giving to the company, by this amendment, should be found insufficient, how easy it will be for those who succeed us, when this question shall be fairly brought forward and understood by the people of Pennsylvania, to extend further aid? The Legislature could, at any time hereafter, grant the additional aid which might be needed.—For all these reasons, Mr. Speaker, I urge upon the House to adopt the amendment which I have offered.

Mr. Ball. I have listened with some attention to the statements of facts and figures which the gentleman has offered.—I regard them from the beginning as wrong; and the deductions and conclusions therefrom are necessarily wrong. At the proper time I will show that they are wrong. I call for the question.

The question being taken, the yeas were 20, the nays 69, so the question was determined in the negative.

Mr. Hill moved to amend the second section by adding after the word "mortgage," in the twentieth line, the following: "Bonds shall be deposited with the State Treasurer to be delivered to said company from time to time *pari passu* with the progress of the work as ascertained by the returns and estimates of the chief engineer of the said Company, and before delivering any of the said bonds to the Company, there shall be endorsed thereon, over the signature of the Governor, the words "mortgage bonds issued under the Act entitled 'An Act to change the name of the Sunbury and Erie Railroad Company, and to facilitate the completion of a railroad from Sunbury to Erie.'"

And no bonds issued by the said Company under this Act shall take priority over the claims of the State without the endorsement of the Governor as aforesaid: *Provided also*, That the said endorsement by the Governor shall not be construed to create any liability whatsoever on the part of the Commonwealth to the holder or endorsers of said bonds, and where so endorsed and delivered they shall be.

Mr. Hill. Although from the vote taken upon the last question, this bill appears to be set up as a finality which must be carried through, notwithstanding any objections, however incontrovertible, or any proposed amendments, however suitable or necessary, still I have offered this amendment, sir, for the purpose of testing the sense of the House and setting myself and others upon the record. I desire to ascertain whether members are willing that the people's money should be secured, or whether they will consent to treat that money without security, in the hands of this company, which we know and which the people know to have been mis-

managed, its funds squandered and the State cheated. I wish to test whether in view of all this knowledge, the members of this House are willing to discharge their duty as Legislators, having upon their shoulders the responsibility of protecting the people's interests, and ensuring the security of the State. I wish by this amendment to test whether they are willing to give up everything—to strike out all provision for the protection and security of the State, and place the money of the people into the hands of this company, with absolute power to wipe out the debt and cheat the State entirely. For this purpose, Mr. Speaker, not for the purpose of baffling the company, not for the purpose of interposing any obstacles to the completion of their road, but purely and simply for the purpose of protecting the State—the people of the State and the people's money—I offer this amendment. It merely provides a method of insuring that the money raised under this bill shall go to the legitimate objects which are proposed, the bonds being delivered as the work proceeds. Now, I hope that gentlemen will take this proposition into consideration. Let them not shut their eyes and their ears against every proposition which may be presented for the purpose of amending this bill. Let them not determine to carry it through, blindfolded, and refuse this small protection to people and the State, which my amendment provides. I hope the amendment will be adopted.

The question being taken the yeas were 25, nays 59; so the question was determined in the negative.

Mr. Hill. Those of us who were here at the last session of the Legislature, know with what earnestness and under the very whip that measure was passed—how desirable it was represented to be by the friends of that measure that this relief of \$600,000, preferred scrip should be granted; and, sir, when they had obtained that, it was considered by them, and so expressed, that they had obtained a great manna.

Now, the gentleman from Erie, (Mr. Ball,) declares that that was no advantage to the company; that instead of giving them bread, the State gave them a stone. Why, what did this company ask of the State? Mr. Ball. I rise to explain. I said that the company asked relief and they got nothing; but, that this Legislature gave to the contractors, who were not asking for anything, a stone.

Mr. Hill. They certainly gave, Mr. Speaker, at the suggestion of the company, the friends of the company had the bill in charge. I wish to correct the gentleman again. Neither the company nor the contractors, in the first instance indicated, much less asked for, this measure. It had its birth and parentage in the halls of the Legislature.

Mr. Hill. That is very true. It had its birth here. When the bill was before us, a section was sprung upon us giving to this company authority to issue bonds to an unlimited extent. If that invitation had become a law, the company would have had all that they desired; the State would have been defrauded out of her whole claim; and we should have had no legislation for that company here this year.

But, Mr. Speaker, I had made myself acquainted from the very highest officers of that company, as to what those claims would amount to, and the ultimatum was said to be \$500,000; that would cover every dollar that was due the contractors or material men for work done or materials furnished to that road. When this section came up containing no limit—designed, I thought, as a snake to cheat and defraud the State—I offered an amendment providing for a limitation to \$500,000. It was voted down and in lieu of that amendment, the friends of the bill inserted an additional \$100,000.

I ask what that \$100,000 was for? I have been looking over the report of that company carefully, in order to see what became of that \$600,000, and this \$100,000 which was not necessary to meet the object therein expressed. I have been unable to find out, sir, where it has gone; and, in the absence of such information, sir, I am inclined to the belief—I am fully persuaded—that that extra \$100,000 dollars was not converted or used for legitimate purposes. If it was so used, sir, it should have been so expressed in the report of that company. We want to know the purpose to which that has been appropriated.

Instead of finding in the report any account of the disposition of that \$600,000, I find a passage which struck me with astonishment when I read it, because I consider it, sir, a very insult to those gentlemen who last year voted for that measure and advocated it. On page fourteen of the report, I read as follows: "When it was extremely doubtful last year whether the State could secure more than one million dollars by a sale of the road, it is certain now that from the sum that might have been realized a year ago a further deduction must be made of six hundred thousand dollars, the amount added by the supplementary Act to the claims enjoying precedence to the claim of the State."

It would appear by this that the members of the last Legislature, who last year voted for this bill, virtually voted away six hundred thousand dollars, and it is now cast in their teeth! They have voted away six

hundred thousand dollars; the State is that much minus—lacks that much of getting her just dues! I claim, sir, that if this bill be passed, giving that Company five millions, they may next year throw into the teeth of gentleman now voting for it, that they have wiped out the whole State claim.

We are indebted for the following arrangement and classification of the vote to the Danville Intelligencer. It says: Democrats in Italics. All the members from the City of Philadelphia, voted for these bills. Of the Democrats from the County, Messrs. Byrne, of Luzerne, Butler, of Carbon, Eilenberger, of Northampton, and OSTERHOOT, of Wyoming, voted for both. Messrs. Boyer, Rhoads, and Smith, of Berks, Manifold, of York, and KLINE, from Columbia, voted for Sunbury and Erie, but not for the repeal of the Tonnage Tax. Messrs. Broadhead, of Monroe, Donley, of Greene, Cope, of Northampton,—Dr. Hill, Dismant, and Stoneback, of Montgomery, Lichtenwallner, of Lehigh, Reiff, of York, Myers, of Adams, and Heek, of Dauphin, voted against both bills.

SUNBURY AND ERIE YEAS—Messrs. Abbott, Aecker, Anderson, Armstrong, Ashcomb, Austin, Blair, Barnsley, Bartholomew, Biesel, Blair, Boger, Bresler, Brewster, Butler, (Carbon,) Butler, (Crawford,) Byrne, (Caldwell,) Collins, Cowan, Craig, Douglas, Duffield, Duncan, Dunlop, Eidenberger, Gaskill, Graham, Happer, Harvey, Hayes, Hillman, Hood, Housh, Huhn, Kane, Koch, Lawrence, Leisinger, Louthier, M'Donough, M'Gonigal, Munford, Marshall, Moore, Morrison, Mullen, Ober, Osterhout, Pierce, Preston, Pugh, Randall, Reilly, Rhoads, Ridgway, Robinson, Roller, Schrock, Seltzer, Shafer, Shoppard, Smith, (Berks,) Smith, (Philadelphia,) Stehman, Strang, Teller, Thomas, Walker, Witte, Wilder, and Davis, Speaker—72. 18 Dem. 54 Republicans.

Politically, eighteen Democrats voted for the bill and ten against it. The others voting were all Republicans.

Above, our readers will find the vote on the bill before mentioned. If we are not greatly mistaken, a good many of them who voted in favor of it will have an account to settle with the tax payers of their respective Districts, upon their return home. We are very confident that, so far as this District is concerned, a very large majority of the people are decidedly and uncompromisingly opposed to this act. We shall hereafter take occasion to express our own views in relation to this subject.

INAUGURAL OF PRESIDENT LINCOLN.

Ellow Citizens of the United States:—In compliance with a custom as old as the Government itself, I appear before you to address you briefly, and to take in your presence the oath prescribed by the Constitution of the United States to be taken by the President before he enters on the execution of his office.

I do not consider it necessary at present for me to discuss those matters of administration about which there is no special anxiety or excitement.

RIGHTS OF THE STATES. Apprehension seems to exist among the people of the Southern States that by the accession of a Republican administration their property and their peace and personal security are to be endangered.

There has never been any reasonable cause for such apprehension. Indeed the most ample evidence to the contrary has all the while existed, and been open to their inspection; it is found in nearly all the published speeches of him who now addresses you.

I do but quote from one of those speeches when I declare that I have no purpose directly or indirectly to interfere with the institution of slavery in the States where it exists. I believe I have no lawful right to do so, and I have no inclination to do so. Those who nominated and elected me did so with the full knowledge that I had made this and many similar declarations and had never retracted them, and more than this, they placed in the platform for my acceptance, as a law to themselves and to me, the clear and emphatic resolution which I now read.

Resolved, That the maintenance inviolate of the rights of the States and especially the right of each State to order and control its own domestic institutions according to its own judgment exclusively, is essential to that balance of power on which the perfection and endurance of our political fabric depend, and we denounce the lawless invasion by an armed force, of the soil of any State or territory, no matter under what pretext, as among the gravest of crimes.

I now reiterate these sentiments, and in doing so I only press upon the public attention the most conclusive evidence of which the case is susceptible that the property, peace and security of no section are to be in anywise endangered by the now incoming Administration.

I add, too, that all the protection which consistently with the constitution and the laws can be given, will be cheerfully given to all the States, when lawfully demanded, for whatever cause, as cheerfully to one section as to another.

FUGITIVE SLAVES. There is much controversy about the delivering of fugitives from service or labor. The clause I now read is as plainly written in the Constitution as any other of its provisions: "No person held to service or labor in one State under the laws thereof escaping into another, shall, in consequence of any law or regulation therein, be discharged

from such service or labor, but shall be delivered up on claim of the party to whom such service or labor may be due."

It is scarcely questioned that this provision was intended by those who made it for the reclaiming of what we call fugitive slaves, and the intention of the lawgiver is the law.

All members of Congress swear their support to the whole Constitution to this provision as much as to any other.

To the proposition then that slaves whose cases come within the terms of this clause and shall be delivered up, their oaths are unanimous. Now, if they would make the effort in good temper, could they not with nearly equal unanimity frame and pass a law by means of which to keep good that unanimous oath. There is some difference of opinion whether this clause should be enforced by National or State authority, but surely that difference is not a very material one. If the slaves is to be surrendered it can be of but little consequence to him or to others, by which authority it is done, and should any one in any case be content that his oath shall be unkept on a merely unsubstantial controversy as to how it shall be kept.

Again, in any law upon this subject ought not all the safeguards of liberty known in civilized and humane jurisprudence to be introduced so that a freeman may not be in any case surrendered as a slave. And might it not be well at the same time to provide by law for the enforcement of that clause in the Constitution which guarantees that the citizens of each State shall be entitled to all the provisions and immunities of citizens in the several States.

I take the official oath to day, with no mental reservations and with no purpose to construe the Constitution or laws by any hypercritical rules, and while I do not choose now to specify particular acts of Congress as proper to be enforced, I do suggest that it will be much safer for all, both in official and private stations, to conform to and abide by all those acts which stand unrepealed, than to violate any of them, trusting to find impunity in having them held to be unconstitutional.

It is seventy-two years since the first inauguration of a President under our National Constitution, during that period fifteen different and greatly distinguished citizens have, in succession, administered the Executive branch of the Government. They have conducted it through many perils and generally with great success, yet with all this success for precedent I now enter upon the same task for the brief Constitutional term of four years under great and peculiar difficulty. A disruption of the Federal Union, heretofore only menaced, is now formidably attempted.—I hold that in contemplation of universal law and of the Constitution the Union of these States is perpetual; perpetuity is implied if not expressed in the fundamental law of all national governments.

It is safe to assert that government, properly ever had a provision in its organic law for its own termination. Continuity to exclude all the express provisions of our National Constitution and the Union will endure forever, if being impossible to provide for in the instrument itself. Again, if the United States be not a government proper, but an association of States in the nature of contract merely, can it as a contract be peaceably unmade by less than all the parties who made it. One party to a contract may violate it, break it so to speak, but does it not require all to lawfully rescind it?

Descending from these general principles we find the proposition that in legal contemplation the Union is perpetually confirmed by the history of the Union itself. The Union is much older than the Constitution. It was formed in fact by the Articles of Association in 1774. It was matured and continued by the Declaration of Independence in 1776. It was further matured and the faith of all the then thirteen States expressly pledged and engaged that it should be perpetual by the articles of confederation in 1778.

And finally, in 1787 one of the declared objects for ordaining and establishing the Constitution was to form a more perfect Union, but if destruction of the Union by one or by a part only of the States be lawfully possible, the Union is less than before, the Constitution having lost the vital element of perpetuity; it follows from these views that no State upon its own mere motion can lawfully get out of the Union; that resolves and ordinances to that effect are legally void; and that acts of violence within any State or States against the authority of the United States are insurrectionary or revolutionary according to circumstances.

I therefore consider that in view of the Constitution and laws, the Union is unbroken, and to the extent of my ability shall take care, as the Constitution itself expressly enjoins on me, the laws of the Union be faithfully executed in all the States. Doing this, I deem to be only a simple duty on my part, and I shall perform it so far as practicable unless my rightful masters, the American people, shall withhold requisite means or in some authoritative manner direct the contrary. I trust this will not be regarded as a menace, but only as a declared purpose of the Union; that it will constitutionally defend and maintain itself in doing this, there need be no bloodshed or violence, and there shall be none unless it be forced upon the National authority. The power confided to me will be used to hold, occupy and possess the property and places belonging to the Government, and to collect duties and imposts, but beyond what may be necessary for those objects there will be no invasion, no using of force against or among people anywhere. Where hostility to the United States in any individual shall be so great and so universal as to prevent competent resident citizens from holding federal offices, there will be no attempt to force obnoxious strangers among the people that object while the strict legal right may exist in the government to enforce the exercise of these offices; the attempt to do so would be as irritating and so nearly impracticable, with all that I deem it better to forego for a time, the uses of such offices. The mails, unless repelled, will continue to be furnished in all parts of the Union, so far as possible. The people everywhere shall have that sense of perfect security which are most favorable to calm thoughts and reflection. The course here indicated will

be followed unless current events and experience shall show a modification or change to be proper, and in every case and exigency my best discretion will be exercised according to circumstances actually existing, and with a view and a hope of a peaceful solution of the National troubles, and the restoration of fraternal sympathies and affections. That there are persons in one section or another who seek to destroy the Union at all events, and are glad of any pretext to do it, I will neither affirm or deny; but if there be such, I need address no word, to those, however, who really love the Union. May I not speak before entering upon so grave a matter as the destruction of our national fabric, all its benefits, its memories, and hopes; would it not be wise to ascertain precisely what are due; will you hazard so desperate a step while there is any possibility that any portion of the ills you fly from have no real existence; will you, while the certain ills you fly to are greater than all the real ones you fly from; will you risk the commission of so fearful a mistake? All profess to be content in the Union if all constitutional rights can be maintained. Is it true, then, that any right plainly written in the Constitution has been denied? I think not. Happily the human mind is so constituted that no party can reach to the audacity of doing this. Think if you can of a single instance in which a plainly written provision of the Constitution has ever been denied. If by the mere force of numbers a majority should deprive a minority of any clearly written Constitutional right it might, in a moral point of view, justify a revolution; it certainly would if such a right were a vital one. But such is not our case. All the vital rights of minorities and of individuals are so plainly assured to them, by affirmations and negations, guarantees and prohibitions in the Constitution, that controversies never arise concerning them; but no organic law can be framed with a provision specifically applicable to every question which may occur in practical administration. No foresight can anticipate, nor any document of reasonable length, contain express provisions for all possible questions. Shall fugitives from labor be surrendered by national or State authority? The Constitution does not expressly say. May Congress prohibit slavery in the territories? The Constitution does not expressly say? The Constitution does not expressly say. From questions of this class spring all our Constitutional controversies, and we divide upon them into majorities and minorities. If the minority will not acquiesce, the majority must, or the government must cease.

There is no other alternative for continuing the government but acquiescence on the one side or the other. If a minority in such case will secede rather than acquiesce, they make a precedent which in turn will divide or ruin them, for a minority of their own will secede from them whenever a majority refuses to be controlled by such a minority. For instance, may not any portion of the new confederacy a year or two hence, arbitrarily secede again, precisely as portions of the present Union now claim to secede from it. All who cherish disunion sentiments are now being educated to the exact temper of doing this. Is there such perfect identity of interests among the States to compose a new Union as to produce harmony only, and prevent renewed secession? Plainly the central idea of secession is the essence of anarchy; a majority held in restraint by constitutional checks and limitations and always changing easily with the deliberate changes of popular opinions and sentiments is the only true sovereignty of a free people. Whoever rejects it, does of necessity fly to anarchy or to despotism. Unanimity is impossible. The rule of a minority as a warrant arrangement is wholly inadmissible. So that rejecting the majority principle, anarchy and despotism in some form, is all that is left. I do not forget the position assumed by some that constitutional questions are to be decided by the Supreme Court, nor do I deny that such decisions must be binding in any case upon the parties to a suit as to the object of that suit while they are also entitled to very high respect and consideration in all parallel cases by all other Departments of the government and while it is obviously possible that such decision may be erroneous in any given case, still the evil effect following it, being limited to that particular case, with the chance that it may be overruled and never become a precedent for others, and better be borne than could the evils of a different practice.

At the same time the candid citizen must confess that if the policy of the government upon vital questions affecting the whole people is to be irrevocably fixed by decisions of the Supreme Court, the instant they are made in ordinary litigation between parties in personal actions, the people will have ceased to be their own rulers, having to that extent practically resigned their government into the hands of that eminent tribunal; nor is there this view any assault upon the Court or the Judges; it is a duty from which they may not shrink to decide cases properly brought before them and it is no fault of theirs if others seek to turn their decisions to political purposes. One section of our country believes slavery is right, and ought to be extended; while the other believes it is wrong, and ought not to be extended. This is the only substantial dispute; the fugitive slave clause of the Constitution and the law for the suppression of the foreign slave trade are each as well enforced perhaps as any law can ever be in a community where the moral sense of the people imperfectly supports the law itself; the great body of the people abide by the dry legal obligation in both cases and a law break over in each; this I think cannot be perfectly cured, and it would be worse in both cases after the separation of the sections than before.

The foreign slave trade, now imperfectly suppressed, would be ultimately revived without restriction in one section, while fugitive slaves now only partially surrendered, would not be surrendered at all by the other. Physically speaking, we cannot separate, we cannot remove our respective sections from each other, nor build an impassable wall between them.—A husband and wife may be divorced and go out of the presence and beyond the reach of each other, but the different parts of

the Union are like a husband and wife, and will be severed, but the different parts of