and in open disregard of the rights of the people of the Territory. And having made these enactments for the establishmeent of Slavery, the Legislature appointed Sheriffs, Judges and other officers of the Territory for their enforcement; thus depriving the people of all power over the enactment of their own laws and the choice of officers for their execution.

That these despotic acts, even if they had been passed by a Legislature duly elected by the people of the Territory, would have been null and void, inasmuch as they are plainly in violation of the Federal Constitution, is too clear for argument. Congress itself is expressly forbidden by the Constitution of the United States to make any laws abridging the freedom of speech and of the press; and it is absurd to suppose that a Territorial Legislature, deriving all its power from Congress should not be subject to the same restrictions. But these laws were not enacted by the people of Kansas. They were imposed upon them by an armed force. Yet the President of the United States, in a special Message sent to Congress on the 24th of January, 1856, declares that they have been enacted by the duly constituted authorities of the Territory, and that they are of binding obligation upon the people thereof. And on the 11th of February, 1856, he issued his Proclamation denouncing any attempt to resist or subvert these barbarous and void enactments, and warning all persons engaged in such attempts that they will be opposed not only by the local militia, but by any available forces belonging to the regular army of the United States. Thus has the Federal Government solemnly recognized the usurpation set up in Kansas by invaders from Missouri, and pledged all the power of the United States to its support. American history furnishes no parallel to the cruelty and tyranny of these acts of the present Administration. The expulsion of aliens and the penalties inflicted upon citizens for exercising freedom of speech and of the press under the Alien and Sedition laws, which were overthrown by the Republican party of 1798, were lenient and mild when compared with the outrages perpetrated upon the people of Kansas, under color of law, by the usurping invaders, sustained by the Federal Government.

With a full sense of the importance of the declaration, we affirm that the execution of these threats by the President of the United States upon the people of Kansas, would be an unconstitutional exercise of Executive power, presenting a case of intolerable tyranny—that American citizens cannot submit to it and remain free, and that if blood shall be shed in the prosecution of so unlawful a purpose, those by whose agency it may be spilt will be held to a strict and stern account by the freemen of the Republic. So plain, palpable and deliberate a violation of the Constitution would justify the interposition of the States, whose duty it would be, by all the constitutional means in their power, to vindicate the rights and liberties of the citizen against the power of the Federal Government; and we take this occasion to express to our fellow-citizens in Kansas, against whom these unconstitutional acts are directed, our profound sympathy with them in the resistance which it is their right and their duty to make to them, and our determination to make that sympathy efficient by all the means which we may lawfully employ.

—Thus for a period of twenty-five years has Slavery been contending, under various pretexts, but with constant success, against the tendencies of civilization and the spirit of our institutions for the extension and perpetuation of its power. The degree in which the General Government has aided its efforts may be traced in the successive steps it has taken. In 1787, all the States in the Confederacy united in ordaining that Slavery should be forever prohibited from all the territory belonging to the United States. In 1789, the first Congress of the United States passed a law reaffirming this ordinance and reenacting the prohibition of Slavery which it contained. In 1820, the slaveholding interest secured the admission of Missouri as a Slave State into the Union, by acceding to a similar prohibition of Slavery from the Louisiana territory lying north of 36 deg. 30 min. In 1854, that prohibition was repealed, and the people of the territory were left free to admit or exclude Slavery in their own discretion. In 1856, the General Government proclaims its determination to use all the power of the United States to enforce upon the people obedience to laws imposed upon them by armed invaders, establishing Slavery and visiting with terrible penalties their exercise of freedom of speech and of the press upon that subject. While two thirds of the American people live in States where Slavery is forbidden by law, and while five sixths of the capital, enterprise and productive industry of the country rest upon Freedom as their basis, Slavery thus controls all departments of their common government, and wields their powers on its own behalf.

THE PLEAS URGED IN DEFENSE OF THESE AGGRESSIONS OF SLAVERY.

As a matter of course, for all these acts and for all the outrages by which they have been attended, the slaveholding interest pretends to find a warrant in the Constitution of the United States. All usurpation, in countries professing to be free, must have the color of law for its support. No outrage committed by Power upon Popular rights is left without some attempt at vindication. The partition of Poland, the overthrow of the Constitution of Hungary, the destruction of Irish Independence, like the repeal of the Missouri Compromise and the conquest of Kansas, were consummated with a scrupulous observance of the forms of law.

THE PLEA THAT THE MISSOURI COMPROMISE WAS NOT A COMPACT.

I. The repeal of the Missouri Compromise, it is urged on behalf of those by whom it was effected, involved no violation of good faith, because that Compromise was merely an act of Congress, and as such repealable at pleasure. Regarded as a legal technicality, we are not disposed to contest this plea. The Compromise was undoubtedly embodied in a Congressional enactment, subject to repeal. But in this case, by the very nature of the transaction, the faith of the parties was pledged that this enactment *should not be* repealed. The spirit of the law, whatever its form, was the spirit of a compact. Its enactment was secured by an exchange of equivalents. The slaveholding interest procured the admission of Missouri into the Union by consenting and voting through its representatives in Congress that north of its southern line in the Territory of Louisiana Slavery should be prohibited *forever*. Without that consent and that vote the admission of Missouri could not have been secured; nor would the prohibition of Slavery until 1854, or until any other date or for any other time than that specified in the act, namely, *forever*—have purchased the assent of the Free States to the admission of Missouri as a Slave State into the Union. The word *forever*, therefore, was a material part of the law, and of the consideration for its enactment. Such a law may be repealed, but its repeal is a rupture of the compact—the repudiation of a solemn covenant. The Missouri Compromise has been regarded as such a compact from the date of its enactment in all sections and by all the people of the country. Successive Presidents have invoked for it a respect and an obligation scarcely inferior to that of the Constitution itself; and Senator DOUGLAS himself, as late as in 1845, declared that it had been "canonized in the hearts of the American people as a sacred thing, which no ruthless hand would ever be reckless enough to disturb." Whatever, therefore, the mere form of the bond may have permitted, good faith on the part of the Representatives of the slaveholding interest required that it should be kept inviolate.

II. Nor is this charge of bad faith, brought against the slaveholding interest, for having repealed the Missouri Compromise, answered or evaded by the pleas urged in its defense—that originally it was forcibly imposed by the Free States upon the Slave States, without their consent—that it was subsequently violated by the Free States, in their refusal to extend its provisions over New-Mexico and Utah—or that its repeal, having been offered by the Free States themselves, could not be resisted or refused by the representatives of Slavery. (1.) Even if it were true that the prohibition of Slavery north of 36 deg. 30 min. was originally enacted by the Free States, against the votes of the South, the fact that the admission of Missouri was accepted as the price of that prohibition, would have made the slaveholding interest a party to the transaction, assenting to its terms and bound by its obligations. But the fact is not so. The act of March 6, 1820, which admitted Missouri and prohibited Slavery in the Louisiana Territory north of 36 deg. 30 min., received in the Senate the votes of *fourteen* members from slaveholding States, while only *eight* were cast against it—and in the House of Representatives *thirty-eight* members from Slave States voted for it, and *thirty-seven* against it. A majority of the votes from slaveholding States, in each branch of Congress, were thus given for the bill; and so far were the representatives of Slavery from regarding it as having been forced upon them, that CHARLES PINCKNEY, one of their greatest and ablest leaders, declared on the night of its passage that "*it was regarded by the slaveholding States as a triumph.*" (2.) Still more absurd is it to say that the refusal of the North to extend the provisions of the Compromise over other regions was a violation of its terms, or in any way released the parties to it from their obligation to abide by its requirements. (3.) It is true that the ostensible author of the proposition to repeal it was a Senator from a free State; but that fact does not authorize the inference that the sentiment of the Free States was justly and truly represented by his action. There was, indeed, no room to doubt that it was condemned by the unanimous voice of the Free States, and that it would be regarded by them, and by the country at large, as a very gross and wanton violation of obligations which had been voluntarily assumed. No matter from what geographical quarter of the Union it came, it was brought forward in the interest and on behalf of the slaveholders. This, indeed, is among the worst of the effects of Slavery, and among the most signal proofs of its ascendancy, that able and judicious men should enlist in its service and volunteer to perform offices on its behalf which its representatives would scorn to perform themselves—from the conviction that by that path the honors and dignities of the General Government are to be secured. The slaveholding interest owed it to honor and good faith to resist the temptations which such men might hold out for the repudiation of its obligations.

THE PLEA THAT CONGRESS HAS NO POWER TO PROHIBIT SLAVERY IN THE TERRITORIES.

III. But it is urged that the original enactment of the Missouri Compromise, by which Slavery was prohibited from entering a portion of the Territory of the United States, was a violation of the Constitution;—that Congress has no rightful power to make such a prohibition, but that into any Territory over which the Constitution is extended, the slaveholder has a right, by virtue of its provisions, to take his slaves.

In reply to this we answer,

First: That whether the plea be true or false, it comes too late: that the slaveholding interest conceded the constitutionality of the prohibition by assenting to its enactment and aiding it by the votes of its representatives:—

Second: That if the plea were true, the enactment was null and void, by reason of its unconstitutionality, and its repeal, therefore, was a needless ostentation of bad faith: and

Third: That the plea is not true, but is directly contrary to the plain letter as well as to the spirit of the Constitution, and to the uniform practice of the Government from its foundation.

The Constitution declares that "the Congress shall have power to make all needful rules and regulations respecting the Territories, or other property belonging to the United States." This language is very plain and very broad. It imposes no limitation upon the power of Congress to make rules and regulations respecting the Territories, except that they shall be such as are "needful;" and this, of course, it lies in the discretion of Congress to determine. It assumes that power to legislate for the Territories, which are the common property of the Union, must exist somewhere; and also that it may most justly, and most safely, be placed in the common Government of the Union. The authority of Congress over the Territories is, therefore, without any other limit than such as its judgment of what is "needful"—of what will best promote their welfare, and that of the whole country to which they belong, may impose. If Congress, therefore, deem it expedient to make a rule and regulation which shall prohibit Slavery from any Territory, we find nothing in the Constitution which removes such a prohibition from the sphere of its authority. The power of Congress over the Territories of the United States is as complete and as full as that possessed by any State Legislature over Territory belonging to that State; and if the latter may prohibit Slavery within its own Territory, so may the former also.

It has been urged, we are aware, that the rules and regulations which Congress is authorized to make respecting the Territories, are restricted to them regarded as property; and that this clause of the Constitution confers no Governmental power over them whatever. But this cannot be so—because it is under this clause that Congress does govern the Territories—that it organizes their governments and provides for their ultimate admission as States. There is no other clause of the Constitution from which this power of government can be inferred; as it unquestionably exists, therefore, it must rest upon this provision. But from whatever source it may be derived, the authority to govern necessarily implies the right to decide what policy and what laws will best promote the welfare of those on whose behalf that authority is exercised. If Congress, therefore, believes that the well-being of the Territories and of the country at large will be promoted, by excluding Slavery from them, it has, beyond all question, the right thus to prohibit and exclude it.

This view of the authority of Congress over the Territories of the United States is sustained by other clauses of the Constitution. In the ninth section of the first article, it is declared that "the migration or importation of such persons as any of the States *now existing* may think proper to admit, shall not be prohibited by Congress prior to the year 1808." This is not a grant of power. On the contrary, it is a restriction imposed upon power assumed to exist. The language of the clause takes it for granted that Congress had power to prohibit the migration and the importation of Slaves—a power doubtless conferred by the authority "to regulate commerce with foreign nations and among the several States,"—for, whether Slaves are to be regarded as persons or as property, commerce of necessity relates to both. This clause of the Constitution, therefore, imposes upon the authority of Congress to prohibit the migration or importation of slaves, a specific and a limited restriction—namely, that this power should not be exercised over any of the States *then existing*, prior to the year 1808. Over any State *not* then existing, and by still stronger implication, over any *Territories* of the United States the exercise of its authority was unrestricted; and it might prohibit the migration, or importation of slaves into them, at any time in its own discretion.

Nor do any considerations connected with alleged rights of property in slaves contravene the existence or the exercise of this authority. The Constitution does not recognize slaves as property in any instance or to any extent. In the clause already cited they are called "persons." In the clause respecting their escape into other States they are to be returned, not as property, but as "fugitives from justice." And in the apportionment of representation and of direct taxes it is provided by the Constitution that to the whole number of Free persons are to be added three fifths of all other "persons." In all its provisions which have reference to slaves they are described and regarded as persons. The idea of their being property is carefully and intentionally excluded. If they are property at all, therefore, it is not by virtue of the Constitution, but of local laws and only within their jurisdiction. The local laws of any State are excluded from the territories of the United States by the necessity of the case as well as by the exclusive sovereignty conferred upon Congress.

THE PLEA OF POPULAR SOVEREIGNTY.

Failing thus to establish the *right* of the slaveholder to carry his slaves as property, by virtue of the Constitution, into territory belonging to the United States, the slaveholding interest has been compelled to claim, for the inhabitants of the Territories themselves, the right to provide for excluding or admitting Slavery, as a right inherent in their sovereignty over their own affairs. This principle of Popular Sovereignty, as it is styled, was embodied in the bills for organizing New Mexico and Utah, and is made the substitute for the prohibition of Slavery in the Missouri Compromise, which it repealed; and the slaveholding interest is now sustained by the Federal Government in this new position, as it has been in all the positions it has successively assumed. The principle of Popular Sovereignty is fundamental in our institutions. No one doubts that the People are sovereign over all the Territories, as well as over all the States of the Confederacy. But this sovereignty is subject to limitation and definition, and can only exist within the limitations of the Constitution. The People are sovereign in the House of Representatives, but their sovereignty may be overruled by the Senate, or defeated by the veto of the President. The States are sovereign; but only within certain limits, and in subordination to the sovereignty of the nation. Two sovereignties over the same country and on the same subject it is manifest cannot coexist; one must of necessity exclude the other. But the Constitution, in express and unmistakable terms, makes Congress sovereign over the Territories, by conferring upon it power to make "*all* needful rules and regulations respecting them." The doctrine of Popular Sovereignty in the people of the Territories finds no warrant or support in the Constitution. In the language of Mr. Calhoun, "it involves an absurdity; if the sovereignty over the Territories be in their inhabitants instead of the United States, they would cease to be the Territories of the United States the moment we permit them to be inhabited." So long as they remain Territories they are the possession and under the exclusive dominion of the United States; and it is for the General Government to make for them such laws as their welfare and that of the nation may require.

We deny that Congress may abdicate a portion of its authority, and commit to the inhabitants of a territory power conferred upon it by the Constitution. Such an abdication is an abandonment of duty, and cannot be justified on the pretended principle of popular sovereignty. That principle, indeed, is discarded in the very act of Congress in which it is claimed to be embodied. If sovereignty exists, it must be exercised through the organized department of Government—the legislative, executive, and judicial. But the act to organize the Territories of Kansas and Nebraska prescribes the requisites of citizenship and the qualifications of voters, confers upon the President and Senate the appointment of a Governor, who is clothed with the veto power, and of judges by whom the law shall be interpreted. Each department of the Government thus rests virtually in the power of the President of the United States. To style the small remnant of power which such a law leaves to the people, "popular sovereignty," is an abuse of language, and an insult to common sense. Yet even this has been effectually destroyed by the invasion of armed men, sustained by the General Government in their high-minded endeavor to force Slavery into Kansas against the will of the hardy settlers who have made it their home.

The whole system of doctrine by which Slavery seeks possession of the Territories of the United States, either by asserting the sovereignty of their inhabitants, or by denying the power of Congress to exclude and prohibit Slavery from them, is novel and alien to the principles and the administration of our Government. Congress has always asserted and exercised the right of prohibition. It was exercised by the vote of the first Congress, in 1789, reaffirming the ordinances of the old Confederacy by which Slavery was prohibited from the territory northwest of the Ohio River. It was exercised in 1820, in the prohibition of Slavery from the Louisiana territory north of 36 deg. 30 min. It was exercised in 1848, when Slavery was prohibited from the Territory of Oregon.

Nor is it in the least degree impaired by the argument that these Territories, when they become States and are admitted into the Union, can establish or prohibit Slavery, in their discretion. Their rights as States do not begin until their obligations as Territories end. The Constitution knows nothing of "incheate States." Congress has power to make "all needful rules and regulations" for them as Territories until they are admitted into the Union as members of the common confederacy.

GENERAL TENDENCY OF FEDERAL LEGISLATION ON THE SUBJECT OF SLAVERY.

In all these successive acts, in the admission of Missouri and of Arkansas, in the annexation of Texas and the provision for admitting four new States from her territory, in the war with Mexico and the conquest of her provinces, in the repeal of the Missouri Compromise, and in the cruel war now waged against the people of Kansas for the extension of Slavery into that territory, we trace the footsteps of a powerful interest, aiming at absolute political power and striding onward to a complete ascendancy over the General Government. It finds powerful allies and an open field in the political arena for the prosecution of its purposes. Always acting as a compact unit, it finds its opponents divided by a variety of interests. Partisan alliances and personal ambitions have hitherto prevented any union against its aggressions, and not feeling or fearing the displeasure of their constituents, representatives from the Free States have been induced to aid in the promotion of its designs. All other interests have been compelled to give way before it. The representatives of freedom on the floors of Congress have been treated with contumely, if they resist or question the right of supremacy of the slaveholding class. The labor and commerce of sections where Slavery does not exist, obtain tardy and inadequate recognition from the General Government, which is swayed by its influence and for the accomplishment of its ends. The Executive of the nation is the willing servant of its behests, and sacrifices to its favor the rights and the interests of the other sections of the country. The purse and the sword of the nation are at its command. A hundred millions of dollars were expended in the annexation of Texas, and the war with Mexico, which was part of its price. Two hundred millions have been offered for Cuba, and war with all Europe is threatened, if necessary, to prevent the emancipation of its slaves. Thus is the decision of great questions of public policy, touching vast interests and vital rights, questions even of peace and of war, made to turn, not upon the requirements of justice and of honor, but upon its relation to the subject of Slavery—upon the effect it will have upon the interest of the slaveholding class.

The people of the Free States have cherished the hope that the efforts made to extend Slavery which have fallen under their notice were accidental, and indicative of weakness rather than ambition. They have trusted that the sagacious statesmen of the slaveholding States would gradually perceive and acknowledge the inconvenience and the danger of Slavery, and would take such measures as they might deem wise and safe for its ultimate removal. They have feared the effect of agitation upon this subject, relied upon the good faith and honor of the slaveholding States, and believed that time, the natural growth of population, and the recognized laws of political and social economy, would gradually and peacefully work out the extinction of a system so repugnant to justice and the national character and welfare. It has seemed to them incredible that in this late age, when Christianity has for nearly two thousand years been filling the world with its light, and when almost every nation on earth but our own has abolished Chattel Slavery, the effort should be made, or the wish cherished, by any portion of our people, to make the interest of Slavery predominant, and to convert this Republic, the only government which professes to be founded upon human rights, into the mightiest slave empire the world has ever seen. But it is impossible to deceive ourselves longer. The events of the past two years have disclosed the designs of the slave power, and the desperate means it is prepared to use for their accomplishment. We cannot shut our eyes longer to the fact that the slaveholding interest is determined to counteract the tendencies of time and civilization, by its own energy, by its bold appropriation of all the powers and agencies of the Government, and by the violation, if need be, of the most sacred compacts and compromises. It is resolved that Slavery shall be under the protection of the national flag—that it shall no longer be the creature of local law, but that it shall stand clothed with all the sanctions and sustained by all the power of this great Republic. It is determined that the President shall do its bidding, and that Congress shall legislate according to its decrees. It is resolved upon the dethronement of the principles of Republicanism, and the establishment in their stead of an OLIGARCHY, bound together by a common interest in the ownership of slaves.

Nor have we any reason to believe that Slavery will be content with this absolute supremacy over the Federal Government, which it has already so well nigh achieved. On the contrary, the dark shadow of its scepter falls upon the sovereignty of the several States and menaces them with dire disaster. South Carolina, abandoning her once-cherished doctrine of State Rights, asserts the Federal supremacy over laws made by States, exclusively for the protection of their citizens. The State of Virginia is contesting, in courts of law, the right of the State of New York to forbid the existence of Slavery within her limits. A Federal court in Pennsylvania has denied the right of that State to decree freedom to slaves brought by their masters within her borders, and has proclaimed that Slavery exists by the law of nations. The division of California and the organization of a Slave State within her limits have been proposed. A Senator on the floor of Congress has demanded the restoration of the African slave trade, and the demand is repeated by Southern journals and by leading public men in the Southern States.

When these great objects shall have been accomplished—when the States, as well as the General Government, shall have become subject to the law of Slavery, and when 350,000 slaveholders shall hold despotic rule over the millions of this Republic, Slavery cannot fail, from the necessity of its nature, to attempt outrages which will awaken storms that will sweep it in carnage from the face of the earth. The longer tyranny is practiced unresisted, the fiercer and the more dreadful is the resistance which in the end it provokes. History is full of instances to prove that nothing is so dangerous as a wrong long unredressed; that evils which at the outset it would have been easy to remove, by sufferance becomes fatal to those through whose indifference and toleration they have increased. The tendency of the measures adopted by the slaveholding interest to secure its own extension, through the action of the Federal Government, is to give to Congress jurisdiction of the general subject, and its representatives must be sagacious enough to perceive that if they establish the principle that Congress may interfere with Slavery for its protection, it may interfere with it also for its destruction. If therefore, they succeed in such an enlargement of the power of Congress, having already discarded the principle of compromise from legislation, they must foresee that the natural effect of their encroachments upon the rights and liberties of the non-slaveholding population of the country, will be to arouse them to the direct exercise of the power thus placed in their hands. Whether it is safe or wise for that interest to invite such a contest, we need not here consider.

The time draws nigh, fellow-countrymen, when you will be called on to decide upon the policy and the principles of the General Government. Your votes at the approaching Presidential election will determine whether Slavery shall continue to be the paramount and controlling influence in the Federal Administration, or whether other rights and other interests shall resume the degree of consideration to which they are entitled. The issue is upon us by no act of ours, and it cannot be evaded. Under a profound conviction of impending dangers, the grounds whereof we have now set forth, we call upon you to deliver the Constitution and the Union from the subjugation which threatens both. Holding, with the late Mr. Calhoun, that "the obligation to repel aggression is not much less solemn than that of abstaining from making aggression, and that the party which submits to it when it can be resisted is not much less guilty and responsible for consequences than that which makes it," we invoke a surrender of all party prejudices and all personal feelings, and a cordial and earnest union for the vindication of rights and liberties which we cannot surrender without degradation and shame. We summon you to send Delegates, in number three times as large as your representation in Congress, to meet in Convention at Philadelphia, on the 17th day of June next, to nominate candidates for the Presidency and Vice Presidency of the United States. Let them come prepared to surrender all personal preferences, and all sectional or local views—resolved only to make such nominations, and to take such action, as shall advance the principles we hold and the purposes we seek to promote. Disclaiming any intention to interfere with Slavery in the States where it exists, or to invalidate those portions of the Constitution by which it is removed from the national control, let us prevent the increase of its political power, preserve the General Government from its ascendancy, bring back its administration to the principles and the practice of its wise and illustrious founders, and thus vindicate the Constitution and the Union, and secure the blessings of LIBERTY to ourselves and our posterity.

TO THE PEOPLE OF THE UNITED STATES.

The People of the United States, without regard to past political differences or divisions, who are opposed to the repeal of the Missouri Compromise, to the policy of the present Administration, to the extension of Slavery into the Territories, in favor of the admission of Kansas as a free State, and of restoring the action of the Federal Government to the principles of Washington and Jefferson, are invited by the National Committee, appointed by the Pittsburg Convention of the 22d of February, 1856, to send from each State three Delegates from every Congressional District, and six Delegates at large, to meet in PHILADELPHIA, ON THE SEVENTEENTH DAY OF JUNE NEXT, for the purpose of recommending candidates to be supported for the offices of President and Vice-President of the United States.

By order of the National Committee.

WASHINGTON, March 29, 1856.