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CONGRESSIONAL.

SPEECH OF HON. JOHN KELLY,

OF NEW YORK,

In reply to Hon. Mr. Akers of Missouri, and Hon. Henry Winter Davis of Maryland; delivered in the House of Representatives on Tuesday, February 10, 1857.

House bill 566 being under consideration, the House being in Committee of the Whole on the state of the Union, (HUMPHREY MARSHALL, of Kentucky, in the chair)—

Mr. KELLY said: I rise for the purpose of submitting, as briefly as I can, a few remarks in reply to the very extraordinary speech delivered in this hall, a few weeks since, by the honorable member from Baltimore city. In the great abundance of his zeal to assail the President of the United States, because that high functionary has discharged his constitutional duties, without truckling to the mad spirit of sectional fanaticism which has so frequently driven our country to the very verge of dissolution, the gentleman from Baltimore could not permit so good an occasion to pass without hurling his pointless invectives against the democratic party of the North, and especially against my constituents, in terms and temper which demand a reply. In wriggling out of old associations, or perhaps, rather, in looking north of Mason and Dixon's line, after new ones, the gentleman from Baltimore city, representing on this floor a southern constituency, charges upon the indomitable democracy which I have the honor to represent, either the folly of political idiocy or the knavery of political fraud. What else means the canting, ludicrous charge which the gentlemen has borrowed from the black republicans—the leading count, too, in their indictment against the gallant democracy of the southern as well as the northern States—that the Nebraska bill was palmed off upon the South as imposing slavery upon Kansas necessarily, and as a condition to its becoming a State, while the same bill was forced upon the deluded democracy of the North, because it was the symbol of "Buchanan, Breckinridge, and free Kansas." In other words, that one set of principles was proclaimed in the South, another and a different set of principles at the North; and that, on the part of the democracy, the election was but a successful combination of frauds, and our victory the triumph of dishonorable trickery.

It seemed somewhat strange, sir, that the gentleman from Baltimore should have made the President's message the pretext for this assault upon the democracy of the North. No subject, perhaps, ever brought up for consideration before this body, has elicited such able, earnest, and instructive debate as the message of President Pierce to the present session of Congress. In that memorable document the President discusses, with distinguished ability, and with a precision both of argument and fact that his assailants have shown more disposition to criticise than imitate, the history of the slavery agitation—of the combinations, and efforts, and aims of those who have sought to overthrow the institutions of a section of this confederacy, by trampling upon constitutional obligations, and nullifying the organic laws of the land. The soundness of argument, and the appropriateness of occasion which characterize that portion of the President's annual communication to Congress, have been amply vindicated by the representatives of the slaveholding States of the Union. Southern gentlemen have done that question full justice. It is not expected of me, in this presence, and on general principles, to stand forth as the champion of the peculiar institutions of that section of the confederacy. They rest upon the constitution, and the agitators and demagogues who would officiously interfere with them, and who have ruthlessly assailed them, have received a rebuke in the result of the late election which should silence them forever, if they regard as of any weight, in this country of popular sovereignty and equal rights, the most emphatic expression of popular will. It is because my constituents have been dragged into this whirlpool of vituperation, and been covered with the obloquy of partisan abuse, that I rise in my seat, and, before God and my country, declare my solemn conviction that, while gentlemen may sport their rhetoric, and flourish their sarcasms on what they are pleased to designate as the teachings of the recent election, the result of that election has been, in the providence of God, the preservation of our Union—the vindication of our competency for self-government, and the overthrow of the treasonable plots of those who would deluge the country in blood to accomplish their unholy ends. So long as this mode of assault was confined to the black republicans, we were satisfied to leave them in southern hands. They have taken good care of them—so good, indeed, that it was apparent to the House that long before the debate upon the President's message ceased, the gentlemen who commenced it were exceedingly glad to bring it to an end. The gentleman from Maryland, however—whether by accident, or whether because it was the part in the *role* assigned to him, I will not say—follows up the assault, only shifting position a little; for the black republicans pretty much confined their strictures to the President and the South, while he made the President and the North the subject of attack. The Kansas-Nebraska bill, say these gentlemen, was exhibited by democratic orators and leaders in two phases: one in the South—Kansas and slavery; another in the North—Kansas and freedom. This act, which constituted one of the most prominent issues in the late election—upon which the national democratic party decided in solemn convention to risk its existence, and with its existence that of the Union—was the cloak under which the North was to be cajoled, and the destinies of the republic fixed for the next four years. Sir, the interpretation put upon the Kansas-Nebraska act by my constituents who endorsed it, was that given to it by the Cincinnati Convention. The black-republican orators and leaders in New York took the ground that if Mr. Buchanan was elected, Kansas would necessarily be a slave State, and that the only way to prevent it was to elect Col. Fremont. We met them there, and everywhere throughout the State of New York, by maintaining that Kansas ought to be a free or a slave State, just as the people of the Territory should decide. The black republicans flaunted the banners of congressional sovereignty; we stood upon the broad platform of popular sovereignty. We took the Kansas-Nebraska bill as it was, and as we found it incorporated in the platform of the Cincinnati Convention.

Immediately after the nominations were announced to the country, the democracy of the Union everywhere responded to the action of their representatives at that convention. One of the largest public meetings ever held in Albany, the capital of my State, was convened on that occasion. Their proceedings were public—their resolutions were scattered all over the State as landmarks by which the democracy were to be guided, and as symbols of pure orthodox democratic faith. Here they are, Mr. Chairman, word for word, as they were passed by the tens of thousands who composed that meeting, and as they were inscribed on every democratic banner that floated through the Empire State—aye, sir, as they were endorsed by a sufficient number of my constituents to send me back to this hall, and by seven thousand true and loyal democrats, over and above that number, to keep the field well fallowed until the trial comes round again:

Resolved, That the democracy of Albany unanimously, with heart and voice, respond to the nominations made by the Democratic Convention at Cincinnati, and congratulate the country upon a choice so auspicious to its welfare.

Resolved, That we recognise in James Buchanan, of Pennsylvania, a statesman of the superior order, of great ability and experience, who, having enjoyed the confidence of Jackson, and fought with him in the great and successful struggles with the United States Bank, and in favor of a constitutional currency, and against monopoly and privilege, now stands not only the foremost representative of democracy, but the first statesman of the Union.

Resolved, That in his gallant associate on the ticket, John C. Breckinridge, of Kentucky, we have a candidate whose eloquence and ability, joined to a personal character "without fear and without reproach," justly endear him to the democracy of the nation; and that we look upon the combination of age and wisdom with genius and youth—the steadiness of Pennsylvania and the gallantry of Kentucky—as the combination which most truly represents the judgment and feelings of the American democracy.

Resolved, That we cordially embrace the platform of principles adopted by the Convention at Cincinnati, confident that they will yet vindicate themselves to the judgments and convictions of the masses of the people of this Union, and that, when rightly interpreted, they will extend and fortify the principle of self-government, and strengthen our internal tranquillity, and peacefully enforce and maintain our honor abroad.

Resolved, That the great evil of the times and the great error in politics, which the democratic party is relied upon to resist and correct, is the influence of an INQUISITORIAL SPIRIT, seeking, by political action, to obtain jurisdiction over, and inquire into and punish, the actions and pursuits of men and communities which have heretofore been placed under the guarantee of freedom; that this arrogant spirit arraigns before it the institutions of sister States, acknowledged equal under the constitution—for reward and condemnation assumes to brand their domestic policy with marks of dishonor—threatens them, and others like them, with political disqualification, and in the same spirit arraigns religious sects for their creeds, and breaks into the domicil of the citizen to find whether he has violated some sumptuary law enacted in hostility to the constitution, and in disregard to the rights of freemen.

Resolved, That as democrats we are opposed to all these in spirit and in practice; that we are in favor of leaving the States to themselves, recognising the equality of each; of leaving the Territories to themselves, recognising their power to govern themselves; and of leaving every man free in his religion, safe in his home, and unconstrained in his personal rights, except so far as they may directly injure his neighbor or destroy the public peace.

This is the construction which the democracy I have the honor to represent on this floor—the democracy of the State of New York, and, I might add, the democracy of the nation—put upon the Kansas-Nebraska act.

They well understood the salutary, life-restoring influence of the great principle of popular sovereignty wrapped up in that measure. They felt the danger, and they listened to the mutterings of the storm that was brooding over our common country. They voted neither for Kansas free nor Kansas slave, but for Kansas under the Nebraska bill—for Kansas under the constitution, where the Nebraska bill places it; and, Mr. Chairman, there is not a single individual of my constituents—I am sure I know not one—who would not repel as an insult to his common sense the imputation that, in voting for that measure as one of the issues upon which he cast his suffrage at the recent election, he was the victim of deception, or an accomplice in a fraud—a fraud not upon one or either section, but a fraud upon the whole country—upon the 1,320,501 democratic voters in the northern States, and upon 638,359 democratic and Union national whig voters of the South. So long as this unfounded and almost ludicrous accusation was confined to the lips of the black republicans or abolitionists on this floor, I only laughed at it; but when it is stolen from them and flung in the teeth of the northern democracy, whether intended as a taunt to the South or a sneer at the North, by the representative of a southern constituency, I must expose its utter want of truth, and repel the insult it insidiously conveys.

Sir, before the Kansas-Nebraska bill appeared on our statute-books, the great principle of popular sovereignty, as contradistinguished from congressional usurpation, was as familiar to the democracy of New York as was any other dogma of democratic faith. It was as firmly rooted in the democratic heart of my State as was opposition to a United States Bank, to colossal schemes of internal improvement by the general government, or to any of those obsolete heresies which passed away a few years too soon to witness the dissolution of the party by which they were once cherished. Nay, sir, when the gentleman from Baltimore city was schooling himself along the banks of the Potomac, as his distinguished and eloquent colleague assured us a few days since on this floor, by his Hampden letters in the Alexandria Gazette, in defence of the Wilmot proviso, the leading democratic minds and pens of New York were employed in denouncing that measure as unjust, unequal, and unconstitutional; and it would seem somewhat singular that they should all concur, though at different periods and distant places, in recommending the very principle of the Nebraska bill as the only true, equitable, and constitutional solution which could be given to that irritating and dangerous question. As far back as February 8, 1847, the doctrine was publicly announced and ably defended by one of the purest and most popular democratic leaders in the State of New York. At this early period, sir, in the history of the agitation and strife which were finally lulled into silence, and I trust for ever in this republic, by the passage of Mr. DOUGLAS's bill, we find the following leading editorial published in the Rochester Daily Advertiser. I give this editorial entire—not so much for the purpose of showing that, in regard to the rights of the South, in respect of popular sovereignty and congressional assumption of power, whether that assumption of power take the form of a Wilmot proviso or of a travelling board of congressional inquisitors, the democracy of New York are better friends of the South than the member from Baltimore city—not for the purpose of contrasting the Wilmot-proviso lucubrations of Hampden in 1849 with the sound, forcible, and constitutional doctrines editorially published in a leading New York democratic organ in 1847—but to put at rest a controversy which has long existed relative to the paternity, or rather to the "invention," of the now admitted democratic dogma of territorial sovereignty, under the constitution, and in accordance with the rights of the several States.

The following is the editorial leader of the Rochester Daily Advertiser of February 8, 1847:

"THE WILMOT PROVISO.—In deference to an unsettled state of the public mind, we have for the past week permitted the 'WILMOT PROVISO' to be freely discussed in our columns by correspondents opposed to, and in favor of, that measure, while we have stood pretty much aloof from the subject. Our own sentiments, however, have been plainly indicated, and these may now be stated with greater distinctness.

"We believe as yet the people of all parties are so much under the influence of their *feelings* merely, that it is quite impossible to judge from the tenor of 'resolves' framed and passed under more or less of excitement, what will be the course of parties when they shall again acknowledge the dominion of reason, and when the 'sober second thought' shall once more resume its appropriate functions. However, be that as it may, we propose to state our views upon this topic with candor and frankness.

"We are opposed to what is called the 'Wilmot proviso.' It appears to us to be contrary to the spirit of our federal compact, to the democratic doctrine of State-rights, and at war even with the principles of individual liberty; in fact, that it can only be made effective to the extent contemplated by means of a gross usurpation of power on the part of the general government. In all this we may be wrong; but they are our honest opinions, and we shall express them fearlessly.

"It seems to us that we are too apt to regard Congress as omnipotent—as possessing legitimate power to do whatever party feeling or popular passion may dictate.

"In discussions like this, we desire always to recur to first principles, and thence learn whether Congress be competent to the task which the public require at its hands. It must be borne in mind that there are certain principles at the foundation of our institutions—principles which form the only bulwark of human liberty—which are superior in their binding force to any laws or 'provisos' framed by man. If, then, any project be broached inconsistent with this paramount law, it should be at once abandoned.

"Well, then, where does Congress derive the *right* (it may possess the *power*, but we are searching after the *right*) to say that any Territory may not form just such institutions as suit the majority of its citizens? provided always, and provided *on*, that they be not repugnant to the 'republican form of government' which the constitution 'guaranties to every State.' Moreover, that 'republican form,' if our national compact be held valid, must be defined according to the understanding of the framers of the constitution. And inasmuch as domestic slavery *did* exist in the States which were parties to that compact, it inevitably follows that that institution was not regarded as inconsistent with the 'republican form' intended to be 'guarantied.' It is, we think, fairly inferrible from this, that the constitution did not intend to vest in Congress the right to interfere with the local institutions of the people, under any 'republican form' they might choose to adopt, either in the States or *Territories*.

"But it may be said that the *right* required to make this *proviso* effective may be found in that section of the constitution which declares 'Congress shall have *power* to dispose of, and make all *needful* rules and regulations respecting, the territory or other property belonging to the United States.' But then the question arises, is it 'needful' to make any 'rule or regulation' in regard to a political community organized as a 'territory' which the constitution so plainly withholds the 'power' to enforce in regard to the *same* community when organized as a *State*?

"But our main reliance to prove that Congress has no *right* to dictate what institutions the acquired territory shall or not adopt is upon that law which is superior to all written constitutions, and from which all other laws derive their binding force. So much of that law as is applicable to the present case is forcibly expressed in our Declaration of Independence. In speaking of man's 'inalienable rights,' that sacred instrument says, 'to *secure* these rights, governments are instituted among men, deriving their JUST powers from the *consent of the governed*.' Now take California for example, and who are 'the governed?' Obviously the *Californians themselves*. Well, then, it necessarily follows that no laws, no government over that country, can be possessed of '*just* powers,' except it be such as receives the 'consent of the governed'—that is, of the Californians; and if the power exerted be *not* a 'just' one, it is not morally binding upon the people. Is there any escape from these conclusions?

"Again we ask: how came the people of this State possessed of the right to legislate for California? Is it really so? Or is it only an *assumed* right? And if we have the right to impose 'unalterable fundamental articles' upon them, may they not *as* rightfully impose distasteful 'unalterable articles' upon us? Is not this a 'rule that will work both ways,' *if* it will work *at all*? Let us *think* of this matter, reflect seriously upon it, and not be carried to dangerous conclusions by impulse, by passion, or by party zeal.

"It is hence plain to every intelligent man that every legitimate political right enjoyed by the people of any State or Territory *is inherent in themselves*. Properly speaking, they do not derive a *single right* from Congress; and inasmuch as Congress *possesses no rights* to bestow, it possesses none which it may withhold.

"Suppose California 'annexed,' would her citizens be dependent for their political rights upon the votes of the New York congressional delegation? or of any or of all other delegations? Do we possess the right to control their 'inalienable rights?' Does this State, or any county in the State, derive a single political right from the general government? Nobody will pretend that such is the case. Where, then, do we obtain the right to interfere with the 'domestic institutions' of other communities, however obnoxious they may be to our notions? The right of self-government does not, we apprehend, appertain to man only when he lives under what is called a *State* government, but is equally perfect under a *territorial* organization.

"It may be said that the same right attaches to the slave; and that hence we ought to invest him with his natural rights even in the States; but we think that is a matter with which *we* have nothing to do. As regards the local affairs of other States, it seems to us that we sustain the same relations with them that we do with other independent sovereignties, to which we are bound by no federal ties. No one doubts that the serfs of Russia are robbed of their just rights. Every *American* believes—nay, he *knows*—that the subjects of every European government are oppressed by being forcibly divested of their just and 'unalienable rights.' But we must leave the remedy to time and to God. We possess no authority to interfere; they, like ourselves, enjoy the *right of self*-government; but were we to enforce upon them *our* dogmas, we should assume the *right of governing them*, and hence we should be guilty of subverting the principle of *self*-government, to which we profess such unlimited attachment.

"We ask our readers to examine this subject thoroughly; we have not a doubt that they will find the same general law—the same sacred principle, which prohibits us from interfering in the domestic affairs of other nations, to be alike imperative in regard to the affairs of the States, or other republican communities. We are a nation of propagandists; but our propagandism must be silent and peaceful; it must be limited to the influence of results. A propagandist with arms in his hands is a despot, an execrable tyrant."

This was published, Mr. Chairman, on the 8th day of February, 1847, by Isaac Butts, esq., then editor of a leading democratic paper in New York, having a large circulation, and commanding a well-merited influence with the entire democracy of that State. Here the full, broad doctrine of popular sovereignty, or "non-intervention," is for the first time formally presented, and discussed and enforced with rare ability, in my State sir—a northern State, too, where the democracy are so benighted that they were made to believe, when endorsing the Kansas-Nebraska act, that they were casting their votes for "Buchanan, Breckinridge, and free Kansas." But, sir, the democracy of my State may find some consolation in this outrageous libel upon their true sentiments in regard to the slavery agitation when they learn that the member from Baltimore, who makes it, has left on record his adherence to the Wilmot proviso, in his now somewhat famous declaration that "Congress has the same power over slavery (in the Territories) that it has over the other relations of husband and wife, master and servant, master and apprentice, parent and child;" and who follows on in the next sentence of that *misnomored* communication, over the signature of Hampden, and published in 1849, with a modest advice to the democracy, particularly of the South, "*not to go against* the passage of the Wilmot proviso." We can afford to smile at the puny assaults of such assailants. It is their vocation to resort to "assertions without proof, declamations without argument, and violent censure without dignity or moderation."

But, Mr. Chairman, the gentleman from Baltimore city was not satisfied with lecturing the northern democracy for the grave offence of standing by the rights of the South under the constitution, and of declaring, as they have done, that agitators and demagogues, led on by a spirit of fanaticism and intolerance, shall no longer endanger the Union by their treasonable plots and their mad crusades. His ambition seems restless and insatiable, for he cannot conclude his speech without trying a bout with what he denominates the "Irish Brigade." What particular class of our fellow-citizens this fling was aimed at I am at a loss to conjecture. There is a body known to history under that appellation—a body of historical reputation, whose deeds of bravery on every battle field of Europe have long formed the glowing theme for the poet's genius and the sculptor's art. But, sir, they were too pure to be reached by the gentleman's sarcasm—too patriotic to be measured by his well-conned calculations of the "loaves and fishes," which have unfortunately slipped through his fingers—too brave to be terrified by the menaces or insults of those who would justify brutal murder—the murder of defenceless women and helpless children—the sacking of dwellings and the burning of churches, under the insolent plea of "summary punishment." Sir, the "Irish Brigade" of history was composed of patriots whom oppression in the land of their birth had driven to foreign countries, to carve out a home and a name by their valor and their sword. The brightest page, sir, of the history of France is that which records the deeds and names of the "Irish Brigade." France, however, was not the only country in which the "Irish Brigade" signalized its devotion to liberty, and its bravery in achieving it. Sir, the father of your own navy was one of that glorious band of heroes who shed lustre on the land of their birth, while they poured out their life-blood for the country of their adoption. John Barry was a member of the Irish Brigade in America—he who, when tempted by Lord Howe with gold to his heart's content, and the command of a line-of-battle-ship, spurned the offer with these noble words: "I have devoted myself to the cause of my adopted country, and not the value or command of the whole British fleet could seduce me from it"—he who, when hailed by the British frigates in the West Indies, and asked the usual questions as to the ship and captain, answered, "The United States ship Alliance, saucy Jack Barry, half Irishman, half Yankee. Who are you?" Sir, saucy Jack Barry, as he styled himself, was the first American officer that ever hoisted the stars and stripes of our country on board a vessel-of-war. So soon as the flag of the Union was agreed on, it floated from the masthead of the Lexington, Captain John Barry. But Captain John Barry was not the only member of the "Irish Brigade" whose name comes down to us with the story of the privations and bravery of our revolutionary struggle. Col. John Fitzgerald was also one of that immortal band. Of this member of the "Irish Brigade" I will let the still living member of Washington's own household, the eloquent and venerable Custis, speak:

"Col. Fitzgerald," says G. W. P. Custis in his memoirs of revolutionary heroes, "was an Irish officer in the old Blue and Buffs—the first volunteer company raised in the South in the dawn of the revolution, and commanded by Washington. In the campaign of 1778 and retreat through the Jerseys, Fitzgerald was appointed aid-de-camp to Washington. At the battle of Princeton occurred that touching scene consecrated by history to everlasting remembrance. The American troops, worn down by hardships, exhausting marches, and want of food on the fall of their leader, that brave old Scotchman General Mercer, recoiled before the bayonets of the veteran foe. Washington spurred his horse into the interval between the hostile lines, reining up with the charger's head to the foe and calling to his soldiers, "Will you give up your general to the enemy? The appeal was not made in vain. The Americans (I hope the gentleman from Maryland will pardon Mr. Custis for including Colonel Fitzgerald in their number, and attribute it to an excess of patriotic fervor in the venerable historian) faced about and the arms were levelled on both sides—Washington between them—even as though he had been placed there as a target for both. It was at this moment Colonel Fitzgerald returned from conveying an order to the rear; and here let us use the gallant veteran's own words. He said: "On my return, I perceived the general immediately between our line and that of the enemy, both lines levelling for the decisive fire that was to decide the fortune of the day. Instantly there was a roar of musketry, followed by a shout. It was the shout of victory. On raising my eyes, I discovered the enemy broken and flying, while, dimly amid the glimpses of the smoke, was seen Washington alive and unharmed, waving his hat and cheering his comrades to the pursuit. I dashed my rowels into my charger's flanks and flew to his side, exclaiming, "thank God! your excellency's safe. I wept like a child for joy." This is what history tells us of another member of the "Irish Brigade." Now, sir, if the gentleman from Maryland will only suppress his horror, and listen with patience, I will tell him what tradition adds concerning this brave aid-de-camp of Washington—this bold and intrepid Irishman. After peace was proclaimed, and our independence achieved—after the constitution had been put in operation and Washington filled the office of Chief Magistrate of the nation—he sent for his old companion-in-arms—then living in Washington's own county of Fairfax—and invited him to accept the lucrative civil office of collector of the customs for the port of Alexandria. This tradition will be found to correspond with the records of the Treasury Department, on which may be read in the entry that Colonel John Fitzgerald was appointed collector of the customs at Alexandria, Virginia, by George Washington, President of the United States, April 12, 1792. Thus, we find that the Father of his Country, were he now living, would come under the denunciations of the gentleman from Maryland and his know-nothing associates for conferring office on one of the Irish Brigade.

But, sir, I would tire the patience of this House were I to select even one out of every thousand of the patriot names of the "Irish Brigade" strewed along the pages of our history from the very dawn of the revolution down to the hour when our flag floated over the palace of the Montezumas.

The gentleman from Baltimore city professes great devotion to the memory and fame of the illustrious Clay. He was the gentleman's oracle while living. Hear his eloquent voice coming up to us as if from his honored grave. He, too, is speaking of the "Irish Brigade;" and in his warm, honest, and manly soul, the only words which he can find sufficiently ardent to express his feelings are "bone of our bone and flesh of our flesh." "That Ireland," exclaims the orator of America, in a speech delivered as late as 1847, "which has been in all the vicissitudes of our national existence our friend, and has ever extended to us her warmest sympathy—those Irishmen who in every war in which we have been engaged—on every battle-field from Quebec to Monterey, have stood by us shoulder to shoulder, and shared in all the perils and fortunes of the conflict." If anything, Mr. Chairman, were wanting after this to ennoble the "Irish Brigade," and give it its proper and constitutional position in the great family of American freemen—it is the obloquy of his excellency Henry J. Gardner, of Massachusetts, and the Hon. HENRY WINTER DAVIS, of Baltimore. The gentleman cannot complain if I thus couple his name with that of the black-republican know-nothing chief magistrate of the State of Massachusetts in his violent crusade against adopted citizens. I will show a similarity in feeling, in sentiment, almost in language, between the know-nothing governor of a black-republican State that gave thirteen electoral votes against Buchanan and Breckinridge because they planted themselves upon the Kansas-Nebraska act, and the know-nothing representative of a southern State that threw her eight votes against the same gentlemen because she was swayed by the counsels of those who would fasten upon the South the iniquities of the Wilmot proviso.

Hear what the executive functionary of Massachusetts says in his late annual message in reference to the Irish Brigade:

"While the horde of foreign-born voters have thus stricken down a noble cause, (that of Fremont,) which appealed to the moral sentiment and enlightened patriotism of our country, it only affords another confirmation of a fact which our whole history establishes, that the foreign vote, with hardly an exception, always has been, and in the nature of things ever will and must be, attracted to that party which, under high-sounding generalities on the abstract rights of man, always practically co-operates with slavery at the South, and banishes from its platform the moral questions, and nobler instincts, and more enlightened sentiments of the age."

Again, Gov. Gardner says:

"And it is this alien body which has decided in the past many of our great national elections, and in the future, unless checked, is destined to thwart many of the noblest movements which New England, co-operating with New England sentiments—morality and education—diffused through the great West, may undertake in behalf of freedom, humanity, and the nobler spirit of the century. It was the deadening influence of this body which counteracted the great northern uprising of the last national election. For wherever New England sentiments, New England education, and New England morality, by reason of State colonization from the indigenous and unmixed population of these six States, were diffused and predominated, there, without an exception, the cause of free territory triumphed."

Now, sir, examine the remarkable coincidence of speech and sentiment in what is said on this very question by the representative of a southern constituency. "They (foreign-born voters) may not be disregarded, for, but for them, Pennsylvania were lost, and with it the day. Yet what will satisfy those indispensable allies, now conscious of their power? * * * Again, in the fierce struggle for supremacy, men have forgotten the ban which the republic puts on the intrusion of religious influence on the political arena. These influences have brought vast multitudes of foreign-born citizens to the polls, ignorant of American interests, without American feelings, influenced by foreign sympathies, to vote on American affairs, and those votes have, in point of fact, accomplished the present result."

Thus we find these two champions of a defunct faction attribute the result of the late election to the fact that the balance of power is in the hands of the "Irish Brigade;" and that this power has been used, as one of these gentlemen says, to strike down "a noble cause, which appealed to the moral sentiment and enlightened patriotism of our country," and as the other gentleman has expressed it, to accomplish the present result. Sir, in the name of the adopted citizens of Irish and German birth, who constitute a full moiety of my constituents, in the name of the democracy of the nation, I accept the compliment, and here felicitate the adopted citizens who belong to the democratic fold that, by their casting votes, they can "strike down" New England treason, and vindicate the great charter of American liberty. If they have really wielded this power, then they are the men who have saved this Union from dissolution and ruin. England and Massachusetts were the headquarters of the agitators, of whom Governor Gardner, of Massachusetts, is now the mouth-piece. Enthralment of the South or disunion was their fierce battle-cry. One of their British organs, speaking in reference to the probabilities of a war on the Central American question, used these remarkable words: "There are now over three millions of human beings held in cruel bondage in the United States. If, therefore, the United States deny, and is resolved to question the right of Great Britain to her Central American possessions, we, the people of the British empire, are resolved to strike off the shackles from the feet of her three millions of slaves. And there are among us those who will sanctify such a glorious cause. And in response to this diabolical and atrocious sentiment, the London News adds: "The abolitionists would be with us to a man. The best of them are so now." Sir, had such a catastrophe befallen the civilized world as a war between the United States and England at that time, it would not have been to the men of the "dark-lantern," and the midnight dagger, nor to the abolitionist, we would have looked for defence. We would find it only in the rank and file of the national democracy—the bone and sinew of the country; and foremost among that democracy would be found the "Irish Brigade"—the countrymen of Montgomery, Kosciusco, De Kalb, of saucy Jack Barry, and intrepid John Fitzgerald. They would come forward as Walker, the historian of General Jackson says they did in the war of 1812: "They would come forward, all of them capable of bearing arms, promptly and determinedly, to fight for their adopted country, and for freedom against their hereditary enemy and oppressor." In such a contest, with the balance of power in their hands, they would give us such an old-fashioned victory as they aided us in achieving over a far more dangerous adversary in last November.

I now purpose, Mr. Chairman, to address myself, for a few moments, to the honorable gentleman from Missouri, [Mr. AKERS,] whose generous impulses prompted him to rush to the rescue of his friend from Baltimore city when he saw him lie bleeding and prostrate under the stunning blows of his colleague, [Mr. BOWIE.] I thought, indeed, at first, that the gentleman from Missouri, who is, I learn, a minister of the Gospel, took the floor merely on a mission of brotherly charity, and only intended to pray with his friend, and give him the necessary spiritual comfort; but this illusion was soon dispelled. The dying and the living are quickly astride of the same hobby; and while the one exhausts all his powers upon the "Irish Brigade," the other, with an equal stretch of fancy, but a much vaster stride over space, obtrudes himself, at a bound, into the cabins of the Irish peasantry, far away across the Atlantic. I must confess, Mr. Chairman, to the pleasure with which I listened to his brilliant and highly-poetical peroration. Hailing from a State first settled by Catholics, whose chief city was named by its pious founders after the sainted crusader king of France, he comes here full of the enthusiasm and poetry which that reminiscence inspires. The ages of faith came before my mind, but ere long I found that his sense of hearing was far more acute than mine, and I could not help remembering the reeds that whispered about King Midas's ears when I heard the gentleman from Missouri, almost from the Catholic city of St. Louis, call on you to hear the Irish priest beyond the Atlantic holding converse with his enslaved parishioners. Mr. Chairman, from boyhood to manhood, I have known more priests of native and foreign birth than Mr. AKERS ever saw. I have seen them at the cradle of infancy—I have been with them at the death-bed of old age; but, sir, my ears are only those of a man; I never heard a word of the speeches the gentleman from Missouri puts in their lips, and I can only hope that my fellow-representatives are not equally afflicted with the disease of King Midas.

Is it not known, sir, to every candid and impartial traveller who has visited that beautiful, but ill-fated island, that the only true, devoted, loyal, self-sacrificing friend that the Irish peasant has in the land of his birth is the Catholic priest? He stands between him and the oppression of his haughty, blood-stained rulers, and when he cannot ameliorate his condition, he bears on his own shoulders his full share of the burden. In suffering and misfortune, he administers to him the consolations of his religion and the counsel of a friend; he sympathizes with him in all his trials, and when the minister of a strange faith, armed with all the terrors of the law, sends his bailiffs and his pampered minions to seize the very bed on which his sick wife is preparing to meet the God of her fathers—when, under the maddening spectacle, a momentary burning for revenge perhaps seizes upon his agonized soul, the priest is by his side, whispering in his ear "Vengeance is mine, saith the Lord"—takes him by the hand—provides, with his last penny, for the safe removal of the sick and the helpless, and leaves them not until the hour of their trial is passed—a trial that will continue to harass and oppress the Irish Catholic so long as the national Church of England prolongs a life of debauchery and vice on the plunder and pillage of the Irish peasant. Hear an American Protestant, the learned Dr. Durbin, on this subject: "The oppressive ecclesiastical system by which England compels the Irish people, nine-tenths of whom are Catholics, to support the Episcopal church in Ireland, is another crying evil, and so great that, were he an Irishman, as he is an American and a Protestant, he would never cease combatting it but with his life. The poorest part of the population, beside supporting their own system, are taxed heavily to sustain Protestantism which they abhor as anti-Christian. What an enormous outrage is this upon their dearest rights and interests." Sir, the misery and suffering of the Irish peasant, during his long night of political bondage, are traceable to other sources than priestly influence; and I envy neither the charity of the man nor the wisdom of the legislator who would thus trump up the oft-refuted slanders of Exeter Hall to illustrate important political principles before an American Congress.

I would advise gentlemen, before they go to the trouble of crossing the Atlantic to hunt up evidence of priestly turpitude, to read the living history of their own country during the past twelve months. In nearly all the New England States the pulpit was converted into a political engine—ministers of the Gospel became politicians, as a preliminary step to becoming legislators; and while I care but little what others may think of the value of the accession, I have always believed, and still hold, that, though they may labor zealously in saving the country from the devil, they lend but a doubtful lustre to the legislation of the nation. So thoroughly do I abhor the demoralizing tendencies of political preaching, and pity the ministers of the Gospel who obtrude themselves into the turbulent political conflicts of the day, that I am as ready to censure the Catholic priest as the Protestant minister when he so far forgets the sacredness of his high calling as to degenerate into a mere political brawler. The connexion is unnatural; its fruit unholy. In the strong language of Burke, "politics and the pulpit are terms that have but little agreement. No sound ought be heard in the church but the healing voice of Christianity. The cause of civil liberty and civil government gains as little as that of religion from this confusion of duties. Those who quit their proper character to assume what does not belong to them are for the great part ignorant of the character they leave, and the character they assume. Wholly unacquainted with the world in which they are so fond of meddling, and inexperienced in all its affairs on which they pronounce with so much confidence, *they have nothing of politics but the passions they excite*. Surely, the church is a place where one day's truce might be allowed to the dissensions and animosities of mankind." Sir, I need not refer to the almost general perversion of the pulpit during the last presidential contest; the substitution of bowie-knives and rifles for the inspired volume, the vilest passions refreshing themselves from the sanctuary, and the signals for carnage and servile war given from the very temples of God. Truly, triumphantly may the Catholic priest exclaim: "These things have been done; but I am not the man."

The address of the gentleman from Missouri is a grave defence of the late know-nothing party; and not only for its plausible sophistry, but on account of the gentleman's well-known ability, requires a careful examination and a minute analysis. I propose to glance at its leading points. I shall do so in a spirit of candor and fairness. There is one thing the gentleman does not deny, and I here challenge him to deny it. The members of that party were pledged to vote for no Catholic—no citizen of foreign birth. This the constitution of the secret society which forms the basis of the party shows; this, even the original stock of both, the United Americans, shows. More than three millions of our citizens were thus prejudged, and excluded from being chosen to office—were made a class of helots; and were the policy to succeed, these helots would well deserve their fate if they did not shake the government to its very foundation. If anything can ever imperil this government, it would be to have in our midst a class not possessed of the rights of citizenship held by the masses—a class deprived of the elective franchise, either active or passive, either in the right of choosing or in that of being chosen to office.

Mr. KENNETT, of Missouri. Will the gentleman from New York allow me to interrupt him for a moment?

Mr. KELLY. Certainly, sir.

Mr. KENNETT. I see, Mr. Chairman, that my colleague to whom the gentleman refers is not in his seat. I will, therefore, with his permission, say that I think he has unintentionally misinterpreted my colleague's remarks. The inference which I drew from the argument of my colleague on this floor was, that he was opposed to the consolidation of political and religious questions, and to the proscribing of any man on account of his religious belief; and such are the principles and policy of the American party. My colleague said, further, that the American party was the first party that has ever introduced that principle in their political platform.

Mr. KELLY. I must insist, Mr. Chairman, with all deference to the gentleman from Missouri, that I have not misunderstood the remarks of his colleague. I listened to his speech, as I have already said, with pleasure and attention, and read it very carefully as it is printed in the Globe, and as it now appears in that paper to speak for itself. While I admit an apparent effort on the part of the gentleman from Missouri to *look* liberal, I must be permitted to remark that he seems no way solicitous to *talk* liberal, and an unbiassed perusal of the gross libel which he has published in the Globe concerning the Irish Catholic priesthood will lead his colleague, however reluctantly, to the same conclusion. But the gentleman only acts out the principles and ritual of the midnight order, which conceals all it can and denies everything——

Mr. KENNETT. I will answer the gentleman more fully in my own speech, and will here state that I am ready to answer any question he may propound.

Mr. KELLY. Then I ask the gentleman did he or does he now give his adhesion to the platform of principles adopted by the American party in Philadelphia in February, 1856? If so, does not the gentleman by his own showing concur in the principle of proscribing Catholics because of their religious belief? I allude, of course, to the fifth article of the abovenamed platform.

Mr. KENNETT. I will answer the gentleman by referring him to the platform laid down by the American party of my State which proscribes no man because of his religious belief. And now let me further say that the gentleman is in error when he asserts that this debate was commenced by my colleague. It was introduced by Mr. BOWIE, of Maryland, in his animadversions upon his colleague, Mr. DAVIS.

Mr. KELLY. The gentleman certainly is in error; for Mr. DAVIS himself, in his wild foray against the "Foreign Brigade," unnecessarily and unfoundedly attributed the defeat of his party in the last election to "the religious influences" which brought so many alien citizens to the polls. The gentleman has not, however, yet answered my question.

Mr. KENNETT. I am sorry I cannot suit the gentleman in my reply. He says the democratic party are a unit—that they everywhere fully endorsed the principles of the Kansas-Nebraska bill. I say they nevertheless claim the largest liberty in its construction; and that construction is notoriously different in different sections of the Union among brethren of the same political faith. Now, the American party also needed a platform for the presidential canvass, and that of February last was put forth for that purpose. If it was not perfect it was the best we could get, and we had to take it—those of us that it did not precisely suit—with the mercantile reservation, "Errors excepted."

Was your President—the present occupant of the White House—elected by a majority of American-born citizens? On the contrary, without the foreign vote, which was cast for him almost unanimously, he never would have been elevated to the position he now occupies.

Mr. KELLY. Suppose he was not elected by American-born votes, (which was very likely the case,) were not the principles advocated by the party which elected Mr. Pierce national principles, without the benefit, too, of "Errors excepted?" Was there anything in the platform laid down at Baltimore by the convention which nominated him violative of the spirit or letter of the constitution of the United States?

Mr. KENNETT. I have not charged the contrary to be so. My point is, that the foreign-born vote holds the balance of power in our country—that vote is almost always on the democratic side, and thus it shapes the policy and action of the government. This I consider wrong.

Mr. KELLY. I will say to the gentleman that the illiberal and narrow policy parties have pursued in this country has contributed much to drive both native and foreign-born Catholics in self-defence into the democratic party. That this is true is proved by the fact which you know full well, Mr. Chairman, [Mr. H. MARSHALL,] that the large Catholic vote of Kentucky and Maryland had always been found with the whig party until the know-nothing monster and its protean brood of platforms drove them, in self-respect as well as in self-defence, into the ranks of the national democracy where they have found repose and peace under the broad shadows of the constitution.

I will add further, that, with the exception of two terms, the administration of this government has been in the hands of the democratic party. It appears to me, therefore, that the fact that the foreign-born population in the exercise of the elective franchise being always found on the side of this dominant party is rather doubtful evidence that they are not as loyal to the country as any other class of voters. The high state of prosperity which the country has attained under democratic rule would, I should think, lead to quite a different conclusion.

Mr. KENNETT. The democratic party have been sharper and more successful hitherto in bidding for their votes than we. Not that we would not have won them, too, had it been in our power. Office-seekers are all in love with German honesty and "the sweet Irish brogue."

Mr. KELLY. I believe the gentleman himself was very well satisfied with the foreign vote while he belonged to the democratic party.

Mr. KENNETT. The gentleman will excuse me. He has misread my humble antecedents. So far as I have had any political history, as long, at least, as I can remember, I have been all over a whig.

Mr. KELLY. Then I was in error; I confounded the gentleman with his brother; and regret that, with so good an example before him, he has not before this accompanied him to the shrine of the true faith; when he does—and notwithstanding the gentleman's diluted Americanism I don't despair—his convictions will be otherwise.

But, sir, a new watchword has been given to the faithful—the cry has been that "Americans must rule America." Do gentlemen forget that our country, thus called America, is made up of native-born and foreign-born—of men born in the localities where they reside, and men who have emigrated to their present homes from some other State either of this Union or of the great Union of Christendom? So, far, then, as the foreign part is concerned, the native can claim no right to rule him. He may well refuse to be ruled, or claim on equal grounds that Americans should rule Americans, and that foreigners, whether Irishmen in New England or New Englanders in Missouri, should rule foreigners. The great feature of our country—the blending of all men, of every creed and clime and race, into one homogeneous mass, actuated by one feeling, a love of our glorious country and its noble institutions—would, by the blind, narrow policy of these new reformers, be defeated and destroyed.

It is argued that it is wiser for us to take care of our own affairs. The proposition is clearly correct, and receives my assent if by "we" is meant the whole American people. But if a portion of the people assume to be the whole, and talk of the affairs of the nation as their affairs, then the proposition is supremely absurd whether that portion in the case of our country at this moment be native or foreign born.

The early policy of our country, Mr. Chairman, was to encourage emigration from Europe. So important and necessary was that policy deemed that the fathers of the republic brought against the King of England and his ministers a charge which holds good to-day against the party which calls itself American. Nay, sir, it applies with even more force against the know-nothing faction, for the King of England only discouraged emigration because he knew it would give strength to his rebellious colonies, while they would shut it out altogether, after it has aided in building up our country, and making us what we are—the first power on the globe. Sir, such a policy is worse than that which closes China and Japan against the humanizing influence of enlightened Christendom. Nothing, Mr. Chairman, has been more providential to America than the influx from Europe of a large class which had none to compete with it in the existing population—I mean, sir, the laboring class. Political economists reckon in dollars and cents the value of each emigrant to the country, and show that, materially speaking, they are a positive gain. Experience, too, has shown that these emigrants blend easily into the existent population, and yield to none in attachment to our institutions, and the laws which for nearly half a century have conferred citizenship after five years' probation have beheld the country advance in prosperity and greatness. But the gentleman from the State of Missouri—with its monuments of its Catholic founder scattered over its surface—with its Catholic city of the Crusader Saint—tells us that the machinery of our government is delicate and complex, and that the foreigner should not touch it until he learns to do so with safety. "Otherwise," says the poetical member—"otherwise he might disturb his equilibrium and unsettle its motion, in which event the innate powers of self-propulsion within the machinery of the State would scatter its rolling and flying wheels in a thousand directions." Now, supposing all this to be the case—supposing our simple republican government to be more complex than a sewing machine or the Strasburg clock, it is evident that five years is all sufficient to enable a foreigner to learn to work the machine. Otherwise, the tremendous blow-up which the gentleman so poetically depicts would have convulsed the earth years ago, and travellers would now be gazing on the rivers that darted up the steep declivities of the mountain—the hills that yawned in craterous volcanoes, or the lakes formed by Nature's tears at the terrible explosion of the American commonwealth. No one can deny that the country still exists—exists with the present naturalization laws—exists with those laws profited by—not by thousands, but by millions. Therefore, sir, the conclusion is irresistible that these laws are not as dangerous as the gentleman and his friends would have the country believe—at least so little fraught with danger that no alarm need be entertained. Among the prominent measures advocated by this self-styled American party is one which seeks to extend the period of probation requisite to naturalization from five to twenty-one years. What would be the practical working of this change? It would exclude the foreigner who arrives here at the age of twenty-five years from all rights of citizenship until he has attained the age of forty-six—until he is no longer subject to military duty—until a period when the State can no longer call upon him to arm in her defence. During the prime of manhood he will remain indifferent to the political system of the country; he inspires his children with no patriotic feelings, for none can animate his own breast. He is ruled, a subject, not a citizen, living here from necessity, not from choice. And will gentlemen tell me that such a class will not be dangerous? Isolate a class, and you adopt the surest way to prepare ruin for all. They will feel that the laws really intend their perpetual exclusion, and little will they reck whether, at the lapse of 21 or 201 years, the niggard boon be given. It has become quite fashionable of late to charge directly that the foreign-born citizens are profligate in their suffrage; that they are vicious, while the native-born are exemplars of every virtue. The gentleman from Missouri charges this, by implication, and tells us that the foreigner is peculiarly fitted to pull down a government, but utterly unable to build one up. Where the gentleman learned all this, I am at a loss to know. Such a Pharisaic self-laudation may well suit a meeting of phrensied devotees, where each thinks himself elect and all else doomed to perdition, but ill befits a member of the American Congress; for if virtue is the exclusive gift of American birth, the founder of the Christian religion erred strangely in not deferring his advent until our time, to avoid being condemned as vicious for being born in Bethlehem. Where the gentleman learned that foreigners are peculiarly fitted to pull down a government, I cannot see, unless he alludes to Nicaragua, where armed foreigners were invited in, and have since proclaimed themselves masters of the country. But our history furnishes no example of the slightest difficulty caused by foreigners who, notwithstanding their great success in building railroads and canals, have been unable, with all their power, to pull down the government of a single State; nor does our history show a single instance where they attempted to do so.

The question of immigration, Mr. Chairman, has been hitherto treated on a most silly and unphilosophical basis. Little susceptibilities, religious antipathies, and less creditable grounds have blinded many to the real benefit which our country has derived from foreign immigration. Since the great commercial review of the country, Hunt's Merchant's Magazine, set forth its stubborn proofs—its clear, convincing calculations, proving the real value of every immigrant—a decided change has taken place in the manner of estimating this important element of our national wealth. None has yet called in question the principles laid down in that valuable publication, or the numerical results of those principles. It stands, therefore, admitted that emigration has been a source of wealth and power to the country, and the friends of the assailed foreigner need no longer turn to invoke the name of a Montgomery, a Barry, a Lafayette, or Kosciusco to propitiate public opinion. There is no little in this; there is much in the ground that the immigrants have contributed more to the stability, wealth, and power of the country than all the lodges of know-nothing Americans in the Union could do if they should continue to exist until the archangel's trump shall call the dead to judgment.

At the close of the revolution there were three millions of people in this land. Since then three millions have come as emigrants. Of these latter, some few may have been bad citizens; but we should not forget that of the former nearly one-half were, during the whole war, open or concealed friends of the English rule. Each one claims descent from a whig of '76. But, Mr. Chairman, could genealogies be traced, could we go back step by step, and man by man, to the stormy days of the revolution, how many of pure American lineage must number among his ancestors the bitterest tory of that period? Of what intrinsic value, then, is their vaunted Americanism? Why, sir, a century hence it will be as impossible to distinguish the descendants of the first three millions from those of the second as it is now to distinguish the heir of the gallant whig from the descendant of the bitter tory.

What reprobation, then, do they deserve, who would perpetuate distinctions, or divide the nation into two rival classes? But I must not forget that the gentleman from Missouri denies that his party is justly obnoxious to this impeachment. It is well, Mr. Chairman; I will try and believe the past but a dream, and shut out from my mental vision the scenes and the history of the past twelve months. Let us all believe so, and stand ready to cover with scorn and strike to the earth as an assassin the first man who would breed dissension among those whom Providence for its own wise ends has placed or called upon the soil of this glorious republic. A great mission is confided to us—a mission to be fulfilled only by union and virtue; for, when union is lost, when civil war desolates the land, virtue, too, is lost, and with it our liberty. We are one nation now; nothing but class legislation, nothing but helotism and