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C. W. FENTON,
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PROSPECTUS OF THE WASHINGTON AMERICAN.

We can hardly think it necessary to urge upon those who hold that Americans ought to rule America, the importance of having a paper at the seat of the Federal Government, which shall enunciate and advocate the doctrines o the American party.

A paper issued from any of the great centres of a nation, but especially from the political Metropolis, in the present age, not in this country only, but in Great Britain, France, and wherever there is the least freedom of discussion, is a medium through which those holding similar sentiments in regard to public affairs and public policy, may make known, discuss and defend their views, and expose the impropriety of the principles, and the impolicy of the measures of their antagonists. It should earnestly labor to give a proper direction to public opinion by enlightening the public mind.

The AMERICAN is the only paper published at the seat of the Federal Government which advocates *American* doctrines; the only sentinel of the party stationed where a near and clear view can be had of the movements and doings of their opponents at their headquarters. Here political information concentrates, and from hence it radiates to every part of the empire; here party measures and movements are determined, and political campaigns planned; here stratagems are concocted and thwarted, and here at certain seasons of the year politicians most do congregate; here, in short, is the centre of the great political maelstrom in which so many thousands are constantly plunging and forever gyrating.

If the American party is desirous of being a *national* party, it should not be without a paper here through which it can make known to all people its views, aims and opinions, and which shall also refute the calumnies that are from time to time uttered against it through ignorance or a less excusable motive; and we, therefore, take hope that the AMERICAN, standing, as it will stand, upon the platform of the *American* party, advocating, as it will advocate, the paramount rights of native-born citizens, eschewing, as it will eschew, all interference with slavery as a national concern, and maintaining, as it will maintain, perfect freedom of opinion and of conscience in religion, will find favor in the eyes of all truly patriotic citizens in the land, and commend itself to their generous support.

Lest we may not have been specific enough in declaring our principles, we add, that the FAREWELL ADDRESS of the Father of his country, as illustrated by the broad light of his administration, is our political text-book and *vade mecum*; and shall be our compass and chart.

PLATFORM

Of the American Party, adopted at the session of the National Council, June 2, 1857.

1st. An humble acknowledgment to the Supreme Being, for His protecting care vouchsafed to our fathers in their successful Revolutionary struggle, and hitherto manifested to us, their descendants, in the preservation of the liberties, the independence, and the union of these States.

2d. The perpetuation of the Federal Union, as the palladium of our civil and religious liberties, and the only sure bulwark of American Independence.

3d. *Americans must rule America*, and to this end *native*-born citizens should be selected for all State, Federal, and municipal offices or government employment, in preference to all others: nevertheless,

4th. Persons born of American parents residing temporarily abroad, should be entitled to all the rights of native-born citizens; but

5th. No person should be selected for political station, (whether of native or foreign birth,) who recognizes any allegiance or obligation of any description to any foreign prince, potentate or power, or who refuses to recognise the Federal and State constitutions (each within its sphere) as paramount to all other laws, as rules of political action.

6th. The unqualified recognition and maintenance of the reserved rights of the several States, and the cultivation of harmony and fraternal good will, between the citizens of the several States, and to this end, non-interference by Congress with questions appertaining solely to the individual States, and non-intervention by each State with the affairs of any other State.

7th. The recognition of the right of the native-born and naturalized citizens of the United States, permanently residing in any Territory thereof, to frame their constitution and laws, and to regulate their domestic and social affairs in their own mode, subject only to the provisions of the Federal Constitution, with the privilege of admission into the Union whenever they have the requisite population for one Representative in Congress. *Provided always*, that none but those who are citizens of the United States, under the constitution and laws thereof, and who have a fixed residence in any such Territory, ought to participate in the formation of the constitution, or in the enactment of laws for said Territory or State.

8th. An enforcement of the principle that no State or Territory ought to admit others than citizens of the United States to the right of suffrage, or of holding political office.

9th. A change in the laws of naturalization, making a continued residence of twenty-one years, of all not hereinbefore provided for, an indispensable requisite for citizenship hereafter, and excluding all paupers and persons convicted of crime, from landing upon our shores; but no interference with the vested rights of foreigners.

10th. Opposition to any union between Church and State; no interference with religious faith, or worship, and no test oaths for office.

11th. Free and thorough investigation into any and all alleged abuses of public functionaries, and a strict economy in public expenditures.

12th. The maintenance and enforcement of all laws constitutionally enacted, until said laws shall be repealed, or shall be declared null and void by competent judicial authority.

13th. A free and open discussion of all political principles embraced in our platform.

SPEECH OF J. J. CRITTENDEN,

OF KENTUCKY.

The Admission of Kansas into the Union under the Lecompton Constitution,

DELIVERED

IN THE SENATE OF THE UNITED STATES,

March 17 1858.

The Senate having under consideration the bill to admit Kansas into the Union as a State—

Mr. HAMMOND. I wish to say that Mr. Keitt quoted that passage from Mr. Pinckney's speech on the Missouri question, which had been quoted on the opposite side of the case previously. His object in quoting it was to show that Mr. Pinckney did not support the Missouri compromise upon principle, but he did not indorse the sentiments expressed by Mr. Pickney in that extract.

Mr. CRITTENDEN. I accept the explanation. Certainly I had no intention to misrepresent any gentleman by reading the statements expressed in this pamphlet. I say it was not anticipated from the first that Kansas would be a slave-holding State. What is the South to gain now by having it admitted? It may gain a triumph in the admission of this constitution—admitted against the will of the majority of the people. It is a triumph, but is it not a baren one? Is it a triumph worthy of the South? It will produce nothing but increased bitterness and exasperation, perhaps, on the part of those against whose will it is forced, not only in the Territory, but elsewhere. It may give new exasperation to the slavery question; new agitation, which God forbid. It would be a victory without results, without profit, barren, sterile:—as to all the ordinary and beneficial fruits, there is none. I do not know how anything is to be gained to the South, supposing, as I verily believe, and as every gentleman here believes, that it cannot be a slave State; that there is a majority there opposed to it, and who will put it down. Pass this, and we may have a few years longer of exasperated struggle and exasperated agitation in the country. That is all the consequence of the barren victory which would be obtained by admitting Kansas with this constitution. That is not a fruit, I think, which any one would wish to gather. Now, if you attempt to inforce it, we are told by Mr. Walker—I know nothing about it, but from all that he and Mr. Stanton tell us, and they are Democratic witnesses—there is danger of resistance and danger of rebellion.

Where is the necessity, then, for our doing it now? Can we not resort to some other means by which we may avoid all these consequences of exasperation, of danger, of resistance, of tumult, or of agitation, upon this subject; and end this contest in a short time by authorizing the people of Kansas, under the high mandate of this Government, to form for themselves a constitution, if they want to come into this Union—a constitution fairly to be made, and fairly to express the will of the people It defers the subject but a little while. Is it not better to do that; is it not better to suffer the evils we have, than to fly to others we know not of? I think every prudential consideration is in favor of our forbearing to enforce this constitution on the people of Kansas, and of our affording them an opportunity of making their views fully and perfectly understood. This will be in accordance with the generous principles and policy that the South has pursued heretofore.

The Kansas-Nebraska bill was recommended to the South, chiefly, by the repeal of the Missouri compromise, and the recognition of the right of the people of a Territory, when framing a constitution of State government for themselves, to be "perfectly free" to frame it as they pleased—admitting or excluding slavery, and regulating their domestic institutions in their own way, subject only to the constitution of the United States.

Every citizen has an equal interest and right in Territories belonging to the people of the United States; and the result of this equal right seems to me, to be, that, where there is no positive law to the contrary, any citizen may lawfully carry his slaves into those Territories, and may lawfully hold them. They were his slaves in the State from which he emigrated, and must remain his, till divested of his right, by law—just as an apprentice, under the same circumstances, remains bound to his master.

My opinion is, that the repeal of the Missouri compromise was a blunder; but I concur in the principle that the people of our Territories, when they come to form a constitution for themselves, have a right to form it as they please. I am now acting upon that great principle of popular rights. I feel myself bound to give the benefit of it to the people of Kansas. Let the majority make such a constitution as they please. That is the great American principle, that rises above all others. Let them govern themselves, and as the majority decide, so let the constitution and so let the laws be. I think we are infracting that great principle—the principle of the South itself, on this very identical subject, by forcing this constitution, at least of doubtful authenticity, upon the people. If there is a majority in favor of it, it is not much trouble for them to ratify it. If there is a majority opposed to it, they are entitled to have their will and their way. They are entitled to that upon principle; they are entitled to it by the express pledges of the Kansas-Nebraska law.

Sir, I feel that I have already occupied a great deal of your time—more than I was entitled or expected to do; and yet there are some general topics upon which I wish to say something, though not so immediately connected with the direct question before us.

Mr. President, I am, according to the denominations now usually employed by parties in this country, a southern man. I have lived all my life in a southern State. I have been accustomed from my childhood to that frame of society of which slavery forms a part. I am, so far as regards the necessary defense of the rights of the South, as prompt and as ready to defend them as any man the wide South contains; but in the same resolute and determined spirit in which I would defend any invasion of its rights, and for which I would put my foot as far as he who went furthest, I will concede to others their rights, and I will maintain and assert them. He who knows how to value his own rights will respect the rights of others.

When the Missouri compromise was abolished great fears were excited in the North, and some vague hopes entertained in the South, that slavery might be established in Kansas, and extended in that direction. I did not believe it. I believed that the Missouri compromise line fixed in 1820, was about that territorial line, north of which slavery, if it could exist, would not be profitably employed; and our experience since has shown that the wise men who made that compromise judged rightly. I believed that the idea of making Kansas a slave State was a delusion to the South; that her hopes would never be realized, if she entertained such a hope as that. I thought, therefore, it would have been better, without examining scrupulously into its constitutionality, to let the Missouri compromise stand. I regretted its repeal. I did not believe the South would gain anything by it, or that the North would gain by it.

That compromise was a bond and assurance of peace. I would not have disturbed it. It was hallowed in my estimation by the memory of the men who had made it. It was hallowed by the beneficial consequences that resulted from it. It was hailed, at the time it was made, by the South. It produced good, and nothing but good, from that time. Often have you, sir, [addressing Mr. TOOMBS,] and I, and all of the old Whig party, triumphed in that act as one of the great achievements of our leader, Henry Clay. It was from that, among other things, that he derived the proudest of all his titles—that of the pacificator and peace-maker of his country. We ascribed to him a great instrumentality in the passage of that law, and over and over again have I claimed credit and honor for him for this act. This, for thirty years, had been my steadfast opinion. I have been growing, perhaps, during that time, a little older, and am a little less susceptible of new impressions and novel opinions. I cannot lay aside the idea that the law which made that line of division was a constitutional one. I believed so then. The people since have generally believed it. I must be permitted to retain that opinion still; to go on, at any rate, to my end with the hope that I have not been praising, and have not been claiming credit for others for violating the Constitution of their country.

Sir, the men who passed that measure were great men; they were far-seeing men. Without argument now, I am content to rest my faith upon the authority of those great men—Clay, Pinckney, Lowndes, President Monroe, the last of the patriarchs of the Revolution, with his learned and able Cabinet—and then, what is more than all, thirty-five years of acquiescence in it, and peace under it, in these States. Whatever quarrels you may have had about it in Congress, there was always enough to uphold and sustain that law; and never, until 1854, was it repealed, or its constitutionality questioned, that I know of. I regretted its repeal, because I feared that it would lead to new agitations and new dangers. Has it not? What has been our experience?

The authors of the measure which repealed that compromise—honorable and patriotic I know them to be, many of them my personal friends—promised themselves from it greater peace and greater repose by localizing the slavery question, as it was said. This act was to localize the question of slavery, and all agitation was to be at an end. It was to give peace to the country. The President in his message at the commencement of this session, or in his special message—I do not know which—imagines the country to have been in great agitation on the subject of slavery, when the Kansas-Nebraska act came and put a stop to it until, some time afterwards, it was revived. Why, sir, exactly the contrary seems to me to be the true history of the transaction. We were becoming tranquilized under the compromises of 1850 in addition to the Missouri compromise; all was subsiding into submission and acquiescence, when, to obtain a greater degree of peace and secure us for the future against all agitation, this bill of 1854 repealing the Missouri compromise was passed. What has it produced? Has it localized the question of slavery? Has it given us peace? All can answer that question. It has given us anything but a cessation of agitation. It has given us trouble, nothing but trouble. That has been the consequence of it so far.

I am as anxious now as any man here to close up this scene. I would vote for the admission of Kansas upon almost any terms that would give peace and quiet. If I thought this bill would do so, I should vote for it. I would suppress all scruples for the sake of that peace. If I was sure such would be its result, I would vote for it, thinking myself justified by the price that was to be paid—the peace of my country and the restoration of good will among my fellow citizens. I do not hope for it. I fear further trouble. We are again told that this will have the effect of localizing the question of slavery, and that we shall be no more troubled with it; that the mischief and clamor, and agitation will all be confined to the limits of Kansas. This is the same hope that was disappointed when the Kansas-Nebraska bill was passed. The same hope was indulged in then, and since then there has been nothing here but agitation on the subject increasing with every day.

Again, we have the idea of localizing it presented. Now, sir, if it is to be debated anywhere, it will be debated here; and, perhaps, if it is to be debated anywhere, it is best that it should be debated here; because we might hope, Mr. President, that in this body it would be debated with a spirit of moderation and conciliation that would deprive it of many mischievous consequences if it were agitated and debated among men without our years, without our responsibilities, and without the restraints which our condition and our knowledge impose upon us. Even here we do not debate it in the right way. We allow ourselves to become too much excited about it. To this great country, what is Kansas and this Kansas question, and the two or three hundred slaves who are there, that you and I and all the American Senate should be here day and night, and using such language of vituperation and invective on this subject as we often do? Look at our great country, and the great subjects which claim our attention as her legislators; look at them all in their majesty and their magnitude, and then say, how little, pitiful, in comparison, is the question about which we are making so much strife and contention.

On this subject, and on many others, it seems to me that it becomes us, of all the citizens of this great Republic, to set to our fellow-citizens examples of moderation and conciliation. What good does the mutual charge of aggression, often fiercely repeated? What good do these invectives? Especially let me say to my friends of the North, why indulge in invectives of the most reproachful character, upon those who, in fourteen or fifteen States of this great country, are slaveholders? Does that give you any cause to traduce them? Can you not live content with the institutions which please you better, and leave these fellow citizens, who have just the same right to adopt slavery that you have your institutions, to enjoy their liberty in peace also? Is there anything in the difference of our institutions which ought to make us inimical to one another? How was it with our fathers? Did not they live together in peace and harmony? Did not they fight together? Did not they legislate together? Did they ever abuse and reproach each other about the question of slavery? Never, that I have read of. Why is it that we cannot do as they did? Have we degenerated from those fathers, or have we grown so much better and purer than they were? I doubt whether we are any better; and I do not believe, notwithstanding all that is said about progress, that we are at all more sensible than those fathers who made the Constitution of the United States, and laid the foundation of this great Government. They gave us an example of brotherhood; and when we look at all that connects us, all that unites and makes us one people, how much more powerful would its influence seem to be to connect us together, than the question of slavery and anti-slavery to divide us? We are united by circumstances of which we cannot divest ourselves. We are united in language, in blood, in country, in all the memories of the past, in all the hopes of the future. This is our connection, leading and pointing to the brightest destiny that ever awaited any people. All the unnumbered blessings of the future are in full prospect; but there is this little, this comparatively small matter of contention, that we seem disposed to nurse up into continual occasion for philippics and for reproaches This is not the right temper with which to regard the subject. Crimination and recrimination is not the way to strengthen our Union—that Union of brotherhood, of good will, of co-operation for all great national purposes, which our fathers formed.

I was gratified to hear comparisons made of the mighty resources of the different sections of this country. It was a proud exhibition. The honorable Senator from South Carolina [MR. HAMMOND] gave us, in a very interesting and eloquent manner, the mighty resources of the South. They are beyond estimate—beyond calculation. This is replied to by a gentleman from the North, who gives us the mighty resources and the mighty power of New England and the non-slaveholding States. Well, sir, if the conclusion which might be drawn from it was true, that each of those sections would by itself make a mighty country and a country that any one of us might be proud of, what a magnificent country is made when we put it all together! What a magnificent abode for man, such as the Almighty never gave to any other people, and never placed on the surface of this earth!

It seems to me the most natural union in the world—the South, with her great and her rich productions, while the North abounds with ingenuity, labor, mechanical skill, navigation, and commerce. The very diversity of our resources is the natural cause of union between us. It would out do for us all to make cotton, nor would it do for us all to work in your manufactories. Nature seems to have organized here this country, adapted to a union of people North and South. Nature has given her sanction to the Union. Nature has traced that Union, and you alone disturb it. Gentlemen, you alone disturb it by making this subject of slavery the cause of dissension. The dissension has been kept up, though we but seldom come to any practical question that calls upon us to act on the subject. Now, if we were through with this petty Kansas affair, what a summer sea of boundless expanse lies before us, where there is nothing but repose. There is no other territory that you can dispute about in my lifetime, or the lifetime of any man here. This is the last point on which a controversy can probably be made. We have gone through many difficulties on this subject. Now we have reached the last of it, the least of it. Let us settle this matter in peace; let us settle it in good temper; and I see nothing before us but a long period of repose, and, I hope, of mutual conciliation. Of one thing I am certain, that crimination and recrimination between the North and the South, the getting up and maintaining of sectional feeling, sectional passion, sectional prejudices, can do no good to any section; and there is not one Senator here who does not recognize and feel all this as much as I do. I am certain of it.

My vote on this subject, sir, has nothing sectional in it. The only difficulty I have in voting is, that this is regarded by some as a sectional question; and I am on one side of that section, and I am voting for the other side of it, if we divide on it as a sectional question. Now, I do not regard it as a sectional question. My allegiance is not to any particular section. I do not want to know any such thing as a section in my conduct here. I want to be governed by a constitutional spirit, and a constitutional and a just principle, in all I do, no matter whether it relates to the North or to the South. I do not want to increase the sectionality which exists in the country by placing myself or my vote upon it so far as regards this question. I want to wipe out that sectionalism. I wish that no one here would vote upon it as a sectional question. I do not. I vote upon it as a Senator of the United States of America. That is my country, and my great country. The Constitution of the United States intended to wipe out all these lines of division and sectionalism. It is we, we, that disturb our own Union. It is we that make sections; it is we that make sectional lines to divide and distract the country, whose Constitution, whose present interest, whose future hopes, all tend to unite us.

There are some doctrines which have been advanced here with which I disagree, and upon which I will briefly express my views. Some gentlemen have argued, and they have the authority of the President to sustain them, that the Kansas-Nebraska act gave all the authority that is usually conferred by what is called an enabling act on the people of a Territory. I never considered in so. I do not believe it is to be considered so. Some gentlemen, on the other hand, maintain that, under the Kansas-Nebraska act, the convention were bound to submit the constitution to the people for the popular suffrage; indeed, that it is the right of the people to have every convention submit every constitution to them. I do not agree to that doctrine. The people are too sovereign to be required to do that. They can confer upon a convention the power to make a constitution that shall be good without reference to any other power. The sovereignty over the Territory is in this Government. It belongs to the people of the United States, one and all. The people of the States own it; and they are the real sovereigns of the Territory, and we, as their representatives. They have no more power in the Territory than we give. They have no government but what we give. It is not in the nature of things that they should have. All squatter sovereignties, and sovereignties of all sorts, vanish before the sovereignty of the people of the United States.

But the President says, in reference to this Kansas constitution, that although it contains a provision that after 1864 a convention may be called to change it, the people can, nevertheless, change it before that time. That is to say, the people, by their "irresistible" power can at any time, notwithstanding the provisions of their constitution to the contrary, change it as they please. Sir, the President of the United States is very high authority; but it is, in my humble judgment, a very dangerous doctrine and a very untrue one. The people cannot bind themselves by a constitution! I thought that was one of the great virtues and purposes of a constitution. We admit them to be sovereign. Why cannot they make what sort of a constitution they please? The constitution which sovereignty makes, in all its parts and in all its purposes, must be the rule of conduct for all. It cannot be abolished, except in the manner prescribed and pointed out in the constitution itself, if any manner is prescribed.

If the President's doctrine on this subject be true, what becomes of the Constitution of the United States? Instead of following the mode of amendment prescribed in the Constitution, the people, by their 'irresistible' power, may in any other manner, at any time, change the whole frame of our Government. There is not a State constitution in the Union that does not impose some restraint as to the manner of change. What would a constitution be if it were just as liable to change as any ordinary act of the Legislature? It would lose its character. Those who talk to the people about the unlimited and illimitable power they possess are teaching a dangerous doctrine. That is a sort of sovereignty which the people cannot exercise. It may be made very flattering to their ears, but it is impracticable in the nature of things. It cannot be exercised at all. The people must exercise their sovereignty through agencies. They must exercise it through representatives and governments; they only exercise it safely through constitutions. If they could not make constitutions bind themselves their sovereignty never would be safe. If it were not invested in a constitution, it would be constantly escaping into the hands of some of those gentlemen who could talk most eloquently to the people about their *irresistible sovereignty*. That would be the end of that sort of sovereignty in the people.

The people must understand that their sovereignty, their practical sovereignty, is to be exercised through representatives and delegates, over whom they are to hold the proper control; and to hold that control, and to fix and make permanent and operative their sovereignty, they must put it in the form of a constitution. That is the only security for popular sovereignty. Therein it exists, and therein alone can it exist practically. It is not true that the people cannot bind themselves, and are not bound, by the restrictions of their constitution. They may rebel against their own constitution; they may violate their own law and constitution, just as they could violate the law or constitution of any other people; but it does not follow that, because they could do that, they have not created a political obligation on themselves by a constitution only to amend that instrument in the guarded, temperate, gradual method which the constitution may have provided for and prescribed.

Sir, I am sorry to have occupied the time of the Senate so long. I can say, with the President of the United States, that on this important occasion I have endeavored to do my duty, with a full sense of my responsibility to my God and to my country. Under the conviction that the best results to be obtained under the present circumstances, unless some material amendment can be made to the bill, will be attained by rejecting this constitution, I shall give my vote against it; but so anxious am I to conclude this subject, that I intend, before it is finally acted upon by the Senate, to propose an amendment. This would not be the proper time to offer it; I am not prepared now to offer it: but the effect of it will be to admit Kansas into the Union upon condition that this constitution of hers be submitted to a fair vote of the qualified electors of Kansas, to be ratified by them; and if so ratified, the President, on information of the fact, shall proclaim it a State of the Union without further proceedings; and, if it be not ratified, to have a new constitutional convention convened. My amendment will be an enabling act in effect, but admitting Kansas for the present.

MR. CRITTENDEN'S *REJOINDER TO MR. TOOMBS.*

Mr. CRITTENDEN. I purpose to occupy a few moments to correct a mistake which I believe is rendered necessary by the remarks of my friend from Georgia. I have listened to him with great pleasure, and have cause to thank him for much that he has said.

I knew, sir, that Mr. Clay was not the author of the Missouri compromise; I knew that he did not draw the bill; but I knew from his own declarations in conversation, and in his speeches that he did approve and concur in its passage. He gave it his sanction. He thought there was nothing unconstitutional in it. I have been brought up in the opinion that it was not only constitutional, but one of the most beneficial acts that had ever been passed by Congress. It produced you, sir, a revenue of peace and good-will among the people of the United States, and that is above all price. Whatever sanction it may have failed to derive from the names of the great men who passed it, it has received abundantly from the people of the United States, who, for the thirty odd years that it remained on our statute book, gave it their approval and support. During all that period it gave peace to the country. It was for that I valued it.

I hailed that compromise when it was first made. I have cherished it ever since. It had become fixed in my mind, as part and parcel of our political system. I regarded Mr. Clay, as did the whole country, as entitled to the credit of that great measure. And it was for this that his countrymen conferred upon him the proudest and the noblest of his titles—the pacificator of his country.

Sir, I have not been able to cast away these impressions. I admit the SupremeCourt to be the great arbiter, as the gentleman asserts, and while I differ from it, I do not the less admit its constitutional and supreme power in all the matters that come within its jurisdiction, and I am not wanting in confidence and respect for it. But yet we cannot always yield up our long-settled convictions, even to the authority of that high tribunal. I find myself now in that condition, and I must be permitted to retain the opinion long established in my mind, that the Missouri compromise was a constitutional act.

My friend [MR. TOOMBS] has said that some gentlemen seemed disposed to give no confidence whatever to the action of any of the Territorial Legislatures of Kansas until they fell into the hands of the Black Republicans. Certainly he cannot intend such an imputation for me? [MR. TOOMBS signified by a shake of the head that he did not.] I regard it merely as the Legislature of the Territory—the actual Legislature. How its members may be divided in politics, I do not know; nor do I care; nor was it at all material for my purpose. It is enough for me that it is the Legislature of the Territory, and that it appointed a vote to be taken upon this constitution on the 4th of January. The vote was taken, and the result was as reported to us. I have heard nothing to impeach that vote, nor any single fact alleged against it. The result of it was a majority of ten thousand against the constitution. Certainly those ten thousand have at least as good a right to be claimed against it as the six thousand returned as having voted on the 21st of December, have to be counted in favor of it. That was my object. It was to show that there was a majority against this instrument, and assuming all this action to be equally legitimate, the members of the convention had no more right to order a vote to be taken by the people on any part of the constitution than the Territorial Legislature had to order an election to be taken on the whole constitution. Both proceeded from organized recognised bodies, one the Legislature, the other the convention. When, therefore, the common appeal is made to us, and the constitution is brought before us, it seems to me that we ought equally to take into consideration both these facts. Furthermore, I adverted to the evidence going to show that from the six thousand in favor of the constitution there were many spurious and fraudulent votes to be deducted.

Mr. President, I acknowledge that forms are not only useful, but, in many cases, necessary. I agree that if at an election two thirds of the people stay away from mere apathy or negligence, the votes of those who do act, and do vote, must be effectual, and must control. I agree, also, that the return is a necessary form, and that the revision of that return is subject only to the particular authority appointed for it, and when that is done, there is an end of the case—because there is no further tribunal to which an appeal can be taken; but I supposed and argued that when this constitution was presented before us, the supreme power, called upon now to recognize the validity of these acts—called upon to recognize what was the will of the people, in respect to them, we have a right to look to all the evidence, as well to that which is furnished in form as to that which impeaches it for fraud.

I have spoken on these conclusions, and I shall act on them in voting against the acceptance of this Lecompton constitution. My friend, [MR. TOOMBS] I have no doubt, in perfect sincerity, regrets that my conclusions have forced me to this course; but I have followed my convictions, and I mean to do my duty as I understand it. I confess it is painful to me to differ with such a friend on any occasion so important as the present.

Mr. President, I am not wanting, I think, in those feelings of our nature which connect us with our neighbors. Although we have a common country to look to, and ought to have a common patriotism which would embrace the whole, our natural affections and our natural feelings bind us more closely to those with whom we are more immediately associated, to whom we are more nearly assimilated in manners—customs, and institutions—aye, peculiar institutions. I am not wanting in those sympathies; but what is my duty as one belonging to a particular section, by his nativity, and by his residence—what is my duty when a great question of this sort comes up? What is my duty to those neighbors, to whom by natural sympathies and affections I am most bound? Is it not my duty in this house of our common councils to give the best counsel and advice I can, or am I to inquire whether this is to be regarded as a sectional question, and follow whatever course is indicated by a majority of its sectional members? Is it not rather my duty to my friends to give them the best counsel I can? I want to see the South always right How am I to accomplish that? By advising always what my best judgment thinks is right, and endeavoring to prevail upon her to take that course. Is not that my duty? Is not that my duty to my common country, and more especially is it not my duty to those with whom circumstances more nearly connect me? I have done that. I should have been gratified if the South had taken the same view of this subject that I have. I am sure she would have lost nothing by it. The question of slavery is not in the case. I think there is not one gentleman here who entertains the hope that Kansas can ever be really a slave State. If it be made so, it will continue only for a moment, a little feverish moment, filled up with strife and angry controversy. No gentleman here believes it will really and permanently be a slave State. There is nothing then to be gained by the South, as I regard the subject. The element of slavery is only thrown in for the purpose of arousing feelling on the one side or the other. It is no real element in the question before us, because no man has any hope that Kansas will be a slave State. We learn that from every source. The hope of it was disclaimed before the Kansas-Nebraska bill was passed; that view is now turned into conviction by all that has occurred since, and there is nobody who deceives himself so much, or would deceive the South so much as to tell her that Kansas will be made a slave State by the adoption of this constitution, except it may be for that miserable and feverish period to which I have alluded, and which would be filled up in a struggle that could serve only to exasperate parties and make the contest there more fierce than it has been.

If the South could have taken the view of the case which I have taken, it seems to me it would have been better for her. Then she would say, "the South scorns to take advantage of the little circumstances that might enable her to press her claims upon a reluctant and unwilling people—press the claim to impose slavery against their will; we snatch at no such accidental advantages, we see that the question is determined partly by climate, and more certainly and decisively by the majority of the people; the determination has been against slavery; we stand up in our justice and in our honor always untarnished, and constituting our great strength as Commonwealths and States; and we say we will make no strife about it." If this element of slavery could be discharged out of the case, put out of our minds, put out of our debates, and we could look at this question as it is presented to us, I think there is no one here who would be willing to give his sanction to an instrument which is so stained with fraud, and so manifestly in violation of the rights of the people of Kansas.

Why need we of the South be impatient and anxious to hasten the admission of Kansas into the Union? Whatever constitution you put upon them now will not last; but you will have two Senators immediately from there. Should the South be in a hurry to have two more such Senators here as you would now get from there? But these are small matters. If the South could view this subject as I do, if they could have looked at this constitution and the circumstances from which it had its origin, and those which attend it, as I do, they would have acted the very part which I have indicated; they would take no ignoble advantage; they would occupy no ignoble position of standing upon little points and nice estoppels. No, sir, the South would say—it is in her character, in her spirit to say so—we go upon great principles, and we go for the truth. Occupying that position, she would have stood proudly erect, with justice and honor seated upon her brow. That is her natural and accustomed attitude, and in that attitude I love to contemplate her.

Sir, gentlemen of the South from whom it is my misfortune to differ on this occasion, will do me great injustice to suppose that it was my purpose, in anything I have said, to question or impugn the purity of their motives. They but follow their honest convictions, as I follow mine. I have endeavored to perform my duty as a Senator belonging to the same section; my opinion and advice have been given frankly and independently; but, I hope without any presumption. I devoutly hope that whatever measure be adopted, though contrary to my opinion, may turn out to be that which is most beneficial to our country. I choose to be in the wrong, rather than that my country should suffer from my error.

I am neither of the Democratic nor of the Republican party. I wear no party shackles. I am here as the Senator of "Old Kentucky"—brave and noble old commonwealth. My ambition is to act in her spirit and by her inspiration. I did not come here to act in the character of a partisan. Long service and experience in public affairs have divested me of much of the misconception, the prejudice and passion that belong to the partisan; and upon lately taking my seat here, probably in the last term of my public service, it was my intention and my hope to act rather the part of a patriot than that of a party man.

I am a true son of the South; may prosperity fill all her borders, and sunshine forever rest upon her head. But for all this, I do not love the UNION the less. I am a true citizen of the United States; I claim the whole of it as my great country; and for the preservation of that Union which makes it so, I will always be ready to say and to do whatever in me lies. It is in this spirit, sir, that I have endeavored humbly to do my duty—my duty to the South, and my duty to the whole country.

[For the American.]

THE BURIAL,

—OR—

THE CONTRAST.

In no place are the extremes of riches and poverty so frequently observed as in a populous city. Walking some time since in rather a melancholy mood, my steps were involuntarily directed to a spot in unison with such feelings, and ere I was aware of the direction I was taking, I found myself near a resort I have ever been interested in visiting, the grave yard of———. There is something in its quiet and sequestered beauty extremely tranquilizing to the mind. While gazing around upon the silent dead, once as active upon the stage of life as ourselves, with perhaps the same hopes, the same cares, having trod the same thorny path which we are treading, it naturally leads to sombre and solemn reflections; as in a mirror, one cannot avoid seeing both the past and the future, and the nothingness of life.

Pursuing my rounds, my eye was attracted to two open graves, in readiness for their respective occupants. The one was for a maiden scarcely yet numbering fifteen summers; the other a little child; and as I stood looking at the latter, the coffin was lifted from the one solitary carriage which contained its remains, and borne between a middle aged man and the sexton towards the grave. Two females, the grandmother and mother of the child, composed the remainder of the group. The countenance of the former exhibited that expression of stoical indifference which long familiarity with hardship will produce. There had evidently been on their part an endeavor to maintain, as far as their circumstances admitted, a respectable appearance. They were cleanly though poorly clad, a simple black ribbon tied across the mother's bonnet, was the only outward mark that indicated her loss.—But what to her were external signs? She had come to lay her only little one in its cold and narrow bed; this thought alone possessed the poor, unhappy mother. Ye that believe the poor to be devoid of feeling, look with me upon this bereaved one, her hands clasped together in speechless grief while on bended knee she watches the grave into which the coffin is slowly lowering. Listen to her heart-rending accents, "My baby!" she exclaims, "my little darling baby, is it here you must sleep? My little Willy, my own sweet Willy, shall I mother never more see thy pretty face, will it never more sleep upon my bosom, darling?"

"Nay, Susy, nay," interposed her mother, "don't take on so, it's no use, all the crying and fretting in the world won't bring it back again." "Come, she said, "let us go," attempting to force her daughter away with her.

"One minute, mother, only a minute more," she replied, forcibly freeing herself from the grasp that would have held her. "I shall never see my baby more. O, grudge me not this little minute," she uttered, resting her thin emaciated hand upon that of the sexton, who had suffered some exhibition of impatience to escape him, "I will not be long." Then again dropping on her knees, she sent a searching glance into the dark cavity which held her last earthly treasure.

Her desire was obtained. The memory of that look she felt, would dwell with her forever, and giving her hand to her mother, she suffered herself to be led unresistingly away.

"Poor thing," said the sexton, audibly sighing, half solliquising, and half addressing me, who stood weeping beside him, "she takes on badly; it would be better that people should make up their minds to the thing before coming here, it is to little purpose grieving so.

This homely truth, coming as it did from one incapable of judging of the strength of a mother's love, jarred upon my feelings, and I directed his attention to the gate, toward which an *other* funeral was approaching.

Here, too, was an only child, but one of wealthy parentage. Unlike the former, a long line of carriages, with a numerous train of mourners dressed in their sable vestments, were seen following the hearse containing the body on the way to its final resting place.—Here was all the "pomp and circumstance" of woe. Nothing had been omitted that could add to the impressiveness of the scene. Here, if I may be allowed so to speak, was the propriety of grief. No outbreaks of nature to disturb its striking solemnity. True, there was at times an occasional smothered sob, coming from the place where the mother stood, evincing how deeply she was suffering, tho' at the same time an observer might have noticed, as the ceremonies proceeded an internal struggle to subdue such plebian marks of anguish.

The coffin was deposited, the obsequies concluded, and with the same measured tread with which they had entered the grave yard, the funeral trains disappeared.

And here they lie, the rich and the poor.—Where now are the distinctions? The high-born maiden and the poor widow's only child together rest, side by side, upon the bosom of our common mother earth; they both belong to the family of the dead; they both await, in "the city of silence," the sound of the last trump which shall call them into the presence of Him who knows no distinction between the rich and the poor.

Slowly I wended my way homewards, chastened, and I trust improved, by this silent sermon in a grave yard, the final *home* of us all.

"WHO IS THE SOUTHERN MATRON?—The 'Southern Matron' who set on foot the holy and patriotic work of purchasing the home of Washington, and preserving it as a shrine at which Americans may strengthen their patriotism by contemplating the virtues of the Father of his Country, is a native daughter of South Carolina, though now a resident of Richmond, Va. She is not a matron at all, but a maiden lady—Miss Cunningham, by name—and has, for years, been a confirmed invalid. She has devoted herself to the noble work, and is powerfully seconded by other eminent women of the South, among whom are Mrs. Cora Ritchie, formerly Mrs. Mowatt, and Madame Le Vert, the charming writer of Mobile, who, herself, has raised $4,000."—*St. Louis News.*

We have the pleasure of knowing Miss Cunningham, and it is indeed a pleasure. She has, as the St. Louis editor says, been an invalid for years; she has never known health since her early girlhood. She has suffered, physically, long and much, yet she has borne her sufferings with more than resignation. They have given a calm and sweet and beautiful serenity to her pleasant and even joyous countenance, whilst they have etherealized and exalted and ennobled her mind. She seems not to repine at her lot, but to be happy in the exercise of the wondrous energy, with which, even upon her bed of pain, she devotes herself to the great work of effecting the purchase of Mount Vernon.

Miss Cunningham's voice is as sweet as a bird's, her heart as fresh as a spring-flower, her spirit cheerful and enthusiastic, and her conversation, not only upon her favorite theme, but upon all others, glowing and eloquent. We have loved to listen to her words of lofty patriotism. Born and reared in South Carolina, and related to some of the most distinguished disunionists of the South, she early contracted the southern contagion and longed for nothing more ardently than for the secession of her native State even if it should secede alone. But, when she became deeply interested in the character of Washington, and began to dedicate herself to the sacred work of securing his tomb and the home of his living years as a national shrine, where all the pilgrims of liberty might be free to linger and worship, a new and loftier spirit took possession of her soul, and she gives to the whole country the love and devotion that she gave a section. She earnestly believes that the Union, if saved at all, must owe its salvation to that deep love and reverence which the general movement throughout the United States for making Mount Vernon a national Mecca must tend to inspire in the hearts of our people for the character of Washington and his patriotic counsels.—*Louisville Journal.*

A SHORT CATECHISM ADAPTED TO THE TIMES.—

Q. Who was a contributing member of the States Hose?
A. Berrett.
Q. Why was he a contributing member?
A. Because he is the friend of "Law and Order."
Q. Who got Easby removed?
A. Berret.
Q. What did he get him removed for?
A. For five hundred dollars.
Q. Who supports Berret?
A. W. B. Magruder.
Q. Who supports Magruder?
A. James G. Berret.
Q. Why do they support each other?
A. Because they are reciprocally the friends of "Law and Order."
Q. Who is to be chief of police under Berret?
A. The president of the Keystone Club.
Q. Why?
A. Because all the Keystones are the friends of Law and Order.
Q. Can you tell who is the biggest blackguard in town?
A. Yes sir.
Q. Who?
A. The editor of the *Bull-let-in.*