have been received; he now moved it be laid on the table.

Mr. SEWARD said he desired to be heard on the question.

The subject was postponed and the special order resumed, the right of the floor belonging to

Mr. SEWARD, who addressed the Senate as follows:

MR. PRESIDENT: To obtain empire is easy and common; to govern it well is difficult and rare indeed. I salute the Congress of the United States in the exercise of its most important function, that of extending the Federal Constitution over added domains, and I salute especially the Senate in the most august of all its manifold characters, itself a Congress of thirty-one free, equal, sovereign States, assembled to decide whether the majestic and fraternal circle shall be opened to receive yet another free, equal and sovereign State. The Constitution prescribes only two qualifications for new States, namely—a substantial civil community, and a republican Government. Kansas has both of these. The circumstances of Kansas, and her relations towards the Union, are peculiar, anomalous and deeply interesting. The United States acquired the province of Louisiana, (which included the present Territory of Kansas,) from France, in 1803, by a treaty, in which they agreed that its inhabitants should be incorporated into the Federal Union, and admitted as soon as possible, according to the principles of the Constitution, to the enjoyment of all the rights, advantages and immunities of citizens of the United States. Nevertheless, Kansas was in 1820 assigned as a home for an indefinite period to several savage Indian tribes, and closed against immigration and all other than aboriginal civilization, but not without a cotemporaneous pledge to the American people and to mankind that neither Slavery nor involuntary servitude should be tolerated therein forever. In 1854 Congress directed a removal of the Indian tribes, and organized and opened Kansas to civilization, but by the same act rescinded the pledge of perpetual dedication to Freedom, and substituted for it another, which declared that the [future] people of Kansas should be left perfectly free to establish or to exclude Slavery, as they should decide through the action of the Republican Government, which Congress modeled and authorized them to establish, under the protection of the United States. Notwithstanding this latter pledge, when the newly associated people of Kansas, in 1855, were proceeding with the machinery of popular elections, in the manner prescribed by Congress, to choose legislative bodies for the purpose of organizing that republican government, armed bands of invaders from the State of Missouri entered the Territory, seized the polls, overpowered or drove away the inhabitants, usurped the elective franchise, deposited false and spurious ballots without regard to regularity of qualification or of numbers, procured official certificates of the result by fraud and force, and thus created and constituted legislative bodies to act for and in the name of the people of the Territory. These legislative bodies afterward assembled, assumed to be a legitimate Legislature, set forth a code of municipal laws, created public offices and filled them with officers appointed for considerable periods by themselves, and thus established a complete and effective foreign tyranny over the people of the Territory. These high-handed transactions were consummated with the express purpose of establishing African Slavery as a permanent institution within the Territory by force, in violation of the natural rights of the people solemnly guaranteed to them by the Congress of the United States. The President of the United States has been an accessory to these political transactions, with full complicity in regard to the purpose for which they were committed. He has adopted the usurpation, and made it his own, and he is now maintaining it with the military arm of the Republic. Thus Kansas has been revolutionized, and she now lies subjugated and prostrate at the foot of the President of the United States, while he, through the agency of a foreign tyranny established within her borders, is forcibly introducing and establishing Slavery there, in contempt and defiance of the organic law. These extraordinary transactions have been attended by civil commotions, in which property, life, and liberty, have been exposed to violence, and these commotions still continue to threaten not only the Territory itself, but also the adjacent States, with the calamities and disgraces of civil war. I am fully aware of the gravity of the charges against the President of the United States which this statement of the condition and relations of Kansas imports. I shall proceed, without fear and without reserve, to make them good. The maxim that a sacred veil must be drawn over the beginning of all Governments, does not hold under our system. I shall first call the accuser into the presence of the Senate, then examine the defenses which the President has made, and last, submit the evidences by which he is convicted. The people of Kansas know whether these charges are true or false. They have adopted them, and, on the ground of the high political necessity which the wrongs they have endured, and are yet enduring, and the dangers through which they have already passed, and the perils to which they are yet exposed, have created, they have provisionally organized themselves as a State, and that State is now here, by its two chosen Senators and one Representative, standing outside at the doors of Congress, applying to be admitted into the Union as a means of relief indispensable for the purposes of peace, freedom and safety. This new State is the President's responsible accuser. The President of the United States, without waiting for the appearance of his accuser at the capital, anticipated the accusations, and submitted his defenses against them to Congress. The first one of these defenses was contained in his Annual Message, which was communicated to Congress on the 30th of December, 1855. I examine it. You shall see at once that the President's mind was oppressed—was full of something too large and burdensome to be concealed, and yet too critical to be told. Mark, if you please, the state of the case at that time. So early as August, 1855, the people of Kansas had denounced the Legislature. They had at voluntary elections chosen Mr. A. H. Reeder to represent them in the present Congress, instead of J. W. Whitfield, who held a certificate of election under the authority of the Legislature. They had also, on the 23d day of October, 1855, by similar voluntary elections, constituted at Topeka an organic Convention which framed a Constitution for the projected State. They had also, on the 15th of December, 1855, at similar voluntary elections, adopted that Constitution, and its tenor was fully known. It provided for elections to be held throughout the new State on the 15th of January, 1856, to fill the offices created by it, and it also required the Executive and Legislative officers, thus to be chosen, to assemble at Topeka on the 4th day of March, 1856, to inaugurate the new State provisionally, and to take the necessary means for the appointment of Senators, who, together with a Representative already chosen, should submit the Constitution to Congress at an early day, and apply for the admission of the State of Kansas into the Union. All these proceedings had been based on the grounds that the Territorial authorities of Kansas had been established by armed foreign usurpation, and were, nevertheless, sustained by the President of the United States. A constitutional obligation required the President "to give to Congress' in his Annual Message "information of the state of the Union." Here is all "the information" which the President gave to Congress concerning the events in Kansas, and its relations to the Union:

"In the Territory of Kansas there have been acts prejudicial to good order; but as yet none have occurred under circumstances to justify the interposition of the Federal Executive. That could only be in case of obstruction to Federal law, or of organized resistance to Territorial law, assuming the character of insurrection, which, if it should occur, it would be my duty promptly to overcome and suppress. I cherish the hope, however, that the occurrence of any such untoward event will be prevented by the sound sense of the people of the Territory, who, by its organic law, possessing the right to determine their own domestic institutions, are entitled, while deporting themselves peacefully, to the free exercise of that right, and must be protected in the enjoyment of it, without interference on the part of the citizens of any of the States."

This information implies that no invasion, usurpation or tyranny has been committed within the Territory by strangers, and that the provisional State organization now going forward is not only unnecessary but also prejudicial to good order and insurrectionary. It menaces the people of Kansas with a threat, that the President will "overcome and suppress" them. It mocks them with a promise, that, if they shall hereafter deport themselves properly under the control of authorities by which they have been disfranchised, in determining institutions which have been already forcibly determined for them by foreign invasion, that then they must be protected against "interference by "citizens of any of the States." The President, however, not content with a statement so obscure and unfair, devotes a third part of the annual message to argumentative speculation bearing on the character of his accuser. Each State has two and no more Senators in the Senate of the United States. In determining the apportionment of Representatives in the House of Representatives and in the Electoral Colleges among the States, three fifths of all the slaves in any State are enumerated. The slaveholding or non-slaveholding character of a State is determined, not at the time of its admission into the Union as a State, but at that earlier period of its political life in which, being called a Territory, it is politically dependent on the United States, or on some foreign sovereign. Slavery is tolerated in some of the States, and forbidden in others. Affecting the industrial and economical systems of the several States, as Slavery and Freedom do, this diversity of practice concerning them early worked out a corresponding difference of conditions, interests, and ambitions among the States, and divided and arrayed them into two classes. The balance of political power between these two classes in the Federal system is sensibly affected by the accession of any new State to either of them. Each State therefore watches jealously the settlement, growth, and inchoate slaveholding and non-slaveholding characters of Territories which may ultimately come into the Union as States. It has resulted from these circumstances, that Slavery, in relations purely political and absolutely Federal, is an element which enters with more or less activity into many national questions of finance, of revenue, of expenditure, of protection, of free trade, of patronage, of peace, of war, of annexation, of defense, and of conquest, and modifies opinions concerning constructions of the Constitution, and the distribution of powers between the Union and the several States by which it is constituted. Slavery, under these political and Federal aspects alone, enters into the transactions in Kansas, with which the President and Congress are concerned. Nevertheless, he disingenuously alludes to those transactions in his defense, as if they were identified with that moral discussion of Slavery which he regards as odious and alarming, and without any other claim to consideration. Thus he alludes to the question before us as belonging to a "political agitation" "concerning a matter which "consists to a great extent of exaggeration of inevitable evils, or over-zeal in social improvement, or "mere imagination of grievance, having but a remote "connection with any of the constitutional functions of "the Federal Government, and menacing the stability "of the Constitution and the integrity of the Union."

In like manner the President assails and stigmatizes those who defend and maintain the cause of Kansas as "men of narrow views and sectional purposes," "engaged in those wild and chimerical schemes of social "change which are generated one after another in the "unstable minds of visionary sophists and interested "agitators"—"mad men, raising the storm of frenzy "and faction," "sectional agitators," "enemies of the "Constitution, who have surrendered themselves so "far to a fanatical devotion to the supposed interests of "the relatively few Africans in the United States, "as totally to abandon and disregard the interests of "the twenty-five millions of Americans, and trample "under foot the injunctions of moral and constitutional "obligation, and to engage in plans of vindictive hostility against those who are associated with them in "the enjoyment of the common heritage of our free institutions." Sir, the President's defense on this occasion, if not a matter simply personal, is at least one of temporary and ephemeral importance. Possibly, all the advantages he will gain by transferring to his accuser a portion of the popular prejudice against Abolition and Abolitionists, can be spared to him. It would be wise, however, for those whose interests are inseparable from Slavery to reflect that Abolition will gain an equivalent benefit from the identification of the President's defense with their cherished institution. Abolition is a slow but irrepressible uprising of principles of natural justice and humanity, obnoxious to prejudice, because they conflict inconveniently with existing material, social, and political interests. It belongs to others than statesmen, charged with the care of present interests to conduct the social reformation of mankind in its broadest bearings. I leave to Abolitionists their own work of self-vindication. I may, however remind slaveholders that there is a time when oppression and persecution cease to be effectual against such movements; and then the odium they have before unjustly incurred becomes an element of strength and power. Christianity, blindly maligned during three centuries by Prætors, Governors, Senates, Councils, and Emperors, towered above its enemies in a fourth; and even the cross on which its founder had expired, and which therefore was the emblem of its shame, became the sign under which it went forth evermore thereafter, conquering and to conquer. Abolition is only yet in its first century. The President raises in his defense a false issue, and elaborates an irrelevant argument to prove that Congress has no right or power, nor has any sister State any right or power to interfere within a slave State, by legislation or force, to abolish Slavery therein—as if you, or I, or any other responsible man, ever maintained the contrary. The President distorts the Constitution from its simple text, so as to make it expressly and directly defend, protect and guarantee African Slavery. Thus he alleges that "the Government" which resulted from the Revolution was a "Federal Republic of the free white "men of the Colonies," whereas, on the contrary, the Declaration of Independence asserts the political equality of all men, and even the Constitution itself carefully avoids any political recognition not merely of Slavery, but of the diversity of races. The President represents the Fathers as having contemplated and provided for a permanent increase of the number of Slaves in some of the States, and therefore forbidden Congress to touch Slavery in the way of attack or offense, and as having therefore also placed it under the general safeguard of the Constitution; whereas the Fathers, by authorizing Congress to abolish the African slave trade after 1808, as a means of attack, inflicted on Slavery in the States a blow, of which they expected it to languish immediately, and ultimately to expire. The President closes his defense in the annual message with a deliberate assault, very incongruous in such a place, upon some of the Northern States. At the same time he abstains, with marked caution, from naming the accused States. They, however, receive a compliment at his hands, by way of giving keenness to his rebuke, which enables us to identify them. They are Northern States "which were conspicuous in founding the "Republic." All of the original Northern States were conspicuous in that great transaction. All of them, therefore, are accused. The offense charged is that they disregard their constitutional obligations, and although "conscious of their inability to heal admitted and palpable social evils of their own, confessedly within their jurisdiction, they engage in an "offensive, hopeless, and illegal undertaking, to reform the domestic institutions of the Southern States, "at the peril of the very existence of the Constitution, "and of all the countless benefits which it has conferred." I challenge the President to the proof, in behalf of Massachusetts, although I have only the interest common to all Americans and to all men in her great fame. What one corporate or social evil is there, of which she is conscious, and conscious also of inability to heal it? Is it ignorance, prejudice, bigotry, vice, crime, public disorder, poverty, or disease, afflicting the minds or the bodies of her people? There she stands. Survey her universities, colleges, academies, observatories, primary schools, Sunday-schools, penal codes, and penitentiaries. Descend into her quarries, walk over her fields and through her gardens, observe her manufactories of a thousand various fabrics, watch her steamers ascending every river and inlet on your own coast, and her ships displaying their canvass on every sea; follow her fishermen in their adventurous voyages from her own adjacent bays to the icy ocean under either pole; and then return and enter her hospitals, which cure or relieve suffering humanity in every condition and at every period of life, from the lying-in to the second childhood, and which not only restore sight to the blind, and hearing to the deaf, and speech to the dumb, but also bring back wandering reason to the insane, and teach even the idiot to think! Massachusetts, Sir, is a model of States, worthy of all honor, and though she was most conspicuous of all the States in the establishment of republican institutions here, she is even more conspicuous still for the municipal wisdom with which she has made them contribute to the welfare of her people, and to the greatness of the Republic itself. In behalf of New-York, for whom it is my right and duty to speak, I defy the Presidential accuser. Mark her tranquil magnanimity, which becomes a State for whose delivery from tyranny Schuyler devised and labored, who received her political Constitution from Hamilton, her intellectual and physical development from Clinton, and her lessons in humanity from Jay. As she waves her wand over the continent, trade forsakes the broad natural channels which coaveyed it before to the Delaware and Chesapeake bays and to the Gulfs of St. Lawrence and of Mexico, and obediently to her command pours itself through her artificial channels into her own once obscure seaport. She stretches her wand again toward the ocean, and the commerce of all the continents concentrates itself at her feet; and with it, strong and full floods of immigration ride in contributing labor, capital, art, valor and enterprise, to perfect and embellish our ever-widening empire. When, and on what occasion has Massachusetts or New-York officiously and illegally intruded herself within the jurisdiction of sister States, to modify or reform their institutions? No, no, Sir. Their faults have been quite different. They have conceded too often and too much for their own just dignity and influence in Federal Administration, to the querulous complaints of the States in whose behalf he arraigns them. I thank the President for the insult which, though so deeply unjust, was perhaps needful to arouse them to their duty in this great emergency. The President, in this connection, reviews the acquisitions of new domain, the organization of new Territories, and the admission of new States, and arrives at results which must be as agreeably surprising to the Slave States as they are astounding to the Free States. He finds that the former have been altogether guiltless of political ambition, while he convicts the latter not only of unjust territorial aggrandizement, but also of false and fraudulent clamor against the Slave States, to cover their own aggressions. Notwithstanding the President's elaborated misconceptions, these historical facts remain, namely—that no acquisition whatever has ever been made at the instance of the Free States, and with a view to their aggrandizement; that Louisiana and Florida, incidentally acquired for general and important national objects, have already yielded to the Slave States three States of their own class, while Texas was avowedly annexed as a means of security to Slavery, and one Slave State has been already admitted from that acquisition, and Congress has stipulated for the admission of four more; that by way of equivalent for the admission of California a Free State, the Slave States have obtained a virtual repeal of the Mexican law which forbade Slavery in New-Mexico and Utah; and that, as a consequence of that extraordinary legislation. Congress has also rescinded the prohibition of Slavery, which, in 1820, was extended over all of that part of Louisiana, except Missouri, which lies north of 36° 30′ of north latitude. Sir, the real crime of the Northern States is this: they have forty degrees too much of north latitude. I dismiss for the present the President's first defense against the accusation of the new State of Kansas. On the 24th of January, 1856, when no important event had happened which was unknown at the date of the President's annual Message, he submitted to Congress his second defense, in the form of a special Message. In this paper the President deplores, as the cause of all the troubles which have occurred in Kansas, delays of the organization of the Territory, which have been permitted by the Governor, Mr. Reeder. The organic law was passed by Congress on the 31st of May, 1854; but on that day there was not one lawful elector, citizen, or inhabitant within the Territory, while the question whether Slavery or universal Freedom should be established there, was devolved practically on the first Legislative bodies to be elected by the people who were to become thereafter the inhabitants of Kansas. The election for the first Legislative bodies was appointed by the Governor to be held on the 30th of March, 1855; and the 2d day of July, 1855, was designated for the organization of the Legislative Assembly. The only civilized community that was in contact with the new Territory was Missouri, a slaveholding State, at whose instance the prohibition of Slavery within the Territory had been abrogated, so that she might attempt to colonize it with slaves. Immigrants were invited not only from all parts of the United States, but also from all other parts of the world, with a pledge that the people of the new Territory should be left perfectly free to establish or prohibit Slavery. A special election, however, was held within the Territory on the 29th day of November, 1854, without any preliminary census of the inhabitants, for the purpose of choosing a Delegate, who might sit without a right to vote in Congress during the second session of the Thirty-third Congress, which was to begin on the first Monday of December, 1854, and to end on the 3d day of March, 1855. Mr. J. W. Whitfield was certified to be elected. There were vehement complaints of illegality in the election, but his title was nevertheless not contested, for the palpable reasons, that an investigation under the circumstances of the Territory, during so short a session of Congress, would be impossible, and that the question was of inconsiderable magnitude. Yet the President laments that the Governor neglected to order the first election for the legislative bodies of the new territory to be held simultaneously with that hurried Congressional election. He assigns his reasons: "Any question appertaining to the qualifications of persons voting as the people of the Territory would (in that case, incidentally) have necessarily passed under the supervision of Congress, "(meaning the House of Representatives), and would "have been determined before conflicting passions "had been inflamed by time, and before an opportunity "would have been afforded for systematic interference by the people of individual States." Could the President, in any explicit arrangement of words, more distinctly have confessed his disappointment in failing to secure a merely formal election of legislative bodies within the Territory, in fraud of the organic law, of the people of Kansas, and of the cause of natural justice and humanity? The President then proceeds to launch severe denunciations against what he calls a propagandist attempt to colonize the Territory with opponents of Slavery. The whole American continent has been undergoing a process of colonization, in many forms, throughout a period of three hundred and fifty years. The only common element of all those forms was propagandism. Were not the voyages of Columbus propagandist expeditions, under the auspices of the Pope of Rome? Was not the wide occupation Spanish America a propagandism of the Catholic Church. The settlement of Massachusetts by the Pilgrims; of the New-Netherlands by the Reformers of Holland; the later plantation of the Mohawk valley by the Palatines; the establishment of Pennsylvania by the Friends; the mission of the Moravians at Bethlehem, in the same State; the foundation of Maryland by Lord Baltimore and his colony of British Catholics; the settlement of Jamestown by the Cavaliers and Churchmen of England; that of South Carolina by the Huguenots: Were not all these propagandist colonizations? Was not Texas settled by a colony of slaveholders, and California by companies of freemen? Yet never before did any Prince, King, Emperor, or President, denounce such colonizations. Does any law of nature or nations forbid them? Does any public authority quarantine, on the ground of public opinion, the ships which are continually pouring into the gates of New-York whole religious societies from Ireland, Wales, Germany, and Norway, with their pastors, and clerks, and choirs? But the President charges that the Propagandists entered Kansas with a design to "anticipate and force "the determination of the Slavery question within the "Territory," (in favor of Freedom), forgetting, nevertheless, that he has only just before deplored a failure of his own to anticipate and favor the determination of that question in favor of Slavery, by a *coup de main*, in advance even of their departure from their homes in the Atlantic States and in Europe. He charges, moreover, that the Propagandists designed to "prevent the free and natural action of the inhabi-"tants in the intended organization of the Territory," when, in fact, they were pursuing the only free and natural course to organize it by immigrating and becoming permanent inhabitants, citizens, and electors of Kansas. Not one unlawful or turbulent act has been hitherto charged against any one of the propagandists of Freedom. Mark, now, an extraordinary inconsistency of the President. On the 29th of June, 1854, only twenty-nine days after the opening of the Territory, and before one of these emigrants had reached Kansas, or even Missouri, a propagandist association, but not of emigrants, named the Platte County Self-Defensive Association, assembled at Weston, on the Western Border of Missouri, in the interest of Slavery; and it published, through the organ of the President of the United States at that place, a resolution, that "when called upon by any citizen of "Kansas, its members would hold themselves in readiness to assist in removing any and all emigrants "who should go there under the aid of Northern Emigrant Societies." This association afterward often made good its atrocious threats, by violence against the property, peace, and lives of unoffending citizens of Kansas. But the President of the United States, so far from denouncing it, does not even note its existence. The majority of the Committee on Territories ingeniously elaborate the President's charge, and arraign Massachusetts, her Emigrant Aid Society, and her emigrants. What has Massachusetts done, worthy of censure? Before the Kansas organic law was passed by Congress, Massachusetts, on application, granted to some of her citizens, who were engaged in "taking up" new lands in Western regions, one of those common charters which are used by all associations, industrial, moral, social, scientific, and religious, now-a-days, instead of copartnerships, for the more convenient transaction of their fiscal affairs. The actual capital is some $60,000. Neither the granting of the charter, nor any legislative action of the association under it, was morally wrong. To emigrate from one State or Territory singly, or in company with others, with or without incorporation by statute, is a right of every citizen of the United States, as it is a right of every freeman in the world. The State that denies this right is a tyranny—the subject to whom it is denied is a slave. Such free emigration is the chief element of American progress and civilization. Without it, there could be no community, no political Territory, no State in Kansas. Without it, there could have been no United States of America. To retain and carry into Kansas cherished political as well as moral, social, and religious convictions, is a right of every emigrant. Must emigrants to that Territory carry there only their persons, and leave behind their minds and souls, disembodied and wandering in their native lands? They only are fit founders of a State who exercise independence of opinion; and it is to the exercise of that right that our new States, equally with all the older ones, owe their intelligence and vigor.

"There are, who, distant from their native soil,
Still for their own and country's glory toil;
While some, fast rooted to their parent spot,
In life are useless, and in death, forgot."

It is not morally wrong for Massachusetts to aid her sons, by a charter, to do what in itself is innocent and commendable. The President and the majority of the Committee maintain that such associations are in violation of national or at least of international laws. Here is the Constitution of the United States, and here are the Statutes at Large, in ten volumes, octavo. Let the President or his defenders point out the inhibition. They specify, particularly, that the action of the State violates a law of comity, which regulates the intercourse of independent States, and especially the intercourse between the members of the Federal Union. Here are Vattel and Burlamaqui. Let them point out in these pages this law of comity. There is no law of comity which forbids nations from permitting and encouraging emigration, on the ground of opinion. Moreover, Slavery is an outlaw under the law of nations. Still further, the Constitution of the United States has expressly incorporated into itself all of the laws of comity, for regulating the intercourse between independent States, which it deems proper to adopt. Whatever is forbidden expressly by the Constitution is unlawful. Whatever is not forbidden is lawful. The supposed law of comity is not incorporated into the Constitution. With the aid of the Committee on Territories, we discover that the emigrants from Massachusetts have violated the supposed national laws, not by any unlawful conduct of their own, but by provoking the unlawful and fugitious conduct of the invaders of Kansas. "They passed through Missouri in large numbers, using violent language, and giving unmistakable indications of their hostility to the domestic institutions "of that State," and thus "they created apprehensions that "the object of the Emigrant Aid Company "was to *abolitionize* Kansas, as a means of prosecuting a relentless warfare upon the institution of Slavery "within the limits of Missouri, which apprehensions "increasing with the progress of events, ultimately "became settled convictions of the people of Western "Missouri." Missouri builds railroads, steamboats, and wharves. It cannot be therefore, that the mere "largeness of the numbers" of the Eastern travelers offended or alarmed the borderers. I confess my surprise that the sojourners used violent language. It seems unlike them. I confess my greater surprise that the borderers were disturbed so deeply by mere words. It seems unlike them. Which of the domestic institutions of Missouri were those against which the travelers manifested determined hostility? Not, certainly, her manufactories, banks, railroads, churches and schools. All these are domestic institutions held in high respect by the men of Massachusetts, and are just such ones as these emigrants are now establishing in Kansas. It was, therefore, African Slavery alone, a peculiar domestic institution of Missouri, against which their hostility was directed. Waiving a suspicious want of proof of the unwise conduct charged against them, I submit that clearly they did not thereby endanger that peculiar institution in Missouri, for they passed directly through that State into Kansas. How, then, were the borderers provoked? The Missourians inferred from the language and demeanor of the travelers that they would *abolitionize* Kansas, and thereafter, by means of Kansas abolitionized, prosecute a relentless warfare against Slavery in Missouri. Far-seeing statesmen are these Missouri borderers, but less deliberate than far sighted. Kansas was not to be abolitionized. It had never been otherwise than abolitionized. Abolitionized Kansas would constitute no means for the prosecution of such a warfare. Missouri lies adjacent to abolitionized Iowa on the north and to abolitionized Illinois on the east; yet neither of those States has ever been used for such designs. How could this fearful enemy prosecute a warfare against Slavery in Missouri? Only by buying the plantations of her citizens at their own prices, and so qualifying themselves to speak their hostility through the ballot-boxes? Could apprehensions so absurd justify the invasion of Kansas? are the people of Kansas to be disfranchised and trodden down by the President of the United States, in punishment for any extravagance of emigrants, in Missouri, on the way to that Territory? Such is the President's second defense, so far as it presents new matter in avoidance of the accusation of the new State of Kansas. I proceed, in the third place, to establish the truth of the accusations. Of what sort must the proofs be? Manifestly only such as the circumstances of the case permit to exist. Not engrossed documents, authenticated by executive, judicial, or legislative officers. The transactions occurred in an unorganized country. All the authorities subsequently established in the Territory are implicated, all the complainants disfranchised. Only presumptive evidences, derived from the cotemporaneous statements and actions of the parties concerned, can be required. Such presumptive evidence is derived from the nature and character of the President's defenses. Why did the President plead at all on the 31st of December last, when the new State of Kansas was yet unorganized, and could not appear here to prefer her accusations until the 23d of March? Why, if he must answer so prematurely, did he not plead a general and direct denial? If he must plead specially, why did he not set forth the facts, instead of withholding all actual information concerning the case? Why, since, instead of defending himself, he must implead his accuser, did he not state, at least, the ground on which that accuser claimed to justify the conduct of which he complained? Why did he threaten "to overcome and suppress" the people of Kansas, as insurrectionists, if he did not mean to terrify them, and to prevent their appearing here, or at least to prejudice their cause? Why did he mock them with a promise of protection, thereafter, against interference by citizens of other States, if they should deport themselves peacefully and submissively to the Territorial authorities, if no cause for apprehending such interference had already been given by previous invasion? Why did he labor to embarrass his accuser by identifying her cause with the subject of Abolition of Slavery, and stigmatize her supporters with opprobrious epithets, and impute to them depraved and seditious motives? Why did he interpose the false and impertinent issue, whether one State could intervene by its laws or by force to abolish Slavery in another State? Why did he distort the Constitution, and present it as expressly guaranteeing the perpetuity of Slavery? Why did he arraign so unnecessarily and so unjustly, not one, but all of the original Northern States? Why did he drag into this case, where only Kansas is concerned, a studied, partial and prejudicial history of the past enlargements of the national domain, and of the past contests between the Slave States and the Free States, in their rivalry for the balance of power? Why did not the President rest content with one such attack on the character and conduct of the new State of Kansas, in anticipating her coming, if he felt assured that she really had no merit on which to stand? Why did he submit a second plea in advance? Why in this plea does he deplore the delays which prevented the Missouri borderers from effecting the conquest of Kansas, and the establishment of Slavery therein, at the time of the Congressional election held in November, 1854, in fraud of the Kansas law, and of justice and humanity? Why, without reason, or authority of public or of national law, does he denounce Massachusetts, her Emigrant Aid Society, and her emigrants? If "propagandist" emigrations must be denounced, why does he spare the Platte County Self-Defensive Association? Why does he charge Governor Reeder with "failing to put "forth all his energies to prevent or counteract the "tendencies to illegality which are found to exist in "all imperfectly organized and newly associated "countries," if, indeed, no "illegality" has occurred there? While thus, by implication, admitting that such illegality has occurred in Kansas, why does he not tell us its nature and extent? Why, when Gov. Reeder was implicated in personal conduct, not criminal, but incongruous with his official relations, did the President retain him in office until after he had proclaimed at Easton that Kansas had been subjugated by the borderers of Missouri, and why, after he had done so, and had denounced the Legislature, did the President remove him for the same preexisting cause only? Why does the President admit that the election for the legislative bodies of Kansas was held under circumstances inauspicious to a truthful and legal result, if, nevertheless, the result attained was indeed a truthful and legal one? On what evidence does the President ground his statement that, after that election, there were *mutual* complaints of usurpation, fraud and violence, when we hear from no other quarter of such complaints made by the party that prevailed? If there such mutual accusations, and even if they rested on probable grounds, would that fact abate the right of the people of Kansas to a Government of their own, securing a safe and well-ordered freedom? Why does the President argue that the Governor (Mr. Reeder) alone had the power to receive and consider the returns of the election of the Legislative bodies, and that he certified those returns in fifteen out of the twenty-two Districts, when he knows that the Governor, being his own agent, gave the certificates on the ground that the returns were technically correct, and that the illegality complained of was in the conduct of the elections and in making up of the returns by the judges, and that the terror of the armed invasion prevented all complaints of this kind from being presented to the Governor? Why does the President repose on the fact that the Governor, on the ground of informality in the returns, rejected the members who were chosen in the seven other Districts, and ordered new elections therein, and certified in favor of the persons then chosen, when he knows that the majority, elected in the fifteen Districts, expelled at once the persons chosen at such second elections, and admitted those originally returned as elected in these seven Districts on the ground that the Governor's rejection of them, and the second elections which he ordered, were unauthorized and illegal? Why does the President, although omitting to mention this last fact, nevertheless justify the expulsion of these newly-elected members on the ground that it was authorized by parliamentary law, when he knows that there was no parliamentary or other law existing in the Territory, but the organic act of Congress, which conferred no such power on the Legislature? Why was Governor Reeder replaced by Mr. Shannon, who immediately proclaimed that the Legislative bodies which his predecessor had denounced were the legitimate Legislature of the Territory? Why does the President plead that the subject of the alleged Missourian usurpation and tyranny in Kansas was one which, by its nature, appertained exclusively to the jurisdiction of the local authorities of the Territory, when, if the charges were true, there were no legitimate local authorities within the Territory? Is a foreign usurpation in a defenseless territory of the United States to be tolerated, if only it be successful? And is the Government *de facto*, by whomsoever usurped, and with whatever tyranny exercised, entitled to dear and obedience from the people, and to be recognized by the President of the United States? Why does he plead, that "whatever irregularities may have occurred "it is now too late to raise the question!" Is there nothing left but endurance to citizens of the United States, constituting a whole political community of men, women and children—an incipient American State—subjugated and oppressed? Must they sit down in peace, abandoned, contented and despised? Why does he plead, that "at least it is a question as to which, "neither now, nor at any previous time, has the least "possible legal authority been possessed by the President of the United States!" Did any magistrate ever before make such an exhibition of ambitious imbecility? Cannot Congress clothe him with power to act, and is it not his duty to ask power to remove usurpation and subvert tyranny in a Territory of the United States? Are these the tone, the tenor, and the staple, of a defense, where the accused is guiltless, and the crimes charged were never committed? The President virtually confesses all the transactions charged, by thus presenting a connected system of maxims and principles, invented to justify them. I proceed, however, to clinch conviction by direct and positive proofs: First, the statements of the party which has been overborne. Gen. Pomeroy and his associates, in behalf of the State of Kansas, make this representation concerning the Congressional election held in the Territory on the 30th of November, 1854:

"The first ballot-box that was opened upon our virgin soil was closed to us by overpowering numbers and impending force. So bold and reckless were our invaders, that they cared not to conceal their attack. They came upon us, not in the guise of voters, to steal away our franchise, but boldly and openly, to match it with a strong hand. They came directly from their own homes, and in compact and organized bands, with arms in hand and provisions for the expedition, marched to our polls, and when their work was done, returned whence they came. It is unnecessary to enter into the details; it is enough to say that in three districts, in which, by the most irrefragable evidence, there were not one hundred and fifty voters, most of whom refused to participate in the mockery of the elective franchise, these invaders polled over a thousand votes."

In regard to the election of the 30th of March, 1855, the same party state:

"They (the Missourians) arrived at their several destinations the night before the election, and having pitched their camps and placed their sentries, waited for the coming day. Baggage wagons were there, with arms and ammunition enough for a protracted fight, and among them two brass field-pieces, ready charged. They came with drums beating and flags flying, and their leaders were of the most prominent and conspicuous men of their respective States. In the morning they surrounded the polls, armed with guns, bowie-knives and revolvers, and declared their determination to vote at all hazards and in spite of all consequences. If the judges could be made to subserve their purposes, and receive their votes, and if no obstacle was cast in their way, their leaders exerted themselves to preserve peace and order in the conduct of the election; but at the same time did not hesitate to declare, that if not allowed to vote, they would proceed to any extremity in destruction of property and life. If the control of the polls could not be had otherwise, the judges were by intimidation, and, if necessary, by violence, prevented from performing their duty, or, if unyielding in this respect, were driven from their post, and the vacancy filled in form by the persons on the ground; and whenever by any means they had obtained the control of the board, the foreign vote was promiscuously poured in, without discrimination or reserve, or the slightest care to conceal its nefarious illegality. At one of the polls, two of the judges having manfully stood up in the face of the armed mob and declared they would do their duty, one portion of the mob commenced to tear down the house, another proceeded to break in the door of the judges' room, while others, with drawn knives, posted themselves at the window, with the proclaimed purpose of killing any voter who would allow himself to be sworn. Voters were dragged from the window, because they would not shew their tickets at once at the dictation of the mob; and the invaders declared openly, at the polls, that they would cut the throats of the judges if they did not receive their votes without requiring an oath as to their residence. The room was finally forced, and the judges, surrounded by an armed and excited crowd, were offered the alternative of resignation or death, and five minutes were allowed for their decision. The ballot-box was seized, and, amid shouts of 'Hurrah for Missouri,' was carried into the mob. The two menaced Judges then left the ground, together with all the resident citizens, except a few who acted in the outrage, because the result expected from it corresponded to their own views.

"When an excess of the foreign force was found to be had at one poll, detachments were sent to the others. * * * * * A minister of the Gospel, who refused to accede to the demands of a similar mob of some four hundred armed and organized men, was driven by violence from his post, and the vacancy filled by themselves. * * * * Another clergyman, for the expression of his opinion, was assaulted and beaten. * * * The inhabitants of the District, powerless to resist the abundant supply of arms and ammunition, organized preparation, and overwhelming numbers of the foreigners, left the polls without voting. * * * * In the Lawrence District, one voter was fired at as he was driven from the election ground. * * * * Finding they had a greater force than was necessary for that poll, some 200 men were drafted from the number, and sent off under the proper officers to another district, after which they still polled from this camp 700 votes. * * In the Fourth and Seventh Districts, the invaders came together in an armed and organized body, with trains of fifty wagons, besides horsemen, and, the night before election, pitched their camps in the vicinity of the polls, and having appointed their own judges, in place of those who, from intimidation or otherwise, failed to attend, they voted without any proof of residence. In these two election districts, where the census shows 100 voters there were polled 314 votes, and last fall 765 votes, although a large part of the actual residents did not vote on either occasion. From a careful examination of the returns, we are satisfied that over 3,000 votes were thus cast by the citizens and residents of the States."

I place in opposition to these statements of the party that was overborne, the statements of the party that prevailed, beginning with signals of the attack, and ending with celebrations of the victory.

Gen. Stringfellow addressed the invaders in Missouri, on the eve of the election of March 30, 1855, thus:

"To those who have qualms of conscience as to violating laws, State or National, the time has come when such impositions must be disregarded, as your rights and property are in danger; and I advise you, one and all, to enter every election district in Kansas, in defiance of Reeder and his vile myrmidons, and vote at the point of the bowie knife and the revolver. Neither give nor take quarter, as our case demands it. It is enough that the slaveholding interest wills it, from which there is no appeal. What right has Gov. Reeder to rule Missourians in Kansas? His proclamation and prescribed oath must be repudiated. It is your interest to do so. Mind that Slavery is established where it is not prohibited."

The Kansas Herald, an organ of both the Administration and the Pro-Slavery party, announced the result of the legislative election in the Territory immediately afterward as follows:

"Yesterday was a proud and glorious day for the friends of Southern Rights. The triumph of the Pro-Slavery party is complete and overwhelming. Come on, Southern men! Bring your slaves, and fill up the Territory! Kansas is saved!"

The Squatter Sovereign, published in Missouri, thus announced the result of the election, the day after it closed:

"INDEPENDENCE, March 31, 1855.

"Several hundred emigrants from Kansas have just entered our city. They were preceded by the Westport and Independence brass bands. They came in at the west side of the public square, and proceeded entirely around it, the bands cheering as with fine music, and the emigrants with good news. Immediately following the bands were about two hundred horsemen in regular order; following these were one hundred and fifty wagons, carriages, &c. They gave repeated cheers for Kansas and Missouri. They report that not an Anti-Slavery man will be in the Legislature of Kansas. We have made a clean sweep."

A letter written at Brunswick, in Missouri, dated April 20, 1855, and published in *The New-York Herald*, a Pro-Slavery journal, says that

"From five to seven thousand men started from Missouri to attend the election, some to remove, but the most to return to their families, with an intention, if they liked the Territory, to make it their permanent abode, at the earliest moment practicable. But they intended to vote. The Missourians were, many of them, Douglas men. There were 150 voters from this county, 175 from Howard, 100 from Cooper. Indeed, every county furnished its quota; and when they set out, it looked like an army. * * They were armed. * * * And, as there were no houses in the Territory, they carried tents. Their mission was a peaceable one—to vote, and to drive down stakes for their future homes. After the election, some 1,500 of the voters sent a committee to Mr. Reeder, to ascertain if it was his purpose to ratify the election. He answered that it was, and said the majority at an election must carry the day. But it is not to be denied that the 1,500, apprehending that the Governor might attempt to play the tyrant—since his conduct had already been insidious and unjust—wore on their hats bunches of hemp. They were resolved, if a tyrant attempted to trample upon the rights of the sovereign people, to hang him."

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