DAILY APPEAL.

MEMPHIS.

SATURDAY MORNING.....JAN. 3, 1857.

THE CASH SYSTEM

Will be strictly observed by the proprietors of this paper in future. Every name will be erased at the expiration of the time subscribed for, unless renewed in advance. In doing this, we know we shall have to erase many a good name, but we can make no exception to the rule we have adopted. Long experience has taught us that this is the only safe and legitimate way of conducting our business.

MR. BUCHANAN—THE PACIFIC RAILROAD.

The election of this great statesman to the highest office in the gift of the American people, after one of the hardest fought political battles ever known in the United States, is a victory which every conservative man in the Union should feel proud of. Detraction did its worst to injure him prior to the election, but so fair and unsullied was his name and fame, that he passed through the fiery ordeal and came forth unscathed, to receive the congratulations of over two million of freemen, who, having watched his political course for years past—having noticed the traits in his character which made the man, as also the statesman—rejoiced in his elevation to the office of President of the United States. Hon. JAMES BUCHANAN stood and still stands upon the platform adopted at the Cincinnati Convention, which nominated him, and he will be governed by it, else we much mistake the man. The howl raised in relation to the Ostend Conference, has ceased, and in lieu of something else exciting, the enemy now desire to make capital out of a letter written by him in relation to the Pacific Railroad, published some weeks since. The views were simply those of plain JAMES BUCHANAN—not those of JAMES BUCHANAN, President of the United States—and we wonder much that our Democratic brethren of the press became in the least exercised concerning it. Mr. BUCHANAN will be the President of the *whole* people; he will not permit his private views to interfere with his administration.

The Democrats will have a majority in both Houses of the Thirty-Sixth Congress, and we predict that the acts of the majority of that party which elevated him to power, as represented through Congressmen and Senators, will find in the President elect a faithful representative of the people. He will veto no bills which have for their object the public good. The Constitution will be Mr. BUCHANAN'S guide, as long as he is at the helm of State—and with such a guide, as inductory, need there be any fears expressed as to the composition of his Cabinet? It will be a conservative one. Ultra men, no matter from what section of the country, will have no place therein.

In relation to the Pacific Railroad, and as appropos to what we have written, we make the following extract from the Lancaster *Intelligencer*, a Democratic paper, published within a distance of two miles from the sage of Wheatland's home:

THE PACIFIC RAILROAD.—The opposition press is fruitful in expedients to alarm and deceive the unwary and unsuspecting portion of the people. Scarcely has one phantom vanished from the public gaze, before another is conjured up, and made to glide over the stage, and then, in turn, vanish into thin air. A short time ago, the Ostend letter was the great bugbear, and we were gravely told that if Mr. Buchanan was elected President, Cuba would be seized upon and annexed to the Union whether Spain consented or not. Perceiving that this did not frighten the people to any great extent, they dismissed that phantom, and have raised another, in the shape of a railroad to the Pacific ocean. The presumption is very strong that they will not be able to create any greater alarm by this new ghost, than by those that have preceded it in their transit across the political stage. Everybody knows, or should know, that the President has no power, even if he desired it, to embark the country in any railroad enterprise, without the concurrence and authority of Congress. He is responsible, of course, for what he recommends; but let us wait patiently and see what *he does recommend*, before we condemn him. Mr. Buchanan has long been considered one of our ablest and most prudent statesmen, and we have no fear, whatever that now, in the maturity of his wisdom, and with his great experience, he will violate, in any particular, that Constitution which he has labored so faithfully to preserve during his long and eventful political life.

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☞ On Friday of last week, 19,746 bales of cotton were received at New Orleans.

☞ Five hundred emigrants departed from New Orleans last Sunday, for Nicaragua.

☞ The Government of Dominica has accepted six thousand muskets sent from Cuba.

☞ The next State Fair will be held at Nashville on the 7th of May.

☞ A German was shot at Nashville, on Christmas day, by a man named EDGAR.

☞ A fire occurred at Alexandria, La., on the 23d ult., which destroyed fifty bales of cotton.

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☞ Hon. WM. AIKEN, of South Carolina, retires from Congress on the fourth of March, intending to visit Europe with his family for 18 months.

☞ A remarkable instance of longevity is mentioned in the Mexican papers—that of a lady who died at Actotopan, at the age of 139 years.

☞ The "first shad" has been caught near Savannah, and sent to Columbus. The *Georgian* says, "Times are so hard in Savannah, that nobody can afford to eat the first shad."

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☞ The New York *Times* says that various munitions of war, including some of the most approved incendiary missiles used at the siege of Sebastopol, have been shipped to General WALKER recently from New York.

REDUCTION OF POSTAGE.—The Postmaster General has issued instructions to postmasters in New York, Boston and Philadelphia reducing the single postage to Panama from twenty to ten cents, that port being, (by the Aspinwall route,) within the 2500 miles named in the law.

ADVANCE IN LAND WARRANTS.—*Washington, December 23.*—The financial circular of Messrs. SWEENY, RITTENHOUSE, FAUT & Co., says that the President having brought into market 500,000 acres of land lying in the north of Iowa, has given rise to an active demand for land warrants. The circular quotes an advance of three cents per acre.

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WASHINGTON MATTERS.—We copy the following letter from the New York *News*, of the 25th ult.:

WASHINGTON, December 22, 1856.

Senator Brown, of Mississippi, administered to the Black "Republican" leaders, in his speech of to-day, a merited excoriation, which they will not soon forget. Wilson, of Massachusetts, came in for a good share of the castigation. He exposed, with master hand, the intention of the Black "Republican" party, as shown by the speeches of their leaders, to be as bad as the worst picture of their designs represented them. Senator Wilson and the other nigger worshipers need not endeavor to crawfish out of their position as enemies to the institution of slavery in the States. If there be a conservative element among the masses of the "Republican" party, they must see that a continuance in its folds will lead them into a war on the South, that looks to no excesses as too extreme for their purpose, even though it be to aid the slave to cut the throat of his master.

A fact not generally known is, that the present Governor of Kansas has selected as his future home a slave State. He is a large iron manufacturer, and having discovered a bed of ore in Loudon county, Virginia, of excellent quality, established iron works there, and had actually taken up his residence there, preparatory to removing his family when the appointment which he now holds called him to Kansas.

Gen. Thomas D. Covely, of South Carolina, has been re-appointed United States Marshal for that State. His old commission expired to-day.

The House, to-day, re-elected the chaplain of last session to that position. There were a great many greedy clergymen anxious for the place, but the House, after it concluded to elect a chaplain, conferred the honor upon the poor old man who prayed so hard for the members at the last session, that their shortcomings might be overlooked.

There is no greater farce than that of having a chaplain to a body like the House of Representatives, where the spirit of prayer is not felt, but where a mere form of devotion is gone through just like they would go through the ordeal of listening to a dull speech; for really there is about as much attention paid to the one as the other.

The idea is absurd which has been telegraphed to the morning papers and appeared to-day, that the President had ordered the arrest of Gen. Walker, C. Morgan and others. No such thing is contemplated. The Nicaragua Transit Co., can't get this Government to become a party to one of its private business transactions.

Maj. Roberts, of the Army, is out to-day, in the *National Intelligencer*, in continuance of the war which he has been making for years on the claim of that gallant veteran, Gen. Quitman, to the honor of having raised the first American flag in the capitol of the Montezumas. A committee of the Senate, at the last session, examined carefully into the merits of this dispute and decided unanimously that to Gen. Quitman belonged that honor. Against the decision of so distinguished a tribunal, Major Roberts' letter will have but little effect. The Major himself is a gallant officer; but I apprehend that it would appreciate his present position if he would cease his efforts to detract the credit of this noted incident in our country and history which has been conferred on Gen. Quitman.

It appears that Mr. Sumner has nerved himself to a sufficient extent to resume his seat in the Senate. He is to accomplish this in a day or two. He finds that the idea of his inability to attend to his senatorial duties in operating against his re-election to the Senate. Crazy but sly Charles Sumner. He has no idea of giving up a chance for a six years cushion seat in the Senate, in order to let capital be made out of sympathy for him. He does not like his party less; but his office more.

MAN SHOT.—We copy the following from the Bolivar *Democrat*, of the 31st ult.:

"We learn that Mr. F. Pledge shot Major D. L. Stockton, on last Monday, at the Junction. We did not learn any of the particulars, or even whether the wound was dangerous."

NEW COUNTERFEIT.—The police has just discovered the existence of a new counterfeit bill, ready to be put into circulation in our city. It is of the denomination of $1, on the Northern Bank of Kentucky. The vignette is a female seated, holding in her hand a scroll bearing the inscription: "Northern Bank of Kentucky;" in the distance a railroad. On the left end, likeness of Clay at top; figure 1 at bottom; on the right end, head of Washington; denomination of the note, and near the upper corner a head of a female.—*St. Louis News.*

THE CENTRAL AMERICAN IMBROGLIO.

From the Liverpool Albion, December 5th.

The London *Times*, in one of those brilliant but enigmatical effusions with which it dazzles and bewilders the public mind, and prepares it for coming events, has just settled the question of British Protectorate of the Mosquito Indians, and foreshadowed the future fate of the republic of Central America. For upwards of 200 years have the Mosquito race preserved with unshaken fidelity, their friendship with the British nation. They have supplied us with shelter, food and fuel in the days when Spain ever that now, in the maturity of his wisdom, and with his great experience, he will violate, in any particular, that Constitution which he has labored so faithfully to preserve during his long and eventful political life.

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THE PRESIDENT'S MESSAGE.

SPEECH OF HON. SAMUEL A. SMITH, OF TENNESSEE.

Delivered in the House of Representatives, December 9, 1856.

The House having resumed the consideration of the motion to print extra copies of the Annual Message of the President of the United States—

Mr. SMITH, of Tennessee, said:

Mr. Speaker, I wish this morning to reply briefly to the remarks made yesterday by two gentlemen from Ohio, [Messrs. Campbell and Sherman,] on the motion to refer and print the message of the President of the United States.

This debate is an extraordinary one; but, as the gauntlet has been thrown down by the Republicans, it must be taken up by the Democrats, as they seem to be the challenged party.

On all occasions it is allowable to those defeated in any contest, whether personal, physical, or political, to make excuses for their defeat; and on most occasions those who have taken the lead in an unsuccessful contest of any kind are prepared to furnish their friends with some excuse plausible in its character for their defeat; and more particularly after it has occurred under assurances like those given by the Republican party in the late presidential canvass. If nothing had been said in reference to the cause of defeat, I should not have considered it my duty to say anything upon this occasion. I have always found, even in traveling from court to court with gentlemen who had favorite horses, that when their horses *stumbled* they would complain of the *blacksmith* who shod them, or would say that the horse had been shod *too long*. Even the Mexican General Santa Anna furnished an excuse to his people, and made them believe that they triumphed in all the great battles of Buena Vista and Cerro Gordo. Napoleon the I. furnished an excuse for his defeat at Waterloo; but he gave as a reason, that his expected reinforcements did not arrive on the field of battle in time to take a part in the conflict which determined the fate of France.

No such excuse as that has been furnished by the Republican party in the remarks made by either of the gentlemen from Ohio on yesterday. The Republicans with their forces all in the field, well decipline and ready for the contest before it commenced, have been vanquished, and they now attempt to furnish an excuse for their defeat. They charge upon the Democratic party an avowal of different sentiments in the different sections of the Union. If this had been all that was said yesterday, I should not have felt it my duty "to say a word upon this occasion. The excuse is so silly, if I may be allowed the expression, and calculated to have so little influence upon the public mind, that I should not have replied to it, had the remarks of the gentleman been confined to those excuses for defeat to which I have referred.

But, sir, I saw in the speech of the gentleman from Ohio yesterday, a different purpose from what was disclosed in their words. I saw in the speech of the gentleman who last addressed the House [Mr. Sherman] an effort at a union between that element which had fought the Democratic party at the North, and that which had opposed it at the South, in order to unite all in the next presidential contest, which will come off in 1860. The gentleman from Ohio has backed down from the position taken by the Republican party in the last canvass, in this House and in the country, in reference to the question of slavery. It was said to me, as I came on to Washington, by a distinguished man who occupies a seat upon this floor, that there would be an effort to unite all elements of opposition to the Democratic party in one body to carry the next election, and, to accomplish their object, nominate a *southern man* as their candidate for the Presidency. The first step towards the accomplishment of that object was, in my judgment, taken yesterday in this House. It will not, *it cannot* succeed; but the effort will be made, and I should not be surprised, from what has occurred in the southern States in the late Presidential canvass, to see that party successful, so far as the leading men of the Republican party, and of those opposed to the Democratic party in the South, are concerned.

But the gentleman from Ohio said that the great issue in the last canvass was the restoration of the Missouri compromise line, and the policy of the present Administration; and that that policy had been condemned by more three hundred thousand majority of the popular vote. I take issue with the gentleman in that assertion; and I am prepared to show that, so far from that being true, the policy of President Pierce has been *approved*, and that a restoration of the Missouri compromise line has been *condemned* by one million three hundred and thirty thousand votes. The position of the various candidates in that contest was well known. That of Mr. Buchanan was in favor of the repeal, and against the restoration, of the Missouri restriction. That of Mr. Fillmore was against the restoration of that line. Mr. Fillmore took ground against its repeal and also against its restoration. Now, sir, the number of votes cast for those two candidates over those cast for Fremont is more than all those which was given to the Republican candidate at the last presidential election.

But suppose I am wrong in the idea that the votes cast for Fillmore in the *northern* States were opposed to the restoration of the Missouri compromise line; yet those who voted for him in the southern States openly avowed that they were opposed to its restoration. It was so proclaimed by all their speakers on the stump. Now, take the votes which Mr. Buchanan received and the votes given to Mr. Fillmore in the southern States, and there is a clear majority of more than two hundred thousand against the restoration of the Missouri compromise line. Yet the gentleman from Ohio, in a very extraordinary speech, asserted that the policy of President Pierce upon that subject has been condemned by a majority of three hundred thousand votes.

Mr. Sherman. I desire to propound a question to the gentleman.

Mr. Smith, of Tennessee. I yield for an interrogatory, but for nothing else.

Mr. Sherman. Does not the gentleman know that thousands of persons in the northern States who are opposed to the repeal of the Missouri compromise voted for Mr. Buchanan?

Mr. Smith, of Tennessee. I do; but they were utterly opposed to its restoration.

Mr. Sherman. Does he not know that the candidate of the Democratic party in the Lancaster district of Pennsylvania, in which Mr. Buchanan resides, was one of those here who voted against the repeal of the Missouri compromise—who condemned it upon the floor of this House, and upon the hustings?

Mr. Smith, of Tennessee. I know that Mr. Heister, who ran in the Lancaster district, took open and bold ground in the spirit and political campaign against the restoration of the Missouri compromise. He said that he had voted against the repeal of that compromise; but he unequivocally opposed its restoration.

Mr. Sherman. Was that gentleman, who thus opposed the restoration of the Missouri compromise, elected in the Wheatland district?

Mr. Smith, of Tennessee. He was not; he was defeated. Perhaps, if he had voted for the repeal, he might have been elected. At the time of the repeal of the Missouri compromise he belonged to the Whig party, every northern member of which voted against that repeal.

Mr. Davidson. Mr. Speaker, is this discussion in order?

The Speaker. The Chair thinks the discussion is in order on a motion to print and refer the message of the President.

Mr. Smith, of Tennessee. It has been asserted in the South, in almost every presidential canvass and in every State canvass, that the Democratic party of the northern States were unsound on the question of the constitutional rights of the South.

We have denied this. We have held that the Democratic party North and the Democratic party South occupied one and the same ground. We took the same position in the late canvass. The gentleman furnishes, as he supposes, material to the opposition to the Democratic party in the South with which to fight us in future presidential and State canvasses. But his attempt will be fruitless. The people of the South now understand the position of all the parties in the northern States, and they look to the Democracy as the only one national in its principles and just in its action to all sections of the Union.

It was boldly proclaimed yesterday that Mr. Buchanan was a minority President, and that the administration of President Pierce was condemned by the people. It was alleged that Mr. Buchanan was elected under false pretenses. A little investigation would have satisfied the gentleman from Ohio [Mr. Campbell] that neither of these propositions is true in fact. I am prepared to refute all of them. Mr. Buchanan has clear majorities over all others in enough States to make him President without a single electoral vote from any State which he only carried by a plurality of votes. He has carried by clear majorities sixteen States—fourteen southern, and the States of Pennsylvania and Indiana. Those States number one hundred and fifty-two electoral votes, being eleven more than the number required to elect a President. So that if the strength of Fremont and Fillmore and Gerrit Smith were all combined he would have enough votes to elect him.

Let us try this in another way, for these are facts which go out to the people. The sixteen states which Mr. Buchanan carried by clear majorities have a population by the last census of 12,981,[illegible]24. The entire population of the United States by the same census is put down at 23,099,[illegible]78. Therefore he had a clear majority of the people of the Union in favor of his election. Yet it is said that he is a minority President, and that the principle of the restoration of the Missouri compromise was endorsed by the people.

Mr. Fremont carried the six New England States and Wisconsin and Michigan. These eight States have a population of 3,431,000. The States of New York, New Jersey, Illinois, Ohio, and Iowa, were carried by pluralities. They have a population of over 6,000,000. Mr. Fillmore carried Maryland, with a population of 583,000. So that Mr. Buchanan and the Democratic party have been endorsed by a large majority of the people of the United States.

The total number of votes polled for Buchanan at the recent election, may be stated in round numbers at.....1,800,000
For Fremont.....1,275,000
For Fillmore.....850,000

Total number of votes.....3,925,000
Buchanan over Fremont.....525,000
Over Fillmore.....950,000
Fremont over Fillmore.....425,000

Buchanan's plurality over Fremont is 100,000 more than Fremont's plurality over Fillmore.

Fremont lacks about 1,375,000 of a majority of the whole. Buchanan lacks about 325,000 of a majority of the whole.

In all the non-slaveholding States taken together, Fremont is in a minority of more than 200,000. His vote, however, exceeds Buchanan's in said States about 130,000.

It is not true, therefore, that sectionalism has carried the day by a popular majority. The people of the country are opposed to sectionalism. The people of the North and of the South are in favor of the Union, and of preserving the rights of every section of the Union. The Democratic party was successful in the recent contest, even under the adverse circumstances which surrounded it, and elected the President by a large majority of the electoral colleges. The States we have carried contain a majority of the population of the United States. Buchanan and Breckinridge have a large majority of the electoral colleges. Why, then, is it said that the verdict of the people was against the policy of the Democratic party, and that the administration of President Pierce has been condemned by the people? The convention which nominated Mr. Buchanan endorsed President Pierce and his administration. This we all know. The very convention which nominated him endorsed the Kansas-Nebraska bill, which was the great issue in the Presidential canvass.

Mr. Barclay. I wish to ask the gentleman whether the resolution endorsing the administration of President Pierce was published and circulated in the Democratic papers of Pennsylvania?

Mr. Smith, of Tennessee. I know nothing about what was published in the Pennsylvania papers. It was contained in the official proceedings of the convention, which were published all over the country. But, sir, I hope that no Pennsylvanian here will esteem the people of that noble State so ignorant as not to know what occurred in the Cincinnati Convention, when its proceedings were public, and published in nearly all the journals of the country.

Mr. Washburne, of Illinois. Do I understand the gentleman to state that this resolution endorsing the administration of Pierce was published in all the Northern Democrat c papers?

Mr. Smith, of Tennessee. Yes, sir, all the leading ones, of which I have any knowledge.

Mr. Washburne, of Illinois. As part of the platform?

Mr. Smith, of Tennessee. As part of the proceedings of the Cincinnati Convention.

Mr. Washburne, of Illinois. I undertake to say that it was not published in many of the Illinois Democratic papers.

Mr. Smith, of Tennessee. It was published in the Northern Democratic papers as part of the proceedings of the Convention. It was published in the Boston *Post*, in the New York *Day Book*, and in the *Pennsylvanian*. These are the leading papers of the North which I saw.

Mr. Washburne, of Illinois. In my section of the country it not only was not published in those papers, but they denied that such a resolution was passed.

Mr. Smith, of Tennessee. I am afraid that my friend's part of the country is a benighted place, anyhow, and should not be surprised if so good a thing would never find its way into his "beat." Is there a Democratic paper in the gentleman's district?

Mr. Washburne, of Illinois. There are two or three which profess to be, but they have only a very limited circulation.

Mr. Smith, of Tennessee. Do they support the regular Democratic candidates?

Mr. Washburne, of Illinois. There were several Democratic papers in my State which did not publish it. I believe the Freeport *Bulletin* was one. I will not be certain, however.

Mr. Smith, of Tennessee. That evades the question, and I turn the gentleman over to his colleague, Mr. Marshall.

Mr. Marshall, of Illinois. With the permission of the gentleman from Tennessee, I wish to ask my colleague a question. I understand my colleague to assert that Democratic papers in Illinois repudiated the resolution of the Cincinnati Convention endorsing the administration of Franklin Pierce, and denied that such a resolution had been adopted. This is a grave and important statement, and I wish him to state distinctly what Democratic papers in Illinois he refers to.

Mr. Washburne, of Illinois. I am not certain. I cannot state with certainty; but my impression is that the Freeport *Bulletin* denied that such a resolution had been adopted at Cincinnati.

Mr. Marshall, of Illinois. I wish to be understood distinctly as asserting that no paper in Illinois, recognized as an organ of the Democratic party, and circulating among the people of that State, ever denied the adoption of such a resolution. On the contrary, the Democracy of Illinois everywhere, without evasion or equivocation, sustained the platform and proceedings of the Cincinnati Convention, the principles of the Kansas-Nebraska bill, and the administration of Franklin Pierce. I say that the Democracy of the country cannot be sustained by the facts. The position of the Democracy of Illinois cannot be mistaken by any one who wishes to understand it. They are in favor of withdrawing this question of slavery entirely from the Halls of Congress, and of leaving its adjustment to the people of each State and Territory for themselves, without any interference whatever from without. And this just principle, I cannot doubt, will be sustained by a large majority of the people of the Northern States, when it is fairly and honestly presented, without misrepresentation or evasion by our opponents.

Mr. Washburne, of Illinois. Will the gentleman state to the House whether he knows of his own knowledge that the *State Register* and the Chicago *Times*, two leading Democratic papers in that State, published the resolution among the proceedings of the Convention.

Mr. Marshall, of Illinois. Both of them did. And every paper which undertook to publish the entire proceedings published that among the other resolutions of the Convention.

Mr. Allen. For the information of my colleague, I can state to him that the Chicago *Times*, the Springfield *Register*, and the Quincy *Herald*, three of the leading Democratic papers in the Northern part of the State, published that resolution of the Cincinnati Convention.

Mr. Morrison. I desire to state that all the Democratic papers in the Eighth Congressional District of Illinois published that resolution; and not only the Democratic papers, but the Republican papers in that district published it also, and upon it based their assault upon the Democratic party, because that party had endorsed the administration of Franklin Pierce.

Mr. Smith, of Tennessee. I would ask the gentleman from Illinois [Mr. Washburne] if he knows one single Democratic paper in his district which did not publish it?

Mr. Washburne, of Illinois. I have stated that already.

Mr. Smith, of Tennessee. Is it so to your own knowledge?

Mr. Washburne, of Illinois. My impression is that the Freeport *Bulletin* is one paper which did not publish that resolution.

Mr. Smith, of Tennessee. The resolutions of the Democratic Convention were public matters, and every Democratic member of Congress was entitled, I believe, to eighty copies, and they were distributed among the Northern and Southern States. I hold in my hand one of the resolutions of that Convention, which I will read. It is as follows:

"*Resolved*, That claiming fellowship with, and desiring the co-operation of all who regard the preservation of the Union under the Constitution as the paramount issue—and repudiating all sectional parties and platforms concerning domestic slavery, which seek to embroil the States and cite to treason and armed resistance to law in the Territories, and whose avowed purpose, if consummated, must end in civil war and disunion—the American Democracy recognize and adopt the principles contained in the organic law establishing the Territories of Kansas and Nebraska as embodying the only sound and safe solution of the 'slavery question' upon which the great national idea of the people of this whole country can repose in its determined conservatism of the Union—*non-interference by Congress with slavery in State and Territory, or in the District of Columbia.*"

Upon that platform Mr. Buchanan went before the country—a platform made in the State from which the gentleman comes who yesterday addressed the House, and attempted to show that the Democracy of this State were ignorant of the principles upon which they voted for the Democratic candidate.

Mr. Grow. I would ask the gentleman if he, and the party with whom he acted in the South, understand that resolution to mean that previous to the formation of a State constitution the people of a Territory could prohibit or permit slavery?

Mr. Smith, of Tennessee. It is well known that there is a difference of opinion between Northern and Southern gentlemen upon what is called the question of "Squatter Sovereignty." I have never regarded it as of any importance. I know that a large portion of the people of the North, of all parties, believe that the people, in a territorial capacity, can exclude or admit slavery, because they believe it is an *inherent right*, and one not conferred by Congress. The people of the South disbelieve that, with some exceptions. There are some in the South who believe that the people have an inherent right to admit or exclude slavery in a territorial capacity, and there are many in the North who believe that the people of a Territory have not that power until they form a constitution to ask admission as a State into the Union.

I have said I regard this as a question of no practicability. I have held that in a territorial capacity they had not the right to exclude slavery. Yet the majority of the people in the Territory will decide this question after all. In a Territory we must have laws, not to establish, but to *protect* the institution of slavery; and if a majority of the people of a Territory are opposed to the institution, they will refuse to pass laws for its protection.

We have the right to take slaves into the Territory without any law establishing the institution. But Southern men must be satisfied that there will be laws for their protection before they will take their property, whether negroes or horses, with them into any State or Territory of the United States.

Mr. H. Marshall. I would inquire whether Mr. Buchanan, in the Presidential campaign, took the Northern or Southern construction of the question?

Mr. Smith, of Tennessee. He took the bold and strong ground that the people had the right to settle the question for themselves. He has always taken ground against what the gentleman terms "Squatter Sovereignty."

Mr. H. Marshall. Do I understand the gentleman to say that Mr. Buchanan holds that the people of a Territory, prior to the formation of a State constitution, have the right to exclude slavery?

Mr. Smith, of Tennessee. Mr. Buchanan has never taken any such ground. I will read the ground he has taken.

Mr. H. Marshall. I know what he says in his letter of acceptance. As the Democratic party went into the canvass with two constructions of the question, I only wish to know which he took, or whether he uttered both.

Mr. Smith, of Tennessee. Here is the ground he assumed. The following resolution is a part of the platform adopted by the Democratic National Convention which nominated Mr. Buchanan, and which he most cordially approved:

"*Resolved*, That we recognize the right of all the people of all the Territories, including Kansas and Nebraska, acting through the legally and fairly-expressed will of a majority of actual residents, and whenever the number of their inhabitants justifies it, to form a constitution, with or without domestic slavery, and be admitted into the Union upon terms of perfect equality with the other States."

That is the ground taken by Mr. Buchanan and the convention which nominated him. The doctrine that the people of a Territory have the right to form their own institutions in their own way is the true and Democratic doctrine. As to the institution of slavery, they ought not to prohibit or establish it until they form a constitution to ask admittance *as a State* into the Union.* If the people of a Territory are opposed to the institution of slavery, they will not pass laws to protect it, and it will not go there. If, on the contrary, they are in favor of it, they will pass laws for its protection, and it will go there. It will either go there or not, according to the popular sentiment of the people of the Territory. The gentleman from Kentucky himself supported a candidate for the Presidency who maintained the doctrine of squatter sovereignty.

Mr. H. Marshall. Our candidate did not hold that doctrine. He was opposed to it, as every man who supported him North and South was opposed to it.

Mr. Smith, of Tennessee. How many times did the gentleman's candidate vote for the principles of the Wilmot proviso?

Mr. H. Marshall. Do you understand that to be squatter sovereignty?

Mr. Smith, of Tennessee. The seventh section of the platform upon which the gentleman fought the battle contains what the gentleman himself considered an endorsement of the doctrine of squatter sovereignty—the language of the Nebraska bill.

Mr. H. Marshall. Not at all.

Mr. Smith, of Tennessee. Yet the gentleman talks to me of squatter sovereignty, when his candidate has voted for the principles of the Wilmot proviso every time it came before the House when he was a member of that body. He denounced the repeal of the Missouri compromise, which compromise excluded the gentleman and myself from going to the Territories of Kansas and Nebraska unless we left our servants behind us. Such are the strange scenes presented to us; and they go to show more forcibly the truth of what I stated to the gentleman from Ohio, that there is a movement on foot to unite all the elements of opposition to the Democratic party in the canvasses which are to come off in the future.

It has been frequently stated that the Democratic party North and the Democratic party South take different grounds in reference to the affairs of Kansas and future of that Territory. The gentleman from Ohio [Mr. Sherman] said that the Democratic party in the North assumed the ground that they were a better free soil party than the Republican party. Now, I have a right to speak on this subject. I was in the canvass North and South. I spoke in Ohio and slave States. I addressed the people of the gentleman's own State at Cincinnati, together with two others, one from Ohio and one from Connecticut. I spoke in Trenton, New Jersey, with gentlemen from Pennsylvania and New York, one of them "Prince John," as he is sometimes called. The sentiments uttered by these gentlemen were precisely those I entertain and have published to my constituents. No only difference between us was this: I live in a slave State, in the midst of the institution, and like it; they live in free States, and did not like it; yet they had the patriotism to stand up to a maintenance of all the guaranties of the Constitution for the protection of the institution. This in my judgment, entitles them to the more credit.

Mr. Sherman. The gentleman has said that he has spoken at the same meeting with Prince John Van Buren. Now, I would ask him whether he endorses the doctrines promulgated by that gentleman during the late campaign, and whether they would stand upon the same stump and rehearse them together?

Mr. Smith, of Tennessee. I most certainly agree in all that Mr. Van Buren said at Trenton in reference to the question of slavery. It was the only one of his speeches I heard. It was published, and gentlemen can see it if they so desire. He there boldly avowed his opposition to any interference with slavery in the States or Territories, and stated that he would support the admission of Kansas into the Union as a slave or free-State, as the people should determine.

Mr. Sherman. My question is not answered at all. Do you concur in the opinions expressed by John Van Buren in the last campaign in regard to the events in Kansas and the policy of the repeal of the Missouri compromise?

Mr. Smith, of Tennessee. I heard nothing from him which I did not concur in, though I do not remember to have heard him speak of events in Kansas.

Mr. Sherman. One further question. I would ask the gentleman if he is aware that not only John Van Buren, but that Wendell Phillips, a well known Abolitionist, voted with the Democratic party?

Mr. Smith, of Tennessee. I am authorized to deny that Wendell Phillips acted with the Democratic party.

Mr. Sherman. I have been informed that he did.

Mr. Smith, of Tennessee. Whether he did or not it is not material. I know that a distinguished gentleman from South Carolina, [Mr. Orr,] who occupies a seat upon this floor, and the two gentlemen from Georgia, [Mr. Stephens and Mr. Cobb,] went to Pennsylvania, and avowed openly and put upon the record their sentiments, which were the same as are avowed here upon this floor, and the same as those held by the Democratic candidate for the Presidency.

Now, sir, after all this has occurred—after we have avowed North the same sentiments which we did at home—after we have fought the battle and gained the victory, our opponents come here and endeavor to make out that they would have carried the election if it had not been for a fraud practiced by the Democratic party. I need pursue this subject no further.

The gentleman from Ohio also alluded to the delay in progress of business in the House, at the commencement of the session, on account of the Delegate from Kansas; and I must be allowed to make one remark in reference to what he said upon that subject. No one was here contesting the seat of General Whitfield; and the objection made by the gentleman from Pennsylvania [Mr. Grow] to his taking the oath of office, was one of the most extraordinary of all the singular proceedings of the so-called Republican party.

The action of the Democratic party was not factious. All we desired was a *fair vote*, and that we determined to have.

He told us that all the difficulties under which the country had labored had arisen from the opening of this agitation by the President, in the repeal of the Missouri compromise line. He told us that that had brought about all the civil war which existed in Kansas, and then, to my astonishment, he thanked the President for intervening to put a stop to that civil war, which he said would have been existing yet but for the interposition of the General Government. I was astonished at that, because the gentleman, and the party with which he acts, took the lead in withholding supplies from the Army, with which alone the President could interfere and put a stop to that civil war. After doing all he could to prevent the President from having the means which enabled him to terminate that fearful strife, he turns round and thanks him for putting a stop to it. He ought to have thanked the people of the country that we have a President who, when this House failed to furnish supplies to the Army of the United States, had the courage to call us back and keep us here until we did furnish him with the means which enabled him to accomplish what has called forth the commendation of the gentleman from Ohio. The Democratic party, the Republican party, and the American party, now see that the bold stand then taken by the President did save the country from a civil war which might have led to bloodshed outside the limits of Kansas. But after he has done that, and is thanked therefor, he is denounced for what they consider an innuendo against that party which attempted to stop the supplies for the Army, and thus favor their own sectional views against the Government.

Mr. Grow. How did the Republicans attempt to stop the supplies at the last session?

Mr. Smith, of Tennessee. By attempting to put upon a regular appropriation bill an unconstitutional provision.

Mr. Grow. They voted all the supplies, but proposed to prevent the President from carrying on those disturbances in Kansas. I believe gentlemen upon his side of the House voted against the Army appropriation bill.

Mr. Smith, of Tennessee. The mode adopted to stop the supplies was worse than a straight, open, direct vote against any supplies to the Army of the United States. An amendment was put upon the bill which was in direct conflict with one of the provisions of the Republican platform under which Col. Fremont was nominated. The platform declares, as one of its specifications against the President of the United States, that he had deprived the people of the privilege of bearing arms, while one part of the amendment to the Army bill deprived the people of Kansas from bearing arms.

But I must congratulate the gentleman upon a sentiment he uttered yesterday—one that I approve of it. He says that the only purpose of the Republican party was to prevent the *extension* of slavery. I would ask the gentleman if he believes in the platform upon which Mr. Fremont was nominated?

Mr. Sherman. I do.

Mr. Smith, of Tennessee. I will now read a part of that platform:

"*Resolved*, That with our republican fathers we hold it to be a self-evident truth that all men are endowed with the inalienable right to life, liberty, and the pursuit of happiness, and that the primary object and ulterior design of our Federal Government were to secure those rights to all persons within its exclusive jurisdiction; that as our republican fathers, when they had abolished slavery in all our national territory, ordained that no person should be deprived of life, liberty, or property without due process of law, it becomes our duty to maintain this provision of the Constitution against all attempts to violate it for the purpose of establishing slavery in the United States by positive legislation, prohibiting its existence or extension therein. That we deny the authority of Congress, of a Territorial Legislature, of any individual or association of individuals, to give legal sanctions to slavery in any Territory of the United States while the present Constitution shall be maintained."

Mr. Sherman. Does not the gentleman know that the context will show the only ground taken was that of opposition to the extension of slavery into the Territories?

Mr. Smith, of Tennessee. I will publish the whole resolution. I have read enough, however, to show the exact position that has been taken. They will not resist the extension of slavery by positive enactment, but "prohibit its *existence*" in the States and Territories. Indeed, I would be glad if the Republicans would abandon these positions in their platform; but, notwithstanding their professions, we find gentlemen of that party daily acting with the senior member from Ohio,