THE MEMPHIS DAILY APPEAL.

BY M'CLANAHAN, TROUSDALE & DILL. MEMPHIS, TUESDAY, SEPTEMBER 27, 1859. VOLUME X.—NUMBER 227.

Daily Appeal.

LETTER FROM COLONEL ISAAC E. MORSE,

COMPARING MR. DOUGLAS' POSITION WITH THAT OF SOUTHERN DEMOCRATIC POLITICIANS.

(From the N. O. Delta.)

MESSRS. EDITORS: You were kind enough to say that you would be pleased to publish my remarks which I might address to you, for the purpose of proving this fact: First, that the majority of Southern men in Congress, who voted for the Kansas and Nebraska act, subscribed that act to Mr. Douglas's doctrine then and does now, and if I establish it from extracts from their own speeches, I hope that your antimissionaries will rest upon all alike. The South voted for and accepted that as a finality, and voluntarily agreed to give up the whole subject of slavery to the entire control of the territorial Legislature, with but the two exceptions, over which it has no jurisdiction in the States, under the Constitution; one to prohibit the foreign slave trade, and the second to provide for the reclamation of fugitive slaves, etc. In other words to give to the Territories the same power that belongs to the States over their domestic institutions. Now, if I can show, or deceive, her own representatives have done it, and not Mr. Douglas.

The South almost unanimously voted for Mr. Buchanan, who was nominated by Southern influence and votes. In his letter of acceptance, referring to this act, he says:

"The recent legislation of Congress, respecting domestic slavery, is one, as it has been, from the original and pure fountain of legitimate political power, the will of the majority, ascertained as long as they may be necessary, in the manner prescribed by our ancestors. The legislation is founded upon principles as ancient as free government itself, and in accordance with them, has simply declared that the people of a Territory, like those of a State, shall decide for themselves whether slavery shall or shall not exist within their limits."

Vice-President Breckinridge, a Southern man himself, goes further, and puts the Territories, the District of Columbia and the States upon the same ground. "Upon the distracting question of domestic slavery their position is clear. The whole power of the Democratic organization is pledged to the following propositions: That Congress shall not interfere upon this subject in the States, in the Territories, or in the District of Columbia; that the people of each Territory shall determine the question for themselves, and be admitted into the Union upon a footing of perfect equality with the original States, without discrimination on account of the allowance or prohibition of slavery."

What says Jemmy? Orr, of South Carolina, Speaker of the House of Representatives? He agrees with Douglas in every particular, and meets the objection that the Legislature may not pass laws to protect slavery, but he no where takes the position that it is the duty of Congress to protect it:

"Now, the Legislative authority of a Territory is invested with a discretion to vote for or against laws. We have seen that Congress has a perfect right to pass laws in every Territory, when the Territory is open to settlement and slaveholders go there, to protect slave property. But if they decline to pass such laws, what is the remedy? None, sir. If the majority of the people are opposed to the institution, and if they do not protect it, the property in question will perish, and they have to do is simply to decline to pass laws to the territorial Legislature for its protection and then it is as well excluded as if the power was invested in the territorial Legislature to prohibit it. Now, I ask the gentleman what is the practical importance to result from the agitation and discussion of this question as to whether equal protection to slavery does or does not exist? Practically it is a matter of little moment."—[See Speech of Hon. James L. Orr, of South Carolina, in House of Representatives, Dec. 11, 1856, 2d Session, 34th Congress; Congressional Globe, pages 103, 104.]

What says Stephens, of Georgia, avowedly one of the abler men in Congress? Although he thinks that the territorial Legislature has not the rightful power to exclude slavery, still he is willing that they shall determine it for themselves when they please. I give his own words:

"Now, sir, as I have stated, I voted for this bill, believing the whole matter to be the people's battle for themselves subject to no restriction or limitation but the Constitution. With this distinct understanding of its import and meaning, and with a decided conviction of the existence of this power being disputed and doubted it would be better and much more consistent with our time-honored abstract principles to let the people settle it than for Congress to do it. And although my own opinion is that the people, under the limitations of the Constitution, have not the right or power to exclude slavery so long as they remain in a territorial condition, yet I am willing that they may determine it for themselves, and when they please, I shall never legislate to prevent them. I shall never, if it is the result of a fair legislative expression of the popular will, never! I am willing that the territorial Legislature may act upon the subject, when and how they may think proper."—[See Appendix to Congressional Globe, 1st Session, 34th Congress, Vol. 33, page 84.]

Extract from a speech of Hon. A. H. Stephens, of Georgia, delivered in the House of Representatives, February 17, 1858:

"We have heard much about slavery or no slavery, and to be fair to the people of the Territories, whether North or South of 36.30, or west of the Rocky Mountains, I, for one, would be for leaving the question of domestic slavery their position is clear. The whole power of the Democratic organization is pledged to the following propositions: That Congress shall not interfere upon this subject in the States, in the Territories, or in the District of Columbia; that the people of each Territory shall determine the question for themselves, and be admitted into the Union upon a footing of perfect equality with the original States, without discrimination on account of the allowance or prohibition of slavery."

What says Jemmy? Orr, of South Carolina, Speaker of the House of Representatives? He agrees with Douglas in every particular, and meets the objection that the Legislature may not pass laws to protect slavery, but he no where takes the position that it is the duty of Congress to protect it:

"Now, the Legislative authority of a Territory is invested with a discretion to vote for or against laws. We have seen that Congress has a perfect right to pass laws in every Territory, when the Territory is open to settlement and slaveholders go there, to protect slave property. But if they decline to pass such laws, what is the remedy? None, sir. If the majority of the people are opposed to the institution, and if they do not protect it, the property in question will perish, and they have to do is simply to decline to pass laws to the territorial Legislature for its protection and then it is as well excluded as if the power was invested in the territorial Legislature to prohibit it. Now, I ask the gentleman what is the practical importance to result from the agitation and discussion of this question as to whether equal protection to slavery does or does not exist? Practically it is a matter of little moment."—[See Speech of Hon. James L. Orr, of South Carolina, in House of Representatives, Dec. 11, 1856, 2d Session, 34th Congress; Congressional Globe, pages 103, 104.]

What says Stephens, of Georgia, avowedly one of the abler men in Congress? Although he thinks that the territorial Legislature has not the rightful power to exclude slavery, still he is willing that they shall determine it for themselves when they please. I give his own words:

"Now, sir, as I have stated, I voted for this bill, believing the whole matter to be the people's battle for themselves subject to no restriction or limitation but the Constitution. With this distinct understanding of its import and meaning, and with a decided conviction of the existence of this power being disputed and doubted it would be better and much more consistent with our time-honored abstract principles to let the people settle it than for Congress to do it. And although my own opinion is that the people, under the limitations of the Constitution, have not the right or power to exclude slavery so long as they remain in a territorial condition, yet I am willing that they may determine it for themselves, and when they please, I shall never legislate to prevent them. I shall never, if it is the result of a fair legislative expression of the popular will, never! I am willing that the territorial Legislature may act upon the subject