THE MEMPHIS DAILY APPEAL.

BY M'CLANAHAN, TROUSDALE & DILL. MEMPHIS, WEDNESDAY, NOVEMBER 2, 1859. VOLUME X.—NUMBER 258

Daily Appeal

POPULAR SOVEREIGNTY IN THE TERRITORIES.

JUDGE DOUGLAS IN REPLY TO JUDGE BLACK

In *Harpers' Magazine* for September I published an article on the dividing line between federal and local authority in the Territories of the United States. My sole object was to vindicate a principle to which I had been committed for twenty years, and in connection with which I had recently been assailed with great bitterness and injustice—by a fair and impartial exposé of the opinions of my opponent, without saying any person or placing any one in a false position. A few weeks afterward an anonymous reply to my article made its appearance—first in the Washington "Constitution," and soon quietly in pamphlet form—under the following caption: "Observations on Senator Douglas' Views of Popular Sovereignty, as Expressed in Harpers' Magazine, for September, 1859."

Instead of replying to the well-known propositions which I had so often announced and defended in the Senate and before the country for the last ten years, and which were embodied and expressed in Harpers' Magazine for September, the reviewer deemed it consistent with his duties to ignore my real views as expressed in the article to which he professed to reply, and attribute to me opinions which I never entertained or expressed on any occasion. When the pamphlet, containing this perversion of my opinions was first placed in my hands, I at once pointed out some of the most salient and glaring of these misrepresentations, and denounced them in emphatic and well-merited language in a speech at Wooster, Ohio.

Here I was content to let the matter rest, and, where my position is form an imperial and unbiased opinion upon the real issue between which I had assumed in Harpers' Magazine, without any reply from me to the legal argument which was the object of the anonymous pamphlet had made its appearance in opposition to my alleged views upon a political question.

On the 4th of this month, however, the same newspaper contained an appendix to this pamphlet, in reply to so much of my speech at Wooster as pointed out and denounced the misrepresentations of my views as expressed in Harpers, and announced Judge Black, the Attorney-General of the United States, as the author of the pamphlet and appendix. Since the Attorney-General of the United States has thus assumed the authorship of these assaults upon my character, and flooded the country with them in the shape of a Cabinet document, I shall not be guilty of discourtesy to the people of the country with them by giving all copies of the pamphlet and appendix. Since I commenced the speaking of my opponent, I have endeavored to be as kind and courteous to him as the nature of the case would permit me to be, consistently with the duty I owe to the cause in the discussion. I have concluded to reply to so much of his "Observations" as are calculated to convince my real position by pure simplicity to my opinions which I have never expressed, nor for a moment entertained.

"PUNISHING THE JUDICIARY."

The reviewer, in the first act of justice which time has enabled him to do, has proved to his own indisputable facts, was his representation of me as "flaying the judiciary" commencing the Democratic party to "assault the Supreme Court of the United States," and treat my the court with "decent respect," and much more of the same tenor. All of which was entirely unjustifiable, and, I should think, must have taken the reviewer by surprise. On the contrary, the idea I had expressed in Harpers' Magazine for September, 1859, "Has established, endorsed, and indirectly threatened to enforce the decisions of the Supreme Court of the United States as the rule of duty to the citizen, and to the extent that they shall be carried into effect by the Executive and Congressional departments, I shall not, without any speech or argument in Harper or elsewhere to disparage, or impair the authority of the court, or any of its decisions; but every reference to the Dred Scott case, I have said, and shall continue to say, that I do not, and cannot, agree with the court in more than one hundred instances, and that I shall use every honorable means to get the case reversed, and the decision of the court in connection with it, overruled, as the decision in the Illinois case was last year, when settled by the combined forces of the Black-republican party and Buchanan Democrats, as the action of my present assailants, I should think, must have taught them, that I do not, and cannot, agree with the court in the Dred Scott case, and that I have said and shall continue to say