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Daily Appeal.

REMARKS OF HON. A. O. P. NICHOLSON,

OF TENNESSEE,

On the Sectional Conflict on the Subject of Slavery. Delivered in the United States Senate on Monday, January 30, 1860.

The Senate having under consideration the resolution submitted by Mr. Brown on the 16th instant, relative to property in the Territories—

Mr. Nicholson rose and said:

Mr. President, I propose to-day to examine the relations which subsist between the two systems of labor that prevail in the two sections of the country, for the purpose of ascertaining whether there is a conflict between them that is irreconcilable and irrepressible. I enter upon the discussion with an honest conviction that upon the decision of this question the destiny of the Republic depends. The legislature of Tennessee has recently passed two resolutions on this subject, which I will take occasion to read before I proceed with my remarks. After making quotations from the speeches of several prominent Republicans, they proceed to resolve, as follows, to-wit:

"*Resolved by the General Assembly of the State of Tennessee*, That we recognize in the recent outbreak at Harper's Ferry, the natural fruits of the treasonable and irrepressible conflict" doctrine put forth by the great head of the Black-Republican party, and echoed by his subordinates; and that it becomes the imperative duty of national men of all parties throughout the Union to announce to the world their sense of its infamy, and to unite in crushing out its authors as traitors to their country and as deadly enemies to the public peace, the rights of the States, and the preservation of our republican institutions."

"*Resolved*, That we re-echo and re-iterate the sentiments of the Tennessee Legislature, that the declaration of Mr. Seward, that a respectable portion of the southern people, under the lead of such men as Cassius M. Clay and Francis P. Blair, will unite with the Black-Republican party to prevent the extension of slavery, and will eventually vote up against slavery" as a libel upon the honor and loyalty of the southern people, and will but serve to make them more watchful and exacting of their public servants in the national councils."

It will be observed that these resolutions are expressed in language of much severity. When it is remembered that the State of Tennessee has been for many years regarded as among the most conservative of the southern members of the Confederacy, the use of language of this kind is peculiarly significant of the present State of popular feeling in the South. The people of that State are deeply imbued with that ardent devotion to the Federal Union which filled the public life of their distinguished citizen, Andrew Jackson. It is because they look upon the "irrepressible conflict" doctrine as threatening the destruction of the Union, that they have put forth in resolutions of such severe character, and call upon conservative men of all parties "to unite in crushing out its authors as traitors to the country and as deadly enemies to the public peace, the rights of the States, and the preservation of our republican institutions." This strong language may express the feelings of a people who fully comprehend and appreciate the benefits of the Federal Union as it came from the hands of our fathers; and who are earnestly impressed with the conviction that its continued existence is endangered by the prevalence in the North of the sectional doctrine which they denounce with so much energy.

Mr. President, I propose to continue this discussion until the view of exposing the groundless character of the assertion that there is an irreconcilable antagonism between the North and the South on the subject of labor; and with the further view of pointing out the real nature of the sectional conflict which has already produced painful alienation between the people of the two sections, and which threatens their final and permanent estrangement and separation.

Of the existence of a feeling of alienation in the South, approaching closely to actual hostility, no one can doubt who has given any attention to the recent indications of popular sentiment throughout that section of the confederacy. The late occurrences, which have engaged so much of the public mind, I have to be truthfully regarded as the causes of this unfortunate alienation. They have served to give strong development to a feeling which has its origin in the conviction that there exists in the North a prevailing sentiment of hatred of slavery, that is received to be satisfied with nothing short of its entire annihilation. With this conviction, already widely pervading the southern mind, it is easy to comprehend the influence which would be readily exerted by the last transpiring events in the history of a Southern State, and especially by the evidences of popular sympathy for the fate of the author which were exhibited in many of our Northern States.

Of the public men of our country, no one has contributed so much to the conviction which is developed in the minds of the people of the South, as the Senator from New York, [Mr. Seward.] His repeated declaration, made in the Senate and out of it, during the last ten years, to the effect that a conflict was an unavoidable, promising warfare upon slavery, in connection with his acknowledged abilities and his constantly displaying powers as the admitted leader of a great sectional organization, have made the impression on the people of the South that their constitutional rights are in imminent peril. It is because of this prominence of that Senator in originating and prosecuting the organized aggression upon the institutions of the South that the legislature of my State holds him responsible as its chief author, and that it is for the same reason that I propose to controvert the doctrine which underlies the organization through whose permanent assistance the Senator hopes to accomplish his grand object of revolutionizing the domestic and social institutions of the South, by giving freedom to all the slaves.

On the 3d of March, 1858, that Senator delivered a speech in this body, in which he defined his position on the subject of free and slave labor with sufficient clearness for my present purpose. He said:

"Free labor has at last apprehended its rights, its interests, its power, and its destiny, and is organizing itself to assume the government of the Republic. It will henceforth meet you boldly and resolutely here; it will meet you everywhere—in the territories, and out of them—wherever you may go to extend slavery. It has driven you back in California, and in Kansas; it will invade you soon in Delaware, Maryland, Virginia, Missouri, and Texas; it will meet you in Arizona, in Central America, and even in Cuba. The invasion will be not merely bargain, but conquest, if you yield seasonably to its just and moderated demands. It proved so in New York, New Jersey, Pennsylvania, and the other slave States, which have already yielded in that way to its advances. You may, indeed, get a start under or near the tropics, and seem safe for a time; it will be only a short time. Even there you will found States only for free labor to maintain and occupy. The interests of the white races demand the ultimate emancipation of all men. Africa, for her sake, consumation shall be allowed to take effect with needful and wise precaution against sudden chaos and disaster. Of the wrong and violence, is all that remains for you to decide. For the failure of your system of slave labor throughout the Republic, the responsibility will not rest on those who have given you warning, or on the political parties you arraign, or even altogether on yourselves, but it will be due to the inherent error of the system itself, and to the error which that system has fostered to oppose and resist the destiny not more of the African than that of the white races. The white man needs this continent to labor upon. His hand is clear, his arm is strong, and his necessities are fixed. He must and will have it. To secure it, he will oblige the government of the United States to abandon intervention in favor of slave labor and slave States, and go backward forty years and resume the original policy of intervention in favor of free labor and free States."

The Senator from New York seems to have delivered this speech under great excitement. He personifies "free labor" as an invader, and its advance is represented as an invasion. Slave labor is to be invaded in Delaware, Maryland, Virginia, and even where else on the continent that it may be found. The invasion is to be harmless, and even beneficial, if the slave holders submit reasonably. The invader is to accomplish "*the ultimate emancipation of all men*; and the only question left to be decided is, whether this shall be consummated with needful and wise precautions against sudden chaos and disaster, or be HURRIED ON BY VIOLENCE. Of the wrong and violence, all seems to cause and effect exists between the figurative invasion of Virginia by the Senator from New York and its actual invasion by John Brown. I shall not undertake to decide. The remarkable coincidence between the figurative and the actual invasion, however, has much of the appearance of prophecy and its fulfilment. In the declaration of war against slave labor, the Senator seems to assume that his army of invasion will comprise all who are free labor men. In the Southern States there is a million of free laboring men, who will indignantly repudiate his authority to enlist them in any such conflict. In the Northern States there is an army of more than a million and a quarter of brave free labor men, who will spurn the proposition to march under the Senator's banner. In whose name, then, and on whose authority, does he speak when he declares that "free labor" is organizing itself to assume the government of the republic?" Not in the name of free labor in the South, not in that of the Constitution-loving free labor of the North; but in that of the Republican organization; and, as to his authority to speak in that name, I make no question. It is, therefore, the Republican party, speaking by the mouth of its great leader, which proclaims a war of extermination against slave labor, which demands the "ultimate emancipation of all men," and which presents the alternative of peaceful submission or violent enforcement.

But, Mr. President, the question now forces itself upon us, is there any such conflict between the systems of free labor and slave labor, as assumed by the Senator from New York; and, especially, is there such conflict as to justify its strong language in which the *demand* for the annihilation of slave labor is put forward? The Senator says, "the interest of the white races demands the ultimate emancipation of all men. Africa, for her sake, "the white man needs this continent to labor on," "He hand is clear, his arm is strong, and his necessities are fixed." He must and will have it." To my mind, this sounds more like the "stand and deliver" argument of the highwayman, than the philosophic reasoning of a national statesman.

The Senator assumes that there is an "inherent error" in the slave labor system which must of necessity work out its final destruction. He has not enlightened us by specifying in what the "error" consists, nor by what process he arrives at the conclusion that the permanence of the system is impossible. In the absence of such enlightenment, I proceed to controvert the assumption that there is any principle of antagonism between the two systems incompatible with their permanent harmonious existence in our Government.

Without touching at the present question of morality as connected with slavery, I proceed to discuss the relations of the two systems of labor as questions of pure political economy. The leading products of free labor are entirely different from those of slave labor. If there can be no competition between the products of the two systems, there can be no conflict or antagonism. The chief product of slave labor is cotton, but the free labor of the North produces no cotton. It produces largely of manufactures for consumption and use in the Southern States. How can there be conflict between cotton, the chief product of free labor? The laws of nature have decreed that the products of southern soil and southern climate shall not come into competition with those of northern capital and enterprise. It is impossible then, that the alleged conflict can exist. On the contrary, the capital, skill and enterprise of the North, aided by the legislation of the federal government, have long since discovered and proved to the world that the diversities in climate, soil, interests and products of the two sections are capable of being made the means of mutual benefit. The annual exchange of the products of the labor of the two sections amounts to many million dollars. The four hundred thousand bales of cotton annually sent to the North in exchange for her products are the fruits of slave labor. How would the interests of the free laborers at the North be affected, either for good or for evil, if all the cotton were manufactured and employed as free labor? Of what importance would the same amount of cotton? As the fruit of slave labor it furnishes employment for thousands upon thousands of free laborers in the Northern States, besides furnishing the southern people with the means of buying millions of dollars worth of products of northern free labor not connected with the cotton manufacture. What more could it do if this amount of cotton was the product of free white labor in the South? How preposterous, not to say a harsher term, is it for capitalists, who are enriched by exchanging the products of their free labor for those of slave labor, to join in the absurd crusade against the system of slave labor. How unreasonable in the free laborers themselves of the North, who obtain the means of subsistence from the fruits of slave labor, to be imposed upon by the assumption that there is an irreconcilable conflict between the northern and southern systems of labor! Experience has proved that the two systems are not only harmonious, but that they mutually benefit and sustain each other.

I cannot refrain from adducing an authority, bearing on this subject, which no one who has any self respect will fail to regard. George Washington, after speaking of other considerations which ought to excite the love of the present State of popular feeling in the South. The people of that State are deeply imbued with that ardent devotion to the Federal Union which filled the public life of their distinguished citizen, Andrew Jackson. It is because they look upon the "irrepressible conflict" doctrine as threatening the destruction of the Union, that they have put forth in resolutions of such severe character, and call upon conservative men of all parties "to unite in crushing out its authors as traitors to the country and as deadly enemies to the public peace, the rights of the States, and the preservation of our republican institutions." This strong language may express the feelings of a people who fully comprehend and appreciate the benefits of the Federal Union as it came from the hands of our fathers; and who are earnestly impressed with the conviction that its continued existence is endangered by the prevalence in the North of the sectional doctrine which they denounce with so much energy.

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I cannot refrain from adducing an authority, bearing on this subject, which no one who has any self respect will fail to regard. George Washington, after speaking of other considerations which ought to excite the love of the people for the Federal Union, says, in his farewell address:

"But these considerations, however powerful they address themselves to your sensibility, are greatly outweighed by those which apply more immediately to your interest. Here every portion of our country finds the most commanding motives for carefully guarding and preserving the union of the whole.

"The North, in an unrestrained intercourse with the South, protected by the equal laws of a common Government, finds, in the productions of the latter, great additional resources of maritime and commercial enterprise, and precious materials of manufacturing industry. In exchange they supply the South with goods in every conflict between the two systems as antagonistic interests, labor is uniformly worsted. In the Southern States, free labor has maintained itself successfully, from the fact that its interest and that of the controlling capital have been identified and harmonized. This is the legislate result of the slave labor system in the South. But how has this conflict worked in the Northern States? Does the result there furnish another exception to the general rule that capital gets the better of labor whenever they come in collision? We know how feebly and unsuccessfully labor has contended with associated and incorporated capital in the City of Gotham. We know how soon the contest is given up, and all is surrendered to labor except the means of the most scanty and precarious subsistence. We know something of the exactions and oppressions to which capital subjects labor in other countries when population reaches a certain degree of density. We know something of the wretchedness and suffering which free white labors endure in those countries. But what are the results in the free-labor States of our own country? We know that the unceasing prosperity of the Northern States is a theme for constant boasting, but we know, too, that Great Britain boasts even more loudly of her prosperity; and yet it is there that labor has been notoriously reduced to the starvation point. Still, the question recurs, what is the result of the conflict between capital and labor in the free-labor States. It is no answer to the question to point us to the rapid increase in the wealth of capitalists. That fact only excites the suspicion that labor had had but little of the profits left for its share. Can the fact be denied that labor has been compelled to bow to the exactions of associated capital in the Northern States, just as it has in all other countries? Pretext after pretext is resorted to for increasing these exactions, until labor submits finally with quite as little resistance as if it had ceased to be free. Occasionally we hear of a spasmodic effort on the part of the oppressed free white laborers to obtain redress from their employers; but such impotent rebellion of labor against capital soon yields to the necessities of wives and children crying for bread. On such occasions as these, we are sometimes allowed to hear a voice from free labor which speaks a different language from that used by the Senator from New York. That Senator represents free labor as eager for an invasion of slave labor, wherever it can be found. Free labor, when speaking for itself on some of these occasions, declares that its wages are so low that they do not furnish the necessaries of living; that its wrongs are so enormous and its oppressions so tyrannical that negro slavery itself would be far preferable. Without undertaking to decide how far capital has progressed in the free States in crushing free labor to the point of abject submission, I will be safe in assuming that the result of the conflict thus far does not promise to be different from that which has marked the triumph of capital in every other country. It is certain that free labor is involved in a conflict at home with the incorporated capital which will demand all of its energies if it succeeds in averting a destiny quite as hopeless and cheerless as that which it is made to believe is reserved for southern slave labor.

But, Mr. President, it cannot be that the voice of free labor at the North is truly represented by the Senator from New York. It is incredible that laboring men, who depend on slave labor for the means of subsistence, and whose labor is daily appreciated to swell the profits of their oppressors at home, are really contemplating so suicidal an enterprise as that of destroying the system on which they are obtaining their daily bread. It is rather the device of the capitalist and the politician, who seek to silence the just complaints of labor by exciting a prejudice against slave labor, as the obstacle that stand in the way of relief. The whole question is one of pecuniary interest, and the alliance between free and slave labor may be stated in a few words: Capital has exacted from labor its earnings, until labor is reduced to the starvation point; in this condition labor calls upon capital for relief; capital replies that there is a conflict between free and slave labor, which must be terminated in the overthrow of slave labor before relief can come; labor accepts the excuse as true, submits to its destiny, and runs off in the crusade against slave labor, while the capitalist goes on enriching himself upon the plunder exacted from labor, and the politician obtains place and place upon the votes of free labor.

In this view, which I submit, Mr. President, an exclusively political view of the relations subsisting between the systems of voluntary and involuntary labor. Viewed in this light, I have sought to show that, so far from the existence of an irreconcilable antagonism between them, they are peculiarly adapted to the laws of nature, which govern in their respective localities; that they harmonize with each other in the legitimate pursuit of their respective interests; that they mutually promote and sustain the prosperity of each other; and that their combined exertions and influence give strength to the Federal Union, and prosperity and glory to the whole nation. The deduction is logical and unavoidable, that all who attempt to create dissension and collision between the two systems are misguided or reckless enemies of the true interests of both systems of labor.

But, Mr. President, however harmonious the two systems may be when administered with a single eye to the interest of both, we have to deal with the fact that there is a conflict growing out of the subject of slavery, which is full of danger to the integrity of the Federal Government. This is not so much a conflict between the two systems of labor as an antagonism of opinion as to the nature and character of slavery, and especially as to its morality. Whether that antagonism of opinion is incompatible with the permanent union of the two sections under our Government, is the momentous problem that now challenges the earnest consideration of the whole country.

The conflict under examination consists in this: on one side it is maintained that African slavery is a moral wrong—on the other that it is a moral right. The morality of the institution is the great point at issue. But how can such an issue be legitimately raised? The parties to the contest constitute distinct, separate and independent communities, so far as all questions of morality are involved. By what authority, then, do the one assume to arraign the other on a subject of conscience? Virginia is a sovereignty on all questions of morality. Massachusetts is a sovereignty on all questions of morality. Why may not Virginia and Massachusetts, in the enjoyment of their undeniable rights of conscience, entertain different opinions on the innocence or the sinfulness of slavery without getting into a political conflict? May not Virginia well say to Massachusetts: my conscience is at ease on the subject of slavery; after thorough investigation of the question, and after appealing to the recognized standard of true morals, I am satisfied that slavery is the proper condition of the African within my limits, and that in assigning him to that condition, I violate no law of Christian morality. You have a right, upon your investigation, to believe that freedom is the true condition of the African within your limits, and that to assign him to the condition of slavery would be wicked and criminal according to your code of morals; but, having eased your conscience by inhibiting the sin of slavery within your own dominion, how do you justify your own interference with the exercise of my conscience within my dominion, or why should your conscience be affected because mine is not disturbed? And this raises the question whether the interpolation of the morality or immorality of slavery into our national political contests can be justified on any principle consonant with our relations as a brotherhood of sovereignties, or our obligations as members of a constitutional confederation.

The genius of our institutions recognizes religion and morality as indispensable supports of the dispositions and habits which lead to political prosperity;" but these are expressly excluded from the jurisdiction of the Federal Legislature. The free exercise of religious faith is reserved to the people of the States. As a moral or religious question, therefore, slavery is in express terms excluded from the Federal Government and confined to the sovereignty of the States. It is only in those political aspects of the subject that are expressly recognized by the Constitution that Congress can take any jurisdiction of the subject. A State possesses plenary powers to legislate either for the abolition or the establishment of slavery, and there is no limitation to the reasons on which its legislation may be based. But when Congress exercises its limited jurisdiction, it can be constitutionally be governed by other than purely political considerations. The Constitution is made the supreme law of the land, and to secure its observance as such, the sanction of a Christian oath is required of all public officers. What, then, is the duty of a public man conscientiously opposed to slavery, whose official obligation requires him to act on the subject? Must he follow his conscience or his obligation to support the constitution as the supreme law. If he follows his conscience, he substitutes that as a law higher than the constitution. This is precisely what every man does who unites himself to a political organization whose vitalizing principle is a sentiment of religious opposition to slavery, and whose ultimate object is its annihilation wherever it exists, by means of congressional legislation. He allows his religious faith to take the place of the supreme law of the land in the direction of his political conduct. He is guilty of a double violation of the constitution: first, in making it his object to abolish slavery in States where it legally exists; and second, in making his religious conviction the test of his political action.

The conclusion follows unavoidably, that the constitution must be maintained as the supreme rule of political action, or it must be repudiated, set aside, or evaded, at the bidding of a religious belief. In this consists the real conflict. If the Constitution prevails, there is no conflict. If religious belief prevails as the supreme law, there is a conflict, and one that is irrepressible and fatal to the confederacy. The solution of the difficulty is plain—to keep matters of religion distinct and separate from matters political; in matters of religion, let the appeal be made to the Christian standard as the supreme law, but in matters political let the Constitution prevail as the supreme law.

This is not only the solution of the conflict as it is clearly laid down in the Constitution; but it is the solution which is furnished by the example of the wise patriots who founded our Government. When they met together to make a "more perfect Union," they were embarrassed in their action by this same conflict about slavery. The opposition to it was as marked then as it is now. The obstacle to the formation of the Union was the same that now stands in the way of the preservation. It was solved then by separating its political from its moral aspects—leaving the one to the adjustment of the Constitution as the supreme law, and the other to the forum of conscience under the reserved rights and powers of the States.

I am indeed, Mr. President, by the great importance of this subject, to bring to the attention of the Senate an abstract of the proceedings and debates in the convention of 1789, on the proposition to impose a duty on the importation of slaves. On this question, the debates involved the subject of slavery in all its aspects, as well as the obstacles to its adjustment. I make the abstract in the language of Mr. Madison, in his debates of the Federal convention of 1787:

"SLAVERY IN THE FEDERAL CONVENTION.

"On the clause as to the importation of slaves—

"Mr. L. Martin said it was inconsistent with the principles of the revolution, and dishonorable to the American character, to have such a clause in the Constitution.

"Mr. Rutledge. Religion and humanity had nothing to do with this question. Interest alone is the governing principle with nations. The true question at present is, whether the Southern States shall or shall not be parties to the Union. If the Southern States consult their interest, they will not oppose the increase of slaves, which will increase their consideration, and enable them to defend the property of which they will become the carriers.

"Mr. Ellsworth. The morality or wisdom of slavery are considerations belonging to the States themselves. What slavery takes from the rights of the whole, and the States are the best judges of their particular interest.

"Mr. Sherman. He disapproved of the slave trade; yet, as the States were now possessed of the right to import slaves, as the public good did not require it to be taken from them, and as we were not to be answerable for the objections of others, he thought it best to leave the matter as we find it.

"Colonel Mason. The infernal traffic originated in the avarice of British merchants." * * * "The evil it having slaves was experienced during the late war." * * *

"Slavery discourages arts and manufactures. The poor despise labor when performed by slaves. They prevent the immigration of whites, who really enrich and strengthen a country. They produce the most pernicious effect on manners. Every master of slaves is born a petty tyrant. They bring the judgment of heaven on a country." * * * "We dare not hold it essential, in every point of view, that the general government should have power to prevent the increase of slavery.

"Mr. Ellsworth. As he had never owned a slave, he could not judge of the effects of slavery on character. He said, however, that if it was to be considered as a moral light, we ought to go further, and free those already in the country." * * * "Let us not interfere in the middle.

"Mr. Pinckney. If slavery be wrong, it is justified by the example of the world." * * * "In all ages, one half of mankind have been slaves." * * * "As attempt to take away the right (of importation) would produce serious objections to the Constitution, which he wished to see adopted.

"General Pinckney declared it to be his firm conviction that if himself and all his colleagues were to sign the Constitution and use all their personal influence, it would be of no avail towards obtaining the consent of their constituents. South Carolina and Georgia cannot do without slaves." * * * "He contended that the importation of slaves would be for the interest of the whole Union.

"Mr. Baldwin had conceived national objects alone to be before the convention; not such as, like the present, were of a local nature. Georgia was decided on this point.

"Mr. Gerry thought he had nothing to do with the conduct of the States as to slaves, but ought to be careful not to give any sanction to it.

"Mr. Dickinson considered it as inadmissible, on every principle of honor and safety, that the importation of slaves should be authorized to the States by the Constitution. The true question was, whether the national happiness would be promoted or impeded by the importation; and this question ought to be left to the national Government, not to the States particularly interested.

"Mr. Williamson thought the Southern States could not be members of the Union, if the clause should be rejected; and that it was wrong to force anything down not absolutely necessary, and which any State must disagree to.

"Mr. King thought the subject should be considered in a political light only.

"Mr. Langdon was strongly for giving the power to the General Government. He could not, with a good conscience, leave it with the States.

"General Pinckney moved to commit the clause, that slaves might be made liable to an equal tax with other imports.

"Mr. Rutledge was strenuous against striking out the clause, and seconded the motion for a commitment.

"Mr. Gouverneur Morris wished the whole subject to be committed; including the clauses relating to taxes on exports and to a navigation act. These things may form a bargain among the Northern and Southern States."

"Mr. Butler declared he never would agree to the power of taxing exports.

"Mr. Sherman said it was better to let the Southern States import what slaves they thought proper, than, if they made that a *sine qua non*.

"Mr. Randolph was for committing, in order that some middle ground might, if possible, be found.

"The commitment was made, 7 to 3—4 absent."—*Madison's Papers*, vol. 2 pages 1388, 1389.

The result was the commitment of the several subjects involved in the conflict, and their final settlement on the terms contained in the Constitution.

[CONCLUDED TO-MORROW.]

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