SPEECH

OF THE

Hon. O. R. Singleton, of Mississippi,

On Resistance to Black Republican Domination

DELIVERED IN THE HOUSE OF REPRESENTATIVES, DECEMBER 19, 1859.

[CONCLUDED.]

Mr. Singleton. Then I understand you to say that the people in your State are in favor of enforcing the fugitive slave law?

Mr. Curtis. I said that many men in my State think the present law is constitutional in form, but inhuman in its practice; but I say further, that in every instance which has come to my knowledge, when it has been attempted, the law has been executed in my State.

Mr. Singleton. Do you speak for the party to which you belong?

Mr. Curtis. There is nothing said in the national platform of the Republican party, or in that of my State, in regard to that law.

Mr. Singleton. Suppose a bill should be introduced into this House to repeal the fugitive slave law, will you vote for it?

Mr. Curtis. I will vote to amend the law, for it does not please me.

Mr. Singleton. Do I understand you to speak for the party to which you belong?

Mr. Curtis. I speak for myself, and I speak now as I have spoken to the people of my district at Council Bluffs, in one of the last speeches I addressed to them. I stated that while the law stood upon our statute books as it was, we had to submit to it, and that we would endeavor to carry it out, although it was obnoxious to us in many of its features.

Mr. Lamar. Will the gentleman allow me to ask him a question?

Mr. Curtis. I do not wish to be responsible for prolonging this debate. I hold the floor by the courtesy of the gentleman from Mississippi [Mr. Singleton.]

Mr. Lamar. I am ready to incur my share of the responsibility. I merely wish to ask the gentleman if he was not a supporter of the Whig platform of 1852, which made the measures of 1850 a finality?

Mr. Curtis. I voted for General Scott, and that is about all I had to do with it.

Mr. Lamar. You went for the platform too?

Mr. Curtis. I went for the platform.

Mr. Lamar. The gentleman voted for General Scott upon a platform pronouncing those measures a finality; and now the gentleman announces himself in favor of what he calls an amendment of one of those laws.

Mr. Curtis. Yes, sir; because the Democratic party has since constantly and persistently introduced this question, and forced it upon the people.

Mr. Singleton. It must be perfectly apparently that the gentleman has placed himself outside of the Republican party, by declaring that he is in favor of enforcing the fugitive slave law. Does any other Republican on this floor take this position?

Mr. Stanton. I intend, whenever the House is organized, and the proper time comes, to go into a discussion of the powers of Congress under the fugitive slave clause of the Constitution; the execution of it; form of the law; and all about it; and gentlemen shall have no misunderstanding or misapprehension as to my views upon those subjects. But I decline to enter into the discussion of a constitutional question of great difficulty, in the shape of a dialogue, while another gentleman has the floor to make a speech.

Mr. Singleton. I would like to hear the gentleman now.

Mr. Stanton. I decline to make my argument now.

Mr. Singleton. The position taken by the Republican party on this floor, of excluding slavery from all the Territories which now belong to us, or which may hereafter be acquired, and their determination to repeal the fugitive slave law, will, if persevered in, sooner or later prove the destruction of every tie which binds us together. If you imagine that the people of the South will submit to be confined to their present area, to be shut out from the common territories, acquired by the common blood and treasure of the nation, that slavery will linger out a poor and miserable existence within the present borders, and that our slaves will escape so without a law to recover them, I tell you to-day that you may begin to prepare for a dissolution of this Union. Every man upon this floor from the South will consult their constituents—though they need not be counseled—to that effect. Their determination is fixed and unalterable, that they will have an expansion of slave territory in this Union if you will allow it, or outside of the Union, if they must. [Applause in the galleries.] With me the excitement upon this subject has passed away in a great measure. The paroxysm is over, and the delirium of fever following the first agitation of this subject has subsided. Upon the supposition that the gentleman from Iowa speaks the sentiments of the Black Republican party, and that their purpose is fixed to exclude us forever from the Territories, and confine us to our present limits, and that the fugitive slave law is to be repealed or so altered as to render it inefficient; if you desire to know my counsel to the people of Mississippi, it is that they take measures immediately, in conjunction with other southern States, to separate from you. I believe that the sooner we get out of this confederation of States the better it will be for us, as every day we remain with you, under such circumstances, but weakens and impairs our strength, and renders us less able to cope with you.

The question arises, will the Republican party be able, should the South remain in the Union, to carry out their purposes? But one answer can be given to this question: they will. It is a lamentable fact for the country that they have the numerical strength to do it; and we may as well make up our minds at once that slavery will be abolished if things move on in their present direction. The whole North is against us, except a few noble Democrats who adhere to the Democratic standard. The Whig party, which was in power seven years ago, with a good prospect of so continuing, is now absorbed by the Republican party. Our Democratic phalanx of northern men is now whittled down to a small number. The Democrats have the majority in hardly a single northern State, and though we find a few noble specimens of humanity who are willing to stand by our rights, yet they are powerless so far as rendering any assistance to the South is concerned. I glory in their determination to oppose this vitiated public sentiment at the North, though it may be their political overthrow. But without a great change they will be overthrown; and sooner or later the whole power of the Government must pass into the hands of the Republicans.

What evidence have I of it? Gentlemen say that I am mistaken, and that I do not understand public sentiment at the North. How happens it that there are one hundred and seven members upon this floor, Representatives of the Black Republican party? How happens it that almost every Democrat from the North, who has stood up for our constitutional rights in the past, has been defeated and driven into retirement? If we can judge the complexion of politics at the North by the character of its Representatives, we must conclude at once that there is little else than Black Republicanism there. Two years ago we had fifty-three northern Democrats upon this floor. Now we have, I believe, twenty-six. Why were those men turned out? For no other reason than to make place for Black Republicans, who will break down the institution of slavery, if not by interfering with it directly in the States, at least by hedging it in and cutting off all expansion, which will as certainly accomplish the object in time.

Public sentiment is against us. The departments of the Government, though not against us at this moment, will soon be so.—You have now almost the control of this branch of Congress, without the aid of any faction from any quarter. You are now within eight or ten votes of organizing the House by the election of a Black Republican Speaker, by force of your own numbers. Very soon, I doubt not, you will turn out the sound men now in this body. I hope for better things; but I doubt not that all your efforts will be directed to overthrowing every man who has dared to speak in behalf of the rights of the South on this floor, and that you will have full control of this branch of Congress.

How is it in the Senate? That body is fast becoming Black Republican. There is not a single Senator there from the North who dares to speak in behalf of the constitutional rights of the South who is not marked at the moment, and systematic efforts made to put him out of place. How does it happen that such men as Choate and Everett and Winthrop in the old Whig party, and Cass, Dodge, Dickinson, and Cushing, in the Democratic party are out of Congress at this time? Is it not because they dared to defend the rights of the South on the subject of slavery? Have they not been compelled to retire, and make room for Black Republicans? The very same process at the North who fill this House with Black Republicans can do the same with the Senate, and it only requires a few years to effect the change. Every six years a Senator goes out of place, and a new one is elected; and according to the progress that party has made for the last few years, it will not take long to give the Black Republicans control in that end of the Capitol.

What else? The very same men who elect members of Congress, and who are opposed to us, each elect their President over our heads. Were we not told, the other day, by the gentleman from Pennsylvania, [Mr. Hickman,] that there were eighteen millions of free white people at the North, while there were only eight millions at the South? We do not expect, therefore, to cope with you at the ballot-box. We may possibly succeed, at the next Presidential election, by reason of the dissensions in your ranks. Possibly the Democratic party may keep the Government together for the next four years. But, at the end of that time, what chance, I ask southern men, have we of being able to elect a President or keep the control of the Executive branch of the Government?

Well, sir, there is one other branch of the Government—the judiciary. Not long since, Seward, the great apostle of the Black Republican party, if I am not mistaken, rose in his place in the Senate, and said, in substance, while we were rejoicing over the decision in the Dred Scott case, "Gentlemen, go on rejoicing; you will have a short life of it. The time is not far distant when that court will be entirely changed." And we know it to be true. The Judges of the Supreme Court are, for the most part, aged, and their places must soon become vacant. These places must be filled by Executive appointment, and those appointments confirmed by the Senate. The President being a Black Republican, will select Black Republican nominees, and the Senate will obey his behests. Thus, there is nothing to prevent their changing the character of the Supreme Court in the course of the next few years.

All this we foresee. If you suppose we are blind to your purposes, that we are not looking to the future, and calculating the chances of keeping the Union together under the Constitution, and defending our own peculiar institutions, you are most egregiously mistaken. The people of the South are fully awake to all these facts, and are preparing to meet them. With the masses of the people against us at the North, and with the whole Government against us in all its forms, what future is there for slavery in this Union?—What have we to look forward to as slave owners? We are to have no expansion—no legislation for the protection of slavery in the Territories. The fugitive slave law is to be repealed or set at naught. Slavery in the District of Columbia; in the dock-yards, the arsenals, and all public places, is to be abolished.

I ask, again, what will be the future of the southern slaveholder? If slavery be confined to its present limits, the institution will necessarily be overthrown. It is only a question of time. We have now four million slaves in the fifteen Southern States. That population, doubling itself, according to the census returns, every twenty-five years, by natural increase—to say nothing of African importations—we will in fifty years from now have sixteen millions. What else is true? It is a fact known to all, that in the border counties of Maryland, Virginia, Kentucky, and Missouri, slavery is almost a nominal thing. Men cannot afford to own slaves when, by crossing an imaginary line, they fall into the hands of our enemies and their friends who aid them in their flight. Hence you find slave owners in those counties selling off their slaves and crowding them down into the States on the Atlantic coast and Gulf of Mexico. This operation is going on daily, as every man knows. Confine us within our present limits, and it will not be long before the institution will sink of its own weight. We ought not to wait for that time. Do you think, gentlemen, that we will remain quiet while this is being done? Do you think that we will ever consent to have our four million negroes placed on a footing of equality with ourselves, our wives and children? If you do, I tell you that you reckon without your host. The South will never submit to that state of things. It matters not what evils come upon us; it matters not how deep we may have to wade through blood; we are bound to keep our slaves in their present position. And let me ask you, what good would you bring to the slaves by this process of abolition? You may possibly have the object in view of benefiting the slave, or benefiting the white race, or both; but suppose you could carry out your plans and confine us to our present area; and suppose that the institution of slavery should perish itself, what would you have done? You know it is impossible for us to live on terms of equality with them. It is not to be supposed for a moment that we can do so. The result would be a war between the races, which would perhaps involve the utter annihilation of one or the other; and thus you see that; instead of benefiting either, you would have brought disaster upon both.

But I tell you here, to-day, that the institution of slavery must be sustained. The South has made up its mind to keep the black race in bondage. If we are not permitted to do this inside of the Union, I tell you that it will be done outside of it. Yes, sir; and we will expand this institution; we do not intend to be confined to our present limits; and there are men enough in all your borders to enlist three million armed men in the South, and prevent their going into the surrounding territories. Well, sir, you ask me if we can preserve this institution out of the Union? That question is very frequently asked. I do not know what the result will be. I believe that, although fanaticism is rampant at the North; there is still good sense enough among the people to hold abolitionism in check, and prevent it from making personal war upon us whenever we make up our minds to secede peaceably from this Confederacy.

The gentleman from Pennsylvania [Mr. Hickman] said the other day that they would coerce us. I would like to know if he put his head the force that comes down for that purpose? He will remember that Mississippi acquired some character in the war with Mexico. He will recollect that we had a regiment of riflemen there, headed by Jefferson Davis, who still lives to lead, it may be, a southern army in defense of her rights. I would remind him, also, that there was a Palmetto regiment from South Carolina that did some good service in the Mexican war. Other Southern States were represented there, and gained an immortality of renown. If he will but cast his eye back upon these things, and then recollect that everything we have, and everything that we hold dear and sacred on earth, will be staked upon the issue, he must see at once that any attempt upon the part of the North to coerce us must result in bloodshed—I might say knee-deep—upon our borders. No, the North will never attempt to coerce us. Whenever the South makes up her mind to remain no longer in this confederation of States, we will say to you, "We want no bloodshed; we have nothing again st you, if you will let us alone; we will shake hands with you, and walk out of this Confederacy bidding you God's blessing, and wishing that you may prosper; we will leave you in peace, and intend to make no war upon you." But if you undertake to make war upon us, first look well to the consequences. I believe there is still sufficient conservative feeling left in the North to prevent this state of things. Not only that, but I believe there are men upon this floor, from the North, over whose dead bodies you will be compelled to walk before you ever reach the South. But you will not attack us. You will not send down an army, and expend millions of dollars, for the purpose of reducing us to a condition worse than that of our slaves. You will never undertake to force us back into the Union, and compel us to live in it, when you have forced us out of it by your intolerable conduct towards us. My word for it, no such thing will be done. And not only that, but we shall be able to take care of our slaves. You do not want them. Although your people would force them from us, when we travel among you; although they seduce them from us at home, and give aid and comfort to them when they escape, you do not want them in your States; they are not a fit element for society. It may be asked what evidence have I of that fact? There is scarcely a northwestern State that has not a law upon its statute-book preventing the ingress of free negroes into its borders. Why, sir, I am told that in the very town where the Republican candidate for the Speakership resides, the town council, a short time since, passed an ordinance excluding negroes from the place, and they were absolutely stoned out of the town. There is a gentleman now in the House who informed me of the fact, and who was present when this occurred, or soon after.

Do you want a free colored population in your midst? You would not feed and clothe them as we do. I have traveled through your section of the country, and, so far as my recollection goes, I have never seen a negro engaged in agricultural pursuits within the borders of a free State. You have nothing to do with them. If you want to employ laborers, you employ white men. They are crowded together in the large cities, live there as they can on the offal of the streets or on what they can steal or what little they can get for their menial services. You know yourselves you have no use for such a population as this. Why even in Canada, I understand that it is seriously contemplated to force the negroes into settlements of their own, to colonize them, so troublesome have they become. Why interfere with our slaves? Have we not built up your northern cities by our commerce? Are they not dependent upon us to-day for our support in the way of trade? The gentleman from New York, [Mr. Clark] declared the other day that they could not do without us.

Mr. Clark, of New York. I desire to say to the gentleman from Mississippi, that my remark was not that the city of New York could not stand against a dissolution of the Union. My remark was—at least, that is what I designed to say—that she would not send, and in my judgment, would not consent to send, or could not afford to send a sectional man to Congress.

Mr. Singleton. I understood the gentleman to say that the North could not dispense with the South.

Mr. Clark, of New York. I have not said that.

Mr. Singleton. He said something to that effect. I should like to get hold of the gentleman's speech, and see precisely what language he did employ. I remember it made the impression distinctly on my mind that we were tributary to the North, and that New York could not afford to give up this advantage.

Mr. Clark, of New York. I did not mean to be so understood. I merely meant to say—for I was then responding to the charge that I was an Abolitionist—that the city of New York had not sent and would not send a sectional man to Congress. That was all. I may have said that she could not afford to send a sectional man to Congress.

Mr. Singleton. The impression made upon my mind—and it was the impression made upon the minds of other gentlemen with whom I have conversed—was as I have stated.

Mr. Clark, of New York. I did not say that.

Mr. Singleton. Well, that was the impression made upon me at the time. The gentleman's speech has gone to the country, and its language will be properly judged.

Mr. Clerk, there is one other question to which I wish to direct the attention of the House for a moment, and that is the question of squatter sovereignty as advocated by certain gentlemen on this floor, and by their great leader, Mr. Douglas. Sovereignty, as I understand it, and as it is defined by lexicographers, is the highest power—the supreme power in a State; and, if this definition be correct, (and I apprehend nobody will controvert it,) when Mr. Douglas and his followers undertake to put the Territorial Legislature upon the same footing with a State Legislature, in my judgment they are guilty of a most egregious blunder. Now, let me ask what sovereignty is there—call it squatter sovereignty, popular sovereignty, or whatever else you please—belonging to the people of a Territory? Can they organize a territorial government for themselves? Can they declare the bounds of their State? Can they elect their own officers without the special permission of the Congress of the United States? Every act that is passed by the Territorial Legislature is subject to the revision of Congress, and liable to be annulled by that body, and there is not a single act a Territorial Legislature can perform showing it to be sovereign.

But the gentlemen claim that the Legislature of a Territory has the same power as the Legislature of a State. Why, sir, never was more erroneous proposition asserted. A State Legislature may perform a thousand acts of sovereignty, its power being controlled by no superior. It may pass acts declaring and establishing its limits, enlarging or diminishing its boundaries. The people of a State select their own officers, establish their own judicial tribunals, alter or abolish their State government at will. And when gentlemen undertake to put a State and Territory upon the same footing in respect to sovereignty, they involve themselves in difficulties which they cannot meet successfully, and fall short of a correct view of the matter.

Having alluded to this subject, it may be that some gentlemen would like to know what my opinions are in regard to the approaching election of President, or whether I would vote for a man who advocates the doctrine of squatter sovereignty. Well, sir, I state to you now, as I have stated to the people of my district, that I care not who the man may be entertaining these views, and claiming that a Territorial Legislature, either by unfriendly legislation or by refusing to legislate at all, can exclude slavery from such Territories, and that Congress, in such case, would be justified not to pass laws protecting slave property, can never receive my vote for President of the United States—Democrat as I have always been. I will not consent, under any circumstances, so far to stultify myself and injure the South as to lend support to any such heresies. There was time when I looked upon Judge Douglas as the great man of the party. And I may safely say that if he had not gone off upon this Lecompton question, at the approaching Charleston convention the whole South would have gone for him; and had he not become sectionalized by his course upon that question, he would not only have carried out of the convention with him the united South, but he would have gone into the Presidency beyond a doubt. But I now assert, in the most emphatic language, that if he shall be the nominee of that convention, I care not upon what platform he may stand, I will not cast my vote for him.

Mr. Logan. I wish right here to contrast my Democracy with that of the gentleman. As this matter has been brought up, I will say, and I believe I express the views of my Democratic colleagues from Illinois, that we will vote for the nominee of the Charleston convention whoever he may be, whether from the North, South, East, or West, for the purpose of putting down the Republican party. [Applause in the galleries.]

Mr. Singleton. I thank the gentleman for the evidence of this difference of opinion between him and myself. If that is the way the gentleman proposes to put down the Black Republican party by voting for a man who denies protection to slave property in the Territories, I must decline the honor of taking part with him in such election. I do not wish to be misunderstood upon this question. I shall here and elsewhere endeavor to define my position in language that shall convey my ideas.

Mr. Adrain. I wish to ask the gentleman from Mississippi if he supported the Kansas-Nebraska bill?

Mr. Singleton. I did.

Mr. Adrain. Then I ask the gentleman if that bill does not leave the people of the Territories perfectly free to regulate the question of slavery for themselves, and whether the position taken by Judge Douglas is not the position upon which the gentleman supported that bill?

Mr. Singleton. Yes, sir; the Kansas and Nebraska bill leaves this question to be settled by the people themselves. It must be at some proper time; and that is when they make their constitution, prior to coming into the Union as a State. They have not the right to regulate the question of slavery anterior to that time.

Mr. Adrain. I wish to ask the gentleman another question. I wish to ask him if the Kansas and Nebraska bill declares that the people of a Territory have not the right to settle the question of slavery until they form a constitution preparatory to coming into the Union?

Mr. Singleton. Yes, sir; that is the language of the Kansas and Nebraska act?

Mr. Adrain. Well, sir; I deny that interpretation of the act. On the contrary, it expressly says that it is its true intent and meaning not to legislate slavery into any Territory, or to exclude it therefrom; but to leave the people perfectly free to control it themselves.

Mr. Singleton. Yes, sir; I understand the difference of interpretation of this act between you and myself. It is a very wide one.

Mr. Adrain. I am sorry that there should be a difference between us.

Mr. Singleton. I am not sorry. Men have a right to hold their opinions here, and there is no necessity for shedding tears about the matter.

Mr. Adrain. I am not defining my position. My object was to understand the gentleman's position.

Mr. Clark, of New York. I would like to ask the gentleman whether he understands the act creating the territorial organizations for Utah and New Mexico, as not permitting the people of those Territories to exclude slavery while they remain in a territorial condition?

Mr. Singleton. I have not examined the provisions of that act very recently, and will not undertake, at this moment, to answer the question of the gentleman in positive terms; but my impression is, that it bears no such interpretation.

Mr. Clark, of New York. Well, sir; I will simply say to my friend from Mexico [great laughter]——

Mr. Singleton. Very well, the gentleman need not be surprised before a great while to find me coming from Mexico, for it will not be long before we shall extend our borders in that direction. [Laughter.]

Mr. Clark, of New York. I will simply say to my friend from Mississippi that the language of that act creating the territorial organization for Utah and New Mexico, permits them to come into the union with or without slavery, as they may see fit. Now, if I understood the argument of the honorable gentleman, he insists that Congress has no right to pass a law excluding slavery from the Territories.

Mr. Singleton. I do.

Mr. Clark, of New York. Now, if the people of the Territories, through their Legislative Assemblies, cannot exclude slavery, how is it possible, if slavery may go untramneled into the Territories, that Utah and New Mexico can come into the Union without slavery, if they see fit?

Mr. Singleton. Precisely as every other free State has come in. When they come to form their State organization, they may exclude slavery if they think proper.

Mr. Clark, of New York. Perhaps the gentleman from Mississippi does not understand the point of my question. The law creating the territorial organizations of Utah and New Mexico expressly declares that those two Territories may come into the Union with or without slavery, as they may see fit. Now, the argument of the gentleman is that Congress cannot, by law, exclude slavery from the Territories. His argument also is that the people of a Territory cannot exclude it. If these positions be sound, how is it possible that that part of the compromise of 1850 can take effect?

Mr. Singleton. I think the response I have already given answers the question of the gentleman: that the delegates in the convention which meets to form a constitution and State government prior to coming into the Union may then perform the first act of sovereignty of the Territory, and exclude slavery if they shall see fit. They would not then be controlled by any act of Congress, according to former precedents; and the people of some of the Territories have even held such conventions without the authority of an act of Congress. The gentleman must know that Territorial *Legislatures* do not make constitutions, but *delegates elected by the people or that purpose.*

Mr. Clark, of New York. There is a particular moment when the transition takes place from a Territory to a State; and if slavery is there the new State must come in with slavery. I ask the gentleman whether it is possible, upon his own theory, that Utah and New Mexico can come in without slavery, even if the people shall see fit to do so, as is provided in the organic act? Does the gentleman stand upon the compromises of 1850?

Mr. Singleton. Well, sir, I did not. I made war upon them in my own State at the time of their adoption, and I have never been satisfied with them from that day to the present. The people of my State, however, declared that they would abide by them, and I agreed to acquiesce in that decision simply because I could not do otherwise.

Mr. Clark, of New York. I ask if the terms of the compromises of 1850 were not that Utah and New Mexico may come into the Union with or without slavery as they may see fit?

Mr. Singleton. Certainly.

Mr. Lamar. I understand that it is denied by gentlemen upon the other side that the Kansas bill specifies the mode and time when slavery shall be excluded or admitted. I understood the gentleman from New Jersey [Mr. Adrian] made that denial.

Mr. Adrian. Certainly.

Mr. Lamar. And the gentleman from New York [Mr. Clark] made that denial. I now assert that the Kansas-Nebraska bill expressly ascribes the time when, and the mode in which that question may be determined; and a prescription of that time and mode precludes any other time and any other mode. After organizing the Territory and defining its limits, the bill says:

"And when admitted as a State or States, the said Territories, or any portion of the same, shall be received into the Union with or without slavery as their constitutions may prescribe at the time of such admission."

Mr. McClernand. But that does not prevent the people from exercising that power before that time. It carries no implication to that effect.

Mr. Lamar. Expressio unius est exclusio alterius.

Mr. McClernand. That maxim does not apply.

Mr. Grow. When doctors disagree, who shall decide?

Mr. Clark, of New York. I referred to the bills organizing the Territories of Utah and New Mexico, and not to that organizing Kansas.

Mr. Singleton. The power is left an open one. They may come in with slavery or without slavery, as they may determine; and the question now is, when may they determine upon the character of their domestic institutions? I say, when they frame their organic law, and not before. They have no sovereignty, as I have shown, in their territorial state, and they can exercise no right whatever, independent of the authority of the Congress of the United States. The very first act of sovereignty they can do is in framing their fundamental law. In that they have the right to declare whether they will tolerate slavery or not.

A few words more and I shall conclude. I have already detained the House longer than I intended. The question now is, if we are never to consider which lands—and the North together, how are we to preserve the institution of slavery? There is but one mode by which, in my humble judgment, it can be perpetuated for any considerable number of years. We may fail in that, but certainly it is the surest chance offered us to preserve the institution. It is by a moderate policy that expansion must be in the direction of Mexico. At present there is no settled government there. It is, to all intents and purposes, defunct; and we have the right, to the exclusion of all others, to administer upon the estate; and when we have wound it up, there being no better heirs than ourselves, we will be competent to hold the property. This will afford us an outlet for slavery. There is in Mexico a large extent of territory suited to the cultivation of cotton, sugar and rice. In my opinion we must, and we are compelled to, expand in that direction, and thus perpetuate it—a hundred or a thousand years it may be. That is the only conceivable mode by which that institution can be preserved, unless the people of the North hold their tenacity, for it will afford us an outlet for slavery. There is in Mexico a large extent of territory suited to the cultivation of cotton, sugar and rice. In my opinion we must, and we are compelled to, expand in that direction, and thus perpetuate it—a hundred or a thousand years it may be. That is the only conceivable mode by which that institution can be preserved, unless the people of the North hold their tenacity. It will afford us an outlet for slavery. There is in Mexico a large extent of territory suited to the cultivation of cotton, sugar and rice. In my opinion we must, and we are compelled to, expand in that direction, and thus perpetuate it—a hundred or a thousand years it may be. That is the only conceivable mode by which that institution can be preserved, unless the people of the North hold their tenacity. Now, let me ask what sovereignty is there—call it squatter sovereignty, popular sovereignty, or whatever else you please—belonging to the people of a Territory? Can they organize a territorial government for themselves? Can they declare the bounds of their State? Can they elect their own officers without the special permission of the Congress of the United States? Every act that is passed by the Territorial Legislature is subject to the revision of Congress, and liable to be annulled by that body, and there is not a single act a Territorial Legislature can perform showing it to be sovereign.

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Mr. Logan. I wish right here to contrast my Democracy with that of the gentleman. As this matter has been brought up, I will say, and I believe I express the views of my Democratic colleagues from Illinois, that we will vote for the nominee of the Charleston convention whoever he may be, whether from the North, South, East, or West, for the purpose of putting down the Republican party. [Applause in the galleries.]

Mr. Singleton. I thank the gentleman for the evidence of this difference of opinion between him and myself. If that is the way the gentleman proposes to put down the Black Republican party by voting for a man who denies protection to slave property in the Territories, I must decline the honor of taking part with him in such election. I do not wish to be misunderstood upon this question. I shall here and elsewhere endeavor to define my position in language that shall convey my ideas.

Mr. Adrain. I wish to ask the gentleman from Mississippi if he supported the Kansas-Nebraska bill?

Mr. Singleton. I did.

Mr. Adrain. Then I ask the gentleman if that bill does not leave the people of the Territories perfectly free to regulate the question of slavery for themselves, and whether the position taken by Judge Douglas is not the position upon which the gentleman supported that bill?

Mr. Singleton. Yes, sir; the Kansas and Nebraska bill leaves this question to be settled by the people themselves. It must be at some proper time; and that is when they make their constitution, prior to coming into the Union as a State. They have not the right to regulate the question of slavery anterior to that time.

Mr. Adrain. I wish to ask the gentleman another question. I wish to ask him if the Kansas and Nebraska bill declares that the people of a Territory have not the right to settle the question of slavery until they form a constitution preparatory to coming into the Union?

Mr. Singleton. Yes, sir; that is the language of the Kansas and Nebraska act?

Mr. Adrain. Well, sir; I deny that interpretation of the act. On the contrary, it expressly says that it is its true intent and meaning not to legislate slavery into any Territory, or to exclude it therefrom; but to leave the people perfectly free to control it themselves.

Mr. Singleton. Yes, sir; I understand the difference of interpretation of this act between you and myself. It is a very wide one.

Mr. Adrain. I am sorry that there should be a difference between us.

Mr. Singleton. I am not sorry. Men have a right to hold their opinions here, and there is no necessity for shedding tears about the matter.

Mr. Adrain. I am not defining my position. My object was to understand the gentleman's position.

Mr. Clark, of New York. I would like to ask the gentleman whether he understands the act creating the territorial organizations for Utah and New Mexico, as not permitting the people of those Territories to exclude slavery while they remain in a territorial condition?

Mr. Singleton. I have not examined the provisions of that act very recently, and will not undertake, at this moment, to answer the question of the gentleman in positive terms; but my impression is, that it bears no such interpretation.

Mr. Clark, of New York. Well, sir; I will simply say to my friend from Mexico [great laughter]——

Mr. Singleton. Very well, the gentleman need not be surprised before a great while to find me coming from Mexico, for it will not be long before we shall extend our borders in that direction. [Laughter.]

Mr. Clark, of New York. I will simply say to my friend from Mississippi that the language of that act creating the territorial organization for Utah and New Mexico, permits them to come into the union with or without slavery, as they may see fit. Now, if I understood the argument of the honorable gentleman, he insists that Congress has no right to pass a law excluding slavery from the Territories.

Mr. Singleton. I do.

Mr. Clark, of New York. Now, if the people of the Territories, through their Legislative Assemblies, cannot exclude slavery, how is it possible, if slavery may go untramneled into the Territories, that Utah and New Mexico can come into the Union without slavery, if they see fit?

Mr. Singleton. Precisely as every other free State has come in. When they come to form their State organization, they may exclude slavery if they think proper.

Mr. Clark, of New York. Perhaps the gentleman from Mississippi does not understand the point of my question. The law creating the territorial organizations of Utah and New Mexico expressly declares that those two Territories may come into the Union with or without slavery, as they may see fit. Now, the argument of the gentleman is that Congress cannot, by law, exclude slavery from the Territories. His argument also is that the people of a Territory cannot exclude it. If these positions be sound, how is it possible that that part of the compromise of 1850 can take effect?

Mr. Singleton. I think the response I have already given answers the question of the gentleman: that the delegates in the convention which meets to form a constitution and State government prior to coming into the Union may then perform the first act of sovereignty of the Territory, and exclude slavery if they shall see fit. They would not then be controlled by any act of Congress, according to former precedents; and the people of some of the Territories have even held such conventions without the authority of an act of Congress. The gentleman must know that Territorial *Legislatures* do not make constitutions, but *delegates elected by the people or that purpose.*

Mr. Clark, of New York. There is a particular moment when the transition takes place from a Territory to a State; and if slavery is there the new State must come in with slavery. I ask the gentleman whether it is possible, upon his own theory, that Utah and New Mexico can come in without slavery, even if the people shall see fit to do so, as is provided in the organic act? Does the gentleman stand upon the compromises of 1850?

Mr. Singleton. Well, sir, I did not. I made war upon them in my own State at the time of their adoption, and I have never been satisfied with them from that day to the present. The people of my State, however, declared that they would abide by them, and I agreed to acquiesce in that decision simply because I could not do otherwise.

Mr. Clark, of New York. I ask if the terms of the compromises of 1850 were not that Utah and New Mexico may come into the Union with or without slavery as they may see fit?

Mr. Singleton. Certainly.

Mr. Lamar. I understand that it is denied by gentlemen upon the other side that the Kansas bill specifies the mode and time when slavery shall be excluded or admitted. I understood the gentleman from New Jersey [Mr. Adrian] made that denial.

Mr. Adrian. Certainly.

Mr. Lamar. And the gentleman from New York [Mr. Clark] made that denial. I now assert that the Kansas-Nebraska bill expressly ascribes the time when, and the mode in which that question may be determined; and a prescription of that time and mode precludes any other time and any other mode. After organizing the Territory and defining its limits, the bill says:

"And when admitted as a State or States, the said Territories, or any portion of the same, shall be received into the Union with or without slavery as their constitutions may prescribe at the time of such admission."

Mr. McClernand. But that does not prevent the people from exercising that power before that time. It carries no implication to that effect.

Mr. Lamar. Expressio unius est exclusio alterius.

Mr. McClernand. That maxim does not apply.

Mr. Grow. When doctors disagree, who shall decide?

Mr. Clark, of New York. I referred to the bills organizing the Territories of Utah and New Mexico, and not to that organizing Kansas.

Mr. Singleton. The power is left an open one. They may come in with slavery or without slavery, as they may determine; and the question now is, when may they determine upon the character of their domestic institutions? I say, when they frame their organic law, and not before. They have no sovereignty, as I have shown, in their territorial state, and they can exercise no right whatever, independent of the authority of the Congress of the United States. The very first act of sovereignty they can do is in framing their fundamental law. In that they have the right to declare whether they will tolerate slavery or not.

A few words more and I shall conclude. I have already detained the House longer than I intended. The question now is, if we are never to consider which lands—and the North together, how are we to preserve the institution of slavery? There is but one mode by which, in my humble judgment, it can be perpetuated for any considerable number of years. We may fail in that, but certainly it is the surest chance offered us to preserve the institution. It is by a moderate policy that expansion must be in the direction of Mexico. At present there is no settled government there. It is, to all intents and purposes, defunct; and we have the right, to the exclusion of all others, to administer upon the estate; and when we have wound it up, there being no better heirs than ourselves, we will be competent to hold the property. This will afford us an outlet for slavery. There is in Mexico a large extent of territory suited to the cultivation of cotton, sugar and rice. In my opinion we must, and we are compelled to, expand in that direction, and thus perpetuate it—a hundred or a thousand years it may be. That is the only conceivable mode by which that institution can be preserved, unless the people of the North hold their tenacity. It will afford us an outlet for slavery. There is in Mexico a large extent of territory suited to the cultivation of cotton, sugar and rice. In my opinion we must, and we are compelled to, expand in that direction, and thus perpetuate it—a hundred or a thousand years it may be. That is the only conceivable mode by which that institution can be preserved, unless the people of the North hold their tenacity. Now, let me ask what sovereignty is there—call it squatter sovereignty, popular sovereignty, or whatever else you please—belonging to the people of a Territory? Can they organize a territorial government for themselves? Can they declare the bounds of their State? Can they elect their own officers without the special permission of the Congress of the United States? Every act that is passed by the Territorial Legislature is subject to the revision of Congress, and liable to be annulled by that body, and there is not a single act a Territorial Legislature can perform showing it to be sovereign.

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