THE NATIONAL ERA.

G. BAILEY, EDITOR AND PROPRIETOR; JOHN G. WHITTIER, CORRESPONDING EDITOR.

VOL. IV.—NO. 24 WASHINGTON, THURSDAY, JUNE 13, 1850. WHOLE NO. 180.

The National Era is Published Weekly, on Seventh Street, opposite Odd Fellows' Hall.

TERMS.

Two dollars per annum, *payable in advance.*

Advertisements not exceeding ten lines inserted three times for one dollar; every subsequent insertion, twenty-five cents.

All communications to the *Era*, whether on business of the paper or for publication, should be addressed to G. BAILEY, *Washington, D. C.*

BUELL & BLANCHARD, PRINTERS,
Sixth street, a few doors south of Pennsylvania avenue.

THE NATIONAL ERA.

WASHINGTON, JUNE 10, 1850.

DEBATE ON THE CALIFORNIA QUESTION AND NON-INTERVENTION.

IN SENATE, JUNE 3, 1850.

The subject under discussion being the proviso of Mr. Chase to the amendment of Mr. Davis of Mississippi,

Mr. Douglas said that he was opposed to this clause of the bill imposing restrictions upon the Territorial Legislatures in relation to Slavery.

I am satisfied, sir, that it gives no strength to the bill; I am satisfied, even if it did give strength to it, that it ought not to be there, because it is a violation of principle—a violation of that principle upon which we have all rested our defence of the course we have taken on this question. I do not see how those of us who have taken the position which we have taken, (that of non-interference,) and have argued in favor of the right of the people to legislate for themselves on this question, can support such a provision without abandoning all the arguments which we urged in the Presidential campaign in the year 1848, and the principles set forth by the honorable Senator from Michigan in that letter which is known as the "Nicholson letter" We are required to abandon that platform; we are required to abandon those principles ourselves, and to adopt the opposite doctrine—and for what? In order to say that the people of the Territories shall not have such institutions as they shall deem adapted to their condition and their wants. I do not see, sir, how such a provision as that can be acceptable either to the people of the North or the South.

Mr. Downs. I am very sorry, sir, to hear the honorable Senator from Illinois say that there is anything in this bill, or in the amendments made to this section by the Committee, that is in violation of the principle of non-intervention declared in the Nicholson letter of the honorable Senator from Michigan. I thought, sir, it was the very thing. The ground it is put upon in the report, as I contended the other day, I thought made it precisely of this construction. I ask him if it can be supposed likely that the South will calmly acquiesce in a principle which would certainly exclude them? I ask him if he can suppose, if we strike out this provision, when it is well known that the feeling of a large majority of the people of New Mexico is in favor of the abolition of slavery, that the South will acquiesce in such a proposition? I say, for one, sir, if the Wilmot Proviso is to be preferred, if it is to be imposed, impose it here, but do not authorize it indirectly by introducing such sections in that bill without the amendment of the Committee.

Mr. Chase explained his amendment—

The bill reported by the Committee contained an express prohibition of Territorial legislation in respect to African slavery. It so happens that hardly any two gentlemen who have spoken upon the subject of that prohibition have agreed as to its import; and it was for the purpose, as I supposed, of fixing its construction, or at least of suggesting, and at the same time warranting a particular construction, that the honorable Senator from Mississippi moved his amendment. The amendment has been materially modified in the various stages of the discussion. As it now stands, it provides that the Territorial Legislature shall neither introduce nor exclude slavery, but shall have power to legislate for the protection of property of every kind which may be introduced into or held in the Territory, conformably to the Constitution and laws of the United States.

Mr. President, what does this language mean? Shall we advance a single step towards a clear and unambiguous declaration of legislative intention if we adopt this amendment?

Now, sir, I desire to have a distinct expression of the sense of the Senate as to the import of this amendment. For this purpose, I do not offer the Wilmot Proviso. An honorable Senator, [Mr. Seward,] at an earlier period of this debate, and during your temporary absence, Mr. President, from the chair, did propose that Proviso as a substitute for the amendment of the Senator from Mississippi, and his motion was declared to be out of order. Of course, I do not now undertake to introduce again that proposition. It is not the proper time, nor would it serve my purpose. But I do offer an amendment to the amendment of the Senator from Mississippi, which meets and negatives the proposition, that the right to carry slaves into the Territory, and hold and dispose of them there as property, is covered or secured by the Senator's amendment, or by the original clause as reported from the Committee.

Those Senators who think that under the original provision of the bill, or under this amendment of the Senator, slaves may be introduced into the Territories, or persons held there as property, and who see nothing undesirable in that result, will, of course, vote against my restrictive proposition. But I do not see how any Senator can refuse to vote for it, who holds the opinion frequently expressed here, that neither the original clause nor the amendment of the Senator from Mississippi, when rightly construed, will warrant slavery in the Territories, or who is unwilling to see slavery established there as the effect and result of legislation here. Such a vote will only give expression and effect to the professed wish and purpose of such a Senator. It will not be a vote for the prohibition of Territorial slavery. It will be a vote that slavery shall not be established in the Territories by the bill or the amendment, under a construction which many Senators insist upon as the true one, and which there is some reason to fear may be held to be the true one by the Judiciary as at present constituted.

It was for the purpose of negativing this construction—or rather, as I said at the first, of excluding the conclusion of the leading friends of the amendment—that I introduced the pending amendment to it. If that conclusion ought to be excluded, then the proposition I have submitted ought to be adopted. If that conclusion ought not to be excluded, if the construction the Senator from Mississippi puts upon his amendment be the true one, and one which Senators desire to have carried out into its practical effect, then my proposition should be rejected.

I have made these remarks, in order that the amendment I have offered to the amendment of the Senator from Mississippi may be clearly understood. I have nothing further to say.

Mr. Davis of Mississippi, dissented from the construction of Non-Intervention, given by Mr. Douglas. He asserted that the sovereignty over the Territories was vested in the United States and the people of a Territory had no right to decide as to their institutions until the United States gave them power to organize a State Government.

Mr. Douglas persisted in his opposition to the clause.

I am opposed to any provision in this bill, prohibiting the people of the Territories from legislating in respect to African slavery. I would desire to see it stricken out; and I repeat, I do not conceive how my friend from Michigan, who usually thinks with me, and who acted with me in the last campaign, can go for a provision of this kind, without abandoning the position he then assumed. Upon that point, I have the Senator from Mississippi with me. I remember that early in the session, he made a speech here, in which he declared that he put that construction upon the letter of the Senator from Michigan, and that it made him a little lukewarm upon this question in relation to it. That was the construction he put upon it at the time. All the arguments we used in favor of popular rights, and in favor of the people's deciding the question for themselves, all led to such a construction.

Mr. Butler. I will not, Mr. President, take part in this discussion now, but will explain a few words which have been used on a former occasion. As well as I recollect, they were the words which were introduced into the Clayton compromise, "that a Territory shall not legislate in respect to slavery;" and I recollect my friend from Maryland, now the Attorney General, replying, that if the words should remain in that way, and an individual, with the view of trying the question, should carry his slave there under articles of contract—"articles of apprenticeship," if you please to call them such—and the day after his arrival, any one, I do not indicate any particular person, should seduce the slave and take charge of him, and the owner, or master, if you choose so to call him, should demand the possession of that slave, and should think proper to sue out a writ of trover, it would be replied, immediately, here is an inhibition in the organic law against the courts taking cognizance of any case of that kind. I say that that would be at once the case if the Territorial Legislature were prohibited from passing any law in respect to African slavery. He might have a perfect right to carry his property there; but the courts, in case of seduction, could give him no remedy, for the reason that there is an express prohibition by Congress against the Territorial Legislature passing any law in respect to African slavery, by which he could have *immediate* process of law, under the conflicting provisions of the Constitution of the United States and the laws of Mexico. And I think that was the point made by my friend from Maryland at the time—that those words should be stricken out which restrained the Territorial Legislature from passing any law in respect to African slavery, and leave them under the rightful exercise of authority to protect that property. That, sir, is a plain proposition.

Sir, I was going to speak of the people having a right, independently of the Constitution, by which even Congress derives its power, to make whatever laws they pleased for themselves. That is, indeed, a new idea. The principle which pervades all legislation upon this subject is, that a Territorial Legislature is given by Congress, subject to all the limitations imposed by Congress, and that it has no powers except those which are given to it by Congress. In other words, it has power to legislate upon those subjects only which are specified in the grant. This, I am aware, is inconsistent with the broad notion that these squatters, the moment they put their feet upon the soil, are freeholders, and entitled to exercise all the privileges of citizens of a State.

Say this much: if you leave the cause as it is, there is no power by which the Territorial Legislatures can pass police laws, or to give a writ of trover, or any other writ by which a man can sue for his property and recover it from any unprincipled man who may take his slave from him in any shape. Such is the argument contended for by the distinguished Attorney General, in his place, on this subject.

Mr. King of Alabama said—

Sir, I never did agree with my friend from Michigan in regard to what is supposed to be the construction of the Nicholson letter. I never did believe that a Territorial Legislature possessed any power whatever but such as is delegated to it by the Congress of the United States; and the power which it did possess simply related to the protection of persons and property and the punishment of crime. Sir, what do you require of them? That they shall pass no law that is not to be submitted to Congress for its approbation, leaving them strictly to the control of the Congress of the United States in every act that they may pass. And yet gentlemen get up at this day and advocate on the floor of the Senate the monstrous doctrine that these Territorial Legislatures, consisting of a mere handful of men, should make laws to affect every description of property.

Mr. Douglas said—

It is now clear that the object is to stultify the whole Democratic party of 1848. It is now intended to rebuke the doctrine we advocated at that time. The Senator from Mississippi said he was opposed to it; the Senator from Alabama says he, too, was against that doctrine then. Senator after Senator begins to rise now to denounce it. But is the Senator from Michigan and his friends, who were smitten down in consequence of their being in favor of that doctrine then, to come up now and vote for the very measure that is intended to stultify and disgrace him, as the leader of the Democratic party? That is the question; and if we are to meet it, let us meet it like men. The Senator from Kentucky was manly enough to say that he was opposed to it. He saw that this provision would stultify our party; and he was manly enough to say that he thought it was wrong to put it in this bill. I now desire to see my Democratic friends do the same thing. We can then stand where we ever have stood upon this question.

Mr. Webster. Mr. President, I do not think that there is anything in this question that runs so far into the interests or feelings of party, past, present, or to come, as seems to be supposed by the honorable member from Alabama. I think the amendment moved in this case by the honorable member from Mississippi [Mr. Davis] is of very little moment, and I doubt whether it will have any degree of influence upon the just construction of the bill. Sir, if I understand the object of gentlemen who have taken part in this discussion, it can be very easily attained by amendment form of amendment. I have seen on the surface of this question (and I suppose that everything belonging to it is on the surface) nothing but a disposition to prevent the Territorial Government from deciding upon the question of the permanent establishment, or the permanent exclusion of slavery in the Territory hereafter to become a State. I have taken that to be the aim and object of this provision, which it is proposed to strike out of the bill. If there is anything deeper in it than that, it is not apparent to me. Now, if that be the object, it can be reached in a very plain manner. I saw an amendment the other day in the hands of the honorable member from Indiana [Mr. Whitcomb] which I think is calculated to accomplish that object. It is the same that has been indicated by the honorable member from Alabama. As the bill now reads, it provides that the Territorial Legislature shall have no authority to pass any law respecting African slavery. The argument is, that by possibility it may become necessary to pass laws respecting slavery, if slavery shall ever exist there. Now, I suppose that the amendment proper to be introduced for the purpose which has been signified by the gentlemen who have spoken, would be to strike out those words, and to say that the Territorial Legislature shall have no authority to pass any law for establishing or excluding slavery in the Territory. It appears to me that this is the upshot of the whole matter. That is very proper, because I take it that the meaning of the whole is that this question shall be left to the people of the State to decide, after it becomes a sovereignty by admission into the Union on the same footing with the original States. It may then be a question for the people themselves to decide, because I take it to be clear that it is a municipal question. It is a question for the decision of the people in their State sovereignty, and there may be a propriety, there certainly is no impropriety, in excluding the exercise of any power in the Territorial Government for the establishment or exclusion of slavery. I must say, sir, that I look upon the whole matter as of not the slightest practical utility in the present case. My judgment is that no provision of this sort is likely to have any effect whatever upon the actual state of things which will arise in New Mexico. Still the proposition is apparent. If the amendment be put in the shape which I have indicated, it will be unobjectionable.

Mr. Hale. Mr. President, I do not feel disposed, for one, at this time, to concede, even by silence, that the question now before this Senate and this country is one of practical indifference. We have grown from thirteen to thirty States, and the history of the new States that have been added to the Union since the formation of the Constitution of the United States will show this important fact: No matter what is the latitude or the longitude of any Territorial Government that has been organized by virtue of the authority of Congress, in every solitary instance in which slavery has not been expressly prohibited by act of Congress, it has gone there, and exists there at the present time. Now, sir, upon this subject I desire no lightbut the light of experience; and that light tells me that, unless this Congressional prohibition is inserted in every Territorial bill, slavery will go into the Territories, and it is not worth while to shut our eyes to this fact that none but those who are wilfully blind can help seeing! Is this, sir, a question of indifference and of no consequence? I ask, then, what is of consequence, what is of moment? What ought to command the attention and excite the feelings, and call up the most strenuous efforts of the friends of freedom in this body, at this time, if this great question, relating to the Government of a country, compared with which the old thirteen are but a speck, does not? If the question whether slavery is to go unbridled and unchecked by any Congressional prohibition, if that is a question of indifference, then what is of moment, what is of consequence? Do not let us deceive ourselves with the idea that latitude fixes this matter. There is the State of Texas, running from the Gulf of Mexico to the 42d deg. of north latitude, and slavery covering the whole of it. There is the State of Missouri, the whole of it north of 36° 30′, and slavery covering the whole of that State. Now, it is not worth while to shut our eyes to these facts. It is not worth while to hug to ourselves the delusion that we are passing upon matter that is of little or no moment. Whatever may be the consequence, whatever may be the results, it is best to look these facts in the face.

The honorable Senator from Iowa [Mr. Dodge] the other day took occasion to say that he had no confidence in the sincerity of gentlemen who expressed any fears as to slavery going into the Territories. I would ask that honorable Senator if he places any confidence in the declarations of Southern gentlemen who tell us that it will go there? Does he believe the sincerity of the honorable Senator from Mississippi [Mr. Davis] when he tells us that the country about the Gila is one that is calculated for slave labor, and to which it can go? Does he believe the sincerity of the honorable Senator from Virginia [Mr. Mason] when he tells us that, in the mountain countries of these Territories, slave labor is worth from four to six thousand dollars a year, and that, without restrictions, it will go into these Territories? Or is that deception? Is that pretence? Now, when honorable Senators from slave States get up here and tell us that this is a constitutional right which they claim, and intend to exercise, and that it is one immensely valuable to them, how idle is it for us to pretend that it is a matter of comparative indifference and insignificance, and one about which we need not trouble ourselves at all.

Sir, it is *the* question. Do not talk to me about banks, and tariffs, and protection to iron, or any of these matters, as being the question of the day, and pass by this great question, which is to fix the character of the government and population of this immense territory forever, as one of indifference and insignificance, and of no practical utility. To my mind, these others are questions which sink into insignificance. You may make a tariff in 1842, repeal it in 1846, alter it again in 1850. You may make and unmake banks. You may even try any system regulating any of these questions. They are the mere questions of the day, and may pass away this year and present themselves anew next year in new phases. But settle this question once, and no man's sagacity can foresee the time when the consequences of the decision which we now make will cease to affect the interests of the millions that are to occupy this country throughout all the stages of its existence. No, sir, the imagination shrinks from the attempt of conceiving the immensity of the interests that are at stake upon the result to which we may come in the deliberations in which we are now engaged. I undertake to say that it is a question compared with which there has never engaged the attention of an American assemblage one so important, since the question whether we were to be free or slaves was agitated in the Continental Congress. I say, that since that time never has there been one of so much moment, of so much consequence. And it is a libel upon the intelligence of the citizens of the free States to tell them that it is a matter of indifference, that it is a matter of no consequence, that it is a matter of no moment.

Sir, if there be one single object about which more than any other the minds of the People of the free States have been engrossed, it is this one. Go through the history, take the catalogue, and you will find that some of the Legislatures of the free States have passed resolutions in favor of protection, and others against it; some for a revenue tariff, and others for a protective tariff; but upon this great question, whether freedom or slavery shall mark the whole of the new Territories, they speak but one voice. There is no Democrat, there is no Whig, upon this subject. All the party divisions are lost in the consideration of its urgency. They speak but one sentiment; they give utterance to but one language; they entertain but one opinion on this subject; and that is, that it is the bounden duty of this which the Constitution went into operation in 1789. It is that the principles which have marked and distinguished the legislation of the country from that time down to the present shall be maintained; and that we shall not be driven by any considerations, from standing up to the line of constitutional duty, which has been marked by our brothers, and adhered to from their day down to the present.

Sir, I undertake to say—and I think I know something of the state of public opinion in the Northeastern States—that all that I have said is but a poor, faint, and feeble delineation of the feeling which reigns paramount in the breasts of that people. I say that they are willing to compromise anything and everything else but this. You may make a high or a low tariff, a bank or a subtreasury, anything that relates to our mere purses, and the people of those States will compromise, and compromise liberally, as they have done in days that are past; but when you come to ask them to do violence to their own convictions of duty, which impress themselves upon their hearts, you will find that they are not made of that stuff that can compromise on such a subject. They are willing to give now, as they ever have given, and as they always will give, anything and everything that can rightfully be claimed under the Federal Constitution. I undertake to say that, if there has been a doctrine that has been taught by Southern statesmen, in days that have passed, upon this subject of human slavery, it was that it was a local State institution, with which the Federal Government had nothing to do. And when gentlemen stand here and talk about "property in slaves," as if it were a property that was recognised by this Constitution, or by the law of civilized society as property, I can turn to their own courts, their own statesmen, their own judges, and read them from the first period of their history down to the present time, assertions made in Congress, and pronounced upon their benches, that this very article of property—slavery—is one dependent for its existence entirely upon local law, and that it has none of the general characteristics of property in the sense in which we use the term. Why, in the same way, a contractor for the labor of convicts in our penitentiaries—and there are such persons recognised in States where penitentiaries exist—might just as well come forward and claim that the General Government should extend its constitutional protection over that property, outside of the jurisdiction where they are recognised, as that gentlemen should come forward and claim that slave labor, dependent for its existence upon the local jurisdiction where it is, should be protected outside that jurisdiction. No, sir! If gentlemen want compromises, the *Constitution* has made one, and to the Constitution let us adhere; that is, keep your slaves in your own States. There, we neither pretend nor claim to have a right to interfere. There, the Constitution is supreme. But when you undertake to go outside of your States, and carry a species of property, dependent for its existence on the local jurisdiction of the State where it exists, outside of those States, you ask of us too much, and more than you ever asked before.

This question is full of embarrassments, practically. If the Constitution of the United States carries slavery into the Territories, what sort of slavery does it carry? Does it carry Virginia slavery or Delaware slavery? Does it carry the slavery of Kentucky, or of some other States? Does it carry a slavery which may be abolished by emancipation? Or does it carry a slavery which cannot be abolished by emancipation unless the Legislature consent?

Considerations of this sort might be multiplied indefinitely to show the absurdity of such a proposition as this. But I will not pursue them now. I have only risen to say that I look upon this question, as I said in the beginning, as one of transcendent importance, and that I feel myself bound by every consideration to resist, now and forever, and at all times, anything that looks like the legislation of this country authorizing or permitting the transfer of this local institution into Territories subject to the jurisdiction of the United States.

Mr. Webster. Mr. President, I wish to say one word, and one word only, to prevent misapprehension. I have said that I looked upon the question raised by this amendment of the honorable member from Mississippi—and I intended that the remark should include the amendment of the honorable member from Ohio—to be of no practical importance. That is my own opinion. My opinion is that it is no question at all of slavery or no slavery. My opinion is well known to be that if slavery were promoted and encouraged in the new Territories it cannot exist there. My opinion is well known to be that there is no necessity for any local prohibition of slavery in the Territories acquired from Mexico. That is my opinion; and if it be found right or wrong hereafter, let the consequences fall upon my own head. Others may think differently; but to me there is not the slightest appearance of importance, one way or the other, in the amendment proposed by the member from Mississippi, or in that proposed by the member from Ohio, except so far as the latter may be necessary, in some judgments, to exclude slavery, which might otherwise be implied to exist there. To resist that implication, I shall vote for the amendment, if it be pressed.

But the whole question in this case I understand to be just this, whether the question of the establishment or exclusion of slavery shall be left to the people in the Territories to decide when they come to form a State Government. Now, it is agreed on all hands that it is a matter of municipal law. We know that if slavery were introduced into the Territories, the moment the people formed a State Government they could abolish it. On the other hand, if it were prohibited, the moment they formed a State Government they could introduce it, if they saw fit. Nevertheless, it is not upon that ground I proceed [illegible] I think it is the very proper ground. I conceive that the proper mode of proceeding is to leave this matter to State legislation, after the Territories shall have become States. But my ground is, standing by the declarations which I have a thousand times made, that there is no reasonable human probability, and that there is therefore no substantial necessity, for doing anything in organizing Territorial Governments touching the future existence of slavery therein. That is my belief. There are reasons for the exclusion of slavery in these Territories which no human legislation can control. Acting under that conviction, I shall continue to give my votes here in pursuance of it. Other gentlemen, entertaining different opinions, will of course act as their consciences may dictate.

Mr. Cass addressed the Senate in favor of the doctrines of the Nicholson Letter:

With respect to the amendments, I shall vote against them both, and then I shall vote in favor of striking out the restriction in the bill upon the power of the Territorial Governments. I shall do so upon this ground. I was opposed, as the honorable Senator from Kentucky has declared he was, to the insertion of this prohibition by the committee. I consider it inexpedient and unconstitutional. I have already stated my belief that the rightful power of internal legislation in the Territories belongs to the People. You have the right to govern, but not to legislate for them—the doctrine for which our fathers contended, and which brought about our separation from England. But, sir, how is it possible to vote for this interdict without conceding the constitutional right of Congress to pass the Wilmot Proviso? Congress can only insert this clause upon the assumption that they have full power over the Territories—power to admit, power to exclude, as well as power to say that the Territorial Legislature may do one or the other; for neither can be exercised but by virtue of full jurisdiction. The power of Congress over the public territory, which, as Judge Story has it, "is clearly exclusive and universal, and is subject to no control"—if this power can extend beyond the necessity, it is without limitation and law.

The distinguished Senator from Massachusetts will permit me ask him why a Territory should not be allowed to legislate for itself over all its concerns?

Mr. Webster. Because the law does not give them authority.

Mr. Cass. My question is, why it should not be allowed the control over this subject as well as any other?

Mr. Webster. I will tell the gentleman. Because it is not an established permanent government. It has too much connection, and is too much under the patronage of this Government, and especially on the subject of slavery. I do not wish to see the slavery question agitated in the Territories while the Governor is appointed by this Government, while the judges are appointed by this Government, while they have not an independent character like the States of that Union. That is my answer.

The Senate adjourned without taking a vote.

SPEECH OF HON. WALTER BOOTH, OF CONN.

HOUSE OF REPRESENTATIVES,
JUNE 4, 1850,

In Committee of the Whole on the state of the Union, on the President's Message transmitting the Constitution of California.

Mr. BOOTH said:

Mr. CHAIRMAN: Custom often makes law; and, though such laws are not always of the most binding character, the custom of members of this House to express their views on the great question which now agitates the country is so general, that an omission on my part to do so might create surprise, and would place me in the attitude of being singular. This impression, and the hope of explaining to my constituents the votes I expect to give, induce me, against my former inclination, to express my opinion; not expecting, however, to shed light on a subject which has been so long and so ably discussed in this House.

What, Mr. Chairman, what is the subject so deeply interesting to the country at this time? It is the admission of a new State into this Union; a great subject, I admit; and were we now called upon, for the first time, to add a new sister to the family, there would be some novelty in the transaction. But it seems to me, that after having received some seventeen like sisters into the family, and more than doubling the original number, with so many precedents, there need be no great difficulty in bringing the proposed one to the altar, and performing the nuptial tie. What hinders? She has on her bridal attire; she has, for aught I can see, performed all the stipulations for the occasion that have been required of her elder sisters who have been welcomed to our embrace.

But, Mr. Chairman, what hinders the last binding ceremony to bring this new State into that alliance she so much desires, and which, I doubt not, the country equally desires? Is it the distance of her location from the rest of the family? Not at all. The country has been conquered and purchased for the very purpose of peopling it with our sons and our daughters, large numbers of whom have gone there and taken possession of the land. Besides, we have long had possessions on her northern borders, that were lonely in that distant region, and we have now provided neighbors for them.

Is it that she has not a population sufficient to form a respectable State? This objection is faintly urged against her by some, but any such objection must vanish before the great fact, that no new country on this continent was ever peopled with such rapidity as this very country; and the tide of emigration thither is flowing in such rapid currents, as to give assurance that her present growth is, and that her future growth will be, without a precedent in this or in any other country.

Is it because her inhabitants are not sufficiently enlightened for self-government? Look at the Constitution she has formed, and I fear not to affirm, that no gentleman will hazard his reputation so much as to bring this objection against her. Is it because she has been provided by the former action of Congress with all that legislation and protection a new country needs, or will require for years to come? This cannot be pleaded against her; she has been left, almost, without a shadow of protection. Is it because her boundaries are too large? This has been urged by a few; but, after the account given of the face of the country and the condition of her harbors by the honorable gentleman from Oregon, I do not understand and cannot believe it to be an objection, with any considerable number of gentlemen in this House. It would be a strange spectacle, indeed, to see gentlemen strangle at California, who could swallow the empire or Republic of Texas without inconvenience. Is it because an undue influence has been exercised by the Administration in the formation of her organic law, her Constitution? Whatever may have been thought on this subject in the early part of the session, that objection has been dispelled. We have evidence, conclusive to my mind, that the formation of her Constitution is the spontaneous result of her own will and choice; and if any form of government ever manifested the wisdom and reflection of sound, unbiased minds, we have the evidence in her Constitution and form of government, now officially placed before us. What, then, Mr. Chairman, is the cause of delay? What cause for jealousy exists, that we should say to this sister, now knocking at our door, "You must not come into our sanctuary?" Is it anything she has done? No, sir, no. She has done her part well; she comes, with clean hands and open and honest heart, to perform her duties; why shall she not be admitted? I repeat the question, why?

Sir, I dislike to call to mind the *real* reason that I think exists and causes this delay: because, in my opinion, this reason ought not to shut her out a moment. But, Mr. Chairman, we must look at things as they are. In the late treaty with Mexico we obtained a large territory, and it was, doubtless, the expectation of the Southern portion of these States, that slavery would be extended over a part, if not over the whole of it; that the area of this institution would thereby be enlarged, and not only a new field opened for this species of labor, but a new market, also, for slaves. But California has prohibited slavery in her Constitution, and thus cut off the hope of ever introducing it into that portion of the country. Is not *this*, Mr. Chairman, the reason, the real reason, and the only substantial one, (if this may be called so,) why this bill is so much embarrassed in this House? And now, sir, if I have judged correctly, I desire to examine what there is in the institution of slavery that should make it so potent to prevent, in this case, what I believe to be the will of a large majority on this floor.

Sir, what is slavery? What are its characteristics? What are strong claims for extension? Is it of such high and holy origin—so full of mercy and good fruits? Does it promote the best good of the country, and create that state of society best calculated to insure its peace and harmony, and shed honor on the American name and character? Will it stand the test of any of these considerations? Does humanity, does religion, does love of man, or love of country, or any wise consideration, press us to make efforts to extend it? Or do not all these considerations combine to make it our duty to restrict it to the smallest limits in our power?

But, to proceed, What is slavery? I understand slavery to be a state of entire subjection of one person to the will of another. One is the master, owning and controlling the person and services of the other; and this, not only during the minority of the slave, but for life. The slave is never to hope to arrive at freedom. From that hope he is forever cut off under the system. Nothing but exceptions to the general rule ever bring freedom to the slave; and these are so few as to shut him up in despair for life. He cannot own himself—he cannot control the fruits of his labor. If he form the marriage relation, and if, in that condition, he be surrounded with children, all these holy and Heaven-confirmed relations of life are liable to be broken up; the husband and wife may be separated and sent to different and distant parts of the country: their children *may be* sent—I will not say, thank God! to the four winds of heaven—but they may be sent to the four winds of slavery dominions in this country—and shall we enlarge these dominions, that they may be scattered more distantly and more hopelessly from each other?

But, further: Is slavery of such high and holy origin as to justify us in extending it in this free country? We read, in the first chapter of Genesis, 26th and 27th verses, that "God said, let us make man in our image, after our likeness; and let them have dominion over the fish of the sea, and over the fowl of the air, and over the cattle, and over all the earth, and over every creeping thing that creepeth upon the earth."

"So God created man in his own image; in the image of God created he him," &c.

Here man was constituted lord of the world he was to inhabit, and over the animals made to fill it. He was created "in the *image of God.*" Does this contemplate that tyranny implied in the system of slavery? Would any man, not accustomed to the system from habit, even infer that, as the race should increase, one portion of them should be subjected, like cattle, to another portion of the same family? But, it is said, the Bible sanctions slavery; that Abraham, and other good men among the patriarchs, had their servants; and that the writers of the New Testament did not condemn the system then existing in the country where they labored and wrote. I hope not to be tedious on this point, and would rather leave it to those whose profession it is to explain the holy Book; but I have my opinion, and fear not to express it.

Abraham, and other good men, had their servants; granted. This House has its servants; but did it ever occur to us, that those who keep our records, or stand at our doors, or take care of our documents, our letters and papers, are disgraced by such service? Do we see these [illegible] their duties for our public [illegible] and clean our halls and pavements, make our fires, and perform such other duties as belong to their vocation, consider it a hard bondage? Such, Mr. Chairman, were, in my opinion, the general features of the service performed by the servants of Abraham and other good men in that period. But let us look a little into the history of Abraham's servants. In the 24th chapter of Genesis, we have an account of Abraham's sending his servants from the land of Canaan, where he dwelt, to Mesopotamia, the land of his kindred, to obtain a wife for his son Isaac. This was an important mission. We read, in the 2d verse of this chapter, that "Abraham said unto the eldest servant of his house, that ruled over all that he had, Put, I pray thee, thy hand under my thigh, and I will make thee swear," &c. Mark the expression here recorded of this servant, "that ruled over all that he had." He made this servant swear, by the Lord, the God of Heaven and the God of the earth, that he would perform the trust according to the charge he gave him—that he would not take a wife for his son of the Canaanites, among whom he dwelt, but would go to the land of his kindred for that purpose. If I am correctly informed, the oath of Southern slaves is not much regarded at this day. The oath is administered, the charge given, and we read in the 10th verse, "And the servant took ten camels of the camels of his master, and departed." Now mark the expression again, ("for all the goods of his master were in his hands,") "and he arose and went to Mesopotamia," &c. And what more was he intrusted with? He had jewels of silver and jewels of gold; he had bracelets and earrings, and raiment, and precious things—to give to the damsel and her friends. This, sir, is no small outfit, a mission of no little importance. There were other men with him, probably other fellow-servants. I have sometimes thought that some patriotic Americans, even those of real Anglo-Saxon lineage, who come up here for office, would be tempted to take such a mission as this.

Sir, if I mistake not, reference has more than once been made in this House to the fact, that the angel of the Lord finding Hagar, Sarai's maid, after she had fled from her mistress, directed her to return to her mistress and submit herself under her hand. This is all true, and recorded in Holy Writ—Genesis, 16th chapter; but, is this all the history of this servant Hagar? This is stated in support of slavery. But, sir, we ought to tell the whole truth, and state all the facts, and then see how the case appears, and pass our judgment accordingly. Lest I should state incorrectly, I will read the record itself.

[Here the Clerk, at the request of Mr. BOOTH, read the 16th chapter of Genesis, as follows:

CHAP XVI.

1. Now Sarai, Abram's wife, bare him no children; and she had a handmaid, an Egyptian, whose name was Hagar.
2. And Sarai said unto Abram, Behold now, the Lord hath restrained me from bearing: I pray thee, go in unto my maid; it may be that I may obtain children by her. And Abram hearkened to the voice of Sarai
3. And Sarai, Abram's wife, took Hagar her maid, the Egyptian, after Abram had dwelt ten years in the land of Canaan, and gave her to her husband Abram to be his wife.
4. And he went in unto Hagar, and she conceived; and, when she saw that she had conceived, her mistress was despised in her eyes.
5. And Sarai said unto Abram, My wrong be upon thee: I have given my maid into thy bosom; and when she saw that she had conceived, I was despised in her eyes: the Lord judge between me and thee.
6. But Abram said unto Sarai, Behold, thy maid is in thy hand: do to her as it pleaseth thee. And when Sarai dealt hardly with her, she fled from her face.
7. And the angel of the Lord found her by a fountain of water in the wilderness, by the fountain in the way to Shur.
8. And he said, Hagar, Sarai's maid, whence camest thou? and whither wilt thou go? And she said, I flee from the face of my mistress Sarai.
9. And the angel of the Lord said unto her, Return to thy mistress, and submit thyself under her hands.
10. And the angel of the Lord said unto her, I will multiply thy seed exceedingly, that it shall not be numbered for multitude.
11. And the angel of the Lord said unto her, Behold, thou art with child, and shalt bear a son, and shalt call his name Ishmael; because the Lord hath heard thy affliction.
12. And he will be a wild man; his hand will be against every man, and every man's hand against him; and he shall dwell in the presence of all his brethren.
13. And she called the name of the Lord that spake unto her, Thou God seest me: for she said, Have I also here looked after him that seeth me?
14. Wherefore the well was called Beer la hai-roi: behold, it is between Kadesh and Berod.
15. And Hagar bare Abram a son; and Abram called his son's name, which Hagar bare, Ishmael.
And Abram was fourscore and six years old when Hagar bare Ishmael to Abram.]

Whatever may have been the servitude of Hagar, it is certain that her posterity were not to be slaves, and their history proves the fact.

Sir, here are circumstances connected with the habits of that age, that our Southern friends would be unwilling to admit, as peculiar to their institution. We should offend them by pressing all this example upon them. There were, doubtless, good reasons why the angel of the Lord directed Hagar to return. Sarai had given her to her husband to be his wife, and Abraham had taken her to his bosom; and, after her return, she bore Abraham a son, even Ishmael. Under all these circumstances, Hagar was directed to return to her mistress; her condition required that care and attention she could not find in the wilderness, and, doubtless, in mercy she was directed to return.

But, sir, this is not all the history given of this servant Hagar. In the 21st chapter of Genesis we have a further account of her. Time will not permit me to state the whole; suffice it to say, that Sarai desired this bondwoman and her son cast out, and Abraham fitted her out; (he did not sell her;) he fitted her out with bread and water, putting them and her child on her shoulder, and she departed. And now, again, the angel of God called to her out of heaven, and bid her fear not; and God opened her eyes, and she saw a well of water; she was sustained, and there the lad Ishmael grew up. The full history you may find recorded by Moses.

Now, Mr. Chairman, does this compare, or have we any reason to suppose that the service rendered to Abraham and other good men, at that period, would compare with American slavery, where droves of slaves are gathered and collected in pens, as cattle are collected by a drover, and when the purchaser makes up his number, drives or ships them to a distant market, like the drover of cattle? What, think you, would Abraham say, if he could now speak, on being compared with those who justify slavery in these forms, and hold slaves to the bondage they suffer in this Union? Would he not say, as in another instance, "Son, remember," —— but I forbear to put words into the mouth of that sainted spirit; let the imagination complete the rebuke.

But, it is said that the writers of the New Testament did not condemn slavery, although it existed at the time they wrote, in its most horrid form. True, they did not single out that, as a crime in particular; the people were degraded and wicked, and the great effort of these teachers, in those days, was to effect a thorough and radical reform, and they taught those great general principles, which would, when embraced, uproot that with the other evil practices of the country. Their labors, examples, and teachings, were to go down to all time, to exhibit those holy principles which would cure, not only the evil and sin of slavery, but all those evils, resulting from the wickedness of man, which should afflict the world in all future ages.

It is said, further, that the New Testament teaches the submission and obedience of servants to their masters. Suppose, sir, that any gentleman, or all the gentlemen composing this House, had been captured, and put into a state of bondage, hopeless bondage, under severe task-masters, and that we had long been in that condition; that our oppressors had all civil power over us; and, suppose teachers of religion should come to the country of our oppression to reform the whole people, how do you think a wise man would address us under such circumstances?—for ministers of religion are required to be "wise as serpents and harmless as doves." They would advise us, as Christians, to be submissive, and exhibit a Christian character, on the great principle of our Saviour, to render good for evil, and blessing for cursing. This is in accordance with Christianity, to overcome evil with good; this is Christian teaching, but no justification of slavery.

Or, suppose a man to be wrongfully condemned to death; he must abide the sentence, there is no escape for him: what would a Christian teacher tell him? To curse and condemn the court that sentenced him? By no means. He would tell him to put his trust in God, and submit to the doom that awaited him. Christianity teaches submission to the civil Government, but this is no justification for an unjust judge.

But, it may be and it often is said, why not follow the example of the writers of the New Testament, and let slavery alone, and allow it to take its own course, and go where nature and interest will carry it? If this objection is lurking in any mind in this Hall, I need only reply to such an interrogatory, that the teachers whose precepts are recorded in the New Testament were men without civil power; they taught the precepts of a holy religion, using no carnal weapons. Nay, sir, their boldness in rebuking sin, in the face of the civil power, [illegible] before the country and before the world as legislators, and, as such, clothed with power, under the Constitution, to frame all such laws as the general good requires. We have a right to receive new States into the Union; we have the right, and it is our duty, to make Territorial Governments, when needed, under such forms as shall best promote the good of the people. Our duties are legislative, and the example of the writers of the New Testament, to let slavery alone, (if indeed they did so, which is not clear in all cases,) is not, in that respect, an example for us. I hold it most clearly to be our duty, by legal enactment, to prevent the extension of an evil that casts so dark a shade over our fair Republic, and proves so often a source of bitter contention between different sections of our country.

Sir, does slavery stand justified on the plea of humanity, and does it work for the good of the slave? It has been urged that the slaves in this country are much improved in civilization and Christianity by being brought here, and therefore the cause of humanity requires or justifies this bondage. Let us examine this argument. It would be strange if we could not find in dark and benighted Africa, where civilization has been for ages nearly or quite blotted out, a worse and more cruel state of society than in such a land as this. Did the framers of the Constitution consider *that* a work of humanity which they *prohibited* after 1808? and did the framers of