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CONGRESSIONAL.

SPEECH OF HON. MR. BRIDGES,

OF PENNSYLVANIA,

On the Nebraska and Kansas bill; delivered in the House of Representatives March 15, 1854.

The House being in Committee of the Whole on the state of the Union—

Mr. BRIDGES said:

Mr. CHAIRMAN: Having on a previous occasion delivered upon this floor my views in relation to the subject of slavery as it was presented during the Thirtieth Congress, it is with extreme reluctance that I am again compelled, by a sense of duty, to trespass upon the time of this committee, in the discussion of any subject either intimately or remotely connected with it. And, in doing so, I hope I may not be considered an advocate for the extension of slavery, (for I am opposed to its existence in the abstract,) but a supporter, as far as I am able, of the constitution of the United States—that great charter of American liberty, to which I owe, as every American citizen owes, implicit obedience. Since the action of Congress of 1850, and the significant and overwhelming endorsement which that action received by the people of this great nation in 1852, I had hoped that all agitating questions which had previously existed between the northern and southern portions of this confederacy were settled, and settled forever. When I took my seat here at the commencement of the present session, and looked around upon this body, I thought I could discover omens of good to the country, and strong indications that this House would be a working House, and devoted to the consideration of the more immediate wants and necessities of the people, rather than theoretical and abstract questions, profitless to ourselves and useless to the country. I had hoped that the voice of dissension and discord would not again be heard within this hall, that all agitating themes had been laid aside, and that no attempt would be made to disturb the peace and repose of this House and the country. But, sir, in this I was disappointed. I soon found, from a speech made by an honorable member from Ohio, and from another made by a member from New York, that the spirit of the Thirtieth and Thirty-first Congresses was again within these walls, sowing its seeds of discord, and scattering its firebrands among us. I soon saw that the hideous monster of slavery agitation was not dead, but only crippled. I soon heard the challenge given by the North to the South, and found that the fancied repose of the country was but a dream, from which it was to be aroused by the cry of fanatical agitators. And this effort to disturb the peaceful elements of the House was entirely voluntary and uncalled for, elicited by no action here or elsewhere, but was the offspring of a deep-rooted and an ungovernable hostility to some of the domestic institutions of the South. But while I saw this with no small degree of dissatisfaction and pain on the one hand, I could not but admire on the other the calm and dignified composure exhibited by the representatives from the South, and experience a thrill of joy at seeing how harmlessly the shafts of abolitionism fell at their feet. And I suppose, sir, that that advance guard of the enemy, reinforced by others of a similar creed, will lay hold of the Nebraska bill as a pretext for another and a more furious attack upon that portion of our confederacy. It will no doubt be said that that bill has resuscitated the question of slavery, and has opened the door for wide discussion. But I, for one, think that such an inference will be erroneously drawn, inasmuch as the main principles involved in it, in my view, have been previously and finally settled. The merits of that bill I now propose to discuss, and to notice some objections already urged against it.

The principal difficulty seems to be embraced in the latter part of the fourteenth section, and is as follows:

"That the constitution, and all laws of the United States which are not locally inapplicable, shall have the same force and effect within the said Territory of Nebraska as elsewhere within the United States, except the eighth section of the act preparatory to the admission of Missouri into the Union, approved March 6, 1820, which was superseded by the principles of the legislation of 1850, commonly called the compromise measures, and is hereby declared inoperative."

This phraseology has been somewhat changed in the Senate, and perhaps may be here, so as to read "that the Missouri Compromise and the compromise measures of 1850 are inconsistent with each other." In order to ascertain whether the latter does repeal, or supersede, or is inconsistent with the former, it will be necessary to refer to the act of Congress of March 6, 1820, authorizing the people of the Missouri Territory to form a constitution and State government. But before noticing particularly what I believe to be the effect of the act of 1850, I will refer to what transpired before its passage. It will be recollected that the Missouri Territory was a part of the territory which France ceded to the United States under the name of Louisiana. It will also be recollected that under French laws slavery existed in it at the time of its cession; and in order to settle a question which arose between the North and the South—from what part of that purchase slavery should be excluded—the eighth section was inserted in the Missouri act, which reads as follows:

"*Provided*, That all that territory ceded by France to the United States, under the name of Louisiana, which lies north of 36 deg. 30 min. north latitude, not included within the limits of the State contemplated by this act, slavery and involuntary servitude, otherwise than in the punishment of crimes, whereof the parties shall have been duly convicted, shall be, and is hereby, forever prohibited."

It is now contended by the opponents of the present bill, partly perhaps from the word of perpetuity "forever" being used, that this section definitively settled the character of the Territory north of 36 deg 30 min. for all future time, or as long as it should remain a Territory. Although I do not admit the principle that one legislature can pass laws to limit, restrain, or bind the action of any future legislature, unless by future legislation vested rights and interests are to be impaired or destroyed, yet I am willing to admit that it was probably the meaning and intention of the Congress of 1820 that the line 36 deg. 30 min. should be extended through subsequently-acquired territory on the west. But with how little respect the act of 1820, and the intention with which it was passed, was treated at the very next session, I will proceed to show. After the passage of the act of 1820, it became the duty of the people of the Territory of Missouri to adopt a constitution, and to present it to Congress for acceptance. This was done at the succeeding session. On the 29th of November, 1820, Mr. Smith, of South Carolina, "from the Senate committee, to whom was referred the constitution as adopted for the government of the State of Missouri, reported a resolution declaring the admission of the State of Missouri into the Union; which was read, and ordered to a second reading." On the 11th of December it passed the Senate by a vote of 26 to 18. The resolution was sent to the House, where, on the 13th of December, it was defeated by a vote of 93 to 79; and it was defeated because the North took an exception to a clause in the constitution, which authorized the legislature of Missouri to pass laws to prevent the immigration of free negroes and mulattoes into the State. In less than one year, therefore, we see the principles of the Missouri Compromise disregarded and trampled under foot by northern representatives, and by the very men, too, who, in the previous session, had adopted them; and for the only reason that that people which were about to become a sovereign people, wished to provide by law against the influx of free negroes and mulattoes into the State—the very thing that some of the States have recently done. On the 26th of February, 1821, Mr. Clay, then a member of the House, from the joint committee appointed for that purpose, reported the following resolution:

"*Resolved*, That the State of Missouri shall be admitted into this Union on an equal footing with the original States in all respects whatever, upon the fundamental condition that the fourth clause of the twenty-sixth section of the third article of the constitution, submitted on the part of said State to Congress, shall never be construed to authorize the passage of any law, and that no law shall be passed in conformity thereto, by which any citizen of either of the States in this Union shall be excluded from any of the privileges and immunities to which such citizen is entitled under the constitution of the United States: *Provided*, That the legislature of the said State, by solemn public act, shall declare the assent of the said State to the said fundamental condition, and transmit to the President of the United States, on or before the fourth Monday in November next, an authentic copy of said act; upon the receipt whereof the President, by proclamation, shall announce the fact; whereupon, and without any further proceeding on the part of Congress, the admission of this State into this Union shall be considered as complete."

This resolution passed the House by a vote of 87 to 81, but with the opposition of the abolition portion of the northern vote—the North, therefore, becoming justly chargeable with a direct and palpable violation of the principles of the Compromise, while the South adhered to them with undeviating and steady purpose. Not because the South had entered into any contract with the North, as has been contended, to establish the Missouri line of 36 deg. 30 min.; but because there was a majority in Congress in favor of it, it submitted to its decision. When I speak of the North as having changed its position in relation to this line, I wish to be understood to refer to the abolition portion of it; which portion, I will attempt to show, has opposed the principle ever since.

On the 12th of May, 1836, Mr. Buchanan, of Pennsylvania, then a member of the Senate, reported a bill for the admission of the Territory of Arkansas into the Union as a State. This was territory lying south of 36 deg. 30 min.; about which there should have been no dispute, under the Compromise of 1820, if the people desired slavery to exist there. Yet, when a vote was taken upon the bill in the House, there were fifty votes against it, the most, if not all, being abolitionists—the South still standing in the position where the Missouri Compromise had placed it.

In 1845, when Texas made application for annexation, the Missouri principle was again brought up and applied to the territory lying between the western boundary of the State of Texas and the Rio del Norte river. But the record shows that that was also opposed by abolitionists. And again, in 1848, after the country between the Rio del Norte and the Pacific ocean had been acquired from Mexico, an amendment was offered in the Senate by a distinguished senator from Illinois, to a bill from the House to organize the Territory of Oregon, by which it was proposed to recognise and extend the Missouri line from the Rio del Norte to the Pacific ocean. But the amendment was defeated by the northern abolition vote. Thus, it seems, that from 1820 to 1848 the abolitionists have steadily repudiated the principle which they first helped to establish, and for which they now clamor, because it suited their selfish and ambitious purposes. Inconsistency so gross as this cannot be found in any history of legislation. Honorably or dishonorably, they were determined to force upon the country their disorganizing principles; and, if necessary to success, to divide and dissolve the Union. Yet we are unblushingly told by them that the Missouri principle has been strictly adhered to by them from 1820 to this very hour. And this assertion has gone forth into the country to delude the people, and lead them again into error. But there is no record proof upon which such a declaration can be made. I challenge a reference to it. I invite the most thorough examination.

But, to show further the consistency and steadfastness of the South to the Missouri principle, and the light in which the conduct of the North was viewed, I refer to resolutions which were passed by the legislature of the State of Missouri, and presented by Mr. Atchison to the Senate, on the 3d day of January, 1850, one of which is as follows:

"*Resolved*, That this general assembly regard the conduct of the northern States on the subject of slavery as releasing the slaveholding States from all further adherence to the basis of compromise fixed on by the act of Congress of the 6th of March, 1820, even if such act ever did impose any obligation upon the slaveholding States, and authorizes them to insist upon their rights under the constitution; but, for the sake of harmony and for the preservation of our federal Union, they will still sanction the application of the Missouri Compromise to the recent territorial acquisitions, if, by such concession, future aggressions upon the equal rights of the States may be arrested, and the spirit of anti-slavery fanaticism be extinguished."

This patriotic resolution, sir, I believe breathed the true spirit of nearly the whole South at the time it was passed; and nobler sentiments, in my opinion, under similar circumstances, were never expressed. The people of Missouri had for a long time seen their institutions bitterly and wantonly assailed. They had seen a long and angry warfare carried on by the North, which threatened to deprive them of their just and equal rights under the constitution, to an interest in our common territory. And feeling that all ties of friendship and brotherhood which before had bound them to the North had been sundered, and themselves released from all supposed understandings and arrangements of 1820, yet, "for the sake of harmony," they meekly tendered once more the olive branch of peace, and offered to renew them. The rapacious North still refused the overture, and planted itself upon its supposed power to carry out its purposes. Again, sir, on the 29th of January, 1850, Mr. Davis, of Mississippi, while speaking upon Mr. Clay's resolutions for the admission of California into the Union, used the following language:

"We maintain that it is the right of the people of the South to carry this species of property to any portion of the Territories of the United States; that it rests under the constitution, upon the same basis as other property; but when speaking of a compromise it was the ultimatum I announced. It is strange that the senator from Kentucky should be so much surprised; it certainly was not a new question with him nor with his colleague, with whom on a former occasion a similar proposition originated. It is a partial recognition of a right we claim to be coextensive with the Territories of the United States, but which we are willing in a spirit of compromise, and in compliance with the past acquiescence of the States, to restrict by the parallel of 36 deg. 30 min. north."

Here again was exhibited the conciliatory and compromising spirit of the South, which had so long distinguished it, and an offer once more made to settle upon the line of 36 deg. 30 min.; not, however, in compliance with any contract which abolitionists allege has been made, but "in compliance with the past acquiescence of the States." This has been the understanding of the South.

And again, on the 1st of August, 1850, Mr. Clay said:

"Permit me to offer one or two additional remarks in regard to my own position touching the Missouri Compromise. It is known that I have always voted for it whenever it has been proposed here; that I have labored strenuously for years past to procure its adoption, and I have, several weeks ago, given a minute history of my exertions in this behalf, which will leave no doubt upon the mind of any unprejudiced man in regard to my zeal and sincerity in urging the Missouri Compromise upon the Senate and the country."

Other references might be made to show the consistency and steadfastness of the South in support of the Missouri principle, but it is unnecessary. It has become too much a matter of history to require it.

Now, sir, notwithstanding all this, we hear the South charged with breaking contracts entered into in 1820, and with a violation of plighted faith. But, after the history which I have presented, I would ask, who is the guilty party? Who must stand denounced before the tribunal of the nation for a want of fidelity in the fulfilment of contracts, if any, and the redemption of pledges? Not the South, sir, but the North. The North has always been the party which caused the difficulty, and encouraged controversy. The South has always courted friendship and peace, but the North has always spurned it. Again, sir, we are told that if the Missouri Compromise was not strictly binding between the North and the South, it has been acquiesced in for a period of thirty years, and therefore acquired the force of a kind of common-law, and now has a binding efficacy, which ought not and cannot be done away. But I have shown that from less than a year after the adoption of the Missouri Compromise the North has steadily and continually refused to acquiesce in it; that the storm which free-soilism and abolitionism raised in that quarter is entirely inconsistent with the idea of acquiescence. No, sir; instead of there having been acquiescence, there has been the most emphatic rejection and abandonment.

I will now proceed to consider the effect which I believe the compromise measures of 1850 have had upon the Missouri Compromise of 1820. And the main question is, has the latter been, positively or impliedly, repealed, superseded, or rendered inconsistent with the former? By the act of 1820 slavery was clearly intended to be prohibited in our then western territory north of 36 deg. 30 min of north latitude. I think I have clearly shown that the South so understood it, and that their action has always been consistent with it up to 1850. And it would be natural to suppose, that if the advocates of slavery restriction had intended that it should forever remain as the southern boundary of free territory, it would have been carefully and studiously preserved; for it cannot be contended, after the long, spirited, and angry contest upon the subject of slavery, that anything has been neglected to secure the supposed rights of the North, or that there has been any misapprehension or mistake on their part, in legislating upon them. If, therefore, by subsequent legislation, there has been any deviation or departure from the principles of the Missouri Compromise, it must have been done understandingly, and with deliberate design. Now, let us see what subsequent legislation there has been, and what it amounts to.

In 1850, acts of Congress were passed to organize the Territories of New Mexico and Utah. For the purposes of my argument, I will confine my remarks to the act relating to the former. In the second section of the act, I find the following proviso:

"*And provided, further*, That, when admitted as a State, the said Territory, or any portion of the same, shall be received into the Union, with or without slavery, as their constitution may prescribe at the time of their admission."

It may not be improper here, perhaps, to give the respective latitudes of Missouri and New Mexico. Missouri begins at 36 deg. 30 min. of north latitude, and extends north to a little over 40 deg. New Mexico begins at 32 deg., and extends north to 38 deg., and is, therefore, of course, north of 36 deg. 30 min. Now, the act of 1820, relied upon by the opponents of the bill, prohibited slavery north of this line; but the act of 1850, upon which the present bill is predicated, says that it may or may not be prohibited, just as a certain contingency—to wit, the terms of the constitution adopted by the people of the Territory—may determine or require.

Now, sir, here is, in my opinion, not only by legal construction, but positively, a repeal of the prohibition of the act of 1820, and an absolute abrogation of the geographical line established by it. It is an entire change of sentiment and position upon the subject of the non-existence of slavery north of 36 deg. 30 min. It is, as I understand it, a perfect abandonment of arbitrary and geographical distinctions, and a resort to the great principle of popular sovereignty, upon which our government is based—to wit, the right of the people to govern. It was the returning from a gross departure in 1820 back to the first principles asserted by us in the days of the revolution; in that great struggle to be relieved from British oppression. Then, if the act of 1850 has repealed the provisions of the act of 1820, have we not a right to say so in this bill? If the fact is so, a simple declaration that the fact exists is proper. Have we not a right to say so? Have not the people of the Territories and the States a right to say so? and have not the latter already spoken, in language which cannot be misunderstood, and declared that the fact does exist? Was it not echoed through the land in 1850 that the law of that year was a repeal of all former laws in relation to slavery, and that all questions respecting it had been finally settled? Was not the word finality upon every tongue? Was not a full and final settlement recognised and acknowledged at the Baltimore Convention in 1852? Was not the demonstration which was made by the people at the presidential election in that year a—demonstration unexampled in the history of this or any other nation—made upon such a supposed settlement? Did not the people so understand and believe it, when they saw the dark and portentous cloud, which had so long threatened a dissolution of the Union, die away in the distance, succeeded by the bright bow of promise? And did not our religious temples throughout the land echo with the most fervent thanksgivings, prayers, and praises, that went up to Heaven as holy incense, in gratitude for the nation's deliverance from peril? Yet, sir, abolitionists tell us that it is not so. They tell us that there was no sincerity in the legislation of 1850; that not only the South, but the whole country, has been deceived, cheated, and made to believe what was not true. Sir, this unexpected and startling declaration should not be confined within these walls, but should be speedily sent to every quarter of the country, and poured into the people's ears, that they may know with whom they have been dealing.

But, sir, let us for a moment refer to the record, and see what really was settled by the act of 1850, and to settle the point whether the abolitionists are right or wrong. And I will refer to the very first starting point—to wit, the preamble to the resolutions of Mr. Clay for the admission of California into the Union, to which I have before referred. It is as follows:

"It being desirable for the peace, concord, and harmony of the Union of these States, to settle and adjust amicably all existing questions of controversy between them arising out of the institution of slavery, upon a fair, equitable, and just basis."

Now, what were all those existing questions? Why, the South contended for equal rights under the constitution—an equal interest in the territory, and the free and unrestrained right to carry their slave property into it. The abolition portion of the North opposed it, and ungenerously contended that the whole of our territory should be free, and slavery should have no existence there. Exhibiting the most unjustifiable selfishness, and disregarding the rights of their brethren in the South, the abolitionists eagerly grasped at the whole of it. To settle this, and all other questions that could possibly arise, a series of resolutions succeeded the preamble, to the first and second of which I need only refer:

"*Resolved*, That California, with suitable boundaries, ought, upon her application, to be admitted as one of the States of this Union, without the imposition by Congress of any restriction in respect to the exclusion or introduction of slavery within those boundaries."

"*Resolved*, That as slavery does not exist by law, and is not likely to be introduced into any of the territory acquired by the United States from the republic of Mexico, it is inexpedient for Congress to provide by law, either for its introduction into, or exclusion from, the said territory."

Upon the principles embraced in these resolutions is based the organic law of the Territories of New Mexico and Utah. Those principles are, non-intervention by Congress upon the subject of slavery, and freedom to all, the South as well as the North. Those Mr. Clay doubtless intended should be substituted in the place of all others, as the most proper for the government of American citizens, and as most consistent with the theory of our government and the genius of our institutions, and which should settle the matter forever. And he is not alone in this. Mr. Webster, while speaking upon the same subject, on the 17th of July, 1850, said:

"When I speak of this bill in this connexion, I mean also to connect with it the other subjects recommended by the committee; and I say, that if the whole report of the committee should be carried out to-day, one of the greatest of all the possible benefits to be derived to the whole country is this, that it settles, to the extent of far more than the majority of them, all the questions connected with slavery which have so long agitated the country."

And again, on the same day, as he advanced in his remarks, he further said:

"I think the country calls on us to settle this question; that it calls loudly and imperatively; and I think, further, that the whole world is looking to see whether this great republic can get through with such a crisis."

Yet, sir, in the face of all this, we are told by abolitionists, that the question has not been settled, but is still open for agitation. The people are told that the legislation of 1850 was a farce, and that a Clay and a Webster are not to be believed. Alas, sir, what will not abolitionism and fanaticism do!

But we are called upon to meet an argument of another character. The opponents of the bill say, that if the principles of the Missouri Compromise are changed by the compromise measures of 1850, that change is not to take effect now, but in future, and that future is when the Territory of New Mexico is admitted into the Union as a State; that at that time the people shall have a right to declare in their constitution whether slavery shall exist within its limits or not; that before that time, the Territory is to be free Territory. This is a question which merits consideration.

Now, it is true that the people of the Territory have the right to determine the question, and at the time named. They are to frame a constitution, which is to become the paramount law of the land, and to define the rights which they are to enjoy under it. They are, in other words, to agree upon its terms. Now, the right of the people to agree upon and to decide naturally presupposes the existence of a thing to be agreed upon and decided about which there may be a difference of opinion. It presupposes that the people would be called upon to decide a question which might arise between two or more existing parties. If the act of 1850 means anything, it certainly means this. Then, let me ask, who the parties were which Congress had in view at the time of the passage of the act? Why, undoubtedly, a pro-slavery and an anti-slavery party, which it supposed might be there. That these must inevitably be the parties intended is clear from the fact that the question of slavery is the one to be settled. Now, if it is true, as the opponents of the bill say, that the Territory is to be free until the adoption of a constitution that shall permit slavery to exist there, then the South has been overreached by the act of 1850, and duped into the support of a principle that means nothing. It is in no better situation with regard to territory lying north of 36 deg. 30 min. than it was under the act of 1820, and is just as effectually cut off from the enjoyment of equal rights under the constitution of the United States. Now, sir, I will not do such great injustice to the Congress of 1850 as to suppose that in that all-important and trying hour, when the salvation of the Union hung upon its action, it was legislating for dishonest purposes and unmeaning show. I shall be the last to believe that a Clay and a Webster, when about to commit the crowning act of their lives, and to wind up their glorious careers by supporting the compromise measures of 1850, were guilty of duplicity and treachery to the South. Although those distinguished statesmen believed that, by the laws of Nature and the laws of production, slavery never could exist in any portion of our Mexican territory, yet they were willing to settle a principle, and to establish equality of right between the North and the South; to open the doors for them both to go in at their pleasure, at any time after the act went into operation, provided the South could see that the soil and climate would warrant its entrance; and when the population should be large enough to justify an admission of the Territory into the Union as a State, then the question of slavery or no slavery should be settled by the parties. If this was not the intention, but was, as is contended, that the North should take possession of the territory alone, there could no such question or principle arise as is mentioned in the act; for the North would not be likely to differ with itself upon the question of slavery; and if the South were not there, there could be no question about it. It must clearly have been supposed that there possibly might be conflicting interests there, and that it was necessary that Congress in its wisdom should make some provision for a settlement of them; and there was a reason, and a powerful reason, for such action. It was, as I have before said, to establish equality of right under the constitution of the United States; and there was a great existent cause which demanded that equality of right; for the territory being the common property of the nation, in which every section of it had an equal interest, the grand motive was, as I have before observed, to do away with all geographical lines of distinction, and to leave it open to the free and unrestrained enjoyment of the people. It was to do away with all artificial divisions of this great republican family which tended to breed dissatisfaction and discord, and to place it upon a more peaceable and harmonious footing. And, sir, was there anything wrong in this? Was it more than the peace and the welfare of the country required? Was more than justice done to the gallant and chivalrous South? Did it not help to acquire that territory? Has it not sealed with its blood its devotion to its country's rights and its country's honor? Did not the North and South meet together upon the battle-fields of Mexico, and make common cause against the enemy? Did not their blood mingle as it flowed upon Mexican soil? And did not their hearts beat in unison and thrill with joy as their country's flag proudly waved in triumph? An involuntary response seems to come to me from every quarter of this House that they did. By their united efforts the honor of the nation was maintained, our rights were secured, and peace was conquered. The shattered remnants of the war-worn and tattered troops returned to the warm bosom of a grateful country. Our Mexican possessions, the great prize of war, was obtained. And, sir, should not the prize be equally divided? Should it be said that our brethren in the South should have no part of it, if they chose to take it, and their domestic institutions would justify it? Should not the widows and orphans of those brave men who offered up their lives as a sacrifice for their country's glory, and whose bones now lie mouldering in Mexican soil, have no lot or part in it? Should the cold and icy hand of the North grasp it all? No, sir; the illustrious statesmen to whom I have referred have said that it should not; the Congress of 1850 has decided that it should not, and therefore opened the door for the free admission of the South as well as the North.

But it may be said that the Congress of 1850 was legislating for territory acquired from Mexico, and not for territory acquired from France, for which the Congress of 1820 legislated, and that, therefore, the act of 1850 does not apply to it. To this I answer, that a portion, a small portion I admit, of the Louisiana purchase was cut off and included within the limits of the Territory of Utah, and enough, by legal construction, to change the effect of the act of 1820 in relation to the portion left. A principle can be changed by legislative action in reference to a small portion of a territory as well as to the whole. And by it, I believe, that the principles of 1820 have been fully and effectually changed and repealed, or at least made inconsistent with the principles of the Compromise of 1850.

But, sir, another objection is made to the bill; which is, that injustice will be done to the Indians inhabiting the Territory. When I heard this I could not but pity the miserable subterfuges to which abolitionists will resort in order to carry out their fanatical purposes. They charge, sir, that it would be unjust and wrong to disturb them in their present homes, which have heretofore been assigned to them by our government; that under former treaties they settled there, with the expectation of having permanent homes, and were not to be again disturbed by the encroachments of the white man. Notwithstanding I think that this objection has little to do with the settlement of a domestic principle among ourselves, yet, as the acquisition of Indian territory ever has been, and still is, a matter of importance to the country, I will notice it.

By a reference to the bill, it will be seen that the most ample provision is made in it for the protection of the Indians. In the first section of it it is provided:

"That nothing in this act contained shall be construed to impair the rights of person or property now pertaining to the Indians in said Territory, so long as such rights shall remain unextinguished by treaty between the United States and such Indians, or to include any territory which, by treaty with any Indian tribe, is not, without the consent of said tribe, to be included within the territorial limits or jurisdiction of any State or Territory; but all such territory shall be excepted out of the boundaries, and constitute no part of the Territory of Nebraska, until said tribe shall signify their assent to the President of the United States to be included within the said Territory of Nebraska, or to affect the authority of the government of the United States to make any regulation respecting such Indians, their lands, property, or other rights, by treaty, law, or otherwise, which it would have been competent to the government to make if this act had never been passed."

This proviso at once secures the rights of the Indian from unjust invasion, and guaranties to him his title to his property, unless he chooses to part with it by treaty, or otherwise, for a fair and valuable consideration. And it would be the duty of the government to see its provisions faithfully carried out, and to see that there should be no overreaching or injustice done to the different tribes. Then, why this boasted sympathy for them—this maddening fear that they may be exposed to a separation from their lands, and induced, by some policy of their own, to move a little further west? I have not seen the tender sensibilities of the honorable gentleman from Vermont, who addressed us the other day, on the other side of the House, and who expressed his sympathies in such eloquent terms, shocked at the thought that he, too, dwells upon that which was once Indian soil; nor turn pale to think that he has a seat in this magnificent and stately edifice erected upon ground that was once Indian inheritance. I do not hear him condemn the blessings of civilization which he enjoys. I do not hear him invoke the return of the primitive forest to again take possession of our now beautiful and cultivated fields, nor Indian encampments to take the place of our villages, towns, and cities. No, sir, nothing of this is heard. Then, why his effort? It can be nothing less than the last resort of poor, lingering, dying abolitionism, which, in its last struggle for life, grasps at anything within its reach. At first, sir, when this struggle commenced, the poor negro at the South was the object of their deepest sympathy. His situation was painted in such bright and glowing colors by fanatical enthusiasts, that by merely looking at the picture one could almost hear his very chains rattle; and his sufferings and trials were so vividly drawn by the pen of fiction, that a perusal almost made us feel them. Yet it was all in vain. A healthy public sentiment survived it, and the legislation of 1850, and the action of the people in 1852, drove the abolitionists from their position. And, sir, it was an erroneous position. There was little, if anything, sound or sincere in it, except to make the poor negro a lever to elevate dangerous men to political power. Sir, I repeat it, that, in my opinion, northern abolitionists have no more true sympathy for the southern slave than they have for the supposed inhabitants of some distant planet. Yet, sir, strange to say, that infatuation had so seized the people, that our glorious Union was in danger of being dissolved. England, seeing the alpha of the strife, and expecting its omega soon to follow, when the nation should be rent in twain, sent across the Atlantic her Thompsons, like jackals, to snuff up some sundered fragment for the British lion's food. But, sir, it is glory enough to say that the crisis is passed and we are yet safe.

Having been driven from what they supposed to be an impregnable position, the abolitionists now plant themselves upon the rights of the Indians, for the purpose of exciting public sympathy, and of rallying again their troops. But I think this must be a resort of necessity rather than choice; for while they thought that through exaggerated representations of slavery they could successfully carry on their unwarrantable crusade against the South, they thought not of the Indians. They were left to tread their savage haunts unthought of and unpitied. What, sir! has it come to this, that representatives in an American Congress are to point us to the sworn enemies of our race, and demand our sympathies for them, for the purpose of influencing us in our legislation! Are there people dwelling within the limits of this Union who are so straightened for materials to carry on their disorganizing purposes as to make use of the Indian? Have the people so soon forgot the tomahawk and scalping-knife as to be affected by such an appeal? And, to particularize for a moment, have the people of Pennsylvania forgotten the awful massacre of Wyoming, traces of the blood of which years have scarcely been able to obliterate? Have the people of New England, whose kindred were so inhumanly butchered there, forgotten it? Have the people of our western States and frontiers forgotten the horrible and tragic scenes of which ruthless Indians were the authors which have transpired there? Have the people of the country generally forgotten their alliance with our enemies in the war of the revolution, and the war of 1812? If not, can they be called upon for sympathy in the sense in which it is asked? No, sir; it is madness to presume it. But, sir, I am happy to say that an appeal *may* be made to this House, and the country, for an expression of sympathy and pity for a far different and more glorious purpose, and I am proud to say that the bill under consideration makes it. It proposes no military march for conquest, no unlawful seizure and appropriation of property, no violation of rights to soil. But it proposes to take the initiatory step towards enlarging the boundaries of human freedom; to let civilization, morality, and religion advance, with still and silent tread, to the Indian camp, to charm and captivate him with their beauties, and tame his savage nature; to throw around him salutary and wholesome laws for his protection; to teach him the arts of civilized life, and train him for a higher and nobler sphere; to redeem fallen and degraded humanity, that it may more worthily bear the image of its Maker; to break and bend his mind to moral and religious thought and reflection, and teach him to understand and know that he is a candidate for immortality, and to realize his vast responsibilities for the future, and his final accountability to his God. These, sir, are the grand and noble objects to be accomplished by the bill, and not, as has been intimated, to rob him of his property and strip him of his rights.

But, sir, it is intimated that this cannot be done; that the wildness of his nature would prompt him to flee at the approach of the white man, and seek another home in the still further West. Well, if such should be the case, it would only be his destiny, and in perfect conformity with the great plan which the Ruler of the Universe intends to accomplish. From the earliest settlement of the country, the march of civilization has been from the East westward. Ah, sir, permit me here to say, that there is a charm in that word East. The East is the first portion of the earth that is lighted up by the rays of the morning sun. It was in the East that the wise men of olden time saw the star that pointed to the place where lay the infant Saviour of the World—the star of Bethlehem. In this western hemisphere, the eastern portion of it was among the first upon which civilization shed its rays. But it was not to be confined there. Its progress was to be westward. As the sun begins its course in the East and travels on through its meridian splendor, to light up the distant West, so is civilization, with all its accompanying blessings, to continue its march westward, until it sheds its brilliant rays upon the uncivilized portions of the West. Sir, that overruling providence which led the trembling and sea-tossed bark which contained the first discoverer of these western shores, which nerved the patriot's heart, and led our armies to battle for civil liberty, now leads the way to accomplish this. This is the destiny of our country, and it cannot be defeated. Yea, more; it is destined to become the great moral and political sun to illuminate the world, and to set examples for other nations to imitate.

Yet, sir, we are called upon to array ourselves against it, and to say that it shall not be so, that the Indians will be disturbed in their possessions and their homes. Trifling thought, vapid philosophy indeed, compared with the great object to be accomplished. What, sir! shall not the boundaries of civilization be enlarged because the Indians are to be disturbed! I am astonished and amazed to hear such sentiments fall from the lips of civilized and Christian men. I am pained to see them so far alienated from a true consideration of suffering humanity as to contend against the benevolent provisions of the bill—provisions which, if carried out, will be a blessing to thousands of the human race; and would soon add another, if not other, bright and blazing stars to the great constellation of States, and increase our national glory. But can we expect less from fanatical enthusiasts? May we not be justified in supposing that they have some dark design in view in their opposition to the bill? May we not believe that they intend, if possible, to hold the Indian tribes as a corps of reserve for some future purpose? At an early period of our history the English government encouraged the importation of slaves into this country, because it thought that they would some day "be a power in its hands against the unruly colonists." And from the spirit now manifested, may we not suppose that abolitionists design to hold, if possible, the Indian tribes in a state of native wildness, to be used, at no distant day, in carrying out their revolutionary purposes? If so, sir, to avert the awful consequences which such an event would bring upon the country is one purpose of the present bill.

But, sir, there is another question of importance which I design to notice, which is: Will the people, while under a territorial government, have a right to legislate upon and determine the question, whether slavery shall exist in the Territory or not, or whether that power is vested by the constitution in Congress alone. That part of the constitution upon which the question arises is to be found in the third section of the fourth article:

"That Congress shall have power to dispose of, and make all needful rules and regulations respecting, the territory and other property of the United States."

While some have contended that this clause only gave to Congress the right to pass such rules, regulations, or laws as should be necessary for the disposition or sale of the public domain, I have always entertained the opinion that, as territory is the property of the people, Congress had a right to pass any law necessary for a safe preservation of it for the use of the people, when wanted by them for State purposes. From the terms used, to wit, "rules and regulations," I have inferred the right and the power of Congress to lay down general principles for the government of the people residing in them, leaving to them, however, the right to adopt such municipal regulations as their wants and their safe protection might require. I have, therefore, on a former occasion, acknowledged the right of Congress to decide by law whether slavery should exist in Territories or not; asserting, at the same time, that such a law could be of very little practical use, inasmuch as the people, when the Territory should become a State, could, in their sovereign capacity, pass an entirely different law, which would supersede the law of Congress, and be binding upon them. For this reason I have always been opposed to the agitation of the slavery question in Congress. It has no business here, and no man who is a friend to the peace and welfare of the country will, for disorganizing purposes, ever introduce it. But where Congress is silent upon the subject, and has passed no law respecting it applicable to any Territory, I am unable to see why the people inhabiting it may not, among their other municipal regulations, pass a law upon the subject of slavery, and which would, with the permission of Congress, be binding upon them. Such a regulation or law could not be liable to the objection that it was unconstitutional, for it permits the people, in the sovereign capacity of a State, to decide the question of slavery as they please. So the people in a Territory, if left to themselves, may exercise just as much sovereign power as they could under a State government; for the people of a State have no right to pass any law which would conflict with the constitution and general laws of the United States; neither could the people of a Territory. In this respect, therefore, they stand upon equal footing.

But there may be a question as to the policy and propriety of letting the people under a territorial government decide the question of slavery. There is no doubt in my mind that it is not only proper but right that they should do it; and to permit them to do so would be only to carry out the idea of popular sovereignty and of self-government, as the people everywhere in this country understand it. It was for that our ancestors contended when they threw off the British yoke. They had been oppressed and trodden under foot by British legislation without representation in Parliament; and this is one of the colonial grievances mentioned in our Declaration of Independence. Now, the people in a new Territory are in the nature of a colony. They go in advance into wild, uncultivated, and savage regions, to level forests, to take possession, prepare the way for civilization, and to hold it for the country to which they belong. They spend their time, labor, and money in tilling the ground and improving the soil; they become acquainted with and understand its nature, and the climate, also; they know what product of the soil is the best and most profitable to them; what kind of labor will yield the greatest revenue—whether free or slave labor. Then why not let them act upon and choose them? Why not let them pass such laws as their own welfare may require? And what State in the Union will deny them the right? Can Massachusetts? No; for she was the first herself to resist the oppressive laws of England. Can any of the New England States? No; for they equally felt and resisted oppression. Can Pennsylvania? No; for she, too, has risen up in opposition to oppressive laws. Many of the descendants of the fathers of 1799 are still there, in whose memories the occurrences of that time are fresh. Can the South deny the right? No; for it has long contended for popular rights and freedom of action. Can the people of any State that recur back to their early history deny them the right? No sir; not in reason and justice. And why should they not have the right? Are they not freemen, and have taken part in the formation of laws in the States before their immigration thither. Are they not our fathers, our sons, and our brothers, bone of our bone and flesh of our flesh? Why should we declare that removal and residence shall strip them of their former rights? Sir, we should not. And here let me ask, if the government of Territories should rest alone upon the caprice of Congress, what form of government would they have? Should there be a majority of abolitionists here, abolitionism would be the law of the Territory. Should there be a majority of amalgamationists here, amalgamation would be the order of the day, or perhaps the advocates of woman's rights would be in the ascendant. This, sir, may be thought idle speculation, but the times are so pregnant with fanatical theories that we know not what a day or an hour may bring forth. And now is the time to prepare for their advent, and to fortify ourselves against them. I therefore call upon rational and sensible men, who regard the welfare of the bold and fearless pioneer, not to shackle him with illiberal and oppressive laws, but let him go forth to the western wilds, in the full dignity of his manhood, and the rich enjoyment of freedom.

Yes, sir