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THE NATIONAL ERA.

For the National Era.

SKETCHES OF OUR VILLAGE.

No. 5.

THE FIRST GRAVE.

BY MARTHA RUSSELL.

"In vain do individuals hope for immortality, or any potent from oblivion, in preservations below the moon: there is no antidote against the opium of time, which temporarily considereth all things; the greater part must be content to be as though they had not been—to be found in the register of God, not in the record of Man."—*Sir Thomas Brown.*

Nearly a century and a quarter ago, a pleasant group were gathered round the blazing fire in the comfortable dwelling of David Allen, one of the settlers of our village. It was a keen, clear, winter night, the stars shone with unwonted brilliancy, the vast shadows of the unbroken forest stretched motionless across the pure snow, giving a still more solemn and mystical seeming to the deep silence which brooded over the scene, undisturbed save by the sudden cry of some night-bird or wild beast, or an occasional sharp report from the ice-bound [illegible] Amity, as their glittering mail splintered beneath the quiet moonbeams.

But within there was warmth and comfort, and that happiness which ever arises from the conviction of a day well spent. The great fire-place, though it stretched across nearly one side of the room, was none too spacious for the blazing logs that filled it; none too wide for the three generations gathered round it.

Alas! alas! in these days, when the free bold spirit of that most useful of household servants is cramped and broken by confinement in uncouth iron prisons, when we catch glimpses of its cheerful face only through the narrow bars of its iron mask, we can form little conception of its own intrinsic beauty, or how kindly it was wont to fling its warm colorings and delicate shades over the meanest household group, with an artistic grace which Titian himself might have envied. Like the free, glad element that it was, it danced and crackled in the broad fire-place of Farmer Allen, on the night of which we speak, thrusting its long spear-like tongues between the great logs that fed it, sending forth whole showers of glowing sparks, as the Farmer occasionally thrust back a protruding stick with his heavy boot, chasing the dark shadows into corners and little recesses, lingering with a softened, delicate gleam on the pale features and silvery locks of the superannuated grandame, as she sate in her antique arm-chair in the "warm corner," nodding occasionally, as if to keep company with the youngest little one at her side, who every few moments rubbed his round eyes with his chubby fists, stared fixedly at the fire, and then the white lids fell drowsily down, and with a sudden nod his dimpled chin rested on his breast. Then, how merrily the blaze winked back at him, and danced lightly over the curly heads of three or four other urchins, to the farther end of the huge "settle," to peer into the pretty face of Dorcas Allen, the eldest daughter of the house, as she not unfrequently lifted her eyes from her knitting to the face of her buoyant-hearted, handsome cousin, who sat beside her, conversing with her father and mother, or with a heightened color answered his queries, as he turned to her for information with respect to their young companions, for Isaac B—— was a stranger as it were in his native village, having spent most of the last two years under the tuition of the Rev Abraham Pierson, of Killingworth, or rather *Kennelworth*, as the old colonial records have it, first rector of that infant college which since, under the name of "Old Yale," has, banyan-like, spread its shoots over thirty different States.

Isaac had much to tell of his life at Mr. Peirson's, of his studies and his classmates; and his simple relations lacked not their full quota of local news: marriages, births, deaths, clearings, raisings, to say nothing of the "meeting house," the first "meeting house," which had been erected during Isaac's absence, and which was an inexhaustible source of pride and interest to the villagers.

"Well, Isaac," said goodman Allen, taking a final squint at the bow-pin he had been whittling, and carefully brushing the shavings from his homespun trowsers, "I suppose chopping comes rather hard to you, after idlin' so many months over your books in old Mr. Pierson's study."

"Idling! I only wish you had to study as hard for one week, uncle. But I can manage to keep up with Sam yet, and that is a *little* more than any one else can say in these parts, I fancy," replied the young man, or rather boy, laughing.

"Hain't quite forgot your old knack at bragging, Isaac," said the uncle, with a quiet smile. "To listen to you and Sam, one would think you would turn the world over."

"May be I shall, some day," he replied, gaily; "I shall, at least, try hard to do it; for the top round of the ladder must be mine, uncle, or none; and you see I have a long way to climb."

"Isaac, Isaac, will you *never* be content with your lot?" said his quiet aunt Esther.

"No, aunt, not as long as I feel that there is a better and a nobler one within my reach."

"Better!" exclaimed goodman Allen, in surprise. "Now, hear that! Why, one would think you were a born pauper. Where in the whole township are there two boys better off than Sam and you, I'd like to know. You surely needn't grumble because Sam had the main portion of your father's land. It would go to him, of course, as the eldest. Your portion will *eddicate* you, and give you a fair start in the world, to say nothing of your mother's jointure, which will be yours at her death. Never talk in that way, boy; it is downright tempting Providence."

"Uncle David, Aunt Esther!" said the boy indignantly, "you don't understand me! I don't care for money. Indeed, I despise it, hate it, when I see what slaves it makes of men; how they plod on year after year, blind and deaf to everything but the clinking of the dollars as they scrape them into their bags. Better die at once than to live a life like that!"

"Child!" said the old grandmother, in her quavering tones, as, roused by the excited voice of her grandson, she reached across goodman Allen, and laid her shrivelled hand commandingly upon his head, "Child! be not wise in thine own conceit. Walk in the footsteps of thy fathers, so shalt thou find safety and peace."

The next moment she had sunk back in her usual attitude, and seemed to have lost all consciousness of their presence.

"Grandmother is right, Isaac, though it's a long time since I have heard her speak so connectedly," said David Allen. "Old paths are the wisest and best."

"Under your favor, uncle, I think not. What if Luther, Calvin, Pym, Hampden, Russell, and Cromwell, had always plodded along in the old beaten paths? Where would have been our boasted freedom? They dared to think for themselves, and to act out their thoughts, as I hold every true man should do, else he is unworthy of the name," replied the excited youth.

"Well, well, lad, I can't say but what you may be right; but it takes a longer head than mine to see through these things," said the uncle, thoughtfully.

"And what is it you wish for—what is it you crave, cousin Isaac?" said the dove-eyed Dorcas, looking up from her knitting.

He gazed at her full a second, before he replied, not daring or not caring to utter in that presence the one sweet name that rose to his lips; then reading, in her downcast eyes and glowing cheek, that she newly comprehended his hesitation, he

"Fame, Dorcas! I would be a star among ing the reproving eye of his aunt, "from a selfish ambition; not to set myself above them, disclaiming all fellowship or sympathy with them, but to guide them in the midst of darkness and trouble, to raise them to a higher and purer life. When Mr. Pierson tells us, as he sometimes does, of the famous men that lie buried in Westminster Abbey, and how, as a boy, he used to wander among their monuments, and muse on their lofty deeds, I feel their spirit strong within me. I, too, have a destiny to achieve. I will make myself a monument in the hearts of my countrymen, so that long after my death, in all times of trouble and danger, men shall turn to my memory as sailors turn to the polar star. I care not where I die, or where my body lies, but I would not have my name forgotten upon earth!"

"I shall never forget one I loved," said Dorcas, sadly.

"No, child, and there is no harm, as I see, in the lad's wish to be remembered. It's nateral to us all. I myself should feel kinder bad, if I thought, after I am dead, none of you would take the trouble to put up a decent stone with my name and a verse of Scripture or so on it, to let people know where I lie," said David Allen. By [illegible] I tell you we have [illegible] green sloping field between the meeting-house and the river for a burial ground?"

"No; but they told me so in the village, as I came along; and I stopped a moment, and wondered who would be laid there first."

"So I ask myself every Sabbath," said Dorcas.

"I guess I know," said one of the curled heads at the other end of the settle. "Old Goodman Barker. I heard Deacon Barnes tell father, the other day, that he was most gone."

"Nathan, Nathan!" said the mother, reprovingly.

"Who is it wants a gravestone?" asked the old grandame, suddenly rousing up. "Now I think of it, David," she went on, without waiting for a reply to her query, "you be sure and see that Job Ritton puts on to mine, Abigail, relict of Samuel Allen—not consort, but *relict*, just as it is on old Madam Eaton's stone."

Here Esther Allen interrupted the somewhat lugubrious tone of the conversation, by taking the younger children and the not less childish grandmother to their beds; after which, the others drew closer round the fire, and sat chatting cheerfully until the hour-glass on the shelf had marked the tenth hour since high noon—unusually late for them, but then Isaac's visits were very rare, and he was ever a favorite with his simple hearted relations.

From his childhood, Isaac's character had been marked by a lofty ambition. Though that mind, which took in not only the present, but the future, as its field of action, must necessarily be widely different in its inner life from those of his more contented playmates and friends, yet he possessed a generosity of character and a winning kindness of manner that readily disarmed envy, and rendered him not unworthy of the place he held in their hearts.

Even the sternest of his father's old friends and neighbors, though they sometimes shook their heads very gravely at what they termed his "carnal pride," and "new-fangled notions," liked to hear him talk, for there was a kind of charm, even to them, in the earnest enthusiasm that marked all his words.

We need hardly say how much he was to his widowed mother and brother Sam. He was very young at the time of his father's death; and as Sam was several years his senior, he regarded him with something like the mingled love of a father and brother. Sam was the reverse of his brother in many things: he had none of his lofty aspirations; he cared little for the world, or the world's opinion; but he had all his good humor and buoyant spirits; and if he was proud of anything, it was Isaac.

He was wont to boast that *he* brought him up; and there wasn't another lad in the whole township that could manage a wild colt, swing a scythe, or chop into a tree, quite as slick as Isaac; and, during his short vacations, there was always a trial of skill between them in all sorts of labor common to the season. In good sooth, their uncle Allen, whose good nature made him a favorite with them, had some reason for calling them a "couple of brags."

The next morning, after the early breakfast was over, the chapter read, and the prayer offered, in the house of David Allen, Isaac started for his home, which lay about a mile and a half distant, saying, in answer to their entreaties for him to abide with them longer, that he had promised Sam to go on to the Hill with him that day, to cut the great oak that stood on the edge of a deep gorge, known to this day as the "Great Gulf."

"If you want to see what Sam and I can do, uncle David, just come along about ten o'clock, and you shall hear a crash," he added, gaily.

"Aye, I am going along up that way myself, by and bye; and may be I'll stop and lend you a hand. You'll get tired out by that time, I dare say," replied the uncle, in the same jocular tone.

"Pray be careful, Isaac," said Dorcas, "you and Sam are so headlong when you get together."

"Never fear for us, Dorcas," cried the youth, as he passed through the gate.

"Yet it's a pesky bad spot to fall a tree in, lad," called David Allen after him. "Be careful, or you will have it at the bottom of the Gulf before you think!"

"Aye, aye, sir," came ringing back through the clear frosty air.

In about an hour, David Allen had drained his mug of gingered cider, drawn on his mittens, and, standing braced out upon the beam of his sled, something after the fashion of the Colossus at Rhodes, drove off to the clearing he was making in the vicinity of the Gulf. The hearth was swept, the old grandame placed in the warm corner, the wheels of the mother and daughter drawn forth, and plied with busy hands and feet, while the somewhat strict discipline, which had been slightly relaxed during Isaac's visit, was again put in force over the younger children. The two eldest were seated on square butts of trees, which served for stools, shelling the bright kernels of the Indian corn into a large wooden tub that stood between them, while the two little ones built cob-houses on the floor, in imitation of the leaning tower of Bologna.

Their voices mingled right pleasantly with the buzzing murmur of the wheels and the monotonous dripping of the melting snow from the eaves, and the whole room was in cheerful contrast to the icy winter without.

Neither the mother nor the daughter seemed in a very garrulous mood, though they occasionally exchanged a word about some household affair, and once or twice spoke of Isaac and his ambitious dreams. Thus the hours passed on; the shadow on the window-sill had almost receded to the noon-mark, when the old grandmother suddenly roused herself, and, looking eagerly round, asked, in her shrill, tremulous tones—

"Where's Isaac? Where's Nabby's boy?"

"Isaac went home before you were up, mother," returned Esther Allen.

"Ah, well, I didn't know what mightn't a happened to him. Wasn't he talking about shrouds or grave-stones, or some such things, last night? I wonder what makes *him* think about such things?"

"Isaac's head runs upon everything, mother."

"Sure enough, so it does; but I wonder what he should be thinking about his grave-stone for, when I have never quite made up my mind what verse to have Job Ritton put on to mine. Now, mebby that's what made me dream so last night—I dreamed Isaac was dead. Queer enough that I should dream of Nabby's boy's dying, aint it?" she muttered, spreading out the palms of her thin hands to the fire.

"Dream of a death is a sign of a wedding, mother," said Esther Allen, cheerfully.

"Yes, it's a good sign, but I've known it fail," returned the old dame. "Many a time have I heard Submit Leete's aunt Leah tell how she dreamed two nights running, that Hilkiah Palmer was dead, and sure enough he was killed not long after, in a skirmish between our troops and Prince Rupert's. Kiah was Submit's sweetheart, you know. Well-a-day, this happened a long time ago, before I left home and came over here with your gran'thr r. I spose Leah and Submit and they are all gone before this time. Your gran'ther and Submit were kinder cousins."

"Don't you think grandmother more flighty than usual to-day, mother?" said Dorcas, upon whom the old dame's words seemed to make a painful impression, as she rose and walked to the window.

"She was up later than common last night, and a little puts her out," returned the mother, as she left the room for a distaff of flax.

As she again entered the room, Dorcas turned towards her an ashen face, crying, as she pointed to the street—

"Oh, mother, mother! He is dead! I knew it would be so; I have felt it all the morning!" and

she saw her husband and Sam lift a human body from their sled, and bear it towards the house.

"It is Isaac—Isaac, mother," cried the trembling girl, clinging to her for support, while the little ones, frightened by her cries, fled to the same shelter.

"What's all this pother about Isaac?" said the old grandame, querulously. "Why do you cry for him? He's to be a minister, a *larned* gospel minister. Fie, child, such takings are unmaidenly and improper."

But Dorcas heard her not, her eyes were fixed on the door, through which her father and cousin soon entered with uneven steps, and bore their burden to a bed that occupied one corner of the spacious room. There was no need to gaze upon that mangled face, to tell who the victim was—one glance at the faces of David Allen and his nephew was sufficient.

They gathered around that bed in silence, unbroken for some moments by sobs or groans. The suddenness of the blow had stunned them. Sam's voice was the first to break the fearful spell. "Oh, my mother—my poor mother!" he groaned, as he stooped his head upon his aunt Esther's shoulder and wept like a child.

We will not attempt to describe the agony of that hour—we cannot paint the grief that like a gloomy night shut so suddenly down upon the hearts of those stricken ones, extending ere nightfall its dim shadow over the whole settlement—we need not, for there are few among those who will read this sketch, over whose threshold the invisible footsteps of Death have not passed.

Two days after, the body of the young student, followed by almost every family in the settlement, was borne along the winding forest path to the recently erected house of public worship. After a brief but touching address by the young pastor, it was again borne out and laid down in the grave His destiny was accomplished—his yearning wish realized—but, oh, how differently from what he had dreamed! His name is still held in remembrance among us, but not for wisdom, or power, or deeds of high emprise—but, as the *first* tenant of our village grave-yard. Even to this day we point to his mossgrown head-stone, and read, "Isaac B——, 1727."

NOTE.—Lest the above date should mislead people as to the antiquity of our village, and thus give offence to that venerable person, our "oldest inhabitant," we would say, that although the settlers of the southern portion of the grant of Totoket early organized a church and erected a house of public worship, yet the inhabitants of these wild northern regions, owing to their sparseness, were without a separate ecclesiastical organization until 1724. Thus, for the space of more than half a century, they were in the habit of going some six, eight, and ten miles, on the Sabbath, to mingle their prayers and hear the preaching of the Word with their brethren of the southern settlement.

SPEECH OF HON. JAMES MEACHAM,

OF VERMONT,

IN THE HOUSE OF REPRESENTATIVES, MAY 14, 1850,

In Committee of the Whole on the state of the Union, on Mr. McClernand's bill relating to California.

Mr. MEACHAM said:

Mr. CHAIRMAN: The bill before us proposes to admit California, to erect Territorial Governments for Utah and New Mexico, and, by the purchase of the claims of Texas, to settle the boundaries between that State and New Mexico. I propose to discuss that bill. It is a practical subject. Whoever consents to take part in the present discussion, and scorns to repeat the arguments of others, must be content with the critic's reputation, of having been at a feast of learning, and stolen the scraps.

It is surprising to see the efforts on the other side of the House to make political capital out of the pending controversy. The gentleman who has just closed [Mr. Savage] is the most zealous of the number. They seize the floor, and rush forward as if to announce a new discovery. With all the earnestness of the philosopher rushing from the bath, they cry "Eureka! Eureka!"—*I have found it! I have found it!* Found what, sir? Why, I have found, that in the last Presidential canvass the friends of General Taylor used different motives in different sections of the Union, to aid his election. If granted, is there anything new in that? Has not the same been true in every election since the time of President Monroe? Was not that true of the friends of Adams and Clay, Crawford and Jackson, and the successor of Jackson? Take any subject that had been prominent before the country, turn it any side up, or either end up—turn it inside out, or outside in, and on every face you would find either a vote or speech of Mr. Van Buren. Sectional motives were plied in the election of Gen. Harrison. The friends of Mr. Polk had more than two—they had Texas, the tariff, and the northwestern boundary. They had a motive for the torrid, the temporate, and the frigid zone, up to 54° 40′. We can come nearer home to those who are waging this war for political gain. Go up to the gallery of the Patent Office, and in a case hard by the camp-chest of Washington you will see a form having two heads—one looking North and the other South. I will not vouch for the chronology which asserts that it came into life on the night of the last Baltimore Convention; showing that nature, even in her lowest works, sympathized with the sublime production of the day, that came forth upon the stage with one life written for the face that looked Northward, and another for the face that looked Southward. I do not bring forward these things as charges against the distinguished men to whom they refer. Such motives may be used by the friends of a candidate without any just accusation of duplicity against the candidate himself. But I do bring them for a purpose they serve, to show the gentleman, that if he courts a contest of this kind, there may be blows to take, as well as blows to give.

These things are not to my purpose or my taste. I have regretted to see men showering down upon this House the relics of old partisan sectional stump speeches, only that they might trickle back to the great Ocean, and be taken up and poured out on some after Congress in a more furious deluge. It is for our shame that we have wasted so much time in squabbling over party politics and hurling provoking sectional taunts, while the sublimest spectacle in the history of the world is passing before us.

This discussion has often recalled a description given by Livy of a Roman battle-field, where the combatants, shrouded in a temporary mist, were so hotly engaged in the contest, that they heeded not a violent earthquake which was shaking their cities, changing the course of their rivers, and upheaving the foundation of the mountains. The Spaniard was on the shores of the Pacific an hundred years before Smith landed at Jamestown, or the Pilgrim trod the rock of Plymouth. Since that time, the Saxon race has crossed and conquered a continent. They have reached the shore, and in three years done more for mankind than the Spaniard had done in three centuries. They have not, like Cortes and Pizarro, seized the golden stores, and fled from the country, leaving the marks of their desolation in smouldering villages and a slaughtered people. They have settled down in that country as their home. They have shown their purpose and their wisdom, in framing and adopting as their own one of the noblest State Constitutions ever formed by human hands. With that Constitution they appear before us, and ask for admission. Relying on the practice of this Government, on the plighted faith of a treaty, and on promises made before the conquest, they demand a place in this Union. Why are they not admitted? Their proceedings are charged as irregular: Congress has given them no power to form a State Government—they have had no census. Grant it; but it is shown that they are in the line of safe precedents, by acting as a majority of the seventeen new States have acted. It was proved, beyond controversy, in the Senate, yesterday, by Mr. CLAY, that they have a population entitling them to two Representatives. It is charged that foreigners voted in their elections. Grant that, too. How was it in Michigan? Foreigners were marched to the ballot-box, in Indian file, and deposited votes which they could not write, or read, or understand, when spoken. The convention, that gave assent to the conditions of admission was not called by legal authority, but by the Chairman of a Democratic State Committee. Not one-third of the people of that State ever assented to the terms of admission. I had prepared myself to discuss the whole question, but others, more fortunate in gaining the floor, have brought out the main facts. I do not propose to repeat them. I have no disposition to turn over the old kaleidoscope to get a new reflection from the same bits of broken glass. I consider the objections as really given up. The gentleman from Georgia, across the way, [Mr. Wellborn,] whose spirit we all admired, and I wish all might have imitated, proposed to admit California with her present Con-

36° 30′ north latitude. [illegible] regularity in the want of constitutional action, or in want of a census, or in votes or foreign population, south of that line, than there was north of it? If not, then that offer surrenders the whole question, on the ground of irregularity. Almost every Southern speaker has consented to give up his objections, provided Territorial Governments are given to Utah and New Mexico without the Proviso. What does that prove? One of two things, most certainly: either that there is no real objection, or else that it stands on such slippery morality that it can be moved for a fair price. Every one can have his choice in the horns of that dilemma.

But when you have given up all controversy about California, why link it with others, many of them old and offensive, about which there is dispute? Why bind the carcass to the living man? I have a right to a vote on California as a distinct measure. I have a right to put myself and my constituents on the record in her favor. No man can justly deprive me of that right by compelling me to vote against California because you have united it with other hostile measures in a huckstering compromise. Why are all the measures to be settled from one section? We have measures of the North in which we feel a strong interest. We wish a change from the tariff policy of 1846. The wool-growing and manufacturing interests, and the iron interest, are all staggering on the verge of ruin; they are in a state of siege, looking, as they have a right to look, for the Government to come to the rescue. Many of the manufacturers of the North have struggled against adverse fortune without a dividend since the passage of the tariff of 1846. Intelligence has just reached us that in one village a thousand operatives are thrown out of employ in a single day; and that in three months, probably more than ten thousand must share the same fate in New England. In these circumstances we are tortured by this perpetual delay. As a Northern man, I feel mortified that five months of the session are now passed, and the Committee on Manufactures have not had their first meeting. We feel anxious that something should be done by establishing an agricultural bureau to aid the farmers, who constitute two-thirds of the people of this nation. The Government has worked long enough for the benefit of politicans and placemen; it is time that something was done for the people themselves. We wish to see improvements in the rivers and harbors in all parts of the land, a measure that was thwarted by an Executive veto. Now, suppose we insist on inserting in a compromise all these measures for commerce and agriculture and manufactures, and declare the one shall not pass without the rest, California will appear with a tail as long and ominous as the tail of a comet, portending war and pestilence to the land. Why are sectional interests linked with her? Is it not a confession that they cannot be risked on their own merits—that they cannot go alone, and therefore they must come crouching along under the wing of California? The splendid vessel, rigged and manned on the distant shore, starts on her voyage; she doubles the cape; at length the signal announces that she has reached the offing. The masses of people, roused and joyous at the tidings, throng the beach to witness her advent. The cry arises, why does she delay her her coming? The only answer that can be given is, that there is a bantering process going on in the commercial divan. Each one wishes to profit by her coming. She must tow in his packet, or his sooty whaler, or junk, or fishing smack. At length it is gravely decided that she must put out to sea again, or come dragging on behind her all the old, crazy, crippled, water-logged craft on all the coast.

The second proposition of this bill is to erect Governments for Utah and New Mexico. I object to it, because it excludes the Ordinance of 1787. Vermont was the first to exclude slavery from her borders. She was the first to take the position now held by the free States in regard to slavery in the Territories. On November 11, 1819, she passed this resolution:

"IN GENERAL ASSEMBLY, *Nov.* 11, 1819.

"The General Assembly of the State of Vermont view with deep concern the attempt to introduce slavery into the territories of the United States, and to legalize it in States to be admitted into the Union. They regard it as a measure manifestly tending to increase and perpetuate an evil of no ordinary magnitude and danger; of magnitude, as it deprives a portion of mankind of those privileges which republican principle guaranties to all; of danger, as it may, and that possibly at no distant period, subject the master to the vengeance of the slave; and, as it will retain the physical force of the slaveholding States for self-preservation, when it may be most needed for national effort or defence. They regard it as tending to increase the number of slaves; as the extending their territories, and increasing their demand and value, will encourage the violation of all laws made to prohibit their importation; and as tending to perpetuate slavery, by adding the influence and power of States to be formed within our territories, which eventually may constitute a majority of the Union.

"They do not perceive that the plea of necessity, on which the existence of slavery can alone be palliated, will extend to the territories of the United States. They cannot doubt that the powers of Congress are adequate to the effective prohibition of the further introduction of slavery, that they have the supreme power of legislation over the territories for all purposes of national concern, and that they are not bound to assent to the admission of any State into the Union, unless upon such conditions as shall be consistent with the general welfare.

"The General Assembly do therefore resolve, that our Senators be instructed, and our Representatives in Congress be requested, to use their influence to prohibit the introduction of slavery into the territories of the United States, and to prevent its being legalized in any State hereafter to be admitted into the Union."

She put her reasons on the record, that slavery is wrong in itself—that it tends to weaken the national strength—that it cannot be tolerated on the plea of necessity—and that Congress has the constitutional power to prohibit it. These are her sentiments now. The doctrine that controverts them is a modern doctrine, affirming that men go to any territory of the United States, carrying with them all that is held as property in their several States. There is a remarkable uniformity in the utterance of that doctrine. Look through the long debtes in both Houses of Congress, and you see it always in the same stereotyped form. We should suppose that as a mere matter of taste, for the sake of novelty, it would sometimes be varied; but it still holds the same immutable formula. The reason is plain—change the expression, and you kill the doctrine. Say that you have a right to carry your local laws into the territories, and you make an equivalent expression that every lawyer will drop like hot iron. It is not true as to any State, North or South. There are fifty men in Vermont, who own a bank, with a capital of one hundred thousand dollars. They hold and manage their property by local laws of the State. They now propose to take that bank and migrate to California, where the law prohibits banking, or to a territory where there are no laws on the subject. They propose to hold and manage their property in their new residence just as they have done in their old residence. There is not a country justice in all the land so green that he would not laugh in their faces.

Why was there a constitutional and legal provision for the recapture of fugitive slaves? If they are property under the general law of the land, those provisions are needless. Their adoption, and the present demand for their execution, is a confession that slaves are held as property by local laws, and cannot be carried beyond the jurisdiction of that law. A slave escapes and makes his way to Canada; in your stables is a horse that has been fed and groomed by the negro; he snaps his tether, and follows over the same road to the same place. You can go and take the one, but must leave the other. Why is this so? Because the one is, and the other is not, held as property by the common law of the world. Take a slave, and cross Mason and Dixon's line. The moment you have passed that boundary, he ceases to be property. You are still in the Union, and under the shield of the Constitution. Why can you not still hold your property? Because the power of your local law is exhausted. You have gone beyond its limit. As a reasoning man, tell me the difference between facing northward and westward, when you cross the line of demarkation for local slaveholding law.

The sentiment of Vermont is sustained by Southern authority. It is found in the celebrated Mississippi case, Groves *vs.* Slaughter, tried in the Supreme Court of the United States, January, 1841. That case had reference to the inter-State slave-trade. In the argument of it, the Hon. R. J. Walker assumed that Congress had no power to regulate the traffic in slaves, because they are not property, but persons. They are not property out of the State where they are held [illegible] as such by all the States, and not commerce in persons, that was designed to be regulated by Congress. Commerce in persons, if it may be so called, was not intended to be regulated by Congress, because it was peculiar and local, and not national."—*Appendix to Peters's Reports, vol.* 15, *p.* 53.

If that doctrine be true, it is because slaves are property by local, and not by general law. That is the sentiment of Vermont. It is not new. It is older than the thunder of Winthrop, or Webster, or Wilmot. The old battery, whence it originated, is still sound, and sends forth its annual charges. I believe it has been found easier to pervert than to answer it. It was declared thirty years since. In that time, five new slave States have been admitted. She has remonstrated against them all, and most earnestly against the last. But they have been admitted by the constituted authority, and she has submitted. A whole generation has come and gone since that was proclaimed. It was the utterance of honest sentiment, and had no reference to political effect, the Senatorial sneers of New Hampshire to the contrary notwithstanding. Recents events lead us to suppose [illegible] States do not accuse Vermont [illegible] putting her light under a bushel, or smothering her sentiments in her archives. She does not spring upon you with a new principle, after the territories were acquired. You knew beforehand that if that territory was acquired, Vermont had a lien upon it for freedom. You took it with that mortgage. She is not prompted by the flashy and flippant zeal of a new political convert, but by long-settled and abiding principle. Her choice, most unquestionably, is governments for the territories with the Proviso; that was first presented for adoption. If that cannot be secured, there is as little doubt that she will *sustain* the plan of the President. She regards the plan as originating in patriotic motives; and she esteems its author as one of the most impartial, and noble-minded and national-minded patriots that has trod the Presidential platform since the organization of the Government. But she can consent to no plan, to no action or non-action, and to no compromise, that does not give positive and permanent security for freedom in the territories. You cannot change that purpose. You may as well attempt to unsettle the foundations of her everlasting mountains.

The third proposition of this bill is to purchase the claim of Texas to the disputed territory between her and New Mexico. It was amusing to see the manner in which that matter first came before the Senate. A bill was reported for the admission of California, and for territorial governments for Utah and New Mexico. For these the commiitee were responsible; and then there came trotting into the camp a loose unbridled colt that no man would claim and no man would own, a proposal to purchase for a blank sum the claim of Texas. The author of this bill, with a bolder hand, has caught and hardessed that colt; whether it will add strength to the team, time alone can determine. He has at least fixed the price; he proposes to pay ten millions of dollars. I suppose it is already irrevocably ordained that we and our children, and our children's children, are to be taxed for Texas. I trust that, as free agents, we may have a voice in determining whether that burden shall be increased. Many words have been wasted to show who is responsible for the annexation of Texas, and the evils that have flowed from it. It is easily settled; for the facts are recent, and any intelligent man can relate them without a reference to documents. I ask your attention to that point, and I do so with no design of gathering materials for reproaching any man or party. "I speak with the freedom of history, and without offence." In April, 1844, President Tyler sent to the Senate a treaty of annexation, which was rejected by a vote of 16 to 35, but a single Northern Senator, Mr. Woodbury, voting in favor of it. At that time all parts and all parties of the North were decidedly opposed to it. This is shown by the resolutions of Conventions and Legislatures, and the voice of the press. A Democratic organ uttered the general sentiment, when it said, "rather than annexation, let there be an impassable gulf between Texas and the Union." The matter was taken into the Baltimore Convention, was inserted and announced as a part of the Democratic creed. Then there was a change, a great and sudden change. A large portion of the party wheeled to cover their file leaders. We went into the canvass, the Whigs North and South against annexation, the Democrats North and South in favor of it. In New York there was a small party which held the political balance of that State, when New York held the balance of the Union. If this is not clear, every one may see a parallel in electing the Speaker of this House. In both cases the balance was so managed, by design or accident, as to secure the triumph of the Democrat and the slaveholder. We came out of that canvass with fifty-eight electoral votes of the North for Mr. Clay, and one hundred and six for Mr. Polk. This was regarded as the popular decision. In the next Congress Texas was annexed, by almost a clear party vote throughout the Union. It will be seen, then, that so far as power is concerned, the gentleman from Maryland [Mr. McLane] is right in his boast, that it was done by Democratic power. But there is a question that lies farther back, who put that power in motion in that particular direction? Not Northern men, certainly, nor Southern men as a body, nor even as a majority, but it was done by men from the South, having for their avowed object the protection, if not the extension, of slavery. The war and acquisition are the acknowledged, as they were the foreseen results. This is the history, and it shows us who are responsible for the present crisis—who have brought upon us our present dangers—why it is that the waves are now dashing over us, while we are almost helplessly wallowing in the trough of the sea. If the tempest shall drive us to the cliffs, every survivor on every floating fragment of the wreck will curse the plan of annexation, and the authors who brought it upon the country. Let those who have caused these perils of the Union now come forward and remove them; let them exercise the spirit they have raised. They have the power in both branches of Congress—if they will use it for a just and honorable settlement of this controvery of their own creation, they will receive from a generous country not only oblivion of the past, but gratitude for the future.

An important element in the campaign of 1844 was the impression made at the North, that if Texas came into the Union, at least one-half of her territory would be free, because the soil and climate were not fitted to sustain slavery. That was the burden of the press and the political orator. Among numerous authorities to prove it, no name was more frequently cited than the name of Henry Clay. But when Texas came in, covered all over with slavery, the people were disappointed because they have been duped. It was this that caused a revulsion of feeling, in a large portion, back to the original point. This will solve for my predecessor, [Mr. Savage,] what appeared to him a great mystery, that there should be such a vote for Mr. Polk in the North, with Texas as a test, and still the men who voted in Congress for annexation should be so unpopular. Those men saw what was coming, and the moment of leaving these halls, they fled for a city of refuge, as if the avenger of blood was on their track, and they never halted till, panting and breathless, they stood under the same shelter with Dix and Niles.

One part of that territory was secured to freedom by the terms of annexation. "In such State or States as shall be formed out of said territory north of said Missouri Compromise line, slavery or involuntary servitude (except for crime) shall be prohibited." That declaration is positive, unconditional; dependent neither on the assent of Texas, nor the people who shall form that State. Is there any possible way of avoiding that contract? The gentleman from Texas [Mr. Howard] seemed to have made this discovery. On the 22d January he made this declaration:

"The two Governments did not undertake to abolish slavery in any portion of Texas by the resolutions of annexation. It was an institution existing in the whole extent of Texas, and must so continue to exist, unless abolished by the State itself, or unless Texas shall consent to the formation of a new State entirely north of 36° 30′. If there is any portion of the new State south of that line, Texas has a right to insist upon its coming into the Union with slavery; and good faith to the South requires that she shall insist upon the terms of the compact. Sir, Texas will stand up to the South, on the question of Southern rights, as one man. She will never consent, under the pretence of settling her boundary, that her rights as a Southern State, under the resolutions of annexation, shall be impaired, by introducing within her limits the principle of Free Soil where slavery is guarantied to her by the compact."

It is now settled how Texas will stand up to the [illegible] North!

[illegible] the Senate by Mr. Foote, just six days before, that no State would ever be formed out of that territory, the "*whole* of whose territorial domain will be located north of the line of 36° 30′." All which, being interpreted, means this: Whenever that part of Texas is formed into a State, it will be united with a portion of the territory south of 36° 30′; and that part south of 36° 30′—though only a rood in width—will determine the character of the whole new State, making it a slave State. You have now almost the entire State of Missouri for slavery, north of 36° 30′. You design, contrary to an express contract, to have 5° 30′ of Texas, north of that line, for the same purpose. I now put it to the gentleman, if that is not the fair inference and the real meaning of his language? [Mr. Howard rose in his place, and assented.] The gentleman assents. And I ask him to show me, in the whole history of this Government, such an instance of a violated compact. Texas voluntarily made that pledge; her own Representative now boldly declares that she does not mean to keep it. Can that gentleman, or any other approving such conduct, turn round and talk about "doing justice and standing by compacts?" The guilt of Texas is positive. That was the most original thought of this session, till it was eclipsed by the gentleman from Maryland, [Mr. McLane,] in regard to this District. He says, "if Congress shall abolish slavery in the District of Columbia, Maryland could resume her jurisdiction over the same; her courts, her processes, and her constables, are all at command, and even her militia." We had supposed that Congress had exclusive jurisdiction over this territory; but it seems that Maryland has reserved rights, which underlie all her cessions. This is certainly the most novel—to freemen the most insulting—doctrine of the session. It assumes that we are here the mere wards and tenants-at-will on the domain of Maryland. If we do not legislate according to her judgment, she is ready to spring upon us with all her civil and military power.

Put yourself on that doctrine before the people of this nation, and they will tell you that you stand on a slippery place, and the things that shall come on you make haste; that the inhabitants of this District will have their choice between their slavery and their capital. But let us return to Texas. There are two questions to be settled: has Texas a right to sell? and if so, do we wish to buy? I have examined with care, and I trust with candor, all the arguments of the eminent Representatives in the past and the present Congress. I admit their ability and apparent sincerity. I must confess, at least, some lingering doubts as to the title of Texas to the lands which she claims as against New Mexico. She cannot hold by any act of this Government. The resolutions of annexation were passed before the Constitution of Texas was adopted, and, consequently, before those expanded limits were authoritatively claimed. We suppose that those resolutions admit as a State, that Texas which was a Mexican province. By those limits, as laid down by Humboldt, I am willing to abide. She claims according to Disturnell's map, because that map was appended to the treaty with Mexico. It was acknowledged, before a committee of Congress, by the publisher of that map, that the Texas boundaries were so arranged as to make it saleable in a Texas market. I do not wish to abide such authority. Texas cannot hold by any act of Mexico. It is asserted that a treaty was made with Santa Anna while he was a prisoner. The validity of the treaty depended on the after ratification of Mexico, which was never given. Texas may have been unjustly treated in the transaction, but that does not make her treaty good. She cannot expect to add to its force by showing that she has been outwitted and cheated by an acknowledged rascal. The capitulation of Bexar, and the testimony of a subaltern general, Filisola, and the Mexican Secretary of War, are good evidence to show that there was a compulsory consideration with Santa Anna. He was compelled to use that as a means of escape from the toils of his conqueror; but they prove nothing as to a consideration between Texas and Mexico. Suppose Burgoyne had promised, on consideration of getting out of the clutches of Gates, that the St. Lawrence should be the boundary between the United States and the British provinces, should you expect that promise to be kept? His master would have told him that he was sent out to fight, not to sell territory or settle boundaries. Mexico, with Roman sternness, declares that she sent her general there to defend, and not betray the country; that she is not bound by his treaty, because she never gave him power to do that kind of business.

The great authority of Mr. Polk is brought to sanction the claim. I do not propose to balance it by the authority of another President believing exactly the reverse. There are many things in which the opinion of Mr. Polk would have great influence with me, some in which it would be final. This is not one of them. With the strictest integrity, which I cheerfully accord him, he had a strong bias to partial decision. Texas made him President, and he must have felt bound by gratitude to her. When that opinion was first expressed, it was for extending the territory of