

THE CRITICAL CONDITION OF THE COUNTRY.

www.libtool.com.cn

REMARKS

OF THE

HON. WARREN WINSLOW

OF NORTH CAROLINA,

In the House of Representatives, January 29, 1861,

UPON THE REPORT OF THE COMMITTEE OF THE STATES.

WASHINGTON:
PRINTED BY HENRY POLKINHORN,
1861.

DATE
PAGE
BY
111

www.libtool.com.cn

REMARKS

www.libtool.com.cn

OF THE

HON. WARREN WINSLOW, OF N. C.

UPON THE REPORT OF THE COMMITTEE OF THE STATES.

The House having under consideration the report from the select committee of thirty-three—

Mr. WINSLOW said :

Mr. SPEAKER: When I took service upon the committee of the States, to which position you had kindly assigned me, I confess I did so with but slight hope that its efforts would avail to the restoration of peace and concord among our people.

I had said, in my place in the Thirty-Fourth Congress, looking at the then existing condition of things, and painfully apprehensive of the very consequences that now threaten the country, that touching what I deemed the wrongs to my section, I would forbear until forbearance itself would even seem to cease to be a virtue, and that if the crisis should come, I would endeavor to discharge my duty to the whole country, and especially to that section where my fortunes had fallen and where my destinies were fixed.

In redemption of that pledge, I set out with the determination that I would exert all my power to effect such suitable settlements that the Union might be preserved, harmony restored, our institutions strengthened and perpetuated, and the slaveholding States reconciled to the continuance of a Union which was fast losing its hold upon their affections.

I was not indifferent to the Union of these States; nay, to preserve it was, with me, a labor of love. But, in my judgment, no patched-up compromise, no alleviating and palliating remedy was either just or prudent; nor did I subscribe to the dogma of its preservation at all hazards. A Union which did not effectually provide for the common defense and the general welfare, which did not establish peace and secure domestic tranquillity, I would have none of.

I have nothing with which to reproach myself; nothing with which to reproach my State, as to fomenting the agitation of the slavery question, either in its inception or in its continuance. Reluctant, originally, to enter into this confederation with you—from the fears of her statesmen as to its consequences, which have sadly been realized—when she did come, she came with loyal purposes to adhere to her obligations; and true as the steel embosomed in her own lofty mountains, she has performed those duties with admitted fidelity. She will take, in this crisis, the course which her honor and her interest and her obligations to other States justify; and if she leaves you now, it will be with no spasmodic passion, but with that coolness, delay, and deliberation—her national characteristics—which have, with flippant wittings, been mistaken for apathy and insensibility. She will tell you, ere she goes; like the serpent that emblazoned her colonial flag, she will warn you ere she strikes.

During my service in Congress, now rapidly drawing to the close of a third term, I have never addressed you—no colleague of mine has ever addressed you—on the exciting subject of slavery. Perfectly satisfied ourselves with the morality of slavery, its lawfulness and expediency, regarding it in no light whatever as a moral, social, or political evil; looking upon it as, if not an essential, at least a desirable feature in a Government founded upon universal suffrage, we needed no discussion to confirm our judgment or our opinions; nor were we disposed to become propagandists of that or any other system among our neighbors. We looked upon ourselves as trustees, under a higher power; into our hands, certainly by no direct agency of ours, had been confided the care and nurture and Christianizing of a heathen and an improvident race, fitted only for compulsory labor; we had no right to thrust from us that charge, or to cry craven and refuse its administration. How we have performed that duty, their vast increase in number—an increase which, according to the well-known laws which govern population, incontestably proves them to have been well fed, well clothed, humanely worked, and well cared for—sufficiently testifies.

Your fathers violently tore them from their native homes, the bush and the lagunes of that inhospitable clime upon whose soil the sun never ceases to pour down his direct and burning rays, and transferred them, for a pecuniary consideration, to our fathers. We have nurtured and cared for them. We found them idolators; we taught them the benign religion of the meek and lowly peasant of Palestine. We have so ameliorated their condition that no laboring population of any part of the world compares with them in point of comfort. They have alike shared our good and adverse fortunes. When Providence smiled upon us, and wealth accumulated, they have partaken of its benefits, and in periods of distress they have cheerfully submitted to like sacrifices as ourselves. You have been participants in the fruit of their labors. It drives the looms of Lowell, and establishes the manufactures of Lynn and Natick. It furnishes the cargoes of your shipping, and supports your trade in all parts of the seas. Gradually, as they were elevated in intellect, our law has been modified, and moderated in its relations towards them, and its broad shield has been thrown before them for their protection. If their privileges have been at any time curtailed, that has been the consequence of your own mad fanaticism, which sought with a false and sickly philanthropy to interfere with institutions about which you knew nothing, and would inquire into, from no higher sources than the catch-penny productions of renegades from our country, who sought to play upon your prejudices, to their own aggrandizements. The miserable vipers who drew their existence from our soil, and sought to sting their benefactors, you took instantly to your bosom, forgetting that the wretch who was false to the land of his birth could never be true to that of his adoption. Or if you advanced a step further, for higher sources, you found them in the sentimental productions of your strong-minded women, who, rashly abandoning the proper sphere of their sex, and rudely seizing the habiliments of the other, undertook to instruct their superiors in matters of polity and economy.

We cared not then, at any time, to open that subject before you; though we felt conscious, and so repeatedly warned you, that your interference with our rights; your denial of our constitutional privileges; your offensive assaults upon us; your failure to respond to your constitutional obligations; your assertion of the doctrines of a higher law and an irrepressible conflict; the wicked and inflammatory appeals to your passions by your leaders; your provocation to our slaves to rebel against us;

your approbation of the armed foray in the State of Virginia; your denial of our equality in the Territories; your threats to reorganize the supreme judicial tribunal, so as to meet your views and opinions; your declared purpose to interfere with the future *status* of our peculiar institution, as foreshadowed by the repeated declarations of the great Corypheus of your party, who, if report speaks truly, is to shape for the next four years its policy, would finally result in disruption of the Union. You would not heed us. One by one the ligaments of the Union have been snapping asunder; but you turned a deaf ear to the ominous sounds. One by one those sympathies and attachments which sprang from the remembrance of past trials and common sorrows and sufferings, from the recollection of past glories and triumphs, have fallen off and been forgotten, like the leaves of the oak in your forest resigning themselves to the winds of Heaven; but you failed to see it. Having eyes you would not see, and having ears you would not hear.

At last your efforts culminated to a point beyond toleration. By your denial to us of equality in the Territories, you sought to reduce us to the condition of a degraded people; and presenting before the country a ticket strictly sectional, availing yourselves of unhappy differences, you succeeded in establishing an Administration, a submission to which, without further guarantees, would leave us a conquered people, under foreign domination.

You threatened us with constitutional modes by which you could, and hereafter meant to, extinguish slavery—a system which had in the mean time become so interlocked and interwoven with our institutions that the destruction of the parasite would be death to the tree it clings to.

It was in vain to say that the ends and aims of the Republican party were directed to the overthrow of the great Democratic party, which had so long wielded the power of the Government. You were tendered, by the other great party opposed to you, a ticket headed by constitutional statesmen, in whose patriotism you professed confidence. Amid all this, we asked for nothing, no concession, but our rights: "The Constitution and the equality of the States;" the symbols of everlasting union.

The time had come when we were called upon to speak right out, and in view of threatened dangers to provide new guards for our future security.

Under these circumstances it was we met you at the assembling of the Congress; under these circumstances that a member from Virginia took the initiative in proposing a peace conference, and that southern members consented to meet you in a committee of the States, to take counsel together of the common perils and the appropriate remedies. You may judge of our astonishment when, at the very first day of the meeting of that committee, silence was broken by a northern member, representing a large and populous district, with professions of utter ignorance of the existence of any causes of complaint, and with the mild request that southern gentlemen would be kind enough to furnish a bill of particulars.

Meeting that committee in a spirit of frankness, determined to speak right out on the difficult questions which embarrassed the country, we could not but be astonished at what we looked upon as a species of diplomacy out of place, in bad taste, and ill-suited to the momentous occasion.

It did not at all provoke a like conduct on our part; but at once declaring that we looked upon the territorial policy as the question of perplexity, and that, if that were properly adjusted, we thought that minor matters would arrange themselves, we proposed, through the member from Arkansas, a proposition of adjustment which, while a large concession on our part, was one the North might accede to with honor, and the pride of all sections be saved.

It was gratifying to find that the venerable and distinguished Senator from Kentucky had, in the series of resolutions offered by him in the Senate, fallen upon the same plan of adjustment. It was especially gratifying to find that the sentiment of the whole country rapidly concentrated upon it. It was proposed in committee on the 10th day of December. Although we pressed a vote upon it; although we urged the rapid approximation of the crisis upon the country, and declared that the anxiety and solicitude of our constituents were great and urgent, and that, for many reasons, it was desirable to have upon it speedy action, for some cause or other—I will not say pretext or pretense—day after day dragged its weary length along, the time of the committee, precious as it was, was consumed in the discussion of abstract propositions, or in the arrangement of another matter, about which there was no insuperable difference of opinion. It was not until the 27th day of December, that a vote was forced upon it, resulting in the negating of the proposition by the unanimous voices of the Republican members.

Sir, we deemed this a great concession of our legal and constitutional rights. Under the decision of the Supreme Court in the Dred Scott case, we were assured of our right to take our slaves into all of the common territory of the States. We proposed to surrender that right above the parallel of $36^{\circ} 30'$, by an absolute constitutional prohibition, reserving only protection to our property below—such protection as would be afforded to yours, and that, too, in a section in which you yourselves thought the institution of slavery could never obtain a permanent footing. You say this was no concession, for that slavery, by the law of nature and of climate, could never exist above that parallel. Be it so. Why, then, refuse a concession, if you choose so to call it, or if we choose so to call it, that could never, according to your own declared opinions, contribute to that state of things which you so much deprecate—the extension of the area of slavery. Would you refuse to heal the wounds from which the body-politic now suffers? Would you refuse to maintain the Union, to which you sing daily peans? Would you refuse to your brethren of the South, mad, insane, and excited as you deem them, the poor pittance of an abstraction which might soothe them into quiet? Not so. You are eminently a practical people. The cause lies deeper than that.

On the other hand, you say slavery can never go to New Mexico, and that we stand upon an abstraction. But consider. We maintain our right to carry our slaves there. It is a fancied or real right. If the former, you admit it can do you no harm; cannot affect your policy or effect ours. If real, then the deprivation of it is to us a great wrong; and, according to our notions, the surrender of it on our part, and the prohibition of it upon yours, would reduce us to the condition of a degraded people, and work a forfeiture of our own self-respect. Nay, to make this proposition less distasteful to you, we consulted your prejudices, and proposed to clothe the amendment to the Constitution in the language that the instrument now uses. This view of it was forcibly pressed upon you by the distinguished gentleman from Virginia, but without avail. It shared the like fate with the original proposition.

I may add, Mr. Speaker, before passing away from the subject of the action of the committee, that, failing in the proposition of Mr. RUST, and successively in those of the patriotic member from Tennessee [Mr. NELSON] and of Mr. CRITTENDEN, all the southern members, with a single exception, sustained the movement of the member from California [Mr. BURCH] for calling a convention of the States. It met no favor from the Republican members; but on the other hand, after an incubation of some six weeks, the consultations of the committee ushered into existence

this miserable abortion which you are now considering. I may safely say that perhaps no single proposition received the majority vote of the committee; and, strange to say, a motion to recommend the series to the House for adoption signally failed. Upon the whole, when these proceedings come to be reviewed hereafter, it will be pronounced that every fair, liberal, and enlarged concession had been tendered by southern Representatives, not one of which was met in a corresponding spirit of liberality.

The Republican members declared their settled purpose to refuse any adjustment of this question by constitutional amendment, and some wonder was expressed at our persistence in demanding that mode. Could we do otherwise, when we remembered that the Dred Scott decision was held not to be law by you? And that from high quarters, there had been announced in high places the determination to seize available opportunities to reorganize the Supreme Court, so as to secure a reversal of its judgments and restrictions. Besides our constituents demanded, and rightly demanded, a settlement, final, forever, and irreversible, of this vexed question; one that would remove it from the halls of this Capitol, and from the political arena, to the end that peace hereafter might reign within our borders.

To the objection urged, that the resolutions of amendment professed to cover not only the present, but all future acquisitions, it was offered on our part to accompany it with the prohibition of any future acquisition, unless by treaty confirmed by a two-thirds vote in both Houses of Congress. As the northern section of the Union has in both branches a decided and rapidly increasing preponderancy, that subject necessarily, for all time, would be under your control.

But you proposed the erection of all the territory into two States. Without stopping to show that as an original proposition, totally disconnected with the political question, expediency and justice to the great States should forbid the introduction of a new State with a population of ninety-two thousand, and an area of more than three hundred thousand square miles, its inhabitants generally ignorant of our laws and our language, upon an equal footing with them, it is sufficient to say that the proposition, in the opinion of a majority of the southern members, was wholly inadmissible. There are about a score of slaves in New Mexico. You had no assurance that she would make a constitution recognizing slavery, much less could you impose such constitution upon her. You called upon us to surrender our right to the whole of the Territories, upon the barren condition of permitting, by a fresh enactment, New Mexico to do that which, by her organic law, you already assured to her; and the security to us for the concession we were called upon to make, was the bare possibility that she might, by her constitution, permit that to be done, against which you declared nature and climate and soil and circumstances had pronounced.

Believing the question of equality in the Territories—in other words, the recognition of the right of property in slaves—to be the question at issue, we declared that other matters, in our judgment, would regulate themselves when peace and harmony should be restored among us. The personal liberty bills were offensive to us in a degree, from the consideration of the causes which had prompted their enactment. Perhaps really they had inflicted no very great amount of injustice; but we felt them more poignantly from the reflection that they were intended as evidences of temper and resentment. Even little Vermont—away up in the hyperborean regions of the North, where an African was scarcely ever seen save the few that strayed thither in the summer, as certain of your poets had said,

“ Like the sweet south, stealing and giving odor ”—

had thought proper to take measures to prevent our kidnapping her free citizens into slavery.

You deny us the right of transit and temporary sojourn with our slaves in all your territory, save in New Jersey—that people who, while ever ready to maintain their own rights, are so generously forbearing of the rights of others, and who are justly entitled, and ever receive, the respect and veneration of their southern kindred.

These things are all irritating. They spring from the one idea, hostility to slavery and indicate, what I solemnly believe, a settled purpose ultimately to extinguish our institutions. I do not charge you with any intention to interfere with slavery in the States directly. You dare not do it. You dare not. I do not, Mr. Speaker, mean this in the way of threat or menace to the North.

I have no idea that that great people, for indeed they are a great people, could be frightened from their propriety by any such base sentiments as fear; and if they could, I would scorn to extort from their fears what I had a right to expect from their sense of justice. But they dare not do it; for such an interference would be an overt act, and unite our people in resistance, and disrupt the Union. I cannot call to mind that I have ever heard an intelligent man in my State express the opinion that you meditated such direct interference. But there is a future to us; and that future we would look to and provide for. You look upon slavery as a great evil; you will continue to war upon it so long as it remains a political element; and it will so remain so long as you deny to us equality in the Territories. Settle this question now, fully, finally, forever.

I am free to say, for my part, that I deem this concession, this proposed amendment as to the Territories, the *ultimatum* of a settlement. In honor, the South can take no less. Arrange that, and peace may possibly come to our country. I know not, indeed, if it be possible, under any terms, to win back the seceding States. But let us do justice and perform right, and trust the consequences. Secure to us the Constitution and the equality of the States. These are the symbols of everlasting Union. Gentlemen of the North, in view of the dangers which threaten our yet common country, can you rise to the height of this great argument? If you can, now is the accepted time come with us to the altar of our common country, and let us make there our common sacrifices.

The gentleman from Massachusetts, [Mr. ADAMS,] for whom I need hardly say I have sincere respect, made a proposition which he supposed to be a very great concession; and coming from that quarter, I look so upon it, indeed. He proposed to amend the Constitution so that no convention hereafter called shall have the privilege of abolishing slavery in the States unless by unanimous consent. I repeat here what I have already said—I never yet met with an intelligent man in my State who thought for a moment that the views and purposes of the Republican party were to interfere with slavery *directly* in the States. We hold that you have no power, under the Constitution as it now stands, to abolish slavery. We will never yield to any such construction; and to vote for that proposition as a single one, disconnected with some real concession, would be to admit of a doubt on that point. Taken in connection with the original propositions of my friend from Arkansas, and those of the Senator from Kentucky, I am ready to acknowledge that we should take it as a grateful offering from our brethren of the North.

I do not make the complaint in regard to the enforcement of the fugitive slave law, which has been made by many gentlemen from the extreme South. I am free to admit that, perhaps in nineteen out of twenty cases, it has been fully and fairly

administered. But it is also true, that for every slave who has been rendered back to us under that law, twenty have escaped from bondage, and have not been returned; Nor do I complain of your State governments for the non-execution of the law. I grant that no Government on earth can execute a law against the wishes of its people. Your people, from the continued excitement which has taken place on the subject of slavery, have ~~compelled~~ ^{compelled} entertained the desire for its extinguishment, and that it shall be abolished wherever they have the power to abolish it. I grant that they would not resist the enforcement of the law; they would not do it, because such disturbances cost large sums of money. But, sir, you are under constitutional obligations to return our slaves to us when they leave our country and take refuge in yours; you know it; you cannot deny it. Your abolition orators, your pulpits, your forums, and your strongminded women, have been urgent to induce you, for year after year, to resist these constitutional obligations; and it is through their efforts that you have placed these unconstitutional laws upon your statute-books. They stand there, monuments of a faith worse than Punic, among northern men, When I use that expression, I refer to the class of men who predominate there. I know that you have other men, patriotic and true. When I look before me and behind me, or on either side, here in my place in this House, I see gallant sons of the North, who have stood up and battled, not for our rights, but the rights of the Constitution. If we are to part from them, it will be to us a source of unfeigned regret. They have had a harder task in maintaining their position than we have had to perform. Ours has been the easy task to run with public opinion, while they have had to run adverse to it, and to stem fanaticism while they endured contumely. Around their memories shall cluster our richest affections. We shall always remember them with grateful feelings.

Now, sir, upon these great questions at issue between the North and the South, posterity will have to judge. We shall all of us have to submit to the tribunal of time, a tribunal whose decrees are irreversible, because they are just. When men come to review these questions, after the lapse of long years, when passion has subsided and party spirit has passed away, they will look back with amazement at the madness and excitement that rules the hour. Sir, posterity will do us of the South justice. Have we had no cause to complain? We are here thirty-three States, which everybody admits to be sovereign; and I ask whether, as sovereign States, confederated with you, we have not the right to demand at least the security which is awarded to foreign nations? But have we received it? I will simply refer to two or three among numerous instances, directly in point: An ambassador of the United States, accredited to a foreign nation, is in the city of Washington. In order to reach the armed vessel which is to carry him to the court to which he is accredited, he necessarily has to pass through the great State of Pennsylvania. During his transit across that State, his slaves, held as property under the laws of his own State, are rudely and forcibly seized. The Federal judge, an honest judge, whose name will always occupy an honorable position in the records of his country, desired to do ample justice and repair the wrong, was himself sued in the courts of Pennsylvania, by the very individual who stole the slaves. The slaves were not returned, and yet the great State of Pennsylvania has never, by any legislative act, deplored this transaction, much less has attempted reparation.

A gentleman from Virginia on his way to a distant portion of the country, passing through New York, while *in transitu* had his slaves seized and taken from him, and to this day no redress has been made by that great State.

An ambassador of the United States in a distant country died, and his wife in bringing home his body to her native country, with a single domestic as a nurse for an infant child, with whose services she could illy dispense, landed in New York, when her property was stolen from her, and she was left to return to her own State of Kentucky as she might. Kind reception to the bereaved matron, returning in sorrow to her native land! www.gutenberg.org/files/19119/19119-h/19119-h.htm Comity, indeed, from a confederated State!

Now, sir, if these things had occurred to American citizens in any other country, either instance would have been cause for war.

Mr. HALE. As the gentleman has referred to a transaction which took place in the State of Pennsylvania, I beg leave to correct, in one or two points, the statement he has made. Judge Kane, alleging that Mr. Williamson had made an incomplete return to a writ of *habeas corpus*, imprisoned him; after which, a suit was brought against Judge Kane for false imprisonment. It was a matter which had nothing whatever to do with the slave question.

Mr. WINSLOW. The gentleman has stated the facts correctly, and not materially differed from my statement.

Mr. JUNKIN. I ask the gentleman from North Carolina if he is not aware that the decision in that case was affirmed by the supreme court of the State of Pennsylvania.

Mr. WINSLOW. I did not know the fact; but it is one I am glad to hear. The principal point, however, to which I desired to call attention in that case was that the owner of the lost negro has never received a dollar of reparation to this day. Now, sir, if we had sent an ambassador to France, and in passing through Great Britain his slave had been seized and retained, and Great Britain had refused to make reparation, why even you at the North, you gentlemen, to defend whose right to catch codfish away down on the banks of Newfoundland, for whose commercial privileges we went to war in 1812, would have considered this a matter sufficient to go to war upon with Great Britain. And for us, who are nations kindred to you in blood, when you refuse us what even the comity of foreign nations demands, can you, under these circumstances, expect us to remain in union with you?

Mr. CURTIS. I wish to ask the gentleman whether he supposes that a slave taken from here to Great Britain would be recognized as property, and if taken away restored to his owner?

Mr. WINSLOW. I say to the gentleman that, if a minister was sent from the United States to France, and he had necessarily to pass through Great Britain on his way, whatever was recognized as property belonging to him under the laws of his country would be recognized by Great Britain under the laws of nations. It has been so recognized in numerous instances; do you doubt it?

Mr. CURTIS. I certainly do. The British courts go upon the principle that every man is free who touches the English soil and breathes the English air.

Mr. WINSLOW. I repeat my proposition. If it were necessary for the minister to France to pass through England *in transitu* to Russia or Persia, or any other Power, the seizure of his property, no matter what, by the Government of Great Britain, would be a *casus belli*. It would be so considered by my friend from Iowa, or any other who entertains like political sentiments.

Mr. SICKLES. If the gentleman from North Carolina will permit me, I will state the well-known fact that Mr. King, of Alabama, took two slaves with him when he went to Paris as the minister of the United States. Other instances have occurred. I believe there is not a Government in Europe which would hesitate for an instant to protect, with all the necessary power, the property of any minister of the

United States, or of any member of the legation. I have heard the question frequently discussed; and the public law is admitted as it is stated by the gentleman from North Carolina.

Mr. TAYLOR. It is a part of the public law of nations; and it extends so far, that a member of an embassy from Turkey to a Christian country is protected in the enjoyment even of his right to a plurality of wives. [Laughter.]

Mr. WINSLOW. That has been so held *arguendo* by the court of my own State—I mean with reference to the plurality of wives.

Mr. CURTIS. I know the sacred character and the rights of a minister; but, sir, I know of no instance where a man who asserted his freedom upon English ground has failed to secure it. The gentleman has referred to the case of France.

Mr. SICKLES. Let me make a suggestion to the gentleman from Iowa. It stands upon a principle; and that principle is this: that the sovereignty of a nation always covers and protects the legation of that nation, and every member of the legation. In contemplation of public law, the minister and his legation are always under the flag of their nation.

Mr. CURTIS. Of course I understand that.

Mr. SICKLES. It is a violation of the flag and the laws and the comity of nations, to interfere with a member of an embassy.

Mr. WINSLOW. Was there ever an embassy from Persia, or Turkey, or any other country in the world, to England, that was refused the exercise of the privileges and the use of such servants as they had at home? Never. To carry the doctrine further, I will refer to the case of the Queen of Denmark, who murdered a man in her own building in Paris, and who was not held to answer for the murder.

Now, Mr. Speaker, let us see how we stand. The gentlemen on the other side deny that slavery exists except by force of municipal law. That, I believe, is the doctrine. Here are thirty-three States banded together; for what? For the common benefit and the general welfare; to establish peace and domestic tranquility at home. The affirmation on that side of the House is that slavery exists only by force of municipal law. I so understand them. Suppose a vessel, going from my own port of Wilmington, North Carolina, to Charleston, South Carolina, with slaves amongst other cargo, is overhauled by a cruiser of the enemy; suppose the English to be that enemy; and suppose our Government makes a remonstrance to the English Government, and that government responds that "my officer did wrong, and I am willing to make reparation. I apologise for the insult, and I will pay for the cargo, except what was in slaves; and as to them, I am informed there is a great party in your country calling itself the Republican party *par excellence*, and headed by a man named Abraham Lincoln, which party asserts that slaves are not property." If that refusal were made by the English government, what then would a Republican Congress do? Logically, could, or would they, insist upon reparation? Can we stand that? Is not our property upon the high seas to be as much secured and protected by the country as your property? Yet, sir, by your doctrine, that slavery is only a local institution, having its origin only in the municipal law, we should be perfectly powerless, and without protection. Do you think we can stand a Union of that kind? No, sir; never! never! never! Unless you come down from your doctrine, and agree that upon the high seas, wherever your star-spangled banner waves, and if not in all the territory, at least south of the line fixed for the extension of our institutions, our property shall have equal rights with yours, you ought not expect us to remain with you.

History must judge us in other respects. I say, that the position of the Republican party threatens the rights of slavery. There have been in these Halls, five distinct plans pronounced by which slavery can be eradicated from the land. Mr. John Quincy Adams himself affirmed, upon this floor, that Congress has the power to abolish slavery under the treaty-making power. That is one. Mr. Giddings, of Ohio, said :

www.libtool.com.cn

"I would not be understood as desiring a servile insurrection ; but I say to southern gentlemen, that there are hundreds of thousands of honest and patriotic men who 'will laugh at your calamity, and will mock when your fear cometh.' I would intimidate no man ; but I tell you there is a spirit in the North which will set at defiance all the low and unworthy machinations of this Executive, and the minions of its power. When the contest shall come ; when the thunder shall roll, and the lightning shall flash ; when the slave shall rise in the South ; when, in imitation of the Cuban bondmen, the southern slaves of the South shall feel that they are men ; when they feel the stirring emotions of immortality ; when the slaves shall feel that, the masters shall turn pale and tremble ; when their dwellings shall smoke, the lovers of freedom shall stand forth and exert the legitimate powers of this Government for freedom. We shall then have constitutional power to act for the good of our country, and do justice to the slave. Then we shall strike off the shackles from the hands of the slaves."

This plan was through insurrection, availing the General Government of the power of interference.

Mr. SEWARD, if the reports of the day are to be believed, says that, in the settlement of this question, slavery is not to be regarded ; in other words, he draws back from his denunciations, and sinks his doctrine of an irrepressible conflict.

He has also his peculiar plans. In his Rochester speech he declares, if reported correctly, and I am not aware of any contradiction of the popular version, what may be called the corollary to his remarks at Lansing :

"I will favor as long as I can, within the limits of constitutional action, the decrease and diminution of African slavery in *all* the States."

At Rochester :

"It is true that they [the fathers] necessarily and wisely modified this policy of freedom, by leaving it to the several States, affected as they were by different circumstances, to abolish slavery in their own way, and at their own pleasure, instead of confiding that duty to Congress."

* * * * *

"But the very nature of these modifications fortifies my position that the fathers knew that the two systems could not endure within the Union, and expected that within a short period slavery would disappear forever. Moreover, in order that these modifications might not altogether defeat their grand design of a republic maintaining universal equality, they provided that two-thirds of the States might amend the Constitution."

But even for him there is still a lower deep.

In his Lansing speech he is reported as having said that it was his "duty as a patriot" to go for having "no Army and Navy" of the Union, because their "whole object" was "that slaves may not escape from the slave States into the free, and that freed or emancipated negroes in the free States may not enter and introduce civil war into the slave States, and because that, if we provoke a foreign enemy, the southern frontier is exposed to invasion from England, France, and Spain." Here is an invocation of the war-making power.

It remained for the President elect to cap the climax by presenting a fifth mode reaching, in assumption of power by the General Government, far beyond the most

dreamy conception of the most ultra disciple of the latitudinarian school. He speaks of "the further spread of slavery," the restrictions of which will, he predicts, "place it where the public mind will rest in the belief that it is in the course of ultimate extinction." "We know," says he, "the opening of new countries tends to the perpetuation of the institution, and so does keep men in slavery who would otherwise be free." "Nothing," he again says, "will make you successful, but setting up a policy which shall treat the thing as wrong." "This Government is expressly charged with the duty of providing for the general welfare. We believe that the spreading out and perpetuity of the institution of slavery impairs the general welfare." "To repress this thing, we think, is providing for the general welfare."

Now, will any unprejudiced mind fail to concede that here exist causes of alarm; that prudence, indeed, would dictate demands for new guards for our future security, and that if these are refused, if every effort to secure them is exhausted, if the cool, unimpassioned judgment of the North should refuse us reparation, we should be justified in the ultimate measure—secession. Let us listen to a voice from your own section, Mr. Speaker. Mr. Fillmore said:

"We see a political party presenting candidates for the Presidency and Vice-Presidency selected, for the first time, from the free States alone, with the avowed purpose of electing these candidates by the suffrages of one part of the Union only, to rule over the whole United States. Can it be possible that those who are engaged in such a measure can have seriously reflected upon the consequences which must inevitably follow in case of success? Can they have the madness or the folly to believe that our southern brethren would submit to be governed by such a Chief Magistrate?"

"Suppose that the South, having a majority of the electoral vote, should declare that they would have only slaveholders for President and Vice-President, and should elect such by their exclusive suffrage to rule over us at the North: do you think you would submit to it? No; not for a moment. And do you believe that your southern brethren are less sensitive on this subject than you are; or less jealous of their rights? If you do, let me tell you that you are mistaken; and therefore you must see that if this sectional party succeeds, it leads inevitably to the destruction of this beautiful fabric, reared by our forefathers." * * * * *

"I tell you we are treading on the brink of a volcano, that is liable, at any moment, to burst forth and overwhelm the nation."

It will be seen, sir, that Mr. Fillmore, whose career as the Chief Executive of these States had given large opportunities to sound the depths of public opinion, to ascertain the temper and dispositions of the southern people, and whose opinions from these causes, as well as from his admitted intellect, prudence, and patriotism, were entitled to great weight, took care, at an early day, solemnly to warn his own people of the consequences likely to flow from their acts. He declares that the election of such a ticket would cause the South to resist. He declares such a resistance would be natural, and argues it would be justifiable. Nay, he goes further, and asserts boldly that, *mutatis mutandis*, the North would do that very thing the doing of which calls down upon the heads of the southern people the anathemas of the North, eager to brand a generous and impulsive people, with the terms of reproach, so flippantly indulged in, of rebels and traitors. There was a time when Warren and Hancock and Adams and Quincy were branded as traitors, and when North Carolina and South Carolina, themselves unoppressed, without cause of complaint against the parent Government, drew their swords and leaped to the defence of their sister.

I have neither time nor inclination to discuss this much mooted point of secession. My opinions upon it are embraced in a letter from Macon, the good, my own

countryman, written more than twenty-five years ago, which I take liberty of incorporating in my remarks :

“BUCK SPRING, *February 9, 1833.*

“SIR : I have received your letter of the 24th ultimo. There can be no doubt that the United States are in a deplorable situation, and that the publication of the opinion you desire would be useless. It has never been a secret, and always stated to those who wanted to know ~~liberty~~ ^{liberty} in the year 1824, the Constitution was buried in the Senate—the Senators who were then present will, it is believed, recollect the fact—and never afterwards quoted by me while I remained in the Senate. The opinions of General Washington, Mr. Jefferson, and Governor Clinton are known, but not respected. I have never believed that a State could nullify and remain in the Union ; *but I have always believed that a State might secede when she pleased*, provided that she would pay her proportion of the public debt ; and this right I have considered the best guard to public liberty and to public justice that could be desired, and it ought to have prevented what is now felt in the South—oppression.

“The proclamation contains principles as contrary to what was the Constitution as nullification. It is the great error of the Administration ; which, except that, has been satisfactory in a high degree to the people who elected the President.

“When confederacies begin to fight, liberty is soon lost, and the Government as soon changed. A Government of opinion, established by sovereign States for special purposes, cannot be maintained by force. The use of force makes enemies, and enemies cannot live in peace under such a Government.

“The case of South Carolina is as different from that of Pennsylvania as any two cases can be. In 1816, the system which now oppresses the South was begun. It was then opposed. In 1824 the Constitution was buried. Senators who were then in the Senate will no doubt recollect. (Repetition—old age will tell.) Time to quit.

“Yours very truly,

“NATHANIEL MACON.

“HON. SAMUEL P. CARSON.”

With six of the States it is an accomplished fact ; and it would more avail to endeavor to render its further progress unnecessary, than to engage in nice discussion as to its nature and effect.

But you, as the great remedy, suggest coercion. Coercion ! Can you for a minute suppose you can force upon the South a foreign domination ? Do you think twelve million people, should they think fit to assert their independence, can be forced to pay tribute to you, or any other earthly power ? You mistake the temper and the character of our people. Sir, history is said to be philosophy teaching by example. Have you read the story of the struggles of our fathers ? Have you not heard how an obstinate Prince and an infatuated minister lost to England the priceless gem with which her diadem was studded ?

Pass back to the times of the great Revolution. I would I had time to quote at length the able, common-sense view of this question of coercion, as expounded by the enlightened Cruger, in 1774, in the British Parliament—a man who, I am proud to say, drew his existence from the soil of Massachusetts. I have time to quote but a single paragraph :

“The expediency of coercive measures is much insisted upon by some, who, I am sorry to say, seem to consider more the distress and difficulty into which they may involve the South, than the benefit they can procure from such vindictive conduct. in this country. Humanity, however, will prompt the generous mind to weep over severities even when they are necessary. And the prudent statesman will reflect that the South cannot suffer without injury to the North. They are your customers ; they consume your manufactures ; and by disturbing them, if you do not drive them out to foreign markets, you will at least disable them from taking your commodities, and from making you adequate returns for what they have taken.”

But suppose you pushed your coercion to subjugation ; suppose your arms to have triumphed ;—what then ? Hear, upon that point, the words of wisdom which fell from the lips of the patriot Jackson, in his Farewell Address to our people :

“ If such a struggle is once begun, and the citizens of one section of the country arrayed in arms against those of another in doubtful conflict, let the battle result as it may, there will be an end of the Union, and with it an end of the hopes of freedom. The victory of the injured would not secure to them the blessings of liberty ; it would avenge their wrongs, but they themselves would share in the common ruin.”

I cite these remarks to show the opinion of a great mind as to the probability of a reconstruction of the Union if blood be shed in conflict. It was natural that this great man, the very pulsation of whose heart was for his country, and his whole country, should have taken a strong and gloomy view of the condition of things beyond a disruption, and that especially upon the occasion which led him to address the country.

Sir, if blood be unjustly shed in this quarrel, believe me, all hope of reconciliation is gone.

This Union, after such catastrophe, can never be reconstructed, Like one of those beautiful vases from Etruria, which has descended to us from remote antiquity, once broken into fragments, all the craft of the potter cannot restore it to its pristine integrity. No, sir ; this Union cannot be held together by force—by any other cohesion than that of affection. Do not rely in such contest upon your admitted superiority in wealth and population.

But you will have to come to invade us upon our soil. Perhaps, it has been said, no instance is to be found in the civilized world where a nation was conquered at its own door, unless betrayed by traitors at home, or by their own abject submission. The southern States have not reached either of these points. You may come among us with the star-spangled banner of our once happy Union, around which gather rich recollections ; but no piece of bunting, star-and-stripe it all over as you may, can make us untrue to the home of our birth and affection. Let there be no strife between us, I pray you. But if you persist in it, come on. *Aut cita mors, aut lata victoria.*

Mr. Speaker, let me say a word for South Carolina. Her people are our kindred in blood, and bear the same honored name which we do. She is without representation on this floor, or in the Senate ; and I cannot suffer to pass over the unkind reflections upon her, the studied misrepresentation of all her acts and doings, without a word in her defense. It is easy to accuse our neighbor of acts done under excitement. The charitable mind would indeed search for excuse and apology for rash conduct on the part of friends. You accuse her of precipitancy. The wrongs she has suffered, in common with her sisters, I have endeavored to portray to you. Posterity must judge.

You accuse her of perfidy in seizing the forts in her harbor. Massachusetts revolted during the war of 1812. She sent ambassadors here to treat of partition. She declared the annexation of Texas cause of dissolution ; and in 1837, because the Government thought proper to collect the postages in change, she in solemn meeting debated, in Faneuil Hall, resolutions of resistance, peaceably if she could, forcibly if necessary—resistance at all hazards. The papers of the day treat the excitement as fearful, threatening revolution. Indeed, Mr. Abbot Lawrence declared that possibly in a week the crew might have to rise and forcibly seize the ship. But this was in loyal Massachusetts, not in rebellious South Carolina.

Now, let me reverse the case. Suppose a party came into existence upon a platform something like the Chicago platform, which, instead of repressing slavery in any State, should impose it upon certain others. Suppose that party had triumphed, had elected its President, and had a prospective possession of the Senate and of the House; and suppose its forts, which command the city of Boston, were to be reinforced and garrisoned by mercenary soldiers, whose intention was to overawe the State of Massachusetts, how long a time do you think would elapse before the people of Massachusetts would take possession and garrison those forts? Before you could walk over the Long Bridge they would take those forts; and they would do right, If they did not, they would be unworthy of the name of those who threw the tea overboard in Boston harbor, in the days of the Revolution. Let me say thus much in behalf of South Carolina—a State which has illustrated your political history, and given to you great statesmen, “immortal names which were not born to die,” and which has on the field of arms, when the national honor was to be vindicated, poured out her blood like water.

I ask you to take warning from the events which are rapidly occurring. I acknowledge myself anxious to save the Union. I do not know that it can be saved. Perhaps it cannot be. The probabilities are that it cannot be, in its former integrity. If it can be, it is only by securing the border States to you, and availing yourself of their influence and their example upon the Gulf States. I know that the apprehensive faculties of the North have scarcely been awakened to the real condition of things.

But, look around you and observe these vacant seats. From the fretted roof which adorns this hall, are suspended the shields of the seceding States. There are glassed their emblems and their ensigns. I see the green palmetto of South Carolina, but under its shadow sits no son of hers. I see the Georgian temple of liberty, but no son of hers guards its sacred portals. Do not push us too far. Do not flatter yourselves that we shall succumb from weakness. Much as I might value the honorable maintenance of the Union, I have no fears for a southern confederacy. The tempest may indeed howl, and the red lightning glare; there may be strife and commotion in the political element, occasionally, dark clouds may overcast the political heavens, but in the intervals of succession shall brightly burn those fifteen stars which form the Southern constellation, signs and tokens forever.

