THE CAROLINA SPARTAN.

BY CAVIS & TRIMMIER. Devoted to Southern Rights, Politics, Agriculture, and Miscellany. $2 PER ANNUM.

VOL. XIII. SPARTANBURG, S. C., THURSDAY, DECEMBER 18, 1856. NO. 43.

THE CAROLINA SPARTAN.
BY CAVIS & TRIMMIER.

T. O. P. VERNON, Associate Editor.

Price Two Dollars per annum in advance, or $2.50 at the end of the year. If not paid until after the year expires $3.00.
Payment will be considered in advance if made within three months.
No subscription taken for less than six months.
Money may be remitted through postmasters at our risk.

Advertisements inserted at the usual rates, and contracts made on reasonable terms.
The Spartan circulates largely over this and adjoining districts, and offers an admirable medium to our friends to reach customers.
Job work of all kinds promptly executed.
Blanks, Law and Equity, continually on hand or printed to order.

CAROLINA SPARTAN.

RE-OPENING THE SLAVE TRADE.

The New York Journal of Commerce indulges remark upon the proposition of Gov. Adams, in his message, to re-open the slave trade. We make a brief extract:

"The argument of the impracticability of its revival is of itself conclusive against the agitation of any plan to effect it. By the common consent of civilized States, the slave trade is declared to be piracy. It is so stigmatized, and made punishable with the penalty applicable to that offence, by act of Congress, and also in the treaty by which the United States has bound itself to co-operate with a naval force employed on the coast of Africa to repress its pursuit by contraband dealers. The whole of Europe is united in a like condemnation of the trade, and nearly all the European States have bound themselves reciprocally to exercise and admit the right of search with a view to secure the detection and punishment of persons engaged in it. The United States, impelled by a traditional policy to resist the employment, even for ends which this government approves, of an instrumentality which dear-bought experience has taught her is capable of being abused to the derogation of the sovereignty of her flag, refused to accept the proposition of the European powers for a mutual right of search. But, not to show less earnestness in the desire to repress a traffic which, in the circumstances that attend it, is revolting to the humanity of the age, our government stipulated to maintain an efficient squadron upon the African coast, and to employ it in the repression of slave dealing; and for many years we have executed this engagement, with an efficiency attested by numerous captures, and with a preventive influence which has operated to the great discouragement and diminution of the trade. But one sentiment prevails at the North on the subject of the slave trade, and that sentiment fully affirms the policy of the law and the means adopted by the Federal government to enforce its execution. We have no hesitation in saying, that if the legalizing of the slave trade, in opposition to what is now recognised as public law by all civilized nations, were made by any of the States in the Confederacy the condition of a continued voluntary adherence to the Union, there would still prevail the same uniform and decided opposition to the retrogressive action demanded which now exists, and that, if need were, that opposition would be embodied in resistance to be effectually exerted at whatever hazard. We say this under no apprehension that any serious attempt is ever likely to be make to accomplish that object.

There is so much of good feeling towards Gov. Adams in the concluding paragraph of its article, that we must reproduce it:

"We knew Gov. Adams before he entered upon the sphere of public life. The promise of his youth, his rare intelligence, large acquirements, and the manliness and elevation of his character, commanded the admiration of his associates, and enlisted their sympathies for his success; and we have watched the rapid progress of his political career, with anticipations that blended interest in his personal triumphs, with cherished expectations that his matured abilities would be devoted to the promotion of the prosperity, the stability, and the glory of a common country. We trust, yet, however present influences may operate to swerve him from the path of a larger patriotism, that time and reflection will moderate his views, and that he will come eventually to see his own personal honor and the welfare of his beloved State alike involved in the studious prosecution of a policy which seeks, by conciliating and harmonizing the views and interests of communities spread over the breadth of a continent, to strengthen the nationality and promote the perpetuity of the Republic."

John C. Breckinridge.—A Kentucky correspondent of the New York Journal of Commerce writes to correct some misstatements with regard to John C. Breckinridge, the Vice President elect, and gives the following biographical sketch:

"Major Breckinridge's father, the late Joseph Cabell Breckinridge, a most eminent citizen of Kentucky, died at early age, in 1823, leaving his only son, John; an infant not quite three years old; leaving several daughters and a young widow, who was a daughter of Dr. Samuel Stanhope Smith, of New Jersey, a grand-daughter of Dr. John Witherspoon, of Revolutionary memory, and a lineal descendant of the great John Knox, the Scotch Reformer. From the death of his father, till he graduated at the college of Danville, Ky., under the care of his brother-in-law, Dr. John C. Young, then and now President of that college—which he did when about seventeen years old—he was supported by his father's mother. That venerable lady, now nearly eighty years of age, was left a widow in early life by the death of that John Breckinridge who was so distinguished a leader of the old Democratic party in the days of Adams and Jefferson, and has devoted all her subsequent life and all her ample fortune to acts of generosity, and to her children and their posterity—having lived to bless four generations of them.

"As soon as Major Breckinridge quit college he commenced the study of law with Judge Wm. Osley; and it was this gentleman who afterwards, as Governor of Centucky, gave him the commission of Major in one of the Kentucky regiments which went to Mexico—an extraordinary mark of personal confidence, as was thought at the time, fully justified by the young man's conduct in the army. Before he was of full age, or about that time, he and Thomas W. Bullock, Esq., a native of Kentucky, and now a lawyer of Lexington, in that State, commenced the practice of law at Burlington, Iowa; whence, after a year or two, both of them returned to Kentucky, and Major Breckinridge married a Miss Burch, of Scott county, (a lady of moderate fortune and great excellence,) and settled in the county town of that county (Georgetown) in the practice of the law. Not long afterwards he removed to Lexington, where, I believe, he was born, and where he has resided for ten or twelve years past. He was elected twice to the Legislature of Kentucky, twice to Congress, and now Vice President. He is a lawyer in full practice; about 36 years old; possessed of moderate, perhaps hardly competent fortune, considering his public position, and is the father of five or six young children. This is just the unvarnished truth of the career of Major B. from his birth till this day."

A caricature appeared in the streets of New York, the other day, representing a pine coffin, made at the public expense, with the following inscription, viz: The last remains of James Gordon Bennett, who came to an untimely end by the late explosion in Pennsylvania:

'Peaceful be my silent slumbers,
Horace Greeley close my eyes;
We were beat for want of numbers,
Wake me up when Fremont dies.'

Bladensburg, Md., was the scene of another *quasi* duel on the 3d instant, between Charles Irving and Mr. Bagly, of Lynchburg, Va. Mr. Keitt was on the ground. The affair was settled amicably, without a fight.

In the North Carolina Legislature it has been proposed to remove Raleigh to some place where the moon shines.

The reciprocity tariff between the United States and Canada imposes a prohibitory duty on milk. To evade the tax, the Canadians drive their cows over the line and milk them in this country!

The Boston Post characterizes the Hon. Mr. Sumner's letter to the Burlingame banquet, "as cool a specimen of arrogant insolence, of pompous conceit, and dogmatic denunciations as vanity and malignity could inspire."

As the services of Col. Titus will soon be dispensed with in Kansas, it is thought that he will repair to Nicaragua with 100 volunteers.

The Carolinian reports the death, by suicide, in Columbia, on the 4th instant, of Julius Ballard, of Sumter. The same paper states that Smith Hoyt, a house mover residing in that city, while moving a house in Sumter, was caught under a falling chimney, and paralyzed in his lower limbs.

The court of Louis Napoleon is waging war upon small bonnets. The present styles are velvet, with large brims, called *chapeaux de l'alliance*.

A conspiracy to assassinate Louis Napoleon miscarried on the 6th ult.—one of the accomplices having revealed the plot. Sixty have been arrested.

The Washington correspondent of the New York Times says that Gen. Cass positively denies that Mr. Buchanan has tendered to him the State Department.

A Lost Party.—What has become of the Abolitionists? At the Presidential election in 1844, Birney, the Abolition candidate, received 66,304 votes, of which nearly half were from New York, Pennsylvania and Ohio. At the Presidential election in 1852, John P. Hale, the Abolition candidate, received 157,296 votes, of which 65,535 were from the above mentioned States. At the recent election, the same States gave Gerrit Smith, the Abolition candidate, only 334 votes, viz: New York, 160; Pennsylvania, 18; Ohio, 156. Now the question is, what has become of the 30,000 Abolitionists in the above States, who voted for Birney in 1844, and the 65,000 who voted for Hale in 1852. Are they all *abolished* except 344? or what has become of them? Surely it cannot be that they are a part and parcel of the Black Republican party! and that they have found there a more congenial home than on their own soil! for we are told by individuals of that party that they [the individuals] are eminently conservative; and it is not easy for vinegar and nitre to dwell together in unity. But leaving this nice point to be settled by the parties in interest, we will only remark, that if the Abolition vote at the Presidential election in 1852 had been added, as now, to that of the leading opposition candidate, Gen. Scott would have come within 50,000 or 60,000 votes of an election. Again, if in 1844 the Abolition vote had been added, as now, to that of the leading opposition candidate, Henry Clay would have been elected instead of Polk. Yet in 1856, Buchanan is elected by more than 500,000 majority over the leading opposition candidate, although the latter received the united support of all the abolitionists except a mere handful. It is necessary to take this into the account, before we can justly appreciate the greatness of the triumph achieved by the Democrats.—*Journal of Commerce.*

A Battle between Chinese.—The Stockton (California) Argus has the following account of a Chinese battle:

A pitched battle came off on Saturday morning last at the Rock River Ranch, in Stanislaus county. The Hongkong Chinese came down to the Rock River Ranch, pitched their camp and challenged the Canton Chinese to a fight. The challenge was accepted. On Saturday morning the parties prepared for battle; the Hongkongs were being armed with war clubs, spears and other Chinese weapons, among which the gong was a prominent feature; but the Canton men showed some degree of civilization by the use of muskets. The parties met, when the Canton men poured a volley of muskery on the Hongkongs, which killed their chief and two others, when the Hongkongs ingloriously fled. The Canton men exhausted their vengeance upon the dead chieftain by cutting him up in a *thousand pieces*. The whole number engaged in the fight was seventeen hundred. None of the Canton men were injured. It was a very unfortunate battle, as so few were killed. About 5,000 Americans witnessed the fight, as due notice of the battle had been given, so as to give the miners a chance to witness the sight. The officers of the law undertook to stop the fight, but they could do nothing. One of them had his horse shot from under him. The Chinese warriors have all dispersed.

It is computed that the production of whiskey in the Ohio valley reaches 50,000,000 gallons—consuming 12,500,000 bushels corn, and selling for $5,000,000!

The Decline of Religion.—A correspondent of the New York Journal of Commerce says: "There has been a remarkable decline in matters of religious interest for about ten years past, especially in the Northern States. The last feature of this decline is the scarcity of faithful ministers of the Gospel. If any one doubts this, we can send facts and figures.' We attribute it almost entirely to the fact of a large portion of the people and a corresponding portion of the clergy and religious presses being absorbed in the ever annoying theme of anti-slavery. We now hope that there is a 'good time coming,' as the bubble has burst."

"The Slave Trade."—Mr. N. P. Banks is noted for making his own history as well as facts. In his "great speech" in Wall street, he invented statistics. Last night he tried his hand on history, and informed his audience that the continuance of "the slave trade" until 1808 was a concession to the South. Now, the truth is, the very reverse is the fact. Rhode Island and Massachusetts voted to have it continued until 1820, as they were directly interested in the traffic, while a majority of the Southern States voted for its discontinuance in 1798. The compromise of 1808 was wholly and totally a concession to the North. Mr. Banks speaks of such a thing as "poetic justice;" we suppose the portion of his speech referred to is a specimen of it, for surely it is entirely imaginary.—*New York Day Book.*

Foretelling the Weather.—E. Meriam, of Brooklyn, N. Y., who has been called the "clerk of the weather," and who for twenty years has made himself a martyr to meterology by taking *hourly* observations of the thermometer, barometer, &c., thus strips the "weather-wise" of their gift of prophesy:

"With all my practice and experience in observing of atmospheric changes and recording hour by hour and day by day thermometrical and meterological observations, and in connection with simultaneous observations made and recorded elsewhere, I feel more and more convinced that it is not in the power of any human being to determine even a single day in advance what changes will take place in the atmosphere."

The New York Courier & Enquirer comes out with an article to show that the Sugar interests at the South are not benefitted by the duties upon foreign Sugar, and that Congress should take the question up at an early day, and repeal the tax. This is sensible, to say the least of it. This is the only act of special legislation intended for the benefit of the South, and as a departure therefore from that wiser policy which considers only the interests of the North.

Extract from the President's Message.

The Constitution requires that the President shall, from time to time, not only recommend to the consideration of Congress such measures as he may judge necessary and expedient, but also that he shall give information to them of the state of the Union. To do this fully involves exposition of all matters in the actual condition of the country, domestic or foreign, which essentially concern the general welfare. While performing his constitutional duty in this respect, the President does not speak merely to express personal convictions, but as the executive minister of the government, enabled by his position, and called upon by his official obligations, to scan with an impartial eye the interests of the whole, and of every part of the United States. * * * * *

In the brief interval between the termination of the last and the commencement of the present session of Congress, the public mind has been occupied with the care of selecting, for another constitutional term, the President and Vice President of the United States.

The determination of persons, who are of right, or contingently, to preside over the administration of the government, is, under our system, committed to the States and the people. We appeal to them, by their voice pronounced in the forms of law, to call whomsoever they will to the high post of Chief Magistrate.

And thus it is that as the senators represent the respective States of the Union, and the members of the House of Representatives the several constituencies of each State, so the President represents the aggregate population of the United States. Their election of him is the explicit and solemn act of the sole sovereign authority of the Union.

It is impossible to misapprehend the great principles, which, by their recent political action, the people of the United States have sanctioned and announced.

They have asserted the constitutional equality of each and all of the States of the Union as States; they have affirmed the constitutional equality of each and all of the citizens of the United States as citizens, whatever their religion, wherever their birth or their residence; they have maintained the inviolability of the constitutional rights of the different sections of the Union; and they have proclaimed their devoted and unalterable attachment to the Union and to the constitution, as objects of interest superior to all subjects of local or sectional controversy, as the safeguard of the rights of all, as the spirit and the essence of the liberty, peace, and greatness of the Republic.

In doing this, they have, at the same time, emphatically condemned the idea of organizing in these United States mere geographical parties; of marshalling in hostile array towards each other the different parts of the country, North or South, East or West.

Schemes of this nature, fraught with incalculable mischief, and which the considerate sense of the people has rejected, could have had countenance in no part of the country, had they not been disguised by suggestions plausible in appearance, acting upon an excited state of the public mind, induced by causes temporary in their character, and it is be hoped transient in their influence.

Perfect liberty of association for political objects, and the wildest scope of discussion, are the received and ordinary conditions of government in our country. Our institutions, framed in the spirit of confidence in the intelligence and integrity of the people, do not forbid citizens, either individually or associated together, to attack by writing, speech, or any other methods short of physical force, the Constitution and the very existence of the Union. Under the shelter of this great liberty, and protected by the laws and usages of the government they assail, associations have been formed, in some of the States, of individuals, who, pretending to seek only to prevent the spread of the institution of slavery into the present or future inchoate States of the Union, are really inflamed with desire to change the domestic institutions of existing States. To accomplish their objects, they dedicate themselves to the odious task of depreciating the government organization which stands in their way, and of calumniating, with indiscriminate invective, not only the citizens of particular States, with whose laws they find fault, but all others of their fellow-citizens throughout the country who do not participate with them in their assaults upon the Constitution, framed and adopted by our fathers, and claiming for the privileges it has secured, and the blessings it has conferred, the steady support and grateful reverence of their children. They seek an object which they well know to be a revolutionary one. They are perfectly aware that the change in the relative condition of the white and black races in the slaveholding States, which they would promote, is beyond their lawful authority; that to them it is a foreign object; that it cannot be effected by any peaceful instrumentality of theirs; that for them, and the States of which they are citizens, the only path to its accomplishment is through burning cities, and ravaged fields, and slaughtered populations, and all there is most terrible in foreign, complicated with civil and servile war; and that the first step in the attempt is the forcible disruption of a country embracing in its broad bosom a degree of liberty, and an amount of individual and public prosperity, to which there is no parallel in history, and substituting in its place hostile governments, driven at once and inevitably into mutual devastation and fratricidal carnage, transforming the now peaceful and felicitous brotherhood into a vast permanent camp of armed men, like the rival monarchies of Europe and Asia. Well knowing that such, and such only, are the means and the consequences of their plans and purposes, they endeavor to prepare the people of the United States for civil war by doing everything in their power to deprive the Constitution and the laws of moral authority, and to undermine the fabric of the Union by appeals to passion and sectional prejudices, by indoctrinating its people with reciprocal hatred, and by educating them to stand face to face as enemies, rather than shoulder to shoulder as friends.

It is by the agency of such unwarrantable interference, foreign and domestic, that the minds of many, otherwise good citizens, have been so inflamed into the passionate condemnation of the domestic institutions of the southern States, as at length to pass insensibly to almost equally passionate hostility towards their fellow-citizens of those States, and thus finally to fall into temporary fellowship with the avowed and active enemies of the constitution. Ardently attached to liberty in the abstract, they do not stop to consider practically how the objects they would attain can be accomplished, nor to reflect that, even if the evil were as great as they deem it, they have no remedy to apply, and that it can be only aggravated by their violence and unconstitutional action. A question, which is one of the most difficult of all the problems of social institution, political economy and statesmanship, they treat with unreasoning intemperance of thought and language. Extremes beget extremes. Violent attack from the North finds its inevitable consequence in the growth of a spirit of angry defiance at the South. Thus in the progress of events we had reached that consummation, which the voice of the people has now so pointedly rebuked, of the attempt of a portion of the States, by a sectional organization and movement, to usurp the control of the government of the United States.

I confidently believe that the great body of those who inconsiderately took this fatal step are sincerely attached to the Constitution and the Union. They would, upon deliberation, shrink with unaffected horror from any conscious act of disunion or civil war. But they have entered into a path, which leads nowhere, unless it be to civil war and disunion, and which has no other possible outlet. They have proceeded thus far in that direction in consequence of the successive stages of their progress having consisted of a series of secondary issues, each of which professed to be confined within constitutional and peaceful limits, but which attempted indirectly what few men were willing to do directly, that is, to act aggressively against the constitutional rights of nearly one-half of the thirty-one States.

In the long series of acts of indirect aggression, the first was the strenuous agitation, by citizens of the northern States, in Congress and out of it, of the question of negro emancipation in the southern States.

The second step in this path of evil consisted of acts of the people of the northern States, and in several instances of their governments, aimed to facilitate the escape of persons held to service in the Southern States, and to prevent their extradition when reclaimed according to law and in virtue of express provisions of the Constitution. To promote this object, legislative enactments and other means were adopted to take away or defeat rights which the Constitution solemnly guarantied. In order to nullify the then existing act of Congress concerning the extradition of fugitives from service, laws were enacted in many States, forbidding their officers, under the severest penalties, to participate in the execution of any act of Congress whatever. In this way that system of harmonious co-operation between the authorities of the United States and of the several States for the maintenance of their common institutions, which existed in the early years of the Republic, was destroyed; conflicts of jurisdiction came to be frequent; and Congress found itself compelled, for the support of the Constitution, and the vindication of its power, to authorize the appointment of new officers charged with the execution of its acts, as if they and the officers of the States were the ministers, respectively, of foreign governments in a state of mutual hostility, rather than fellow magistrates of a common country, peacefully subsisting under the protection of one well constituted Union. Thus here, also, aggression was followed by reaction; and the attacks upon the Constitution at this point did but serve to raise up new barriers for its defence and security.

The third stage of this unhappy sectional controversy was in connexion with the organization of territorial governments and the admission of new States into the Union. When it was proposed to admit the State of Maine, by separation of territory from that of Massachusetts, and the State of Missouri, formed of a portion of the territory ceded by France to the United States, representatives in Congress objected to the admission of the latter, unless with conditions suited to particular views of public policy. The imposition of such a condition was successfully resisted. But, at the same period, the question was presented of imposing restrictions upon the residue of the territory ceded by France. That question was, for the time, disposed of by the adoption of a geographical line of limitation.

In this connexion it should not be forgotten that France, of her own accord, resolved, for considerations of the most far sighted sagacity, to cede Louisiana to the United States, and that accession was accepted by the United States, the latter expressly engaging that "the inhabitants of the ceded territory shall be incorporated in the Union of the United States, and admitted as soon as possible, according to the principle of the Federal Constitution, to the enjoyment of all the rights, advantages, and immunities of citizens of the United States; and in the meantime they shall be maintained and protected in the free enjoyment of their *liberty, property*, and the religion which they profess"—that is to say, while it remains in a territorial condition, its inhabitants are maintained and protected in the free enjoyment of their liberty and property, with a right then to pass into the condition of States.

The enactment, which established the restrictive geographical line, was acquiesced in rather than approved by the States of the Union. It stood on the statute book, however, for a number of years; and the people of the respective States acquiesced in the re-enactment of the principle as applied to the State of Texas: and it was proposed to acquiesce in its further application to the territory acquired by the United States from Mexico. But this proposition was successfully resisted by the representatives from the Northern States, who, regardless of the statute line, insisted upon applying restriction to the new territory generally, whether lying north or south of it, thereby repealing it as a legislative compromise, and, on the part of the North, persistently violating the compact, if compact there was.

Thereupon this enactment ceased to have binding virtue in any sense, whether as respects the North or the South: and so in effect it was treated on the occasion of the admission of the State of California, and the organization of the Territories of New Mexico, Utah and Washington.

Such was the state of this question, when the time arrived for the organization of the Territories of Kansas and Nebraska. In the progress of constitutional inquiry and reflection, it had now at length come to be seen clearly that Congress does not possess constitutional power to impose restrictions of this character upon any present or future State of the Union. In a long series of decisions, on the fullest argument, and after the most deliberate consideration, the Supreme Court of the United States had finally determined this point, in every form under which the question could arise, whether as affecting public or private rights—in questions of the public domain, of religion, of navigation, and of servitude.

The several States of the Union are, by force of the Constitution, co-equal in domestic legislative power. Congress cannot change a law of domestic relation in the State of Maine; no more can it in the State of Missouri. Any statute which proposes to do this is a mere nullity; it takes away no right, it confers none. If it remains on the statute book unrepealed, it remains there only as a monument of error, and a beacon of warning to the legislator and the statesman. To repeal it will be only to remove imperfection from the statutes, without affecting, either in the sense of permission or of prohibition, the action of the States or of their citizens.

Still, when the nominal restriction of this nature, already a dead letter in law, was in terms repealed by the last Congress, in a clause of the act organizing the Territories of Kansas and Nebraska, that repeal was made the occasion of a wide spread and dangerous agitation.

It was alleged that the original enactment being a compact of perpetual moral obligation, its repeal constituted an odious breach of faith.

An act of Congress, while it remains unrepealed, more especially if it be constitutionally valid in the judgment of those public functionaries whose duty it is to pronounce on that point, is undoubtedly binding on the conscience of each good citizen of the Republic. But in what sense can it be asserted that the enactment in question was invested with perpetuity and entitled to the respect of a solemn compact? Between whom was the compact? No distinct contending powers of the government, no separate sections of the Union, treating as such, entered into treaty stipulations on the subject. It was a mere clause of an act of Congress, and like any other controverted matter of legislation, received its final shape and was passed by compromise of the conflicting opinions or sentiments of the members of Congress. But if it had moral authority over men's consciences, to whom did this authority attach? Not to those of the North, who had repeatedly refused to confirm it by extension, and who had zealously striven to establish other and incompatible regulations upon the subject. And if, as it thus appears, the supposed compact had no obligatory force as to the North, of course it could not have had any as to the South, for all such compacts must be mutual and of reciprocal obligation.

It has not unfrequently happened that law-givers, with undue estimation of the value of the law they give, or in the view of imparting to it peculiar strength, make it perpetual in terms; but they cannot thus bind the conscience, the judgment, and the will of those who may succeed them, invested with similar responsibilities, and clothed with equal authority. More careful investigation may prove the law to be unsound in principle. Experience may show it to be imperfect in detail and impracticable in execution. And then both reason and right combine not merely to justify, but to require its repeal.

The Constitution, supreme as it is over all the departments of the government, legislative, executive, and judicial, is open to amendment by its very terms; and Congress, or the States, may, in their discretion, propose amendment to it, solemn compact though it in truth is between the sovereign States of the Union. In the present instance, a political enactment, which had ceased to have legal power or authority of any kind, was repealed. The position assumed, that Congress had no moral right to enact such repeal, was strange enough, and singularly so in view of the fact that the argument came from those who openly refused obedience to existing laws of the land, having the same popular designation and quality as compromise acts; nay more, who unequivocally disregarded and condemned the most positive and obligatory injunctions of the Constitution itself, and sought, by every means within their reach, to deprive a portion of their fellow citizens of the equal enjoyment of those rights and privileges guarantied alike to all by the fundamental compact of our Union.

This argument against the repeal of the statute line in question was accompanied by another of congenial character, and equally with the former destitute of foundation in reason and truth. It was imputed that the measure originated in the conception of extending the limits of slave-labor beyond those previously assigned to it, and that such was its natural as well as intended effect; and these baseless assumptions were made, in the Northern States the ground of unceasing assault upon constitutional right.

The repeal in terms of a statute, which was already obsolete, and also null for unconstitutionality, could have no influence to obstruct or to promote the propagation of conflicting views of political or social institution. When the act organizing the Territories of Kansas and Nebraska was passed, the inherent effect upon that portion of the public domain thus opened to legal settlement was to admit settlers from all the States of the Union alike, each with his convictions of public policy and private interest, there to found in their discretion, subject to such limitations as the Constitution and acts of Congress might prescribe, new States, hereafter to be admitted into the Union. It was a free field, open alike to all, whether the statute line of assumed restriction were repealed or not. That repeal did not open to free competition of the diverse opinions and domestic institutions a field, which, without such repeal, would have been closed against them; it found that field of competition already opened, in fact and in law. All the repeal did was to relieve the statute-book of an objectionable enactment, unconstitutional in effect, and injurious in terms to a large portion of the States.

Is it the fact, that, in all the unsettled regions of the United States, if emigration be left free to act in this respect for itself, without legal prohibitions on either side, slave labor will spontaneously go every where, in preference to free labor? Is it the fact, that the peculiar domestic institutions of the Southern States possess relatively so much of vigor, that, wheresoever an avenue is freely open to all the world, they will penetrate to the exclusion of those of the Northern States? Is it the fact, that the former enjoy, compared with the latter, such irresistibly superior vitality, independence of climate, soil, and all other accidental circumstances, as to be able to produce the supposed result, in spite of the assumed moral and natural obstacles to its accomplishments, and of the more numerous population of the Northern States?

The argument of those, who advocate the enactment of new laws of restriction, and condemn the repeal of old ones, in effect avers that their particular views of government have no self-extending or self-sustaining power of their own, and will go no where unless forced by act of Congress. And if Congress do but pause for a moment in the policy of stern coercion; if it venture to try the experiment of leaving men to judge for themselves what institutions will best suit them; if it be not strained up to perpetual legislative exertion on this point; if Congress proceed thus to act in the very spirit of liberty, it is at once charged with aiming to extend slave labor into all the new Territories of the United States.

Of course, these imputations on the intentions of Congress in this respect, conceived as they were in prejudice, and disseminated in passion, are utterly destitute of any justification in the nature of things, and contrary to all the fundamental doctrines and principles of civil liberty and self-government.

While, therefore, in general, the people of the Northern States have never, at any time, arrogated for the federal government the power to interfere directly with the domestic condition of persons in the Southern States, but on the contrary have disavowed all such intentions, and have shrunk from conspicuous affiliation with those few who pursue their fanatical objects avowedly through the contemplated means of revolutionary change of the government, and with acceptance of the necessary consequences—a civil and servile war—yet many citizens have suffered themselves to be drawn into one evanescent political issue of agitation after another, appertaining to the same set of opinions, and which subsided as rapidly as they arose when it came to be seen, as it uniformly did, that they were incompatible with the compacts of the Constitution and the existence of the Union. Thus, when the acts of some of the States to nullify the existing extradition law imposed upon Congress the duty of passing a new one, the country was invited by agitators to enter into party organization for its repeal; but that agitation speedily ceased by reason of the impracticability of its object. So, when the statute restriction upon the institutions of new States, by a geographical line, had been repealed, the country was urged to demand its restoration, and that project also died almost with its birth. Then followed the cry of alarm from the North against imputed southern encroachments; which cry sprang in reality from the spirit of revolutionary attack on the domestic institutions of the South, and, after a troubled existence of a few months, has been rebuked by the voice of a patriotic people.

Of this last aggitation, one lamentable feature was, that it was carried on at the immediate expense of the peace and happiness of the people of the Territory of Kansas. That was made the battle field, not so much of opposing factions or interests within itself, as of the conflicting passions of the whole people of the United States. Revolutionary disorder in Kansas had its origin in projects of intervention, deliberately arranged by certain members of that Congress which enacted the law for the organization of the Territory. And when propagandist colonization of Kansas had thus been undertaken in one section of the Union, for the systematic promotion of its peculiar views of policy, there ensued, as a matter of course, a counter action with opposite views, in other sections of the Union.

In consequence of these and other incidents, many acts of disorder, it is undeniable, have been perpetrated in Kansas, to the occasional interruption, rather than the permanent suspension, of regular government. Aggressive and most reprehensible incursions into the Territory were undertaken, both in the North and South, and entered it on its northern border by the way of Iowa, as well as on the eastern by way of Missouri; and there has existed within it a state of insurrection against the constituted authorities, not without countenance from inconsiderate persons in each of the great sections of the Union. But the difficulties in that Territory have been extravagantly exaggerated for purposes of political agitation elsewhere. The number and gravity of the acts of violence have been magnified partly by statements entirely untrue, and partly by reiterated accounts of the same rumors of facts. Thus the Territory has been seemingly filled with extreme violence, when the whole amount of such acts has not been greater than what occasionally passes before us in single cities to the regret of all good citizens, but without being regarded as of general or permanent political consequence.

Imputed irregularities in the elections had in Kansas, like occasional irregularities of the same description in the States, were beyond the sphere of action the Executive. But incidents of actual violence or of organized obstruction of law, pertinaciously renewed from time to time, have been met as they occurred, by such means as were available and as the circumstances required; and nothing of this character now remains to affect the general peace of the Union. The attempt of a part of the inhabitants of the Territory to erect a revolutionary government, though sedulously encourged and supplied with pecuniary aid from active agents of disorder in some of the States, has completely failed. Bodies of armed men, foreign to the Territory, have been prevented from entering or compelled to leave it. Predatory bands, engaged in acts of rapine, under cover of the existing political disturbances, have been arrested or dispersed. And every well disposed person is now enabled once more to devote himself in peace to the pursuits of prosperous industry, for the prosecution of which he undertook to participate in the settlement of the Territory.

It affords me unmingled satisfaction thus to announce the peaceful condition of things in Kansas, especially considering the means to which it was necessary to have recourse for the attainment of the end, namely, the employment of a portion of the military force of the United States. The withdrawal of that force from its proper duty of defending the country against foreign foes or the savages of the frontier, to employ it for the suppression of domestic insurrection, is, when the exigency occurs, a matter of the most earnest solicitude. On this occasion of imperative necessity it has been done with the best results, and my satisfaction in the attainment of such results by such means is greatly enhanced by the consideration, that, through the wisdom and energy of the present Executive of Kansas, and the prudence, firmness and vigilance of the military officers on duty there, tranquillity has been restored, without one drop of blood having been shed in its accomplishment, by the forces of the United States.

The restoration of comparative tranquillity in that Territory furnishes the means of observing calmly, and appreciating at their just value, the events which have occurred there, and the discussions of which the government of the Territory has been the subject.

We perceive that controversy concerning its future domestic institutions was inevitable; that no human prudence, no form of legislation, no wisdom on the part of Congress, could have prevented this.

It is idle to suppose that the particular provisions of their organic law were the cause of agitation. Those provisions were but the occasion, or the pretext of an agitation, which was inherent in the nature of things. Congress legislated upon the subject in such terms as were most consonant with the principle of popular sovereignty which underlies our government. It could not have legislated otherwise without doing violence to another great principle of our institutions, the imprescriptible right of equality of the several States.

We perceive, also, that sectional interests and party passions have been the great impediment to the salutary operation of the organic principles adopted, and the chief cause of the successive disturbances in Kansas. The assumption that, because in the organization of the Territories of Nebraska and Kansas, Congress abstained from imposing restraints upon them to which certain other Territories had been subject, therefore disorders occurred in the latter Territory, is emphatically contradicted by the fact that none have occurred in the former. Those disorders were not the consequence, in Kansas, of the freedom of self-government conceded to that Territory by Congress, but of unjust interference on the part of persons not inhabitants of the Territory. Such interference, wherever it has exhibited itself, by acts of insurrectionary character, or of obstruction to processes of law, has been repelled or suppressed, by all the means which the Constitution and the laws place in the hands of the Executive.

In those parts of the United States where, by reason of the inflamed state of the public mind, false rumors and misrepresentations have the greatest currency, it has been assumed that it was the duty of the Executive not only to suppress insurrectionary movements in Kansas, but also to see to the regularity of local elections. It needs little argument to show that the President has no such power. All government in the United States rests substantially upon popular election. The freedom of elections is liable to be impaired by the intrusion of unlawful votes, or the exclusion of lawful ones, by improper influences, by violence or by fraud. But the people of the United States are themselves the all sufficient guardians of their own rights, and to suppose that they will not remedy, in due season, any such incidents of civil freedom, is to suppose them to have ceased to be capable of self-government. The President of the United States has not the power to interpose in elections, to see to their freedom, to canvass their votes, or to pass upon their legality in the Territories any more than in the States. If he had such power the government might be republican in form, but it