

Border State Conservatism and Political Abolition during the Civil War

The following documents help chart the political trajectory and strategy used by a Missouri politician, James Rollins, as he ran for office in central Missouri and later represented his district in the United State House of Representatives during the Civil War. The first two letters, written by Rollins to a political ally in the district named James Broadhead, describe Rollins's plan to win the district from his Democratic opponent. The third letter shows Broadhead's reaction to that strategy in action.

The fourth document is a speech Rollins made in the US House describing his perspective on emancipation in the Border South as a representative from Missouri. The next document can be described as the dramatic crescendo of Rollins's legislative career. A slaveowner himself, Rollins was one of the last (if not the last) legislators to support the constitutional abolition of slavery. Just days before the passage of the Thirteenth Amendment, Rollins stood before his colleagues and presented a powerful endorsement of the amendment. Read these two speeches to get a feel for the different way that Rollins discusses emancipation, but do not worry about doing a close reading for either.

The final letter from another close friend and ally of Rollins would have reached him in Washington after his Thirteenth Amendment speech. Here his friend Switzler describes the abolition of slavery in Missouri as having been accomplished so the institution could end throughout the country.

Calcutta July 11. 1858.

Dear Brad —

I have a great respect
for your good opinion, and I would
not forfeit it knowingly! The opinions
I expressed to you, in the last letter
I wrote you, remain unchanged, but
situated as we have been here, I
have consented to degrade myself
(for the good of the cause) and
make the best of a bad bargain.
Hence you see I have vindicti-
-cated Tom Anderson! I vindicti-
the devil! I have all in
my power to get on against
him — a national temperance
candidate. I have persuaded
them, and I have done this
to start a man! And for what?
Not certainly to save the soul of
Tom Anderson (if he has one!) But
to keep the Americans from

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pushing headlong, into the ranks
of the thieves, the plunderers,
and sinners of National
Democracy! It is all we
Canada now. A mean advan-
-tage has been taken of us,
and we have been compelled
to submit. The Americans,
like a whipped and cowardly
set of scoundrels, refused to hold
a convention, and hence that
party has no candidate. How
come it that they appointed two
delegates to the Convention? and for
having swallowed a goodly number
of hot-timers, they balance enormous
bidding for him, and refused also
to start a man! and so he has
the fun to himself. But never mind

a better day is coming - the day of
the downfall of the Protestants - it may be
that they will hold Memphis - but ~~we~~
shall bear their funeral dirge in the
nation in 1860. There better for us, if
Crittenden could be the man - but it
makes but little difference so the
Protestants go under - and I shall aid in
putting them under. Our men must
have a better understanding - they must
act more in concert - and in 1860, our
forces must be marshalled to
a man, and our strong men in
the field. It must be no help

way - business -
Anderson spoke here yesterday - he
was the nigger hawk - told me privately
his only object was to save him from
than the democracy! Says he "they have
beat us at this game - but they shan't
beat me any longer - I've got the
bone in my mouth, and I mean to
run away with it" (dog like) - death
hearty not satisfied here - tho' he will

be generally voted for in the absence
of other candidates - but an American
and National on the field, he would
get no votes at all -
he will send two sound men to
Lippincott, Hunter & Harris
will like as well, I hope
Tragg and Anderson will come
in.

I hear old Peter Carr has
joined the Americans and is
shouting for Anderson. Say to him
for me - altho' he slandered me
last summer I freely forgive
him - as he has come over to
last and joined the Americans!
My whole purpose has been to put
together our organization - in this
quarter, we are succeeding well -
and I hope - yet to see the Americans
in the ports of the two rivers, take the
right direction, to save the Nation
if not the State from the fangs of that
wiper National Democracy -
Most truly yours
J. S. Hallen

Private

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in

Columbia June 5, 1860.

Dear Brod;

You will see by the papers, that our friends have got me, on the track for Congress. I have most reluctantly consented to the use of my name. I think I can go through - but my friends in and out of the President, must give me all the assistance they can. I shall lean upon you, as a old man trusts to his reliable staff! Write, speak and talk, to all whom you can, and whom you may meet from the Rep. Con President!

You are well posted on the Mississippi - Give ^{to} my yr kind suggestions, as to the

proper chord when touched
when amongst these
people. I must not be
defeated again - I would
win and disgrace me
eternally! Why can't Rufus
H. Sannous give me
a letter to Warden? I'll
write him, is it?

If elected, whether Bell or
disaster succeeds, I might
be at Washington of
great service to my
friends - and it is certain
I would damage my
enemies.

The main point I have to
meet is the charge of
Republicanism - It comes
up in two shapes
1st that I wrote a letter to
Chicago, that in the
presence of Mr. Bates ^{Mr. Bates} ~~the~~

I would run for Gov and
Carry the state on the
Rehabilitation platform! This
is a lie.

2 That I saw and approved
the published letter of
Mr. ~~Bates~~, before it went
to the press. This I deny—
the letter which I saw, was
not the one that was
printed— the principal
objectionable passages
were put in, after I saw
it — You know this. I
have forgotten now who
was present, if you remember,
I hope you will do me
the favour, to see that they
will not have me
embarrassed about this
matter, and all the time
explaining and defending—
instead of letting the knave

into them & — a Seaman, —
you know my feelings toward
Mr. Bates — they are just your
own. — You and I work to the
same point — our purpose
is the same — the overthrow
of the plunders. — For a
reason — we looked to
Baltimore & Chicago to
accomplish this — whether
was no Union — we still
hoped that Chicago, might
present an unexceptionable
man — I mean a man
who could be supported &
defended on the same high
principles in the South — They
have failed to do this —
they have egregiously erred
in not ^{letting} ~~putting~~ even ^{one} of these
men, ~~from~~ ^{from} the South. — Under
these circumstances and
actualized as I am, as we
are here, we must support
the Baltimore nominees
and so by the name

Coroia, because I have
great faith in the men -
as pure wise national &
Patriotic. In the south this
is all we can do, under
the circumstances - If I
lived elsewhere I might
change my views - You
understand me I hope - it
is to do the very best for
our cause, and accusing
in the circumstances of
the case -

I am for the burial
and eternal overthrow of
the democracy - and you
are for the same thing: - but
I repeat my friends must
not embarrass me, in my
efforts to overthrow the
Comptonists - it is enough
for me to do, to fight the
Enemy - we shall see that

one can do, by August in this
state - matters may take
another turn after the
state elections are over.

Let me hear from you
and write me with a
free pen.

Truly & hastily
yours

Joos Rellens

St. Louis June 26th 1861

Jo. S. Rollins Esq.,

Sir

I see by the newspapers - that being on the Bell and Everett "non objection" platform, you are howling "nigger" all through the District - and taking the extreme Southern pro-slavery ground - to wit: slave code for the Territories - the Constitution carries slavery wherever it goes - and Congress has no Constitutional power to prohibit - Of course all those with whom you have heretofore acted and hoped and prayed for the better time coming when men could speak their honest sentiments without being denounced as enemies of the Country - and when their defamers should be made to bite the dust are to be put under the ban - just as those were who denounced Sam Anderson when he took ground with the Administration on the Secession question and then went over body & soul to for Buchanan - Anderson was then the bet of orthodoxy - you stood firm under all the time - escaped political death as you thought - and now jump on the top of the wood pile and shout "nigger" as lustily as as I ever did - Is it all true? if so I cannot

hope for your success - it would be base
hypocrisy for me to do so -

Are you for Douglas or Breckinridge?
Last February you recollect you said in
your letter to me that you would
support Sevier, Banks or any nominee
of the Chicago Convention - and these sentiments
you proclaimed publicly to more than
one in St. Louis and perhaps elsewhere -
You went a great deal farther than I was
ever disposed to go - But enough - if you
persist in this course I do hope you
may be defeated -

Respectfully yours
J. O. B.

Can't you be elected without denouncing
your old friends and attempting to make
them odious? if not - then it seems
to me the honors of the office are
nearly earned -

J. O. B.

sition of Congress in behalf of removal and colonization beyond State limits.

But Minnesota—what an appeal ascends from our sorely afflicted State! More than seven hundred victims of the most wanton and brutal massacre ever recorded, a frontier desolated and depopulated for hundreds of miles, thousands homeless or sinking with epidemics brought on by privation and exposure—such is the heartrending chronicle of the dark and bloody year, 1862! Do our rulers at Washington require a memorial to convince them that a people who have suffered and witnessed these things ought not and cannot longer tolerate the presence of this savage and treacherous race anywhere inside the boundaries of the State? We say, and common honesty requires us to say to the President and Congress of the United States, "Take the Indian away, or we must put him away." Our language is the language of petition, entreaty, and prayer. Our women and children will add their tears. All refuse yet to believe that Abraham Lincoln and the present Congress will do less for Minnesota than has been done for other States for thirty years past with not one thousandth part of argument or appeal which Minnesota presents at the bar of the nation to-day.

This terrible blow has fallen not alone upon our present prosperity and happiness as a people, but upon our hopes for the future, unless it shall be put in our power to say, "The Indian is gone from Minnesota—not one tribe or two tribes, but ALL, ALL—in consequence of and as some atonement for August, 1862." Can Minnesota ask less? Can a humane and paternal Government do less? Indian removal, immediate and total, is the universal prayer of the people of Minnesota.

Sir, these are the sentiments of every man, woman, and child in the State. Shall their united voice be utterly disregarded? Shall not the tears of women and children, and the prayers and entreaties of a whole people, arrest our attention for a single hour? In the name of a desolated State, in the name of hundreds of my constituents cruelly butchered, in the name of thousands of suffering survivors, I appeal to this House not to let the session pass without acting upon these measures. It will be an act of mercy to both races. The money to be appropriated is to be taken from the funds of the Indians, who have forfeited all claim to it. We do not propose even to make a new appropriation of their funds, but only to divert funds which have been heretofore appropriated for their benefit, to the purpose of settling them in their new homes.

There is ample room for them on the unoccupied public lands to which it is proposed to send them. The Indians in that locality are their friends. They will there be far enough away from the whites to avoid all collisions with them. By the bill already passed their reservation in Minnesota has been taken from them. Shall they be left destitute of homes, to roam about and steal and murder? If this Congress deliberately intends their extermination, it may be effected by letting them alone, but before it is done hundreds, and perhaps thousands, of innocent loyal citizens will be massacred.

There are now about fifteen hundred of these savages in and around Fort Snelling who are held as prisoners of war, and who are fed at the Government expense. What do you propose to do with them? Shall they be kept there indefinitely, supported as so many paupers at the public expense? This will certainly have to be done if no provision is made for sending them away. If gentlemen are ready to vote annual appropriations for stall-feeding those savages, all you have to do is to neglect to provide for their removal. It is vain to hope that they can be kept in prison awhile, and then under the plea of "good Indian" turned loose upon our people to steal, rob, and murder. The terrible experience we have had with Indians has destroyed all confidence in such neighbors. We believe our lives and property are insecure while they remain among us.

Up to the time of the late outbreak they had, as a tribe, for many years lived on terms of unbroken friendship with the whites. Traders, missionaries, and agents had freely mingled with them for more than a generation. White men had intermarried with them, and many of the Indians had adopted the dress, and, to some extent, the habits, of civilization. Large sums of money had been expended in building houses for them, and in sustaining schools for their improvement. Daily acts of kindness and friendship had been interchanged between them and the prosperous and happy settlement which had grown up around them. The pioneer smoked the "pipe of peace" with the Indian brave at his tent door, and the Indian sat at the table of the pioneer. The pa-

triose played in the humble cabin of the settler, and the white man's child in the lap of the Indian. All was friendship, confidence, and a sense of security, when suddenly, without any known cause, without a single note of warning, the sharp crack of the deadly rifle was heard in the field, the tomahawk and scalping knife gleamed at the cabin door, and the work of indiscriminate massacre commenced. In very many cases those so-called "good Indians" who had received the most favors and professed the warmest friendship, were the most brutal and fiendish, and appeared to take especial pleasure in torturing their former friends and benefactors.

Our people cannot longer tolerate their presence. The plea of "good Indians," so often the prelude to the most cruel treachery, will not avail. Every infernal red-skin reminds them of some friend or dear relative ruthlessly butchered, some household idol broken. We fear them; and in addition to our fears, a feeling of deadly hostility towards all Indians has been burned into our hearts and brains by the experiences of the last six months. Do you say this feeling will pass away? Never, sir! never! Is there a man on this floor who, if his wife or sister had been treated in the manner I have recited, or his little children horribly tortured and butchered as ours have been, would not solemnly dedicate his life to the extermination of a race which breeds such fiends? Sir, we have hundreds of brave pioneers who feel and will act just as you would under the same circumstances. This will, of course, lead to constant collisions, and a never-ending border warfare will be the result. Imperative necessity, then, as well as the highest good of both races, demands the speedy banishment of those barbarians.

The President, in his annual message, the Secretary of the Interior, and the Commissioner of Indian Affairs, all recommend and urge a change in our Indian policy. The whole system has been inconsistent and wrong. We have endeavored to treat these tribes as independent nations, and at the same time as the wards of the Government. They were to be wholly independent of us, and at the same time entirely dependent upon us. They were to be governed by our laws, and yet were to make laws for themselves. We have sufficiently tried the experiment of maintaining one independent nation within the boundaries of another. It cannot be done with safety to either.

But perhaps the worst feature of our whole policy on this subject has been the payment of money annuities. This one thing has done more to deprave the Indian, and the white man, too, than all others combined. These annuities should cease at once, and the bounties of the Government be bestowed in articles which are actually necessary for them, such as food, clothing, and agricultural implements. The judgment and conscience of the whole country demands a radical change in our Indian policy. Why not inaugurate it now, in accordance with the recommendation of the President and the Secretary of the Interior? To the people whom I represent it is a matter of vital importance; to the Indians a question of life or death.

Minnesota asks no more than has been done for her sister States; Ohio, Indiana, Illinois, Michigan, and Iowa, have all made the same appeal to Congress which we now present, and their savage population has been exiled. Surely if their petitions were granted, ours will not be refused. They asked because their material welfare required it. We make the appeal because our women and children have been butchered, our homes destroyed, our State desolated, and because our lives are in danger.

When the nation called for aid against the traitorous miscreants who sought its destruction, no people responded more promptly than ours. None have stood more firmly by the Government in all its fiery trials. This was only our duty, but it has been nobly performed. We, too, have been assailed by a treacherous savage foe, whose ravages have shrouded the State in mourning. He now only awaits an unguarded moment, a favorable opportunity to clutch the throats of the innocent and helpless, and complete his work of death. We appeal to the nation for help. Shall we appeal in vain?

EMANCIPATION IN MISSOURI.

SPEECH OF HON. J. S. ROLLINS,
OF MISSOURI,
IN THE HOUSE OF REPRESENTATIVES,
February 28, 1863, /

On the question of making an appropriation for the emancipation of slaves in Missouri.

Mr. ROLLINS, of Missouri. Mr. Speaker, at this late period in the session, with many matters of legislation of deep importance pressing heavily upon our attention, I feel much hesitation in asking even for a short time the indulgence of the House. A subject, however, of deep interest to the State of Missouri and to my immediate constituents demands of me a few words. I refer to the subject of emancipation in that State.

The great rebellion which has been so unwisely and wickedly inaugurated in the country has presented many new issues in regard to the question of slavery. Intended to give the institution strength and permanency on this continent, this revolution, if long continued, may end in its total destruction. This being the case, it becomes the people of the State of Missouri to consider seriously what steps wisdom and prudence would indicate for them to take with a view to the preservation of their own interests, and to the peace and quiet, as well as the advancement of all the great interests of the State. Policies are now pressed upon us which, under other circumstances, we might regard as reckless and injudicious. But we cannot ignore them. We must meet the responsibilities of the hour with firmness. We must be self-sacrificing, and do whatever may be necessary to prevent the overthrow of the Government, and to hold Missouri steadily in her place as one of the States of the American Union. At the time of her admission, forty-two years ago, into the family of States, a fearful struggle attended her political birth, well nigh rending the Government asunder, which was only prevented then by the wise counsels and conciliatory action of the eminent statesmen of that day, and by following whose noble example we may even expect again to see our country united, happy, and free.

In March last the President of the United States, in the discharge of the high duties devolving upon him, and in his earnest wish to overcome the rebellion, felt it his duty to present to the members representing the border States, a plan for the gradual abolition of slavery in those States, which, if adopted, he believed would go very far towards weakening the enemies of the Government and bringing the war to a speedy close. Mr. Speaker, I have never for a moment doubted the sincerity and patriotism of the Executive in presenting and urging upon the representatives of those States this important measure. This proposition was received and considered with all the respect and consideration to which it was entitled, considering the high source from whence it emanated. The conference resulted in a response to the President, signed by a very large majority of the border State representatives, presenting to him frankly the difficulties which lay in the way of the acceptance of his proposition, and the doubts and misgivings which they entertained that the plan proposed by him would not be carried out in good faith by those who were regarded as the more immediate friends of his administration. In other words, the members from the border States, in their written response to the President, expressed the opinion, that the Government of the United States was not in a condition to appropriate means sufficient to rid those States of the institution of slavery, but closing with the pledge that if this was done, "then will our States and people take this proposition into careful consideration, for such decision as in their judgment is demanded by their interests, their honor, and their duty to the whole country."

To pay for and colonize all the slaves in all the States of the Union, it was demonstrated, even at a very small valuation of this great interest, it would require the enormous sum of \$1,600,000,000. To free and colonize the slaves of the border States, who were more immediately appealed to, it would require the sum of \$500,000,000. In this view of the matter, whether as applied to all the States

or only to the border States, I deemed the plan wholly impracticable, and especially so in the present unfortunate condition of the country. In reference to a single State, the matter was different. It was feasible, and as a citizen of Missouri, surrounded as we are at present on all sides with difficulties springing out of this question, I was willing to see the experiment tried there, and the proposed plan of compensated emancipation thoroughly tested, provided a sum sufficient could be had to meet the requirements of our State constitution in providing "full compensation" to the owners of all slaves before the passage of any act of emancipation. In other words, if slave-owners could be paid in full for their property, and means, at the same time, provided for colonization, I was willing to see the experiment of immediate emancipation brought to the test in Missouri. The bill introduced by my colleague [Mr. NOELL] was the entering wedge looking to this object. To this bill I had prepared the following amendments, and which it was my purpose to offer at the proper time, but I was precluded from so doing by a call for the previous question, which cut off all amendments. They were—

1. Increasing the proposed sum to \$40,000,000.
2. Providing for the colonization of all the slaves emancipated under the act; and
3. Before the passage of any law upon the subject by the General Assembly of the State of Missouri, submitting the whole question to a fair vote of the qualified voters of the State.

As I have remarked, these amendments were not offered, in consequence of a call for the previous question being made and sustained. This bill, having passed the House of Representatives, was modified in the Senate in several important particulars:

1. In increasing the sum from \$10,000,000 to \$20,000,000, upon the condition of immediate emancipation.
2. Appropriating the sum of \$10,000,000, upon the condition of prospective emancipation, and the same being made complete by the 4th day of July, 1876; and also limiting the price to be paid for each slave to the sum of \$200.

These were the main features of the bill, as modified and passed by the Senate. This bill, thus amended, came back to the House of Representatives, and was referred to the committee on emancipation, and after having been considered by this committee, reported to the House in an entirely new form, by striking out the appropriations of \$10,000,000 and \$20,000,000 in the Senate bill, and proposing in lieu thereof the sum of \$15,000,000, upon the condition of immediate emancipation, or emancipation by the 4th day of July, 1865.

In the meantime, Mr. Speaker, the General Assembly of the State of Missouri, now in session, have acted upon the subject, and by resolution have asked of the Congress of the United States the sum of \$25,000,000 as the lowest sum necessary to accomplish this object, and this sum I deem wholly inadequate. I hold in my hand a report made by a committee of the Senate of the State of Missouri, which I herewith present, showing the smallest amount, in the view of the committee, which would be required to pay for the slaves now in the State.

Majority report of Committee on Emancipation, submitted in the Senate, January 20, 1865.

The undersigned, a majority of the select committee on emancipation, to whom was referred the following resolution, to wit:

"Resolved by the Senate, That the select committee on emancipation be requested to report what amount of money should be, appropriated by Congress to fully compensate for slaves, provided they should all be emancipated by act of the Legislature; and that said committee report thereon immediately."

Be left respectfully to report thereon.

By reference to the census of 1860, we find 114,931 slaves in Missouri at that time, and by reference to the report of the auditor of public accounts of the State of Missouri to the twenty-second General Assembly, we find that in thirty-five counties assessed, there are 38,147 slaves; and that the loss of slaves in the said thirty-five counties returned to the auditor for the last two years, is 6,407, which is an average of about 180 loss to each county. The loss of slaves to the seventy-nine counties not returned, at the average loss of the thirty-five counties returned, would make the entire loss 28,627 slaves for the whole State since 1860, which number if taken from the 114,931, would leave in the State this time, 84,304 slaves, which, at \$300 each, would require

\$28,291,200 to be appropriated by Congress, to pay for said slaves.

It will be observed that the foregoing calculation is based upon the census report of 1860, and also upon the auditor's report closing the year 1862, thirty-five counties being returned to said auditor, and showing a decrease, in the preceding two years, of one hundred and eighty slaves on an average for each county. We then suppose, if the thirty-five counties reported to the auditor show an average loss of one hundred and eighty to the county, that the seventy-nine counties not returned could not have lost more on an average than one hundred and eighty. By reference to the census of 1860, we find it will take all of the slaves that there are in forty-five of the aforesaid seventy-nine counties to furnish the one hundred and eighty slaves which said counties are supposed to have lost; which will go to prove satisfactorily that the ratio of slaves at one hundred and eighty for each county, lost or decreased in the State, is large enough.

Your committee has made no estimate of what amount of slaves may be or may not be confiscated by an act of Congress, as that is to be determined in the future, and is altogether uncertain at present; and every member of the Senate is as well prepared to draw conclusions as your committee is.

All of which is respectfully submitted.

M. H. RITCHEY,
JAMES M. GORDON,
WM. P. HARRISON.

In view, then, Mr. Speaker, of the following provision of the constitution of the State of Missouri, article three, section twenty-six—

"The General Assembly shall not have power to pass laws for the emancipation of slaves without the consent of their owners, or without paying them, before such emancipation, a full equivalent for such slaves so emancipated?"—

every one must see that the provision in the bill reported back to this House by the committee on emancipation, falls far below any sufficient sum to pay for the slaves remaining in the State.

Let us look at this question for one moment. By the census of 1860, there were in the State of Missouri one hundred and fifteen thousand slaves. It is true that this number has been reduced since the commencement of the rebellion, but with all the lights before me, I entertain the opinion that there are to-day not less than ninety thousand slaves in the State. The General Assembly of the State, composed of a large majority of emancipationists, fixes the sum needed to meet the requirements of our State constitution at \$25,000,000! This, I presume, means in cash or its equivalent. The bill before the House proposes \$15,000,000, not in cash, but in bonds of the United States, having thirty years to run, and bearing an interest of four per cent. per annum. Mr. Speaker, what would these bonds be now worth? According to an estimate furnished me by one experienced in such matters, and placing these bonds at ninety cents to the dollar in Treasury notes, the \$15,000,000 would be worth at the present prices, in gold, about eight million dollars! So that when brought to the real test under this bill, the proposition is to pay the people of the State of Missouri the sum of \$8,000,000 for property worth, according to the estimate fixed by the Legislature of the State, at least \$25,000,000, and valued by many at a much larger sum than this. The very statement of this proposition shows that it is not feasible, that it is out of the question, and ought at once to be abandoned; for the effect of such an offer, hampered as it is by this bill, can only be productive of mischief. It will increase the agitation on the subject, and give to reckless men, who are disposed to make this negro question a political hobby, a pretext by which they may attempt to override all law and rob the people of the State of their property. Sir, I am willing to go as far as any man in making sacrifices to save the Government from its present peril. I believe the Union men of the State of Missouri are ready to make any sacrifice for the same purpose. But representing, as I do, the largest slaveholding district in the State, I am utterly opposed to, and must enter my protest against, the passage of this law in its present shape. Better pass no bill at all on the subject.

But, sir, there are other and formidable objections to this bill. There is no plan of colonization or deportation provided by it. The effect of any plan of emancipation adopted under it would be to overrun the State with a large and pauper free negro population. Are you prepared to practice a wrong like this upon the people of my State? While many of the northern States are passing laws, and even adopting constitutional provisions to prevent the settlement of free negroes in their respective States, here is a proposition, coming

from members on this floor who represent these States, to inundate, so to speak, and by a single act, the entire State of Missouri with an ignorant, vicious, worthless free negro population. Is this practicing upon the divine rule, "do unto others as you would have them do unto you?" Is this generous? Is this that good faith which should be practiced by one State toward another, or by the Government of the United States toward any of the States of this Union? I think not, sir. Besides, such a course of policy would end in a large portion of these negroes being driven from the State. Where would they go? You have closed the door upon them; they cannot go to Illinois, your laws prohibit them. They cannot go to Indiana, the constitution of that State prevents their immigration and settlement there; and they cannot go to many other of the free States for the reason that they are prohibited by similar legislative enactments. Justice, therefore, to the slave, no less than to the owner, would cry out against the passage of this law, or, indeed, any law for immediate emancipation that does not carry along with it at the same time some benevolent plan of deportation.

But there are still other objections to the passage of this law. Some gentlemen are satisfied that the Constitution of the United States does not authorize the passage of any law appropriating means from the Federal coffers or pledging the national credit to purchase slaves. While I myself do not entertain this opinion, it is nevertheless held by others, and is to that extent an objection to the law, as calculated to discredit any bonds which may be issued by virtue of its provisions. Again, sir, I am informed that already as many as three States, through their Legislatures, have repudiated in advance the payment of any debt created for the purchase of slaves by the General Government; and it was only a few days since that the eloquent gentleman from Indiana [Mr. VOORHEES] stated that his constituents would never consent to be taxed for any such purpose. With such a hue and cry raised against these bonds, with a partisan effort made to decry them, what, I ask, sir, would they be worth?

But, sir, we are in the midst of a mighty revolution. We know not how or where it will end. It may result in the dismemberment of the Confederacy. It may result in the division of our once happy country into several independent confederacies. It may end in as many governments as there are States in the Union. It may end in the total destruction of public liberty and the establishment in its stead of an absolute despotism. These things can only be known to Him who holds in His hand the destiny of nations; and if any of these things should happen, what then becomes of the value of the bonds authorized to be issued by this bill for the purchase of the slaves in my State?

Mr. Speaker, the more I have considered this important question the more I am convinced that in view of the circumstances by which we find ourselves surrounded, we had better not now embark upon a policy of this sort. Let us concentrate our means and energies to the one grand object of prostrating this infamous rebellion and preserving the Government and Constitution of our common country from overthrow. Let us once more feel that we have a Government worthy of being preserved and competent to protect its citizens in the enjoyment of all their rights. When we shall have accomplished this beneficent end, and provided in good faith for the payment of the principal and interest of the enormous debt which we are now contracting, it will then be time enough for us to consider this subject and make appropriations to carry out these benevolent and economical policies, many of which have heretofore been so strangely agitated to the detriment of all our great interests, State and national.

There is still another objection to this bill, which I will barely glance at for a moment. The proposition is for immediate emancipation. I extremely doubt the policy of such a plan under any circumstances. The attempted reform is too sudden; it must result in very great individual injury, whilst it would derange and disorganize the whole labor system of our State. No other State has ever attempted anything of the kind, within my knowl-

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edge, nor can I see that the adoption of any such plan can have any effect either in strengthening the cause of the Government or of securing Missouri more firmly for the Union. As I have said on another occasion, her destiny is fixed. The God of nature planted her in the very center of the Republic; she must go with her sister States that surround her; their interests are inseparably and forever united, and you might as well attempt to turn back the tide of her great rivers or to remove her majestic mountains as to disconnect her from the great Northwest. She would not if she could, she could not if she would, abandon this Union. She will cling to it whilst there is a State left, true to the old flag; her citizens appreciate its advantages, its blessings, and its glories. Missouri is the very heart of this great confederation of States, as essential to the whole as is the heart of man to the natural system, and she will cling to her sister States, *all of them*, with the same constancy and fidelity that the young maiden clings to her lover; and when the deadly blast of the war-bugle shall no longer be heard to resound over her prairies, she will appeal to them by every motive of affection, of interest, of patriotism, of past memories, of present promise, and of future greatness, to resume their former positions, and, inspired by a love of unity and of liberty, forgetting all local and sectional interests, demonstrate the grand mission of the *great Republic* on the American continent—the advancement of Christian civilization, of liberal culture, of genuine progress, and the amelioration and elevation, at last, of all humanity to the enjoyment of every blessing which a good Government, a free Constitution, and equal and just laws can confer.

Mr. Speaker, we not unfrequently hear the present rebellion, which we are endeavoring to overcome, denounced as the "slaveholders' rebellion." However much truth there may be in this remark when applied to the more southern States, it has no application to the State of Missouri. As a class, there are no more true and loyal men to be found any where than the slave-owners of Missouri. But few of them have embarked in this war on the Government. In the main, they have remained true to their allegiance, and have exerted a most wholesome influence in holding Missouri faithful to her national obligations. The very convention which deposed the rebel Governor Jackson and the Legislature that made the attempt to carry Missouri out of the Union, was composed of ninety-nine members, and of these, eighty-four were slave-owners. Some of the bravest officers and men now in the Army of the United States from Missouri are slave-owners; and the same remark is true in regard to the local military, who are cooperating patriotically to the same end. Such men should be treated with all proper consideration by the Government. Their rights in all respects ought to be sacredly regarded, and their property protected. Under all circumstances I shall feel bound to oppose every scheme of emancipation wherein the rights of all such men, under the constitution of the State of Missouri, are not observed and respected.

After all, Mr. Speaker, I incline to the opinion that the best plan of managing this whole question is to leave the matter within the exclusive control of the people of the respective States. They will at least do with it what their own interests and the best interests of the Commonwealth may demand. In this, as well as in regard to all other political questions, I am willing to trust to the discretion and the enlightened judgment of the masses. Or if the Government of the United States should at any time do anything upon the subject, let it appropriate money to aid in the deportation and colonization of such slaves as may be emancipated in any of the States, but let there be no conditions; leave the State and the people thereof to adopt such plan of emancipation as to them may seem best, and as may promote the well-being of all whose interests may be affected. This, it occurs to me, is the true policy: let every State act for itself in regard to its own domestic affairs. To the constant interference of reckless politicians and crazy fanatics with the affairs of the individual States, may be traced, in some degree at least, the causes which have involved us in the present deplorable civil war. As far back as 1849, a distin-

guished citizen of Virginia, then a member of this House, spoke upon this subject, and used the following almost prophetic language:

"Let no measure of unallowable wrong, no measure of unconquerable disagreement be pressed upon us here. The fatal element of all our discord will be taken from amongst us. Let gentlemen be entreated to remove it, as the one only and solitary obstacle to our perfect peace. Let them be assured by the weal of this and coming ages, by our own and our children's good; by all that we love or that we look for in the progress and the glories of our land, to leave the entire subject of slavery, with every accountability it may impose, every remedy it may require, every accumulation of difficulty or pressure it may reach, to leave it all to the interest, to the wisdom, and to the conscience of those upon whom the providence of God and the Constitution of their country have cast it. Leave it to them now and forever, and stop, whilst it is yet possible to stop, the furious and blind headway of that wild and mad philanthropy which is fighting up for the nation itself the fires of the stake, and which is rushing on, stride after stride, to an intestine struggle that may bury us all under a harder and wicked and more incurable slavery than any it would extinguish."

"Nothing but aggravation of heart and of lot have been brought upon the poor slave by the rash and unwarranted efforts which have been put forth to relieve him. They have broken down the footing he had reached, crushed the sympathies he had won, embarrassed and accursed the fortunes they were intended to control. The generous and elevating influence of our free institutions was relaxing his bondage, bettering his condition, lifting up his character, turning upon him the public anxieties and the public councils as a fit and deserving object of provident and public provision, was changing at all points the aspects of his fate, when the spirit of abolitionism, political and fanatic, came from abroad to scourge him with a demon visitation, to wrench him from the arms of his only true and only capable benefactors, to throw him back again upon the earth, a thousand-fold more suspected, separate, and forlorn than ever, riveting upon him every fetter it would loosen, poisoning every blessing it would bestow, and so filling his whole case with elements of hopelessness, explosion, and evil that the heart shudders while it weeps to look upon it. What are they who cherish and direct this spirit? Friends of the slave? They are robbing him of every vestige of liberty he has left. Friends of humanity? They are staking it upon the issues of massacre and convulsion. Friends of the country? They are rapidly becoming its iron homicides, cleaving down its Constitution with murderous arm, and tearing it limb from limb."

Having thus, Mr. Speaker, in a very brief and cursory manner, stated my objections to the bill reported back to this House by the emancipation committee, the question naturally comes up, what is the true policy of Missouri in regard to this question of slavery? It is an important question to the present peace and future greatness of that State. Heretofore I have not been inclined to disturb it; nor am I now if it could be avoided, or in any manner except in accordance with our constitution and in cooperation with a decided majority of the people of our State, and then only in such way as will create the least excitement and do the least harm to the great industrial interests of the State. This rebellion has precipitated events and compelled us to the discussion of questions which might have been postponed at least during the present generation.

In regard to the question of slavery, Missouri is peculiarly situated. Lying within that range of States north of the parallel where cotton and sugar are grown, slave labor is not there the most profitable. Surrounded on three sides by free States, with only imaginary boundaries to separate us, and with the continued and increased agitation of this question, this description of property must become less secure with each succeeding day. The disorganization of society produced by this rebellion; the presence of a large military force, many of them from northern States, and with strong abolition proclivities, inclining them in many ways to interfere with and to produce discontent in our slave population; the rigid compliance with extreme rules in the non-delivery of escaped slaves; the growing influence of an extreme radical organization in the State, taking advantage of the unfortunate circumstances in which we happened to be placed, and fixed in their purpose to destroy the institution, without regard to the guarantees of the Constitution or of the laws; and the current of events generally, foreshadow unmistakably that the time has arrived when conservative men and slave-owners must act in concert and enter upon some system of prudent and wise action that will stop agitation, secure their own interests, and prepare for that gradual change which, sooner or later, Missouri will be compelled to adopt. Wisdom and prudence on our part point unmistakably to some such policy if we would have peace hereafter, and enjoy in security and

quietude our property under the laws and Constitution of the land.

Such, Mr. Speaker, are my firm convictions on this subject; and good faith to those I represent, and to the great State with which I am so much in interest and feeling identified, and without reference as to the effect which the expression of these opinions may have upon me personally in the future, compels me to announce them.

I do not mean on this occasion to discuss the advantages or disadvantages of emancipation to Missouri, and the influence which such a policy would have in developing our resources and in adding to the material wealth of the State. This of itself opens up a wide field of inquiry full of interest to our people, requiring elaboration and research, which I shall reserve for some more appropriate occasion for the presentation of my opinions.

Fortunately for us, Mr. Speaker, we are not acting in the dark on these great questions. Other States have passed through the ordeal upon which we are about to enter, and I may say safely and triumphantly. There is nothing to discourage us in the work which we of this generation have to perform, and for which, if well done, our memories will be blessed not only by our immediate descendants, but by all the teeming millions who in the long future are to enjoy this rich and comely heritage. At the organization of the Federal Government, all the States of the Union, save one, I believe, were slave States. During the period of eighty years it has gradually disappeared from the nineteen northerly States, and found its fixed abode in a more genial clime, where such labor is better fitted for the cultivation of those products common to southern latitudes; and it is not unknown to you, that for many years prudent and wise men have been discussing plans of emancipation as applicable to Maryland, Virginia, Kentucky, Missouri, and Delaware, and but for the foul spirit of abolitionism, which thrust upon these States its accursed teachings, I express my sincere conviction, that this day a number of these Commonwealths would have been free States. This impudent encroachment and unconstitutional interference with the rights of others has taken from the people both the power and disposition to do that in a regular, gradual, and lawful way, which, under other circumstances, they were so rapidly preparing and educating themselves to do.

Mr. Speaker, so far as my knowledge extends, no State once slave, now free, has attempted any scheme of immediate emancipation; but, on the contrary, all of them have adopted plans for its gradual abolition, plans requiring the smallest sum of money, and, at the same time, doing the least possible harm to those interested in that description of property, and producing the least possible shock to the body-politic. It is not my purpose to discuss the various plans of emancipation which were adopted by the different States; but in order to point out a mode deemed at the time judicious and safe, I desire to call the attention of the House and of the people of the State of Missouri to the plan adopted in 1780 by the great State of Pennsylvania. I refer to this particular State for the reason that she had perhaps the largest slave population of those States now free at the time of its adoption. I refer to it for another reason. It is known that the plan worked well there, and no intelligent man at this day doubts the wisdom of those who initiated it, or fails to acknowledge the great and lasting benefits conferred on that State by the gradual expulsion of slavery therefrom.

The man who conceived and penned the preamble to the act of 1780, and the act itself, is known in American history. He was one of the great lights during our struggle for national existence, and I am not going too far when I say that, amongst the great and wonderful men of that day, equal in all respects to any who are known in human history, the world is as much indebted to the great forecast, the profound wisdom, the sterling patriotism of Benjamin Franklin, for the matchless Constitution and Government under which we have lived and prospered, as to any other one of the sages, philosophers, and statesmen of that eventful period of our country's history. Nor did he shine less conspicuously on account of his

simplicity of character, his charity, his benevolence, and the numerous private virtues which, to this day, throw a beautiful charm around his whole character. He was the author of the emancipation act of the Legislature of Pennsylvania, of 1780, and the whole of which I shall incorporate into these remarks, that all who desire to read may inform themselves upon this interesting question:

An act for the gradual abolition of slavery.

When we contemplate our abhorrence of that condition to which the arms and tyranny of Great Britain were exerted to reduce us, when we look back on the variety of dangers to which we have been exposed, and how miraculously our wants in many instances have been supplied, and our deliverances wrought, when even hope and human fortitude have become unequal to the conflict, we are unavoidably led to a serious and grateful sense of the manifold blessings which we have undeservedly received from the hand of that Being from whom every good and perfect gift cometh. Impressed with these ideas, we conceive that it is our duty, and we rejoice that it is in our power, to extend a portion of that freedom to others which hath been extended to us, and release from that state of thralldom to which we ourselves were tyrannically doomed, and from which we have now every prospect of being delivered. It is not for us to inquire why, in the creation of mankind, the inhabitants of the several parts of the earth were distinguished by a difference in feature or complexion. It is sufficient to know that all are the work of an Almighty hand. We find, in the distribution of the human species, that the most fertile as well as the most barren parts of the earth are inhabited by men of complexions different from ours and from each other; from whence we may reasonably, as well as religiously, infer that He who placed them in their various situations hath extended equally his care and protection to all, and that it cometh not us to counteract his mercies. We esteem it a peculiar blessing granted to us that we are enabled this day to add one more step to universal civilization by removing as much as possible the sorrows of those who have lived in undesired bondage, and from which, by the assumed authority of the kings of Great Britain, no effectual, legal relief could be obtained. Weaned by a long course of experience from those narrow prejudices and partialities we had imbibed, we find our hearts enlarged with kindness and benevolence towards men of all conditions and nations; and we conceive ourselves at this particular period extraordinarily called upon by the blessings which we have received to manifest the sincerity of our profession, and to give a substantial proof of our gratitude.

2. And whereas the condition of those persons who have heretofore been denominated negro and mulatto slaves has been attended with circumstances which not only deprived them of the common blessings that they were by nature entitled to, but has cast them into the deepest afflictions by an unnatural separation and sale of husband and wife from each other and from their children, an injury the greatness of which can only be conceived by supposing that we were in the same unhappy case; in justice, therefore, to persons so unhappily circumstanced, and who, having no prospect before them whereon they may rest their sorrows and their hopes, have no reasonable inducement to render their service to society, which they otherwise might, and also in grateful commemoration of our own happy deliverance from that state of unconditional submission to which we were doomed by the tyranny of Britain—

3. *Be it enacted, and it is hereby enacted,* That all persons, as well negroes and mulattoes as others, who shall be born within this State from and after the passing of this act shall not be deemed and considered as servants for life, or slaves; and that all servitude for life, or slavery of children in consequence of the slavery of their mothers, in the case of all children born within this State from and after the passing of this act as aforesaid, shall be, and hereby is, utterly taken away, extinguished, and forever abolished.

4. *Provided always, and be it further enacted,* That every negro and mulatto child born within this State after the passing of this act, as aforesaid, (who would, in case this act had not been made, have been born a servant for years or life or a slave,) shall be deemed to be, and shall be, by virtue of this act, the servant of such person, or his or her assigns, who would in such case have been entitled to the service of such child, until such child shall attain unto the age of twenty-eight years, in the manner and on the conditions whereon servants bound by indenture for four years are or may be retained and holden, and shall be liable to like correction and punishment, and entitled to like relief in case he or she be evilly treated by his or her master or mistress, and to like freedom dues and other privileges as servants bound by indenture for four years are or may be entitled, unless the person to whom the service of any such child shall belong shall abandon his or her claim to the same, in which case the overseers of the poor of the city, township, or district, respectively, where such child shall be so abandoned shall by indenture bind out every child so abandoned as an apprentice for a time not exceeding the age heretofore limited for the service of such children.

5. *And be it further enacted,* That every person who is or shall be the owner of any negro or mulatto slave or servant for life or till the age of thirty-one years, now within this State, or his lawful attorney, shall, on or before the 1st day of November next, deliver or cause to be delivered, in writing, to the clerk of the peace of the county or to the clerk of the court of record of the city of Philadelphia in which he or she shall respectively inhabit, the name and surname and occupation or profession of such owner, and the name of the county and township, district or ward wherein he or she resideth, and also the name and names of any such slave and slaves, and servant and servants for life, or till the age of thirty-one years, together with their ages and sexes, severally and respectively set forth and annexed by such per-

son owned or stately employed, and then being within this State, in order to ascertain and distinguish the slaves and servants for life and till the age of thirty-one years within this State who shall be such on the said 1st day of November next from all other persons; which particulars shall, by said clerk of the sessions and clerk of the said city court, be entered in books to be provided for that purpose by the said clerks; and that no negro or mulatto now within this State shall, from and after the said 1st day of November, be deemed a slave or servant for life or till the age of thirty-one years, unless his or her name shall be entered as aforesaid on such record, except such negro and mulatto slaves and servants as are hereinafter excepted: the said clerk to be entitled to a fee of two dollars for each slave or servant so entered as aforesaid from the treasurer of the county to be allowed to him in his accounts.

6. *Provided always,* That any person in whom the ownership or right to the service of any negro or mulatto shall be vested at the passing of this act, other than such as are heretofore excepted, his or her heirs, executors, administrators, and assigns, and all and every of them severally, shall be liable to the overseers of the poor of the city, township, or district to which any such negro or mulatto shall become chargeable for such necessary expense, with costs of suit thereon, as such overseers may be put to through the neglect of the owner, master, or mistress of such negro or mulatto, notwithstanding the name and other descriptions of such negro or mulatto shall not be entered and recorded as aforesaid, unless his or her master or owner shall, before such slave or servant attain his or her twenty-eighth year, execute and record, in the proper county, a deed or instrument securing to such slave or servant his or her freedom.

7. *And be it further enacted,* That the offenses and crimes of negroes and mulattoes, as well slaves and servants as freemen, shall be inquired of, adjudged, corrected, and punished in like manner as the offenses and crimes of the other inhabitants of this State are and shall be inquired of, adjudged, corrected, and punished, and not otherwise, except that a slave shall not be admitted to bear witness against a freeman.

8. *And be it further enacted,* That in all cases wherein sentence of death shall be pronounced against a slave, the jury before whom he or she shall be tried shall appraise and declare the value of such slave; and in case such sentence be executed, the court shall make an order on the State treasurer, payable to the owner, for the same, and for the costs of prosecution, but in case of remission or mitigation for the costs only.

9. *And be it further enacted,* That the reward for taking up runaway and absconding negro and mulatto slaves and servants, and the penalties for enticing away, dealing with, or harboring, concealing, or employing negro and mulatto slaves and servants, shall be the same, and shall be recovered in like manner, as in case of servants bound for four years.

10. *And be it further enacted,* That no man or woman of any nation or color, except the negroes or mulattoes who shall be registered as aforesaid, shall at any time hereafter be deemed, adjudged, or holden within the territories of this Commonwealth as slaves or servants for life, but as free men and free women; except the domestic slaves attending upon delegates in Congress from the other American States, foreign ministers and consuls, and persons passing through or sojourning in this State and not becoming resident therein, and seamen employed in ships not belonging to any inhabitant of this State nor employed in any ship owned by any such inhabitant; provided such domestic slaves be not alienated or sold to any inhabitant nor (except in the case of members of Congress, foreign ministers, and consuls) retained in this State longer than six months.

11. *Provided always, and be it further enacted,* That this act or anything in it contained shall not give any relief or shelter to any absconding or runaway negro or mulatto slave or servant, who has absented himself or shall absent himself from his or her owner, master, or mistress, residing in any other State or country, but such owner, master, or mistress shall have like right and aid to demand, claim, and take away his slave or servant, as he might have had in case this act had not been made; and that all negro and mulatto slaves now owned and heretofore resident in this State who have absented themselves, or been clandestinely carried away, or who may be employed abroad as seamen and have not returned or been brought back to their owners, masters, or mistresses before the passing of this act, may, within five years, be registered as effectually as is ordered by this act concerning those who are now within the State, on producing such slave before any two justices of the peace and satisfying the said justices, by due proof of the former residence, absconding, taking away, or absence of such slaves as aforesaid, who thereupon shall direct and order the said slave to be entered on the record as aforesaid.

12. And whereas attempts may be made to evade this act by introducing into this State negroes and mulattoes bound by covenant to serve for long and unreasonable terms of years if the same be not prevented:

13. *Be it therefore enacted,* That no covenant of personal servitude or apprenticeship whatsoever shall be valid or binding on a negro or mulatto for a longer time than seven years, unless such servant or apprentice were, at the commencement of such servitude or apprenticeship, under the age of twenty-one years; in which case such negro or mulatto may be holden as a servant or apprentice respectively, according to the covenant as the case shall be, until he or she shall attain the age of twenty-eight years, but no longer.

14. *And be it further enacted,* That an act of Assembly of the Province of Pennsylvania, passed in the year 1705, entitled "An act for the trial of negroes;" and another act of Assembly of the said Province, passed in the year 1725, entitled "An act for the better regulating of negroes in this Province;" and another act of Assembly of the said Province, passed in the year 1761, entitled "An act for laying a duty on negro and mulatto slaves imported into this Prov-

ince;" and also another act of Assembly of the said Province, passed in the year 1773, entitled "An act for making perpetual an act for laying a duty on negro and mulatto slaves imported into this Province, and for laying an additional duty on said slaves," shall be, and are hereby, repealed, annulled, and made void.

I may add, Mr. Speaker, that this legislative act had the approbation of George Washington. Indeed, our whole previous history in the southern States abounds with the names of southern men who were greatly inclined to favor schemes of gradual emancipation as applied to all the States of the Union.

In 1849 this subject was agitated in the State of Kentucky. Many of the leading men of that State at that day favored a plan of gradual emancipation, but it failed on account of a large majority of the people being opposed to its disturbance at that time. Among the great and illustrious men of that noble and proud old Commonwealth who favored a plan of gradual emancipation was that model statesman and disinterested patriot, Henry Clay. Although he has long since gone to that "undiscovered country, from whose bourne no traveler returns," we have yet the light of his example in his teachings, and speaking to us as if from the tomb, warning us of the dangers which beset us in this terrible crisis on every side, and pointing out the pathway which we should follow to save the nation, and at the same time promote the best interests of our respective States. While this subject was being discussed in Kentucky, Mr. Clay was asked to give his opinion in regard to the true policy of the State, and in a letter to Richard Pindell, Esq., of Lexington, Kentucky, dated New Orleans, February 17, 1849, gave his views at length upon the subject. It is so replete with wisdom and valuable suggestions, and so applicable in all respects to the circumstances in which the people of the State of Missouri are now placed, that I reproduce the whole of it:

NEW ORLEANS, February 17, 1849.

DEAR SIR: Prior to my departure from home in December last, in behalf of yourself and other friends you obtained from me a promise to make a public exposition of my views and opinions upon a grave and important question, which, it was then anticipated, would be much debated and considered by the people of Kentucky during this year in consequence of the approaching convention, summoned to amend their present constitution. I was not entirely well when I left home, and owing to that cause, and my confinement several weeks during my sojourn in this city from the effects of an accident which befell me, I have been delayed in the fulfillment of my promise, which I now propose to execute.

The question to which I allude is, whether African slavery, as it now exists in Kentucky, shall be left to a perpetual or indefinite continuance, or some provision shall be made in the new constitution for its gradual and ultimate extinction?

A few general observations will suffice my present purpose, without entering on the whole subject of slavery undecidably its bearings and in every aspect of it. I am aware that there are respectable persons who believe that slavery is a blessing, that the institution ought to exist in every well-organized society, and that it is even favorable to the preservation of liberty. Happily, the number who entertain these extravagant opinions is not very great, and the time would be uselessly occupied in the elaborate refutation of them. I would, however, remark that if slavery be fraught with these alleged benefits, the principle on which it is maintained would require that one portion of the white race should be reduced to bondage to serve another portion of the same race when black subjects of slavery could not be obtained; and that in Africa, where they may entertain as great a preference for their color as we do for ours, they would be justified in reducing the white race to slavery in order to secure the blessings which that state is said to diffuse.

An argument in support of reducing the African race to slavery is sometimes derived from their alleged intellectual inferiority to the white races; but if this argument be founded in fact, (as it may be, but which I shall not now examine,) it would prove entirely too much. It would prove that any white nation which had made greater advances in civilization, knowledge, and wisdom than another white nation, would have a right to reduce the latter to a state of bondage. Nay, further, if the principle of subjugation founded upon intellectual superiority be true, and be applicable to races and to nations, what is to prevent its being applied to individuals? And then the wisest man in the world would have a right to make slaves of all the rest of mankind. If, indeed, we possess this intellectual superiority, profoundly grateful and thankful to Him who has bestowed it, we ought to fulfill all the obligations and duties which it imposes; and these would require us not to subjugate or deal unjustly by our fellow-men who are less blessed than we are, but to instruct, to improve, and to enlighten them.

A vast majority of the people of the United States, in every section of them, I believe, regret the introduction of slavery into the colonies under the authority of our British ancestors, lament that a single slave treads our soil, deplore the necessity of the continuance of slavery in any of the States, regard the institution as a great evil to both

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racers, and would rejoice in the adoption of any safe, just, and practicable plan for the removal of all slaves from among us. Hitherto no such satisfactory plan has been presented. When, on the occasion of the formation of our present constitution of Kentucky, in 1799, the question of the gradual emancipation of slavery in that State was agitated, its friends had to encounter a great obstacle in the fact that there then existed no established colony to which they could be transported. Now, by the successful establishment of flourishing colonies on the western coast of Africa, that difficulty has been obviated. And I confess that, without indulging in any undue feelings of superstition, it does seem to me that it may have been among the dispensations of Providence to permit the wrongs under which Africa has suffered to be inflicted, that her children might be returned to their original home, civilized, imbued with the benign spirit of Christianity, and prepared ultimately to redeem that great continent from barbarism and idolatry.

Without undertaking to judge for any other State, it was in my opinion in 1799 that Kentucky was in a condition to admit of the gradual emancipation of her slaves; and how deeply do I lament that a system, with that object, had not been then established! If it had been, the State would now be nearly rid of all slaves. My opinion has never been changed, and I have frequently publicly expressed it. I should be most happy if what was impracticable at that epoch could now be accomplished.

After full and deliberate consideration of the subject, it appears that three principles should regulate the establishment of a system of gradual emancipation. The first is, that it should be slow in its operation, cautious, and gradual, so as to occasion no convulsion, nor any rash or sudden disturbance in the existing habits of society. Second, that, as an indispensable condition, the emancipated slaves should be removed from the State to some colony; and thirdly, that the expenses of their transportation to such colony, including an outfit for six months after their arrival at it, should be defrayed by a fund to be raised from the labor of each freed slave.

Nothing could be more unwise than the immediate liberation of all the slaves in the State, comprehending both sexes and all ages, from that of tender infancy to extreme old age. It would lead to the most frightful and fatal consequences. Any great change in the condition of society should be marked by extreme care and circumspection. The introduction of slaves into the colonies was an operation of many years' duration; and the work of their removal from the United States can only be effected after the lapse of a great length of time. I think that a period should be fixed when all born after it should be free at a specified age; all born before it remaining slaves for life. That period, I would suggest, should be 1855 or even 1860; for on this and other arrangements of the system, if adopted, I incline to a liberal margin, so as to obviate as many objections and to unite as many opinions as possible. Whether the commencement of the operation of the system be a little earlier or later, it is not so important as that a day should be permanently fixed, from which we could look forward with confidence to the final termination of slavery within the limits of the Commonwealth.

Whatever may be the day fixed, whether 1855 or 1860, or any other day, all born after it, I suggest, should be free at the age of twenty-five, but be liable afterwards to be hired out under the authority of the State for a term not exceeding three years, in order to raise a sum sufficient to pay the expenses of their transportation to the colony, and to provide them an outfit for six months after their arrival there.

If the descendants of those who were themselves to be free at the age of twenty-five were also to be considered as slaves until they attained the same age, and this rule were continued indefinitely as to time, it is manifest that slavery would be perpetuated instead of being terminated. To guard against this consequence, provision might be made that the offspring of those who were to be free at twenty-five should be free from their birth, but upon the condition that they should be apprenticed until they were twenty-one, and be also afterwards liable to be hired out a period not exceeding three years, for the purpose of raising funds to meet the expense to the colony and their subsistence for the first six months.

The Pennsylvania system of emancipation fixed the period of twenty-eight for the liberation of the slaves, and provided, or her courts have since interpreted the system to mean, that the issue of all who were to be free at the limited age were from their births free. The Pennsylvania system made no provision for colonization.

Until the commencement of the system which I am endeavoring to sketch, I think all the legal rights of the proprietors of slaves, in their fullest extent, ought to remain unimpaired and unrestricted. Consequently they would have the right to sell, devise, or remove them from the State, and in the latter case, without their offspring being entitled to the benefit of emancipation, for which the system provides.

Second, the colonization of the free blacks, as they successively arrive, from year to year, at the age entitling them to freedom, I consider a condition absolutely indispensable. Without it, I should be utterly opposed to any scheme of emancipation. One hundred and ninety-odd thousand blacks, composing about one fourth of the entire population of the State, with their descendants, could never live in peace, harmony, and equality with the residue of the population. The color, passions, and prejudices would forever prevent the two races living together in a state of cordial union. Social, moral, and political degradation would be the inevitable lot of the colored race. Even in the free States (I use the terms free and slave States not in any sense derogatory from one class, or implying any superiority in the other, but for the sake of brevity) that is their present condition. In some of those free States the penal legislation against the people of color is quite as severe, if not harsher, than in some of the slave States. As nowhere in the United States are amalgamation and equality between the two races possible, it is better that there should be a separation, and that the African descendants should be returned to the native land of their fathers.

It will have been seen that the plan I have suggested proposes the annual transportation of all born after a specified day, upon their arrival at the prescribed age, to the colony which may be selected for their destination, and this process of transportation is to be continued until the separation of the two races is complete. If the emancipated slaves were to remain in Kentucky until they attained the age of twenty-eight, it would be about thirty-four years before the first annual transportation began, if the system commenced in 1855, and about thirty-nine years if its operation began in 1860. What the number thus to be annually transported would be cannot be precisely ascertained. I observe it stated by the auditor that the increase of slaves in Kentucky last year was between three and four thousand. But as that statement was made upon a comparison of the aggregate number of all the slaves in the State, without regard to births, it does not, I presume, exhibit truly the natural increase, which was probably larger. The aggregate was affected by the introduction, and still more by the exportation of slaves. I suppose that there would not be less, probably more, than five thousand to be transported the first year of the operation of the system; but after it was in progress some years, there would be a constant diminution of the number.

Would it be practicable annually to transport five thousand persons from Kentucky? There cannot be a doubt of it, or even a much larger number. We receive from Europe annually emigrants to an amount exceeding two hundred and fifty thousand, at a cost, for the passage, of about ten dollars per head, and they embark at European ports more distant from the United States than the western coast of Africa. It is true that the commercial marine employed between Europe and the United States affords facilities in the transportation of emigrants at that low rate which that engaged in the commerce between Liberia and this country does not now supply; but that commerce is increasing, and by the time the proposed system, if adopted, would go into operation, it will have greatly augmented. If there were a certainty of the annual transportation of not less than five thousand persons to Africa, it would create a demand for transports, and the spirit of competition would, I have no doubt, greatly diminish the present cost of the passage. That cost has been stated, upon good authority, to be at present fifty dollars per head, including the passage, and six months' outfit, after the arrival of the emigrant in Africa. Whatever may be the cost, and whatever the number to be transported, the fund to be raised by the hire of the liberated slave, for a period not exceeding three years, will be amply sufficient. The annual hire, on the average, may be estimated at fifty dollars, or \$150 for the whole term.

Colonization will be attended with the painful effect of the separation of the colonists from their parents, and in some instances from their children; but from the latter it will be only temporary, as they will follow and be again reunited. Their separation from their parents will not be until after they have attained a mature age, nor greater than voluntarily takes place with emigrants from Europe, who leave their parents behind. It will be far less distressing than what frequently occurs in the state of slavery, and will be attended with the animating encouragement that the colonists are transferred from a land of bondage and degradation to one of liberty and equality.

And, third, the expense of transporting the liberated slave to the colony, and of maintaining him there for six months I think ought to be provided for by a fund derived from his labor, in the manner already indicated. He is the party most benefited by emancipation. It would not be right to subject the non-slaveholder to any part of that expense; and the slaveholder will have made sufficient sacrifices, without being exclusively burdened with taxes to raise that fund. The emancipated slaves could be hired out, for the time proposed, by the sheriff or other public agent in each county, who should be subject to strict accountability. And it would be requisite that there should be kept a register of all births, and of all children of color, after the day fixed for the commencement of the system, enforced by appropriate sanctions. It would be a very desirable regulation of law to have the births, deaths, and marriages of the whole population of the State registered and preserved, as is done in most well governed States.

Among other considerations which unite in recommending to the State of Kentucky a system for the gradual abolition of slavery, is that arising out of her exposed condition, affording great facilities to the escape of her slaves into the free States and into Canada. She does not enjoy the security which some of the slave States have, by being covered in depth by two or three slave States intervening between them and the free States. She has a greater length of border on free States than any other slave State in the Union. That border is the Ohio river, extending from the mouth of the Big Sandusky to the mouth of the Ohio, a distance of near six hundred miles, separating her from the already powerful and growing States of Ohio, Indiana, and Illinois. Vast numbers of slaves have fled from most of the counties of Kentucky from the mouth of Big Sandy to the mouth of Miami, and the evil has increased and is increasing. Attempts to recover the fugitives lead to the most painful and irritating collisions. Hitherto countenance and assistance to the fugitives have been chiefly afforded by persons in the State of Ohio, but it is to be apprehended from the progressive opposition to slavery, that in process of time similar facilities to the escape of slaves will be found in the States of Indiana and Illinois. By means of railroads Canada can be reached from Cincinnati in a little more than twenty-four hours.

In the event of a civil war breaking out, or in the more direful event of a dissolution of the Union, in consequence of the existence of slavery, Kentucky would become the theater and bear the brunt of the war. She would doubtless defend herself with her known valor and gallantry; but the superiority of the numbers by which she would be opposed would lay waste and devastate her fair fields. Her sister slave States would fly to her succor; but even if they should be successful in the unequal conflict, she never could obtain any indemnity for the inevitable ravages of the war.

It may be urged that we ought not by the gradual abolition of slavery to separate ourselves from the other slave States, but continue to share with them in all their future fortunes. The power of each slave State within its limits over the institution of slavery is absolute, supreme, and exclusive—exclusive of that of Congress or that of any other State. The government of each slave State is bound by the highest and most solemn obligations to dispose of the question of slavery so as best to promote the peace, happiness, and prosperity of the people of the State. Kentucky being essentially a farming State, slave labor is less profitable.

If, in most of the other slave States, they find that labor more profitable in the culture of the staples of cotton and sugar, they may perceive a reason in that feeling for continuing slavery, which it cannot be expected should control the judgment of Kentucky as to what may be fitting and proper for her interests. If she should abolish slavery, it would be her duty, and I trust that she would be as ready as she now is, to defend the slave States in the enjoyment of all their lawful and constitutional rights. Her power, political and physical, would be greatly increased; for the one hundred and ninety-odd thousand slaves and their descendants would be gradually superseded by an equal number of white inhabitants, who would be estimated *per capita*, and not by the Federal rule of three fifths prescribed for the colored race in the Constitution of the United States.

I have thus without reserve freely expressed my opinion and presented my views. The interesting subject of which I have treated would have admitted of much enlargement, but I have desired to consult brevity. The plan which I have proposed will hardly be accused of being too early in its commencement or too rapid in its operation. It will be more likely to meet with contrary reproaches. If adopted it is to begin thirty-four or thirty-nine years from the time of its adoption, as the one period or the other shall be selected for its commencement. How long it will take to remove all the colored race from the State by the annual transportation of each year's natural increase cannot be exactly ascertained. After the system had been in operation some years, I think it probable, from the manifest blessings that would flow from it, from the diminished value of slave labor, and from the humanity and benevolence of private individuals prompting a liberation of their slaves and their transportation, a general disposition would exist to accelerate and complete the work of colonization.

That the system will be attended with some sacrifices on the part of slaveholders, which are to be regretted, need not be denied. What great and beneficial enterprise was ever accomplished without risk and sacrifice? But these sacrifices are distant, contingent, and inconsiderable. Assuming the year 1860 for the commencement of the system, all slaves born prior to that time would remain such during their lives, and the personal loss of the slaveholder would be only the difference in value of a female slave whose offspring, if she had any, born after the first day of January, 1860, should be free at the age of twenty-five, or should be slaves for life.

In the mean time, if the right to remove or sell the slave out of the State should be exercised, that trifling loss would not be incurred. The slaveholder, after the commencement of the system, would lose the difference in value between slave for life and slaves until the age of twenty-five. He might also incur some inconsiderable expense in rearing from their birth the issue of those who were to be free at twenty-five, until they were old enough to be apprenticed out; but as it is probable that they would be most generally bound to him, he would receive some indemnity for their services until they attained their majority.

Most of the evils, losses, and misfortunes of human life have some compensation or alleviation. The slaveholder is generally a landholder, and I am persuaded that he would find in the augmented value of his land some, if not full, indemnity for losses arising to him from emancipation and colonization. He would also liberally share in the general benefits accruing to the whole State from the extinction of slavery. These have been so often and so fully stated that I will not, nor is it necessary, to dwell upon them extensively. They may be summed up in a few words. We shall remove from among us the contaminating influences of a servile and degraded race of different color; we shall enjoy the proud and conscious satisfaction of placing that race where they can enjoy the great blessings of liberty and civil, political, and social equality; we shall acquire the advantage of the diligence, the fidelity, and the constancy of free labor, instead of the carelessness, the infidelity, and the unsteadiness of slave labor; we shall elevate the character of white labor, and elevate the social condition of the white laborer; we shall increase the value of our lands, improve the agriculture of the State, attract capital from abroad to all the pursuits of commerce, manufactures, and agriculture; we shall, as far as and as fast as we prudently could, any wrongs which the descendants of Africa have suffered at our hands, and we should demonstrate the sincerity with which we pay indiscriminate homage to the great cause of the liberty of the human race.

Kentucky enjoys high respect and honorable consideration throughout the Union and throughout the civilized world; but in my humble opinion, no title which she has to the esteem and admiration of mankind, no deeds of her former glory, would equal in greatness and grandeur that of being the pioneer State in removing from her soil every trace of human slavery, and in establishing the descendants of Africa within her jurisdiction in the native land of their forefathers.

I have thus executed the promise I made, alluded to in the commencement of this letter, and hope that I have done it calmly, free from interperence, and so as to wound the sensibilities of none. I sincerely hope that the question may be considered and decided without the influence of party or passion. I should be most happy to have the good fortune of coinciding in opinion with a majority of the people of Kentucky; but, if there be a majority opposed to all schemes of gradual emancipation, however much I may

37TH CONG. ... 3D SESS.

Emancipation in Missouri—Mr. Norton.

HO. OF REPS.

regret it, my duty will be to bow in submission to their will.

If it be perfectly certain and manifest that such a majority exists, I should think it better not to agitate the question at all, since that in that case it would be useless, and might exercise a pernicious collateral influence upon the fair consideration of other amendments which may be proposed to our constitution. If there be a majority of the people of Kentucky at this time adverse to touching the institution of slavery as it now exists, we, who had thought and wished otherwise, can only indulge the hope that at some future time, under better auspices, and with the blessings of Providence, the cause which we have so much at heart may be attended with better success.

In any event, I shall have the satisfaction of having performed a duty to the State, to the subject, and to myself, by placing my sentiments permanently upon record.

With great regard, I am your friend and obedient servant,
H. CLAY.

RICHARD PINDELL, Esq.

In addition to this letter upon the subject of emancipation in Kentucky, I have still another from the same source, bearing more immediately upon the subject of emancipation in Missouri. I hold it in my hand. It is an autograph letter of Mr. Clay, and has never before been published. It was written as far back as 1835, to a warm personal friend, then a distinguished citizen of Callaway county, Missouri, upon the subject of emancipation by that State, and which, at the time, was being considerably discussed there. Containing, as it does, so much wisdom on this interesting theme, and having the permission to print it, I will also send it to the public with these remarks.

ASHLAND, July 18, 1835.

MY DEAR SIR: * * * I have also, my dear sir, to make my acknowledgments to Mrs. Russell and yourself for the honor done me in bestowing my name on your infant. May he live to be useful to his country and a blessing to his parents.

You speak of the probability of a convention, in which you suppose a leading question that will be agitated is that of emancipation, and you ask my opinion of it. As to immediate emancipation, I think it wholly out of the question. It could not be adopted justly without compensation; and it could not be safely, considering the want of qualification in the slaves either to enjoy freedom or to provide comfortably for themselves.

Gradual emancipation, that is, emancipation at a certain age, of all born after a limited period is a very different question. Thirty-seven years ago this question was made in Kentucky when we were about to reform our constitution. I was then in favor of it, but we were in the minority, and were defeated.

It is a question, I think, which depends upon the relative numbers of the white and black races. Where the black preponderates, or is nearly equal, I would not be in favor of it; but where the whites preponderate, as in Missouri, it appears to me it may be safely adopted. The proportion of slaves to the whites with you is as twenty-two to ninety-seven, or a little more than one fifth. In such a relative condition of the two races there is no danger of the African ever acquiring the ascendancy.

That slavery is unjust and is a great evil are undoubted axioms. The difficulty always has been how to get rid of it? In States where they are comparatively few that difficulty is less. And in Pennsylvania and other northern States they have gotten rid of slavery almost without a struggle.

As to compensation, supposing that you were to put off the commencement of the period to the year, say, 1850, holding all to be slaves for life born prior to that year, and all subsequent to be free at the age of twenty-eight, there would be very little, if any, diminution in the value of slave property. The measure would operate only on the female; and how much less would a female slave be worth, who being herself a slave for life, her off-spring after 1850 are to be liberated? If there were no prohibition of the removal of slaves prior to 1850, there would be no depreciation in the value.

The effect of the measure would be to allow you slave labor in the infancy of your State, when it is most wanted, and to substitute ultimately free labor for it when free labor would be abundant. And you would thus gently and gradually free yourselves from what has not been inaccurately characterized a great curse.

These are my views communicated for your own satisfaction, at your request, and not for publication.

When Missouri was admitted into the Union, I said to her delegate, Mr. Scott, "go home, enter the convention of your State, and exert yourself to establish a system of gradual emancipation similar to that which Dr. Franklin prevailed upon Pennsylvania to adopt in 1779."

I do not conceive that your State could be justly chargeable with violating any pledge to emigrants by adopting the principle of gradual emancipation. The State has never declared that slavery should be perpetual. It tolerated slavery, but retained the power possessed by all slave States to abolish it when the good of the Commonwealth required. Emigrants went to your State knowing of this power, and knowing that the majority must govern. In making up that majority they have their voices *pro* or *con*.

In Kentucky there is not the usual excitement attending the present elections. There is, perhaps, too much apathy prevailing.

With great regard, I am your friend and obedient servant,
H. CLAY.

Colonel WILLIAM HENRY RUSSELL.

Similar authorities might be multiplied without

number on this interesting question, but I will not encumber the record. Enough has been said. Our pathway in Missouri is plain. If we would secure our own quiet, and at the same time advance the rapid growth in population and wealth of our great State, we should adopt a judicious and equitable plan of gradual emancipation. Such is the policy recommended to us by our able and patriotic Governor. I plant myself upon this policy. I am ready to cooperate with good men everywhere to promote it. I follow the example of the great, the good, and wise men who have gone before us, and who so much aided in planting the tree of liberty on this continent, who have contributed to its growth and its preservation in all the varying and disturbed scenes and trials of our country. While no man is infallible in this age of "great events and small men," we cannot greatly err upon a great question of this sort when we take our stand by the side, and follow the teachings of WASHINGTON, of LA FAYETTE, of FRANKLIN, and of CLAY.

I have thus, Mr. Speaker, in a very hasty and imperfect manner, thrown out a few general observations on the subject of emancipation in Missouri, and have taken occasion to express my own decided convictions as to the best plan of emancipation. I do not pretend to go into details. So that the system is gradual, and the least calculated to disturb the rights of the people, or to produce unnecessary conflict, I shall be content. I have deemed it my duty thus to speak. It is no time for any public man to withhold his opinions on a subject like this.

It may be, sir, that these views will not prove acceptable to many of my constituents. But esteeming them as an enlightened and generous people, I know they will give me credit for the sincerity of my convictions. I would do nothing to wound them, or which I did not believe would, in the end, promote their true interests and the happiness and welfare of their children. I have no interests separate from theirs. I am in all respects identified with them. Missouri is my home; it is the birthplace of my wife and children; beneath its soil repose the ashes of those whose memories are doubly dear to me—all that I have is there. For weal or for woe, my destiny is inseparably connected with the people of that State. I desire to see our great Commonwealth speedily relieved from the embarrassments which now surround her, and which have so much palsied the enterprise and energies of her population.

So far as the mere slave interest of the State may be compared to her other great interests, it sinks into utter insignificance, and all we want is a policy founded in liberal statesmanship, which will speedily insure the development of our vast agricultural, mineral, manufacturing and commercial wealth, to make Missouri one of the foremost States of the Union, and her already proud metropolis, gracing in queen-like splendor, the west bank of the "father of waters," and commanding, by her railroads and magnificent rivers, the interior trade and commerce of the continent, the seat of wealth, of power, of learning, and of refinement upon the American continent.

But, sir, to insure these results for us and our posterity, we must preserve our *nationality* and the *integrity of the Government*. These can in no event be yielded, and though the blood of kindred and of friends may yet flow upon a hundred battle-fields, and the waters of our great rivers be stained by the sanguinary conflict, these sacrifices and mighty efforts will not have been made in vain if we can once more see the flag of our country, that emblem of liberty and law, that pioneer of civilization and of progress, floating in triumph over a free and united people.

Mr. Speaker, a hard fate has overtaken us. If the mighty energies which we are now putting forth, in the attempt to destroy each other, had been directed to conquest, we might, indeed, have boasted an "ocean-bound republic." If in a peaceful way directed to emancipation, we might have bought and colonized every slave upon the continent, united the two oceans by railroads, girdled the whole earth with electric telegraphs, planted school-houses and churches on every hill-top and in every valley upon the continent. Differently directed, the proudest nations of the earth

might have been compelled to acknowledge our power, and yield to us the supremacy. But, alas! these things have not been. We have dishonored the memories of the good and truly great, blackened the page of our country's history, and stained its hitherto beautiful escutcheon with fraternal blood. And if we are at last as a nation to perish—which God forbid—our fate will be recorded in the touching and melancholy wail of the poet over his dying friend, in whose system were planted the fatal seeds of his own dissolution:

"'Twas thine own genius gave the fatal blow,
And help'd to plant the wound that laid thee low;
So the struck eagle, stretched upon the plain,
No more through rolling clouds to soar again,
View'd his own feather on the fatal dart,
And wing'd the shaft that quiver'd in his heart;
Keen were his pangs, but keener far to feel
He nursed the pinion which impell'd the steel,
While the same plume that had warmed his nest
Drank the last life-drop of his bleeding breast!"

But, sir, I trust that as a nation we shall not die; that no such funeral dirge shall be written for the American people; that the angel of peace will yet again return to us; that the green sod will grow upon, and the loveliest flowers of spring decorate, the newly made grave; that the sword and the spear will be converted into the plowshare and pruning-hook; and that, burying the bloody memories of the recent past in the bright promises and radiant hopes of the future, the American Republic, united, powerful, and happy, will yet realize the vision of the poet and philosopher, as he gazed from the most distant land in Europe, that

"TIME'S NOBLEST EMPIRE IS THE LAST!"

EMANCIPATION IN MISSOURI.

SPEECH OF HON. E. H. NORTON,

OF MISSOURI,

IN THE HOUSE OF REPRESENTATIVES,

February 28, 1863,

On the question of making an appropriation for the emancipation of slaves in Missouri.

Mr. NORTON. This measure has assumed three phases since its appearance in this House. First, the chrysalis state, when introduced by my colleague, [Mr. NOELL,] proposing, for emancipation, \$10,000,000, with the faith of the Government pledged to remove out of the State such slaves as might be willing to go. Second, the bill as amended in the Senate, with \$10,000,000 for gradual emancipation ending in 1876, or \$20,000,000 for immediate emancipation ending in 1865, with the provision for deportation struck out. Third, the bill as last introduced from the select committee appropriating \$15,000,000 for immediate emancipation without deportation. I do not propose to consider the proposition as introduced by my colleague, but shall confine myself to the consideration of the bill as amended in the Senate.

When this bill, in a somewhat different shape, was up in this House where it originated, it was pressed to a passage without discussion and almost without consideration, under the whip and spur of the previous question, after a short explanatory speech from one of my colleagues who had the bill in charge. So hot was the haste to put it on its passage that another of my colleagues, whose constituents were deeply interested in the measure, was denied the opportunity of simply presenting an amendment to be voted on when the question was taken. Thus, sir, in thirty minutes of time was this bill originally run through the House, although it contained propositions at once startling and alarming, proposing to effect, in a most vital and important manner, the interests of over one million of the people of my State, and to abstract from the common public Treasury \$10,000,000. This measure, immediately affecting the interests of the people I represent here as well as the whole public, I will not content myself by simply casting a vote against it.

The first section of the bill as amended in the Senate, makes it the duty of the President:

Whenever satisfactory evidence is furnished him that the State of Missouri has adopted a valid and constitutional law, ordinance, or other provision for the immediate or gradual emancipation of the slaves therein, and the exclu-

THE CONGRESSIONAL GLOBE.

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THIRTY-EIGHTH CONGRESS, 2D SESSION.

TUESDAY, JANUARY 17, 1865.

NEW SERIES.....No. 17.

595, to amend an act entitled "An act for the punishment of crime in the District of Columbia," approved March 2, 1831.

SUPPRESSION OF TELEGRAPHIC DISPATCHES.

Mr. KASSON. I ask unanimous consent to present a communication from Samuel Wilkeson, Washington editor of the New York Tribune, calling attention to a subject of great importance to the press; and I ask that, by general consent, it be read.

There being no objection, the communication was received, and was read, as follows:

The undersigned represents to the Congress of the United States that he is the Washington editor of the New York Tribune; that as such he sent on three different days within the current week to the office of the American Telegraph Company in this city, for transmission to the Tribune in New York, telegrams announcing the removal of General Butler from the command of the army of the James; that these telegrams were not sent but were suppressed; that your petitioner has been informed that they were suppressed by an order issued from the War Department; that your petitioner has reason to believe that a censorship of newspaper telegrams has been established in the city of Washington without law, and that the same is exercised therein without responsibility, in violation of the freedom of the press, to the injury of lawful business, in violation of the rights of property, and in nullification of law.

Your petitioner further represents that this suppression of the news of the removal of General Butler extended to and included the telegrams, announcing the same, sent to all the newspapers in the northern and western States by their representatives resident in Washington; and that, while this censorship and suppression were in force in Washington, the agent of one New York newspaper at the headquarters of the army of the Potomac had free let and license accorded to him to send to his paper full accounts of the said removal of General Butler, with extended comments thereon; which license he improved, and thereby secured for and gave to his paper a monopoly of said news over all the papers of the United States, to the unjust interference with business and the violation of equity.

Your petitioner therefore prays for the passage of a law which shall place the right to use the telegraph on the same ground with the right to use the mails, and that shall punish interference with and interruption or suppression of this right as law now punishes suppression or interruption of and interference with the right to use the mails of the United States.

SAMUEL WILKESON.

Washington, January 12, 1865.

The communication was, on motion of Mr. KASSON, referred to the Committee on the Judiciary.

INTERNAL REVENUE.

Mr. THAYER, by unanimous consent, introduced a bill to amend the act entitled "An act to provide internal revenue to support the Government, to pay interest on the public debt, and for other purposes," approved June 30, 1864; which was read a first and second time, and referred to the Committee of Ways and Means.

CONSIDERATION OF PRIVATE BUSINESS.

Mr. HOLMAN. I ask unanimous consent that to-morrow, after the morning hour, shall be set apart for private business, and be considered objection day. That will probably be the only opportunity we shall have to consider private business.

Mr. WASHBURNE, of Illinois. I object.

COAST SURVEY REPORT.

Mr. A. W. CLARK, from the Committee on Printing, reported the following resolution, which was read, considered, and agreed to:

Resolved, That there be printed three thousand extra copies of the coast survey report for 1864; two thousand for the use of the coast survey, and one thousand for the use of this House.

Mr. A. W. CLARK moved to reconsider the vote by which the resolution was agreed to; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

ARMY RATION.

Mr. COBB, by unanimous consent, presented the petition of the enlisted men of the forty-ninth regiment of Pennsylvania volunteers for a restoration of the former amount of the Army ration; which was read, and referred to the Committee on Military Affairs.

NEW POST ROUTE.

Mr. BEAMAN, by unanimous consent, submitted the following resolution; which was read, considered, and agreed to:

Resolved, That the Committee on the Post Office and Post Roads be instructed to inquire into the expediency of establishing a mail route from Hillsdale, in the State of Michigan, by the way of Frontier, to Amboy, in said State; and that they report by bill or otherwise.

AMENDMENT OF THE ENROLLMENT ACT.

Mr. MILLER, of New York, by unanimous consent, submitted the following resolution; which was read, considered, and agreed to:

Resolved, That the Committee on Military Affairs be instructed to inquire into the expediency of so amending the enrollment act as to provide that all persons liable to the draft, who shall hereafter volunteer, shall be credited to the town in which they are enrolled; with leave to report by bill or otherwise.

VENTILATION OF THE HALLS OF CONGRESS.

Mr. PIKE. Mr. Speaker, I move that by unanimous consent the House take from the Speaker's table, for action at this time, the concurrent resolution from the Senate that the joint committee on ventilation and improvement of the Halls of Congress be authorized to examine witnesses and employ a reporter, and that the members of the committees of the two Houses upon Public Buildings and Grounds be added to the said joint committee upon ventilation, &c., for the purpose of deciding upon any plan or proposition of improvement which may be before said committee for consideration.

Mr. WASHBURNE, of Illinois. I object.

ADJOURNMENT OVER.

Mr. COFFROTH moved that when the House adjourns to-day, it adjourn to meet on Monday next.

The motion was disagreed to.

PACIFIC RAILROAD.

Mr. COLE, of California, by unanimous consent, introduced a bill to amend an act entitled "An act to aid in the construction of a railroad and telegraph line from the Missouri river to the Pacific ocean, and to secure to the Government the use of the same for postal, military, and other purposes," approved July 1, 1862, and to amend an act amendatory thereof, approved July 2, 1864; which was read a first and second time, and referred to the select committee on the Pacific railroad.

WILLIAM HUTCHINSON.

On motion of Mr. WADSWORTH, by unanimous consent, leave was granted for the withdrawal from the files of the House of the petition and papers in the case of William Hutchinson.

UNITED STATES DEPOSITARIES.

Mr. WILSON, by unanimous consent, submitted the following resolution; which was read, considered, and agreed to:

Resolved, That the Committee of Ways and Means be instructed to inquire into the expediency of so amending the forty-fifth section of "An act to provide a national currency," &c., as to prohibit the designation of associations under said act as depositaries of public money in all cities and towns where there is a sub-Treasurer of the United States, and in all such cases to require the public money to be deposited in the sub-Treasury; and that the committee further inquire what additional legislation is necessary to render the Government secure against loss on account of public money deposited with designated depositaries under said act, and report by bill or otherwise.

GEOLOGICAL SURVEY OF DAKOTA.

Mr. HUBBARD, of Iowa, by unanimous consent, introduced a bill to provide for a geological and scientific examination of a part of Dakota Territory; which was read a first and second time, and referred to the Committee on Territories.

VIRGINIA CIRCUIT COURTS.

Mr. BOUTWELL, by unanimous consent, introduced a bill for changing the time for holding circuit courts in the district of Virginia; which was read a first and second time, and referred to the Committee on the Judiciary.

ADDITIONAL PENSIONS.

Mr. MILLER, of Pennsylvania, by unanimous consent, moved that the bill in reference to additional pensions for the widows of Generals Whipple, Baker, and Berry, heretofore laid upon the table, be taken up and referred to the Committee on Invalid Pensions.

The motion was agreed to.

ADJOURNMENT OVER—AGAIN.

Mr. STEVENS. Mr. Speaker, I rise to submit a motion, but before doing so I will, with unanimous consent, make a single remark. I intend to move that when the House adjourns to-day it adjourn to meet on Monday next, so as to give the Committee of Ways and Means an opportunity to occupy the whole of to-morrow in the preparation of the appropriation bills. The morning previous to the meeting of the House does not suffice for the work we have to do, and it is necessary that we should have to-morrow. I propose the House shall take a holiday and that the committee shall work all day to-morrow. I therefore move that when the House adjourns to-day, it adjourn to meet on Monday next.

Mr. JOHNSON, of Pennsylvania. I would like to inquire of the gentleman from the Toledo district of Ohio, [Mr. ASHLEY,] who has in special charge the special order—the constitutional amendment question—when he expects to bring us to a vote upon it. There are some of us who have business which will call us out of the city.

Mr. ASHLEY. After consultation with the friends of the measure on both sides of the House last night, we concluded to postpone the vote for a fortnight at least.

Mr. JOHNSON, of Pennsylvania. If that can be so arranged I shall not object to adjourning over to-morrow.

Mr. WASHBURNE, of Illinois. After the gentleman from Missouri [Mr. ROLLINS] concludes his remarks I hope the gentleman from Ohio will make a motion to postpone the subject until a given day.

Mr. ASHLEY. In accordance with the request I will now move that after to-day the further consideration of this question be postponed until Friday, two weeks from to-day, after the morning hour.

The SPEAKER. Unless the House sets aside private business, this day will be devoted to the consideration of that business.

The question was then put on the motion of Mr. STEVENS to adjourn over until Monday, and it was agreed to.

POSTPONEMENT OF PRIVATE BUSINESS.

Mr. WASHBURNE, of Illinois. I move that private business be postponed for to-day.

Mr. HALE. We have had no day this year.

start here

ABOLITION OF SLAVERY.

Mr. ASHLEY. I move that the further consideration of the special order be postponed after to-day until next Tuesday two weeks, after the morning hour.

The motion was agreed to.

Mr. ASHLEY moved that the vote last taken be reconsidered; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

Mr. WASHBURNE, of Illinois. I demand the regular order of business.

The SPEAKER. The regular order of business is the consideration of the business in which the House was engaged at the adjournment yesterday, being the motion to reconsider the vote by which the House on the 15th of last June rejected a joint resolution (S. No. 16) submitting to the Legislatures of the several States a proposition to amend the Constitution of the United States, on which the gentleman from Missouri [Mr. ROLLINS] is entitled to the floor.

Mr. ROLLINS, of Missouri. Mr. Speaker, I desire to submit a few observations to the House upon the important proposition now pending before the final vote is taken upon it. The remarks which I shall make will be rather in the nature of a personal explanation than any elaborate argumentation of this question. At the last session of Congress when the vote was taken upon this proposition I voted against it. On this occasion when the vote is taken I propose to vote for it. I have changed my views in reference to the expediency of this measure; and while I do not suppose that anything I may say will have any influence whatever in changing the vote of any gentleman upon this floor, I am satisfied with the reasons which have induced me to change my opinion and my action; and it is perhaps due to myself, humble as I am, due to those I represent and who take any interest in the opinions which I may entertain or express here, to present to the House and the country some of the considerations which have induced me to change my action and my vote.

Mr. Speaker, I entertain the same opinion to-day in regard to the rebellion that I have ever done. I feel the same animosity, the same hatred, the same contempt for it now, and for those who initiated it, as I did when it was first put on foot. Indeed, I may say, sir, that, looking at the consequences which it has produced in my own State and throughout the country, I am less inclined to-day than ever to look upon it with any degree of forbearance. Regarding it always without excuse or justification I am inclined to the opinion to-day that there was not even the shadow of a shade of pretext for putting on foot this infamous and disastrous rebellion.

But, sir, heretofore, and even now, I have acted with that body of men who are disposed to pursue a conciliatory policy with a view to obtain the high object we all had in view, and that was the preservation of the Constitution and the salvation of the Union. When I say I have been acting with that class of men who desire to pursue a conciliatory policy, I do not mean to say that I have not ever been in favor of an earnest prosecution of this war; but I mean to say that I desire to blend the two, *war and the olive-branch*; the olive-branch always in front of the sword, and a constant appeal to the intelligent public sentiment of the South that it was not the object of the Government to oppress, but that it was the high and noble purpose of the Representatives of the people and of the United States Government to extend and secure to them all the rights which they can rightfully claim under the Constitution of our fathers. It is my firm conviction that we have not enough pursued a conciliatory policy; not enough tried to impress on the public mind of the masses of the South the true objects we all have in view in the prosecution of this war. And while I am not disposed to say to-day that a different line of policy would have brought about a different result, would have had the effect of putting down the rebellion, to have stopped this unfortunate war, to have sustained the Government, I am sure such a policy would have done no harm; that the effect would have been good; that at all events it would have resulted in consolidating the Union sentiment in the loyal States of the Union, and checked to a great extent the collision of sentiment and consequent diversity of action which has occurred among Union men.

I have been surprised, Mr. Speaker, that the distinguished men who have charge of the Government have not stopped long enough to listen to the suggestions of plain and humble men in regard to this question. Sir, if I had occupied the high position of the President of the United States, even now recently, I would have made every soldier in Sherman's army the bearer of a message of peace and good will to the humblest men in the humblest cabins in the State of Georgia. He then had an opportunity of reaching that distant population. I judge the people from my own experience. I know how the masses of the common people have been deluded and misled by their traitorous leaders. I have seen the effect of this thing around me at my own home, and I know the influence which such appeals, coming from those in authority, have upon the minds of the masses of the common people of the country; and I believe to-day that if such a line of policy had been pursued, and if the minds of the people of

Georgia could be reached, it would be but a short time before the Administration of this Government would have a stronger and more powerful party among the people of that State than Davis himself!

Mr. Speaker, I have another general observation to make. In all my action as a Representative upon this floor it has never been my purpose to pursue a course either for the preservation or for the destruction of the institution of slavery. I have had a higher and a nobler object in view, for I regard it a more high and noble object to preserve this free Constitution of ours, to preserve our noble and happy form of government, to preserve the union of these States, than any question connected with the preservation or destruction of African slavery upon this continent. That has been a secondary and subordinate consideration altogether compared with the better purpose which I have just named; and in every vote that I have given, whether tending to weaken the institution of slavery or to strengthen that institution, it has been cast after considering the question, how far will this or that measure tend to strengthen the Government and to preserve the Constitution and the Union?

"To be, or not to be, that is the question."

Sir, if I could save this Constitution and this Union by preserving the institution of slavery in its present status in the various States I would do it most cheerfully. Perhaps I would go further than many of my friends on the other side of the House: if I could save the Constitution of my country and the union of these States even by extending the institution of slavery, I would do it. And why? Not because I am the especial friend of the institution of slavery, but because I regard as the paramount and most important question of the times the preservation of our own liberties, of our own Constitution and free Government. And, sir, I accept also the other view of the proposition: if I could save the Constitution and the Union by the partial destruction of slavery I would partially destroy it; and if I could save the Constitution and Union of my country by the total destruction of slavery—cutting it up by the roots, cutting out the cancer at once—I most unquestionably would do it; for I regard the preservation of these as paramount to and far higher than any question affecting the freedom or slavery of the African race upon this continent. In other words, I adopt precisely the sentiment so felicitously expressed by the President of the United States in a letter which he addressed to Mr. Greeley more than two years ago; and, in order to refresh the minds of these gentlemen who are pleased to give me their attention, I desire to read one or two sentences from that letter. It expresses the correct views, as I think, that all men who aim at the preservation of the Government should adhere to. The President said:

"My paramount object in this struggle is to save the Union, and is not either to save or to destroy slavery. If I could save the Union without freeing any slave I would do it; and if I could save it by freeing all slaves I would do it; and if I could save it by freeing some and leaving others alone, I would also do that. What I do about slavery and the colored race, I do because I believe it helps to save this Union; and what I forbear, I forbear because I do not believe it would help to save the Union. I shall do less whenever I shall believe what I am doing hurts the cause, and I shall do more whenever I shall believe doing more will help the cause."

That was the disposition of the President two years ago. That was my position two years ago; that is my position now. And what I propose to do now in the vote which I shall give upon this proposition, is simply because I believe that ultimately it will tend to save the Union; and to do that I am willing to do more now than I have heretofore done. When I cast the vote which I did before upon this proposition, I had no doubt in regard to the power of Congress to submit this amendment to the States; and the vote I gave at that time was given on the ground of expediency alone. For at that time, as I have stated, I was in favor of pursuing a more conciliatory policy. I believed at that time that by pursuing such a course and assuring the people of the South that our object was to preserve their rights under the Constitution they might be induced to return. And I was willing that they should return with the institution of slavery preserved as it then existed in different States of this Union. And I believe now that if political events had taken a different direction from what they have taken in all proba-

bility those States would be invited to return with all their rights, and along with the rest their right to the institution of slavery.

And I will make this further remark, that it was this general leading consideration that induced me to support the distinguished and patriotic man who was nominated for the Presidency in opposition to the present President. It was because I believed the one would offer and be satisfied with more liberal terms than the other, and that there would therefore be in all probability a better chance of preserving the Constitution and the Government under the administration of that man than by a continuance of the administration of Mr. Lincoln. But I confess here to-day that when I look at all the changes which would have necessarily resulted from a change of Administration, in its men and its policies, I am inclined to doubt whether, *under all the circumstances*, the people have not at last acted more wisely than I did. I do not claim to be infallible.

While I do not take the voice of the majority, however large, as the sole rule of my action, I am always willing to defer to it, and to treat with respect the opinions of a majority of the people of my country. It has been intimated here that perhaps there are some gentlemen who incline to change their views and action in reference to this important subject because the current seems to set in that direction. Now, if I believed that I was governed by any such consideration as that I should despise myself. I never have been a man to seek out the direction of the popular current upon which to set sail in my feeble bark. It is the pride of my public life that I have nearly always been in a minority, at home and in the nation. I never had an opportunity hardly to know how a man feels in the majority! And I have some pride in regard to it, because I believe that, as a general rule, there is more public virtue, more truth, and more honesty with the leading minds that control minorities than with those who direct majorities, and this from a principle in human nature which we all understand. No, sir, I am governed by no such consideration as that. I am governed by the single object of doing something in my humble way that may tend to preserve this Union and continue it after we shall have restored to it the States now in rebellion.

Now, sir, I come to make a few observations in reference to a question which has been very elaborately discussed here during the consideration of this subject; and that is the question of the constitutional power of Congress to do the thing we aim at to-day. I know how immodest it may be for me, after the very able and distinguished gentlemen who have discussed this question so elaborately, to say a word upon it. But as I speak for my constituents at home, as well as to this House, and especially those who act with me on this occasion, I desire to be clearly understood. If I believed this amendment to be unconstitutional, as a matter of course I would be bound by my oath not to give a vote for it; but believing it to be constitutional, and believing also in the expediency of the measure, I shall vote for the amendment.

Is this amendment constitutional? How are we to get light upon this subject? My answer is, by referring to the instrument itself; and I have yet to meet the first gentleman on either side of the House who will deny the proposition that in accordance with the *letter of the Constitution* this amendment may be proposed to the States for their adoption or rejection. The provision of the Constitution which confers the power of amendment, and which I do not propose to read, has but two limitations, as has been repeatedly remarked in this discussion. So far as the letter of the Constitution is concerned, except in reference to those two limitations, Congress has the right and the power to propose any amendment to be adopted or rejected by the States themselves. According to the letter of the Constitution we are governed only by the two limitations found in the instrument itself.

And the next question which presents itself is whether there are any other limitations in the Constitution, except the restrictions found in the article itself, to prevent Congress from proposing this amendment to the States.

Mr. C. A. WHITE. I understood the gentleman from Missouri [Mr. ROLLINS] to say that no person upon this side of the House had advo-

cated the principle that the letter of the Constitution put a limitation upon the power of Congress to pass this amendment. I beg leave to remind him that in the few remarks which I had the honor to submit on Wednesday last I made that distinct proposition. I contended that the word "amendment" was a limitation of itself; that the amendment must relate to some clause or provision already in the Constitution. And that this proposition now under consideration being to insert a separate and distinct clause in the Constitution, having no connection with any grant of power to be found in it, was a supplement to the Constitution and not an amendment; and that the very letter of the Constitution limited the power of Congress over the subject of amendments to the delegation of powers to Congress to amend the Constitution.

Mr. ROLLINS, of Missouri. My answer to the gentleman is, that all the amendments that have been made were open to the same objection. I was not so fortunate, Mr. Speaker, as to hear the gentleman's speech, nor have I had time to read it; but in reference to the question of limitation, I think that the best way to obtain light on the subject is to read what the Constitution itself says:

"The Congress, whenever two thirds of both Houses shall deem it necessary, shall propose amendments to this Constitution, or, on the application of the Legislatures of two thirds of the several States, shall call a convention for proposing amendments, which, in either case, shall be valid to all intents and purposes as part of this Constitution, when ratified by the Legislatures of three fourths of the several States, or by conventions in three fourths thereof, as the one or the other mode of ratification may be proposed by the Congress; provided, that no amendment which may be made prior to the year 1808 shall in any manner affect the first and fourth clauses in the sixth section of the first article; and that no State, without its consent, shall be deprived of its equal suffrage in the Senate."

The Constitution can only be changed by amendment, and, according to the gentleman's theory, we can add nothing to it, *however good or desirable*, unless there was already "some clause or provision in the Constitution" relating to the subject proposed to be added. This I regard as absurd.

Now, sir, I cannot for my life see, as my friend from Ohio sees, where there are any other limitations of the power of Congress, according to the letter of the instrument, than those which we find in the clause of the Constitution itself. The limitation is there according to the letter, and there alone; and if there is any other limitation in reference to the power of Congress, it must be outside of this article of the Constitution; and the next question which I propose to suggest, in order to come to a correct conclusion on this subject, is, is there any other limitation of the power of Congress in proposing amendments to this instrument? I assert that there is; and I adopt the very excellent view suggested in the running debate by the gentleman from Massachusetts, [Mr. BOUTWELL,] in answer to the distinguished gentleman from Ohio, [Mr. PENDLETON;] and that is, that the limitation of amendment to this Constitution is found also in the very preamble to the instrument itself. I do not believe, sir, with my friend from Ohio [Mr. Cox] that we have a right to make any amendment whatever to this Constitution, that there is no limitation except the express limitation contained in the clause which I have just read. There are other limitations, and those limitations are found, as I conceive, in the preamble preceding the Constitution itself. What is that preamble?

"We, the people of the United States, in order to form a more perfect union, establish justice, insure domestic tranquillity, provide for the common defense, promote the general welfare, and secure the blessings of liberty for ourselves and our posterity, do ordain and establish this Constitution for the United States of America."

Now, I do not believe that any amendment can be made to this instrument which has for its object, or whose direct tendency would be, to destroy the very object and purposes for which the Constitution was established. Therefore, sir, any amendment to this Constitution which would destroy "a more perfect union," which would fail to "establish justice," which would fail to "insure domestic tranquillity," which would fail to "provide for the common defense," or to "promote the general welfare, and secure the blessings of liberty to ourselves and our posterity," is not an amendment which may be proposed by Congress, or may be adopted and ratified by the States; and

every Representative who votes must be a "law unto himself" whether any amendment proposed is in accordance with the Constitution.

Mr. COX. I desire to ask the gentleman a question. Who is to be the judge whether a proposed amendment comes within the scope of the preamble?

Mr. ROLLINS, of Missouri. I will be the judge myself, so far as I may be called upon to vote for or against it.

Mr. COX. I would prefer, according to my peculiar logic, to allow the States themselves to be the judges. Therefore I infinitely prefer the gentleman's first proposition—that the power of amendment is not limited except by the terms of the clause of the Constitution on that subject.

Mr. ROLLINS, of Missouri. I will answer the gentleman, that so far as my action and my vote are concerned, my own judgment—and I presume so far as the vote of every other member in the House is concerned, his own judgment—must be the rule in reference to the question whether a proposed amendment comes within the scope of the preamble; and I presume that the States themselves must be the judges when an amendment is submitted for their consideration and action. If three fourths of the States adopt a proposed amendment, it becomes a part of the Constitution. But suppose the other fourth decline to adopt the amendment what then? If it is such an infringement of their rights, such a destruction of their liberties, such an interference with their domestic policy, that they regard themselves justified in raising the standard of revolt and revolution in order to resist the amendment which the other States have adopted, I take it that the State itself would be the better judge as to the course which it would have a right to pursue.

But, sir, it has been urged that this amendment is contrary, although not to the letter, to the *spirit of the Constitution*. Well, Mr. Speaker, I am a believer, too, in this doctrine that we must be guided by the spirit of the Constitution. I would neither violate its letter nor its spirit. But I confess, sir, that it is difficult for me to define or exactly to understand what is meant by the spirit of the Constitution. Perhaps it is like the passion which young people experience, and which is well described in the language of the young lover:

"'Tis what we feel, but can't define;

"'Tis what we know, but can't express."

We all know that there are amendments which might be proposed, and which would be in strict accordance with the letter of the instrument, but which we would feel to be violative of its spirit.

Sir, if you proposed an amendment changing entirely the form of our Government, creating a monarchy or despotism instead of a Republic, I presume, although gentlemen might find an express warrant of law in the Constitution to do this thing, yet it would be against the spirit of that instrument. I presume if an amendment were proposed to require one State to pay a much larger proportion of taxes than in accordance with its representation, although you might find a warrant for it, yet it would be against the spirit of the Constitution. I presume if you were to propose an amendment to establish a State religion throughout the land, while the letter of the Constitution might not be against it, yet every man who favored religious toleration and who was against an established Church, would feel that the spirit of the instrument had been violated.

I believe, then, sir, that this amendment is in accordance with the express letter of the Constitution. I believe that it is in accordance with the preamble of the Constitution. I believe that it is in accordance with the true spirit, meaning, and intent of that instrument, and the objects and purposes for which it was framed by our forefathers, and that if all the States could be induced to adopt it it would go far to strengthen the Government, by preventing future dissension and cementing the bonds of the Union, on the preservation of which depends our strength, our security, our safety, our happiness, and the continued existence of free institutions on the American continent.

The only question left for me to decide, sir, is whether this is a measure which is expedient and which ought to be adopted. I believe in both its expediency and constitutionality.

Now, Mr. Speaker, in making a few remarks on the other branch of the question, I want to

put a few interrogatories to gentlemen who differ with me. Does any man in this House, does any intelligent man in any of the loyal States believe that the institution of African slavery will survive this rebellion? If there is such a man I choose to differ from him. I believe, as has often been remarked here, that the existence and continuance of human slavery is wholly and entirely incompatible with a state of civil war in the country. The rebellion, instigated and carried on by slaveholders, has been the death-knell of the institution; and, believing this, shall we any longer rely upon the President's proclamations, which are doubtful in their policy and character? Shall we rely upon the exercise of those extraordinary powers originating in a time of war? or shall we not, like wise and prudent statesmen, come to the rescue at once, take it up, handle it, discuss it in a statesmanlike way, and adopt the true and only peaceful mode pointed out in the Charter of our liberties for meeting and disposing of questions of this character.

Mr. Speaker, I have another remark to make in regard to the limitation in the fifth article of the Constitution. How did it happen that the framers of that instrument only extend the limitation of power to two subjects? Why did they preserve the representation of the small States from amendment? Why did they allow the African slave trade to remain untouched only prior to 1808? I answer, it was because the great men who laid the foundations of civil government upon the American continent, according to my reading and understanding, were essentially anti-slavery, North and South, and, looking upon the institution of slavery as an evil, they determined to check its growth; hence in the Constitution they placed a limitation upon the African slave trade, limiting it to the year 1808. So on the other subject of the representation of the small States. The small States represented in that Convention seeing the great inequality of authority and power given to them by that clause of the Constitution which enabled Rhode Island to exercise in the Senate of the United States as much power as New York and the other great States of the Union, and tenacious of the power thus secured to them, insisted, and it was finally yielded to them, that upon that point the *Constitution of the United States should remain unamended through all time*.

Now, I ask you the question how easy it was, and why the framers of the Constitution did not add to that clause that no amendment should be made changing or modifying the institution of slavery as it exists in any State of the Union? Why was this not ingrafted upon the Constitution? I have an answer satisfactory to myself on that subject. It was because the great men of that day, the men who framed this Charter of human freedom for the American people, were in heart and in principle hostile to the institution of slavery; and although they did not take the responsibility of disposing of it, they accepted it as they found it; and the writings and teachings of the great men of the North and South justify me in claiming that they looked forward to the day when their posterity would finally, in *some form or other*, dispose of the institution which they themselves regarded as hurtful to the happiness and progress of the country.

Hence I go a little further than my venerable friend from Missouri, [Mr. KING,] though he and I are exactly in the same category upon this question. I express my belief that the limitation preventing the abolition of slavery in the States by Congress was not placed in the Constitution for the reason of a desire to leave that an open question, and hoping and believing that at a distant day in the history of our country, when there would be a higher and more Christian-like civilization, a better view of this subject, that we, their posterity, might have the power which they gave to us in the instrument itself, to take hold of the question and dispose of it in some fair, right, and proper way. Such is my belief; whether well-founded or not is another thing. They regarded the institution as an evil, and no such limitation could have been incorporated into the Constitution by the Convention which framed that instrument. They regarded it as an evil one day or other to be disposed of, and they left the door open to those who were to come after them for the express purpose of enabling them, when a good opportunity

offered, to do the very thing which they failed to do themselves.

Mr. Speaker, every man, however humble he may be, has some personal pride in the opinions he may entertain upon a great question of this sort. I am not free from considerations of that kind, and when I hear my friends over the way upon the Republican side of the House—and I know I have a great many friends there—intimate that because a man cannot vote with them and I upon this amendment he sympathizes with the rebellion, or is an apologist for the rebellion, I confess I cannot indorse either the good taste or the propriety of such imputations. Such remarks elsewhere than here have been applied to me, and yet I know they have not fitted my case, because I take this occasion to state my opinion—an opinion I have entertained for twenty-five years—that the institution of African slavery cannot be defended either upon moral or religious grounds, or upon principles of natural right or political economy.

I am a believer in the Declaration of Independence wherein it is asserted that "all men are created equal." I believe that when it says "all men" it means every man who was created in the "image of his Maker" and walks on God's footstool, without regard to race, color, or any other accidental circumstances by which he may be surrounded. I know that astute politicians, crafty and ambitious men, in various periods of the Republic have tried to draw a distinction between this man and that man because he happens to have a different colored skin; that the Declaration was applicable alone to white men, and not to the black man, the red man, or any other than the white man. That the word "all" meant a part, not "all!" But, sir, I believe that that general clause in the Declaration of Independence was meant, by the immortal man who penned it, and by the immortal men who signed it, and by a large majority of the great men of that day North and South, to assert the great principle, founded in the rights of man, founded in reason, and in strict accordance to the law of morality and of the Divine will, that "all men are created equal," without distinction of race or of color. And although our ancestors failed to apply the principle, although they were derelict in duty in living up to the great enunciation of principles which they made to the world and mankind, it is no proof to my mind that they did not mean exactly what I say they meant in the expression to which I have referred.

Mr. Speaker, all these considerations are influencing me in the very vote which I shall give upon this amendment; but I desire to say that my experience upon the subject of slavery has been quite singular and diversified. An anti-slavery man in sentiment, and yet, heretofore a large owner of slaves myself—not now, however—not exactly with my consent, but with or without my consent. The convention which recently assembled in my State, I learned from a telegram a morning or two ago, had adopted an amendment to our present State constitution for the immediate emancipation of all the slaves in the State. I am no longer the owner of a slave, and I thank God for it. Although I think this subject might have been disposed of in a better way, causing less inconvenience to our people, and doing in fact the slave no harm, I make no complaint of the convention for that act; and although there is no clause of compensation, I very gracefully yield to the public sentiment, and to the action of this distinguished body of men called in my State to consider its welfare. If the giving up of my slaves without complaint shall be a contribution upon my part to promote the public good, to uphold the Constitution of the United States, to restore peace and preserve this Union, if I had owned a thousand slaves they would most cheerfully have been given up. I say with all my heart, Let them go, but let them not go without a sense of feeling and a proper regard on my part for the future of themselves and their offspring! I say, Let them go, and let them enjoy all the privileges consistent with sound policy and that freedom which has been vouchsafed to them! Let them go; and, sir, there is no man in this House or in this nation who feels a deeper interest in their comfort, in their happiness, in their elevation than I do, and in the comfort and welfare of their children and their children's children in all time to come! I say

again, sir, Let them go, and may the blessing of God rest upon them!

[Here the hammer fell, the hour having expired.]

Mr. ASHLEY. I ask that the gentleman have leave to continue his remarks.

By unanimous consent the leave was granted. Mr. ROLLINS, of Missouri. As I have said, my experience in relation to this question of slavery has been singular and somewhat diversified. Why, sir, I remember that seventeen years ago, when I was a member of that proud, and honorable, and patriotic party, the old Whig party of the country, and when I was quite a young man, my friends placed me in the responsible position of candidate for the high office of Governor of my State, and that I found as my competitor upon that occasion my venerable and honorable friend who occupies a seat on my left, [Mr. KING.] We traversed our great State from one corner to the other; we met time and again upon the hustings; he was a friend of General Cass and I was a Whig, and the friend of General Taylor; and he must pardon me upon this occasion—and especially as we are now together—if I bring to view a single reminiscence. One of his arguments, I remember, was that the elevation of General Taylor to the office of President and the election of myself to the office of Governor would be dangerous to the institution of slavery! I, a Kentuckian by birth, supporting a large slaveowner for the Presidency, and myself a slaveowner, combated that view as well as I could in opposition to my venerable friend. I am happy, however, to know that on this occasion we meet, and that hereafter there is to be no further controversy between him and I upon this question.

I remember also that as late as 1857 when again my political friends, regarding me far too highly, did me the honor of placing their standard once more in my hands as a candidate for the highest office in the gift of the people of my State, I found myself confronted by a gentleman who was born in New York, able and talented, and never the owner of a slave, but throughout that entire canvass the burden of his "talk" against me was that it would never do to elect me, and that if they did, in some way or other the institution of slavery would suffer at my hands in the State of Missouri; and although I think to-day that I was legally elected, after the old Democracy had figured some six or eight weeks, the election being over, they brought out a majority against me of two hundred and thirty!

But this is not the whole of my personal experience upon this subject. When first I had the honor of being a candidate for a seat upon this floor in 1860, I met as my competitor a very worthy and distinguished gentleman who now occupies a seat at the other end of the Capitol, a man of exalted talent and ability and a high order of patriotism, who is my personal friend, and who, I am gratified to see, fills his place so ably and gracefully; but I remember that it was the same old story with him as with my venerable friend here [Mr. KING] and the other gentleman to whom I have alluded, that it would not do to send me here even, because in some way or other I might be detrimental to the institution of slavery in my State. I am happy, however, to say that that distinguished gentleman and myself will no longer have any controversy upon that point.

So far as I know, we are together so far as this amendment is concerned. We take now pretty much the same view of this important question, the only difference being that he has gone far ahead of me in any view I entertain or action I expect to take in the matter. It will never do, in the day of civil war and revolution, to be justifying one's self for inconsistency. Men change every day. Read the inaugural address of President Lincoln; read the diplomatic correspondence of the Secretary of State; read your own speeches of two or three years back, and you will see how changes have taken place. Read my speeches and you will find me preaching, a short time ago one doctrine, and now preaching another doctrine. I am proud that a man has the right to change; I am gratified that I am not too obstinate to change; I am glad that additional light shines upon the darkened intellect to enable us to change our opinions when we find that we are wrong, and hope all of us have sufficient regard for the truth to embrace it when we see it. Change

is a law of nature. It is written on our physical organization, on our moral organization, on our mental constitutions. If there were no right to change, change morally especially, what, in the name of God, would become of many of the gentlemen on both sides of this House? [Laughter.] There is an old adage which says, "Wise men sometimes change, fools never do." Sir, the peculiar friends of slavery have controlled the Government for much the greater part of the time since its establishment; and but for their own wickedness and folly might have saved the institution and had their full share in its management for many years to come. If they have lost the political control, all are blameless save themselves!

"But yesterday, the word of Caesar might have stood against the world: now lies he there, And none so poor to do him reverence."

Mr. Speaker, I wish to state in a very general way some other propositions. Let us dispose of this question now, now. I have signified that I would be willing to dispose of it in another way. If Jefferson Davis & Co. would come back to this Hall to-morrow and say, "We were wrong; we ask pardon; we lay down our arms; we yet remember the blessings that we have thrown away; we want that free Constitution which we have been destroying; we want to come back to you;" for the sake of peace, for the sake of running no more risk in regard to this slave question, I would say "Let them come in," and I would go pretty far in making terms with them; much farther than my friends from Missouri over there, [Mr. McCLURE and Mr. LOAN.] But we cannot have our will on this subject. The president of the so-called confederate States, and those who act with him, are not going to put themselves in that position. On the contrary, we have been told by the rebel leaders that if a blank sheet of paper were furnished to them on which to write their own terms, they would not come back. They have told us that they started out for separation, and that they mean to exhaust all the energies and resources of the country in accomplishing that object. On the other hand, we started out for the purpose of preserving the Constitution and Union, let that effort lead us where it might; destroy whoever and whatever it might. If we had the moral, the physical and the intellectual power to do the work, we started out for the purpose of putting down this rebellion, and saving this Union and Government from destruction. And while I rejoice at any movement which looks to an honorable peace, and a restored Government, I am for fighting it out "on that line" to-day. Not until every germ of patriotism shall have withered and rotted in the public heart; not until the public sense of the nation is that the thing cannot be accomplished, am I for abating one jot or tittle of the efforts of the nation to subvert the rebellion, restore the supremacy of the Constitution, and preserve the Union of these States, and republican liberty on this continent throughout all time to come.

Mr. Speaker, the American sentiment is decidedly anti-slavery; and that is another consideration why I am willing to vote for this amendment. We never can have an entire peace in this country as long as the institution of slavery remains as one of the recognized institutions of the country. It occurs to me that the surest way to obtain peace is to dispose of the institution now. From whatever cause, whether it be from northern intermeddling—if you so call it; and there has been far too much of this—or from southern arrogance and dictation and agitation, whether from the one cause or the other, or both, slavery will always be a disturbing element! There will be no peace, there will be no perfect Union in this country until some way or other we shall have disposed of it. You cannot get over moral convictions. And so long as the General Government is connected with slavery or associated with it in any way, the great tide of emigration that will flow into the South, carrying new ideas of human rights, this institution will be a disturbing element, and we will have continued agitation until, in some way or other, this question is disposed of. I have therefore brought myself up to the point. We may as well unsheathe the sword and cut the Gordian knot!

I said, Mr. Speaker, that the American public sentiment is anti-slavery. I say now, from my own experience that the public sentiment of the

southern people is anti-slavery. And I assert a proposition which may startle some gentlemen, but which I believe in my heart to be true, that to-day the State of South Carolina is anti-slavery. I take South Carolina as an example, because she is the most "wayward" of all the "sisters," because she has been hitherto always wrong and never right, and especially on this question. I take her because there this institution has left its deepest and keenest impress. I believe in regard to the people of that State, that if this question of slavery, in all its bearings, and in all its phases, could be thoroughly discussed and presented in an intelligent and patriotic way; sending my honorable friend from Maryland [Mr. H. W. DAVIS] with his gift of argument and eloquence to combat the proudest intellects of that State—I believe, as God is my judge, that after twelve months', or even six months' discussion, the majority of the people of South Carolina would vote to rid themselves of this institution of slavery. And as in South Carolina so would it be in other States.

And how do I arrive at this conclusion? I look at the history of events in my own State of Missouri. Four years ago, a man who now has gone to

"The undiscovered country, from whose bourne
No traveler returns,"

the late reasonable governor of that State, Jackson, was elected by an overwhelming majority upon this very question, and almost upon this question alone. Four years have expired; four years of rebellion, four years of civil war; four years of ruin and desolation and blood and misery. All these things have occurred, and the people believe, whether correctly or not, that they are all in some way or another connected with this institution of slavery. And what has been the result? The other day a gentleman, for whom I did not vote, but who has my highest respect, and in whose patriotism I have every confidence; one who, I trust, will be equal to the great occasion before him; a radical man, far more radical than I am or expect to be, radical in all his theories growing out of this disturbing question before us; was elected governor of that State by the votes of a larger majority than that which was cast four years ago for Claiborne F. Jackson. What does that prove? I believe that, to some extent, there may have been some intimidation, some military interference. But I tell you that my conviction is that this change has resulted from the deliberate and earnest conviction of the honest masses of the people of that State, slaveowners and non-slaveowners, that the institution of slavery is wrong, that it has been to some extent the cause of all our trials, and that they are in favor of disposing of it as early as practicable.

The State convention of Missouri assembled the other day to revise the State constitution. Almost two years ago an ordinance of emancipation had been adopted, allowing the institution to stand until the 4th of July, 1870. Yet the people of Missouri were not content with that. They met in convention three days ago, and almost the very first act of that convention, after organizing, was, by a vote of 60 to 4, if the telegraph is correct, to wipe out the institution of African slavery from the soil of Missouri.

It is an old adage that "he is a fool who learns nothing from experience, but he is the greatest of fools who will not profit by his own experience." I have learned a little; not much; but I am progressing. I never expect, perhaps I am not wise enough, or perhaps I am too timid or too slow; I do not expect to get quite up to the standard of my venerable friend from Pennsylvania [Mr. STEVENS] or my eloquent friend from Maryland, [Mr. H. W. DAVIS.] But I will endeavor to keep pace with my own convictions, having in view always the restoration of the Union, the preservation of the Constitution and of republican liberty under free institutions upon the American continent. Sir, I have a firm conviction that there is such a thing as the "logic of events."

May I say a word or two to my friends from Kentucky? My life-long friend who sits on my left, who addressed the House the other day, [Mr. CLAY,] in the remarks that I understood him to make, spoke of the slaves in Kentucky being worth \$150,000,000 before the rebellion, and perhaps as much now. Sir, put upon the block to-day, what would all the slaves in North America

now sell for? Does he expect, after all to which I have referred, after what he has seen, does the gentleman expect that the institution of slavery is to remain anywhere safe for any length of time? If he does, if my other friends from Kentucky expect that, I have only to say that upon that one question I am wiser than they, I have passed through this sea of troubles. Thank God, I breathe freer and easier to-day in consequence of having got through it, and I tell them now, that without some obstacle in the constitution of the State of Kentucky, in less than two years from the day that I am making these poor remarks in the American Congress, Kentucky will be a free State without any regard to the views gentlemen may express here on this side of this Hall.

And, sir, if ever a set of people made a mistake on earth, it was the men of Kentucky, by whom I was somewhat governed myself, when, three years ago, they rejected the offer of the President of the United States, who, wiser than we were, seeing the difficulties before us, but seeing the bow of promise set in the sky, and knowing what was to come, proposed to us to sweep the institution of slavery from the border States, offering the assistance of the United States to aid in compensating the loyal men of those States for their losses in labor and property. I say that the unwisest of all acts, so far as the border States were concerned, was the rejection of this liberal offer on the part of the Executive of the United States. I voted for the proposition at first; and then most unwisely changed my ground, showing the versatility of the man, and would perhaps, if it had come to a final vote, have opposed it, because my constituents were likely to be offended by the passage of such a law. They are now convinced, when their slaves are gone and their pockets are empty, that I was right in the first place, and they were wrong. I have read, in the papers of this morning, that the Legislature of Kentucky, after electing that distinguished and able man, James Guthrie, to the Senate of the United States, have passed a resolution in favor of emancipation, "with the consent of the owners, and with compensation."

But where is compensation to come from? I have a right to feel something on this subject, for I am called upon to ask myself where is compensation to come from? Not out of the coffers of the national Treasury. Why, the Government will not even pay for the gallant soldiers which I and others have furnished for its Army, although the law, as I understand, expressly provides for compensation to loyal owners. While I have furnished ten soldiers, brave soldiers, (I hope they are doing good service for the cause,) I have never asked for any compensation. I do not urge my claim for compensation; but when Uncle Sam comes along I will consider whether to take it or not. I will ask my friend from Kentucky, [Mr. CLAY,] I will not call him "my venerable friend," because he and I sat on the same bench at school when we were boys together—does he think that the people of Kentucky will ever vote to tax themselves to pay him and others for their slaves? Does he not know that the day for compensation is past? Will he have the men of Kentucky go through all the trouble and anxiety which I have passed through, simply to preserve that which cannot, in the nature of things, be preserved but a few short years longer? I would do my full duty toward my old State; but how else can I do it than by giving her noble and patriotic men the benefit of my own experience? I think that the best way to aid and succor my proud old mother is to adopt this amendment.

"If it were done, when 'tis done, then 'twere well
It were done quickly."

Sir, she and her people rank in my affections next to my own proud adopted Commonwealth. There is not a State in this Union, nor any people of the Union, for whom I would make greater sacrifices than I would for the State of Kentucky. Especially do I sympathize with my friend to whom I have referred, because he and I were educated in the same social and political school, and have in many respects kindred sympathies. I have the highest confidence in his loyalty, in his honor, and in his patriotism, however much we may differ on some questions. I wish that I could aid him and men similarly situated. But I cannot. This is not because of any hostility to Kentucky, or any hostility to the institution of sla-

very. It is because I am compelled to act thus in view of the great results which, in my opinion, are to spring from the adoption of this amendment. I shall vote for it in order to help the old State of Kentucky, to help the South, but above all to help all the States of the Union in arriving at a final adjustment of the terrible agitation and conflict now prevailing.

Mr. Speaker, I regret that the action of our ancestors in reference to slavery inflicted this evil upon us. And when I speak of our ancestors, I mean those of Plymouth rock and those of James river. And while in this House and in the other end of this Capitol, I have heard attacks on the pilgrim fathers, and while I saw lately a disreputable statement concerning the early settlers of Virginia, yet I have no sympathy with the spirit which prompts such efforts. Doubtless there were bad men as well as honest and good men among the original settlers of both the northern and the southern sections of our country. Through the promptings of cupidity and avarice, slavery was first established in this country. Could our ancestors who countenanced this institution in its establishment witness the scenes of the present time, they would doubtless feel that they committed an unpardonable sin. And for this sin the North and the South are equally responsible. The people of both sections were engaged in this infamous traffic, and we are this day gathering the fruits of their iniquity. And it is thus that

"Even-handed justice
Commends the ingredients of our poisoned chalice
To our own lips;"

or, as the same great master expresses it—

"That we but teach
Bloody instructions, which, being taught, return
To plague the inventor."

The gentleman from New York [Mr. FERNANDO WOOD] said the other day that slavery was a blessing to the slave. I admit that it has turned out to be so, yet by accident alone. The Africans were brought from their native wilds in violation of every law of God and humanity; but when I compare the present condition of the negro in this country with his situation in his native land, I am compelled to admit that the institution of slavery has had a beneficial influence upon his moral, intellectual, and physical condition. I think that the negro of the United States is a higher order of humanity than the barbarian of Africa. Thus out of a great wrong has resulted a great good—the elevation and advancement of this large and unfortunate class. The consoling reflection will ever be, that this downtrodden race, torn by violence from their native country for the sake of gain, after passing for centuries through a weary pilgrimage of bondage, are at last admitted into the temple of freedom, with a fair prospect of enjoying all the blessings which education, true religion, and civilization confers upon man; and through them it may be at last that these blessings may be sent back to Africa, and that continent over which the dark cloud of ignorance and superstition has so long hovered, be illumined by the same bright sun which has thrown its effulgent rays over other portions of the habitable globe. And in all this, through the eye of faith, we may discern the hand of an all-wise and inscrutable Providence; for there is a

"Divinity that shapes our ends
Rough-hew them how we will."

Mr. Speaker, when the framers of the American Constitution in 1787 formed that instrument they committed a great mistake in not disposing finally and forever of the institution of slavery. If the venerable man whose "counterfeit presentment" [pointing to the portrait of Washington] stands before us upon the walls of this Representative Chamber could come from the sacred spot of Mount Vernon, which holds his ashes, and the question was put to him "Would you as President of that Convention, and the noble men who composed that body, now dispose gradually and directly of the institution of slavery upon this continent?" is there a man who hears my voice who would doubt what would be the answer of the Father of his country? It was not because they were not anti-slavery, but because they were afraid to deal with it. They had other delicate and important questions to deal with which prevented them from disposing of the institution of slavery. They were planting deeply upon this continent the foundations of a temple which was

to last forever; a temple of liberty which was to shield not only themselves but their posterity, and that men in all time to come should take refuge there. And they did not wish, as I have said I did not wish, to endanger that structure, to do anything that would cause it to totter and fall. They did not wish to fail in the *grand object* that they had in view. Hence they let the minor subject of slavery go over to other times and other men. It has therefore now come down to us. Mr. Speaker, I look ahead into our history for fifty years to come, and I ask the question, suppose the institution of slavery is to remain interwoven in our mechanism of government, and our country is again on account of it to pass through the bloody trials which now cover our land in mourning and in sorrow, and have piled upon us a debt which will tax the energies and wring the sinews of our posterity to pay; suppose you, sir, that our children will not censure and charge upon us as a mistake that we did not during the revolution of these times wipe out forever this disturbing and dangerous element in our political system?

I again, Mr. Speaker, refer to the State of Kentucky. She was admitted into the Union in 1799. She is the oldest daughter in the family of States. She was the first that was admitted after the adoption of the Federal Constitution. The great men of Kentucky of that day, proud and venerable names, advocated the propriety of a system of gradual emancipation. Will my friend from the Maysville district, [Mr. WADSWORTH], will my friend from the Louisville district, [Mr. MALLORY], will any of my friends who oppose this amendment declare it would not have been a great boon if the original constitution of Kentucky had disposed of slavery forever? Will my very excellent friend [Mr. CLAY] say that it would not have been better for his distinguished and venerable father, who was a member of the convention which framed the first constitution of Kentucky, would it not have been better for his immediate ancestors, to have met firmly the question at that day, and thus relieved the State from slavery, and the people of that noble Commonwealth of the terrible sorrows which have since fallen upon them?

I come now to speak a word in reference to my own State of Missouri. She came into the Union as it were in the midst of a revolution. For the purpose only of having a few thousand slaves there the whole continent shook with the agitation of this Missouri question. We were fighting for the privilege of holding a few slaves in bondage in that great State. We forgot the paramount good in this miserable struggle. Does my friend [Mr. HALL] from the district adjoining the one that I represent, does any man upon this floor, tell me that it would not have been better for Missouri at once in 1820 to have passed an ordinance for the gradual or immediate emancipation of her slaves, driving the institution beyond her boundaries? If there is such a man he is not as enlightened on the subject to-day as I am; he has not learned as much as I have done.

Why, sir, what is Missouri to-day, and what would she have been if there had been incorporated at that time with her organic law an ordinance declaring the institution of slavery forever abolished within her limits? We would have been as Ohio and Illinois and Iowa. We would have been rid of this curse which is ever reappearing, the curse of slavery, this raw head and bloody bones, and we would have been clear of all of these troubles. We would have had no bands of guerrillas watering the soil of our State with the blood of our peaceful citizens. We would have had no armed bodies of men stationed in all our borders to keep the peace. Look at Illinois just across the father of waters. She came into the Union in 1818, two years before Missouri, and with less population, fewer mineral resources, not so many rivers nor better facilities for commerce, yet she has four thousand miles of railroad while Missouri has only twelve hundred. Illinois has a prosperous, happy, and peaceful population of two million, while we have only half this number, and our people are leaving in every direction seeking homes in the Territories, in the distant mountains, in South America, in Mexico, in Illinois, flying away from the horrible specter of this infernal rebellion. Why is this? I know of but one real, substantial, specific reason, and that is that the framers of the

Missouri constitution allowed slavery to remain, while Illinois was made forever free by the Ordinance of 1787, penned by Thomas Jefferson, a son of Virginia, and by which Virginia ceded an empire within itself (the Northwest Territory) to the United States.

I have been looking up for light from above, and I begin to see it streaking along the horizon, however it may be with other gentlemen in this Hall.

A word or two more and I will relieve the attention of the House. If this were a time of profound peace, and this amendment was proposed, I would not vote for it, and on the score of expediency. Why? Because if we had remained in a state of profound peace, the very proposal to submit this amendment to the States would have disturbed the public tranquility, and therefore I would let it alone. But now I vote for it in order to restore the public tranquility, believing that this rebellion having been set on foot, and civil war raging in the country, you cannot have entire tranquility without a removal of the cause of the disturbance. Now, one gentleman intimated yesterday that if we pass this amendment it will induce emancipation on the part of the southern States themselves. But I ask him are they likely to be governed by any disposition we may make of this question in this House? Not at all. Whenever they are pressed to the wall, whenever our armies shall have planted our standard in every one of their States, when their principal cities shall have been taken, when they are "*in articulo mortis*," it may be, as a *dernier ressort*, that they may strike the shackles from the limbs of the slaves they now hold. But they will never be governed by any action we may take upon this or any other question. Never. Whenever they find it for their interest to do it, they will do it, and not before.

One other remark. Missouri has in advance adopted this amendment. Now, allow me, although not much given to prophecy, being neither a prophet nor the son of a prophet, to make one other prediction upon this floor to-day. It is this: if this constitutional amendment be adopted by this House, or whether it be adopted by this House or not, it will be adopted by the Congress which is immediately to succeed this, in less than ninety days from the time of our adjournment; it will become the prevailing sentiment, and will be adopted not alone by the North, but by every southern State. I do not doubt it. How? By the masses of the people, as the masses of the people of Missouri have adopted it there. How? When the poor and humble farmers and mechanics of the States of Alabama and Mississippi shall have left the bloody trials in which they are now engaged to tear down this temple of human liberty; when they will return perhaps to their desolated homes; when they shall look once more upon and hug to their bosoms the wives and children whom they love, in poverty and in rags; when they will go, perhaps without an arm, or without an eye, or without a leg, and in poverty to those who are dependent upon them for support in life, taught by experience, as I have been taught by experience, they will ask the question of themselves, "Why all this? What have we been fighting for?" They will bring to mind the sweet memories of other days. They will remember the peaceful and happy home that they were induced to leave and which they enjoyed under the benign influences of wholesome and liberal laws passed here, and they will inquire, "By what sophistry, by what appeal, by what force, by what maddening influence is it that we have been induced to enter into this terrible rebellion? Not to promote any interest of wife and children, but to destroy all the blessings vouchsafed to us and to them by a free Government and equitable laws;" and they will further ask, "Who has been the author of my misfortunes, and the ruin of my family, my all?" Sir, they will point to those who hold the power at Richmond; they will direct their vengeance against them; and Davis and his traitorous crew, as I have said upon a former occasion, will, like Actæon of old, be in the end destroyed by their own friends.

I do not doubt this at all. The masses of the people of the South have no special interest in, nor sympathy with, the institution of slavery. They never had. The comparative number of slaveholders is small, and whenever you begin to drive

in the wedge and exemplify the dividing line between those whose moral convictions say that slavery is right, and who are, as a property interest, identified and associated with it, and that great volume of humanity who, upon the other side of the question, deny the moral right of slavery and have no interest whatever in it, I tell you the result will be nine to one against the institution. And it is in this way that in Georgia, in Arkansas, and in South Carolina, even, at last, the very amendment we propose to adopt here to-day will receive the sanction of the good judgment of the people of those States. I judge from what I have seen in my own State; I judge from the fact that only a few years ago men who owned no slaves, but, controlled by that power, were nearly crazy upon the subject for fear I would do something to set my own slaves free! And now they are equally offended with me because I happen to be found in the unfortunate category of being the owner of slaves! Southern public sentiment, northern public sentiment, American public sentiment, and, I may add, the sentiment of the civilized world, now, as from the beginning, from the very day of the adoption and ratification of the Constitution, is against the humanity, the Christianity, and the expediency of the longer continuance of the institution of slavery among us. What has Great Britain done? What has France done? What has Russia done? Everywhere, even in the despotic Governments of the Old World, we find them getting rid of and abolishing the institution of slavery. And shall free America lag in a contest, and hesitate now, when the question is that of liberty, and when it may be reached according to all the forms of law under our Constitution? Sir—

"There is a tide in the affairs of men,
Which, taken at the flood, leads on to fortune;
Omitted, all the voyage of their life
Is bound in shallows, and in miseries."

And this is equally true of nations.

Now, Mr. Speaker, one more reflection and I am done. Gentlemen seem to think that the adoption of this amendment is going to lead to some other and dangerous measures. Sir, I rely upon the conservative balance-wheel of my friend from Vermont [Mr. MORRILL] and others like him to keep his party friends from going too far. My friend from the Louisville district [Mr. MALLORY] tells us that when a movement is once started it is difficult to stop it. I do not anticipate the evils which some gentlemen upon this side of the House seem to fear. I rely upon the good sense and sound judgment of the people of all the States. I believe, as much as I believe anything, that the permanent and continued existence of our free institutions is dependent upon the preservation of that beautiful harmony which exists between the powers of the States and of the General Government. I want to see no intrenchment further than is absolutely necessary to preserve the whole machine, either by the General Government upon the rightful, constitutional powers of the States, or upon the part of the States on the rightful points of constitutional power to the General Government. Not only the harmony and beauty, but the *very strength* of our political system consists in the preservation of both; and I do not believe, although it is frequently ascribed to gentlemen upon the other side of the House, that it is their purpose to use these vast centralized powers of a great consolidated Government with a view of oppressing the people of any one of the States. Any oppression which the people of the South now undergo is the effect of their own false teaching and conduct; and whether that oppression shall continue, whether their country shall be still further desolated, whether their towns and cities shall be still further sacked and burned, whether their property shall be still further taken, depends, *not upon us*, not upon the General Government, but it depends upon the people of the southern States themselves. I would rely ever on the liberality, the sound judgment, and the good faith of my friend from Ohio, [Mr. ASHLEY.] Let these men who have rebelled without cause and without excuse come back and rely upon him and the gentleman from Vermont to do them full and ample justice, and to treat them liberally and in the spirit of broad and general philanthropy.

One word more (for the field still opens) to my Democratic friends. I have the good or the bad fortune of being rather in the middle of the House,

and not exactly identified in my theories with anybody. I have been a party by myself pretty much all the time I have been here; but, thank God! I have the good opinion of myself to believe that I have been a patriot all the time, that I have had my eye upon the main question, and that I have been working to the great point of saving my country and its free institutions from wreck. As to partisan considerations, does any man ever expect to make anything further politically out of the slavery question? Sir, I have heard hardly an argument upon this side of the House which has not contained this remarkable expression, "while, Mr. Speaker, I am not an apologist for the institution of slavery," and if I were to take a vote to-day on this side of the House, with the exception of half a dozen, headed by the honorable gentleman from New York, [Mr. FERNANDO WOOD,] I believe that every one of you would endorse the general anti-slavery remarks which I have made here to-day. I believe that the very eloquent and distinguished gentleman from the Cincinnati district, [Mr. PENDLETON,] for whose personal character I have the highest respect, and also for his patriotism and his loyalty, is against the institution of slavery; he would not plant it in my State if it was not there; he would not plant it in Ohio; he would not plant it on this continent; he does not regard it as an institution just in itself and productive of good results; and I believe that is the opinion of nine tenths of the gentlemen upon this side of the House.

Why not, then, leave the matter to the good sense and patriotism of the American people—the people of all the States? Why not cut this Gordian knot? Why not dispose at once of this distracting question? We never can have tranquillity and peace so long as it remains in the form in which it now exists.

[Here the hammer fell, another hour having expired.]

Mr. ASHLEY. I ask that the time of the gentleman from Missouri be still further extended. There was no objection.

Mr. ROLLINS, of Missouri. Mr. Speaker, I have but one other thought to express, and I pledge the House that I will then conclude these remarks, not, however, without thanking everybody here for the great and unusual courtesy which has been extended to me, as well as for the attentive hearing which I have received alike from the House and from these crowded galleries. Mr. Speaker, if we can get through this rebellion completely and satisfactorily, if we can steer safely between Charybdis on the one side and Scylla on the other of the passage through which we are now steering, if we survive the storm and strife, if we can march safely through the dark and dreary wilderness of rebellion and civil war, and if we can come out of it with the American Union as formed by Washington and his compatriots, if we can come out of it with our free and matchless Constitution maintained substantially in all its parts, if we can come out of it and still boast of our American nationality, if we can come out of it with the further boast that though we have passed through those trials we have not only saved our Constitution and Union, but we have caused the sun of freedom to shine on an additional four million of human beings, and if the old ship can once more be righted and set sail on calmer seas, smooth and tranquil, where is the man who feels a just pride of country and who cannot bring himself up to the standard of realizing the great influence which the American Republic, with free institutions and a broader Christian civilization, shall exert on downtrodden humanity in every land and beyond every sea? Ay, sir, let ours be the chosen land, let ours be the land where the weary wanderer shall direct his footsteps, and where he can enjoy the blessings of peace and of freedom. Let ours be the "bright particular star" next to the star that led the shepherds to Bethlehem, which shall lead the downtrodden and oppressed of all the world into a harbor of peace, security, and happiness. And let us, kneeling around the altar, all thank God that although we have had our trials, we have saved our country; that although we have been guilty of sins we have wiped them out, and that we at length stand up a great and powerful people, honored by all the earth, "redeemed, regenerated, and disenthralled by the genius of uni-

versal emancipation." [Loud applause on the floor and in the galleries, which was checked by the Speaker.]

Mr. GARFIELD. Mr. Speaker, we shall never

end here

aster, and Satan is immortal. Its marvelous tenacity of existence has outlived the expectations of its friends and the hopes of its enemies. It has been declared here and elsewhere to be in all the several stages of mortality, wounded, moribund, dead. "The question was raised by my colleague [Mr. Cox] yesterday, whether it was indeed dead, or in a troubled sleep. I know of no better illustration of its condition than is found in Sallust's admirable history of the great conspirator, Catiline, who, when his final battle was fought and lost, his army broken and scattered, was found far in advance of his own troops, lying among the dead enemies of Rome, yet breathing a little, but exhibiting in his countenance all that ferocity of spirit which had characterized his life. So, sir, this body of slavery lies before us among the dead enemies of the Republic, mortally wounded, impotent in its fiendish wickedness, but with its old ferocity in its looks, bearing the unmistakable marks of its infernal origin.

Who does not remember that thirty years ago, a short period in the life of a nation, but little could be said with impunity in these Halls on the subject of slavery? How well do gentlemen here remember the history of that distinguished predecessor of mine, Joshua R. Giddings, lately gone to his rest, who with his forlorn hope of faithful men took his life in his hands, and in the name of justice protested against the great crime, and who stood bravely in his place until his white locks, like the plume of Henry of Navarre, marked where the battle for freedom raged fiercest. We can hardly realize that this is the same people, and these the same Halls, where now scarcely a man can be found who will venture to do more than falter out an apology for slavery, protesting at the same time that he has no love for the dying tyrant. None, I believe, but that man of more than supernal boldness from the city of New York [Mr. FERNANDO WOOD] has ventured this session to raise his voice in favor of slavery for its own sake. He still sees in its features the reflection of divinity and beauty, and only he. "How art thou fallen from heaven, O Lucifer, son of the morning! How art thou cut down to the ground, which didst weaken the nations!" Many mighty men have been slain by thee; many proud ones have humbled themselves at thy feet! All along the coast of the political sea they lie like stranded wrecks, broken on the headlands of freedom. How lately did its advocates with impious boldness maintain it as God's own, to be venerated and cherished as divine. It was another and higher form of civilization. It was the holy evangel of America dispensing its blessings to a benighted race, destined to bear its blessings to the wilderness of the West. In its mad arrogance it lifted its hand to strike down the fabric of the Union, and since that fatal day it has been a "fugitive and a vagabond upon the earth;" like the spirit that Jesus cast out it has since then been "seeking rest and finding none." It has sought in all the corners of the Republic to find some hiding-place in which to shelter itself from the death it has so richly earned. It sought an asylum in the untrodden Territories of the West, but, with a whip of scorpions, indignant freedom drove it thence. I do not believe a loyal man can now be found who would consent that it should again enter them. It has no hope of harbor there. It found no protection or favor in the hearts or consciences of the freemen of the Republic, and has fled for its last hope of safety to the shield of the Constitution. We propose to follow it there, and hurl it as Satan was exiled from heaven. But now in the hour of its mortal agony it has found a defender.

My gallant colleague, [Mr. PENDLETON,] for I recognize him as a gallant and able man, plants himself at the door of his darling, and bids defiance to all assailants. He has followed slavery in its flight, until at last he has reached the great temple where liberty is enshrined—the Constitution of the United States—and there, in that last retreat, no hand shall strike it. It reminds me of that celebrated passage in the great Latin

poet, in which the serpents of the Ionian sea, when they had destroyed Laocoon and his sons, fled to the heights of the Trojan citadel and coiled their slimy lengths around the feet of the tutelary goddess, and were covered by the orb of her shield. So, under the guidance of my colleague [Mr. PENDLETON] slavery has found its way upward and upward, until it has reached the high citadel of American nationality, and coiled itself, as he believes, securely around the feet of the statue of justice and under the shield of the Constitution of the United States. We desire to follow it even there and kill it beside the very altar of liberty. Its blood can never make atonement for its crimes.

But the gentleman has gone further. He is not content that the snaky sorceress shall be merely under the protection of the Constitution. In his hands, by a strange metamorphosis, slavery becomes an invisible essence and takes up its abode in the very grain and fiber of the Constitution, and when we go to strike it he says, "I cannot point out any express form that prohibits you from striking slavery; but I find it in the intent and meaning of the Constitution. I go into the very grain of the Constitution, under the surface, out of sight, into the very spirit and genius of it, and in that invisible domain slavery is enshrined, and there is no power in the Republic to drive it thence." In order that I may do no injustice to my friend, I will read from his speech of yesterday the passage to which I have referred:

"My colleague from the Toledo district, in the speech which he made the other day, told us with reference to this point:

"If I read the Constitution aright and understand the force of language, the section which I have just quoted is to-day free from all limitations and conditions save two, one of which provides that the suffrage of the several States in the Senate shall be equal, and that no State shall lose this equality by any amendment of the Constitution without its consent; the other relates to taxation. These are the only conditions and limitations."

"I deny it. I assert that there is another limitation stronger even than the letter of the Constitution; and that is to be found in its intent and its spirit and its foundation idea. I put the question which has been put before in this debate, can three fourths of the States constitutionally change this Government, and make it an autocracy? It is not prohibited by the letter of the Constitution."

"* * * * *
"It does not come within the two classes of limitations and conditions asserted by my colleague. Why is it that this change cannot be made? I will tell you why. It is because republicanism lies at the very foundation of our system of government, and to overthrow that idea is not to amend, but to subvert the Constitution of the United States; and I say that if three fourths of the States should undertake to pass an amendment of that kind, and Rhode Island alone dissented, she would have the right to resist by force. It would be her duty to resist by force; and her cause would be sacred in the eyes of just men, and sanctified in the eyes of a just God."

He goes behind the words and phrases of the Constitution and finds a refuge for slavery in its intent; and he says that with that intent we have no right to deal in the way of amendment. He has gone even beyond that sublime idea of protection, and has announced a discovery to which I am sure no other statesman ever laid claim, and can be no more reached by the power of law than Satan by the sword of Michael. He finds the highest warrant, the completest immunity, for slavery, not only behind the Constitution, but even behind the governments of the States themselves. For he says, in answer to a question from my friend from Iowa, [Mr. WILSON:]

"I will not be drawn now into a discussion with the gentleman as to the origin of slavery, nor to the law which lies behind the Constitution of the United States, and behind the government of the States, by which these people are held in slavery."

I say that the gentleman has gone even deeper than the spirit of the Constitution. Not finding anything in the words and phrases of the Constitution to forbid an amendment abolishing slavery he goes behind the Constitution of the United States and behind all constitutions, and refers to some law that overshadows States, nations, and constitutions and forms, as space envelops the universe, and, far away in the eternal equities, he finds what he believes to be the law by which one man can hold another in slavery. Surely human ingenuity has never gone further to shield a malefactor.

Let me for a few moments call the attention of the House to what seems to me to be the origin of the gentleman's argument. He has given us what I believe to be the key to his legal opinions in the four words which the gentleman from Rhode

WM. F. SWITZLER & CO.,
MILITARY AND NAVAL AGENCY AND SUBSTITUTE BROKERAGE,

No. 88 NORTH THIRD STREET, (Post Office Box No. 2737.)

Saint Louis, Jan. 15th 1865.

Dear Major:

Every day for ten I have intended writing to you, but positively have not had time.

Before leaving Columbia I had assurances of a proposition to compromise the Parker will case, and on the faith of them advertised for a final settlement at the Feb. term. See Statesman. Some however were made before I left, but they were to follow me in a few days. They did not come and I wrote for them; and just received them yesterday, proposing to divide the estate equally between P. & C. and Defts. And something else been proposed I would have assumed the responsibility of agreeing to it, but now write to the said Defts. in Phil., hoping they may agree to the terms that I may make a final settlement in Feb. as per notice.

(2).

I will advise you of the proposition.

Well, as to the Convention. Radical
(as you see) is no name for it. Not
only instant freedom to the negro, but
as you see opposition to any sys-
tem of apprenticeship, (vide vote
on my proposition,) and probably an
ordinance admitting the freed men to
the jury box, but not stand as ballot
box! I can't go all this, and hence
voted against the ordinance as passed.

My speech on the occasion was short,
but pointed and clear. You will see
it in the "Rep." in a few days, and in
the "Statesman" with an editorial. Read
both and you will have my views
as fully as they need be stated.

But emancipation is an accom-
plished fact. It is now a part of the
Constitution which I am sworn to
support; and it will of course be
my duty as it shall be my desire
to unite with all good men in giving force
and efficiency to the bill of the people

(3)

as proclaimed by the supreme authority in the State. Yet if the Convention carry out these schemes "denoted" - to use one of Biret's words - by its leaders it will in future reap eternal infamy. Their purpose & thrust is to upturn every interest in the State, banks, railroads, common schools, University - everything.

For the proceedings look to the Democrat, as they are best reported there.

What of the "nigger" in Congress? It's no use to chaffer about slavery now in any part of the Union. It is dead. No difference how many or how few governments we may have, slavery is dead. And since it is wiped out in Missouri, you had as well wipe it out elsewhere by an amendment to the Constitution. Set us, now that we are rid of it, make a clean sweep.

What of the prospects of peace? Is Blair's Mission to Richmond likely to pro-

(4)

any result, good or bad? Write.

Give me your views about Jefferson's affairs, how Uncle Abe feels, talks, &c.

Dodge is a plain, direct man - a man of work, of details. I like him much, and have hope of him.

You see I have an office here. This simply means that I am interested in business here, and will have "a base of supplies" if driven from California next summer. I have no idea of moving here at present. Our prospects are good, or seem to be, as well.

Edw. A. Snitzler

Write at once. Let me Dr. Does - the Daily Globe, &c. Box 2737.

As ever yours truly,

Wm. F. Snitzler