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To make a long story short, Congress has never established slavery anywhere or permitted it in any Territory where it did not exist prior to its session to the Union, and from the time the Union became the possessor and sovereign over "Territories without the limits of the States in the year 1787 to the promulgation of the Dred Scott decision in 1857 - a period of 70 years, the right of Congress to exercise a sovereignty over the Territories, as absolute as the sovereignty of the states within their own limits has never been questioned either by the judicial or any other department of the Government, and if slavery is carried by the force of the Constitution into Territories where it has been prohibited by Congress or by the people acting under the authority of Congress, then it is carried by that instrument into every free State admitted into the Confederacy since its adoption. For the Constitution is the supreme law of the land - the term covering the whole land or any part of it - whether it be a state or Territory.

The compromises of 1850, entered into by the North and South were soon found to have left a thorn still ranking in the wound they were intended to heal. The question of slavery in the Territories was still an open one or at least on a basis unsatisfactory to the South.

It was finally agreed by the Democracy of the two sections, that in order to evade the settlement of this vexed question in Congress, to place it in the hands of a referee which each hoped to influence in their own favor and in their own way; that referee they proposed to create by bestowing upon the inhabitants of each Territory the power to settle this question for themselves.

Congress being the absolute sovereign under the Constitution in the Territories being competent to make this delegation of power to its dependants.

The Kansas Nebraska Act which delegates the necessary powers to the people of those Territories to choose their own institutions, and repeals the Missouri Compromise is the fruits of this agreement and Kansas the field upon which the battle was to be fought.

As politicians seem to deny that men ever act from higher or holier motives than those of interest, by the law of climate, of emigration, the love of liberty or some other real freedom has been victorious over slavery in Kansas, it has triumphed over the utmost efforts of the south aided by the whole weight of the Federal Government and the fiat of a partial court exerted on their side, and though fairly beaten on its own proposition, on the 23d of February last, on a proposition in the United States Senate to remove one of the cords which had failed to bind Kansas to slavery, the united south demand of Congress by positive legislation to force slavery upon a people unwilling to receive it.

The speeches delivered upon that occasion short extracts from which I give below explain the nature of the demand and how it is repelled by some of the northern Democratic Senators.

It will be remembered the Kansas Nebraska Act clothes the people within the boundaries of those Territories respectively with power to settle their domestic institutions (slavery included) in their own way, and Congress declares its purpose not to interfere in any way, and making the Legislation of the Territories subject only to the Constitution placed it on precisely - the same basis, with the legislation of the States, and of Congress, the Constitution being equally supreme over the States, the Union, and its appendages.

In order to commend this measure as a finality to the popular favor, the Democracy of both sections of the Union declared at the time of its passage; that the rights of the people of the Territories to settle their domestic institutions in their own way was inherent and the Act simply removed a restraint which Congress had wrongfully imposed heretofore.

But the south notwithstanding the aid of its potent allies having lost the battle, comes forward by its Senators Brown, Davis, Mason, Green, Hunter &c, and demands a law of Congress to protect slavery in the Territories. Thus says the south through Mr. Brown of Miss.

*** "Am I because Congress has chosen to adopt what it pleases to term a party compromise, to abandon my Constitutional rights? No Sir; when that Territorial Legislature refuses protection for my slave property, I mean to come to Congress, and this will be my speech to you: 'Senators this Territorial Legislature is your creature, you breathed it into existence; it could not live an hour but under the sunshine of your approval; I come to tell you that your creature is not obeying the Constitution; that your creature is denying to me rights guaranteed to me by the sacred charter of our liberties as expounded by the highest judicial tribunal in the land, your creature denies me protection for my slave property, I come to ask you the master whether you will grant me that protection?' *** If I cannot obtain the rights guaranteed to me and my people under the Constitution as expounded by the Supreme Court then sir, I am prepared to retire from the concern." ***

I utterly, entirely, persistently, and consistently repudiate the whole doctrine of squatter sovereignty, By squatter sovereignty I mean Territorial Sovereignty I utterly deny that there is any sovereignty in a Territory"

Mr. Wade of Ohio - "I do not wish to interrupt the Senator; but I believe the Dred Scott decision makes no distinction between this right in a State and in a Territory; but if it does; I should like to know from any lawyer why it does?"

Mr. Brown of Miss. "I do not undertake to discuss that question at large, because it is not involved in the controversy. The Supreme Court were simply dealing with a Territory; and I speak of the decision as I find it. No such hypothetical case as that presumed by the Senator from Ohio has arisen, or probably ever will arise; but if it does, and the Supreme Court think proper to decide it, they will doubtless give sound reasons for the decision one way or the other."

Mr. Clark of N. H. "I have often heard it said by southern gentlemen that they would retire from the Union, go out of it. I want to inquire of that gentleman where is the way, and how he would go?"

Mr. Brown - "When we make up our minds to go, we will find the way. We will make it so plain that, if the Senator and his Abolition friends want to pursue us, they will be able to follow the trail. We shall not sneak out of the concern; but throwing our banner to the breeze, we will march out like men, leaving such a trace behind us that our enemies may pursue if they have the courage to do so."

The greater part of Mr. Brown's speech is an attack upon Mr. Douglas and his positions. Gen. Lane ungenerously attempts to cut him off from defending himself by raising a point of order. It must be admitted by the friends of Mr. Douglas that he appears to bad advantage in this debate, viewing the decision of the Court as a dead letter he has in a spirit of conciliation admitted its binding force an admission which places him in an unpleasant dilemma, and is a political error he will not perhaps be able to retrieve. From being the proud assertor of popular rights, he "backs down" amid the jeers derision and insults of the South and confides the binding force of the Dred Scott decision upon the Legislation of the Territories, but refuses the remedy demanded. He says "I hold that no such thing as sovereign power attaches to a Territory while a Territory", I hold that a Territory possesses whatever powers it derives from the Constitution under the Organic Act and no more. Yet he refuses to do what by his own admissions is a Constitutional duty, and while he says neither Congress nor the people of the Territories can exclude slavery from them, yet Congress by non-action and the Territories by unfriendly action, may do what the Constitution forbids them to do. A position rather awkward for a great Statesman. The Oregon Senators, though owing their seats to a disregard of the population policy, both vote to maintain the restriction which binds Kansas to having an ascertained population of 93,420 before she can call a convention to form a State Constitution. Gen. Lane after his attempts to gag Douglas holds his tongue. But Smith the grandiloquent seizes the occasion to inflict on the Senate the aphorisms and clap trap even the two lines of poetry we of Oregon have been so often compelled to hear when it has not been our fortune to escape by a retreat, but as it seemed to attract no attention in the Senate I ask the gentleman's pardon for noticing it here.

Senator Fugh of Ohio, alone of all the Northern Democrats makes a manly stand for popular rights, and speaks the language of the Cincinnati platform, and as his words will find a response in the heart of every friend of liberty, whatever his political creed, I hope you will find room to give his speech entire to your readers. At any rate enough of it to place his views before them. After reading Mr. Fugh's speech it seems to me, all free state Democrats must admit the claims of the South are unreasonable and unjust - that they cannot endorse Mr. Buchanan's Kansas policy or the Southern interpretation of the Dred Scott decision. Both of which the free Democracy of Oregon are required to do by the Lane platform and which they will do by voting for its know-nothing exponent.

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