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Speech at City Hall before Sept election 1866

The radicals must be put down or we go into another civil war. The southern states have conformed to the requirements of the constitution & should be admitted.

[illustration]

George Melvin Western

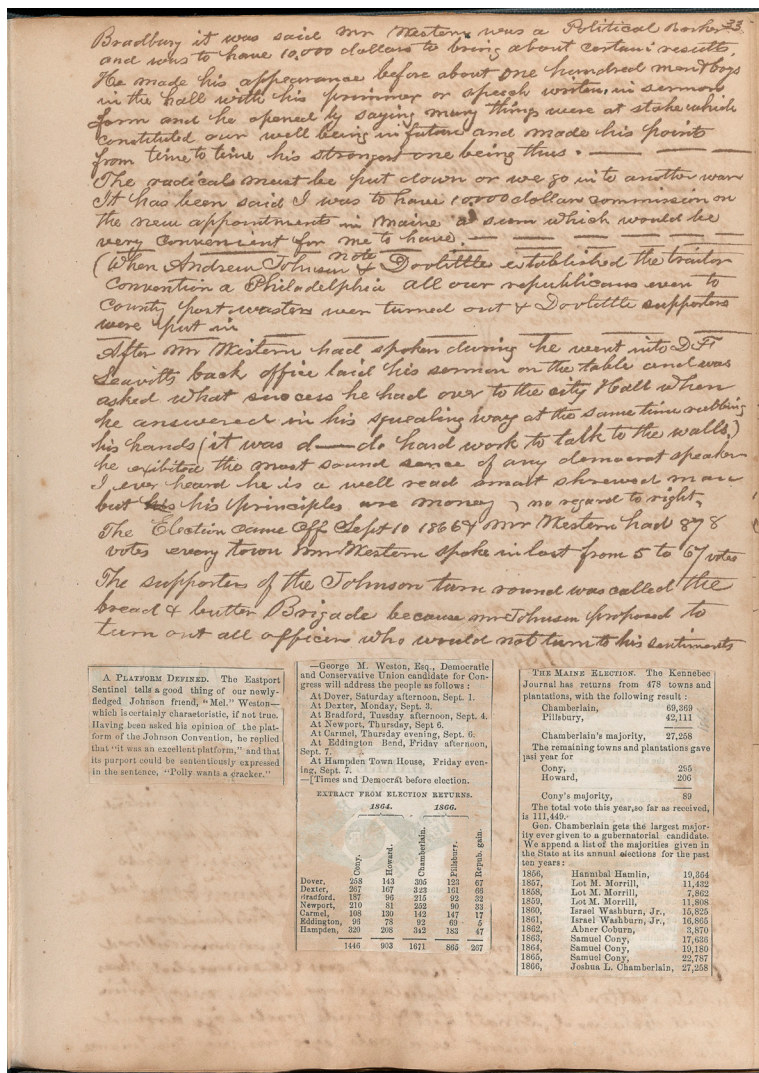
Candidate for representative to Congress in the democratic ticket in 1866. This picture looks very much like his general appearance (mean decided) in the streets or any where else. This gentleman was put up by the democrats as a candidate in opposition to John A Peters on the republican ticket and took the stump in his own course. he is a lawyer of about 42 years old smart shrewd full of tricks and dead poison to union sentiments his reputation being connected closely with D F Leavitt as a partner has given him a place among those who enjoy confidence where there is no such thing exists. The first case which brought him in to notoriety in this section was the Pots Dam operation known as the Dow peck & weaver swindle. mr Peck of Kennebec being state Treasurer for Maine D F Leavitt having large deals with Ephraim K Polk in getting out the Boody pine[?]. Paulk broke the city

Bangor, hauled in G L Boynton & others and 31
ruined many men of good standing Mr Leavitt engineered
an operation in or near the Canadas called the Potts dam
which had a steam mill on it. prior to this he ruined
Mr Pillsbury of 20 thousand dollars used up all the means
D P McQuestion could get hold of and then made a raid
on the state Treasurer & a host of others & finally came out
with a heap of money and no one could collect a dollar
and went into politics and obtained the collectorship for
the Bangor custom house and held it in the beautiful days
of James Buchanan. Mr Leavitt married D P McQuestion's
daughter and D P McQuestion was a fine old man and
for years a merchant of good standing & before he died
he sent for me to come up to the Theodore Brown place
& make up his account with D F Leavitt I did so
& found Mr Leavitt owed him ten thousand
dollars & he told me he should have to give it to
him. he also told me that D F Leavitt was treasurer
of the Potts dam company & sold various individuals
paper in Bangor Portland Boston & every where he could
& in all the money he received his name was not on
anything which made him holden even to a receipt.
After the winding up of this affair Leavitt & Western purchased
the farm known as the Theodore farm embracing some two hun
dred acres of fine land running from the Rose place at tide
water on the Penobscot River embracing a long and valuable
front running back nearly a mile which contained a
hundred or more acres of clay loam mowing & the balance
young growth wood. The Lawrences 30 years ago in looking
for a site for a factory came to Treats falls & proposed
to build a dam & establish factories if the city would
abate their taxes on the corporation property 20 years
our city having a board of narrow minded men
mostly Joiners & Mechanics for Aldermen & Council
they refused to grant the request & the Lawrences went
to Massachusetts and built the factories which bears
their name and the city of Lawrence to day numbers
about 20 thousand inhabitants which we might have
had added to ours making us a city of 40 instead
of 20 thousand Mess Leavitt & Western conceived a
plan to dam the Penobscot in front of their farm &
employed Hiram Mills a young man who grew up in
my neighbourhood to survey the River & also lay out the
front of the farm in lots & number them & they proposed to
sell lots to be deeded when the dam was built for

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 a stated sum when said dam was completed then with these obligations when a sufficient number of lots were sold to turn out to allow the fools might be to let them have money on such stock to build the dam & pay for it when the lots were paid for. This brought forward another Corporation known as Leavitt & Westerns paper dam from the fact that they proposed to build it on paper obligations. The reputation of these men being so bad the men who had money & would like to invest in a factory or dam such as George & Isaiah Stetson & others (republicans) not wishing to mix breeds run against the dam because of its projectors politicks and when a loan was called for to add to their paper documents which had to pass our legislature the sound men defeated the bill 1866 & 1867 mess Leavitt & Western held the charter and refused to sell the shore property to any party unless they would take the immediate line of the shore & give L & W the privilege to hold the land adjoining they also made some purchases on the Brewer side on the paper conditions above the Bridge and purchased as I have been told the Davenport heirs ship yard & a large quantity of land back which they sold the front for enough to cover the whole & more to. When this dam bill came before the legislature a smart time ensued but when it was found that the bill was lost Mr Western returned to Bangor & on meeting his friends was asked why the bill was defeated. He said the was one strong objection to it & when asked what that was he O! it was Leavitt & Western. I leave out a host of matter concerning him and simply state that after Peck had embezzled the state and those connected with it were summoned to be examined Mr Western gave in his testimony that the case reminded him of a game of button every one received the money. No body had any or could account where any of the State Money went to and it appeared to him like button button who has got the button. (Leavitt & Westerns property shows that it took somebodys buttons to pay for it for he now owns the Theodore Brown place charter & sunrey 45,000 dollars the north tenement & garden on the Hammatt block 12,000 the lots on central park worth not less than 5,000, the Davenport heirs Brewer purchase 10,000 Townships up River at a large value &c now I bring Mr Western up to making speeches in his own behalf last fall & when he spoke in City Hall I went to hear him. His connections with Bion

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Bradbury it was said mr Western was a Political Borker and was to have 10,000 dollars to bring about certain results He made his appearance before the one hundred men & boys in the hall with his primmer or speech written, in sermon form and he opened by saying many things were at stake which constituted our well being in future and made his points from time to time his stronger one being thus. ----- The radicals must be put down or we go in to another war It has been said I was to have 10,000 dollars commission on the new appointments in Maine a sum which would be very convenient for me to have. -----

note

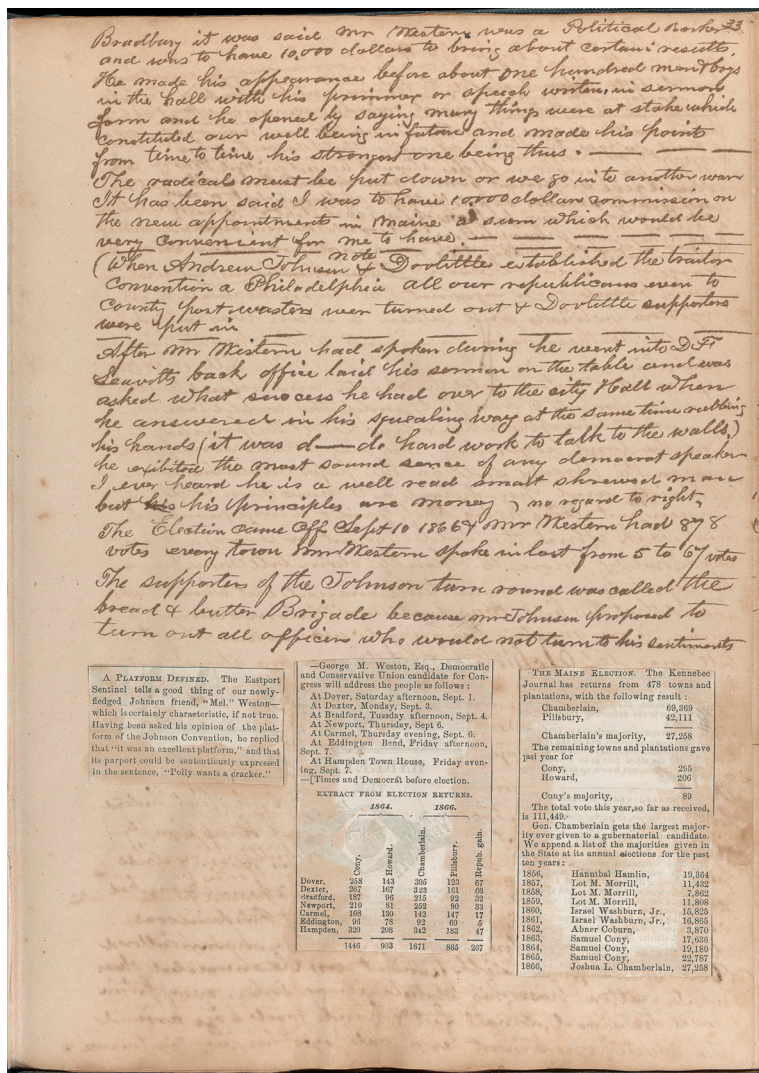
(when Andrew Johnson & Doolittle established the traitor convention a Philadelphia all over republicans even to county post wasters wer turned out & Doolittle supporters were put in.

After mr Western had spoken during he went into D F Leavitts back office laid his sermon on the table and was asked what success he had over to the city Hall when he answered in his squealing way at the same time rubbing his hands (it was d--d hard work to talk to the walls.) he exhibited the most sound sence of any democrat speaker I ever heard he is a well read smart shrewed man but his his principles are money, no regard to right. The Election came off Sept 10 1866 & mr Western had 878 votes every town mr Western spoke in lost from 5 to 67 votes The supporters of the Johnson turn round was called the bread & butter Brigade because mr Johnson proposed to turn out all officers who would not turn to his sentiments

[left column]

A Platform Defined. The Eastport Sentinel tells a good thing of our newly-fledged John friend, "Mel." Weston-- which is certainly characteristic, if not true. Having been asked his opinion of the platform of the Johnson Convention, he replied that "it was an excellent platform," and that its purport could be sententiously expressed in the sentence, "Polly wants a cracker."

[Continued on next page]



[Continued from previous page]
[center column]

--George M. Weston, Esq., Democratic and Conservative Union candidate for Congress will address the people as follows:

- At Dover, Saturday afternoon, Sept. 1.
- At Dexter, Monday, Sept. 3.
- At Bradford, Tuesday afternoon, Sept. 4.
- At Newport, Thursday, Sept. 6.
- At Carmel, Thursday evening, Sept. 6.
- At Eddington Bend, Friday afternoon, Sept. 7.

At Hampden Town House, Friday evening, Sept. 7.

--(Times and Democrat before election.

Extract From Election Returns.

1864 1866

[written sideways]

Cony. Howard. Chamberlain. Pillsbury. Republ. gain.

Dover,	258	143	305	123	67
Dexter,	267	167	323	161	66
Bradford,	187	96	215	92	32
Newport,	210	81	252	90	33
Carmel,	108	130	142	147	17
Eddington,	96	78	92	69	5
Hampden,	320	208	342	183	47
	1446	903	1671	865	267

[right column]

The Maine Election. The Kennebec Journal has returns from 478 towns and plantations, with the following result:

Chamberlain, 69,369
Pillsbury, 42,111

[sideways at right] 1866

Chamberlain's majority 27,258

[Continued on next page]

Broadway it was said Mr Weston was a Political North-
 and who to have 10,000 dollars to bring about certain results.
 He made his appearance before about one hundred men in
 in the hall with his primer or speech written in German
 form and he opened by saying many things were at stake which
 constituted our well being in future and made his point
 from time to time his strongest one being this:—
 The radicals must be put down or we go in to another war
 It has been said I was to have 100,000 dollars commission on
 the new appointments in Maine. As soon as which would be
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 After Mr Weston had spoken during the next night at
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A PLATFORM DEFINED. The Eastport Sentinel tells a good thing of our newly-forged Johnson brand, "Mell Weston— which is certainly characteristic, if not true. Having been asked his opinion of the platform of the Johnson Convention, he replied that it was an excellent platform, and that its purport could be succinctly expressed in the sentence, "Polly wants a cracker."

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 At Hampden Town House, Friday evening, Sept. 7.
 [Times and Democrat before election.]

EXTRACT FROM ELECTION RETURNS.

	1864.	1866.
Cony.	206	206
Howard.	295	295
Chamberlain.	11,432	11,432
Philbury.	7,862	7,862
Hamlin.	19,364	19,364
Morrill.	11,432	11,432
Coburn.	3,870	3,870
Cony.	17,636	17,636
Howard.	206	206
Cony's majority.	89	89

THE MAINE ELECTION. The Kennebec Journal has returns from 478 towns and plantations, with the following result:

Chamberlain,	68,869
Philbury,	22,111
Chamberlain's majority,	47,758

The remaining towns and plantations gave last year for

Cony,	206
Howard,	206
Cony's majority,	89

The total vote this year, so far as received, is 111,440.

Gen. Chamberlain gets the largest majority ever given to a gubernatorial candidate. We append a list of the majorities given in the State at its annual elections for the past ten years:

1856,	Hannibal Hamlin,	19,364
1857,	Lot M. Morrill,	11,432
1858,	Lot M. Morrill,	7,862
1859,	Lot M. Morrill,	11,808
1860,	Israel Washburn, Jr.,	15,825
1861,	Israel Washburn, Jr.,	16,865
1862,	Abner Coburn,	3,870
1863,	Samuel Cony,	17,636
1864,	Samuel Cony,	19,180
1865,	Samuel Cony,	22,787
1866,	Joshua L. Chamberlain,	27,258

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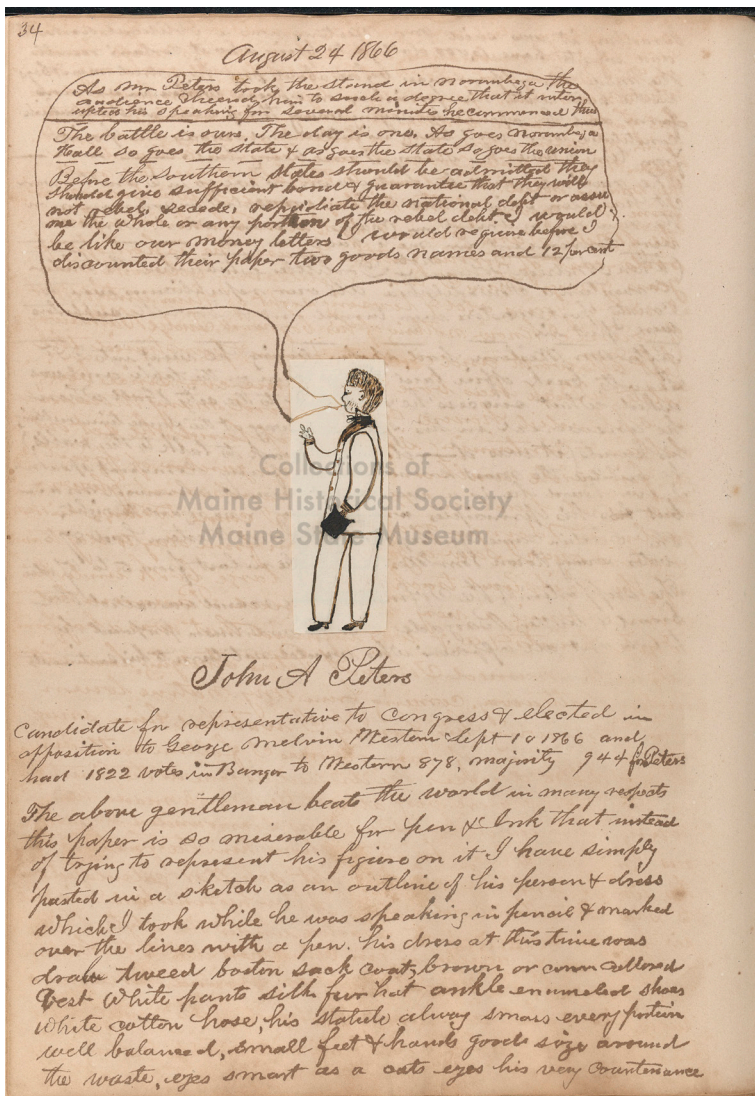
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1858,	Lot M. Morrill,	7,862
1859,	Lot M. Morrill,	11,808
1860,	Israel Washburn, Jr.,	15,825
1861,	Israel Washburn, Jr.,	16,865
1862,	Abner Coburn,	3,870
1863,	Samuel Cony,	17,636
1864,	Samuel Cony,	19,180
1865,	Samuel Cony,	22,787
1866,	Joshua L. Chamberlain,	27,258



August 24 1866

As mr Peters took the stand in norombega the audience cheered him to such a degree that it interrupted his speaking for several minutes he commenced thus

The battle is ours. The day is one. As goes Norombega Hall so goes the state & as goes the state so goes the union

Before the southern states should be admitted they should give sufficient bond & guarantee that they will not rebel, secede, repudiate the national debt or assume the whole or any portion of the rebel debt. I would be like our money letters I would require before I discounted their paper two goods names and 12 per cent

[illustration]

John A Peters

candidate for representative to Congress & elected in opposition to George Melvin Western Sept 10 1866 and had 1822 votes in Bangor to Western 878, majority 944 for Peters.

The above gentleman beats the world in many respects this paper is so miserable for pen & Ink that instead of trying to represent his figure on it I have simply pasted in a sketch as an outline of his person & dress which I took while he was speaking in pencil & marked over the lines with a pen. his dress at this time was drab tweed boston sack coat, brown or corn collored vest white pants silk fur hat ankle enameled shoes white cotton hose, his statute always smars every portion well balanced, small feet & hands good size around the waste, eyes smart as a cats eyes his very countenance

indicates fun still enough of the sensible to be firm when necessary, his associations and capers are so well known in this section that a look at his profile will make any one who knows him personally or by reputation laugh at once. His father was a brother to Edward D Peters of Boston firm of Peters Chase & Co. Wholesale grocers & known all over the U States. John A was born in Ellsworth on the maine street that leads to the falls some ten rods from the centre of the village and I was born near the Mill dam owned by Coln Black some five rods east of John's fathers house, he is perhaps 4 years younger than I am and leaving Ellsworth when I was 7 years old & losing sight of him untill 1844 of course I know nothing of his boyhood. Judge Hathaway left Ellsworth and came to Bangor & purchased the Estate which has bore his name ever since being a splendid house costing a good many thousand dollars & containing six acres of land, he set out a fir side walk and a large garden of fruit trees and had in 1844 the handsomest flower garden in Bangor grapery &c. I came to Bangor in 1844 & about 1844 I saw a young man from day to day travel up the Rail Road track with a large book under his arm wearing a very wide rimmed Panama hat white pants &c & was informed that was a boy from Ellsworth named John A Peters studying law with Judge Hathaway, coming from my native town and knowing his family I watched him snug and in the course of our dances I fell in with him at a public dance. He dressed as fine as the finest his manners were very attractable which made him a young hero and he soon was surrounded by numerous friends which began to show him the fashions of the world and he was an apt scholar calculated to stand to the head & did. After he finished his studies he commenced to practice under the style of Peters & Hathaway occupying an office next door to the Eastern Bank at D P Woods corner. Around this corner were situated a number of hard nuts constituting Lawyer judges sheriffs cashiers &c say Judge Cutting Judge Edward Kent sherrif Wilson Judge Hodgdon Frank Wilson

indicates fun still enough of the sensible to be firm when necessary; his associations and capers are so well known in this section that a look at his profile will make any one who knows him personally or by reputation laugh at once. His farther was a brother to Edward D Peters of Boston firm of Peters Chase & Co wholesale grocers & known all over the U States. John A was born in Ellsworth on the maine street that leads to the falls some ten rods from the centre of the village and I was born near the Mill dam owned by Coln Black some five rods east of Johns fathers house, he is perhaps 4 years younger than I am and leaving Ellsworth when I was 7 years old & loosing sight of him untill 1844 of course I know nothing of his boyhood. Judge Hathaway left Ellsworth and came to Bangor & purchased the Estate which has bore his name ever since being a splendid house costing a good many thousand dollars & containing six acres of land, he set out a fir side walk and a large garden of fruit trees and had in 1844 the handsomest flower garden in Bangor grapery &c I came to Bangor in 1844 & about 1844 I saw a young man from day to day travel up the Rail Road track with a large book under his arm wearing a very wide rimmed Panama hat white pants etc & was informed that was a boy from Ellsworth named John A Peters studying law with Judge Hathaway, coming from my native town and knowing his family I watched him snug and in the course of our dances I fell in with him at a public dance. He dressed as fine as the finest his manners were very attractable which made him a young hero and he soon was surrounded by numerous friends which began to show him the fashions of the world and he was an apt scholar calculated to stand to the head & did. After he finished his studies he commenced to practice under the style of Peters & Hathaway occupying an office next door to the Eastern Bank at D P Woods corner. Around this corner were situated a number of hard nuts constituting Lawyer judges sheriffs cashiers &c say Judge Cutting Judge Edward Kent sherrif Wilson Judge Hodgdon Frank Wilson

36 and other Judge Kent boarded at the Bangor House John A began to add quite much to his quantity of drink & at these days was a whole souled democrat and began to lower his moral character, notwithstanding he married Judge Hathaways daughter and opened a fine house on Essex st near the methodist meeting house and at this date his Jokes which makes his name resound are numerous. He could make the best pleas of any lawyer at the bar, dispatch the most ^{business} & do it in order in the shortest time and find lots of time to carouse about the taverns Saloons & Steamboats. He soon became associated with such men as John Garnsey Caleb Billings Thomas Jennis Daniel Hunt Capt. Thomas Sanford &c who kept him on a routine much of his time. During these days he let no man in Bangor go ahead of him in drinks expense or any kind of a Joke cost more or less and a sample will illustrate. Bob Perkins kept poor goods on Exchange st among the rest was poor tea and he had the name of being a rascall. Peters being a Greek schollar prepared in company with others a large parchment on sheeps skin and wrote all manner of language calling Bob every thing but a gentleman and among the rest accused him of selling bad tea and in the absence of Bob either Peters or his Confederates shipped the parchment in to his chest of tea so Bob found it and ~~and~~ could not read a word on it so he shew it to several and after searching for some one to read it he was recommended to Cyrus S Clark who was the only Greek scholar on the street and Mr Clark read it to Bob in the presence of men who thorned Bob long & large for another good series of Jokes read in my scrap book no 2 a number of columns of the excursion of Antiquarians read their whole proceedings Another Albert Hunt & Peters & some others rode up to visit Judge Cushmans farm on Broadway 2 miles, the Judge being absent a chaise say 25 years old sat out in

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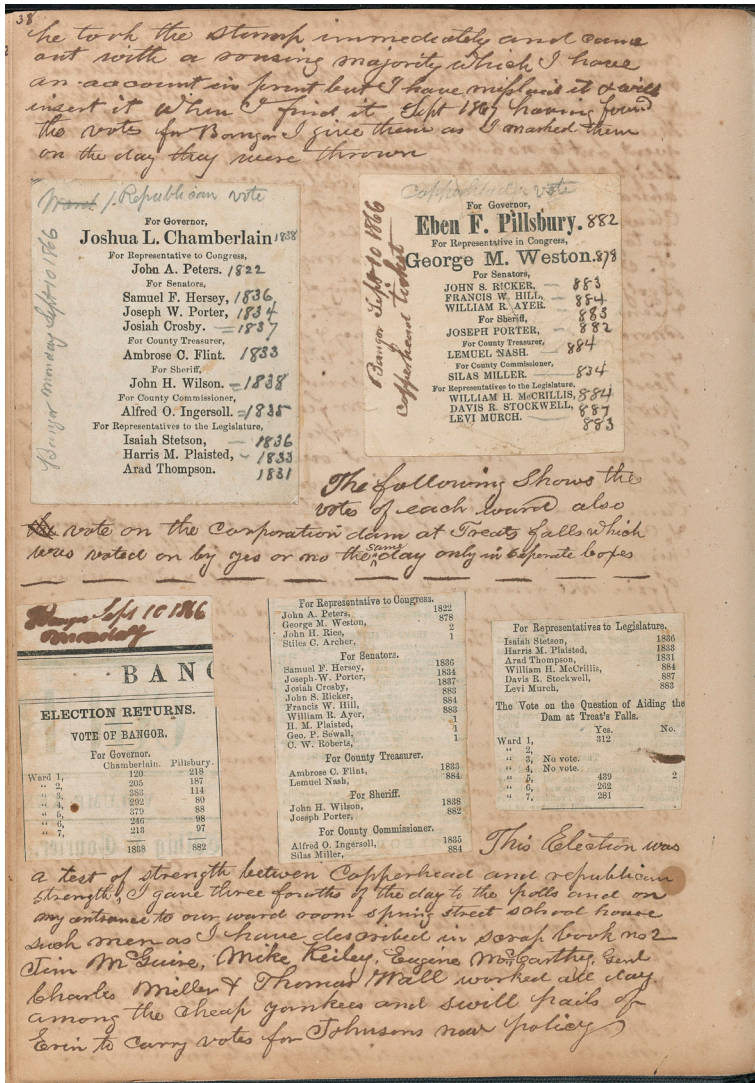
the yard which when I was assistant assessor I counted it 15 dollars and down in the field was a derham bull. Peters & Hunt harnessed the bull in this old chaise & rode at the peril of their limbs over the field which in them days was rough. Another, this same Hunt & Peters went out to no 8 when the snow was deep broke their sleigh & both rode to Brewer horse back. When they arrived abreast of Deodat Brastows Peters was singing & acting clown to such an extent that he lost his hat off & was so top heavy that he called on others to help him to it. Another which closes my Samples. Peters & Judge Hodgdon & others were visiting saloons & taverns one evening & Pendleton kept in Central st. A Mr Field dressed moroc for Chapin Humphrey & went down to Pendletons & called for an oyster stew. While eating it on a long table Hodgdon & Peters entered, drank & threw the tumblers promiscuous all around. Mr fields kept eating when these gentlemen commenced capering around him & went so far as to pull his hat over his eyes Peters straddling the table & Hodgdon sitting down in his plate. Mr Field came home & thinking the matter over became vexed & concluded he would prosecute the fat man not knowing his name he took off his apron & went to the Police Judges office next forenoon & applied for a writ & when shown the Judge he beheld he was the man who he wished writ made for. So Judge Hodgdon asked him if 10 dollars would satisfy him to which he said yes & paid the same with request to keep silent. About this time Peters wife died after which he was noted with Abner Knowles as being the best lawyer to secure cases for prostitute and unfortunate women which was his delight and food. This he followed a few years when in a measure he became steady and married one of Coln Amos M. Roberts daughters on state st. His course was about the same until the Charleston convention was held when he, Ted Field, Fred Hodgman, Caleb Billings, made up their minds that they ^{had} gone about far enough Peters became quite steady and joined the republican party and was as active during the war for law & order as he had before been opposed. His eternal wit & humor, his business qualities his off hand speeches & his turn as it were in Roberts family soon made him a candidate of note for Congress

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^{had}
made up their minds that they ^ gone about far enough Peters became quite steady and Joined the republican party and was as active during the war for law & order as he had before been opposed his eternal wit & humor, his business qualities his off hand speeches & his turn as it were in Roberts family soon made him a candidate of note for Congress



he took the stump immediately and came out with a rousing majority which I have an account in print but I have misplaced it & will insert it when I find it Sept 1867 having found the votes for Bangor I give them as I marked them on the day they were thrown

[left column]

Ward 1 Republican vote

For Governor,
Joshua L. Chamberlain 1838
For Representative to Congress
John A. Peters. 1822
For Senators
Samuel F. Hersey, 1836
Joseph W. Porter, 1834
Josiah Crosby. = 1837

For County Treasurer,
Ambrose C. Flint. 1833

For Sheriff,
John H. Wilson. = 1838

For County Commissioner,
Alfred O. Ingersoll. = 1835

For Representatives to the Legislature,
Isiah Stetson, -- 1836
Harris M. Plaisted, -- 1833

Arad Thompson. 1831

[sideways at left]

Bangor Monday Sept 10 1866

[right column]

Copperhead vote

For Governor
Eben F. Pillsbury. 882
For Representative in Congress,
George M. Weston. 878

For Senators,
John S. Ricker, -- 883
Francis W. Hill, -- 884
William R. Ayer. -- 883

For Sheriff,
Joseph Porter, -- 882

For County Treasurer,
Lemuel Nash. -- 884

For County Commissioner,
Silas Miller. ----- 834

[Continued on next page]

[Continued on next page]

C. W. Roberts, 1

38

he took the stenograph immediately and came out with a soaring majority which I have an account in print but I have mislaid it and insert it when I find it Sept 1866 having found the vote for Bangor I give them as I marked them on the day they were thrown

Handwritten note: 1/2 of Republican vote

For Governor,
Joshua L. Chamberlain 1838
 For Representative to Congress,
John A. Peters. 1822
 For Senators,
Samuel F. Hersey, 1836
Joseph W. Porter, 1834
Josiah Crosby. 1837
 For County Treasurer,
Ambrose C. Flint. 1833
 For Sheriff,
John H. Wilson. 1838
 For County Commissioner,
Alfred O. Ingersoll. 1835
 For Representatives to the Legislature,
Isaiah Stetson, 1836
Harris M. Plaisted, 1833
Arad Thompson. 1831

Handwritten note: 1/2 of Copperhead vote

For Governor,
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 For Representative in Congress,
George M. Weston. 879
 For Senators,
JOHN S. RICKER. 883
FRANCIS W. HILL. 884
WILLIAM R. AYER. 883
 For Sheriff,
JOSEPH PORTER. 882
 For County Treasurer,
LEMUEL NASH. 884
 For County Commissioner,
SILAS MILLER. 884
 For Representatives to the Legislature,
WILLIAM H. MCCRILLIS. 884
DAVIS R. STOCKWELL. 887
LEVI MURCH. 883

Handwritten note: The following shows the vote of each ward also

Handwritten note: The vote on the Corporation claim at Treat's Falls which was voted on by yes or no the day only in separate boxes

Handwritten note: Bangor Sept 10 1866

BANGOR

ELECTION RETURNS.

VOTE OF BANGOR.

For Governor.	Chamberlain.	Pillsbury.
Ward 1,	120	218
" 2,	205	187
" 3,	383	114
" 4,	292	80
" 5,	370	88
" 6,	246	98
" 7,	219	97
Total,	1868	882

Handwritten note: This Election was a test of strength between Copperhead and republican strength. I gave three fourths of the day to the polls and on my entrance to our ward room spring street school house such men as I have described in scrap book no 2 Jim McGuire, Mike Reiley, Eugene M^cCarthy, and Charles Miller & Thomas Wall worked all day among the cheap yankees and swill pails of Erin to carry votes for Johnsons new policy

[Continued from previous page]

For County Treasurer.
 Ambrose C. Flint, 1833
 Lemuel Nash, 884
 For Sheriff.
 John W. Wilson, 1838
 Joseph Porter, 882
 For County Commissioner.
 Alfred O. Ingersoll, 1835
 Silas Miller, 884
 [right column]
 For Representatives to Legislature.
 Isaiah Stetson, 1836
 Harris M. Plaisted, 1833
 Arad Thompson, 1831
 William H. McCrillis, 884
 Davis R. Stockwell, 887
 Levi Murch, 883

The Vote on the Question of Aiding the

Dam at Treat's Falls.

Yes No

Ward 1, 312

" 2,

" 3, No vote

" 4, No vote

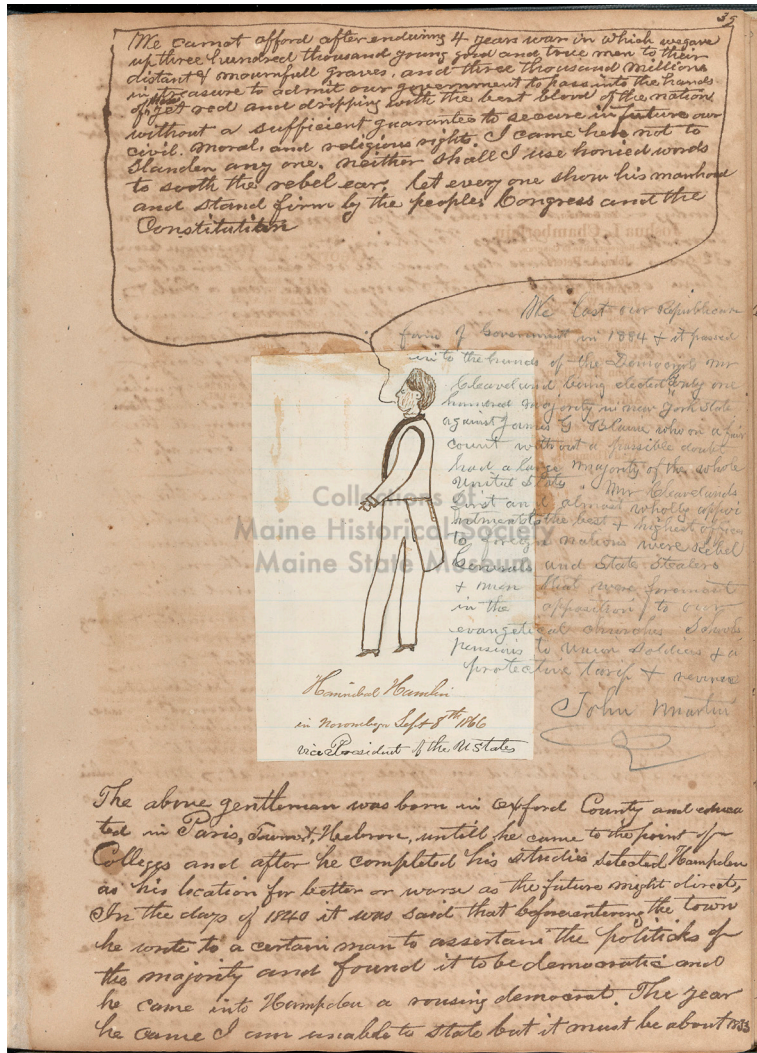
" 5, 429 2

" 6, 202

" 7, 281

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We cannot afford after enduring 4 years war in which we gave up three hundred thousand young good and true men to their distant & mournfull graves, and three thousand millions in treasure to admit our government to pass into the hands of those

of a yet red and dripping with the best blood of the nation without a sufficient guarantee to secure in future our civil, moral, and religious rights. I came here not to slander any one neither shall I use honied words to sooth the rebel ear, let every one show his manhood and stand firm by the people, Congress and the Constitution.

[illustration]

Hannibal Hamlin
in Norombega Sept 8th 1866
vice President of the U States

[at right]

We lost our Republican form of Government in 1884 & it passed in to the hands of the Democrat mr by

Cleaveland being elected a only one hundred majority in new York State against James G Blaine who on a fair count without a possible doubt had a large majority of the whole United States Mr Cleavelands first and almost wholly appointments to the best & highest offices to foreign nations were Rebel Generals and State Stealers & men that were foremost in the opposition to our evangelical churches Schools pensions to union soldiers & a protective tariff & revenue

John Martin

The above gentleman was born in Oxford County and educated in Paris, Town & Hebron until he came to the point of Colleges and after he completed his studies selected Hampden as his location for better or worse as the future might direct. In the days of 1840 it was said that before entering the town he wrote to a certain man to ascertain the politicks of the majority and found it to be democratic and he came into Hampden a rousing democrat. The year he came I am unable to state but it must be about 1833.

140
and it may have been earlier for I left Reed
Hardings house August 5 1835 to tend Doct Increase
Sumner Sangers Store & apothecary shop and Mr Hamlin
was a young man practicing law at Hampden Corner
at the upper Augusta road known then & now as the upper
corner Hampden like Ellsworth in those days being com-
posed of the very best stock of people the country afforded
such as the Stetsons, Dudleys, Crosbys, Curtis Mathews
Hardys, Dows Herricks Hedges Emerys Swetts Browns
Barretts Rices Flagg Hopkins, &c. It has now been
32 years since those days and the relicts of their estates
show respectability Doct Sangers wife was a Fails &
her connection ran through the Jarvis & Deans
at Castine & Ellsworth and the Lawyer Brown of
Hampden & the Emery & Stetsons & Sabines of Bangor
Hannibal Hamlin was an early associate of these families
& is to this day intimately acquainted & connected with them
this afforded me an opportunity of being among all the
families I have mentioned from the time I was born up to
1844 when I left Hampden & came to Bangor
Mr Hamlin was the principle lawyer in the upper
half of the town. Brown occupied the lower part & the
towns of Newport Carmel Newburg Dixmont
& Orington done their law business with one of these
two lawyers, Brown being very precise and aristocratic
Hamlin being always familiar with the commonality & young
gave him the preference and he soon commanded
the majority of the business so much so that Brown
sold his splendid residence to Wiggins Hill Augustus
Brown & Judge Preston to remodel in a fashionable house
of amusement & removed to Bangor & located his
dwelling in a brick tenement next to the corner of 5th &
union st & established an office on maine st. Mr Hamlin
began to work at this period with an eye a distance ahead
and tended all the primary movement political &
social all the little canvases Lyceums, debating clubs,
dancing schools, huskings, parties and Election & mili-
tary movements he was Captain of the Hampden Rifle
company and was in fact to be seen on all occasions
of note that transpired nothing gave any occasion
more life and good feeling than to have the presence
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Henry Harrison was the candidate for a Whig

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President Ebenezer Trask (now cashier of the Bangor
Bank) was Whig candidate for representative to our State
legislature & was elected being the first Whig or Adams man
ever elected in Hampden I was not old enough to vote at
this election but I attended the caucuses and distributed
votes for Mr Trask also Wm Henry Harrison and before
election at the mass meeting held on Thomas' hill in
Bangor when F O J Smith spoke to 40 thousand people
and the log cabin was hauled on to the hill with 20
span of horses I was one who rode in the waggon
with 40 others that bore the ensign leading the
Hampden delegation under command of Joshua
Lane Esq the delegation reaching nearly a half a
mile & number some 300 carts & carriages.
After this election was held Harrison being elected he died
in a month (as was thought by poisoning) Tyler took the
chair & like Johnson Buchanan & others turned traitor
and gave democracy a new halo and the next year
Hamlin was candidate for representative to legislature
and about 20 young men in Hampden he came voters
the question as regarded Hamlin being a local one more
than political he was elected. The towns of Newport &
Carmel had made extraordinary efforts to cut a road
to Bangor behind Hampden crossing the upper end
of Herman Pond to shorten distance and make an
easy road to Bangor & if they done it, it would kill
Hampden for all the trade & lumber which came in to
the latter would go direct to Bangor & we wanted to kill
the road. Mr Hamlin being my neighbour & the best man
to defend the town we all voted for him without ^{regard} to political
sentiments which was my first vote and the only demo-
cratic one I ever carried for any one. He was elected &
with all his power of opposition the road was carried
& made Hampden what it now is a farming inste-
ad of a business Town. This gives an insight into the primary
movement which made Hannibal Hamlin what he is
His wife was a gentle and lady like person & mingled
with whatever society they were in with as much familiarity
as did her Hannibal, I have danced with her when
it was the ladies choice of partners and received the
following compliment (I admire a gentleman without
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singing meetings. Hannibal could not sing neither could he distinguish money musik from a psalm tune he danced by the influence & oration of the audience & was as correct as any pupil & genteel In 1841 I left Hampdens lower corner & engaged with Olive H Hinkley to tend his house known as the Kenebeck House because all the Augusta & Waterville stages stoped there & all the market & Lumbermen likewise It may be seen by refering to my family history on page 94 a plan of the location of all the roads buildings &c at both corners no 20 being the tavern I was in no 54 Hamblins law office no 19 his brick house his office was about 20 feet north of the tavern his house perhaps 200 feet and my folks lived in no 44 in the corner which was 12 feet from the south line to his garden his lot being about 75 feet wide by perhaps 150 feet long, his office stands there yet with his sign on it 1867 I give a section of this plan below to show my children how near I was to his residence & business.

[illustration]

O H Hinkleys mowing field
[sideways at left] Hinkleys garden
[sideways at right] Augusta Road west
Road to Bangor north

No 2 Hinkley Tavern	The main part of the tavern was
" 3 Hamblins office	white the L Brown Kidlers store
" 4 Kiddlers Store & office	yellow, Phipps store, yellow,
" 5 Phipps store & Raynes tenement	Hamblins house brick front & Tired
" 6 Hamblins Residence	yellow barn & shed
" 7 Hinkleys stable	Hamblins office was one story flat
" 8 Raynes door yard & my home	roof & no paint. The
" 9 Hamblins flower garden	hall for dancing was in the L
" 10 Hamblins Orchard	to Hinkleys
	tavern his stables & ax shed in
	ax shed in the rear as given.

I remained in this house two years during which a painter came along who painted doors & signs & boarded there and Mr Hinkley changed the name of the house to the Souadabscook house being the Indian name of the Stream where Crosly & Dudleys mills & the grist mill were located In course of time the original Hampden house burnt and the sign was saved mr Hinkley purchased the sign & changed the name of the house to this sign & put it over the door & took down the sign pole.

This brings us all up to 1844 After Mr Hamlin was started in Political life he hired a man and paid him by the month to canvass the country & paid his expences to distribute papers talk politicks, minute his observations how the farmers would vote &c this was not generally known in his own locality and Mr Hamlin began to give up his law & Josua Hill established a law office at the lower corner & cut out W^m Cobb & married one of General Herricks daughters & lived in Hampden till he died. Mr Hamlin began now to shoot ahead and was elected representative to Congress & senator & was chairman of the board of trade &c and was in the house at the time Texas was admitted & in his voting on that question made a blunder which very much dissatisfied his own party & they came very near laying him up on the shelf but he came home and expended over three thousand dollars in money & spoke in all the principle places in person to rectify & establish his position & finally held his line in rotation although it cost him many a sleepless night. After I left Hinkley I butchered two seasons during this time Mr Hamlin with myself Mr Quinn & Bill Morey spent many a happy day on Herman pond in fishing cooking chowders &c After I came to Bangor I watched Mr Hamlins course and now & then receipt papers speeches &c from him Mr Hamlin made his mark soon after I came to Bangor and as I look further than what happens to day I give his position when he was a democrat in 1847 three years later and to show that I know all the important events of my age I give his speech day & date entire on the Wilmot proviso which I have kept in my trunk twenty long years and this very question brought on our rebellion & is now making us pay 20 dollars a barrel for flour that we could buy then for six demoralised our whole land and brought misery to our doors from every corner of our government. This is the heading of the paper of our government in 1847 This is the heading of the paper

TUESDAY
MORNING.

The

BANGOR, MARCH 23, 1847.

Democrat.

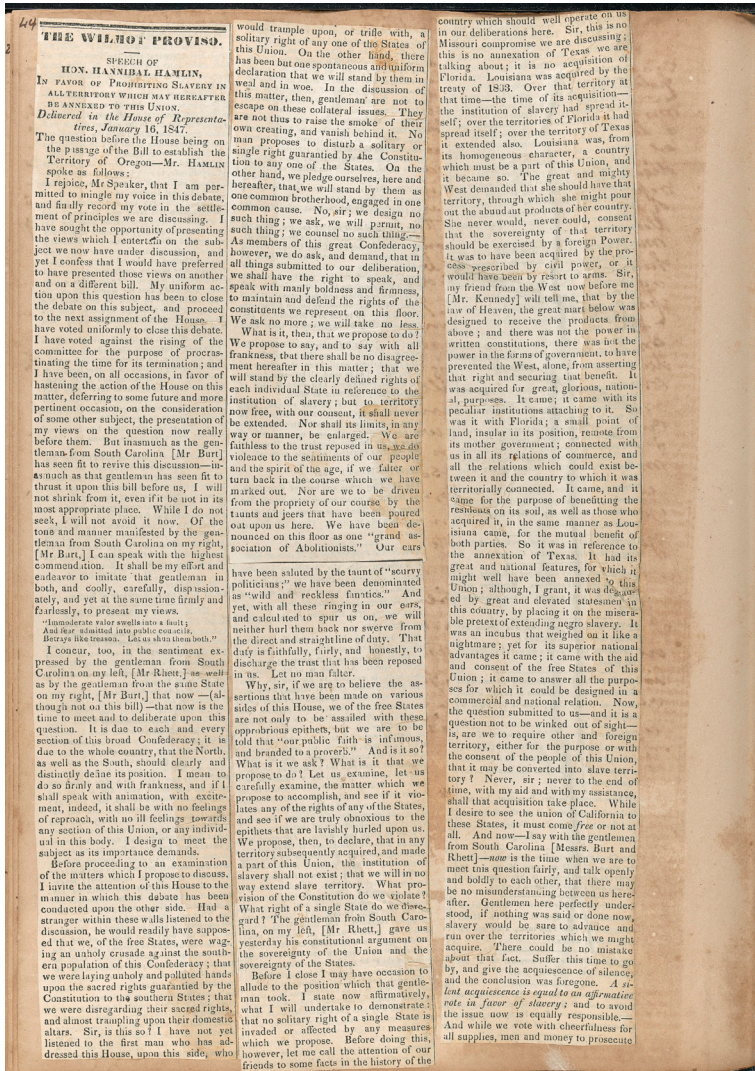
MAINE,

VOLUME 10.
NUMBER 8.

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Tuesday The Volume 10.
Morning Number 8.

Bangor March 23, 1847.
DEMOCRAT.
Maine,



[left column]

The Wilmot Proviso.

Speech Of

Hon. Hannibal Hamlin,

In Favor Of Prohibiting Slavery In

All Territory Which May Hereafter

Be Annexed To This Union.

Delivered in the House of Representatives January 17, 1847.

The question before the House being on the passage of the Bill to establish the Territory of Oregon—Mr Hamlin spoke as follows:

I rejoice, Mr Speaker, that I am permitted to mingle my voice in this debate, and finally record my vote in the settlement of principles we are discussing. I have sought the opportunity of presenting the views which I entertain on the subject we now have under discussion, and yet I confess that I would have preferred to have presented those views on another and on a different bill. My uniform action upon this question has been to close the debate on this subject, and proceed to the next assignment of the House. I have voted uniformly to close this debate. I have voted against the rising of the committee for the purpose of procrastinating the time for its termination; and I have been, on all occasions, in favor of hastening the action of the House on this matter, deferring to some future and more pertinent occasion, on the consideration of some other subject, the presentation of my views on the question now really before them. But inasmuch as the gentleman from South Carolina (Mr Burt) has seen fit to revive this discussion—inasmuch as that gentleman has seen fit to thrust it upon this bill before us, I will not seek, I will not avoid it now. Of the tone and manner manifested by the gentleman from South Carolina on my right, (Mr Burt,) I can speak with the highest commendation. It shall be my effort and endeavor to imitate that gentleman in both, and coolly, carefully, dispassionately, and yet at the same time firmly and fearlessly, to present my views.

*"Moderate valor sweet into a fury,
And fear admitted into public courage,
Betwixt like tresses. Let us then both."*

I concur, too, in the sentiment expressed by the gentleman from South Carolina on my left, [Mr Rhet]—as well as by the gentleman from the same State on my right, [Mr Burt]—that now—(although not on this bill)—that now is the time to meet and to deliberate upon this question. It is due to each and every section of this broad Confederacy; it is due to the whole country, that the North, as well as the South, should clearly and distinctly declare its position. I mean to do so firmly and with frankness, and if I shall speak with animation, with excitement, indeed, it shall be with no feelings of reproach, with no ill feelings towards any section of this Union, or any individual in this body. I design to meet the subject as its importance demands.

Before proceeding to an examination of the matters which I propose to discuss, I invite the attention of this House to the manner in which this debate has been conducted upon the other side. Had a stranger within these walls listened to the discussion, he would readily have supposed that we, of the free States, were waging an unrelenting crusade against the southern population of this Confederacy; that we were laying unholy and polluted hands upon the sacred rights guaranteed by the Constitution to the southern States; that we were disregarding their sacred rights, and almost trampling upon their double altars. Sir, is this so? I have not yet listened to the first man who has addressed this House upon this side, who

would trample upon, or tride with, a solitary right of any one of the States of this Union. On the other hand, there has been but one spontaneous and uniform declaration that we will stand by them in weal and in woe. In the discussion of these collateral issues. They are not those to raise the smoke of their own creating, and vanish behind it. No man proposes to disturb a solitary or single right guaranteed by the Constitution to any one of the States. On the other hand, we pledge ourselves, here and hereafter, that we will stand by them as one common brotherhood, engaged in one common cause. No, sir; we design no such thing; we ask, we will permit, no such thing; we counsel no such thing. As members of this great Confederacy, however, we do ask, and demand, that in all things submitted to this floor, our constituents we represent on this floor. We ask no more; we will take no less.

What is it, then, that we propose to do? We propose to say, and to say with all frankness, that there shall be no disagreement hereafter in this matter; that we will stand by the clearly defined rights of each individual State in reference to the institution of slavery; but to territory now free, with our consent, it shall never be extended. Nor shall its limits, in any way or manner, be enlarged. We are faithful to the trust reposed in us, and violence to the sentiments of our people and the spirit of the age, if we falter or turn back in the course which we have marked out. Nor are we to be driven from the propriety of our course by the taunts and jeers that have been poured out upon us here. We have been denounced on this floor as one "grand association of Abolitionists." Our cars

have been saluted by the taunt of "seamy politicians;" we have been denominated as "wild and reckless fanatics." And yet, with all these ringings in our ears, and calculated to spur us on, we will neither hurl them back nor swerve from the direct and straight line of duty. That duty is faithfully, fully, and honestly, to discharge the trust that has been reposed in us. Let no man falter.

Why, sir, if we are to believe the assertions that have been made on various sides of this House, we of the free States are not only to be assailed with these opprobrious epithets, but we are to be told that "our public faith is infamous, and branded to a proverb." And is it so? What is it we ask? What is it that we propose to do? Let us examine, let us carefully examine, the matter which we propose to accomplish, and see if it violates any of the rights of any of the States, and see if we are truly obnoxious to the epithets that are lavishly hurled upon us.

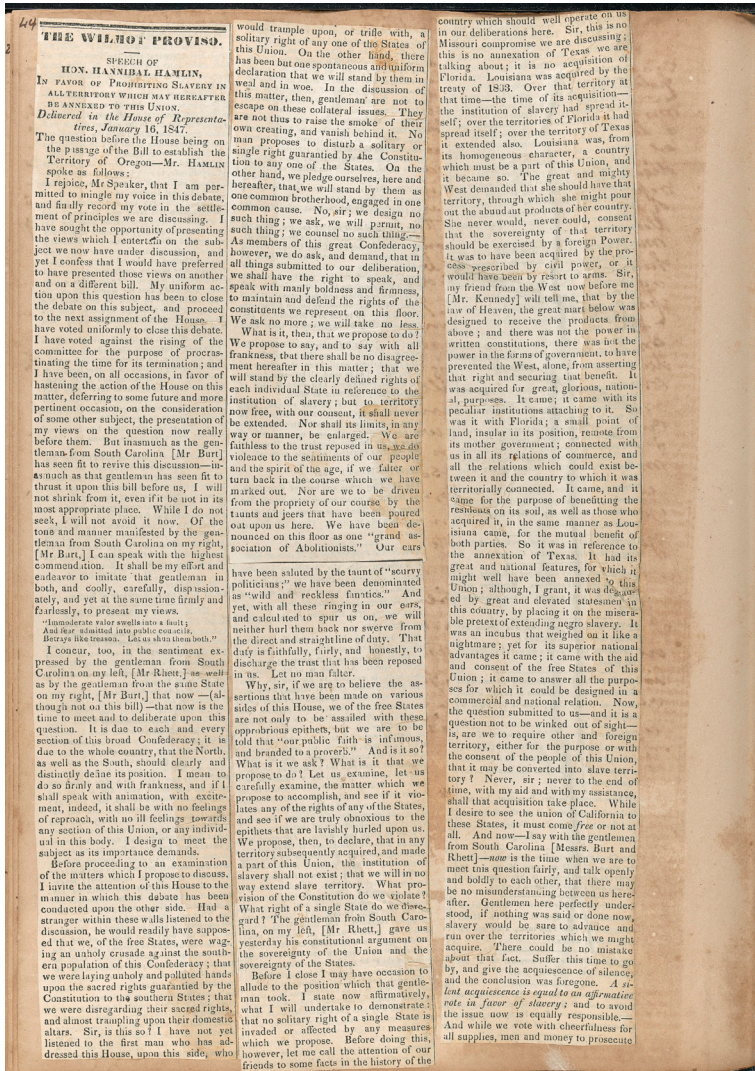
We propose, then, to declare, that in any territory subsequently acquired, and made a part of this Union, the institution of slavery shall not exist; that we will in no way extend slave territory. What provision of the Constitution do we violate? What right of a single State do we disregard? The gentleman from South Carolina, on my left, [Mr Rhet], gave us yesterday his constitutional argument on the sovereignty of the Union and the sovereignty of the States.

Before I close I may have occasion to allude to the position which that gentleman took. I state now affirmatively, what I will undertake to demonstrate; that no solitary right of a single State is invaded or affected by any measures which we propose. Before doing this, however, let me call the attention of our friends to some facts in the history of the

country which should well operate on us in our deliberations here. Sir, this is no Missouri compromise we are discussing; this is no annexation of Texas we are talking about; it is no acquisition of the Florida. Louisiana was acquired by the treaty of 1803. Over that territory at that time—the time of its acquisition—the institution of slavery had spread itself, over the territories of Florida it had spread itself; over the territory of Texas it extended also. Louisiana was, from its homogeneous character, a country which must be a part of this Union, and it became so. The great and mighty West demanded that she should have that territory, through which she might pour out the abundant products of her country. She never would, never could, consent that the sovereignty of that territory should be exercised by a foreign Power. It was to have been acquired by the people—separated by cold power, or it would have been by resort to arms. Sir, my friend from the West now before me [Mr. Kennedy] will tell me, that by the law of Heaven, the great mart below was designed to receive the products from above; and there was the power of written constitutions, there was not the power in the hands of government, to have prevented the West, alone, from asserting that right and securing that benefit. It was acquired for great, glorious, national, purposes. It came; it came with its peculiar institutions connected to it. So it was with Florida; a small point of land, insular in its position, remote from its mother government, connected with us in all its relations of commerce, and all the relations which could exist between it and the country to which it was territorially connected. It came, and it came for the purpose of benefiting the rebellious on its soil, as well as those who acquired it, in the manner as Louisiana came, for the mutual benefit of both parties. So it was in reference to the annexation of Texas. It had its great and national features, for which it might well have been annexed to this Union; although, I grant, it was degraded by great and elevated statesmen in this country, by placing it on the miserable pretext of extending negro slavery. It was an incubus that weighed on it like a nightmare; yet for its superior national advantages it came; it came with the aid and consent of the free States of this Union; it came to answer all the purposes for which it could be designed in a commercial and national relation. Now, the question submitted to us—and it is a question not to be winked out of sight—is, are we to require other and foreign territory, either for the purpose or with the consent of the people of this Union, that it may be converted into slave territory? Never, sir; never to the end of time, with my aid and with my assistance, shall that acquisition take place. While I desire to see the union of California to these States, it must come free or not at all. And now—I say with the gentleman from South Carolina [Messrs Burt and Rhet]—now is the time when we are to meet this question fairly, and talk openly and boldly to each other, that there may be no misunderstanding between us hereafter. Gentlemen here perfectly understood, if nothing was said or done now, slavery would be sure to advance and run over the territories which we might acquire. There could be no mistake about that fact. Suffer this time to go by, and give the acquiescence of silence, and the conclusion was foregone. A gentleman acquiescence is equal to an affirmative vote in favor of slavery; and to avoid the issue now is equally responsible.

And while we vote with cheerfulness for all supplies, men and money to prosecute

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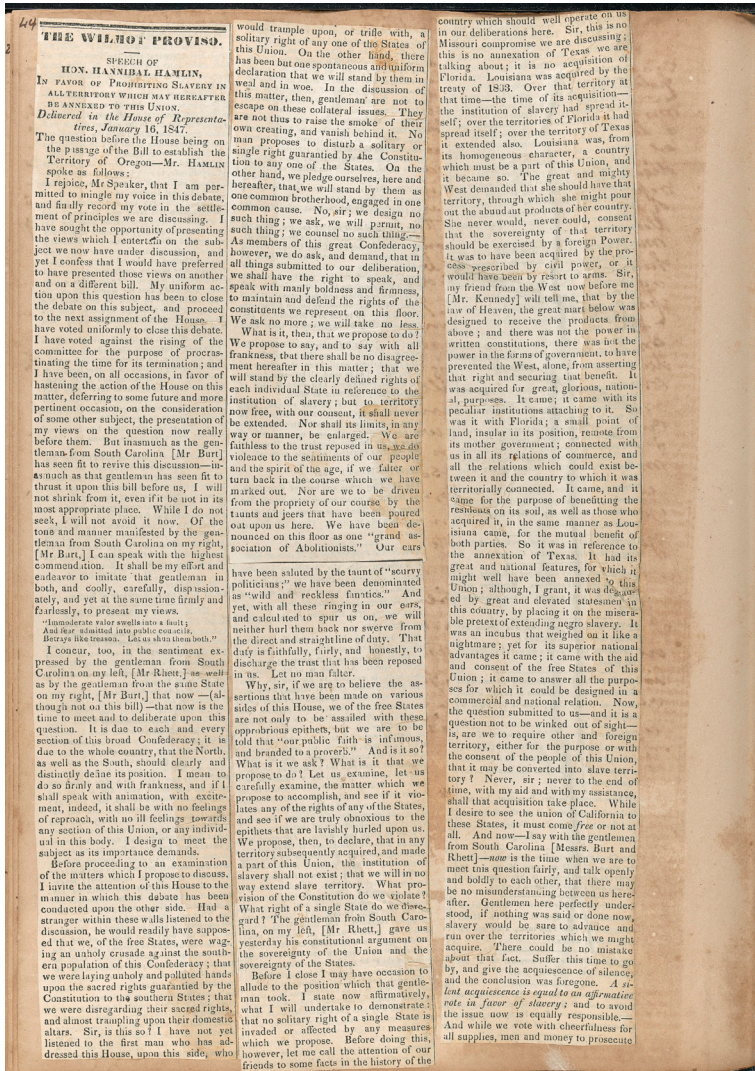


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this Union. On the other hand, there has been but one spontaneous and uniform declaration that we will stand by them in weal and in woe. In the discussion of this matter, then, gentlemen' are not to escape on these collateral issues. They are not thus to raise the smoke of their own creating, and vanish behind it. No man proposes to disturb a solitary or single right guarantied by the Constitution to any one of the States. On the other hand, we pledge ourselves, here and hereafter, that, we will stand by them as one common brotherhood, engaged in one common cause. No, sir; we design no such thing; we ask, we will permit, no such thing; we counsel no such thing.-- As members of this great Confederacy, however, we do ask, and demand, that in all things submitted to our deliberation, we shall have the right to speak, and speak with manly boldness and firmness, to maintain and defend the rights of the constituents we represent on this floor. We ask no more; we will take no less.

What is it, then, that we propose to do? We propose to say, and to say with all frankness, that there shall be no disagreement hereafter in this matter; that we will stand by the clearly defined rights of each individual State in reference to the institution of slavery; but to territory now free, with our consent, it shall never be extended. Nor shall its limits, in any way or manner, be enlarged. We are faithful to the trust reposed in us, as denounced on this floor as one "grand association of Abolitionists." Our ears have been saluted by the taunt of "scurvy politicians;" we have been denominated

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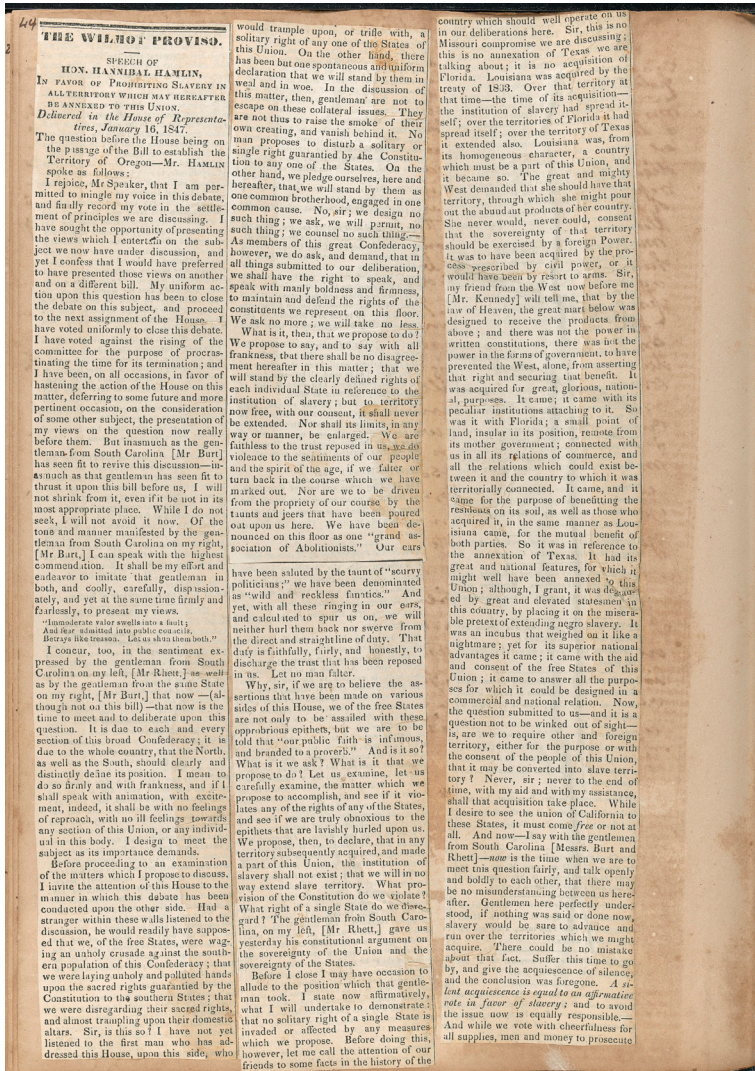
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as "wild and reckless fanatics." And yet, with all these ringing in our ears, and calculated to spur us on, we will neither hurl them back nor swerve from the direct and straightline of duty. That duty is faithfully, fairly, and honestly, to discharge the trust that has been reposed in us. Let no man falter.

Why, sir, if we are to believe the assertions that have been made on various sides of this House, we of the free States are not only to be assailed with these opprobrious epithets, but we are to be told that "our public faith is infamous, and branded to a proverb." And is it so? What is it we ask? What is it that we propose to do? Let us examine, let us carefully examine, the matter which we propose to accomplish, and see if it violates any of the rights of any of the States, and see if we are truly obnoxious to the epithets that are lavishly hurled upon us. We propose, then, to declare, that in any territory subsequently acquired, and made a part of this Union, the institution of slavery shall not exist; that we will in no way extend slave territory. What provision of the Constitution do we violate? What right of a single State do we disregard? The gentleman from South Carolina, on my left, (Mr Rhett,) gave us yesterday his constitutional argument on the sovereignty of the Union and the sovereignty of the States.

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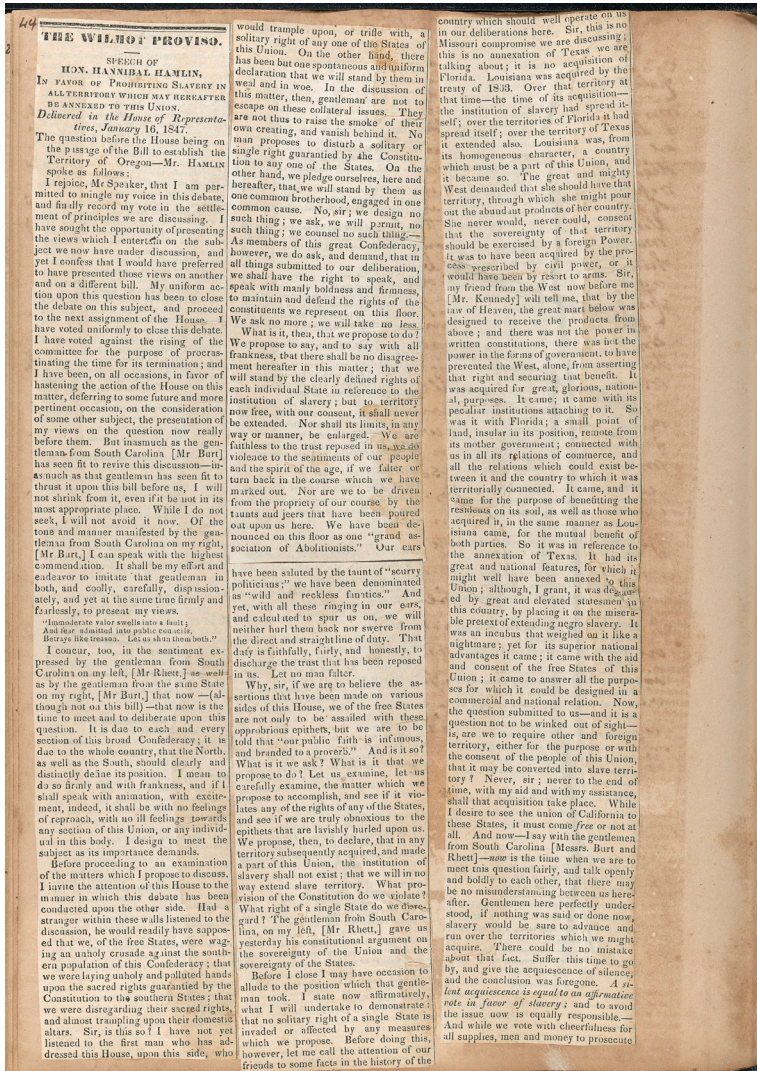
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Louisiana was acquired by the treaty of 1803; subsequently to the acquisition of that territory there was adopted by both branches of Congress what was called the Missouri compromise. The gentleman from South Carolina yesterday presented his amendment, thus opening the wide field of slavery to discussion. It was an amendment recognizing clearly and distinctly that the line of parallel established in the Missouri compromise, extended through to the Pacific Ocean, or that all the territory lying north of that line was embraced within its provisions. Why, sir, the gentleman negatives this proposition by his own argument. The declaration with which he commenced his speech was clearly and distinctly that that territory of Oregon was acquired by the treaty of 1846. What application, and what bearing then, could the compromise of 1820 have upon the territory which was secured by the treaty of 1846? Sir, it has no more connexion with it as I have already said than it had with the islands of the farther Indies. If it was embraced in the purchase of Louisiana, the gentleman's amendment was a work of supererogation. If it was not embraced within that purchase, it was extending that line to territory that had no connexion with it.

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Mr Hamlin resumed. I confess (said he) somewhat misapprehended the design which the gentleman from South Carolina had in offering the amendment which he did. I do not, however, from the explanation he has seen fit to give us, perceive that it really changes the position at all which I have taken. He now says he designed to establish a new compromise line, not to extend the old one. If he had designed to make a new Missouri compromise line through to the Pacific, on the parallel of 36 30, it would have been quite more direct, a little more open, if such had been the language which set forth the amendment which he proposed. I did myself therefore apprehend that he designed to cover this territory as a part of the territory belonging to the Union, by the acquisition of Louisiana. Now he tells us clearly and distinctly that his amendment was for the purpose of extending that line, of extending it over a territory where it did not and west to be the one. Look at its intent was rejected by a vote of thirty-one to twenty. The gentleman's amendment was a work of supererogation, and forever, that we are to have no new Hamlin's History of New Spain, which Missouri compromise lines, or compromise-carries conviction that the mountainous regions of a similar character.

Sir, on that, permit me to say a single nature to be free regions, adapted to free labor. The gentleman would not allow labor. I do not for a single moment relating to the war with Mexico, as it now be cultivated by slave labor. Granting exists; yet he would extend the compromise for the sake of the argument, that this line on that parallel of latitude to territory the case with a portion of it, we have the which might, by a subsequent treaty, be fact starting us in the face that it is a line included as a part of this country, and running never north and south than east which would become a slave territory by and west, which should be the line of that very compromise. Now the idea of compromise.

But, sir, I disclaim at once and forever way to compromise the question of dividing all talk about a compromise, on any parting a territory before we know the limit of latitude which can be named by and boundaries of that territory--does not man. To any proposition for taking territory to my judgment. If, for my now free, and sending there, the no other reason, sir, for this, I should shudder and shudder of slavery. I never have voted against that amendment. I will consent; never. No: cause the declaration to be placed on record on from South Carolina, that the territory your jurisdiction, that it may be seen by these lying west of the Rocky Mountains is not who shall come after us, and who shall be affected by that compromise, because it is better, able, but not more willing to curbed, when it was agreed upon, we had all the rights to Oregon that we now have or that we have had at any subsequent period. The treaty of 1846 only limited and defined the boundary on the north.

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division made; that we should have there an equal portion of free territory, in which the free labor of the North should participate. In taking into this Union a foreign State, as the representatives of free States, we had a right to demand those terms which should give to the free States an equal right of participating in the benefits of the acquisition. Sir, we were laughed to scorn. The precedent which was established then is my foundation. On that rock I build, sir, and the waves, and the power, and strength of that institution shall never prevail against it. It is ridiculous to talk of compromising this matter before we know the boundaries of the territory we are to compromise. Look at the topography and geography of the territory belonging to that country itself. If we are to draw lines of compromise, (which I by no means assent to,) we have a lesson from the features, soil, and productions of the country, that tell us that no rigid line east and west is to be the one. Look at its position, its salubrious climate, its mildness of temperature, the kind of products for which its majority, clearly settling the question, now soil is adapted. I have before me Mr Hamlin's History of New Spain, which Missouri compromise lines, or compromise-carries conviction that the mountainous regions of a similar character.

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the war with the utmost vigor—and while all should rally for the country in this crisis—while there should be no holding back—in the same time, we are bound to declare we will not permit the institution of slavery to exist in any territory which may result as an incident of the war.

Louisiana was acquired by the treaty of 1803; subsequently to the acquisition of that territory there was adopted by both branches of Congress what was called the Missouri compromise. The gentleman from South Carolina yesterday presented his amendment, thus opening the wide field of slavery to discussion. It was an amendment recognizing clearly and distinctly that the line of parallel established in the Missouri compromise, extended through to the Pacific Ocean, or that all the territory lying north of that line was embraced within its provisions. Why, sir, the gentleman negatives this proposition by his own argument. The declaration with which he commenced his speech was clearly and distinctly that that territory of 1846 was acquired by the treaty of 1846. What application, and what bearing then, could the compromise of 1820 have upon the territory which was secured by the treaty of 1846? Sir, it has no more connexion with it as I have already said, than it had with the islands of the further Indies. If it was embraced in the purchase of Louisiana, the gentleman's amendment was a work of supererogation. If it was not embraced within that purchase, it was extending that line to territory that had no connexion with it.

Mr. Bart here interposed, and (Mr. H. yielding the floor) begged leave to say that the gentleman from Maine, as well as well as the gentleman from Ohio, [Mr. Thurman,] he thought did not do entire justice to the research and discrimination of those on the opposite side of this question, when they intimated to the House that they were under a misapprehension as to the Missouri compromise. Why, sir, the merest tyro knows that the Missouri compromise was confined to the Louisiana territory. I think, sir, if I made myself intelligible on any point whatever, I could not have been misunderstood in saying distinctly that Oregon was a new territory—a territory of which there was no compromise applicable; a territory which, lying above the line of the Missouri compromise, would, according to the line of that compromise, be a territory in which the South should not consent that slavery should be introduced; and, sir, my object in moving the amendment which I had the honor to propose, was simply to indicate to the country, to indicate to the North and South, a desire that the line of that compromise might be applicable to any subsequent acquisition of territory by the Government of the United States. Now, I forbore to speak of the results of the war with Mexico—I would not do so. I forbore to say whether, in my opinion, we should acquire territory in Mexico or not. I would not speak to it now if it had not been introduced in this connection by the gentleman from Maine; and I speak simply to say that for one I am heated with no lust of acquisition of territory from a foreign country. But, whatever may come of this question, I believe the point of national honor cannot be satisfied, unless Mexico makes some reparation to the United States for the causes that led to the war. I would not undertake to infringe upon the treaty-making power by indicating in what mode that reparation should be made. I am willing to leave it to that power, and I would have been willing, but for the cause to which I adverted the other day when I had the honor to address the House, to leave it to the day to provide for the evil thereof.

Mr. Hamlin resumed. I confess (said he) somewhat misapprehended the design which the gentleman from South Carolina had in offering the amendment which he did. I do not, however, from the explanation he has seen fit to give us, perceive that it really changes the position at all which I have taken. He now says he designed to establish a new compromise line, not to extend the old one. If he had designed to make a new Missouri compromise line through to the Pacific, on the parallel of 36 30, it would have been a little more direct, a little more open, if such had been the language which set forth the amendment which he proposed. I did myself therefore apprehend that he designed to cover this territory as a part of the territory belonging to the Union, by the acquisition of Louisiana. Now he tells us clearly and distinctly that his amendment was for the purpose of extending that line, of extending it over a territory where it did not and west is to be the one. Look at its intent was rejected by a vote of thirty-one to twenty. The gentleman's amendment was a work of supererogation, and forever, that we are to have no new Hamlin's History of New Spain, which Missouri compromise lines, or compromise-carries conviction that the mountainous regions of that country are designed by nature to be free regions, adapted to free labor. I do not for a single moment advert to the war with Mexico, as it now be cultivated by slave labor. Granting that, yet he would extend the compromise for the sake of the argument, that this line on that parallel of latitude to territory the case with a portion of it, we have the which might, by a subsequent treaty, be fact starting us in the face, that it is a line included as a part of this country, and running never north and south than east which would become a slave territory by and west, which should be the line of that very compromise. Now the idea of compromising—of undertaking in any way to compromise the question of dividing all talk about a compromise, on any parting a territory before we know the limit of all of latitude which can be named by and boundaries of that territory—does not man. To any proposition for taking territory now free, and sending there the comment itself to my judgment. If, for any other reason, sir, for this, I should shake and manacles of slavery. I never will consent; never. No; cause the declaration to be placed on record on from South Carolina, that the territory your jurisdiction, that it may be seen by those lying west of the Rocky Mountains is who shall come after us, and who shall be affected by that compromise, because it is better, able, but not more willing to carry out the doctrine we lay down and promulgate. I by all means desire not to be misunderstood in this manner. I am viewing it upon their own hypothesis, not mine. I will go for no compromise line and defined the boundary on the northern border of that territory; it gave to us the remaining portion, no additional title. It was ours then; it is ours now. We have occupied it from that period of time, to the present moment. My view is, and always has been, that the only title we ever acquired from France was one by which Great Britain herself could be escaped. Virtually France had no possession there; yet a quit-claim from her was an estoppel to Great Britain, through her treaties, from asserting any jurisdiction there.

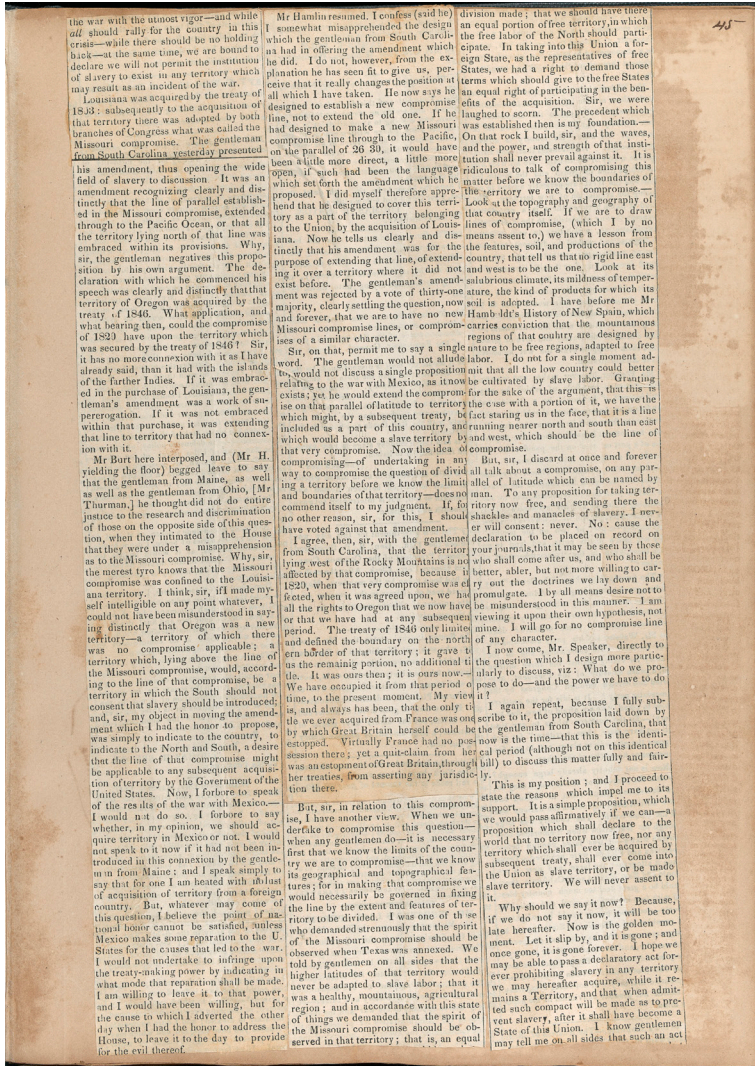
But, sir, in relation to this compromise, I have another view. When we undertake to compromise this question—when any gentleman does—it is necessary first that we know the limits of the country we are to compromise—that we know its geographical and topographical features; for in making that compromise we would necessarily be governed in fixing the line by the extent and features of territory to be divided. I was one of those who demanded strenuously that the spirit of the Missouri compromise should be observed when Texas was annexed. We told by gentlemen on all sides that the higher latitudes of that territory would never be adapted to slave labor; that it was a healthy, mountainous, agricultural region; and in accordance with this state of things we demanded that the spirit of the Missouri compromise should be observed in that territory; that is, an equal division made; that we should have there an equal portion of free territory, in which the free labor of the North should participate. In taking into this Union a foreign State, as the representatives of free States, we had a right to demand those terms which should give to the free States an equal right of participating in the benefits of the acquisition. Sir, we were laughed to scorn. The precedent which was established then is my foundation. On that rock I build, sir, and the waves, and the power, and strength of that institution shall never prevail against it. It is ridiculous to talk of compromising this matter before we know the boundaries of the territory we are to compromise. Look at the topography and geography of the country, that tell us that no rigid line east and west is to be the one. Look at its features, soil, and productions of the country, that tell us that no rigid line east and west is to be the one. Look at its salubrious climate, its mildness of temperature, the kind of products for which its majority, clearly settling the question, now soil is adapted. I have before me Mr. Hamlin's History of New Spain, which Missouri compromise lines, or compromise-carries conviction that the mountainous regions of that country are designed by nature to be free regions, adapted to free labor. I do not for a single moment advert to the war with Mexico, as it now be cultivated by slave labor. Granting that, yet he would extend the compromise for the sake of the argument, that this line on that parallel of latitude to territory the case with a portion of it, we have the which might, by a subsequent treaty, be fact starting us in the face, that it is a line included as a part of this country, and running never north and south than east which would become a slave territory by and west, which should be the line of that very compromise. Now the idea of compromising—of undertaking in any way to compromise the question of dividing all talk about a compromise, on any parting a territory before we know the limit of all of latitude which can be named by and boundaries of that territory—does not man. To any proposition for taking territory now free, and sending there the comment itself to my judgment. If, for any other reason, sir, for this, I should shake and manacles of slavery. I never will consent; never. No; cause the declaration to be placed on record on from South Carolina, that the territory your jurisdiction, that it may be seen by those lying west of the Rocky Mountains is who shall come after us, and who shall be affected by that compromise, because it is better, able, but not more willing to carry out the doctrine we lay down and promulgate. I by all means desire not to be misunderstood in this manner. I am viewing it upon their own hypothesis, not mine. I will go for no compromise line and defined the boundary on the northern border of that territory; it gave to us the remaining portion, no additional title. It was ours then; it is ours now. We have occupied it from that period of time, to the present moment. My view is, and always has been, that the only title we ever acquired from France was one by which Great Britain herself could be escaped. Virtually France had no possession there; yet a quit-claim from her was an estoppel to Great Britain, through her treaties, from asserting any jurisdiction there.

This is my position; and I proceed to state the reasons which impel me to its support. It is a simple proposition, which we would pass affirmatively if we can—a proposition which shall declare to the world that no territory now free, nor any territory which shall ever be acquired by subsequent treaty, shall ever come into the Union as a slave territory, or be made a slave territory. We will never assent to it.

Why should we say it now? Because, if we do not say it now, it will be too late hereafter. Now is the golden moment. Let it slip by, and it is gone and gone, it is gone forever. I hope we may be able to pass a declaratory act forever prohibiting slavery in any territory ever acquired by the United States, and that when admitted Territory, and that when admitted such compact will be made as to prevent slavery, after it shall have become a State of the Union. I know gentlemen may tell me on all sides that such an act

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that they were under a misapprehension as to the Missouri compromise. Why, sir, the merest tyro knows that the Missouri compromise was confined to the Louisiana territory. I think, sir, if I made myself intelligible on my point whatever, I could not have been misunderstood in saying distinctly that Oregon was a new territory—a territory of which there was no compromise applicable; a territory which, lying above the line of the Missouri compromise, would according to the line of that compromise, be a territory in which the South should not consent that slavery should be introduced; and, sir, my object in moving the amendment which I had the honor to propose, was simply to indicate to the country, to indicate to the North and South, a desire that the line of that compromise might be applicable to any subsequent acquisition of territory by the Government of the United States. Now, I forbore to speak of the result of the war with Mexico—I would not do so. I forbore to say whether, in my opinion, we should acquire territory in Mexico or not. I would not speak to it now if it had not been introduced in this connexion by the gentleman from Maine; and I speak simply to say that for one I am heated with no lust of acquisition of territory from a foreign country. But, whatever may come of this question, I believe the point of national honor cannot be satisfied, unless Mexico makes some reparation to the United States for the causes that led to the war. I would not undertake to infringe upon the treaty-making power by indicating in what mode that reparation shall be made. I am willing to leave it to that power, and I would have been willing, but for the cause to which I adverted the other day when I had the honor to address the House, to leave it to the day to provide for the evil thereof.

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have voted against that amendment.

I agree, then, sir, with the gentlemen from South Carolina, that the territory lying west of the Rocky Mountains is no affected by that compromise, because in 1820, when that very compromise was effected, when it was agreed upon, we had all the rights to Oregon that we now have or that we have had at any subsequent period. The treaty of 1846 only limited and defined the boundary on the northern border of that territory; it gave us the remaining portion, no additional title. It was ours then; it is ours now—

We have occupied it from that period of time, to the present moment. My view is, and always has been, that the only title we ever acquired from France was one by which Great Britain herself could be estopped. Virtually France had no possession there; yet a quit-claim from her was an estoppel of Great Britain, though her treaties, from asserting any jurisdiction there.

But, sir, in relation to this compromise, I have another view. When we undertake to compromise this question—when any gentlemen do—it is necessary first that we know the limits of the country we are to compromise—that we know its geographical and topographical features; for in making that compromise we would necessarily be governed in fixing the line by the extent and features of territory to be divided. I was one of those who demanded strenuously that the spirit of the Missouri compromise should be observed when Texas was annexed. We told by gentlemen on all sides that the higher latitudes of that territory would never be adapted to slave labor; that it was a healthy, mountainous, agricultural region; and in accordance with this state of things we demanded that the spirit of the Missouri compromise should be observed in that territory; that is an equal

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Louisiana was acquired by the treaty of 1803: subsequently to the acquisition of that territory there was adopted by both branches of Congress what was called the Missouri compromise. The gentleman from South Carolina yesterday presented

his amendment, thus opening the wide field of slavery to discussion. It was an amendment recognizing clearly and distinctly that the line of parallel established in the Missouri compromise, extending from the Pacific to the Atlantic, that all the territory lying north of that line was embraced within its provisions. Why, sir, the gentleman negatives this proposition by his own argument. The declaration with which he commenced his speech was clearly and distinctly that the territory of Oregon was acquired by the treaty of 1846. What application, and what bearing then, could the compromise of 1820 have upon the territory which was secured by the treaty of 1846? Sir, already said, that it had with the islands of the further Indies. If it was embraced in the purchase of Louisiana, the gentleman's amendment was a work of supererogation. If it was not embraced in that purchase, it was extending that line to territory that had no connection with it.

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I would not do so. I forbore to say whether, in my opinion, we should acquire territory in Mexico or not. I would not speak to it now if it had not been introduced in this connexion by the gentleman from Maine; and I speak simply to say that for one I am not averse to the acquisition of territory from a foreign country. But, whatever may be said on this question, I believe the point of honor cannot be satisfied, unless Mexico makes some reparation to the United States for the causes that led to the war. I would not undertake to infringe on the treaty-making power by indicating what mode that reparation shall be made in. I am willing to leave it to the Senate, and I would have said nothing about it, had I not been willing, but to the gentleman to whom I addressed the day when I had the honor to address the House, to leave it to the day to propose for the evil thereof.

Mr Hamlin resumed, I confess I did believe that somebodies misapprehended the design of the gentleman from South Carolina, and that he had been deceived in the explanation he did. I do not, however, from the explanation he has seen fit to give us, perceive that it really contained any such error. He now says that he is not prepared to be designed to establish a new compromise line, not to extend the old one. If he is prepared to extend the old compromise line through to the Pacific, on the parallel of 26 30, it would have been a little more direct, a little more in the language of the gentleman, than that which he now proposes. I did myself therefore apprehend that the gentleman was not prepared to give up a part of the territory belonging to the Union, by the acquisition of Louisiana. Now he tells us clearly and distinctly that he is not prepared to give up the purpose of extending that line, of extending it over a territory where it does not exist before. The gentleman has been talking of a compromise of thirty or thirty-sixty, clearly settling the question, and, moreover, that we are to have no no Missouri compromise, no compromise of similar character.

Sir, on that, permit me to say a single word. The gentleman would not allow us to, would not discuss a single proposition relating to the war with Mexico, as it exists; yet he would extend the compromise on that parallel of latitude to territory which might, by a subsequent treaty, be included as a part of this country, and which would become a slave territory by that very compromise. I do not see the necessity of compromising—of understanding in any way to compromise the question of disunion before we know the limits and boundaries of that territory—does commend itself to my judgment. If, for no other reason, sir, for this, I should have voted against that amendment.

I agree, then, sir, with the gentlemen from South Carolina, that the territory lying west of the Rocky Mountains is affected by that compromise, because in 1820, when that very compromise was made, there was agreed upon, by all the rights to Oregon that we now have, or that we have had at any subsequent period. The treaty of 1846 only laid down the boundary on the northern border of that territory; it gave us the remaining portion, and that is all that we have. It is ours now. We have occupied it from that period, to the present moment. My friends, and always has been, that the whole we ever acquired from France was by which Great Britain herself could not step in. Virginia, and the territory west of it, is not a quit-claim from the United States, but an estoppel of Great Britain from her treaties, from asserting any jurisdiction there.

But, sir, in relation to this compromise, I have another view. When we deflake to compromise this question when any gentleman do—it is necessary that we know the limits of the first that we are to compromise—that we know its geographical and topographical features, in order to making that compromise necessarily be governed in the line by the extent and features of territory to be divided. I was one of those who demanded strenuously that the Missouri compromise should be observed when we were talking about the women on all sides that various latitudes of that territory; that never be adapted to slave labor; that was a healthy, mountainous, agricultural region; and in accordance with the things we demanded that the spirit of the Missouri compromise should be served in this territory; that is, an

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of nature to be free regions, adapted to free labor. I do not for a single moment permit that all the low country could be cultivated by slave labor. Granting the propriety for the sake of the argument, that the case with a possible of it, we have the fact staring us in the face, that it is a laboring never north and south than east and west, and which should be the line of compromise.

But, sir, I discard at once and forever all talk of a compromise, on any principle of latitude which can be named to me. To any proposition for taking the territory now free, and sending there the shackles and manacles of slavery, I never will consent: never. No: cause to

declaration to be placed on record. I have written in your journals, that it may be seen by all, that I am not a man who shall come after, and say, I will do better, altho' after me shall come many that will do no better, altho' the doctrines we lay down are the same. I have promulgated, I by all means desire not to be misunderstood in this manner. I am now viewing it upon their own hypothesis, and I am quite sure, I will go to no compromise in the birth of any character.

Now, I am speaking. I speak, directly to the question which I desire more particularly to discuss, viz: What do we propose to do—and the power we have to do it?

I again repeat, because I fully subscribe to it, the proposition laid down by the gentleman from South Carolina, that it is the time—that this is the ideal period (although not on this identical bill) to discuss this matter fully and satisfactorily.

This is my position; and I proceed to support it.

support the relation of slavery. It is a simple proposition, we would pass affirmatively if we could, a proposition which shall declare to the world that no territory now free, nor hereafter, shall ever be acquired by the United States, and that no subsequent treaty, shall ever confer upon the Union as slave territory, or be construed as such.

Why should we say it now? Because if we do not say it now, it is left to posterity to say it. Now is the golden opportunity. Let it slip by, and it will be forever. It is now or never, to pass a declaratory act prohibiting slavery in any territory we may hereafter acquire, while we maintain the Territory, and that when we acquire this compact will be as good as a permanent slavery, after it shall be admitted as a State of this Union. I know gentlemen may tell me on all sides that such

A blank, aged, cream-colored page, likely an endpaper or flyleaf of a book. The paper has a slightly textured appearance with some minor discoloration and faint smudges. A small, dark, handwritten mark, possibly the number '45', is visible near the top center of the page.

This image shows a blank, aged, cream-colored page, likely an endpaper or flyleaf of a book. The paper has a slightly textured appearance with some minor discoloration and faint smudges, characteristic of old paper. The left edge of the page is bound, showing the stitching and the adjacent page. The overall tone is warm and historical.

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division made; that we should have there an equal portion of free territory, in which the free labor of the North should participate. In taking into this Union a foreign State, as the representatives of free States, we had a right to demand those terms which should give to the free States an equal right of participating in the benefits of the acquisition. Sir, we were laughed to scorn. The precedent which was established then is my foundation.-- On that rock I build, sir, and the waves, and the power, and strength of that institution shall never prevail against it. It is ridiculous to talk of compromising this matter before we know the boundaries of the territory we are to compromise.--

Look at the topography and geography of that country itself. If we are to draw lines of compromise, (which I by no means assent to,) we have a lesson from the features, soil, and productions of the country, that tell us that no rigid line east and west is to be the one. Look at its salubrious climate, its mildness of temperature, the kind of products for which its soil is adopted. I have before me Mr Hamboldt's History of New Spain, which carries conviction that the mountainous regions of that country are designed by nature to be free regions, adapted to free labor. I do not for a single moment admit that all the low country could better be cultivated by slave labor. Granting for the sake of the argument, that this is the case with a portion of it, we have the fact staring us in the face, that it is a line running nearer north and south than east and west, which should be the line of compromise.

But, sir, I discard at once and forever all talk about a compromise, on any parallel of latitude which can be named by man. To any proposition for taking territory now free, and sending there the

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the war with the utmost vigor—and while all should rally for the country in this crisis—while there should be no holding back—in the same time, we are bound to declare we will not permit the institution of slavery to exist in any territory which may result as an incident of the war.

Louisiana was acquired by the treaty of 1803; subsequently to the acquisition of that territory there was adopted by both branches of Congress what was called the Missouri compromise. The gentleman from South Carolina yesterday presented his amendment, thus opening the wide field of slavery to discussion. It was an amendment recognizing clearly and distinctly that the line of parallel established in the Missouri compromise, extended through to the Pacific Ocean, or that all the territory lying north of that line was embraced within its provisions. Why, sir, the gentleman negatives this proposition by his own argument. The declaration with which he commenced his speech was clearly and distinctly that that territory of 1846 was acquired by the treaty of 1846. What application, and what bearing then, could the compromise of 1820 have upon the territory which was secured by the treaty of 1846? Sir, it has no more connection with it as I have already said, than it had with the islands of the further Indies. If it was embraced in the purchase of Louisiana, the gentleman's amendment was a work of supererogation. If it was not embraced within that purchase, it was extending that line to territory that had no connection with it.

Mr. Bart here interposed, and (Mr. H. yielding the floor) begged leave to say that the gentleman from Maine, as well as well as the gentleman from Ohio, [Mr. Thurman,] he thought did not do entire justice to the research and discrimination of those on the opposite side of this question, when they intimated to the House that they were under a misapprehension as to the Missouri compromise. Why, sir, the nearest tyro knows that the Missouri compromise was confined to the Louisiana territory. I think, sir, if I made myself intelligible on any point whatever, I could not have been misunderstood in saying distinctly that Oregon was a new territory—a territory of which there was no compromise applicable; a territory which, lying above the line of the Missouri compromise, would, according to the line of that compromise, be a territory in which the South should not consent that slavery should be introduced; and, sir, my object in moving the amendment which I had the honor to propose, was simply to indicate to the country, to indicate to the North and South, a desire that the line of that compromise might be applicable to any subsequent acquisition of territory by the Government of the United States. Now, I forbore to speak of the results of the war with Mexico—I would not do so. I forbore to say whether, in my opinion, we should acquire territory in Mexico or not. I would not speak to it now if it had not been introduced in this connection by the gentleman from Maine; and I speak simply to say that for one I am heated with abhorrence of acquisition of territory from a foreign country. But, whatever may come of this question, I believe the point of national honor cannot be satisfied, unless Mexico makes some reparation to the United States for the causes that led to the war. I would not undertake to infringe upon the treaty-making power by indicating in what mode that reparation should be made. I am willing to leave it to that power, and I would have been willing, but for the cause to which I alluded the other day when I had the honor to address the House, to leave it to the day to provide for the evil thereof.

Mr. Hamlin resumed. I confess (said he) somewhat misapprehended the design which the gentleman from South Carolina had in offering the amendment which he did. I do not, however, from the explanation he has seen fit to give us, perceive that it really changes the position at all which I have taken. He now says he designed to establish a new compromise line, not to extend the old one. If he had designed to make a new Missouri compromise line through to the Pacific, on the parallel of 36 34, it would have been a little more direct, a little more open, if such had been the language which set forth the amendment which he proposed. I did myself therefore apprehend that he designed to cover this territory as a part of the territory belonging to the Union, by the acquisition of Louisiana. Now he tells us clearly and distinctly that his amendment was for the purpose of extending that line, of extending it over a territory where it did not and west is to be the one. Look at its extent before. The gentleman's amendment was a work of supererogation, and forever, that we are to have no new Hamlin's History of New Spain, which Missouri compromise lines, or compromise-carries conviction that the mountainous regions of that country are designed by the nature of the soil to be free regions, adapted to free labor. I do not for a single moment admit that all the low country could better relate to the war with Mexico, as it now be cultivated by slave labor. Granting that, yet he would extend the compromise for the sake of the argument, that this line on that parallel of latitude to territory the case with a portion of it, we have the which might, by a subsequent treaty, be fact starting us in the face, that it is a line included as a part of this country, and running never north and south than east which would become a slave territory by and west, which should be the line of that very compromise. Now the idea of compromising—of undertaking in any way to compromise the question of dividing all talk about a compromise, on any part of a territory before we know the limit of all of latitude which can be named by the boundaries of that territory—does not man. To any proposition for taking territory now free, and sending there the command itself to my judgment. If, for any other reason, sir, for this, I should shake and shudder at slavery. I never will consent; never. No: cause the declaration to be placed on record on your journals, that it may be seen by those who shall come after us, and who shall be better, abler, but not more willing to carry out the doctrines we lay down and promulgate. I by all means desire not to be misunderstood in this manner. I am viewing it upon their own hypothesis, not mine. I will go for no compromise line of any character.

I now come, Mr. Speaker, directly to the question which I design more particularly to discuss, viz: What do we propose to do—and the power we have to do it?

I again repeat, because I fully subscribe to it, the proposition laid down by the gentlemen from South Carolina, that now as the time—that this is the identical period (although not on this identical bill) to discuss this matter fully and fairly.

This is my position; and I proceed to state the reasons which impel me to its support. It is a simple proposition, which we would pass affirmatively if we can—a proposition which shall declare to the world that no territory now free, nor any territory which shall ever be acquired by subsequent treaty, shall ever come into the Union as slave territory, or be made slave territory. We will never assent to it.

Why should we say it now! Because, if we do not say it now, it will be too late hereafter. Now is the golden moment. Let it slip by, and it is gone; and once gone, it is gone forever. I hope we may be able to pass a declaratory act forever prohibiting slavery in any territory we may hereafter acquire, while it remains a Territory, and that when admitted such compact will be made as to prevent slavery, after it shall have become a State of this Union. I know gentlemen may tell me on all sides that such an act

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would not have force and validity; that Congress has not the power to restrict any State which may hereafter be admitted— I have no fears on this subject. A declaratory act which Congress may pass will be the fundamental law of that territory; and I hold that no State coming into the Union with that fundamental and pre-existing condition spread out before it, and assenting to it, would have the power, subsequently, to establish the institution of slavery within its limits. Sir, the Supreme Court of the U. States has affirmed that doctrine clearly and distinctly, with reference to the ordinance of 1787.— Slavery was absolutely prohibited forever by that ordinance northwest of the Ohio river; and the Supreme Court of the U. States have decided that no State formed out of that territory has the right to establish the institution of slavery within its limits.

But suppose I am wrong in my legal position; suppose I am not right in the ground I lay down; I am fortified in yet another position about which I believe there can be no mistake, and if carried out, all the good I desire will be accomplished. Let us, if we have the power, (and I will examine that question,) let us pass a declaratory law, and we do inhibit the institution certainly while it remains a Territory of the U. States. We then take it into the Union as a free State, and it is not in the power of man to establish that institution in a State admitted as a free State, where it never has existed before.

If, in this, I am wrong in my legal position, I would be right in the practical results growing out of a declaratory act of such a character. I believe I am sustained in both my positions.

But, sir, suppose we fail; suppose we are not able to pass that declaratory act: we give you notice, fair, frank, and honorable notice, that this is the ground on which we plant ourselves; and it is the ground to be supported and sustained by other, by abler and better men, who shall hereafter come here as the representatives of the North. At the North, sir, there is but one public sentiment on this subject. I do not mean to say, by this, that you may not here and there find a case of a shackled press muttering its dissent against the doctrine of freedom; that you may here and there find a *dog's face*, with fetters on his lips uttering his faint protest against it. But it is the doctrine of the North; it is the doctrine she will march up to. She will live up to it in all coming time. The democratic press in Maine has generally spoken in favor of this provision. And we give you notice, that you may not hereafter say that we have taken you by surprise: we give you notice, even if we are not able to carry it out now, that we shall have no shackles upon us when we come to vote for the admission of States to be formed out of this territory. The South has told us their position; let us be as frank and generous as they. So far as I am concerned, I will deal with all frankness with them as they have with us.

But the gentleman from South Carolina [Mr. Rhet] denies to us the power of passing this declaratory act. If I understood the gentleman's argument—and I believe I did, although it is somewhat fine-spun, and bordering too much on the transcendental—it amounts to this: that the sovereignty rests not in this Union, but in the people of the several States of the Union; that the Congress of the United States have not the power to prevent the people from the South, or from any section, from going into the territory that we may acquire by treaty and carrying their slaves with them. I believe such is the gentleman's position, although I confess it requires a magnifying glass, a microscope of stupendous power, to understand clearly and distinctly the position the gentleman has taken; and in my view it is quite too fine a print for the public eye to read. Yet, when analyzed, I believe it may be said that is his position. The *ius cogens imperii*, the absolute right to govern in territories, he holds, is not in the Union, but in the people of the States.

Now let me answer the gentleman.— The gentleman holds clearly and distinctly that we may acquire foreign territory, and yet he sets up the monstrous proposition that we have the power to do the major, but not the minor act; that we may acquire foreign territory, but having so acquired it we can do nothing with it. The answers to that position are full and to the point. They need only to be stated, and a statement is a sufficient argument.

1st. If the General Government have the power or sovereignty sufficient to acquire, they have the sovereignty to take care of those territories.

2d. If there is no sovereignty in the General Government, and if it is with the people, we, as the representatives of that sovereignty, can acquire territory by legislative enactment; we have done so; and are we not alike the representatives of that sovereignty, and therefore authorized to pass all necessary and constitutional laws?

3d. The gentleman holds that we cannot pass a law prohibiting the persons of States from going into territories—that is a sovereign act, which we cannot exercise; that the Constitution, which authorizes us to pass all "useful rules and regulations," applies only to property. Well, does he not also hold that slaves are property—chattels—not men, not *persons*? Our action designs only that they shall not be chattels in the territories. Is it not as property that he desires slaves shall be carried there? And what is the force of the law we propose, except one, which says men shall not be property? 4th. California and other territories to which a declaratory law may apply, are now free. By the law of nations, then, the moment a slave treads upon their soil he becomes free. Slavery, then, must exist there, if at all, in violation, utter violation of law. It cannot exist, except by positive enactment. A declaratory law of Congress, then, will only affirm the law of nations, and prevent a violation of that law.

But it is true, that in making an affirmative proposition, the power to enforce it should not be implied, or taken as granted. The affirmative must show the right; and on this question, there can be no doubt. The Constitution itself is clear. Article four, section three, relating to territories, and already referred to, says: Congress shall have "power to dispose of and make all useful rules and regulations respecting the territory or other property belonging to the United States." There is a clear and express grant of power. It covers the whole case, and gives full authority. There can be no doubt about it. It affirms the power as strongly as language can do so. It is circumscribed by no narrow limits. The words "useful rules and regulations" have the same force and meaning as if it had been all "useful laws and regulations." There is no difference in the two words. Throughout the whole Constitution, the word *rule* is used in the same sense as *law*. What is a law? It is "a rule of action prescribed by the supreme power of the State." All we propose is to prescribe a rule or regulation which shall apply to the territories belonging to the United States.

The Constitution gives Congress the power to "make rules for the government and regulation of the land and naval forces." Congress has done it, by enacting laws, as we now design to do. Congress shall have power to "establish a uniform rule of naturalization, and uniform laws on the subject of bankruptcies throughout the United States." Here the word *rule* is synonymous with the word *law*.— In each case Congress has passed laws. The uniform rule of naturalization is the same throughout the United States.— Congress has passed a law making a uniform system. Such is the scope and meaning of the word *rule*, and it leaves on my mind no doubt as to the power of Congress to act. As in all other cases, it is for us to judge what laws are "useful"—a majority of this body must determine that question in all cases.

But it is too late even to raise this question when the whole and uniform action of the Government has been one way. This is a novel doctrine, and as strange as novel. Why, there has not been a time since the adoption of the Constitution, when Congress, at each session, has not exercised that power—the power of legislating over our Territories.

Having the right, then, to say what laws we will pass, and in what manner we will regulate the territory, I am in favor of a declaratory law; and when the occasion shall come, I shall vote with all cheerfulness for the bill of the gentleman of New York [Mr. King]. That proposition was well timed and in season—it never can be out of season when pressed as a proposition distinct by itself. I would judge that amount of money with the President for the purpose of a treaty.— We all understand it is not to be dispensed for what purpose it may be used. I will vote it, and vote it cheerfully. I would put it there if for no other reason, for the purpose of giving open, fair, generous notice to all who are interested, that they shall not place upon us hereafter any restrictions by implication.

One thing more, I wish to see no cord on of free States thrown around the slave States. I disagree with gentlemen on that point. I would not shut up the slave population of the southern States within certain limits. It is utterly useless to talk about their staying here on, terms of equality with the whites; I would not throw a cordon around them to confine them, where they are. I would leave a Government thoroughly which they may pass into Mexico, and where they may find a government in which they may truly participate. But I would leave it for those who are interested to do this, without power, force or coercion, from any quarter—for them to manage it in their own manner, and for God in his good way and time to end that institution, as he expects will, as certain as time will roll on.

Mr. Andrew Johnson here interposed, and inquired, if he understood the gentleman correctly to say, that by a resolution in a declaratory act of Congress against slavery, a State when admitted would be prevented from establishing slavery if they see fit?

Mr. Hamlin.—I reply that if we pass by the concurrence of both branches of Congress, a declaratory law, I hold that to be the fundamental law of the country, and that a State formed out of it would come in, subject to its provisions and restrictions.

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But suppose I am wrong in my legal position; suppose I am not right in the ground I lay down; I am fortified in yet another position about which I believe there can be no mistake, and if carried out, all the good I desire will be accomplished. Let us, if we have the power, (and I will examine that question,) let us pass a declaratory law, and we do inhibit the institution certainly while it remains a Territory of the United States. We then take it into the Union as a free State, and it is not in the power of man to establish that institution in a State admitted as a free State, where it never has existed before.

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But, sir, suppose we fail; suppose we are not able to pass that declaratory act: we give you notice, fair, frank, and honorable notice, that this is the ground on which we plant ourselves; and it is the ground to be supported and sustained by other, by abler and better men, who shall hereafter come here as the representatives of the North. At the North, sir, there is but one public sentiment on this subject. I do not mean to say, by this, that you may not here and there find a case of a shackled press muttering its dissent against the doctrine of freedom; that you may here and there find a *dog's face*, with fetters on his lips uttering his faint protest against it. But it is the doctrine of the North; it is the doctrine she will march up to. She will live up to it in all coming time. The democratic press in Maine has generally spoken in favor of this provision. And we give you notice, that you may not hereafter say that we have taken you by surprise: we give you notice, even if we are not able to carry it out now, that we shall have no shackles upon us when we come to vote for the admission of States to be formed out of this territory. The South has told us their position; let us be as frank and generous as they. So far as I am concerned, I will deal with all frankness with them as they have with us.

But the gentleman from South Carolina [Mr. Rhet] denies to us the power of passing this declaratory act. If I understood the gentleman's argument—and I believe I did, although it is somewhat fine-spun, and bordering too much on the transcendental—it amounts to this: that the sovereignty rests not in this Union, but in the people of the several States of the Union; that the Congress of the United States have not the power to prevent the people from the South, or from any section, from going into the territory that we may acquire by treaty and carrying their slaves with them. I believe such is the gentleman's position, although I confess it requires a magnifying glass, a microscope of stupendous power, to understand clearly and distinctly the position the gentleman has taken; and in my view it is quite too fine a print for the public eye to read. Yet, when analyzed, I believe it may be said that is his position. The *jus summi imperii*, the absolute right to govern in territories, he holds, is not in the Union, but in the people of the States.

Now let me answer the gentleman.—The gentleman holds clearly and distinctly that we may acquire foreign territory, and yet he sets up the monstrous proposition that we have the power to do the major, but not the minor act; that we may acquire foreign territory, but having so acquired it we can do nothing with it. The answers to that position are full and to the point. They need only to be stated, and a statement is a sufficient argument.

1st. If the General Government have the power or sovereignty sufficient to acquire, they have the sovereignty to take care of those territories.

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3d. The gentleman holds that we cannot pass a law prohibiting the persons of States from going into territories—that is a sovereign act, which we cannot exercise; that the Constitution, which authorizes us to pass all "useful rules and regulations," applies only to property. Well, does he not also hold that slaves are property—chattels—not men, not *persons*? Our action designs only that they shall not be chattels in the territories. Is it not as property that he desires slaves shall be carried there? And what is the force of the law we propose, except one, which says men shall not be *property*! 4th. California and other territories to which a declaratory law may apply, are now free. By the law of nations, then, the moment a slave treads upon their soil he becomes free. Slavery, then, must exist there, if at all, in violation, utter violation of law. It cannot exist, except by positive enactment. A declaratory law of Congress, then, will only affirm the law of nations, and prevent a violation of that law.

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20 years ago

1867

Andrew Johnson

said the same

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The Constitution gives Congress the power to "make rules for the government and regulation of the land and naval forces." Congress has done it by enacting laws, as we now design to do. Congress shall have power to "establish a uniform rule of naturalization, and uniform laws on the subject of bankruptcies throughout the United States." Here the word *rule* is synonymous with the word *law*.—In each case Congress has passed laws. The uniform rule of naturalization is the same throughout the United States.—Congress has passed a law making a uniform system. Such is the scope and meaning of the word *rule*, and it leaves on my mind no doubt as to the power of Congress to act. As in all other cases, it is for us to judge what laws are "useful"—a majority of this body must determine that question in all cases.

But it is too late even to raise this question when the whole and uniform action of the Government has been one way. This is a novel doctrine, and as strange as novel. Why, there has not been a time since the adoption of the Constitution, when Congress, at each session, has not exercised that power—the power of legislating over our Territories.

Having the right, then, to say what laws we will pass, and in what manner we will regulate the territory, I am in favor of a declaratory law; and when the occasion shall come, I shall vote with all cheerfulness for the bill of the gentleman of New York [Mr. King]. That proposition was well-timed and in season—it never can be out of season when pressed as a proposition distinct by itself. I would judge that amount of money with the President for the purpose of a treaty.—We all understand it is not to be dispensed for what purpose it may be used. I will vote it, and vote it cheerfully. I would put it there if for no other reason, for the purpose of giving open, fair, generous notice to all who are interested, that they shall not place upon us hereafter any restrictions by implication.

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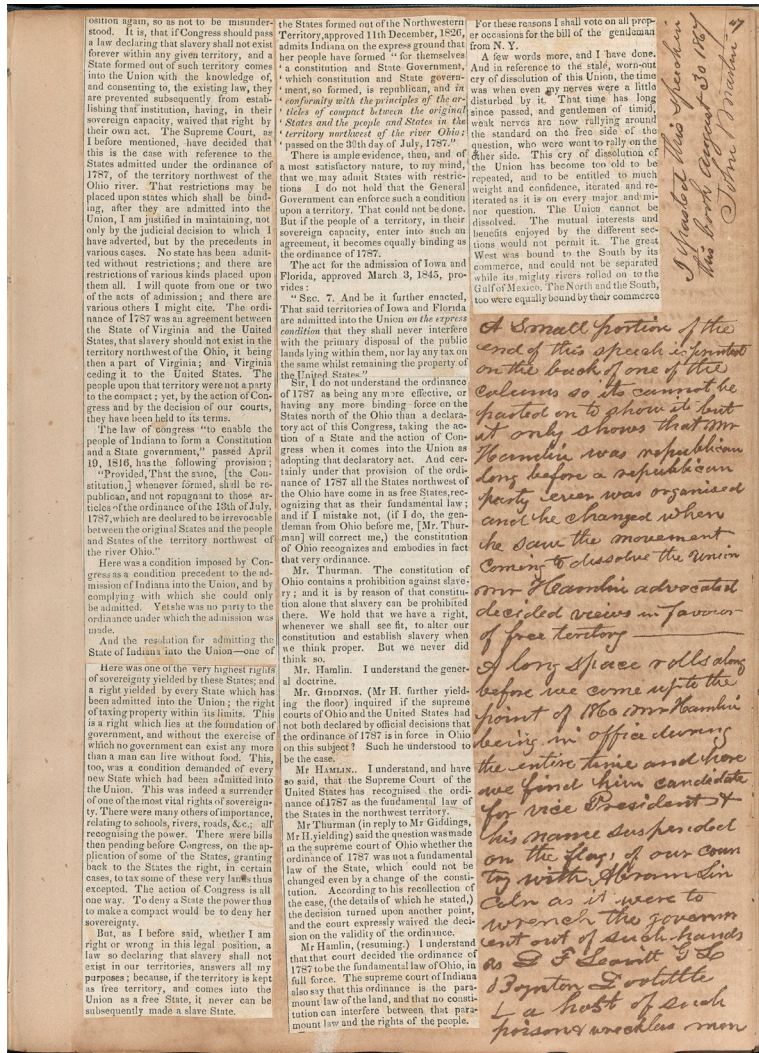
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But, as I before said, whether I am right or wrong in this legal position, a law so declaring that slavery shall not exist in our territories, answers all my purposes; because, if the territory is kept as free territory, and comes into the Union as a free State, it never can be subsequently made a slave State.

Mr Hamlin, (resuming.) Understand that that court decided the ordinance of 1787 to be the fundamental law of Ohio, in full force. The supreme court of Indiana also say that this ordinance is the paramount law of the land, and that no constitution can interfere between that paramount law and the rights of the people.

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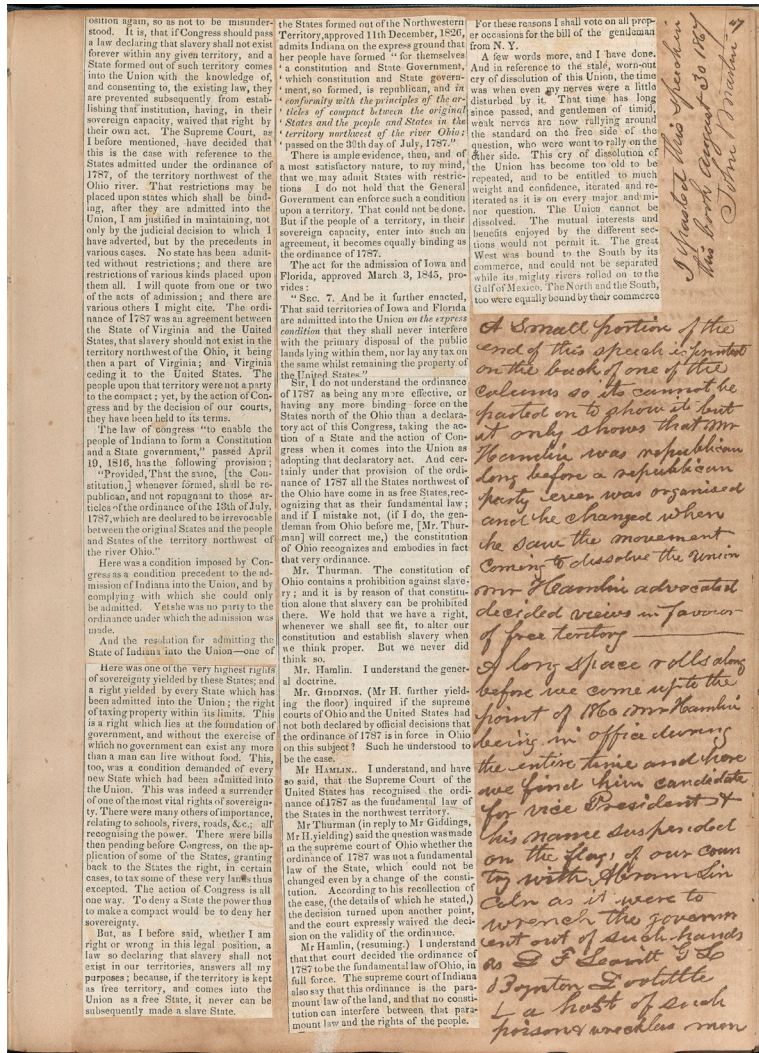
Here was a condition imposed by Congress as a condition precedent to the admission of Indiana into the Union, and by complying with which she could only be admitted. Yet she was no party to the ordinance order which the admission was made.

And the resolution for admitting the State of Indiana into the Union—one of

Here was one of the very highest rights of sovereignty yielded by these States, and a right yielded by every State which has been admitted into the Union; the right of taxing property within its limits. This is a right which lies at the foundation of government, and without the exercise of which no government can exist any more than a man can live without food. This, too, was a condition demanded of every new State which had been admitted into the Union. This was indeed a surrender of one of the most vital rights of sovereignty. There were many others of importance, relating to schools, rivers, roads, &c; all recognising the power. There were bills then pending before Congress, on the application of some of the States, granting back to the States the right, in certain cases, to tax some of these very lands thus excepted. The action of Congress is all one way. To deny a State the power thus to make a compact would be to deny her sovereignty.

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[center column]
the States formed out of the Northwestern Territory, approved 11th December, 1826, admits Indiana on the express ground that her people have formed "for themselves, a constitution and State Government, which constitution and State government, so formed, is republican, and in conformity with the principles of the articles of compact between the original States and the people and States in the territory northwest of the river Ohio;" passed on the 30th day of July, 1787.

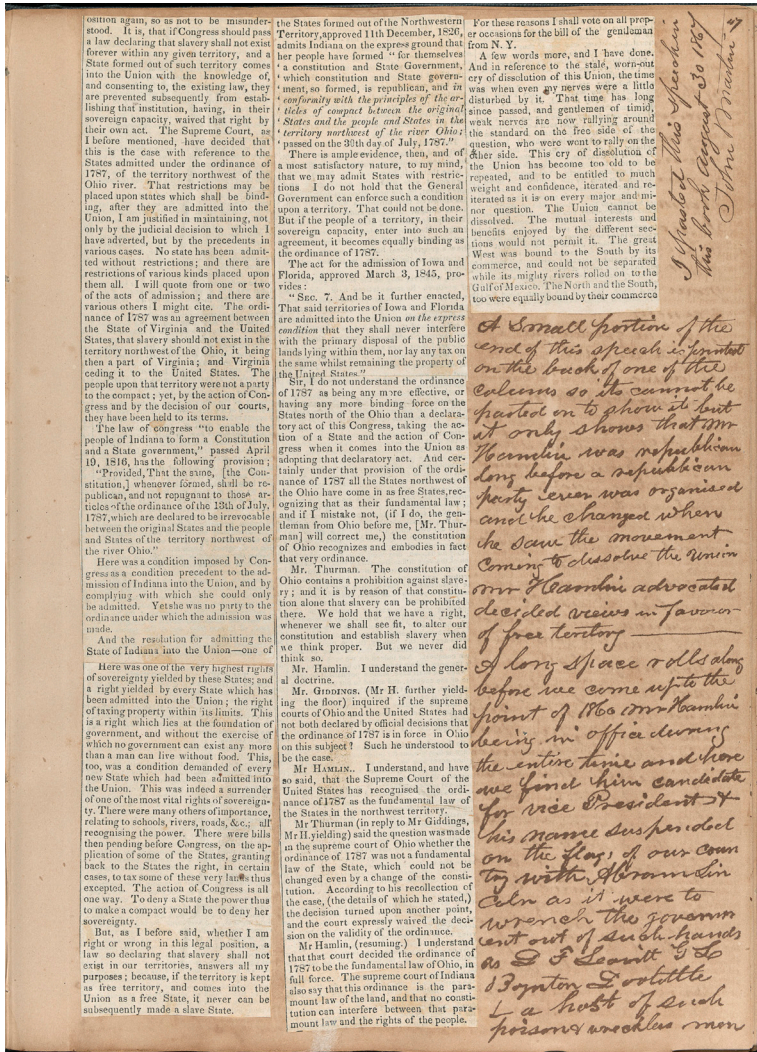
There is ample evidence, then, and of a most satisfactory nature, to my mind, that we may admit States with restrictions I do not hold that the General Government can enforce such a condition upon a territory. That could not be done. But if the people of a territory, in their sovereign capacity, enter into such an agreement, it becomes equally binding as the ordinance of 1787.

The act for the admission of Iowa and Florida, approved March 3, 1845, provides:

"Sec. 7. And be it further enacted, That said territories of Iowa and Florida are admitted into the Union on the express condition that they shall never interfere with the primary disposal of the public lands lying within them, nor lay any tax on the same whilst remaining the property of the United States."

Sir, I do not understand the ordinance of 1787 as being any more effective, or having any more binding force on the States north of the Ohio than a declaratory act of this Congress, taking the action of a State and the action of Congress when it comes into the Union as adopting that declaratory act. And certainly under that provision of the ordinance of 1787 all the States northwest of

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the Ohio have come in as free States, recognizing that as their fundamental law; and if I mistake not, (if I do, the gentleman from Ohio before me, [Mr Thurman] will correct me,) the constitution of Ohio recognizes and embodies in fact that very ordinance.

Mr. Thurman. The constitution of Ohio contains a prohibition against slavery; and it is by reason of that constitution alone that slavery can be prohibited there. We hold that we have a right, whenever we shall see fit, to alter our constitution and establish slavery when we think proper. But we never did think so.

Mr. Hamlin. I understand the general doctrine.

Mr. Giddings. (Mr H. further yielding the floor) inquired if the supreme courts of Ohio and the United States had not both declared by official decisions that the ordinance of 1787 is in force in Ohio on this subject? Such he understood to be the case.

Mr Hamlin.. I understand, and have so said, that the Supreme Court of the United States has recognised the ordinance of 1787 as the fundamental law of the States in the northwest territory.

Mr Thurman (in reply to Mr Giddings, Mr H. yielding) said the question was made in the supreme court of Ohio whether the ordinance of 1787 was not a fundamental law of the State, which could not be changed even by a change of the constitution. According to his recollection of the case, (the details of which he stated,) the decision turned upon another point, and the court expressly waived the decision on the validity of the ordinance.

Mr Hamlin, (resuming.) I understand that that court decided the ordinance of 1787 to be the fundamental law of Ohio, in full force. The supreme court of Indiana also say that this ordinance is the paramount law of the land, and that no const-

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For these reasons I shall vote on all proper occasions for the bill of the gentleman from N. Y.

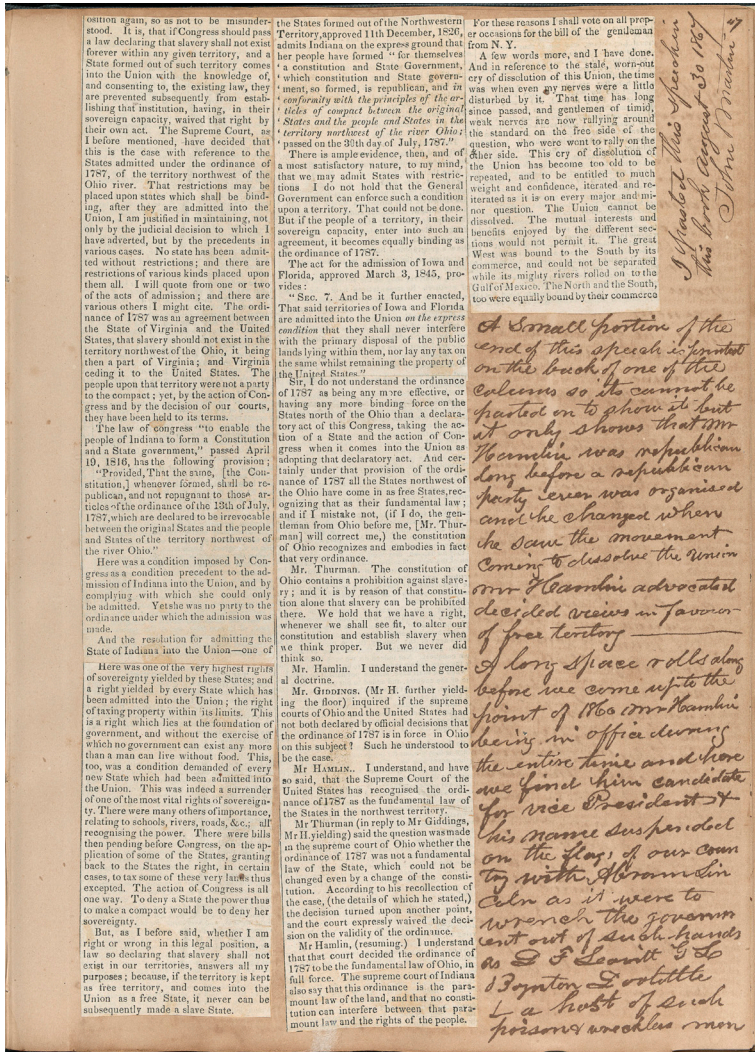
A few words more, and I have done. And in reference to the stale, worn-out cry of dissolution of this Union, the time was when even my nerves were a little disturbed by it. That time has long since passed, and gentlemen of timid, weak nerves are now rallying around the standard on the free side of the question, who were wont to rally on the other side. This cry of dissolution of the Union has become too old to be repeated, and to be entitled to much weight and confidence, iterated and reiterated as it is on every major and minor question. The Union cannot be dissolved. The mutual interests and benefits enjoyed by the different sections would not permit it. The great West was bound to the South by its commerce, and could not be separated while its mighty rivers rolled on to the Gulf of Mexico. The North and the South, too were equally bound by their commerce

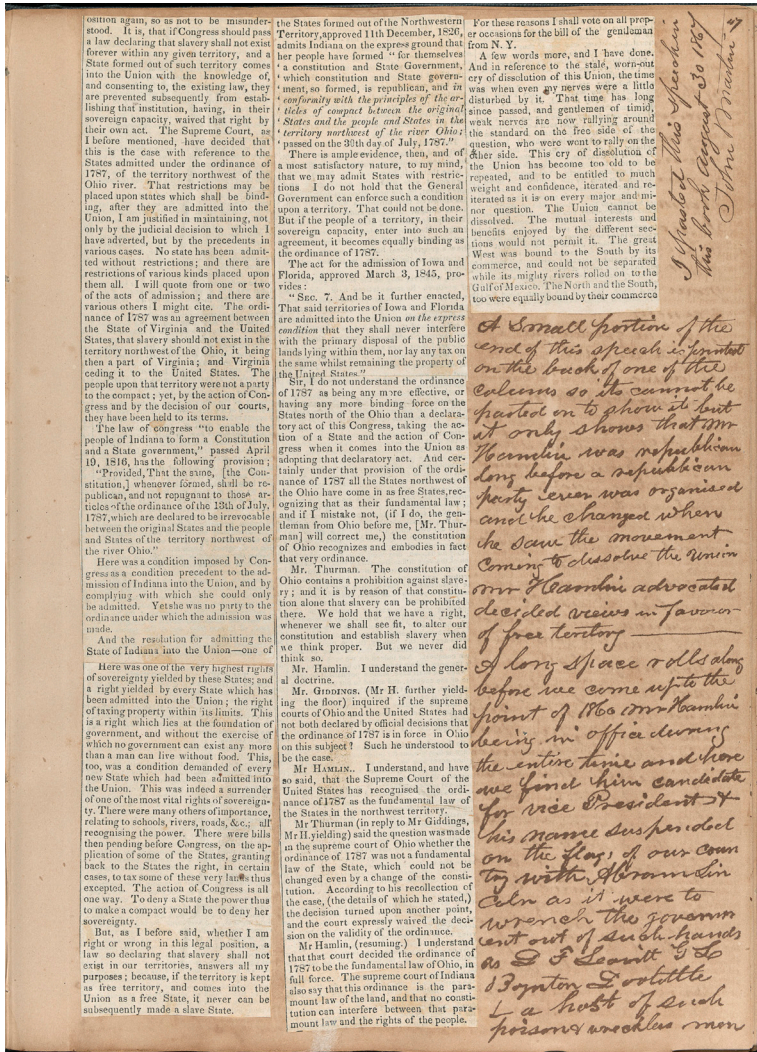
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I pasted this speech in
this book August 30 1867.

John Martin

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A Small portion of the end of this speech is printed on the back of one of the columns so it cannot be pasted on to show it but it only shows that mr Hamlin was republican long before a republican party ever was organised and he changed when he saw the movement coming to dissolve the Union mr Hamlin advocated decided views in favour of free territory -----

A long space rolls along before we come up to the point of 1860 mr Hamlin being in office during the entire time and here we find him candidate for vice President & his name suspended on the flag, of our country with Abram Lincoln as it were to wrench the government out of such hands as I F Leavitt G L Boynton Doolittle & a host of such poisonous and reckless men