The Senate resumed the consideration of the report of the Committee on Naval Affairs, to whom was referred the petition of Thomas Chapman, collector of the customs for the district of Georgetown, in the State of South Carolina; and, in conformity thereto, resolved that the prayer of the petitioner ought not to be granted.

The Senate resumed the consideration of the report of the Committee of Claims, to whom was referred the petition of Edward Barry and George Hodge; and, in conformity thereto, the petitioners had leave to withdraw their petition.

The Senate resumed the consideration of the report of the Committee on Pensions, to whom was referred the petition of Phineas Cole, of New Hampshire; and, in conformity thereto, the petitioner had leave to withdraw his petition.

The Senate resumed the consideration of the report of the same committee, to whom was referred the petition of John Charlton, 2d, and Eliasha Douglass, of the District of Maine, praying pensions; and, in conformity thereto, the petitioners had leave to withdraw their petition.

The bill confirming Anthony Cavalieri and Peter Petit, in their claim to a tract of land, was read for the second time.

The bill to establish a district court in the State of Alabama was read the second time.

The bill for altering the times for holding the court of the United States, for the western district of Pennsylvania, was read the second time.

The bill to establish an uniform system of bankruptcy throughout the United States was read the second time.

MAINE AND MISSOURI.

The Senate resumed the consideration of the subject of the Maine bill, (as proposed to be amended by adding Missouri to it,) and the proposition by Mr. Roberts, to recommit the bill with instructions to the committee to separate the two, and report Maine in a distinct bill, as it came from the other House.

Mr. Barbour, of Virginia, said, the particular agency which he had heretofore had in this subject made it proper that he should endeavor to show the impropriety of agreeing to the proposed resolution, and at the same time vindicate the course pursued by the committee in recommending the amendment providing for the admission of Missouri into the Union. To a distinct understanding of the subject, said he, it is necessary we should advert to the history of its progress. A select committee, to whom the subject was referred, brought in a bill whose object was to provide for the admission of Maine into the Union. While it was depending before the Senate, I submitted a motion to recommit the bill, with instructions to incorporate the very amendment which has now been proposed. Before this question was decided, a bill is sent up from the House of Representatives, precisely like that depending here. In conformity to an existing comity between the two Houses, the bill depending here, with the instructions I had submitted, was postponed, and the Senate proceeded to act on the one from the House of Representatives. At the proper time, it was committed to the Judiciary Committee, who, as I think, most wisely and justifiably, reported the bill with the much contested amendment in favor of Missouri—the memorial of that people having been previously referred to that committee, supplanting admission into the Union. It is objected, first, by the member from Pennsylvania, that the committee got possession of the subject rather curiously. In justification of this, it seems that the memorial of the people of Missouri is that which was presented the last session. Sure, this objection is of itself a curiosity. Is it not the invariable usage which obtains in both branches, when a petition has been presented, and its object not consummated, as is but too commonly the case, Congress either being unable or unwilling to do so, for the same identical petition to be presented to the ensuing Congress? Why present a new one, the facts and grounds of the application remaining the same? It is next objected by the gentleman from Rhode Island, that the committee have exceeded their powers in recommending this amendment. Pray, sir, what is the object of referring a bill to a committee merely to dot the i's and cross the t's? I had supposed they had a more important duty to perform. Not only their right, but that it was their bounden duty to modify or amend any and every part in relation to the particular subject embraced by the bill, and to extend its provisions so as to embrace every corresponding subject. This is not only a rational rule, but one which is prescribed by every well organized deliberative body. It in the first place diminishes that multiplicity of laws already swelled to an extent beyond the reading of the most industrious. Secondly, it prevents that irregularity and inconsistency which ensue from a different course. I appeal to the experience of the Senate, when I assert, that the success of a claim, for instance, depends sometimes on the zeal, perseverance, and ability of its patron. A claim thus supported, is carried in triumph through the House—while one no less just, for want of those efficient auxiliaries, is lost, and, in consequence, a chequered and unequal system of legislation obtains. If this be true on trifling occasions, how does the reason of the course pursued by the committee increase upon us, and the necessity of adhering to it upon subjects so important as those involved in the bill and amendment! But it is objected that the two subjects are dissimilar, and, therefore, should be separated. If this be true, why send it back to the committee? The question before the Senate is, shall they be joined as proposed by the committee? If you disapprove of the junction, reject it; but do not refer it to the committee: they have performed their duty; do you perform yours. But is it true, that there is any difference in the two subjects, so as to make it indispensible to separate them? As to any thing yet before the Senate, there is no essential difference; and, therefore, nothing to require their separation. Let us inquire, first, in what they agree; Maine, it is readily admitted, has just claims to an admission into the Union; and I shall be greatly misunderstood, if I am suspected of any
hostility to such admission. Her claims rest on the extent of her territory, the number of her people, the great length of her maritime coast, her frontier situation, and the necessity of the residence of her government within her borders, by which, whenever the occasion occurs, the resources of the State may be called out immediately for her defense and protection. What are Missouri's claims? An equal extent of country, the number of her people, her frontier situation, a right guaranteed by the treaty by which we acquired the country, but, above all, the invaluable privilege of self-government, of which she is now deprived: a privilege dear to every American; the deprivation of which is the last injury which can be inflicted upon them. In what do they differ? It is said Missouri were ready to come into the Government, having formed her constitution. If independently of the consideration that this state of things would make it necessary only to adapt the different sections of the bill to the peculiar circumstances of the two cases, I must be permitted to state, that Maine has no claim on us for the precipitancy with which she has acted. The correct course would have been, to have obtained the consent of Congress before she had proceeded as far as she has. For I presume no one will pretend that there is any Constitutional obligation on Congress to admit Maine at all into the Union—for the very obvious reason, that she now, as a part of Massachusetts, enjoys all the inestimable blessings of self-government. She surely, therefore, has not increased her claim on our indulgence by the premature step she has taken in forming her constitution; especially, too, as she did not know but, according to the new doctrine recently sprung up, Congress might think proper to impose restrictions—of which right she seems to have deprived us, by making and fashioning her constitution according to her own will and pleasure. Missouri, on the contrary, quietly submitted to the injustice of which she was the victim at the last session, and, for this submission, her forbearance to assert her right to self-government, is held as an unworthy associate of the less respectful Maine.

Various other objections have been suggested by the member from Rhode Island, but it must be palpable they are intended merely as a light corps for skirmishing, and to conceal the real point of attack. He says he does not know that the people of Missouri wish to be admitted into the Union. I fear were one to come from the dead to testify the fact, the gentleman would be still incredulous. Were you not petitioned by the Legislature of the Territory at your last session? Did not the people, during the last Summer, in every possible form, indignantly denounce the attempted usurpation of Congress? And has not their Delegate in the other branch of the Legislature signified the wishes of the constituents by obtaining leave to bring in a bill for the purpose in a few days after our meeting? But why need I refer to these facts? Is there any circumstance which renders it less desirable to the people of Missouri than at the last session? What is it they pray for? the right of self-government—the choicest blessing of Heaven to human kind. And, does an American Senator wish any other evidence of the existence of this wish, but that innate desire for this high privilege in man wherever he is found; but more especially with a people principally composed of native born Americans, who have enjoyed the blessing and know how to appreciate it? But, he does not know the number of people in the Territory since Arkansas was detached. No! Was not the latter Territory detached during the last session contemporaneously with the bill for the admission of Missouri? Then no objection was heard as to her wanting the number to justify her admission into the Union? But, if her number were sufficient then, much more so is it now, when they have incautiously increased by that tide of emigration which has so steadily flowed into the Territory during the last year. He is also not satisfied with the boundaries. Yet they, too, were critically scanned during the last session, and finally assumed such a shape as to be exceptional. I will not lose more time, in meeting objections of this kind, which carry with them their own refutation, than barely to remark that the gentleman who used them must have felt himself pressed to the wall before he would resort to means of defence of, to say the least, such doubtful propriety. It would have been better at once fairly to acknowledge the real object. Let it be presented without ambiguity. Let the issue be made up, and, according to the will of the majority, let the contest be settled. I will state frankly what it is. The gentlemen wish to impose restrictions on the people of Missouri, and not on the people of Maine. Here lies the difference, not in the unequal claims of the people of these two portions of territories, but in the new-fangled scheme, the result of modern and unwise counsels, which seeks to fix on Missouri the badge of inequality and degradation. I had fondly hoped that the good sense of the Senate, and its regard to the just rights of every part of the Union, would have resisted an attempt so repugnant to the plighted faith of the nation, the letter and spirit of the Constitution, and, above all, the great and inalienable right of the people of self-government; but, in this hope I fear I shall be disappointed. It is this attempt which constitutes the only difference between Maine and Missouri. Now, I submit this question to the candor of gentlemen on the opposite side.

If the design alluded to, that of imposing restrictions on the people of Missouri, did not exist, or, existing, we were ready to agree to it, would they have any difficulty in agreeing to the union of these States in the same bill? I answer for them—they would not: the bill would have passed, notwithstanding this union, without criticism or question. But the question, in our view, is as though this difficulty did not exist; for that which does not exist, and that which ought not to exist, is, as to its effects, precisely the same. Now, we say you have no right to impose these restrictions, and, having no right, you shall claim no advantage by the attempt. This would be to suffer you...
fore, repeat again, do unto others as you would they should do unto you. President has been
sor to on this occasion to influence our decision.
 conclusion. It is supposed to be found in the instance of Ken-
tucky and Vermont. With submission, I think
 the gentlemen singularly unfortunate in this re-
ference. I am authorized to say, from unquestionable
authority, that Kentucky was kept back some time
for the purpose of insuring the admission of Ver-
mont. What do we propose to do? Not to delay
the admission of Maine for a moment, but simply
to unite Missouri with her. Does this affect Maine?
Yes. You have been asked to do what is right, to
the East refused justice to the West, for a partial
with the design of making this act of their justice
to Kentucky subservient to the wishes of Vermont
to be admitted into the Union; and, although they
are not in the same law, yet, as there was no diffi-
culty at that time in admitting both, they passed
at the same session. But let us suppose the invid-
ious distinctions which are now attempted had
been insisted on against Kentucky or Vermont, is
it to be believed that the same caution would not
have been used which was imposed on others in
this conclusion I think I am warranted by re-
ferring to the law of the same session in regard to
the representation of those States. The census
not having been taken, the ratio was arbitrary,
and, to prevent inequality, both States were united
in the same law, and two Representatives assigned
to each. So much for precedent, sir.

In calling upon the Senate to support the amend-
ment, whose effect will be to admit Missouri into
the Union, there is one portion of the House to
which I feel confident I shall not appeal in vain.
I address myself to those who have just escaped
from the thrall of colonial government. You
have too recently escaped from that degraded state,
and entered into the fruition of all the blessings of
self-government, not to appreciate dully the advan-
tages of the change. The upportioned Missouri,
the nation’s orphan, claims to participate in this
immensurable blessing. Can you turn a deaf ear
to her just supplications? She knocks at that
doors which you have just entered. Does
it become you to bar it against her? Leave this
invidious, unallowed task, to your veteran asso-
ciates. Remember the question now is, shall Mis-
souri be admitted at all? The question is not in-
volved whether she shall be admitted with or with-
out restrictions. Whatever may be your senti-
ments on this subject, it is not at this stage that an
expression of them is called for. An opportunity
will be furnished you hereafter of recording your
opinion on this point.

Mr. President, the question essentially involved
in the measure under consideration, is one, in its
consequences, of the highest import to the tran-
quility and happiness of the Union. Let me
appeal to the other side, (and I design to be as
solemn as the occasion requires,) and ask, what is
to be done? We are pledged by the most solemn
correspondence of our religion to reject the meditated
restrictions on Missouri; the Constitution, which we
have sworn to support, forbids it. You say that
you will not recede because expediency dictates it,
Is, then, that vast region beyond the Mississippi, with its countless inhabitants, forever to be subjected to a colonial government? If it were practicable, does it become the Senate of the United States to will it? But suffer not yourselves to be deceived. The same spirit which animated the heroes and patriots of the Revolution warms the bosoms of those hardy sons of the West; and when you, by your resolves, arrest the mighty flood of the Mississippi, then, and not till then, will you be able to repress this unconquerable spirit. I will not lift the curtain to look into futurity, still less to delineate what I fear may be the awful consequences. I am not easily alarmed, nor am I disposed to be an alarmist; but this I will say, that I fear this subject will be an ignited spark, which, communicated to an immense mass of combustion, will produce an explosion that will shake this Union to its centre. There is one consideration connected with the present question and its attendant circumstances, that swells beyond even it, important as it is, and embraces the foundations of our political fabric. The crisis has arrived, contemplated by the framers of the Constitution, and to guard against whose effects was the principal object of the creation of the Senate. To us does the Constitution look in the moment of popular excitement, whether the result of accident or design; to us belongs the high attribute of prescribing limits to its excess. The framers of the Constitution, independently of their general knowledge, were deeply read in the character of man; they had seen him in every phase of which he was susceptible in peace and war. They, therefore, knew that power and distinction were idols but too devoutly worshipped in every heart; that there were too many who valued them even beyond their consciences, and whose sacrifice was therefore considered small compared to their enjoyment. Nothing is more easy than to sail gently down the current with all your sails swelled with popular breezes. It is that breeze which becomes your chart and compass. You fear no shoul or breaker but popular displeasure. But these great men, in tracing liberty and its effects from the master States of antiquity to the present time, had seen, wherever it had appeared, that it had been attended with faction and violence—conforming in this to the law of all existing things, that whatever is great is irregular. To create some check in the Constitution that might stay its fury was the result of profound wisdom. To fulfill this great purpose, a duration in office has been assigned us sufficient to fill the measure of legitimate ambition. If true to our trust, we stand as an isthmus between the troubled wave of popular discontent, lashed into a storm by local prejudices or designing demagogues, and the Constitution. If, instead of resisting, we yield to the current, we swell the dreadful tide, which, passing its limits, floods the land, and whelms every thing in ruin. The time has arrived which brings to the test the theory of the Constitution. This portentous subject, twelve months ago, was a little speck scarcely visible above the horizon; it has already overcast the heavens, obscuring every other object; mate-