

Mr. SHERMAN. I desire to submit an amendment to enable me to vote for the resolution:

Provided, That no money heretofore appropriated shall be expended upon the Capitol until authorized by Congress, except so much as is necessary to protect the building from injury by the elements, and to complete the dome.

I will say a single word in regard to the matter. I think the building should be transferred from the charge of the War Department to the Interior Department, because General Meigs, who has had charge of the building, is now fully occupied, and cannot pay any attention to the subject. It therefore ought to be placed in the charge of some other officer. But, at the same time, I do not think that any more money ought to be expended than simply to preserve the buildings from the elements, and to complete the dome. The dome is in so advanced a condition that it would be safe and wise economy to complete it. In regard to other parts of the building, especially the outer portions of the building, they ought to be completed to preserve the building. I think beyond that, we ought to wait at least until further events develop themselves.

The VICE PRESIDENT. The question is on agreeing to the amendment proposed by the Senator from Ohio.

Mr. FOOT. I have no objection to the limitation proposed by that proviso.

The amendment was agreed to.

The VICE PRESIDENT. The question now is on ordering the joint resolution to be engrossed for a third reading; and on that question the yeas and nays have been ordered.

Mr. FESSENDEN. The bill in its present shape is not so much open to the objection I stated; but as I am opposed to the transfer, I will vote "nay."

The question being taken by yeas and nays, resulted—yeas 34, nays 3; as follows:

YEAS—Messrs. Anthony, Browning, Carlile, Clark, Colamer, Cavan, Davis, Dixon, Doan, Foot, Hale, Harlan, Harris, Henderson, Howard, Howe, Kennedy, King, Lane of Indiana, Latham, Morrill, Pomeroy, Powell, Saulsbury, Sherman, Simmons, Stark, Sumner, Ten Eyck, Trumbull, Wadsworth, Wilson of Massachusetts, Wilson of Missouri, and Wright—34.

NAYS—Messrs. Fessenden, Grimes, and Lane of Kansas—3.

So the joint resolution was ordered to be engrossed for a third reading. It was read the third time, and passed.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. MORRIS, Chief Clerk, announced that the House had passed the bill of the Senate (No. 244) to provide for the equitable settlement of the accounts of the officers and crews of the frigate Congress and other vessels, with amendments, in which the concurrence of the Senate was requested.

Mr. HALE. Let that be referred to the Committee on Naval Affairs.

The PRESIDING OFFICER, (Mr. MORRILL in the chair.) It will be so referred.

RECIPROCITY TREATY.

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

Resolved, That the Secretary of the Treasury be requested to communicate to the Senate a statement of the quantity and value of the different articles of merchandise imported into the United States from the British North American colonies during the fiscal years ending on the 30th of June, 1859 and 1860, under the treaty of reciprocity concluded with Great Britain on the 5th day of June, 1854.

SLAVERY IN THE DISTRICT.

The VICE PRESIDENT. The special order of the day, being the bill (S. No. 103) for the release of certain persons held to service or labor in the District of Columbia, is now before the Senate, as in Committee of the Whole, upon which the Senator from Massachusetts is entitled to the floor.

Mr. WILSON, of Massachusetts. Mr. President, the first Congress under the Constitution of the United States was summoned to the consideration of questions of transcendent importance, which excited the profound interest of the nation and of the statesmen of that age. Hildreth, in his History of the United States, tells us that "of all the questions discussed at this session, none produced so much excitement as one started towards the close of it, respecting the permanent seat of the Federal Government." The eastern

States would have been content to retain the seat of Government in the city of New York, where the Continental Congress had established it; but Pennsylvania sought to win it back to Philadelphia; and Maryland, Virginia, and the Carolinas sought to fix it on the banks of the Potomac. The members of the East, supported by Pennsylvania, hoping to conciliate the dissatisfied members of the South, proposed to fix the permanent seat of Government on the Susquehanna, but the proposition was sternly and violently opposed; and they were told by even the moderate Madison, that "if that day's proceedings had been foreseen, Virginia would never have ratified the Constitution."

The House bill, locating the capital on the Susquehanna, amended by the Senate so as to fix the seat of government in a district ten miles square adjoining Philadelphia, failed through the growing opposition and manifest dissatisfaction of the men of the South. Thus the Congress of 1789 was stirred to its profoundest depths by the absorbing question whether the national capital should be located on the banks of the Delaware, the Susquehanna, or the Potomac. These conflicting claims of sections and of interests defeated in 1789 all propositions for the location of the seat of the national capital; but at the next session, in 1790, a bargain, a compromise, was consummated between the advocates of the assumption of the State debts, under the lead of Hamilton and Morris, and a few members of Virginia, by which the House of Representatives, after taking the yeas and nays thirteen times, determined, by a vote of thirty-two to twenty-nine, to locate the permanent capital of the Republic on the banks of the Potomac. This victory over the North, won by the skill and determination of the statesmen of the South, placed the permanent capital of the new Republic on soil polluted by the footsteps of bondmen. This early victory of the leaders of southern sentiment and opinion has cast its malign influences over the policy of the national Government. Here, for two generations, the statesmen of republican and Christian America have been surrounded by an atmosphere tainted by the breath of the slave, and by the blinding and perverting influences of the social life of slaveholding society.

The Constitution gave Congress the "power to exercise exclusive legislation in all cases whatsoever," over this ceded ten miles square we call the District of Columbia. Instead of providing a code of humane, equal, and uniform laws for the government of the capital of a Christian nation, Congress enacted, in 1801, that the laws of Maryland and Virginia, as they then stood, should be in force on the north and south sides of the Potomac. By this act the inhuman and barbarous, the indecent and vulgar colonial slave codes of Maryland and Virginia became the laws of republican America for the government of its chosen capital. By this act of national legislation the people of Christian America began the first year of the nineteenth century by accepting, reaffirming, and reenacting for the government of their capital, the colonial legislation, enacted for the government of the wild hordes of Africa, which the colonial and commercial policy of England forced upon Maryland and Virginia.

The national Government, by reenacting the slave codes of the ceding States for the government of the ceded territory, accepted as its creed the wicked dogma that color in the national capital is presumptive evidence of slavery. In 1827 the Committee for the District of Columbia, in the House of Representatives, reported that "in this District, as in all slaveholding States in the Union, the legal presumption is, that persons of color going at large without any evidences of their freedom are absconding slaves, and *prima facie* liable to all the legal provisions applicable to that class of persons." The committee state that, in that part of the District ceded by Virginia, "a free negro may be arrested and put in jail for three months on suspicion of being a fugitive; he is then to be hired out to pay his jail fees; and if he does not prove his freedom within twelve months he is to be sold as a slave." In the territory ceded by Maryland, the committee say that "if a free man of color should be apprehended as a runaway, he is subjected to the payment of all fines and rewards given by law for apprehending runaways, and upon failure to make such pay-

ment is liable to be sold as a slave." "The legal presumption" that persons of color are "absconding slaves;" that, if arrested as runaways, they are "subjected to the payment of all fines and rewards given by law for apprehending runaways;" that, failing to pay such "fines and rewards," they are "liable to be sold as slaves," are the recognized doctrines in the national capital of this democratic Republic. For two generations has Christian America recognized in her capital the wicked and guilty dogma that color is legal presumption that man, whom God made, and for whom Christ died, walking the earth in the pride of conscious manhood, is an "absconding slave," to be "apprehended as a runaway," "subjected to the payment of fines and rewards," or "to be sold as a slave to pay jail fees."

Clothed, Mr. President, with the authority of legislation by the national Government, the corporation of Washington, not content with this monstrous legal presumption that color is evidence of slavery, enacted on the 31st of May, 1827, that "Every negro and mulatto found residing in the city of Washington, who shall not be able to establish his or her title to freedom, shall be committed to the jail of the county of Washington as absconding slaves."

In what age of the world, in what land under the whole heavens, can you find any enactment of equal atrocity to this iniquitous and profligate statute—this "legal presumption" that color is evidence that man, made in the image of God, is an "absconding slave?"

This monstrous doctrine, abhorrent to every manly impulse of the heart, to every Christian sentiment of the soul, to every deduction of human reason, which the refined, humane, and Christian people of America have upheld for two generations, which the corporation of Washington enacted into an imperative ordinance, has borne its legitimate fruits of injustice and inhumanity, of dishonor and shame. Crimes against man, in the name of this abhorred doctrine, have been annually perpetrated in this national capital which should make the people of America hang their heads in shame before the nations, and in abasement before that Being who keeps watch and ward over the humblest of the children of men. Men and women of African descent, no matter in what State they were born, no matter what rights and privileges they possessed under the laws and institutions of the States from whence they came, have annually been seized, imprisoned, fined, and sometimes sold into perpetual servitude.

This doctrine, that color is presumptive evidence of slavery—this ordinance, consigning its victims to imprisonment, offers a tempting bribe to the base, the selfish, the unprincipled, to become men-stealers and kidnappers. This bribe has converted Government officials, justices of the peace, constables, and police officers into manufacturers of slaves. This bribe has annually filled your jail with its victims, making it the workshop where the selfish, the base, the ignoble have plied their trade in the souls and bodies of men. Hundreds, ay, thousands of men of African descent have been seized, arrested, imprisoned, since the District of Columbia became the seat of the national capital. In January, 1829, the United States marshal, in a letter addressed to the Committee of the House of Representatives for the District of Columbia, reported that in the three years from the 1st of January, 1826, to the 1st of January, 1829, one hundred and seventy-nine persons in Washington and Georgetown were arrested and committed to prison as absconding slaves. Of this number, twenty-six proved themselves to be free, and, being fortunate enough to pay jail fees, were discharged. Six of these persons were sentenced by the jailor, without trial, and sold as slaves, and the proceeds pocketed by the marshal of the United States. Mr. Minor, of Pennsylvania, in a speech in the House of Representatives, in 1829, states that "a black man was taken up in August, 1821, and imprisoned as a runaway four hundred and five days. In this time, vermin, disease, and misery had deprived him of the use of his limbs. He was rendered a cripple for life, and finally discharged, as no one would buy him." More than one thousand of the citizens of the District of Columbia, on the 24th of March, 1828, in a memorial to Congress, declared "that it was not alone from the rapacity of slave traders that the colored race in this District were doomed to suffer; that the laws sanction and

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direct a procedure unparalleled in glaring injustice by anything among the Governments of Christendom." They state that in the summer of 1837—

"A colored man, who stated that he was entitled to freedom, was taken up as a runaway slave, and lodged in the jail of Washington city. He was advertised; but no one appearing to claim him, he was, according to law, put up at public auction for the payment of his jail fees, and sold as a slave for life! He was purchased by a slave trader, who was not required to give security for his remaining in the District, and he was soon after shipped at Alexandria for one of the southern States. An attempt was made by some benevolent individuals to have the sale postponed until his claim to freedom could be investigated; but their efforts were unavailing; and thus was a human being sold into perpetual bondage, at the capital of the freest Government on earth, without even a pretense of trial or an allegation of crime."

The men of New England, New York, and Pennsylvania of that generation were responsible before God for that deed of inhumanity.

But, sir, we of this age in America are not guiltless of like enormities. Senators will remember that when Congress assembled in December last, we found nearly sixty human beings immured in our jail, under the authority of our marshal and his officials, as fugitive slaves, and that of this number one man, admitted by all to be free, had been confined more than six months. Colored men of the free States, who have come with northern regiments to the defense of the national capital, have been seized and imprisoned in our jail as runaways by constables, and by that race of man-stealers, the legitimate offspring of this doctrine that color is presumptive evidence of slavery. Men who have escaped from the camps of armed treason, who have given our military commanders important intelligence of the movements of rebel forces, appearing in the streets of Washington, are pounced upon, seized, and thrust into jail by the creatures who see "slave" written on the forehead of every man through whose veins courses a drop of African blood. In this national capital lurks a race of official and unofficial man-hunters, greedy, active, vigilant, dexterous, ever ready, by falsehood, trickery, or violence, to clutch the hapless black man who carries not with him a title-deed to freedom. Only a few days ago, these harpies of the land, more merciless than the wreckers of the seas, pounced upon and hurried to your jail two men your officers in the field had sent to Washington to give important intelligence to your generals. For these deeds of inhumanity and injustice, the intelligent, patriotic, and Christian freemen of America are responsible before man and before God! And if we, their representatives, who now for the first time have the power, do not end these crimes against man forever, the guilt and shame will rest upon our souls, and we shall be consigned to the moral indignation of Christendom.

Justice to a wronged and oppressed race demands that this corrupt and corrupting doctrine, that color is presumptive evidence of slavery in the capital of the Republic, shall be condemned, disowned, repudiated by the Government of the United States. For two generations it has pressed with merciless force upon a race who mingled their blood with the blood of our fathers on the stricken fields of the war of independence. In those days of trial, black men, animated by the same mighty impulse, fought side by side with our fathers to win for America a place among the nations. They rallied at the tap of the drum on the morning of the 19th of April, 1775, to meet the shock of the first battle of the Revolution. They poured their unerring shots into the bosom of the veteran troops of England as they moved up the slopes of Bunker Hill. They met, and three times, by their steady valor repulsed, the charges of British veterans on the battle-field of Rhode Island, which La Fayette pronounced "the best-fought battle of the Revolution." They fought and fell by the side of Ledyard, at Fort Griswold. They shined in the glorious defense and victory of Red Bank, which will live in our history as long as the Delaware shall flow by the spot made immortal by their valor. They endured with our fathers, uncomplainingly, the toils and privations of the battle-fields and bivouacs of the seven years' campaigns of the Revolution, from Lexington to Yorktown, to found in America a Government which should recognize the rights of human nature. For more than sixty years, unmindful of their rights and ungrateful for their services in our hour of weakness, we have recognized in the

capital of the nation the wicked and insulting dogma which writes "slave" on the brow of all who inherit their blood. Let us of this age hasten to atone for this great wrong, by erasing that word from the brow of this proscribed race here, and making manhood, here at least, forever hereafter presumptive evidence of freedom.

By the act of the 27th of February, 1801, Congress continued in force in this capital the statute of Maryland, enacted in 1717, that—

"No free negro or mulatto shall be admitted and received as good and valid evidence in law, in any matter or thing whatsoever, wherein any Christian white person is concerned."

This statute, enacted nearly a hundred and fifty years ago, reenacted by Congress on the 27th of February, 1801, is the law in the capital of this nation, that professes to recognize the sublime creed of human equality. This law places the property, the liberties, the lives of twelve thousand free persons of color in the District of Columbia at the mercy of the avaricious, the violent, and the abandoned. It puts in peril the rights of property and of person of every free colored man whose feet shall press the soil of the District of Columbia. Here the oath of the black man affords no protection whatever to his property, to the fruits of his toil, to the personal rights of himself, his wife, his children, or his race. Greedy avarice may withhold from him the fruits of his toil, or clutch from him his little acquisitions; the brutal may visit upon him, his wife, his children, insults, indignities, blows; the kidnapper may enter his dwelling and steal from his hearthstone his loved ones; the assassin may hover on his track, imperiling his household; every outrage that the depravity of man can visit upon his brother man may be perpetrated upon him, upon his family, his race; but his oath upon the Evangelists of Almighty God, though his name may be written in the Book of Life, neither protects him from wrong nor punishes the wrong-doer. This Christian nation, in solemn mockery, enacts that the free black men of America shall not bear testimony in the judicial tribunals of the District of Columbia. Although the black man is thus mute and dumb before the judicial tribunals of the capital of Christian America, his wrongs we will not have righted here will go up to a higher tribunal, where the oath of the proscribed negro is heard, and his story registered by the pen of the recording angel.

What wrongs, what outrages may not be perpetrated upon a race of men where "color is legal presumption of slavery," where they "may be arrested as absconding slaves," where their oath cannot be received as "good and valid evidence in law," where "every person seizing and taking up runaways shall receive two hundred pounds of tobacco, or the value thereof," where, "if any slave strikes a white person, he may, upon the oath of the person so struck, have one of his ears cropped?" What wrongs, what outrages may not be perpetrated upon a race where, upon "information to any justice of the peace that any free negro or mulatto is going at large without any visible means of subsistence, such justice is required to issue his warrant to any constable, directing him to apprehend such free negro or mulatto; and if such free negro or mulatto shall fail to give security for his good behavior, or to leave the State within five days, or if, after leaving the State, he shall return again within six months, such justice may commit said free negro or mulatto to the common jail; and if such offender so committed shall not, within twenty days thereafter, pay his or her prison charges, the sheriff, with the approbation of any two justices of the peace, may sell such free negro or mulatto to serve six calendar months?"

The wrongs, the outrages, the enormities which the cupidity, the dark passions of the sordid and the base have visited for the last sixty years upon the unoffending, the helpless, under these laws of Maryland, reaffirmed by the Congress of the United States, will never be known until the secrets of the last day are revealed.

Congress, in 1820, gave to the corporation of Washington "power and authority to restrain and prohibit the mighty and other disorderly meetings of slaves, free negroes, and mulattoes, and to punish such slaves by whipping, not exceeding forty stripes, or by imprisonment, not exceeding six months for any one offense; and to punish such free negroes and mulattoes by penalties, not exceeding twenty dollars for any one offense, and in

case of the inability of any free negro or mulatto to pay any such penalty and costs thereon, to cause him or her to be confined to labor for any time not exceeding six calendar months; to prescribe the terms and conditions upon which free negroes and mulattoes may reside in the city; to punish corporally any colored servant or slave for a breach of any of their laws or ordinances;" "and to pass all laws which shall be deemed necessary and proper for carrying into execution the powers vested by this act in the said corporation." Clothed by the Federal Government with this power of legislation, the corporation of Washington have passed ordinances relating to persons of color, bond and free, more oppressive, more inhuman, more degrading than the colonial black code of Maryland, which Congress reaffirmed in 1801.

By an ordinance passed on the 31st of May, 1827, the corporation of the city of Washington enacted that—

"If any free colored person is found going at large after ten o'clock at night without a pass from some respectable citizen, he shall be fined not exceeding ten dollars, and locked up until morning."

This act, often executed upon honest, toiling men and women whose callings or duties require them to enter the streets after that hour, is profligate, burdensome, oppressive. Officials, who too often look upon the black race as the prey of avarice and passion, under color of this enactment, seize their victims going to or returning from their lawful callings. Since I have held a seat in the Senate I have known colored men, trusted and employed by the Government, while quietly hastening to their homes after ten o'clock from their duties in the public service, to be arrested under color of this ordinance. An ordinance so oppressive, so barbarous should be annulled by the Congress of the United States.

On the 29th of October, 1836, the corporation of the city of Washington enacted that—

"Free colored persons must exhibit to the Mayor satisfactory evidence of his or her title to freedom, and enter into bond with five good and sufficient sureties, in the penalty of \$1,000, for the good and orderly conduct of his or her entire family, the bond to be renewed every year; and on failure so to do, may be fined twenty dollars, and sent to the workhouse."

A statute like this, which requires every free colored person to furnish the Mayor of the city of Washington evidence of his or her title to freedom, and to give bonds annually for his or her orderly conduct, and failing so to do, to be sent to the workhouse, places ten thousand free persons of color at the mercy of the corporation officials of this city, who may exercise, under color of this law, the most oppressive acts of petty tyranny.

On the 29th of October, 1836, the corporation of the city of Washington, under the authority conferred upon it by the Government of the United States, enacted that—

"All secret or private meetings for religious worship whatsoever, and all meetings for religious worship beyond the hour of ten at night, of free negroes, mulattoes, or slaves, are declared to be unlawful; and any colored person or persons found at such assemblies or meetings, or who may continue at any religious meeting after ten o'clock at night, shall for each offense pay the sum of five dollars; and in the event of any such meeting or assembly, it shall be the duty of any police constable to enter the house where such assembly is held and employ all lawful means immediately to disperse the same; and in case any police constable, after full notice and knowledge of such meeting, shall neglect or refuse to execute the duty hereby required, he shall forfeit and pay the sum of fifty dollars, and be incapable of holding any office of power or trust under the corporation for one year thereafter."

The Christian men of New England, of the central States, of the West, must not forget that they are not free from responsibility for the existence, in their national capital, of a statute which imposes a fine of five dollars upon Christian men and women who may be found in a religious meeting after the hour of ten o'clock at night; that in the capital of this Christian Republic it is made the duty of police constables, under penalties of fine and disfranchisement, to enter a religious meeting after the hour of ten at night and disperse Christian men and women listening to the story of salvation, or offering up to Him who made the humblest of the race in His own image, the praises and gratitude of contrite hearts.

On the 28th of July, 1831, the corporation of the city of Washington passed an ordinance "empowering the Mayor to grant any person a license to trade and traffic in slaves for the sum of \$400."

This ordinance legalized in the national capital the revolting slave trade which had dishonored the District of Columbia from the day it had been selected as the seat of Federal Government. The grand jury of Alexandria as early as 1802 had presented these "dealers in the persons of our fellow-men, who exposed their victims loaded with chains in the public streets." In 1816, Judge Morell, of the circuit court of the United States, in his charge to the grand jury, declared that "the frequency with which the streets of the city had been crowded with manacled captives, sometimes on the Sabbath, could not fail to shock the feelings of all humane persons." John Randolph, in the same year denounced this traffic in slaves "as inhuman and illegal." The Alexandria Gazette, in 1827, denounced this "traffic which filled the streets not infrequently by men, women, and children, handcuffed and chained together." In 1828, more than one thousand of the citizens of the District of Columbia implored Congress "to suppress a traffic disgracing and demoralizing in its effects;" and in 1829, the grand jury of Washington made a communication to Congress in which they declared that "the whole community would be gratified by the interference of Congress for the suppression of these receptacles and the exclusion of this disgusting traffic from the District." The Washington Spectator, in 1830, indignantly denounced the "processions so often seen in the streets of Washington, of human beings handcuffed in pairs or chained in couples," wending their way to the slave ships which were to bear them to the distant South. Yet this traffic, denounced by judges and grand jurors, citizens and presses, was legalized in 1831 by the corporation of the city of Washington; and Williams, Birch, Neal, Kephart, Richards, Franklin, and Amfield polluted the capital of the nation with this brutalizing traffic, under the sanction of law, until it was made illegal by the legislation of 1850.

The corporation of the city of Washington, from 1829 to 1841, enacted cruel and brutal laws for the punishment of slaves within the limits of the city. I quote from these brutal and bloody laws these enactments:

"If a slave break a street lamp, he shall be punished by whipping on the bare back."

"If any slave ties a horse to any of the trees on any of the public grounds in the city of Washington, he shall be punished by whipping on the bare back."

"If any slave willfully injures any dwelling-house, or any of the appendages thereof, he or she shall be punished by whipping on his or her bare back, not exceeding thirty-nine stripes."

"Any slave offending against any of the laws regulating the public markets, shall be punished with not less than five nor more than twenty lashes on his or her bare back."

"If any slave sets on fire in any open ground or lot any straw or shavings, between the setting and the rising of the sun, whereby a false alarm of fire may be created, he shall be whipped, not exceeding thirty-nine lashes."

"If any slave sets off any fire crackers within one hundred yards of any dwelling-house, he shall be punished by whipping, not exceeding thirty-nine stripes."

Do Senators believe that there can be found in the laws and ordinances of any Christian nation on the globe enactments so brutal, degrading, inhuman, indecent? Is it time these bloody statutes for lashing men and lashing women should be obliterated from the laws and ordinances of the capital city of the Republic.

The acts of Congress of March 3, 1805, and March 3, 1809, confirmed to the corporation of Georgetown all the rights, powers, and privileges theretofore granted to the corporation by the General Assembly of Maryland, among which was the power to "pass, make, and ordain all laws necessary to take up, fine, imprison, or punish any and all vagrants, loose and disorderly persons, free negroes, and persons having no visible means of support." Under this authority of Congress the corporation of Georgetown enacted that every free black or mulatto person who should come to Georgetown to reside should exhibit to the mayor satisfactory evidence of freedom, and enter into bonds for good conduct. On the 22d of August, 1845, the corporation of Georgetown passed an ordinance prohibiting, under the penalty of thirty-nine lashes for slaves and thirty days' imprisonment for free colored persons, all assemblages by day or night of black or colored persons, except religious meetings, conducted by white men and terminated before half past nine o'clock at night. From 1827 to 1845, while slavery in America was in the zenith of its power, the corporation of the city of Georgetown passed

many ordinances hardly less brutal, degrading, and indecent than the statutes of the metropolis of the Republic. These colonial statutes of Maryland, reaffirmed by Congress in 1801, these ordinances of Washington and Georgetown, sanctioned in advance by the authority of the Federal Government, stand this day unrepealed. Such laws and ordinances should not be permitted longer to insult the reason, pervert the moral sense, or offend the taste of the people of America. Any people mindful of the decencies of life would not longer permit such enactments to linger before the eye of civilized man. Slavery is the prolific mother of those monstrous enactments. Bid slavery disappear from the District of Columbia, and it will take along with it this whole brood of brutal, vulgar, and indecent statutes.

In spite, however, of these oppressive and cruel enactments which have pressed with merciless force upon the black race, bond and free, slavery, for more than half a century has grown weaker, and the free colored stronger, at every decade. Within the last half century, the free colored population of the District of Columbia has increased from four to twelve thousand. In spite of the degrading influences of oppressive statutes, and a perverted public sentiment, this free colored population, as it has increased in numbers has increased also in property, in churches, schools, and all the means of social, intellectual, and moral development. This despised race, upon which we are wont to look down with emotions of pity if not of contempt or of hate, are industrious and law-abiding, loyal to the Government and its institutions. To-day the free colored men of the District of Columbia possess hundreds of thousands of dollars of property, the fruits of years of honest toil; they have twelve churches, costing some seventy-five thousand dollars, and eight schools for the instruction of their children. They are compelled to pay for the support of public schools for the instruction of the white children from which their own children are excluded by law, custom, and public opinion. Some of these free colored men are distinguished for intelligence, business capacity, and the virtues that grace and adorn men of every race. Some of these men have in possession considerable property, real and personal. If Senators will go to the office of this city where deeds are recorded, they will find there recorded a mortgage deed, dated the 30th of January, 1858, in favor of Alfred Lee, a colored man of this District, to secure a debt of \$12,000, signed by two Senators of the United States, and their wives. One of those Senators, signing a mortgage deed to secure to a colored man of this District a loan of \$12,000, is a member of the Senate to-day, the other now sleeps on the shores of Lake Michigan, in the city and State of his adoption.

This bill proposes to strike the chains from the limbs of three thousand bondmen in the District of Columbia, to erase the word "slave" from their foreheads, to convert them from personal chattels into free men, to lift them from the degradation of personal servitude to the dignity and responsibilities of manhood, to place them in the ranks of free colored men, to perform with them the duties and bear with them the responsibilities of life. This bill, if it shall become law, will simply take three thousand men from humiliating and degrading servitude and add them to the twelve thousand free colored men of this District, to be absorbed in that mass of industrious and law-abiding population. The passage of this bill by the Congress of the United States will not, cannot, disturb for a moment the peace, the order, the security of society. Its passage will excite in the bosoms of the enfranchised not wrath nor hatred nor revenge, but love, joy, and gratitude. These enfranchised bondmen will be welcomed by the free colored population with bounding hearts, throbbing with gratitude to God for inspiring the nation with the justice and the courage to strike the chains from the limbs of their neighbors, friends, relatives, brothers, and lifting from their own shoulders the burdens imposed upon them by the necessities, the passions, and the pride of slaveholding society.

This bill, to give liberty to the bondman, deals justly, ay, generously, by the master. The American people, whose moral sense has been outraged by slavery and the black codes enacted in the interests of slavery in the District of Columbia, whose fame has been soiled and dimmed

by the deeds of cruelty perpetrated in their national capital, would stand justified in the forum of nations if they should smite the fetter from the bondman, regardless of the desires or interests of the master. With generous magnanimity this bill tenders compensation to the master out of the earnings of the toiling freemen of America. In the present condition of the country the proposed compensation is full, ample, equitable.

But the Senator from Kentucky [Mr. Davis] raises his warning voice against the passage of this measure of justice and beneficence. He assumes to speak like one having authority. He is positive, dogmatic, emphatic, and prophetic. He repeatedly assured the Senate that he gave utterance to what he knew, that his warnings and predictions were infallible prophecies. The Senator predicted in excited, if not angry tones, that the passage of this bill, giving freedom to three thousand bondmen, will bring into this District beggary and crime, that the "liberated negroes will become a sore, a burden, and a charge;" that they "will be criminals;" that "they will become paupers;" that "they will be engaged in crimes and petty misdemeanors;" that "they will become a charge and a pest upon this society." The Senator emphatically declared "I know what I talk about!" "I speak from what I know!" Assured, confident, defiant, the Senator asserts that "a negro's idea of freedom is freedom from work;" that after they acquire their freedom they become "lazy," "indolent," "thriftless," "worthless," "inefficient," "vicious," "vagabonds."

The Senator from Kentucky, who speaks with so much assurance, may have the right to speak in these terms of emancipated slaves in Kentucky; but he has no authority so to speak of the twelve thousand free colored men of the District of Columbia. One sixth part of the population of this District are free persons of color. Under the weight of oppressive laws and a public opinion poisoned by slavery, they have by their industry, their obedience to law, their kindly charities to each other, established a character above such reproaches as the Senator from Kentucky applies to emancipated bondmen. As a class, the free colored people of this District are not worthless, vicious, thriftless, indolent, vagabonds, criminals, paupers, nor are they a charge and a pest upon this society. The Senator from Kentucky, sir, has no right to apply to them these disparaging epithets. Do they not support themselves by their industry and thrift? Do they not support their own churches? Do they not support their own schools? Do they not also support schools for the education of white children, from which their own are excluded? Do they not care for their sick and their dying? Do they not bury their dead free of public charge? What right, then, has the Senator from Kentucky to come into this Chamber and attempt to deter us from executing this act of emancipation, by casting undeserved reproaches upon the free colored population of the District? Their condition this day demonstrates the utter absurdity of the doctrines and prophecies so orally announced by the Senator from Kentucky.

But the Senator from Kentucky, upon this simple proposition to emancipate in the national capital three thousand bondmen, with compensation to loyal masters, chooses to indulge in the vague talk about "aggressive and destructive schemes," "unconstitutional policy," the "horrors of the French Revolution," the "heroic struggle of the peasants of La Vendée," and the "deadly resistance" which the "whole white population of the slaveholding States, men, women, and children would make to unconstitutional encroachments." Why, sir, does the Senator indulge in such allusions? Have not the American people the constitutional right to relieve themselves from the guilt and shame of upholding slavery in their national capital? Would not the exercise of that right be sanctioned by justice, humanity, and religion? Does the Senator suppose that we, the representatives of American freemen, will cowardly shrink from the performance of the duties of the hour before these dogmatic avowals of what the men and the women of the slaveholding States will do? Sir, I tell the Senator from Kentucky that the day has passed by in the Senate of the United States for intimidation, threat, or menace, from the champions of slavery.

I would remind the Senator from Kentucky that

the people, whose representatives we are, now realize in the storms of battle that slavery is, and must ever be, the relentless and unappeasable enemy of free institutions in America, of the unity and perpetuity of the Republic. Slavery—perverting the reason, blinding the conscience, extinguishing the patriotism of vast masses of its supporters, plunged the nation into the fire and blood of rebellion. The loyal people of America have seen hundreds of thousands of brave men abandon their peaceful avocations, leave their quiet homes and their loved ones, and follow the flag of their country to the field, to do a soldier's duties, and fill, if need be, soldiers' graves, in defense of their periled country; they have seen them fall on fields of bloody strife beneath the folds of the national flag; they have seen them suffering, tortured by wounds or disease, in camps and hospitals; they have seen them return home maimed by shot or shell, or bowed with disease; they have looked with sorrowful hearts upon their passing coffins, and gazed sadly upon their graves among their kindred, or in the land of the stranger; and they know—yes, sir, they know—that slavery has caused all this blood, disease, agony, and death. Realizing all this—ay, sir, knowing all this, they are in no temper to listen to the threats or menaces of apologists or defenders of the wicked and guilty criminal that now stands with uplifted hand to strike a death blow to the national life. While the brave and loyal men of the Republic are facing its shots and shells on the bloody fields, their representatives will hardly quail before the frowns and menaces of its champions in these Chambers.

The Senator from Kentucky proposes by his amendment to remove from the District, from the United States, the persons emancipated under the provisions of this bill. He tells us that, "whenever any power, constitutional or unconstitutional, assumes the responsibility of liberating slaves where slaves are numerous, they establish, as inexorably as fate, a conflict between the races that will result in the exile or extermination of the one race or the other." "I know it!" exclaims the Senator! How does the Senator know it? In what age and in what country has the emancipation of one race resulted in the extermination of the one race or the other? In what chapter of the history of the world is such exterminating warfare recorded? Nearly a quarter of a century ago England struck the chains from eight hundred thousand of her West India bondmen. There has been no conflict there between the races. Other European nations have emancipated their colonial bondmen. No wars of races have grown out of those deeds of emancipation. One sixth part of the population of the District of Columbia are free colored persons—emancipated slaves or the children of emancipated slaves. The existence of this numerous class of liberated slaves has not here established, "as inexorably as fate," a conflict between the races. More than one sixth of the population of Delaware are free colored persons—emancipated slaves, or the descendants of emancipated slaves. The existence in Delaware of this large class of emancipated slaves has not produced a war of races. The people of Delaware have never sought to hunt them like beasts and exterminate them. One eighth of the population of Maryland are free men of African descent. No exterminating warfare of races rages on the soil of Maryland. No, sir; no! Emancipation does not inevitably lead to an exterminating war of races. In our country, the enfranchisement of the bondman has tended to elevate both races, and has been productive of peace, order, and public security. The doctrines so confidently proclaimed by the Senator from Kentucky have no basis whatever to rest upon, either in reason or history. The Senate, I am sure, will not close the chapters of history which record the enfranchisement of bondmen, nor will they ignore the results of their own experience and observation, under the influence of the positive, impassioned, and emphatic assertions of the Senator from Kentucky.

This bill, Mr. President, for the release of persons held to service or labor in the District of Columbia, and the compensation of loyal masters from the Treasury of the United States, was prepared after much reflection and some consultation with others. The committees on the District of Columbia in both Houses, to whom it was referred, have agreed to it, with a few amendments

calculated to carry out more completely its original purposes and provisions. I trust that the bill, as it now stands, after the adoption of the amendments proposed by the Senator from Maine [Mr. Morrill] will speedily pass, without any material modifications. If it shall become the law of the land, it will blot out slavery forever from the national capital, transform three thousand personal chattels into freemen, obliterate oppressive, odious, and hateful laws and ordinances, which press with merciless force upon persons, bond or free, of African descent, and relieve the nation from the responsibilities now pressing upon it. An act of beneficence like this will be hailed and applauded by the nations, sanctified by justice, humanity, and religion, by the approving voice of conscience, and by the blessing of Him who bids us "break every yoke, undo the heavy burden, and let the oppressed go free."

Mr. KENNEDY. Mr. President, I did not design offering any remarks upon this bill, being willing to trust to the greater experience of my colleague to do justice to the cause of our State; but I should not acquit myself of a high duty devolved upon me if I were to suffer this question to pass from the Senate with a silent vote. My colleague, from his long experience, is more fully competent to discuss the legal questions involved in the bill before the Senate. His indisposition, however, renders it uncertain when he may be able to take the floor; and in view of that consideration, I will proceed to submit a few views of my own upon this question.

I do not mean to detain the Senate in the vain attempt to influence the conclusions to which I fear a majority of this body have come in favor of this bill, nor to attempt an argument to show the existence of the right of property in slaves. Nor, sir, shall I attempt to make an argument to show the dangerous consequences and unhappy results which must flow from this and kindred measures now in progress of adoption. These must be apparent to every right-minded and candid man, whose judgment is not warped by prejudice or influenced by party considerations. I shall content myself with the simple purpose, in a very few words, of entering the most solemn protest, in the name of my State, against the adoption of this measure which I have ever yet made as one of the representatives of her sovereignty on this floor. The State of Maryland is most deeply interested in the result of this unhappy and unnatural war. All of her prosperity, present and to come; all of her historical renown in the past, connected with her bloody struggles for this Union; all of her dignity as a State, is involved in the policy by which this contest is to be conducted and finally settled.

In one point of view she is more deeply interested in a just settlement of the great issues of this contest than any other State. Her geographical position and small white population preclude the possibility of a successful maintenance of or resistance for any policy of her own against the unscrupulous exercise of power by a majority of northern States, which at any time might be used to interfere with her local institutions or interests. She has no reliance or hope except upon the full enforcement of the pledged faith of the Constitution. The Constitution faithfully maintained is all that Maryland demands. She asks for nothing more than a just consideration of her rights as an equal in the Government. Through her Senators she has expressed her apprehension of the dangers which must result "to the future general welfare and domestic tranquility" of the country from the adoption of any policy of a sectional character. Through her Legislature she has stated her position to the General Government in deliberate resolutions, one of which reads thus:

"4. Resolved, That the loyalty of the people of Maryland to the General Government, established by the Constitution, is untouched by any shade of servility, and they must ever regard with extreme jealousy all attempts, from whatever quarter, to make the present war for the restoration of the Union, the means of interfering with the domestic institutions of the States; and they solemnly protest against all schemes the object or tendency of which is to excite insurrection among the slaves, declaring the same illegal, and calculated, if put in practice, to produce results too horrible to contemplate."

Through her Union Governor, elected by thirty thousand majority on the direct issue of Union or disunion, the same sentiments have been expressed upon kindred measures bearing on the subject of emancipation. I will take the liberty of reading to the Senate the views of our Gov-

ernor, who was elected as an unconditional supporter of the Union. Upon the occasion of his inauguration at the seat of government of Maryland, alluding to measures which had been introduced soon after this Congress met, he used this language:

"It is not so much the fear of any assistance that secession is likely to receive from abroad, nor the aid and comfort which treason at home may convey to it, as the possibility of a treason far more potent for mischief, and which, if not suppressed, is calculated to inflict upon the cause of the Union the severest blow it has yet encountered. I refer, of course, to that emancipation policy lately thrust so unexpectedly on popular attention.

"The early assurance given to the country by the President in his inaugural address that he had 'no purpose directly or indirectly to interfere with the institution of slavery in the States where it existed,' that 'he had no lawful right nor inclination to do so,' secured at once the confidence of the people in the purity and patriotism of his intentions. It rejoiced to believe that this confidence is still unshaken, and that his whole subsequent course has justly confirmed us in the conviction that he means to conduct this war with the single purpose of preserving the nation. Congress, too, by the resolution which they adopted with such singular unanimity at the late extra session, added immensely to the strength of the Union cause by their unqualified assurance that the war should be confined to the legitimate purpose of maintaining the supremacy of the Constitution and preserving the Union.

"It will be impossible to convince conservative men that the proposed emancipation of the slaves in the seceded States, by force of the Federal arms, has any other aim than to make the success of these arms subservient to the purposes of abolition; and so considered—if suffered to control to any extent the operations of the Army—it will be equally impossible to avoid its blighting effects upon the hopeful prospects at present before us.

"The unanimity with which the northern people have rallied around the Constitution, ready to sustain it by any number of men and any amount of money, can no longer be counted on when they see that the cause to which these efforts have been consecrated is to be perverted to the purpose of a political faction; while, in the South, on the other hand, we must abandon at once the hope to which we have hitherto confidently clung, of assistance from that latent Union element, which undoubtedly there exists, and is only awaiting Federal power to set it free. But the power that liberates it must be an unquestionable exercise of constitutional authority; and the slightest manifestation of a purpose to make that authority tributary to the cause of abolition would inevitably unite that latent element at once under the banner of secession."

Mr. President, through these various channels the State of Maryland has given full expression of her views upon this question of governmental interference with slavery, while at the same time she has expressed her devotion to the Union, and her firm purpose to maintain, uphold, and defend the Constitution as it was originally made and guaranteed to the States. But, sir, if this bill passes—of which I have now but little doubt—her voice on this floor has commanded, I fear, but little respect, and her solemn protests but little consideration. She is without the power to enforce obligations to a compact to which she has ever been willing to stand faithful. I earnestly hope I may be mistaken in the purposes and power of the majority to pass this measure; but if otherwise, then, sir, it no longer remains to her, either by argument or protest, to obtain her rights as a sovereign State, or just consideration for her dignity or interests as an equal in this Union under the Constitution. To show that the faith of this Government has long been pledged to the States of Maryland and Virginia not to interfere with slavery in this District, I will take the liberty of presenting to the Senate the views of an able committee of the House of Representatives presented in 1836, a committee composed of distinguished gentlemen from every section of the country. I desire to be allowed to read at some length from this report, even at the expense of being considered tedious and somewhat prolix, for the reason that I have seen nowhere an argument so conclusive, so calm and well considered as that to which I now refer, as well as of presenting the points of this able report, made so long ago, to the view of the people of Maryland. The committee was composed of Mr. Pinckney of South Carolina, Mr. Hamer of Ohio, Mr. Pierce of New Hampshire, Mr. Hardin of Kentucky, Mr. Jarvis of Maine, Mr. Owens of Georgia, Mr. Muhlenberg of Pennsylvania, Mr. Dromgoole of Virginia, and Mr. Turrill of New York. In their report they say:

"Do the great national objects which were intended to be secured to the Federal Government by the cession of the territory require such action on the part of Congress?"

"Can any reason whatever be given for the abolition of slavery in this particular District, which does not apply with equal force to every other slaveholding section of the country? Can any cause be shown why the States of Maryland and Virginia would have abolished, or would now abolish, slavery in this District, had it continued to form a