

Tell me how many million of States of that kind in this Union would reach the Northern pulse? We are told that they are signing petitions and that they are changing. Tell me what has changed them, and what has affected the North? what has destroyed or changed them in their sentiments? It is because of the withdrawal of these seven States and the prospect of the withdrawal of others, and of the ruin of their commerce and the prosperity of the country, that is now threatening them. Missouri will make no threat; let her stand by the South; but let her call upon the North and say in language not to be misunderstood, that these guarantees must be granted or we connect ourselves with the Southern States; and when we have given you reasonable time—when we have appealed to the great heart of the whole people, if then they shall say no compromise shall be made, then we will stand with the Southern States. Gentlemen of the Convention, if the State of Missouri occupies this position, then she will have opinions that will be respected at the North and in the South. Then, when compromise has been offered by the South, Missouri can say to both North and South, you are brethren, we stand between you and ruin. And if the border States cannot restore this friendly feeling, then no earthly power can do it.

I am in favor of this amendment to the resolution. It says we will not furnish men and money. We have been told, I believe, by the gentleman from Randolph, that if the Administration called for men, we would be setting at defiance the Constitution. I have shown you that the sending of an army to the Southern States could only be done under the higher law, and not under the Constitution of the United States. I have shown you that we have the right to speak in the language of this resolution, and it is the duty of Missouri not to aid, and not to furnish men, and not to go into this conflict.

Gentlemen of the Convention, I have occupied more time than I expected. I have been longer before you than I should have been, but I have submitted candidly, and with a due regard and respect for every member of this Convention, and every individual that is here to-day, what I have asserted in regard to the position of Missouri. It is the ground upon which my people sent me here. I came to say in this Convention that Missouri desires to exert every means that is fair and honorable to unite the North and the South as brethren in one common country and destiny. I want every effort made that the State can make in honor to itself, to accomplish this result. If the fourteen States are to unite with the other slave States and go with the South, all hope of reconciliation is gone and then my wish is, at that time, when the Union will have been dissolved, that Missouri will not have to secede, but take her choice between the

North and the South. I am for taking, as I said before, the Southern side of this question, if the President of the United States shall attempt force and shall attempt a war upon the Southern States, and if he calls upon Missouri for men to go into that war, I am not willing that our citizens should hazard treason, or that they shall be drafted. I am not willing that they shall be marched into any State in such a war, but in that contingency I shall be in favor of this Convention assembling and placing themselves upon their reserved rights, and say to the President, as we say in this resolution, that we will not aid you.

Mr. FOSTER. I desire to make a few remarks upon the question under consideration.

Mr. WELCH. As it is now 12 o'clock, I move an adjournment of the Convention.

Motion sustained.

#### AFTERNOON SESSION

Convention re-assembled at 2 o'clock.

Mr. FOSTER. Mr. President, I hope it may not be considered an assumption on my part to leave my seat and address this Convention from a place near the Chair—being one of the lesser lights in this body, and unable, in an oratorical point of view, to cope with many of the gentlemen who have preceded me, and many who will speak after me. I come up here, sir, merely that I may be the better understood by the Convention, and because, by standing here, I can speak with greater ease to myself than if I was in my seat.

In investigating the matters which are now submitted for consideration by this body, I shall try to be fair and candid. Although I may not be able to say anything that will be edifying to the members of this Convention, yet, as a representative of a portion of the people of Missouri, I believe it to be my duty to declare the sentiments which the people of my district hold in regard to the resolutions under consideration. I have risen, sir, not for the purpose of making a buncombe speech, or a speech for political purposes. I never held a political office in my life, nor do I know that I ever shall hold one. The motives which actuate me in speaking on this occasion, are of a higher character than those underlying the delivery of political speeches or war speeches or anything of the kind. They are those of patriotism—they are love for my country and a willingness and determination to represent my constituents truly on this floor. I believe it is usual in debates of this kind that gentlemen holding different views alternate in occupying the floor. And here let me remark, that while it may be expected that I differ with the gentleman who has preceded me in

many of the points advanced by him, still it is not my purpose to follow him through all his arguments. I shall take occasion to allude to some of them as I proceed with my remarks. It must certainly be regarded as a highly enviable position for me, acknowledging myself, as I do, to be one of the humblest members of this Convention, and one of its lesser lights—I say it must be regarded as an enviable position for me to be able to reply to a gentleman so far my superior in debate, so talented and brilliant in the presentation of his views before a deliberative assembly, as the gentleman who has preceded me. I confess that I shall feel some embarrassment in attempting a reply to the all-absorbing war-speech which we have heard from him. I fear I shall not be able to meet his argument, because he is a powerful man; but while I do not expect to follow him through all the meanderings of his notions, it is yet gratifying to me to know that, elevated as I have been to come up to this stand, I shall for a few moments occupy the same stand which one of the great lights of this Convention has so ably occupied.

Gentlemen of the Convention: In regard to the powers of Government of which that gentleman has spoken, I agree with him to some extent. I agree with him in holding that we have a complete system of government, and that all the power that the General Government can exercise is derived solely from the Constitution. I am one of those individuals who may be called *strict constructionists* of the Constitution of this country. He says, further, that this Government has power to levy war upon a foreign nation, but that it has no power to levy war against a sister State.

Now, if he put this proposition by itself, it would certainly recommend itself to my mind for its justness and plausibility. But he, at the same time, argues that seven States have dissolved their connection with the Federal Government—that they have gone out of the Union; and I would ask him whether, such being the case, they can still be regarded as sister States? or whether they must be looked upon by the General Government in the light of foreign nations? If it be true that those States have gone out, and it be, furthermore, true, that the General Government has power to levy war against a foreign nation, does it not follow that, if circumstances should require, the General Government *must* treat them as any other foreign nation?

But admitting, for a moment, that those States have not gone out—admitting that they are still included in the American sisterhood, let me ask the gentleman if the Constitution does not confer ample power upon the Executive to repel insurrections and invasions by the people of one State upon the people of another State?

A VOICE: No.

Mr. FOSTER. A voice behind me says *no*. Well, gentlemen of the Convention, all I have to say in regard to that is, that this voice and the Constitution of my country are at variance. I have no argument to make to any individual or assembly of individuals to convince them that the broad declaration of the Constitution of my country is such as it is. I have stated it correctly, and I will abide by it, because I was taught from my earliest infancy to believe that the Constitution of the United States and the laws enacted by Congress in accordance therewith shall be the supreme law of the land, the laws of any State to the contrary notwithstanding. I repeat it, gentlemen, that this was one of my earliest lessons I learned in connection with the powers of my Government. I do not propose to consume the time of this Convention in dwelling longer upon that point. I will now proceed to consider the situation of Missouri for a few moments. Look at yonder flag, if you please, and behold Missouri, as shining forth in the constellation of States as one of the central stars in the West, and ask yourselves the question, what is the proper position for Missouri to occupy under existing circumstances? Now, gentlemen, I hold it to be a truth that, as was remarked by my friend from Marion, on the day before yesterday, Missouri could turn out more fighting men than any other slave State in the Union; and I will add that, if circumstances require it, she would do so. I will add, further, that I believe that Missouri to-day can turn out more Union, Constitution-loving men, than any two Southern States in this Confederacy. Then, gentlemen, the question arises, as I have suggested, as to what is the proper position for Missouri to occupy. I think the proper answer to this question is of the most vital importance. What is the answer given by the Committee on Federal Relations? What does that report contain? In considering the resolutions offered by the Committee, I desire to give a fair and candid expression of my sentiments, and the sentiments of the people whom I am representing on this floor. I do not intend, by any remark that I may make, to reproach any gentlemen who is a member of this Convention, and who, for causes satisfactory to himself, disagrees with me in regard to this report. I do not design to heap epithets upon the people of the North, nor to heap epithets upon the people of the South; but in speaking of the wrongs and pointing out the errors of both sections, I shall proceed with candor and moderation, extending my hand to both, and hailing them as the common family of this Government.

The first resolution offered by the Committee, (I refer, of course, to the majority report,) is as follows:

*Resolved*, That at present there is no adequate cause to impel Missouri to dissolve her connec-



tion with the Federal Union, but, on the contrary, she will labor for such an adjustment of existing troubles as will secure the peace as well as the rights and equality of all the States.

I ask, gentlemen of this Convention, do you object to that resolution? I ask gentlemen who came here for the purpose of using all honorable means to preserve the Union, if they can have any objection to it? I believe that I can say that an overwhelming majority of the members of this Convention will be found in its favor. And I may also say, although my knowledge of the people of the State is limited, yet, judging from the sentiments of 9,000 to 10,000 legal voters whom I have the honor to represent, they will give their hearty approbation to it. I took the position before my people, in making the little canvass that I did make, that there was no existing cause at that time, or any cause which I could see as likely to arise, sufficient to justify this State in dissolving her connection with the General Government. I here to-day repeat it, in order to redeem my pledges to the people before whom I canvassed. I maintain that there is no cause existing to-day that would impel me, as a citizen of Missouri—as a citizen of the United States—to dissolve my connection with my Government. I would, in my judgment, prove recreant to the people that honored me with a seat in this Convention, were I to occupy any other position. I believe I should prove recreant to the mother who gave me birth, were I to occupy any other position. Sir, I assert it again, there was no existing cause for Missouri going out of the Union at the time I made my canvass; and the only event that has taken place since, that could have any weight in determining the action of Missouri, is the Inaugural of the President. I told my people that, with all the facts and circumstances then existing, and with the additional fact of Mr. Lincoln's inauguration on the 4th of March, there was not sufficient cause to dissolve our connection with the General Government. Mr. Lincoln has since been inaugurated. His Inaugural Address has been delivered and received all over the country, and I still find that there is no cause for Missouri to secede. In my humble judgment, that Inaugural, instead of being a *war* message, is a *peace* message; and, in so believing, I am willing to be responsible to my constituents.

But we are told that the people of the North have brought about the "irrepressible conflict," and that it is of a nature too intolerable for the people of the Southern States to endure. Gentlemen, I take this occasion to say—and my people know that what I am saying is correct—that I entirely disagree with Mr. Lincoln or his party in regard to the subject of slavery. I do not indorse any of their sentiments on this subject. Most emphatically it was not by my consent—it was

not by my approbation, that Mr. Lincoln was made President of the United States. On the contrary, I have done everything that an honorable man with my feeble power could do to defeat him. But, gentlemen, I see no cause why this Convention should not adopt the first resolution. Much as the South has been wronged by the Republican party, and great as has been the evil which the ascendancy of that party has brought upon our country, still I see no reason why we should reject that resolution. The gentleman from Andrew, if I understand him right, says that it is a great and tremendous evil for a minister in the North to preach the "irrepressible conflict" from his pulpit. Undoubtedly it is. But I tell him it is acting in bad faith towards the people of this Government, and equally as wrong for a *Southern* minister to take up the doctrine of disunion and preach it from his pulpit. If it is wrong for one section of the country to disregard the laws and bid defiance to the Constitution, so it is for another.

So much for the first resolution. I now proceed to the second resolution, which reads as follows:

*Resolved*, That the people of this State are devotedly attached to the institutions of our country, and earnestly desire that, by a fair and amicable adjustment, all the causes of disagreement that at present unfortunately distract us as a people, may be removed, to the end that our Union may be preserved and perpetuated, and peace and harmony be restored between the North and the South.

Now, gentlemen, allow me to ask you this question. Is not it the desire of every member on this floor that all the difficulties which are now distracting our country should be settled? Is not that the desire of the delegates to this Convention? Undoubtedly it is. I have no hesitancy in saying that if any gentleman had taken a position different from, or antagonistic to this—if any gentleman had avowed that he was not for compromise, that he was not for an amicable adjustment of existing difficulties, he could not have been elected to a seat in this body. I hold that position, and I shall *never* hold one that is in conflict with it. I deem it to be in accordance with the wishes of the people of Missouri. I know that Missouri holds this position, and I am not afraid that the voice of the people will ever say to me, Foster, you are mistaken—you know nothing about the people of Missouri.

Gentlemen, I came here as a compromise man. I came here pledged before my people that I would do all in my power to restore peace to our now distracted but once happy country, and I am impelled by my sense of duty to act accordingly. I will so act, first, because it is congenial to my sentiments, and, secondly, because it is the position which I took before my constituents.

And I may be permitted to remark, that however I may be wanting in ability to meet their expectations on this floor, yet there is one thing in which I never will be found wanting, and that is, *integrity* to carry out the position which I took before them.

I repeat it, Mr. President, is it possible that there is a member in this body who is not willing to use all the power at his command for the purpose of restoring peace to the country? I apprehend there is no one. I apprehend that it is the desire of every member that peace should be restored. I believe there is no member of this Convention but who is disposed to maintain the Union of these States and to maintain his Constitutional rights as a citizen in the great family of States. If this is not the desire of this Convention, I confess that I have been unable to discover what its complexion is. And if, contrary to my expectation, this should not prove to be its complexion, yet I feel sure that it is the complexion of the people whom I represent in part to-day. Keeping a central position in the West as we do, it becomes our duty, if there are causes of complaint, to examine them and speak of them in a mild and conciliatory manner. Such is the nature of the American citizen, that you cannot even *drive* him to do that which he wants to do, much less drive him to do that which he does not want to do. It will not do for us, therefore, to discriminate against one section or another—it will not do for us to heap epithets, either upon the people of the North or upon the people of the South; but we must proceed in the calm, deliberative and conciliatory manner, speaking to the men of the North and the men of the South as our brothers. We should indeed be compromise men. Sir, I desire that every act of mine, that every word of mine, and every declaration of mine, shall be that while we can extend our left hand to the people of the North, we can extend our right hand to the people of the South, talking to them as one common family—talking to them as I would to brothers of the flesh, who I believed had done me wrong, but whom I would entreat to come back and do me right. Such I desire to be *my* action, and such I desire to be the action of this Convention.

Mr. President, I will now proceed to read the *third* resolution:

*Resolved*, That the people of this State deem the amendments to the Constitution of the United States, proposed by the Hon. John J. Crittenden, of Kentucky, with the extension of the same to the territory hereafter to be acquired by treaty or otherwise, a basis of adjustment which will successfully remove the causes of difference forever from the arena of national politics.

Regarding this resolution, I would ask you, gentlemen of the Convention, whether it is not the desire of the people you represent to take this slavery question out of the hands of politicians and political demagogues. So far as I am concerned, I frankly confess that, if I could, by any means honorable to an American citizen, take that question out of the power of legislation; if I could take it out of the power of politicians and political demagogues, I would conceive it to be the proudest act of my life. If I have one desire above another, in connection with the political questions of the day, it is that we could make a fair adjustment of this slavery question, and take it out of the arena of politics. Sir, it is this question which has distracted and divided my country, and set one section in hostile array against another. It is through it that men have been lifted into power who were unworthy of the people that placed them there. There will always be a difference of opinion in regard to it. The people of the North, who were reared under Northern institutions, are taught to believe that slavery is a curse—that it is an evil—and hence they are from their youth up prejudiced against it. On the other hand, the people of the South, who were raised under Southern institutions, look upon it as right and proper, and are apt to be prejudiced in its favor. Hence, looking at slavery in an abstract point of view, it cannot seem strange that there should be difference of opinion about it. Agitation, then, becomes dangerous, and is calculated to array the adherents of one opinion against the adherents of another. We have all seen the devastating effects of the slavery agitation. We are even now suffering from it, and behold the humiliating spectacle of a once happy country, distracted and drive to the verge of ruin on account of it. Then, what are we to do? Is it not urgent that we should adopt some plan by which to take it out of the power of legislation? Do we not all see that, so long as it remains an open question, the people of the North contending that Congress possesses the power under the Constitution to prohibit the introduction of slavery into the Territories, and the people of the South contending that the Territories are common property, will be arrayed against each other, and there will be unceasing strife and contention? It is therefore well that this resolution may compromise by amendments to the Constitution, the effect of which will be to quiet all agitation on the subject of slavery forever. I have taken a position before the people in my district, that I would accept as the basis of compromise what is known as the Crittenden amendment, or one of similar import; and I state before you to-day, in clear and unmistakable language, that I am willing to take any compromise that will restore peace and harmony between the



North and the South. In saying so, I am but uttering the sentiments of the people who sent me here.

I proceed to the next resolution :

*Resolved*, That the people of Missouri believe the peace and quiet of the country will be promoted by a Convention to propose amendments to the Constitution of the United States, and this Convention therefore urges the Legislature of this State to take the proper steps for calling such a Convention in pursuance of the fifth article of the Constitution, and for providing by law for an election of one delegate to such Convention from each electoral district in this State.

I am aware, Mr. President, that in regard to the Convention recommended to be held by this body, there is a difference of opinion—some believing that it will be preferable to hold a Convention of all the States, and others thinking it best to hold a Convention of the Border States merely. I will say that, so far as I am concerned, I am in favor of a Convention of *all* the States. My reason for taking this position is, that such a Convention will be in perfect harmony and keeping with the Constitution of the United States. I may also state that this is the position which I have taken before my constituents. As they have elected me on that position, I consider myself bound to maintain it on this floor. I consider that I have been instructed to that effect. The assembling of a National Convention, according to my understanding, is the constitutional mode of introducing amendments to the Constitution. Being a Constitution-loving man, and a law-abiding citizen, I desire no act of mine to come in conflict with that sacred instrument.

I will now read the *fifth* resolution :

5. *Resolved*, That, in the opinion of this Convention, the employment of military force by the Federal Government to coerce the submission of the seceding States, or the employment of military force by the seceding States to assail the Government of the United States, will inevitably plunge this country into civil war, and thereby entirely extinguish all hope of an amicable settlement of the fearful issues now pending before the country. We therefore earnestly entreat as well the Federal Government as the seceding States to withhold and stay the arm of military power, and on no-pretense whatever bring upon the nation the horrors of civil war.

Much has been said in this Convention about this resolution. I apprehend, Mr. President, that there is no gentleman upon this floor that is pledged in stronger terms against the doctrine of coercion than myself. No proposition that could be introduced here could receive my support if it looked or even *squinted* toward coercion. It is evident to every reflecting mind that we have to take things as they exist, and not as we desire

them to be; and at this particular juncture, sympathizing as I do with all quarters of the country, and particularly with the people of the South, I may say that American blood becomes to me a paramount question, and I will do all in my power to prevent it from being shed. I could not, therefore, nor would I ever, support any proposition that even squinted toward coercion. The only question arising in reference to the fifth resolution, is, whether its language is emphatic enough to adequately express our sentiment, and I will say that, in my opinion, it is. I am willing to adopt that resolution just as it is. Whether my people will indorse my course in this respect or not, is a matter about which I am but little concerned. I intend to discharge my duty towards them, and I leave them to be the judges whether I shall do so or not. I think it essential that, as a body, we should speak in a mild and conciliatory manner, both to the people of the North and of the South and to the General Government. Gentlemen, I cannot for a moment entertain the notion to raise my arm against my Government. No! I would rather that this arm of mine should perish—yea, that this stammering tongue of mine should cleave to the roof of my mouth, than that I should raise my arm against my Government. I will never do it.

That brings me to consider the amendment which was offered to this resolution by my friend from Clay. My kindly feelings toward that gentleman, and my regard for his upright endeavor, would induce me to support almost any proposition that he could conscientiously introduce and support. Acknowledging as I do that, in my judgment, he is a better Union man than I am—not that he is more devoted to the Union, or that he has any stronger attachment for it, for I do not believe that the man lives who can have a stronger attachment for his government than I have; but that he has the ability to impress his views upon the people and convince them that he is right, better than I can. As I am just looking that way I happen to see, with great pleasure, that one of my constituents is just now sitting by one of my colleagues, who, for reasons I suppose satisfactory to himself, took great pleasure in trying to defeat me. [Laughter.] Allow me to say that I ran under the charge of Black Republicanism—under the charge of being a submissionist. Well, now I don't care, gentlemen, anything about these charges. As you perceive, I am one of those remarkably good-humored men who can afford to be misrepresented, and I don't care, so far as I am personally or politically concerned, what charges my adversaries have been disseminating against me. But, sir, I ask this Convention not to adopt this amendment, for the reason that I believe that if it is adopted it will force this Convention to one of two conclusions. What are they? First, that

the amendment is one of the inroads of secessionism. The other is, that it forces Missouri, under any and all contingent circumstances, to fold up her arms in perfect submission to anything and everything. Why, sir, it reminds me of the good old Methodist lady who would go around advocating the doctrine that if you are smitten on one cheek you must turn the other in perfect submission and be smitten on that also. This amendment pledges the people of Missouri, now and for all time to come, that under no circumstances will we raise our arm against a seceding State or against our present Government.

Why, gentlemen, my opponents used to tell me the reason why they wanted a seat in this Convention was to place Missouri right upon the record. I desire to place Missouri right upon the record, and I desire that the hands of Missouri and the hands of her citizens shall not be tied up in any such manner as this. I believe, sir, that the people of Missouri are capable of meeting any and all emergencies; but while we are disposed not even to countenance secession, disunion or coercion, yet, sir, I hold it to be my duty, and the duty of this Convention, not to tie the hands of Missouri. You know not what emergency may arise. You know not what may take place in a year or a month. I therefore ask you not to tie the hands of Missouri in all time to come. I sincerely hope that this Convention will not place the people of Missouri in the condition in which the Legislature of the State desired to place this Convention, namely: putting them in a church not made with hands, that will endure forever.—I desire the people of Missouri to be placed in no such condition, and I understand some of the gentlemen in the Legislature were not very particular whether they placed us in a church remaining forever, or whether they placed us in the penitentiary at the capital of Missouri.—[Laughter.] In the language of the gentlemen who differ with me on this floor, I say to you, "sufficient for the day is the evil thereof." Allow me to remark, that I am forced to the conclusion that if I was to indorse that amendment, it would be proper to brand me with being a cheerful submissionist, which charge I did not only deny upon the stump, but I now deny it as being a gross insult to a gentleman of an angry temper; but as I am happily one of those very *mild* men, Mr. President, I consider it no insult.

Let me now say a few words to this Border State proposition. I came here, or rather to Jefferson City, having had an oath resting upon me for years to support the Constitution of the United States. That oath had been upon me for years, by and with my own consent, and to me it mattered not whether it should be renewed or not; for as long as that oath rests upon me, I expect to maintain it and act in accordance with it.

I care nothing about that renewal. But, sir, as men supporting the Constitution of the United States, sworn as we are to support it, let me ask you if the inroad that is attempted here to be made by this amendment is not the very first step towards getting outside of the Constitution—outside of the authority of law? Do those gentlemen, after holding a Border State Convention, propose in any legal manner to have it ratified? No, not at all. What, then, do they propose? Why, they say they will present an ultimatum to the people of the North. What next? I will ask some of these gentlemen. There you find a little squirming.

The CHAIR. The gentleman is not permitted to argue the minority report.

Mr. FOSTER. I hope the President will excuse me. Not being used to deliberative assemblies, and not being versed in parliamentary rules, I am liable to transgress. I will readily suffer a correction by your Honor.

Gentlemen, I will not say anything about that minority report; but I will give you the word of warning as Union men, determined as I believe you are to support the Constitution of the United States, and to discharge your duties toward the people of Missouri, not to allow any inroad to be made either upon the Constitution of your country or the laws enacted in accordance therewith. I guard you against it, because it is one of the inroads of secession. Its main object is to get you outside of the Constitution, and then they have got what they call the "inside track" of you.

In regard to this doctrine of coercion I want to say, as I said before my people, that the people of the North—and when I speak of the people of the North I mean the majority—have done us injustice and wrong. They have, by their legislative enactments, passed what is known in many Northern States as the personal liberty bills. They have in this regard acted in bad faith toward the Government. They have acted in bad faith toward the people of the South; and in the language of those resolutions, I ask them as American citizens, as my Northern brethren, not to persist in such a course. I ask them to repeal those obnoxious laws, although I do not regard them worth the blank paper upon which they were written. I understand upon this question the Constitution of the United States and the laws enacted by Congress, are the supreme law of the land, any laws passed by the State to the contrary notwithstanding. But I ask those States to retract them, and do us right. I beseech them—although gentlemen do not like to see a man say that he comes in the attitude of "submission;" yet if it would do any good, and restore peace to my country, I could fall down on my knees to the people of the North and ask them to repeal those laws. I would in the same spirit fall on my knees to the people of the South, and ask them



to abstain from their rash acts, so that this country might again be united, and peace be established on a permanent basis.

While I say to the people of the North that they have done us injustice, I say to our erring sisters of the South, that they, too, have done us wrong. I think their acts have been precipitate—not warranted by law, not warranted by reserved rights; that they have, as American citizens, undertaken to seek redress for the grievances of which they complain in a manner not at all warranted. They have not sought redress by taking a legal position, nor by throwing themselves back upon their inherent right of revolution. They have not done so. Sir, I am one of those men that believe, that, as sure as the sun rises in the east and sets in the west, whenever the Government fails to accomplish the ends for which it was created, the right of revolution is clear. And I tell you, sir, to-day, that, should that day ever arise, I will be among the first who will act upon that right. But, sir, I can see nothing in the state of things now existing—I can see nothing that is likely to occur—which will induce me to believe that it will become necessary for the people of Missouri to resort to the right of revolution.

I told my people when making the canvass, that should circumstances arise that would justify revolution, I should be heartily in favor of it. I have been asked, how long before such a state of things will come to pass. I have told them, I answer not by weeks, not by months, not by years, but by circumstances; and that when we should arrive at a given state of things in which I believed that the right of revolution was the only means of redress, I should so declare it. Therefore, gentlemen, I ask you not to tie the hands of Missouri. We know not, nor can we tell what we may have to encounter in that future.

Sir, I desire to say that if there is any one desire which I have before any other in regard to the demon of Northern Abolitionism and fanaticism, or this fell demon of the South, Secession, it is this: that if I could bring them within my grasp, I would bury them both in the bowels of the earth, or beneath the waters of the sea, so that no American citizen should hear of them again. I believe that peace could then be surely restored in my country. Gentlemen may consider these expressions are rather harsh, but, sir, as an American citizen—as a man desirous to preserve this government, I would like to get rid of all these wicked spirits that infest my country.

Then, gentlemen, in conclusion, permit me to remark, that my only desire is to assist in maintaining our rights and preserving this Union. If I can be any way instrumental in preserving the Union of these States upon terms of equality, and restoring peace to this Government, it will be-

stow upon me all the glory I want. I ask no more—I ask no higher laurels—I ask no higher calling by any people, or position in the gift of any people, than to be instrumental in restoring peace to our now distracted and once happy country. If I could see quiet reign once more, I would say all is well; and I ask Missouri to take a position as mediator, situated as she is in the central position of the West, to stretch out her arms to the people of the North and the South, and bid them stand still and let the Union be saved.

I hope this Convention will adopt the majority report just as it has come from the committee. And I will take this occasion to say, lest a wrong impression should go out, that I have perused the report very calmly and carefully, and though there are some things which I should desire to be a little different, yet as I came here as a compromise man, not intent on enforcing strictly my own opinions, but in common to deliberate with the members of this Convention, I believe that it is right in the main, and that it ought to be adopted. I am determined to support that report at all hazards. Allow me to remark, sir, that if I had been called upon to produce such a document, I have some doubt as to whether it would have met my approval as well as does this report. Taking it as a whole, and not stopping at particulars, I do not believe the document could have been excelled.

I know it would have been somewhat different had I been called upon to draw it up. I would rather see some things in it different, and I will tell you why. I was born of Southern parents and raised under Southern institutions. I am imbued with Southern prejudice. My prejudices and my sympathies are altogether with the South. I would then most likely have given that report a more Southern coloring. Yet I never intend that my prejudices should lead me astray. I want to discharge my duty towards my country, and then I am satisfied.

Gentlemen, I shall bring my remarks to a close. I say to you, in conclusion, that I intend to stand by the Union of these States as long as there is any hope to be cherished for the preservation of Missouri in the Union—and when that dark cloud shall appear which will enshroud in everlasting gloom the glorious prospects of my country, then, and not until then, will I turn for another republic. Yes, gentlemen, I say that all hope must be extinguished before I will abandon my country—before I will be in favor of forming a new confederation. My object, my aim, my desire will be to reclaim our erring sisters of the South and bring them back into the family of States, to stand upon the same Constitution with us—to share our rights and enjoy the same privileges with us as they have done heretofore. I tell you, you may call me a submissionist if you

please, I care nothing about it; but I never will submit to a wrong. I stand upon constitutional ground. I expect to maintain it, and I expect to take nothing, either in compromise or otherwise, when I am forced to seek my right at the point of the bayonet. Not that I would have you believe, gentlemen of the Convention, that I am a brave man, now, [laughter]—I don't want you to get any such idea into your heads; but it is a principle that I consider correct. I know, Mr. President, that you are a loyal citizen, and that if the flag of our country is assailed, even though your hair be whitened with age, and the elasticity of youthful feeling gone, yet I believe in my soul you would be willing to gird on your sabre to-day and march in defense of your country. So I believe that *you* would, gentlemen of the Convention. As for my humble self, I have every reason to believe that my grandfather served in the Revolutionary war six years and six months. I have every reason to believe that my own father served in the war of 1812, twelve months; and there is one thing I did—that is, that I had the honor of commanding a company in the Mexican war in defense of that flag; and if there is any one desire which I have above any other desire, it is this, that I may have the good fortune to raise one child who, when the flag of my country is assailed, may gird on the sabre or shoulder his musket, and march in defense of the flag of his country, there to inscribe upon that banner the loyalty of the Foster family to this Government.

Mr. GIVENS. Mr. President, I am in favor of the amendment of the gentlemen from Clay, but for reasons different from many gentlemen in this Convention. Coercion is wrong in itself, in my view, because I think the seceding States had a right to separate themselves from this Union. Coercion is wrong, also, because it would destroy all hope of proper adjustment. But as to the right of a State of this Union to dissolve its political connection with the Federal Government, the Convention of 1787, which formed the present Constitution, expressly denied to the General Government the power of coercion by military force, of any of the States under any circumstances, whatever. Gentlemen concede this; still they say there is no express power in the Constitution, of secession. I have only to say that if there was no power of a State to separate from the Union, why ask that the Constitution should contain a provision for coercion? The very statement of the question implies the right of separation. Gentlemen concede the great inherent right of every State, of every independent political organization, to judge for itself as to its own political destiny: the inalienable right of self-government, which existed before the formation of human constitu-

tions, and of human laws, the great principle which underlies all republican institutions. If the seceding States have but exercised that right, which never was yielded in the formation of the Constitution, can it be said that they have acted in violation of that instrument. But, Mr. President, in my judgment it matters but little whether the States have withdrawn from this Union under a constitutional or revolutionary right: we have to deal with the great fact that seven States have actually withdrawn from the Union, and have formed an independent republic, and are now performing all the ordinary functions pertaining to independent governments. Does it matter, so far as adjustment is concerned, whether the separation took place under the one right, or the other. No man more deeply deplores this state of things than I do; no one desires a reunion upon principles just and proper, more than I do; but Mr. President we have been told that the causes which impelled the separation of these States, are more imaginary than real. Is that true, sir. I imagine that the cause of separation is deeper than many gentlemen suppose. It may not as yet have resulted in any great injury to the seceding States. What great injury had our fathers sustained in the imposition of a few *pence* duty upon tea imported into the colonies? It was not the mere loss then suffered which impelled the colonies to take the step they did. Ah, no sir, it was a motive much higher, it was a resistance to a right asserted by the British throne, that Parliament had the right to tax the colonies, when they had no representation in that Parliament; but it is said, sir, that the causes which have separated the seceding States, are imaginary. I will not undertake to enumerate the causes; they are set forth in the minority report of the Committee on Federal Relations, with a force and truth to my mind conclusive. The seceding States have acted upon the high principle of resistance to violations of the Constitution by the North, without regard to the actual injury which may have resulted from such violations, but I do not believe, sir, that the injuries are merely imaginary. The fugitive slave law, enacted in pursuance of provisions of the Constitution, has been deliberately set at naught by the people of the North; it is to-day worse than no law; it but lures him into the non-slaveholding States in pursuit of his property, which in ninety-nine cases out of a hundred, is utterly fruitless—but that is not all, he is cast in prison, under the provisions of their personal liberty laws: but all this is merely imaginary, in the estimation of many gentleman on this floor. But Mr. President, I am no advocate of war. Ah, no sir, far from it. It is a fearful thing to break up a Government like this. I shudder when I look at the dark picture of blood, presented in internecine strife. In view