THE PRINTER.

Blow, ye stormy winds of winter,
Drive the chilling drifting snow,
Closely housed, the busy Printer
Heeds not how the winds may blow.

Click, click, his type go dropping,
Every comfort mortals need,
For our nights were dull in winter,
Had we not the news to read.

Sad would be the world's condition
If no Printer-boys were found—
Ignorance and superstition,
Sin and suffering, would abound.

Yea, it is the busy Printer
Rolls the car of knowledge on,
And a gloomy mental winter
Soon would reign if he were gone.

Money's useful; yet the winters
Fill not half so high a place
As the busy, toiling Printers,
Flinging type before the case.

Yet while the type they're busy setting,
Oft some thankless popinjay
Leaves the country, kindly letting
Printers whistle for their pay.

Oh! ingratitude! ungracious!
Are there on enlightened soil,
Men with minds so incapacious,
As to slight the Printer's toil?

See him! how extremely busy,
Flinging type before the case,
Toiling, till he's almost dizzy,
To exalt the human race.

There's no compassion for the Printer,
Every Devil drives him on;
Spring and Summer, Fall and Winter—
Never finds his labor done.

KANSAS.

MAJORITY REPORT OF THE COMMITTEE ON TERRITORIES OF THE HOUSE OF REPRESENTATIVES.

WASHINGTON, May 29, 1856.

Mr. Grow, of Pennsylvania, representing the majority of the Committee on Territories, made the following report to-day:—

The Committee on Territories, to whom was ferred the constitution adopted by the people of Kansas on the 15th of December, 1855, and the memorial of the members of the Legislature, elected under its authority, praying Congress to admit "Kansas as a State into the confederacy," having had the same under consideration, beg leave to submit the following report:—

Since the adoption of the Federal Constitution eighteen States have been added to the Union, of which five were admitted without ever having passed through a Territorial existence.

Of the thirteen that have had Territorial governments five were admitted with constitutions formed without any previous act of Congress authorizing the same.

The power of Congress to admit States is of the most plenary character, and is confered by the constitution, (sec. 3. article 4) in these words: "New States may be admitted by the Congress into this Union." The time, mode and manner of admission, therefore, is left entirely to the discretion of Congress.

By the constitution it is only requisite that the proposed State should have a republican form of government.

The first question, then, that arises on the application of a State for admission, is, does its constitution secure a republican form of government? If so, would the welfare of its people and the general interests of the whole country be promoted by its admission?

To determine this, involves an inquiry as to the number of its population, the condition of its society, and the provisions of its constitution. A Territorial government under our system being limited in the exercise of political powers, and the people thereof greatly restricted in their action, should be continued only so long as the necessities which give rise to it last. During its existence the people do not choose their rulers, nor can they legislate without being subjected to the supervisory power of Congress over their acts.

Until the formation of a State government this supervision results not only from the power vested in Congress by the constitution itself, but from the nature of the government and the necessity of the case.

The settlers of a Territory, in the first instance feeble in numbers and widely separated, have to contest with the savage and wild beast the dominion of the wilderness, and for a time are not of sufficient numbers, strength or wealth to protect themselves alone against the uncivilized influences that surround them. Hence the federal government pays all the expenses of their legislation, builds their roads, erects their public buildings, appoints and pays the salaries of their executive and judicial officers, and, as a necessary consequence, must have supervisory power over their acts. Were it otherwise, Congress might be involved in unlimited expenditures for legalized purposes which it entirely disapproves.

While the capacity of men to govern themselves is the same, whether in a State or a Territory, their relations to the government are not the same; and it is no good cause of complaint to all the conditions incident to their new and changed position.

In the States they are members of an organized community which makes its own laws, elects its own rulers, and pays all the expenses thereof by levying and collecting its own taxes.—The people of a Territory do none of these acts, either one of which is an indispensable requisite of popular sovereignty. So long as they are unable for want of sufficient numbers and wealth to support a State government with all the tribunals necessary to secure life and property, they cannot exercise all the rights of an independent and sovereign people.

But when their numbers and wealth are sufficient to justify it, and the people desire to take upon themselves the responsibility and expense of a State government, there is no longer any occasion for the guardianship of Congress, and no reason why their request should be delayed or refused. Is the population of Kansas, then, sufficient to support an efficient State government without imposing excessive burdens of taxation upon its people?

Taking the estimate of the Secretary of the Territory, sent to the President, and by him communicated to Congress, the population of the Territory last October was twenty-five thousand.

If the increase for the last six months has been anything like the ratio of the six months preceding, the population of Kansas would now be about forty five or fifty thousand. Each month, from the excitement and stimulus given to emigration in all parts of the Union to this Territory, adds largely to its numbers.

The amount of population necessary for the admission of a State being left by the constitution wholly to the discretion of Congress, its action in reference to it having varied in almost every instance, affords no uniform precedent.

Tennessee, admitted June 1, 1796, had, by the census of 1790, a white population of 32,013.

Indiana, admitted December 11, 1816, had, by the census of 1810, a white population of 23,890.

Louisiana, admitted April 8, 1812, had, by the census of 1810, a white population of 34,311.

Mississippi, admitted December 10, 1817, had, by the census of 1820, three years after her admission, a white population of 42,176.

Missouri, admitted march 2, 1821, had, by the census of 1820, a white population of 55,988.

Arkansas, admitted June 15, 1836, had, by the census of 1830, a white population of 25,671.

Florida, admitted March 3, 1845, had, by the census of 1840, a white population of 27,943.

The population of Kansas, from the most reliable sources of information, is nearly or quite equal to the present fractional ratio for a member of Congress in the States, and greater than that of many of the States by the last census preceding their admission into the Union, so there can be no valid objection to her admission on account of insufficient population.

Congress being the only power that can establish a Territorial government, it follows that such government must at all times be subject to the control of Congress, and can be changed, modified, or abrogated, only by consent of Congress.

But it is immaterial whether that consent be expressed before or after the action of the people of the Territory in changing their Territorial government to a State.

In a majority of cases, prior to the action of the people, Congress has, it is true, passed an act authorizing them to call a convention, although it was not done in the case of Tennessee, Arkansas, Michigan, Florida or Iowa; nor is it absolutely necessary in any case. An enabling act has never been deemed indispensable for the people to act, and no evil has ever resulted from its omission.

The principle can give validity to the action of the agent in all cases, either by prior authority or by recognition subsequent thereto. General Jackson, in replying through B. F. Butler, his Attorney General, to a letter of the Governor of Arkansas, asking of the President instructions as to his duty in preventing the people of that Territory from holding a State convention without authority of Congress or of the Legislature, says:—

'They undoubtedly possess the ordinary privileges and immunities of citizens of the United States. Among these is the right of the people "peaceably to assemble and to petition the Government for the redress of grievances." In the exercise of this right the inhabitants of Arkansas may peaceably meet together in primary assembly or in convention, chosen by such assemblies, for the purpose of petitioning Congress to abrogate the Territorial government, and to admit them into the Union as an independent State.

The particular form which they may give to their petition cannot be material so long as they confine themselves to the mere right of petitioning, and conduct all their proceedings in a peaceful manner. And as the power of Congress over the whole subject is plenary and unlimited, they may accept any constitution, however framed, which in their judgment meets the sense of the people to be affected by it.

If, therefore, the citizens of Arkansas think proper to accompany their petition by a written constitution, framed and agreed on by them in primary assemblies, or by a convention of delegates chosen by such assemblies, I perceive no legal objection to their power to do so.'

As to the power of the Territorial Legislature to confer any authority, he says:—

'It is not in the power of the General Assembly of Arkansas to pass any law for the purpose for electing members to a convention to form a constitution and State government, nor to do any other act, directly or indirectly, to create such new government. Every such law, even though it were approved by the Governor of the Territory, would be null and void.'

In 1835 the people of Michigan, after repeated failures to obtain an act of Congress authorizing a Sate Convention, called one themselves without any such authority, elected delegates, formed and adopted a constitution, and under it elected State officers, United States Senators and a representative to Congress, and at the ensuing session of Congress presented their application for admission as a State into the Union. Congress, on the 15th of June, 1836, admitted her, on condition that her people, in a convention to be called for that purpose, should assent to a change of boundary, which assent, when obtained, the President was to announce by proclamation, and thereupon Michigan was to become one of the States of the Union without any further legislation. The State Legislature called a convention to consider the terms fixed by Congress for her admission, and provided for the election of delegates; but that convention so called, and represented by delegates from every county in the State, rejected the terms of admission.

Their action was not satisfactory to a portion or a 'party' of the people, and they, without any legislative act whatsoever, called another convention and accepted the terms of admission proposed by Congress, though the people of large sections of the State refused to take any part in this convention, regarding it as illegal and revolutionary.

The proceedings of both conventions were sent to General Jackson, who communicated them to Congress by message, in which he says:—

'The first convention was elected by the people of Michigan pursuant to an act of the State Legislature passed on the 25th of July last, in consequence of the above mentioned act of Congress, and that it declined giving its assent to the fundamental condition prescribed by Congress, and rejected the same.

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The second convention was not held or elected by virtue of any act of Territorial or State Legislature. It originated from the people themselves, and was chosen by them in pursuance of resolves adopted in primary assemblies, held in their respective counties.'

Yet, in view of all these circumstances, the President declared that if the proceedings of this last convention had reached him during the recess of Congress he should have issued his proclamation, as required by act of Congress; but as Congress was then in session, he submitted the proceedings of both conventions for its action.

Under these circumstances, Michigan was admitted into the Union by act of Congress, passed January 26, 1837, by a vote of 153 to 45 in the House, and but 10 votes against it in the Senate.

The people of Kansas, with far greater reasons than ever existed heretofore in any case for a departure from the usual forms of proceeding, following the precedent of Michigan and other States, and acting in accordance with the constitutional exposition of General Jackson and other eminent cotemporaneous statesmen as to their rights, met in convention, formed a State constitution, and now present their action for the approval of Congress.

Does the constitution presented meet the approval and sense of the people to be affected by it? If so, is it expedient, under all the circumstances, to grant their application at this time?

A proper solution of these questions requires a brief review of the history of Kansas.

An act of Congress for the organization of the Territorial government of Kansas was passed May 30, 1854. The passage of this bill inaugmented a new policy in the settlement of our unoccupied territories. For the first time in the history of the government, a restriction on the extension of slavery was stricken from the statute book.

The policy in reference to the Territories introduced by the fathers of the republic, and continued by the uniform action of the government for more than sixty years, was to exclude slavery from all territory where it had not an actual existence, and to regulate and even restrict it where it had.

On the 13th of July, 1787, the Congress of the confederation declared, in the language of the proviso offered by Jefferson in 1784, that in all the territory northwest of the river Ohio 'there shall be neither slavery nor involuntary servitude otherwise than in punishment of crimes whereof the party shall have been duly convicted.' At the first session of Congress after the adoption of the constitution, this ordinance, which covered every foot of territory then owned by the federal government, was, by a unanimous vote, recognized and continued in force by act of Congress approved by Washington.

On the 7th of April, 1798, Mississippi was organized into a temporary government out of territory ceded by South Carolina and Georgia, both slaveholding States. Yet the importation of slaves therein from any place without the limits of the United States was prohibited under a penalty of three hundred dollars and the freedom of the slave.

This restriction on slavery in a slaveholding Territory ten years before Congress was permitted by the constitution to prevent the importation of slaves into the States, passed without a division in either house, and was approved by John Adams.

During his administration Indiana was organized into a Territory, and slavery prohibited therein.

On the 26th of March, 1804, the Territory of Orleans, now the State of Louisiana, was organized out of a part of the Louisiana purchase, over the whole of which the French law of slavery extended. Yet Congress prohibited the introduction of any slaves into the Territory from any place without the limits of the United States, or that had been imported since the 1st of May, 1798; and provided, in addition, that no slaves should be taken into the Territory from any place, except by a citizen of the United States removing into said Territory for actual settlement, and being at the time of such removal *bona fide* owner of such slave.

The penalty for a violation of either one of these prohibitions was the freedom of the slave and a fine of three hundred dollars. This act was signed by Jefferson.

Michigan and Illinois were both organized during his administration, each with a total prohition of slavery.

On the 4th of June, 1812, the Territory of Missouri was organized with the three restrictions on the importation of slaves that existed in the Territory of Orleans. Both these acts were signed by Madison.

On the 3d of March, 1817, Alabama was organized with the laws in force in the Territory of Mississippi, by which the introduction of slaves imported from any place without the United States was prohibited.

On the 2d of March, 1819, the Territory of Arkansas was organized out of part of Missouri Territory, and the laws of the latter continued in force.

On the 6th of March, 1820, the Missouri Compromise was passed in an act authorizing the people of Missouri to form a State constitution.

On the 30th of March, 1822, Florida was organized, with a prohibition on the introduction of any slave imported from any place without the United States. These three acts were signed by Monroe.

On the 20th of April, 1836, Wisconsin was organized as a Territory, with a prohibition on the existence of slavery, and the act was approved by Jackson.

On the 12th of June, 1838, a similar act was passed for Iowa, and signed by Van Buren.

The act organizing the Territory of Oregon prohibited slavery, and was signed by Polk.

Five times during the Territorial existence of Indiana did Congress refuse the prayer of her citizens for a temporary suspension of the prohibition of slavery within her limits, for the reason assigned by Mr. Randolph, of Roanoke, chairman of one of the committees to whom the memorial praying for the suspension was referred:—

'That the committee deem it highly dangerous and inexpedient to impair a provision wisely calculated to promote the happiness and prosperity of the northwestern country, and to give strength and security to that extensive frontier.'

The constitutionality of this uniform action of the government in prohibiting or restricting slavery in the Territories, beginning with the first Congress and extending with an uninterrupted current of authority for so long a period, has been sustained by the decisions of the courts of almost all the States, both free and slave, and by the highest judicial tribunal of the land.

Well might Mr. Clay, in speaking on this subject in the senate of the United States, on the 5th of February, 1850, after declaring that in his opinion the power over the subject of slavery in the Territories exists in Congress, say:—

'That when a point is settled by all the elementary authorities and by the uniform interpretation and action of every department of our government—legislative, executive and judicial—and when that point has been settled during a period of fifty years and was never seriously disturbed until recently, I think that if we are to regard anything as fixed and settled, under the administration of this constitution of ours, it is the question which has been thus invariably and uniformly settled; or are we to come to the conclusion that nothing—nothing upon earth is settled under the constition but the principle that everything is unsettled?'

The settlement of this question, as left by the compromise of 1820, would have prevented the present strife and civil war in Kansas, and preserved the country in its wonted repose.

Yet, instead of leaving this Territory, as it had been for more than a third of a century consecrated to freedom by all the solemnities that can surround any legislative act—instead of adhering to the policy established by the fathers of the republic, and continued by the uniform action of the government for more than half a century, of settling in Congress the question of the future existence of slavery in a Territory at the time of organizing its temporary government, all restrictions were thrown off, and the existence of slavery was left as a bone of contention for the settlers of the Territory, during its territorial existence, and to be thrown back again into Congress whenever the State should apply for admission. The act itself virtually invited slavery to take possession, by removing all barriers to its introduction.

The object of the repeal, sufficiently apparent, even if it had not been avowed at the time by many of its advocates, was to extend, strengthen and perpetuate slavery, by making Kansas a slave State. Under these circumstances, this Territory, once secured to freedom, was thrown open to settlement and to competition between free and slave labor.

Emigrants from all sections of the Union, relying on the faith of the government that they were to be left "perfectly free to form and regulate their domestic institutions in their own way," made it their homes; but when, in pursuance of the forms of the organic act, they assembled to elect a Legislature which would mould the institutions of the Territory and in a great measure shape and control the character of those of the infant State, they were driven by violence from the polls, and their ballot boxes seized by organized bands of armed men from the State of Missouri. That such was the case is clearly established by the executive minutes of the Governor of the Territory, transmitted to this House by the President, which is the authentic and official record of the transactions at the time they occurred, and from which we present the following extracts: