

[From N. Y. Herald, July 3 and 5.]

THE ADMISSION OF KANSAS.

SENATE.—THIRTY-FOURTH CONGRESS.
THIRD SESSION.

WASHINGTON, July 2, 1856.

The bill for the admission of Kansas, reported by the Committee on Territories, was taken up.

Mr. Wade, (nigger worshipper) of Ohio, said he stood up to advocate no new doctrine, but the great principle of equal rights to all men, black and white. That was the doctrine of the fathers of this republic. He then alluded to the passage of the compromise measures of 1850, which were called finality measures, and said the democratic party had put the present administration into power upon a platform pledging them to resist slavery agitation. He did not know how they intended to resist, whether with bludgeons or otherwise. However, they had no right to resist the agitation of any subject pertaining to this government. He stood here to resist all attempts to infringe the right of free speech, whatever might be the consequences. He opposed the bill under consideration. In conclusion, he criticized the political course of his colleague.

Mr. Pugh (dem.) of Ohio, replied, and said Mr. Wade had used language not becoming a gentleman, nor a Senator, nor a black republican, but language becoming a blackguard. (Sensation.)

The Chair called Mr. Pugh to order, and proceeding with his remarks.

Mr. Pugh said Mr. Wade had no right to charge him with loving slavery and hating liberty. He continued at some length sharply retorting upon Mr. Wade.

Mr. Biggs, (dem.) of N. C., said it could not be disguised that there was an evident foreshadowing in Mr. Wade's remarks of a determination among the party to which the latter belonged, if they cannot succeed at the ballot box, to pull down the fair fabric of liberty consecrated by the blood and sacrifices of our forefathers. He (Mr. Biggs) advocated the bill under consideration.

Mr. Clayton (K. N.) of Del., at five o'clock said he desired to speak, but did not care about addressing only a dozen Senators; and under these circumstances he moved an adjournment.

The motion was negatived.

The question was taken on Mr. Adams' motion to strike out the clause giving the right of suffrage to all persons who shall have filed their declaration of intention to become citizens of the United States, in compliance with the naturalization laws.

No quorum voting, on motion of Mr. Douglas (dem.) of Ill., the Sergeant-at-Arms was directed to compel the attendance of absent members.

After a pause of fifteen minutes, during which absentees occasionally entered,

Mr. Bell, (national) of Tenn., asked whether the decree for a night session was irrevocable and unalterable.

Mr. Douglas asked whether the decree to break up a quorum was irrevocable.

Mr. Bell—Does the Senator allude to me?

Mr. Douglas—Does the Senator allude to me?

Mr. Bell—I do.

Mr. Douglas—We heard and overheard that it was the design to break up a quorum. Never has so much time been given for debate as on the Kansas question. We want to end the discussion. When the bill was up on Monday, not one Senator who is now trying to deprive the Senate of a quorum spoke, yet they complain that there is not time enough allowed for debate.

Mr. Bell—I do not stand here to defend or explain the conduct of Senators. I asked a civil question, and a parliamentary one.

The Chair said the debate was out of order. Mr. Bell—I have nothing unfair to disguise. I am anxious this bill should pass, but with some modification.

Mr. Douglas, a quorum now being in attendance, again called for a vote on Mr. Adams' amendment, which was adopted, the vote being as follows:—

Yeas—Messrs. Adams, Bayard, Bell of Tenn., Biggs, Brodhead, Brown, Clay, Clayton, Collamer, Crittenden, Fessenden, Fitzpatrick, Foot, Foster, Geyer, Hunter, Iverson, Mallory, Mason, Reid, Thompson of Ky., Yulee—22.

Nays—Messrs. Allen, Bigler, Butler, Bright, Cass, Dodge, Douglas, Evans, Jones of Iowa, Pugh, Seward, Slidell, Toombs, Weller, Wilson, Wright—16.

Mr. Wilson, (nigger worshipper) of Mass., moved to strike out all after the enacting clause in the bill and insert, "all acts passed by the Legislature of Kansas, or any assembly acting as such, be, and the same are hereby, abrogated and declared void and of no effect."

Mr. Crittenden, (K. N.) of Ky., said it seemed to him that some explanation was required. Was the remedy for the disturbances in Kansas complete and entire?

Mr. Wilson replied that in his judgment the bill was to make Kansas a slave State. The report just made to the House shows that there were forty-nine hundred Missourians forced on the people of that Territory, and that it was the Legislature, which passed inhuman and unchristian enactments, that occasioned all the trouble. His proposition was designed as a preliminary to other legislation to protect the people in their rights and punish all violations of the laws of the country.

Mr. Weller, (dem.) of Cal.—The proposition is to repeal all laws and settle the dispute by physical force.

Mr. Toombs, (national) of Ga.—That's a good way. Nobody objects to that.

Mr. Seward, (nigger worshipper) of New York, said he would with the greatest pleasure vote for Mr. Wilson's amendment. The present bill can have no other tendency and effect than to confirm the success of the object of the passage of the law abrogating the Missouri compromise, and form a slave State out of Kansas. There is no code, there are no laws and no legal society in Kansas other than that of the organic act of 1854. The government of that Territory is a usurpation and tyranny, and there are no legal nor moral obligations to treat it with the least respect. The House, more true to freedom than the Senate, sent a commission thither, whose report establishes these facts beyond all question. The day for compromises has ended.

Mr. Toombs—I am glad of it.

Mr. Seward—And so am I: henceforth we take our stand on the constitution.

Mr. Toombs (interrupting)—On the higher law.

Mr. Seward (continuing)—They who stand there are firm, and those who do not are on a slippery and unsubstantial foothold.

Mr. Toombs—I think so when you get on the higher law.

Mr. CRITTENDEN regretted exceedingly to hear Mr. Seward say that the day of compromise had gone by. The form of the bill might not be altogether satisfactory to the gentleman, but it is offered to him in a liberal spirit. Yet he has declared his intention to accept no amendment to render it more satisfactory and conciliatory. The proposition of Mr. Wilson would increase, to a boundless extent, the existing evils. He (Mr. Crittenden) would compromise to the last moment of time, provided they could preserve the original principles on which the government was erected. The present crisis demanded of every Senator serious and solemn consideration. He earnestly appealed to gentlemen to come forward in a liberal spirit, and do justice to all sections of the country. He almost despaired when those from whom he had expected so much seemed disposed to do so little.

Mr. CLAYTON said he had served long in public life, but never, from the first day that he entered this hall, had he believed the country in as much danger as now. His desire was to offer gentlemen on both sides compromise. Alas! this day they had heard a word dear to the American statesman treated with levity. They had been told that the time for compromise was passed. If so the period of duration of this republic is gone. The constitution of the United States was a compromise. Every bill passed is a compromise. Men could not live in civil society or private life without compromise. If we have arrived at the determination that we will never compromise again, we may as well throw our constitution to the winds. In a spirit of compromise he had introduced a bill to abrogate all laws in Kansas manifestly unjust, including those regulating elections, requiring an oath to support the fugitive slave law and abridging the liberty of speech and the press. He explained his proposition and predicted that if the bill now pending should become a law, the application of Kansas for admission as a State into the Union next session, would produce an excitement greatly exceeding the fury and violence of 1820. He preferred that Kansas should undergo pupillage before her admission as a State.

Mr. HALE said, one objection he had to the bill was, that he was not willing to entrust its execution to the present executive, in whom he had not the slightest confidence. If the Senator from Kentucky had such a high opinion of compromises—that they will come with healing on their wings to the whole nation—if such is his belief as to what compromise will do, why was it not the first dictate of patriotism, prudence and justice to see what the effect will be of restoring the great compromise of 1820. He believed with Mr. Crittenden, that these were perilous times.

Mr. Toombs believed that Mr. Seward and his coadjutors wanted grievances of discord and nothing but revolution to obtain power. He would offer to the country the evidence of these facts: When he (Mr. Toombs) submitted the pure ballot box with all that honor could throw around it—with the entire military force of this great country to protect it—he was met by the tender from Mr. Wilson, backed by Mr. Seward, of the cartridge box. If he believed they represented the feelings of the North he would withdraw his bill and accept that issue. If he believed the free States were ready for that, he would be content. He had no compromise to offer, but principle—but he did not believe that these men here represented the feeling of the North. He did not know what claim they had to speak for the North. He had no higher law. He despised the man who had. He looked upon him as a wretch who would steep his conscience in perjury in order to get advantages of place.

Mr. BIGLER, (dem.) of Cal., could scarcely imagine that Mr. Wilson's amendment was to be pressed on the consideration of the Senate, and was seriously intended as a remedy for existing evils. He believed that one of the reasons for offering it was to place those who vote against it in the attitude of sanctioning all laws which exist in Kansas. He regarded the pending bill as the best measure for restoring peace and order in Kansas.

Mr. WILSON would say to Mr. Crittenden, that if this bill should pass it will not meet the object gentlemen profess to have in view. He believed that the bill intended to crown the labors of the last six months, and make Kansas a slave State. The Senator from New York was rudely assailed because he declared his opposition to compromise on the question of slavery, in which the North had always been defrauded and cheated. Freemen from the North have been driven out of that Territory—have been ordered out by you.

Mr. CRITTENDEN—Not me.

Mr. Wilson—I will say the masters of Kansas and the masters of this administration—the border ruffians of Missouri, the men who conquered the

Territory—and the men who govern at the other end of the avenue, if they do not govern here.—He defended the free State movements in regard to Kansas. He said, among other things—Withdraw Governor Shannon, and send there an honest, sober and competent man to execute the laws. What he told the Senate on the 18th of January last had come to pass. Governor Shannon has made civil war, and been wandering up and down the Territory, telling women if he could find their husbands he would cut their damned hearts out. He defended himself and his coadjutors from the charge of Mr. Toombs, that they were traitors, enemies to liberty, and hostile to the institutions of the common country. He then descanted on the principles and fair prospects of the republican party.

Mr. Bigler wished to know what Mr. Wilson meant by applying to him the term of jubilant Senator. (Laughter.)

Mr. Wilson explained, that he referred to the exultant tone in which Mr. Bigler spoke yesterday of Mr. Buchanan being elected to the Presidency, while he invited the Senator from Kentucky (Thompson) to get into the boat before it was full.

Mr. Bigler was satisfied with the explanation, because the remark was confined to a particular case. If Mr. Wilson thought he was in that humor under his speech, there was a mistake.

Mr. Wilson did not suppose that Mr. Bigler would be jubilant after the November election.—(Laughter.)

In answer to the eulogium of Mr. Toombs on His Honor President Pierce, he said that he (Pierce) stood before the Cincinnati Convention with the blood of the murdered people of Kansas dripping from his hands: but after doing slavery's work he was flung, like a worthless thing, away. He did not want any more of that man's control in Kansas, as the pending bill proposed.

Mr. Clayton maintained that the Missouri compromise was an unconstitutional provision originally, and quoted the authority of Madison, not heretofore presented to the Senate.

Mr. Trumbull, (nigger worshipper) of Ill., said that many features of the bill met his approbation. It contained, as an assumption of power, that Congress had the right to govern the Territories, and repudiated squatter sovereignty. There was no such thing as sovereignty and self government in the Territory, and he was glad the Committee on Territories had at last come to this conclusion. In condemning the affairs of Kansas, he said there was no such thing as constructive treason, and yet the leaders of the free State party are in prison under this trumped up charge. The officers there are acting out the designs of the men who invaded the Territory. He then gave his objections to the bill, saying if it should pass it would not give peace to Kansas.

He hoped his tongue might cleave to the roof of his mouth and his right hand forget its cunning, if he ever voted for the admission into the Union of a State upon which slavery had been forced by fraud and violence. Never, so help him God! and he did not believe the people of the country would. Two things must be done to give peace—exclude slavery from Kansas while a Territory and give the people a fair election, and if they establish slavery their admission as a State might be assented to; and then abolish all odious and infamous laws.

It was now midnight.

Mr. Bell, of Tenn., said every gentleman who had looked into the question must know that this agitation will continue to go on until finally settled by the admission of Kansas as a State into the Union. If he had the power he would crush this hydra-headed monster at once, so it should not go into the Presidential election. The bill pending meets the case too promptly. The time is too short for its execution. During the turbulence of the Presidential election the measure was not likely to give satisfaction to the country. He did not believe that any measure could be adopted that would give entire satisfaction. He preferred Mr. Clayton's bill, leaving out the federal ratio of representation. Abolish and abrogate the unjust and obnoxious laws, and let the people go on under the provisions of that bill to establish a State government, and, meanwhile, elect a new legislative assembly.

Two o'clock, a. m.

At half-past twelve o'clock Mr. Crittenden moved for an adjournment, but Mr. Douglas and others on his side of the question, who had been regaling in private rooms, came in and voted down the motion, by ayes 9, noes 22, and then retired.

About two dozen persons are in the galleries, some of them asleep.

A few of the Senators are snoozing in the lobby on sofas, and others in their chairs.

In the meantime Mr. Bell discussed the admission of States into the Union in connection with the slavery question.

Thirty-five minutes past Two o'clock, a. m.

Mr. Johnson said it was a late hour, and the same might have been said two hours ago.—(Laughter.) If they could have a moment of silence amidst this profound sighing and deep breathing (laughter) he trusted the Senate would come to a vote.

Mr. Seward said, generally a session lasted three or four hours, but the present session had already occupied fourteen. He would say to Mr. Crittenden he was not against all compromises, but against a compromise involving moral right, political justice, or high political expediency. By no act of his should any man be held or kept in slavery. On this he could not compromise.

Mr. Seward is still speaking. The prospects are that the session will continue till daylight, as the majority are evidently determined to vote on the bill before adjournment.

Fifteen minutes past Four a. m.

Mr. Seward advocated his bill for the admission of Kansas with the Topeka constitution.

Mr. Reid replied to Mr. Seward's remarks relative to slavery, saying that when a majority of the people of the North become prepared to ex-

force the doctrine declared by Mr. Seward, this Union cannot last one hour longer.

Several amendments, of comparative unimportance, were adopted, and others rejected.

Mr. Geyer offered an amendment, that no law shall be made or have force or effect which shall require a test or an oath to support any act of Congress or other Legislative act as a qualification for any civil office or public trust, or for any employment or profession, or to serve as a juror, or vote at an election, or which shall impose any tax upon or condition to exercise the right of suffrage by any qualified voter, or prohibit free discussion of any law or subject of legislation in the Territory, or a free expression of opinion thereon by the people of the Territory.

This amendment gave rise to a debate involving the question of 'Squatter Sovereignty,' and whether Congress ought to interfere with the people in the settlement of their own affairs.

Mr. Cass said some of the acts passed by the Legislative Assembly of Kansas were disgraceful to the age. How could the people properly pass laws unless they have the right of free discussion?

The amendment was adopted by yeas 40, nays 3.

Mr. Wilson's amendment to abrogate and declare void all acts passed by the Legislature of Kansas was rejected by yeas 8, nays 35.

Mr. Seward offered a substitute, admitting Kansas with the Topeka Constitution. Rejected.—Yeas 11, nays 36.

The bill was passed by 33 yeas against 12 nays.

Mr. Cass said, regarding the bill as of great importance, he moved that 10,000 copies of it be printed. Adopted.

At 8 o'clock a. m. the Senate adjourned.

Kansas Investigating Committee.

Our readers will doubtless remember that the House of Representatives appointed three of their number a committee to proceed to Kansas and investigate the state of affairs in that Territory. The result has been two voluminous reports to the House, concluding as follows:—

MAJORITY REPORT.

WASHINGTON, July 1.

Your committee report the following facts and conclusions as established by the testimony:—

First—That each election in the Territory held under the organic or alleged Territorial law has been carried by organized invasions from the State of Missouri, by which the people of the Territory have been prevented from exercising the rights secured them by the organic law.

Second—That the alleged Territorial Legislature was an illegally constituted body, and had no power to pass valid laws, and their enactments are, therefore, null and void.

Third—That these alleged laws have not, as a general thing, been used to protect persons and property and to punish wrong, but for unlawful purposes.

Fourth—That the election under which the sitting delegate, John W. Whitfield, holds his seat, was not held in pursuance of any valid law, and that it should be regarded only as the expression of the choice of those resident citizens who voted for him.

Fifth—That the election under which the contesting delegate, Andrew H. Reeder, claims his seat, was not held in pursuance of law, and that it should be regarded only as the expression of the choice of the resident citizens who voted for him.

Sixth—That Andrew H. Reeder received a greater number of votes of resident citizens than John W. Whitfield, for delegate.

Seventh—That in the present condition of the Territory a fair election cannot be held without a new census, a stringent and well-guarded election law, the selection of impartial Judges, and the presence of United States troops at every place of election.

Eighth—That the various elections held by the people of the Territory preliminary to the formation of the State government, have been as regular as the disturbed condition of the Territory would allow; and that the constitution passed by the Convention, held in pursuance of said election, embodies the will of a majority of the people.

As it is not the province of your Committee to suggest remedies for the existing troubles in the Territory of Kansas, they content themselves with the foregoing statement of facts.—All of which is respectfully submitted.

WM. A. HOWARD,
JOHN HERMAN.

MINORITY REPORT.

July.

In conclusion, the undersigned begs to report the following facts and conclusions, as he believes, established by the testimony and sanctioned by the law:—

First—That at the first election held in the Territory under the organic act, for delegates to Congress, Gen. John W. Whitfield received a plurality of the legal votes cast, and was duly elected such delegate, as stated in the majority report.

Second—That the Territorial Legislature was a legally constituted body, and had power to pass valid laws, and their enactments are therefore valid.

Third—That these laws, when appealed to, have been used for the protection of life, liberty, and property, and for the maintenance of law and order in the Territory.

Fourth—That the election under which the sitting delegate, John W. Whitfield, was held, was in pursuance of valid law, and should be regarded as a valid election.

Fifth—That as said Whitfield, at said election, received a large number of legal votes