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The learned Senator from Massachusetts, I apprehend, has made a very radical mistake in regard to the application of this language of the French constitution. The French language was used in the original constitution of the French republic of 1791, to abolish slavery and to provide for its abolition. It is a constitutional provision relating to the political rights of Frenchmen, and nothing else. It was to enable all Frenchmen to reach positions of eminence and honor, and to have the right of property. It was never intended for no other purpose whatever. It was never intended there as a means of abolishing slavery at all. The Convention of 1791 abolished slavery by another and separate decree expressly putting an end to slavery within the dominions of the French republic.

Now, sir, I wish as much as the Senator from Massachusetts in making this amendment to use significant language, language that cannot be mistaken or misunderstood; but I prefer to discriminate all reference to French constitutions or French codes, and go back to the good old Anglo-Saxon language employed by our Fathers in the ordinance of 1787, an expression which has been adjudicated upon repeatedly, which is perfectly well understood by the people in the United States, and which is identified with the constitution of the Constitution, and which is well comprehended by the people of the United States, and that no court of justice, no magistrate, no person can misinterpret it, and that would carry the meaning and effect of that clear, brief, and comprehensive clause. I hope we shall stand by the report of the amendment.

Mr. SUMNER. My proposition is withdrawn, the Chair understands.

Mr. DAVIS. I was going to make one remark in relation to the proposed verbiage of the Senator from Massachusetts. I think that Senator and all Senators ought to be very guarded in the terms they adopt when they take $500,000,000 of property from other people, in which they have no interest themselves, and propose to given them no compensation for it. When the Parliament of England liberated the slaves in the West Indies they appropriated $20,000,000 as compensation to their owners.

The Senate is not of no property of that value ever voluntarily disposed themselves of. Whenever any such legislation as that has taken place in the United States it has been done by legislative enactment, and by a people that did not own the property. If at the commencement of the war of 1812 a proposition should come from this Senate to make a change of the Constitution, to take all the shipping interest of New England, and the other States that have been strong enough to carry such a measure in the form of legislation or amendment of the Constitution, there did not live a man within the States of New England at that time but what would have been in favor of such a proposal.

Here are these gentlemen, uninterested in slave property, and, with the exception of one or two in this Senate who actually come up and propose to amend the Constitution and take that property from a great number of people, and then make a better arrangement, more true to their Government, more true to the true principles of the Constitution and the Union, without making them one cent's worth of compensation. I am surprised that the question should arise, not a man like Senator Upham, nor Senator Sumner, nor Mr. Prescott, nor the proposition that I assume to be irrefragably true, that the power of amending the Constitution does not authorize the abolishing of slavery, or the power that the amendment is nonexistent. I deny that it carries every power which the amending power may choose to exercise. I deny that the power of the Congress has the power of revolution. It is an absurdity to say that this power of amendment will impart the power to change the Government. It is a power of amendment. It is a power of amendment, for there is no other word that can be found in opposition to it. It is a very beautiful operation, to be sure. They say to us, "We will take from you your property; we will make you no compensation for it; and we will do under the power to amend the Constitution." Sir, I do not believe the language of the Constitution. The General Government have not legislated, and were never intended to have, any jurisdiction or authority over the subject of property. What subjects should constitute property, how it should be regulated, whether it should exist and continue in one subject or be discontinued in another subject, are questions which were never intended to be intrusted to the General Government. That is a great and fundamental question, and one of a constitutional character. It is a question of the Constitution. The proposed amendment takes that principle to be in relation to but one subject of property of the entire Constitution. It is in relation to one subject of property, it may in relation to all. The power of amendment as now proposed to be exercised imports a power that would revolutionize the Constitution. The Government should not have the power to invest the amending power with a faculty of destroying and revolutionizing the whole Government. We do not say that the power of amendment, which is merely a power to reform, a power to improve, imports and authorizes the taking of property.

I think, if gentlemen are determined to abolish the property in slaves, they have as much right to do as to amend the Constitution as to make compensation to the owner of property as they have to deprive the owners of that property of them. If they think the abolition of slavery and the depriving of so many loyal owners of such a large amount of property is such an exercise of authority as that the permanent good of the nation can be the reason for it ought to have the grace, the justice, the magnanimity to make provision for a reasonable compensation to the owners of the property they take from them. They have as much power to make the compensation as they have to take the property from them.

But, Mr. Chairman, closing word, I make my protest against men who have no interest in such a large amount of property as the slave property owned by the loyal people of the United States, under the seizing to seize this property without any compensation, ruthlessly, unjustly, and in defiance of the guarantees of property and the right of the property being taken by force. They have as much power to make the compensation as they have to take the property from them.

Mr. DOO. Mr. Chairman, I should be glad if I had the time to reply to some of the remarks of the Senator from Kentucky; but I will forbear doing even that, hoping that the time may come. On some future occasion I may answer him.

The VICE PRESIDENT. The Senator from Massachusetts may withdraw his amendment, if he think proper.

Mr. SUMNER. It is entirely within my power, as the years have not been ordered. The VICE PRESIDENT. It is within the provision of the Senate to withdraw it without the consent of the Senate, as no vote has been had on it, and the year has not been ordered.
Mr. SAULSBURY. In offering these provisions, I wish to state that under the circumstances of the United States, I wish to say that there are embodied in them some things which, as a private citizen, I would not have embodied in the bill; but the bill is not my personal appraisement; but considering the situation in which we are placed and the character of the country, I believe that the joint resolutions are not unfair or unjust. The resolutions are well conceived and the spirit in which they are framed is commendable. I shall not speak of them personally, offer any compromise, or express any opinion, and I shall not make any speech in behalf of the propositions. They are not my own, but the sentiment of the people of the United States, and I submit them to the Senate for their consideration and their vote.

Mr. POWELL. The Constitution requires me, I believe, to take the question on the passage of such a resolution as this by yeas and nays. Before the vote is taken I think it due to myself to make a few remarks, so that my exact position in regard to this question can be understood.

It may be known to at least one or two gentlemen upon this floor that for more than a quarter of a century I have been the friend of freedom and free institutions in the Republic of which I am a citizen. It does not become any man to boast, but I have the right to say that in the far West, where I have lived and worked, the freedom of the press has been enjoyed by the people as a criminal, in the very year in which Lovejoy was killed at Alton, I, a stranger to all through the state of Illinois, have been an advocate of freedom of the press, and I now continue, and which opinions I have not changed, did myself march upon fifty miles of Union territory, and I am now an advocate of freedom of the press, and I now continue, and which opinions I have not changed, did myself march upon fifty miles of Union territory, and I am now an advocate of freedom of the press, and I now continue, and which opinions I have not changed.

I have no doubt the Senate from Indiana was correct when he stated yesterday that two hundred and fifty thousand of the people of African blood were in a state of insurrection, and that the insurrection was premature and destructive. This policy will injure them. It is a simple truth as has ever been taught by any administration. The absence of an act was the signal for the war, and the war was a signal for the people. It may have been that the people of the United States were not aware of the insurrection of the people of the United States.

Mr. McDougall. I desire to ask a question for the purpose of understanding a ruling of the Chair. The ruling, I understand, is that the vote as it stands now has no relation to the States not represented on the floor. I think our vote now must have relation to all the States as recognized under the Constitution.

The VICE-PRESIDENT. The Chair rules that a majority of all the States is a quorum, and two-thirds of the number voting, provided a quorum votes, is sufficient to pass any resolution proposing an amendment to the Constitution.

Mr. McDougall. I only desire the privilege of saying that such is not the opinion of the House of Representatives.