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CONGRESSIONAL PROCEEDINGS.

Kansas Affairs, &c.

WASHINGTON, June 30, 1856.

SENATE.—Mr. Douglas, from the Committee on Territories, to which was referred the various bills relative to affairs in Kansas, made a voluminous report on the subject. It contains an elaborate argument in favor of the new bill accompanying the report, which provides for the appointment of five Commissioners, to be selected by the President from different sections of the Union, to represent fairly all political portions [parties!] They shall take a census of all the voters in the Territory, and make a fair apportionment of Delegates, to be elected by each county, to form a Constitution and institute a State government.—When the apportionment shall have been made, the Commissioners are to remain in session every day except Sundays, at the place most convenient for the inhabitants of said Territory, to hear all complaints, examine witnesses, and correct all errors in said list of voters, which list shall be previously printed and generally circulated through the Territory, and posted in at least three of the most public places of each election district; and, so soon as all the errors have been thus corrected in said lists, the Commissioners are required to cause a corrected list of the legal voters to be printed, and copies furnished to each judge of election, to be put up at the places of voting, and circulated in every county in the Territory before the day of election, —no person to be allowed to vote whose name does not appear on the list as a legal voter; the election for Delegates to take place on the day of the Presidential election, and the Convention to assemble on the first Monday in December, to decide first, whether it be expedient for Kansas to come into the Union at that time, and, if so decided, to proceed to form a constitution and State government, which shall be of republican form. Kansas then to be admitted under such constitution on an equal footing with the original States. The bill provides further that no law shall be enforced in the Territory infringing the liberty of speech or of the press, or the right of the people to bear arms, &c. It also provides punishment for illegal voting or fraud and violence at elections, and authorizes the use of the military for that purpose. The main point is that the persons designated by the census as the present inhabitants of the Territory shall decide all points in dispute at a fair election without fraud or violence, or any other improper influence. All the white male inhabitants over 21 years of age are to be allowed to vote, if they have resided in the Territory three months previous to the day of election, and no other test shall be required; no oath to support the Fugitive Slave Law, or any other law, and no other condition whatever.

WASHINGTON, July 1.

SENATE.—Mr. Cass said, a very grave transaction has occurred on the Pacific coast, according to accounts just received, into which an examination ought to be made. Gov. Stevens of Washington Territory has proclaimed martial law, and has arrested a Judge of the District Court and sent him away some distance, thus closing the Court. Mr. Cass did not desire to prejudge the case, but it certainly seemed a great assumption of power. He submitted a resolution calling on the President for the facts in relation to the matter. Adopted.

Mr. Collamer submitted a minority report from the Committee on Territories on the Kansas question. The report was read and ordered printed.

The Kansas bill was then taken up.

Mr. Thompson (Kentucky) was to some extent favorable to the measure reported yesterday by the Committee on Territories, but would prefer to have the Government take strict measures with the Territories, and treat them as a certain father did his bad boys, giving them a flogging every morning because he knew they would do something wrong before night to deserve it. [Laughter.] He thought it ridiculous that a young Territory, only two years old, should set itself up against the lawful authority of its progenitor. He wanted the laws strictly enforced and enough military force to do it. He descanted on Col. Fremont's qualifications for the Presidency, alluded to the state of political parties generally, and dissected the various platforms. He was not satisfied with either the Republican or Democratic platform, but the Philadelphia platform was able, sensible, and patriotic—but still above all other platforms he preferred the Whig platform of 1852, and under a good old Whig banner he would live and die. He hoped all old line Whigs would follow his example and not stray away after false gods.

Mr. Bigler advocated the bill reported, yesterday, by the Committee on Territories as being the best remedy for the existing troubles in Kansas.

Mr. Hale liked the bill very well, and thought it was a much fairer proposition than could have been expected, considering the source from whence it emanated, but the difficulty was likely to be, that this Administration, in carrying it out, would not do so in a fair and impartial manner.—He pointed out other objections to the bill also.

Mr. Adams moved to amend the bill by striking out that part which gives 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.

Mr. Crittendon hoped the amendment would be adopted. He thought those foreigners who had declared their intention to become citizens had no more right to vote than those who made no such declaration. Adjourned.

JULY 2.—The bill for the admission of Kansas, reported by the Committee on Territories was taken up.

Mr. Wade 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 criticised the political course of his colleague.

Mr. Pugh replied, and said Mr. Wade had used language not becoming a gentleman, or a Senator, or 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 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, at 5 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. 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, 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, 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 that 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 that 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—ayes 22, noes 16.

Mr. Wilson 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 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 troubles. 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—The proposition is to repeal all laws and settle the dispute by physical force.

Mr. Toombs—That's a good way. Nobody objects to that.

Mr. Seward 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 or 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 (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 seem 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 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 might 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 of 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 pupilage before her admission as a State.

Mr. Hale said one objection he had to the bill was that he was not willing to intrust its execution to the presnt 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 coadjutor wanted grievances of discord, and nothing but revolution, to obtain power.

He would offer to the country the evidence of these facts. When he (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 content. He had no compromise to offer but principle—but he did not believe that those men here represented the feelings of the North. He did not know what claim they had to speak for the North. He had no "higher law." He despised the men 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 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 professed to have in view. He believed 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. Crittended—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.—Gov. 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. Tombs, that they were traitors, enemies to Liberty, and hostile to the institutions of the country. He then descanted on the principles and fair prospects of the Republican Party.

In answer to the eulogium of Mr. Toombs on 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 unconstutional provision originally, and quoted the authority of Madison, not heretofore presented to the Senate.

Mr. Trumbull said that many of the 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 man 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, then admission as a State might be assented to—and then abolish all odious and infamous laws.

It was now midnight.

Mr. Bell, of Tennessee, 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 abrgote 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.

JULY 3—2 A. M.—At 12½ 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 in their chairs. In the meantime,

Mr. Bell discussed the admission of States into the Union, in connection with the Slavery question.

JULY 3—2:35 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 profonud 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.

JULY 3—4¼ 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 became prepared to enforce 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 oath, 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 to vote at an election, or which shall impose any tax upon or condition to exercise the right of suffrage by any qualified voter, or which shall restrain or prohibit free discussion of any law or subject of legislation in the Territory, or 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 the following vote:

YEAS—Messrs. Allen, Bayard, Bell of N. H., Bell of Tenn., Benjamin, Biggs, Bigler, Bright, Brodhead, Cass, Clayton Collamer, Crittenden, Dodge, Douglas, Durkee, Evans, Fessenden, Foot, Foster, Geyer, Hale, Iverson, Johnson, Jones of Iowa, Pratt, Pugh, Reid, Sebastian, Seward, Slidell, Stuart, Thompson of Ky., Toombs, Toucey, Trumbull, Wade, Weller, Wilson, Wright.

NAYS—Messrs. Brown, Fitzpatrick, and Mason.

Mr. Wilson's amendment to abrogate and declare void all acts passed by the Legislature of Kansas was rejected by yeas 9, nays 35, as follows:

YEAS—Messrs. Bell of N. H., Collamer, Durkee, Fessenden, Foster, Seward, Wade, Wilson—8.

NAYS—Messrs. Allen, Bayard, Bell of Tenn., Benjamin, Biggs, Bigler, Bright, Brodhead, Brown, Cass, Clay, Clayton, Dodge, Douglas, Evans, Fitzpatrick, Geyer, Hunter, Iverson, Johnson, Jones of Iowa, Mallory, Mason, Pratt, Pugh, Reid, Sebastian, Slidell, Stuart, Thompson of Ky., Toucey, Toombs, Weller, Wright, Yulee—35.

Mr. Seward offered a substitute admitting Kansas with the Topeka constitution. Rejected.

YEAS—Messrs. Bell of N. H., Collamer, Durkee, Fessenden, Foot, Foster, Hale, Seward, Trumbull, Wade, Wilson—11.

NAYS—36.

The bill was passed by 33 yeas against 12 nays, as follows:

YEAS—Messrs. Allen, Bayard, Bell of Tenn., Benjamin, Biggs, Bright, Brodhead, Brown, Cass, Clay, Crittenden, Douglas, Hunter, Iverson, Johnson, Jones of Iowa, Mallory, Pratt, Pugh, Reid, Sebastian, Slidell, Stuart, Thompson of Ky., Toucey, Toombs, Weller, Wright, Yulee—33

NAYS—Messrs. Bell, of N. H., Collamer, Dodge, Durkee, Fessenden, Foot, Foster, Hale, Seward, Trumbull, Wade, Wilson—12.

Mr. Cass said, regarding the bill as of great importance, he moved that ten thousand copies of it be printed. Adopted, and at 8 A. M. the Senate adjourned.

Thursday, July 3—1 P. M.—The President *pro tem.* took the Chair at noon—no Senator present besides himself. The only persons on the floor were the Secretary, Sergeant-at-Arms, one doorkeeper and two pages; in the gallery, one reporter and two spectators. The Chair announced the signing of several enrolled bills, including the Kansas bill; then, in accordance with previous understanding, declared the Senate adjourned till Monday.

HOUSE OF REPRESENTATIVES, June 25.—The bill for the admission of Kansas into the Union with the Topeka Constitution, as reported from the Committee on Territories, was considered.

Mr. Grow argued that the people made this request in order to relieve themselves from tyrannical and oppressive Territorial laws.

Mr. Smith of Tenn. invoked a spirit of harmony, and expressed his preference for the bill of Senator Toombs.

Mr. Dunn earnestly opposed Mr. Grow's effort to keep the bill before the House, and wished it sent to the Committee of the Whole on the state of the Union for full discussion.

Mr. Grow contended that to send the bill there would be to insure its death.

Mr. Dunn moved to refer; pending which the House passed a bill to establish a road from Fort Ridgeley, Minnesota, to South Pass of Rocky Mountains in Nebraska.

JUNE 30.—The bill for the admission of Kansas into the Union with the Topeka Constitution was called up to-day, and rejected by one majority.

JULY 3.—Mr. Campbell, in response to a question of Mr. Kunkel, said he intended to call up the report of the Select Committee relative to the assault on Mr. Sumner on Tuesday next, but that he would not then move the previous question, if the friends of the parties involved desire a discussion.

Mr. Clingman—There will be a discussion.

Mr. Campbell said he would move the previous question on Wednesday.

Mr. Barclay's motion to reconsider the vote by which the bill to admit Kansas into the Union with the Topeka Constitution was rejected, was called up and adopted by 101 ayes to 99 noes.

The bill was then passed—100 ayes to 97 noes.

Kansas Investigating Committee.

The majority of the Kansas Investigating Committee have presented their report. The following is a synopsis of its contents as we find it in the New York *Herald*:

The report shows that as soon as the bill to organize the Territory of Kansas was passed, a large number of the citizens of Missouri went into Kansas and held squatter meetings, passed resolutions denouncing abolitionists, and declaring that slavery existed therein. In the autumn of 1854 a secret political society, called "The Blue Lodge," was formed, the plan of operations of which, with its oaths, &c., are given in the report. This Lodge controlled all the subsequent movements and invasions on the part of the Missourians. At the election, Nov. 29, 1854, for a delegate to Congress, there was no evidence of fraud except in sparsely settled and remote districts, where citizens of Missouri appeared and voted. During the winter of 1854–55 great excitement existed in the Territory on account of the invasion, and much bitter feeling was manifested. In February, '55, a census was taken, and the number of legal voters was ascertained to be 2,905.—Previous to the election in the spring of 1855, active preparations were made in Missouri to invade the Territory, and a complete organization was effected. Leaders were chosen, tents, provisions, ammunition and arms distributed, and the forces were drilled in companies in Missouri; and on the day before the election, it is testified, at least five thousand Missourians took up the line of march for Kansas, and companies went into every representative district of the Territory except one. From accurate and almost absolute proofs it appeared that of about 6,300 votes cast at the election for members of the Territorial Legislature 5,000 were those of non-residents. The majority of the members of both houses of the Legislature would have been Free-State men if there had been no invasion of Missourians.

The committee took a large mass of testimony regarding the proceedings of the Legislative Assemoly, which proceedings they state are characterized by recklessness and injustice. The report likewise alludes to the murders, robberies, and other crimes committed in the Territory, and states that in no case, except that of McRae, (a free State man) was there any prosecution for those offences. No indictments were found, no arrests made, and no measure taken to bring the perpetrators to justice. The report says it is clearly proven that Samuel J. Jones, the Sheriff, was the main cause of the recent disturbances in which he so prominently figured. It is also proved that Mr. Oliver, one of the Investigating Committee, went into Missouri with one of the invading companies. The conclusions of the Committee are, that each of the elections in Kansas was carried by invasion from Missouri; that consequently, the Legislative Assembly is an illegally constituted body, and has no power to pass valid laws; therefore its enactments are void. The election of G. W. Whitfield as delegate to Congress was not held under any valid law—neither was that of Mr. Reeder in accordance with law. The Committee suggest no remedy. The report alludes to obstructions thrown in the way of the Committee, and to the general violence which prevails in the Territory. The minority (Mr. Oliver) was allowed ten days to complete and present his side of the subject. Both reports are to be printed together.