

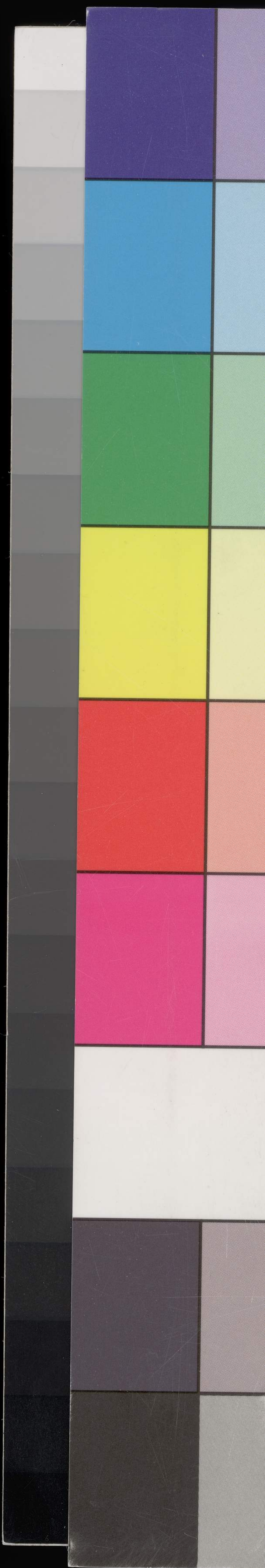
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THE

COMING STRUGGLE:

OR,

SHALL KANSAS BE A FREE OR A SLAVE STATE?



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Slave State?

BY

ONE OF THE PEOPLE.

PHILADELPHIA.

1856.

McK 8/10/53

THE COMING STRUGGLE.

Two great principles, as essentially different as is the light of midday from the deep gloom of midnight, are now convulsing the minds of the people, and fearfully contending for the mastery. Whether SLAVERY or LIBERTY shall be dominant, is the great issue before us; overshadowing every other, and demanding that every man shall do his duty in the coming contest. By successive compromises, the final settlement of the question has been deferred. Men were hopeful, that by a series of concessions, peace and harmony might prevail, and individual rights be respected, but the sequel has proved that while the North was wishful, and ready to respect her obligations, the South was unwilling to do so.* The repeal of the Missouri Compromise, like the opening of the box of Pandora, has unloosed all the evils to which humanity is subjected. The foul fiend War has left his retreat, and the fair plains of a distant territory have been stained with innocent blood!

* Judging from the tenor of the Southern press, it might be inferred that the North, in her compromises, had endeavored to act unjustly towards the other section of the Republic. From the subjoined statement, however, the inconsistency of the charge will be perceived:

One Northern member of Congress is the representative of 91,958 white men and women. One Southern member of Congress is the representative of 68,725 white men and women. The Free States have 176 electoral votes, or one for 75,000 white men and women. The Slave States have 120 electoral votes, or one for 50,000 white men and women.

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Misery, murder, and woe!

Woe, misery, murder, and crime!

have been prowling like beasts of prey over that devoted country.* The press has been destroyed, the firebrand called into requisition, and the blood of murdered citizens has mingled with the flame of burning towns, as an offering to the Slave power of the South.

Laws, more heinous and tyrannical than were ever enforced by a Roman tyrant, or a Draco, written in blood; laws, a disgrace to the nineteenth century; a blot on the intelligence of the age; have been enacted by Missouri invaders; who had no moral or legal right to pass such enactments, while the arm of the government, instead of extending protection to the residents, has either directly aided the oppressors or connived at the oppression. These are facts, as irrefutable as they are startling and condemnatory. Facts! which, when recorded on the page of history, shall make the present administration a byword and scorn among the nations, and stamp it with eternal and indelible infamy!

The great Democratic doctrines of man's equality, and of the greatest happiness to the greatest number, have been treated as a nullity—well enough for a Fourth of July oration—a pleasant philosophical idea—but not a tangible reality. The Convention† which assembled at Cincinnati, instead of rebuking their rulers for their deeds of tyranny, indorsed their crimes; and, subsequently, the nominee of that Convention, in his desire to pay obeisance to the Slave power, ratified with his approbation all the misdeeds and crimes which have been perpetrated. The constitutional infractions; the flagrant acts of injustice; the sacking of cities, and the contentions and strife which have been engendered by mal-administration,—all were accepted without censure.

We have heard it asserted by Slavery extensionists, that if the people of Kansas would only yield obedience to the terri-

* See Report of Congressional Committee, Code of Kansas, &c.

† See Report of the Proceedings of the Cincinnati Convention.

torial laws, that order would exist in the territory; but can it be expected that men who have been reared amid Free institutions, should so far forget their duties and obligations, as to unresistingly submit to decrees so subversive to their liberties and the well-being of society.*

* TERRITORIAL LAWS OF KANSAS.

CHAPTER CLI.—SLAVES.

AN ACT TO PUNISH OFFENCES AGAINST SLAVE PROPERTY.

Be it enacted by the Governor and Legislative Assembly of the Territory of Kansas, as follows:

SECTION 1.—That every person, bond or free, who shall be convicted of actually raising a rebellion or insurrection of slaves, free negroes, or mulattoes, in this Territory, shall suffer death.

SEC. 2.—Every free person who shall aid or assist in any rebellion or insurrection of slaves, free negroes, or mulattoes, or shall furnish arms, or do any overt act in furtherance of such rebellion or insurrection, shall suffer death.

SEC. 3.—If any free person shall, by speaking, writing, or printing, advise, persuade, or induce any slaves to rebel, conspire against, or murder any citizen of this Territory, or shall bring into, print, write, publish, or circulate, or cause to be brought into, printed, written, published, or circulated, or shall knowingly aid or assist in the bringing into, printing, writing, publishing, or circulating, in this Territory, any book, paper, magazine, pamphlet, or circular, for the purpose of exciting insurrection, rebellion, revolt, or conspiracy on the part of the slaves, free negroes, or mulattoes, against the citizens of the Territory, or any part of them, such person shall be guilty of felony, and suffer death.

SEC. 4. If any person shall entice, decoy, or carry away out of this Territory any slave belonging to another, with intent to deprive the owner thereof of the services of such slave, or with intent to effect or procure the freedom of such slave, he shall be adjudged guilty of grand larceny, and, on conviction thereof, shall suffer death, or be imprisoned at hard labor for not less than ten years.

SEC. 5. If any person shall aid or assist in enticing, decoying, or persuading, or carrying away, or sending out of this Territory any slave belonging to another, with intent to procure or effect the freedom of such slave, or with intent to deprive the owner thereof of the services of such slave, he shall be adjudged guilty of grand larceny, and, on conviction thereof, shall suffer death, or be imprisoned at hard labor for not less than ten years.

SEC. 6. If any person shall entice, decoy, or carry away out of any State or other Territory of the United States any slave belonging to another, with intent to procure or effect the freedom of such slave, or to deprive the owners thereof of the services of such slave, and shall bring such slave into this Territory, he shall be adjudged guilty of grand larceny, in the same manner as if such slave had been enticed, decoyed, or carried away out of this Territory, and in such

Among the masses, where ignorance and superstition are not in the ascendant, Slavery is regarded as an evil,—an evil

case the larceny may be charged to have been committed in any county of this Territory into or through which such slave shall have been brought by such person, and, on conviction thereof, the person offending shall suffer death, or be imprisoned at hard labor for not less than ten years.

SEC. 7. If any person shall entice, persuade or induce any slave to escape from the service of his master or owner in this Territory, or shall aid or assist any slave in escaping from the service of his master or owner, or shall aid, assist, harbor or conceal any slave who may have escaped from the service of his master or owner, shall be deemed guilty of felony, and punished by imprisonment at hard labor for a term of not less than five years.

SECT. 8. If any person in this Territory shall aid or assist, harbor or conceal any slave who has escaped from the service of his master or owner, in another State or Territory, such person shall be punished in like manner as if such slave had escaped from the service of his master or owner in this Territory.

SEC. 9. If any person shall resist any officer while attempting to arrest any slave that may have escaped from the service of his master or owner, or shall rescue such slave when in custody of any officer or other person, or shall entice, persuade, aid, or assist such slave to escape from the custody of any officer or other person who may have such slave in custody, whether such slave have escaped from the service of his master or owner in this Territory, or in any other State or Territory, the person so offending shall be guilty of felony, and punished by imprisonment at hard labor for a term of not less than two years.

SECT. 10. If any marshal, sheriff, or constable, or the deputy of any such officer, shall, when required by any person, refuse to aid or assist in the arrest and capture of any slave that may have escaped from the service of his master or owner, whether such slave shall have escaped from his master or owner in this Territory, or any State or other Territory, such officer shall be fined in a sum of not less than one hundred nor more than five hundred dollars.

SEC. 11. If any person print, write, introduce into, publish or circulate, or cause to be brought into, printed, written, published or circulated, or shall knowingly aid or assist in bringing into, printing, publishing or circulating within this Territory, any book, paper, pamphlet, magazine, handbill or circular, containing any statements, arguments, opinions, sentiment, doctrine, advice or inuendo, calculated to produce a disorderly, dangerous or rebellious disaffection among the slaves in this Territory, or to induce such slaves to escape from the service of their masters, or resist their authority, he shall be guilty of felony, and be punished by imprisonment and hard labor for a term not less than five years.

SEC. 12. If any free person, by speaking or by writing assert or maintain that persons have not the right to hold slaves in this Territory, or shall introduce into this Territory, print, publish, write, circulate, or cause to be introduced into this Territory, written, printed, published or circulated in this Territory, any book, paper, magazine, pamphlet or circular containing any denial of the right of persons to hold slaves in this Territory, such person shall be deemed guilty of

gigantic and terrible—an evil enervating the body, paralyzing the mind, and perilling the soul! But while there is this consciousness of the terribleness of Slavery, there is no desire to interfere with it where it is at present existing, no wish to infringe upon the State rights of the South.

Restriction, not abolition, is the prevailing sentiment of the North. As the Constitution left it, we are willing it should so remain. The Free States desire not to control the internal arrangements of their sister States; but while they are willing that State rights should be respected, they will not submit to the nationalization of Slavery. In the coming contest then, its extension or non-extension, will be the question which will be paramount to every other; the solution of which will affect, either for weal or woe, the future destiny of this Republic. Three parties are now seeking the suffrages of the people. One of them (the Democratic), we have seen, is decidedly pro-slavery in its action and tendencies. Another (Fillmoreite),* leaves the cause of the evil untouched—letting the apple of discord remain in our midst, while pro-slaveryism tinctures its affinities and predilections.

The other party (Republican), has boldly declared itself favorable to the principles upon which our government was established—that the outrages upon Kansas are deserving of the severest condemnation†—that though Congress has not

felony, and punished by imprisonment at hard labor for a term of not less than two years.

SEC. 13. No person who is conscientiously opposed to holding slaves, or who does not admit the right to hold slaves in this Territory, shall sit as a juror on the trial of any prosecution for any violation of any of the sections of this act.

This act to take effect and be in force from and after the fifteenth day of September, A. D. 1855.

* See Report of South American Convention, held in Philadelphia in the Spring of 1856.

† See Republican Platform:

“That all these things have been done with the knowledge, sanction, and procurement of the present Administration, and that for this high crime against the Constitution, the Union, and humanity, we arraign that Administration, the President, his advisers, agents, supporters, apologists, and accessories, either before or after the facts—before the country and before the world; and that it

the power to interfere with Slavery where it now exists, it can and should prevent its extension to the territories—that freedom of speech—trial by jury—and protection of life and property, are rights which all our citizens should enjoy—and in the exercise of which, government should give to them its protection.

Freemen of the North, around which banner will you rally? Shall the spirit of Liberty or of Slavery guide the counsels and direct the policy of the nation? How shall Kansas be affected by the struggle? Shall she still be trampled upon and oppressed; or be made happy and prosperous, another bright star added to the Free States of this glorious confederacy? In bygone times, loud hurrahs were uttered when Greece and Hungary triumphed; and the pulse of the nation beat more feverishly as the thrones of despots reeled and tottered before the wrath of an outraged people; and shall a tyranny be permitted to remain in our midst, more rampant than either the Moslem or the Austrian, without an effort being made for its removal? The supporters of Slavery, unable to combat the principles of freedom, have been endeavoring, by every artifice and subterfuge, to traduce its standard-bearer. So it has ever been, and so it will ever be, so long as tyranny has an existence. We have been told of the Republican candidate's sins of omission and commission, of what he ought not to have done, and what he neglected to do. By some he is charged with Catholicity, by others he is affirmed to be a veritable Know-Nothing, meeting in secret conclave, and leagued with dark-lantern conspirators to destroy this same Catholic Church.*

is our fixed purpose to bring the actual perpetrators of these atrocious outrages and their accomplices, to a sure and condign punishment hereafter.

"5. Resolved, That Kansas should be immediately admitted as a State of the Union, with her present Free Constitution, as at once the most effectual way of securing to her citizens the enjoyment of the rights and privileges to which they are entitled, and of ending the civil strife now raging in her Territory."

* As an instance of consistency, we would refer to the American Banner (Fillmoreite) of Sept. 6th, and the Boston Pilot (Catholic) of the same date, the one charging him (Fremont) with being a Catholic, the other assuring its readers that he did not belong to that faith, and cautioning them not to vote for him.

But all these calumnies have been again and again refuted. These vituperations have been like bullets striking against a rock, which, in their recoil, have stricken down the marksmen. We believe to our Maker only are we amenable for our religious convictions,—that, when they come not in conflict with the well-being of society, every man should enjoy whatever opinion he pleases unrestricted. But as for political purposes such a loud outcry has been raised relative to the Catholicity of the people's nominee, we will cursorily examine the consistency or inconsistency of the charge. It has been stated that he was married by a Catholic Priest, has made the mark of a Cross on the Rocky Mountains, and been seen in a Catholic Church: and this constitutes a Catholic! That Protestants have been married by Catholic priests is a fact indisputable; and as to the making of a cross in some particular spot, both in ancient and modern times it has been customary for travellers to do so,—the cross thus made indicating no particular church, but being, in contradistinction to the crescent, a symbol of the Christian faith. There was no choice, too, as to the manner in which and by whom the marriage ceremony should be performed in the case referred to. The father of the bride was a potentate of the land, possessing great influence in the metropolitan city; the marriage was contracted contrary to his wishes, and, consequently, there could have been no selection as to whom should fulfil the contract. If the Republican nominee, too, is a Catholic, and the Catholic Church is, as it is affirmed to be, a political Church, and his opponents are all Protestants, why do not the Catholics give him their support?* Again, if he is a Catholic, why have his children christened in a Protestant Church?† Presuming that he ever did belong to the Church of Rome, would not this be sufficient for his excommunication?

* Without an exception all the Catholic press of the country are opposed to him, and favor the election of the Democratic nominee.

† "WASHINGTON CITY, July 12th, 1856.

"The following children of J. Charles and Jesse Benton Fremont have been baptized in the Church of the Parish of the Epiphany, Washington, D. C., their baptisms being recorded in the register of said parish:

"1848, Aug. 15, Elizabeth McDowell Benton Fremont.

"1848, Aug. 15, Benton Fremont.

Any one conversant with the rites of that Church knows that such would be the result.

Is it not, then, evident from what we have advanced, that a cause is unworthy of support when it gives utterance to falsifications so mean and contemptible to defame an antagonist?

Sectionalism has also been charged against the popular movement. How sectional? Not the nominees, for one was born in a Southern, the other in a Northern State; and even supposing they were both born in one section, similar nominations have frequently been made (Millard Fillmore to the contrary notwithstanding).*

Are the principles they represent sectional? Then gloomily, sadly looks the future of our country. But such cannot be. The earth is not retrograding. The world is moving. The great law of progress here as elsewhere is visible around us. Ignorance and superstition are fleeing before the diffusion of intelligence, and the spirit of Liberty is on the wing, beautifying and blessing creation with her presence.

When, then, we join in the chorus, No North, no South, no East, no West, we do not comprehend the sentiment as implying the South, and the South only; but "Liberty and Union, one and inseparable, now and forever." Let there, then, be no more vaporings about sectionality. Equal Rights, and State Rights! Union and Liberty! and Liberty and the Union! are our watchwords in our struggle for freedom. The threat, too, has been uttered, that if we dare elect our candidates, secession will be the consequence. A threat more impotent and impu-

"1853, Dec. 28, John Charles Fremont.

"1855, Aug. 1, Francis Preston Fremont.

"As none were baptized in a house, *but all were brought to the church*, the order of the Protestant Episcopal Church for 'the Ministration of Public Baptism of Infants,' was that which was used.

"J. W. FRENCH,

"Rector of the Parish of the Epiphany, Washington, D.C."

* In 1812, De Witt Clinton and Ingersoll were nominated from the Free States; in 1824 and '28, Jackson and Calhoun were nominated from the Slave States; in 1828, Adams and Rush were nominated from the Free States, and in 1836, Harrison and Grainger were nominated from the Free States. Other instances, where nominations have been made exclusively from Free or Slave States, might be adduced if necessary. So much for sectionalism.