

tion of that kind; but it is the tribunal in the last resort, and the decision is final and irrevocable.

What right, upon this state of facts, had the President of the United States to interfere? Had he any right to inquire into the validity of elections? No more than he would have had in regard to an election in Baltimore, or Boston, or New Orleans. He had no power. He omitted the performance of no duty, because he had no power and no right to make inquiry in order to interfere in the elections.

Again: if there was fraud or violence, why has it not been, in some mode known to the law and known to the Constitution, investigated and relieved? Why has there not been an attempt made somewhere, in a court of justice or in any way, to investigate that fraud or violence? There has been none. I trust we live under a government of law. All these questions are questions to be decided by the Constitution and laws of the country. Up to this time, I ask, has there been anything which would justify an interposition by the Federal Executive? I ask honorable senators if there has been any state of facts that would justify, or authorize, or permit any interference by the Federal Executive? Honorable senators are called upon, on this state of facts, to say when and where such an interference was required. Vague denunciation will not do in a grave matter of this kind. I undertake to express the opinion, for one, as an humble member of this body, that we have no intelligence of any fact or of any state of things that would justify an interference with military power by the President with the troubles of Kansas, down to the period of which I am speaking.

Well, sir, I perceive, by the documents which have been read, that on the 1st of December last there was a communication made by Governor Shannon to the President, informing him of a state of things which did call on him to interfere; and on the 3d or 4th of December the President answered by telegraph, to the effect that he would exert the whole power of the country, as far as it was in his hands, to uphold the Constitution and the laws, and that as soon as the letter referred to in the telegraphic dispatch from Governor Shannon should reach him, proper orders would be issued. These events, however, had hardly transpired before the wires of the telegraph brought to us the intelligence, which was published everywhere, that the difficulties in Kansas were terminated, that quiet was restored; that the militia had returned to their homes, and that the difficulties were ended. Thus it rested until an event took place which I think the honorable Senator from Massachusetts (Mr. WILSON) hardly expected to call out by his resolution—I refer to the fact that the chairman of the executive committee of the Territory, and the chairman of the committee of safety, as they call themselves—one of them, if I remember aright, the president of the spurious and unauthorized convention lately held there, and the other the supposed governor elect under an unauthorized movement of a party in Kansas—appealed to the President, and called on him to discharge his duty. They appealed to him to issue an order for calling out the troops. They called on him to exercise his power as Chief Magistrate by calling the troops of the United States into the field for the purpose of upholding the Constitution and the laws, in