


## ANSON BURLINGAME

 ANSON BURLINGAME, American politician and diplomatist, was born at New Berlin, N. Y., Nov. 14, 1820, and died at St. Petersburg, Russia, Feb. 23, 1870. Educated at the University of Michigan, he studied law at Harvard University, beginning the practice of his profession at Boston in 1846. He engaged actively in politics and soon became orator of the new Free-Soil party, acquiring during the campaign of 1848 wide reputation as an able public speaker. He entered the State senate in 1852, and represented Massachusetts in Congress, from 1854 to 1860. He vehemently denounced the assault made upon Senator Sumner by Preston Brooks in 1856, and was sent a challenge by Brooks. Burlingame accepted the challenge, appointing a locality in Canada as the place of meeting, but Brooks declined to travel through the North in order to reach it. Burlingame was one of the founders of the Republican party and one of its accepted orators. In 1861, he was appointed minister to Austria, but that country declined to receive him on account of his speeches in behalf of Hungarian independence, and because of his motion in Congress that Austria's opponent, Sardinia, should be recognized as a first-class power. He was then dispatched as minister to China, and in 1867, was appointed by the Chinese regent special envoy from China to the United States. Accepting the office, he returned to the United States at the head of the Chinese mission, and in July, 1868, negotiated what is known as "The Burlingame Treaty." This treaty constitutes, in effect, China's earliest official recognition of the principles of international law. He then visited England, France, Denmark, Sweden, Holland, and Prussia, in behalf of the Chinese government, negotiating important treaties in all of these countries save France. He was about to enter upon a similar mission in Russia when his death took place at St. Petersburg.

### MASSACHUSETTS AND SUMNER

DELIVERED IN THE HOUSE OF REPRESENTATIVES, JUNE 21, 1856

**M**R. CHAIRMAN,—the House will bear witness that I have not pressed myself upon its deliberations. I never before asked its indulgence. I have assailed no man; nor have I sought to bring reproach upon any man's State. But, while such has been my course, as well as the course of my colleagues from Massachusetts, upon this floor,

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certain members have seen fit to assail the State which we represent, not only with words, but with blows.

In remembrance of these things, and seizing the first opportunity which has presented itself for a long time, I stand here to-day to say a word for old Massachusetts—not that she needs it; no, sir; for in all that constitutes true greatness—in all that gives abiding strength—in great qualities of head and heart—in moral power—in material prosperity—in intellectual resources and physical ability—by the general judgment of mankind, according to her population, she is the first State.

There does not live the man anywhere who knows anything to whom praise of Massachusetts would not be needless. She is as far beyond that as she is beyond censure. Members here may sneer at her; they may praise her past at the expense of her present; but I say with a full conviction of its truth that Massachusetts, in her present performances, is even greater than in her past recollections. And when I have said this, what more can I say?

Sir, although I am here as her youngest and humblest member, yet, as her representative, I feel that I am the peer of any man upon this floor. Occupying that high standpoint with modesty, but with firmness, I cast down her glove to the whole band of her assailants.

She has been assailed in the House and out of the House, at the other end of the Capitol, and at the other end of the avenue. There have been brought against her general charges and specific charges. I am sorry to find at the head of the list of her assailants the President of the United States, who not only assails Massachusetts, but the whole North. He defends one section of the Union at the expense of the other. He declares that one section has ever been

mindful of its constitutional obligations and that the other has not. He declares that if one section of our country were a foreign country the other would have just cause of war against it.

And to sustain these remarkable declarations he goes into an elaborate perversion of history, such as that Virginia ceded her lands against the interests of the South for the benefit of the North; when the truth is, she ceded her lands, as New York and other States did, for the benefit of the whole country. She gave her lands to freedom, because she thought freedom was better than slavery; because it was the policy of the times, and events have vindicated that policy.

It is a perversion of history when he says that the territory of the country has been acquired more for the benefit of the North than for the South; he says that substantially. Sir, out of the territory thus acquired five slave States, with a pledge for four more, and two free States have come into the Union; and one of these as we all know fought its way through a compromise degrading to the North.

The North does not object to the acquisition of territory when it is desired, but she desires that it shall be free. If such a complexion had been given to it, how different would have been the fortunes of the Republic to-day! This may be ascertained by comparing the progress of Ohio with that of any slave State in the Mississippi Valley. It will appear more clearly by comparing the free with the slave regions. I have not time to do more than to present a general picture.

Freedom and slavery started together in the great race on this continent. In the very year the Pilgrim Fathers landed on Plymouth Rock, slaves landed in Virginia. Freedom has gone on, trampling down barbarism and planting States—building the symbols of its faith by every lake and

every river, until now the sons of the Pilgrims stand by the shores of the Pacific. Slavery has also made its way toward the setting sun. It has reached the Rio Grande on the south; and the groans of its victims and the clank of its chains may be heard as it slowly ascends the western tributaries of the Mississippi River.

Freedom has left the land bespangled with free schools and filled the whole heavens with the shining towers of religion and civilization. Slavery has left desolation, ignorance, and death in its path. When we look at these things; when we see what the country would have been had freedom been given to the Territories; when we think what it would have been but for this blight in the bosom of the country; that the whole South—that fair land God has blessed so much—would have been covered with cities, and villages, and railroads, and that in the country, in the place of twenty-five millions of people thirty-five millions would have hailed the rising morn exulting in republican liberty; when we think of these things how must every honest man—how must every man with brains in his head or heart in his bosom—regret that the policy of old Virginia in her better days did not become the animating policy of this expanding Republic!

It is a perversion of history, I say, when the President intimates that the adoption of the constitution abrogated the ordinance of 1787. It was recognized by the first Congress which assembled under the constitution; and it has been sanctioned by nearly every President from Washington down.

It is a perversion of history when the President intimates that the Missouri Compromise was made against the interests of the South and for the benefit of the North. The truth—the unmistakable truth—is that it was forced by the South on

the North. It received the almost united vote of the South. It was claimed as a victory of the South.

The men who voted for it were sustained in the South; and those who voted for it in the North passed into oblivion; and though some of them are physically alive to-day they are as politically dead as are the President and his immediate advisers.

Not only has the President perverted history but he has turned sectionalist. He has become the champion of sectionalism. He makes the extraordinary declaration that if a State is refused admission into the Union because her constitution embraced slavery as an institution then one section of the country would of necessity be compelled to dissolve its connection with the people of the other section!

What does he mean? Does he mean to say that there are traitors in the South? Does he mean to say if they were voted down that then they ought not to submit? If he does, and if they mean to back him in the declaration, then I say the quicker we try the strength of this great government the better. Not only has he said that, but members have said on this floor again and again that if the Fugitive Slave Law, which has nothing sacred about it—which I deem unconstitutional—which South Carolina deems unconstitutional—if that law be repealed that this Union will then cease to exist.

I say that it is not for the President and members on this floor to determine the life of this Union; this Union rests in the hearts of the American people and cannot be eradicated thence. Whenever any person shall lift his hand to smite down this Union the people will subjugate him to liberty and the constitution. I do not wish to dwell on the President and what he has said. Notwithstanding all this perversion of history—notwithstanding his violated pledges

—and notwithstanding his warlike exploits at Greytown and Lawrence—his servility has been repaid with scorn.

I am glad of it. The South was right. When a man is false to the convictions of his own heart and to freedom he cannot be trusted with the delicate interests of slavery. I cannot express the delight I feel in the poetic justice that has been done; but at the same time I am not unmindful of the deep ingratitude that first lured him to ruin and then deserted and left him alone to die.

If I were not too much of a native American I would quote and apply to him the old Latin words "*De mortuis nil nisi bonum*"—"Speak nothing but good of the dead." I can almost forgive him, considering his condition, the blistering words he let fall upon us the other night when he went through the ordeal of ratifying the nomination of James Buchanan. He said that we had received nothing at the hands of the government save its protection and its political blessings. We have not certainly received any offices; and as for its protection and political blessings let the silence above the graves of those who sleep in their bloody shrouds in Kansas answer.

There have been general and specific charges made against old Massachusetts. The general charge when expressed in polite language is that she has not been faithful to her constitutional obligations. I deny it. I call for proof, I ask when? where? how? I say, on the contrary, that from the time when this government came from the brains of her statesmen and the unconquerable arms of her warriors she has been loyal to it.

In peace she has added to it renown; and in war her sons have crowded the way to death as to a festival. She has quenched the fires of rebellion on her own soil without fed-

eral aid, and when the banners of nullification flew in the southern sky, speaking through the lips of Webster, in Faneuil Hall, she stood by Jackson and the Union. No man speaking in her name—no man wearing her ermine, or clothed with her authority—ever did anything or said anything, or decided anything, not in accordance with her constitutional obligations. Yet, sir, the hand of the federal government has been laid heavily upon her.

That malignant spirit which has usurped this government through the negligence of the people, too long has pursued her with rancor and bitterness. Before its invidious legislation she has seen her commerce perish and ruin, like a devastating fire, sweep through her fields of industry, but amid all these things Massachusetts has always lifted up her voice with un murmuring devotion to the Union.

She has heard the federal drum in her streets. She has protected the person of that most odious man—odious both at the North and the South—the slave-hunter. She has protected him when her soil throbbed with indignation from the sea to the New York line. Sir, the temples of justice there have been clothed in chains. The federal courts in other States have been closed against her, and her citizens have been imprisoned, and she has had no redress.

Yet, notwithstanding all these things, Massachusetts has always been faithful and loyal to the constitution. You may ask why, if she has been so wronged, so insulted, has she been so true and faithful to the Union? Sir, because she knew, in her clear head, that these outrages came not from the generous hearts of the American people. She knew that when justice should finally assume the reins of government all would be well. She knew that when the government ceased to foster the interests of slavery alone her interests

would be regarded and the whole country be blessed. It was this high constitutional hope that has always swayed the head and heart of Massachusetts and which has made her look out of the gloom of the present and anticipate a glorious future. So much in relation to the general charge against Massachusetts.

There are specific charges upon which I shall dwell for a moment. One is that she has organized an "Emigrant Aid Society." Did you not tell Massachusetts that the people of Kansas were to be left perfectly free to mold her institutions as they thought best? She knew and she told you that your doctrine of squatter sovereignty was a delusion and a snare. She opposed it as long as she could here; and when she could do it no longer she accepted the battle upon your pledge of fair play. She determined to make Kansas a free State.

In this high motive the Emigrant Aid Society had its origin. Its objects are two-fold—freedom for Kansas and pecuniary reward. And it is so organized that pecuniary benefit cannot flow to stockholders, except through the prosperity of those whom it aids. The idea of the society is this: to take capital and place it in advance of civilization; to take the elements of civilization, the saw-mill, the church, the schoolhouse, and plant them in the wilderness, as an inducement to the emigrant. It is a peaceful society. It has never armed one man; it has never paid one man's passage to Kansas. It never asked—though I think it should have asked—the political sentiments of any man whom it has assisted to emigrate to Kansas. It has invested \$100,000, and it has conducted from Massachusetts to Kansas from twelve to fifteen hundred of the flower of her people.

Such is the Emigrant Aid Society, such is its origin, and

such its action. It is this society, so just and legal in its origin and its action, that has been made the pretext for the most bitter assaults upon Massachusetts. Sir, it is Christianity organized. How have these legal and these proper measures been met by those who propose to make Kansas a slave State? The people of Massachusetts would not complain if the people who differ from them should go there to seek a peaceful solution of the conflicting questions. But how have they been met? By fraud and violence, by sackings, and burnings, and murders.

Laws have been forced upon them, such as you have heard read to-day by the gentleman from Indiana [Mr. Colfax], so atrocious that no man has risen here to defend one single one of them. Men have been placed over them whom they never elected, and this day, as has been stated by the gentleman from Indiana, civil war rages from one end of Kansas to the other. Men have been compelled to leave their peaceful pursuits, and starvation and death stare them in the face, and yet the government stands idle—no, not idle; it gives its mighty arm to the side of the men who are trampling down law and order there.

The United States troops have not been permitted to protect the free State men. When they have desired to do so they have been withdrawn. I cannot enter into a detail of all the facts. It is a fact that war rages there to-day. Men kill each other at sight. All these things are known and nobody can deny them. All the western winds are burdened with the news of them, and they are substantiated equally by both sides.

Has the government no power to make peace in Kansas and to protect citizens there under the organic law of the Territory? I ask, in the name of old Massachusetts, if our

honest citizens who went to Kansas to build up homes for themselves and to secure the blessings of civilization, are not entitled to protection? She throws the responsibility upon this administration, and holds it accountable; and so will the people at the polls next November.

Another charge is that Massachusetts has passed a personal liberty bill. Well, sir, I say that Massachusetts for her local legislation is not responsible to this House or to any member of it. I say, sir, if her laws were as bad as those atrocious laws of Kansas, you can do nothing with her. I say, if her statute books instead of being filled with generous legislation—legislation which ought to be interesting to her assailants, because it is in favor of the idiotic and the blind—were filled, like those of the State of Alabama, with laws covering the State with whipping-posts, keeping half of her people in absolute slavery, and nearly all of the other half in subjection to twenty-nine thousand slaveholders; if the slaveholders themselves were not permitted to trade with or teach their slaves as they choose; if ignorance were increasing faster than the population, I say, even then, you could not do anything here with the local laws of Massachusetts. I say, the presumption is, that the law, having been passed by a sovereign State, is constitutional.

If it is not constitutional, then, sir, when the proper tribunal shall have decided that question, what is there, I ask, in the history of Massachusetts which will lead us to believe that she will not abide by that result? I say there is nothing in the history of the State of Mississippi, or of South Carolina, early or recent, which makes Massachusetts desirous of emulating their example. I, sir, agree with the South Carolina authority I have quoted here in regard to the legislation of Massachusetts.

Sir, my time is passing away and I must hasten on. The State of Massachusetts is the guardian of the rights of her citizens and of the inhabitants within her border line. If her citizens go beyond the line into distant lands or upon the ocean then they look to the federal arm for protection. But old Massachusetts is the State which is to secure to her citizens the inestimable blessing of trial by jury and the writ of habeas corpus.

All these things must come from her and not from the federal government. I believe, with her great statesmen and with her people, that the Fugitive Slave Law is unconstitutional. Mr. Webster, as an original question, thought it was not constitutional; Mr. Rantoul, a brilliant statesman of Massachusetts, said the same thing; they both thought that the clause of the constitution was addressed to the States. Mr. Webster bowed to the decision of the supreme court in the Prigg case; Mr. Rantoul did not.

Massachusetts believes it to be unconstitutional; but whether it be constitutional or not she means so long as the federal government undertakes to execute that law, that the federal government shall do it with its own instruments, vile or otherwise. She says that no one clothed with her authority shall do anything to help in it so long as the federal government undertakes to do it. But, sir, I pass from this.

I did intend to reply *seriatim* to all the attacks which have been made upon the State, but I have not half time enough. The gentleman from Mississippi [Mr. Bennett] after enumerating a great many things he desired Massachusetts to do, said, amongst other things, that she must tear out of her statute book this personal liberty law. When she had done that and a variety of other things too numerous to mention, then he said "the South would forgive Massa-

chusetts." The South forgive Massachusetts! Sir, forgiveness is an attribute of divinity. The South has it not. Sir, forgiveness is a higher quality than justice, even. The South—I mean the slave power—cannot comprehend it.

Sir, Massachusetts has already forgiven the South too many debts and too many insults. If we should do all the things the gentleman from Mississippi desired us to do, then the gentleman from Alabama [Mr. Shorter] comes in and insists that Massachusetts shall do a great variety of other things before the South probably will forgive her.

Among other things, he desired that Massachusetts should blot out the fact that General Hull, who surrendered Detroit, had his home in Massachusetts. Why, no, sir; she does not desire even to do that, for then she would have to blot out the fact that his gallant son had his home there—that gallant son who fell fighting for his country in the same war at Lundy's Lane—that great battle, where Colonel Miller, a Massachusetts man by adoption, when asked if he could storm certain heights, replied, in a modest Massachusetts manner, "I will try, sir." He stormed the heights.

The gentleman desires, also, that we should blot out the history of the connection of Massachusetts with the last war. Oh, no! She cannot do that. She cannot so dim the lustre of the American arms. She cannot so wrong the Republic. Where, then, would be your great sea-fights? Where, then, would be the glory of "Old Ironsides," whose scuppers ran red with Massachusetts blood? Where, then, would be the history of the daring of those brave fishermen, who swarmed from all her bays and all her ports, sweeping the enemy's commerce from the most distant seas?

Ah, sir! she cannot afford to blot out that history. You, sir, cannot afford to let her do it—no, not even the South.