

the United States,” gives Congress the right to legislate for American citizens who chance to reside in Territories. But the portion thus relied upon relates only to the disposition of Government property, and does not grant the power to dispose of the inhabitants that may dwell upon the public lands in Territories, as though the people thereof belonged to the United States as property.

My opinion is that Congress has no more power to exercise legislative jurisdiction over American citizens in Territories than it has over American citizens in States. In other words, that American citizens in Territories, equally with those in States, have the plainly guaranteed right to govern themselves. People from the various States settle upon the public domain; and shall simply crossing an air line in the same country prevent them from enjoying a Republican form of government, having a voice in the selection of their rulers, and the privilege of making their own laws without being subject to have them disapproved by Congress? If this is not the case in the treatment of Territories, I consider there is an infringement. It lies in the foundation—in the organization itself. And should the people living upon the public domain petition Congress to comply with certain conditions that were in vogue in the old monarchical nations of the world, and have their petitions granted according to its letter and spirit; they have no reason to complain. Still, it is assumed power in Congress to grant a territorial government.

But suppose we petition, in good faith, that Congress would notice that part of the Constitution that directs the giving of a Republican form of government, and we get something else, what shall we do then? It may suit the condition of the people, and it may not.

There are many rights that are named in the Constitution, and many that the Constitution says nothing about. These rights I shall not attempt to define. We have rights in regard to observing the Sabbath, and worshipping God according to the dictates of our conscience. We also have social and political rights guaranteed to us and to all the American people. All these might be taken up and reasoned upon; but you are acquainted with them.

If I were to petition Congress, I should petition that this old relic of the mother Government should be done away; and that when Congress granted a Government, they should grant a Republican instead of a monarchical one, and let all the people have the same privileges.

“But,” says one, “there is a great disparity in numbers.” What of that? Look at New York, Pennsylvania, Virginia, and many of the old States, where we find not only hundreds of thousands, but millions of inhabitants, and then look at Rhode Island, Delaware, and Maryland, and see the difference. If this disparity exists in States, why should it be brought up against a Territory? Those smaller States have the same representation in the Senate of the United States as the larger ones. Why, then, bring up this disparity of numbers? Some say we must not admit the Territories, because the disparity in Congress would be so great. It is all folly to bring up this argument.

Having said this much upon the rights guaranteed to American citizens, I will merely state that it is my opinion that it is the privilege of people settling upon the public domain to form a Republican “Provisional Government,” according to the feelings of the people, until Congress shall admit them into the Union.