

DISTURBED CONDITION OF THE COUNTRY.

JANUARY 14, 1861.—Ordered to be printed, and made the special order for Monday, the 21st instant, at 1 o'clock, and continued from day to day until disposed of.

Mr. BIRCH, from the select committee of thirty-three, submitted the following

MINORITY REPORT.

The undersigned, members of your special committee of thirty-three, to whom was referred that portion of the President's message relating to the present perilous condition of the country, beg leave to present to the House the accompanying resolution recommendatory of a constitutional convention, with a brief statement of the reasons inducing us to favor its passage by this Congress.

In all our action upon said committee we have endeavored to discharge our duties faithfully, giving to all propositions emanating either from Congress or from our colleagues on the committee an earnest and devoted consideration, prompted at all times by an ardent desire to secure the objects contemplated in raising the committee—the settlement of the issues which unfortunately are now dividing our northern and southern fellow citizens.

In this discharge of duty we were fully impressed with the necessity of being governed by a spirit of forbearance, conciliation, and concession, and so far as consistent with the important object to be accomplished, the wishes and interests of our constituents, and our own self-respect, to throw aside all pride of political opinion, resentment, and party animosities, in order that the Union, with all its glorious past and prospective future, might be preserved.

During the deliberations of the committee a large number of propositions have been presented for consideration, and the result of our action upon them has shown that the great contrariety of opinion and sentiment entertained in regard to them precluded the probability of maturing any plan for the satisfactory adjustment of *all* the difficulties existing to which reference is made by the President in his message. Unless we are greatly mistaken, much of the ill feeling now existing between the north and the south has either directly or indirectly originated in Congress, and that among the *people* there is a misunderstanding in relation to the views and feelings of the one section towards the other.

It is manifest that on account of the great differences of opinion existing among members of the same party, no proposition for amendment to the Constitution would receive the sanction of the requisite number of the present Congress, and consequently no other mode is now practicable to accomplish the object sought for.

In arriving at our conclusions on the recommendation of the resolu-

tion appended, we have had in view the fact that a convention of delegates fresh from the people, brought together for the especial purpose of settling the pending difficulties, would be much more likely to accomplish that object than the present Congress, composed, as it is, of members elected without a view to the present state of affairs and upon party issues, which should, of course, be held subordinate, at least, to the proper adjustment of our difficulties, if not entirely ignored. It is, in our opinion, but just that questions of the gravity and importance of those which have given rise to the present perilous condition of our country should be referred to the source of federal power, and can be alone settled in this manner. Several States have already claimed to have withdrawn from the Union; and the undersigned can see no other way to settle our differences peaceably than by referring them to the consideration of a national convention.

Should our plan be adopted, it would not be inconsistent with the present or future position of those States to participate in such a convention as we propose.

A majority of your committee have recommended certain amendments to the fugitive slave law, which we hope may be adopted as tending to a more successful operation of the same. They have also proposed an amendment to the Constitution, guaranteeing the continuance of slavery in all the States where it now exists, independent of the action of Congress, until all the States shall consent for Congress to abolish the same upon the application of a slave State. This, too, will have a tendency to quiet the fears of the South, and receives our hearty approval.

They have also proposed to admit New Mexico as a slave State, which, in our opinion, is carrying out the great spirit of compromise which was, on a former occasion, adopted in establishing the Missouri compromise line by our predecessors.

They have also respectfully requested the revision of all personal liberty laws, and, if found inconsistent with the federal Constitution, recommended their repeal. And, while we have never recognized the power of any State thus to nullify the federal organic law, or the propriety of extending a request, by Congress, to States to inquire whether they have statutes ignoring their constitutional obligations, we still hope that this recommendation may be productive of good to the country. Many other resolutions have been adopted and reported by the majority of your committee which look to no definitive action, and we cannot see the benefits to be derived from their consideration by Congress.

So far, then, as the reported action of the majority goes, while we fear that it will not to any adequate extent allay the unparalleled excitement which now exists, and the almost certain disruption of the government, which seems to be inevitable, without speedy action is taken to avert it, yet, it being a step in the right direction, we cordially concur in it, and shall support it in this House by our votes. Fearing, however, that the disaffected portions of our Union will not be satisfied with the measures recommended as *all* that is necessary, we therefore deem it expedient to submit the whole subject-matter to

the tribunal provided for in our Constitution—a constitutional convention.

Already have the executives of New York, New Jersey, and several other States urged this course upon their legislatures, and the citizens of several States have, in the exercise of their *sacred right of petition*, called upon Congress, through their representatives, to adopt this as the only available plan of settlement.

One-half of the State legislatures are now in session, and would doubtless act promptly upon this suggestion by Congress. And the other State legislatures, in view of the momentous importance of speedy action, would, we believe, be convened at an early day; and we confidently hope that within forty days after the passage of the resolution presented, will have made a full compliance with the provisions of article 5th of the Constitution, authorizing the proper steps by Congress. But if it should require months or even a year to carry out this plan of adjustment, it being the only constitutional method by which the people may take into their own hands the remedy, it is far better than any other, because an attempt on the part of the people to reconstruct a republican government in any other mode than that provided for in the Constitution itself would be revolutionary, and might lead to a state of general anarchy.

In conclusion, we feel constrained to say that it is in the kindest spirit, and without hostility to any section or party, that we have presented this minority report. We entered upon the discharge of our duties as to us seemed becoming those to whom was intrusted matters involving the perpetuity of our glorious Union, and also as representing the wishes of the people of the Pacific coast, for, like them, we are devoted to the Union, and desire its perpetuation, and if we were to neglect any fair and equitable means to promote peace and harmony, we should be recreant in our duty to our own immediate constituents, and unworthy the positions they have assigned us.

While our people have neither been a party to or sufferers from this agitation, so far as their local interests are at this time involved, yet they are equally as anxious and as deeply interested in the settlement of the present difficulties as the people of any other section of this great confederacy, and we confidently hope that Congress will submit our proposed method of adjustment without unnecessary delay.

JNO. C. BURCH, *of California.*
LANSING STOUT, *of Oregon.*

“*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That it be, and is hereby, recommended to the several States of the Union that they, through their respective legislatures, request the Congress of the United States to call a convention of all the States, in accordance with article fifth of the Constitution, for the purpose of amending said Constitution in such manner and with regard to such subjects as will more adequately respond to the wants, and afford more sufficient guarantees to the diversified and growing interests of the government and of the people composing the same.*”