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CONGRESSIONAL.

SPEECH OF MR. DOUGLAS,

OF ILLINOIS,

On the Slavery Question; delivered in the Senate, March 13, 1850.

Mr. PRESIDENT: Before entering into the discussion of the series of questions in the range of this debate, I must be permitted to refer to some points in the able and eloquent speech of the distinguished senator from Massachusetts. I regret exceedingly that in a speech so eminently liberal, national, and patriotic on all the points which unfortunately disturb and distract the country, he should have deemed it necessary to have marred its harmony and broken its force by introducing taunts and criminations of a mere partisan character. His attacks upon the northern democracy, in connexion with the annexation of Texas, and the support of the Mexican war, and the acquisition of territory by the treaty of peace, were as gratuitous and unprovoked as they were unfounded and unjust. He charged the northern democracy with having supported the annexation of Texas under "pledges to the slave interest," and for the purpose of sustaining the slave power of this Union. Gladly, sir, would I pass by in silence this act of injustice, and others of equal enormity, could I do so in justice to myself and those with whom I have ever been associated politically, and the members of the House of Representatives with whom I acted in concert on the annexation question. I must be permitted to tell the senator from Massachusetts, that neither his present position nor his past political associations authorize him to speak for the democracy of this Union, North or South, or of the motives which influence their action, any further than he finds those motives and reasons recorded in the speeches and political history of the times. It is not his mission to divine our motives and assign to us sentiments and opinions which we never entertained, much less expressed. I claim, at least, an equal right with him to speak for the democracy upon all questions, and especially upon the annexation of Texas. And I now tell him with entire respect, but with a certain knowledge of the truth of what I say, that of the vast multitude of speeches made by northern democrats on the Texas question, in no one of them can he find a single sentence, sentiment, or word, to justify the sweeping charge he has made against the whole body of democratic senators and representatives from the North who supported the annexation of Texas. On the contrary, sir, every northern man who spoke in favor of the annexation of Texas expressly and indignantly repudiated the doctrine now imputed to them by the senator from Massachusetts, and assigned entirely different, and in many instances directly opposite, reasons for supporting that measure. I am unable to comprehend that system of courtesy or morals which authorizes a distinguished senator to charge a large body of public men, in the performance of high public duties, with having been influenced by motives different from those avowed by themselves at the time. And how is this charge attempted to be maintained? We are reminded that the then Secretary of State, [Mr. CALHOUN,] in his correspondence with Mr. Murphy, the charge d'affaires to the republic of Texas, and Mr. KING, minister to France, boldly and frankly avowed that he was negotiating the treaty of annexation for the purpose and with the view of giving security to the slave interest in the States bordering upon Texas; and therefore the senator from Massachusetts boldly assumes that the northern democrats, one and all, supported the measure upon the grounds and for the reasons stated by Mr. CALHOUN. By this process of reasoning he attempts to fasten the charge not only upon the senators and representatives, but upon the great mass of voters—the whole democratic organization—including a vast majority of the people in the free States. This view is ingenious and plausible; but I submit to the candor of the senator whether it is fair or just. The senator keeps out of view—no, he is incapable of that—he has forgotten one important chapter in the history of this question, which changes its whole character and overturns his position. I will refresh his memory. When President Tyler sent the treaty of annexation to the Senate for ratification, this body, by resolution, called for all the correspondence upon the subject. When it was furnished to the Senate and disclosed to the world, who does not remember—what friend of Texas can ever forget—the excitement and universal burst of abhorrence and indignation that a great and favorite national measure should have been butchered and destroyed by those intrusted with its consummation? Dismay, mortification, despondency bordering on despair, were depicted in the countenance of every friend of Texas, while her enemies muttered with great joy that the administration of Mr. Tyler, and especially the Secretary of State, had placed the measure upon grounds that all America—yea, the whole civilized world—must repudiate, and thereby had surrounded it with an odium and prejudice that might enable them to defeat annexation forever. From that moment the friends of Texas abandoned the idea of annexation, through the treaty-making power, under the administration of Mr. Tyler. The treaty was indignantly and contemptuously rejected by the Senate, in order to repudiate the administration, and all it had done and said in regard to Texas, and especially the correspondence with Messrs. King and Murphy, to which the senator from Massachusetts has so often referred. The treaty was rejected; the administration was quietly and severely rebuked; the correspondence with Messrs. King and Murphy was repudiated; and here ends the chapter of the correspondence and treaty negotiated by the administration of Mr. Tyler for the annexation of Texas. The senator from South Carolina may think, as he said in his speech the other day, that he had more to do with the annexation of Texas than any other man in the country. I have no desire to deprive him of this consoling reflection. I would not have referred to it in a manner to deprive him of any of the credit he claims for himself, had he not volunteered his testimony to a certain extent in aid of the charges of the senator from Massachusetts against the northern democracy. But as a conclusion from the chapter of history to which I have referred, I must be permitted to say to him, in all sincerity and kindness, that, in my opinion, he did more to embarrass the friends and encourage the enemies of Texas—more to hazard the success of the measure, to envelop it in clouds of odium and prejudice—than all other men in America. But for the weapons furnished in the correspondence alluded to, the enemies of annexation could not have rallied a majority against the measure in any one State of the Union.

Mr. President, I find I am diverging from the thread of my remarks. My object was to show that the treaty and correspondence, and all the acts of the Tyler administration connected therewith, were rejected and repudiated before the democratic party came to the support of the Texas annexation as a party. Having thrown off the incubus, and cut loose from all embarrassing alliances, the democracy North and South came to the rescue, and annexed Texas upon broad national grounds, elevated far above, and totally disconnected from, the question of slavery—considerations which addressed themselves to the patriotism and pride of every American—considerations connected with the extension of territory, of commerce, of navigation, of political power, of national security, and glory as one people, without especial reference to any particular section. These were the grounds upon which the democratic party unfurled the Texas flag to the breeze in the presidential election of 1844, and received an overwhelming verdict of the popular voice in our favor. The people decreed the annexation of Texas on that election, upon the grounds thus assumed, proclaimed, and defended by the great national democratic party. It was the act of the people themselves, leaving to the representatives in Congress the duty of recording the verdict which the constituent had pronounced. Texas was annexed without any distinct reference to the question of slavery. It was supported, not as a measure of hostility nor of protection to that institution. It had no more connexion with it than the tariff, the census, the navigation laws, the public lands, or a great number of the questions of public policy which are the subjects of daily legislation. All of them have more or less to do with the question of slavery, because the laws are uniform in their operation, and consequently, in their practical application, relate to the slaveholding as well as the free States. So it was with the annexation of Texas. If I have shown an undue degree of sensitiveness under these attacks upon the northern democracy, I trust I will be excused when it is considered that I was one of those northern democrats who, in the House of Representatives, supported the annexation of Texas with all the zeal and energy of my nature.

Mr. WEBSTER. With a touch of the northwest—the northwestern democracy.

Mr. DOUGLAS. Yes, sir; I am glad to hear the senator say with a touch of the northwest: I thank him for the distinction. We have heard so much talk about the North and the South, as if those two sections were the only ones necessary to be taken into consideration, when gentlemen begin to mature their arrangements for a dissolution of the Union, and to mark the dividing lines upon the maps, that I am gratified to find that there are those who appreciate the important truth that there is a power in this nation greater than either the North or the South—a growing, increasing, swelling power, that will be able to speak the law to this nation, and to execute the law as spoken. That power is the country known as the great West, the valley of the Mississippi, one and indivisible from the Gulf to the Great Lakes, and stretching, on the one side and the other, to the extreme sources of the Ohio and Missouri, from the Alleghanies to the Rocky Mountains. There, sir, is the hope of this nation—the resting-place of the power that is not only to control, but to save the Union.

We furnish the water that makes the Mississippi, and we intend to follow, navigate, and use it, until it loses itself in the briny ocean. So with the St. Lawrence. We intend to keep open and enjoy both of these great outlets to the ocean, and all between them we intend to take under our especial protection, and keep and preserve as one free, happy, and united people. This is the mission of the great Mississippi valley, the heart and soul of the nation and the continent. We know the responsibilities that devolve upon us, and our people will show themselves equal to them. We indulge in no ultraisms, no sectional strifes, no crusades against the North or the South. Our aim will be to do justice to all—to all men, to every section. We are prepared to fulfil all our obligations under the constitution as it is, and determined to maintain and preserve it inviolate in its letter and spirit. Such is the position, the destiny, and the purpose of the great northwest. Had the senator from Massachusetts thus clearly discriminated in his printed speech, as he now intimates, that he did not intend to include my own section in his denunciations of the northern democracy, I should have left my political friends from the northeast to have made their own vindication. But, sir, when he told us that there were about fifty northern votes in the House of Representatives and thirteen in the Senate for the annexation resolutions, and then went on to particularize how many of them were from New England, and the residue from the other free States of the Union, I could not doubt that he intended to include the whole of the free States, my own among the others.

Here Mr. DODGE, of Iowa, rose and said: Will the senator from Illinois allow me to interrupt him for a very few moments? I wish to read a brief extract of a speech of a prominent and able democrat from the northwest, (Hon. Robert Dale Owen, of Indiana,) illustrative of the grounds upon which the democracy of the free States placed their advocacy of the annexation of Texas, and particularly to show their repudiation of one of the promisent reasons assigned by the distinguished senator from South Carolina, [Mr. CALHOUN,] for his support of that great measure.

Mr. DOUGLAS. Certainly.

Mr. DODGE then read from the Congressional Globe, first session twenty-eighth Congress, page 699, as follows:

"But our assent to annexation, it may be argued, is asked upon false grounds. We are made the apologists of the abstract principle of involuntary servitude. A member of the cabinet declares, in connexion with this question, that southern slavery is not a lamentable, though at present a necessary evil, but a positive good. That is not my affair. I regard that opinion with unfeigned deference and deep respect for the man, but freely and boldly I say it, as the master-error of a splendid mind. If it should ever be proposed, even by introduction, to make this republic the head of a league of nations, having for its object to perpetuate bondage over any class or race of men, the idea, abhorrent to freedom, will find no echo in the free States, at least, of this Union, nor many supporters, I truly believe, even in the South. Some of our slave States, unprompted save by their own deliberate convictions, would already, in all human probability, have taken measures to rid themselves gradually of what they feel to be an increasing evil, had not the uncalculating spirit of modern abolitionism, by her blind precipitancy, dashed down the growing purpose ere it ripened into action. How, then, should they recognise slavery as a blessing, to be cherished and perpetuated? No; we will inviolably respect the State rights of the South; we will, at all risks to ourselves, protect her property; and as a station whence that property might be endangered, we find additional reason why Texas should become part and parcel of the Union; but, to eulogize slavery, to aid in plans for its perpetuation—that we cannot do. If by any one annexation should be defended upon grounds like that, we have but to say that he gives a bad reason for doing a good thing."

Mr. DOUGLAS. I could occupy the attention of the Senate until to-morrow morning in reading extracts from the speeches of northern democrats in favor of the annexation of Texas upon national grounds, totally disconnected with and independent of the question of slavery. But I deem it unnecessary thus to trespass on the time of the Senate. The fact that such was the tenor of all their speeches will not be questioned.

In immediate connexion with this, there is another portion of the speech of the senator from Massachusetts which I deem it my duty to notice. Speaking of the annexation of Texas, he said:

"From that the whole country from here to the western boundary of Texas was fixed, pledged, fastened, decided to be slave territory forever by the solemn guaranties of law."

In reply to this, I must be permitted to tell the senator that I do not so understand, nor does the act so read. If he had made this statement without referring to the resolutions of annexation, I should have supposed that his recollection had failed him—that he had been misinformed, mistaken, deceived in the matter. But, sir, when this statement is made with the resolutions before him, and the particular one bearing upon this point being read and incorporated into his speech, I know not what conclusion to draw. I refrain from expressing any opinion upon the subject. I will content myself with reading the resolution itself from the gentleman's own speech:

"New States of convenient size, not exceeding four in number, in addition to said State of Texas, and having sufficient population, may hereafter, by the consent of said State, be formed out of the Territory thereof, which shall be entitled to admission under the provisions of the federal constitution. And such States as may be formed out of that portion of said Territory lying south of thirty-six degrees thirty minutes north latitude, commonly known as the Missouri compromise line, shall be admitted into the Union with or without slavery, as the people of each State asking admission may desire; and in such State or States as shall be formed out of said Territory north of said Missouri compromise line, slavery or involuntary servitude (except for crime) shall be prohibited."

In the face of this fundamental law we are told that "from here to the western boundary of Texas was fixed, pledged, fastened, decided to be slave territory *forever* by the solemn guaranties of law!" Was there ever such a torturing of language—such a perversion of meaning? There is no guaranty, no pledge, no intimation even of the kind. The very reverse is the fact. While Texas remained an independent power, it was all slave territory, from the Gulf of Mexico to the 42d parallel of latitude. By the resolutions of annexation, five and a half degrees of this slave territory, to wit, all between 36½ and the 42d parallels, were to become "fixed, pledged, fastened, decided to be" FREE, and *not* "slave territory forever by the solemn guaranties of law." Here is a territory, stretching across five and a half degrees of latitude, withdrawn from slavery and devoted to freedom by the very act which the senator has chosen to denounce and deride as the work of the northern democracy. Nor is this all. That part of Texas lying south of 36 deg. 30 min. is not "pledged to slavery," as stated by the senator from Massachusetts.

Mr. WEBSTER. I said that every acre of that territory, which from its nature and character is susceptible of slave cultivation, was fixed and pledged, mortgaged and hypothecated to slavery by the resolutions of annexation. I did not, of course, refer to the mountain country, deficient in its character, and where slaves cannot exist.

Mr. DOUGLAS. Yes, sir, there is a mountainous country not only north but south of 36 deg. 30 min., where a slave cannot live. That country, which, from its nature and character, is not susceptible of slave cultivation, is large enough to embrace at least three of the five States into which Texas may be subdivided by the resolutions of annexation. And when the northern democrats are arraigned and condemned for having contributed to the extension of slavery, the five and a half degrees of latitude north of 36 deg 30 min., for which provision was made to be converted from slave into free territory absolutely, and probably double that amount south of that line by the action of the people themselves when they came to form a State constitution, ought to have been brought to the notice of the public, and put to our credit in the statement of the account.

We have a right to complain, also, of that portion of the senator's speech which relates to the country south of 36 deg. 30 min. The resolution does not provide that that portion, or any part of it, shall continue a Territory or become slave States. Such is not the reading, nor the intention, nor the fair construction of the resolution. It provides that the States to be formed south of 36 deg. 30 min. "shall be admitted into the Union *with* or *without* slavery, *as the people of each State asking admission may desire.*" Before the annexation of Texas all their territory in the republic was included in one State, and subject to one uniform system of laws. Of that vast territory, a small portion, say one-fourth, was capable of producing either sugar or cotton, and consequently adapted to slave labor; while the residue consisted of elevated table-lands, and high mountain ridges, with climate and productions totally unsuited to the health and employment of the slave. The white population of Texas at that time was confined to the low lands, the sugar and cotton regions, where slave labor was profitably employed. The laws and institutions were adapted to the condition and wishes of the people by and for whom they were established. So long as Texas should remain one State, with a uniform system of laws, the preponderance of population and political power residing in the lower country, the institution of slavery must have been fastened upon the people of the upper country against their will, and without their consent. In view of this probable contingency, the resolution of annexation provides for the division of Texas into any number of States not exceeding four, in addition to the present one, and that each of those States shall be received into the Union with or without slavery, as it shall desire. But for this provision, no part of Texas south of 36 deg. 30 min. could ever become free, so long as there was a slave raising sugar or cotton on the low lands. Under it any one of these new States can become free if it chooses, whenever it shall be admitted into the Union. How many of these new States, south of 36 deg. 30 min., in the event that four shall be created, shall become free, is a matter of opinion, which time alone can decide. If there is anything of merit or responsibility in the expression of individual opinion, I am willing to hazard my own, and place it on record by the side and in opposition to that of the senator from Massachusetts, that whenever four new States shall be created within the limits of Texas, at least two, and probably three of them, including that north of 36 deg. 30 min., will be *free* States, under the resolutions of annexation, and by virtue of the choice of the people themselves. This opinion is not new to me, nor original with myself. If my memory serves me right, the distinguished senator from Kentucky [Mr. CLAY] expressed the same opinion in his celebrated Raleigh letter in 1844, and I know that it was the general impression among those best informed on the subject at the time Texas was annexed. Subsequent events, together with all the information which has since been developed upon this subject, have served to strengthen this conclusion. Hence I assert that the final character of this country is not fixed by a fundamental law. It is no more pledged to slavery than it is to freedom. The only effect of the resolution of annexation is to remove the restriction which must have deprived the people of any portion of that territory from establishing free institutions if they desired, and to secure to them that privilege in each one of the new States.

Mr. WEBSTER. I stated that this was slave territory, and that the States formed out of it all have a right to come in as slave States if they choose, but that they could not be formed either as free or slave States without the consent of Texas. Well, I suppose, reasoning upon that line of argument, that Texas would be unwilling to admit free States out of her territory.

Mr. DOUGLAS. I thank the senator for his explanation; for it furnishes a conclusive refutation of his most serious charge against the northern democracy. His charge was, that the resolutions of annexation contained a pledge, binding in honor, law, and conscience upon him and his whig associates, to bring into the Union four new slave States. Now, when the fact is made probable, if not certain, that a majority of those new States will be free and not slaveholding, we are told that Texas will not consent to the division. Well, sir, suppose she does withhold her assent, what becomes of the senator's complaint that the democracy are responsible for the admission of four new slave States into the Union? His mode of avoiding the force of my argument that they will be free States, is a conclusive refutation of his charge against the northern democracy. I confess that I participate in the apprehension suggested by the senator from Massachusetts, that Texas will not consent to the subdivision provided for in the resolutions of annexation. This is the only doubt, only fear, I have, or have ever entertained, upon the subject. I think there is an implied obligation on the part of Texas to give her consent at the proper time, and when the proposed subdivisions shall contain the requisite population. The greatest difficulty, I apprehend, will be in laying out the subdivisions and adjusting the boundaries, so as to separate the planting region, the country adapted to the culture of sugar and cotton, from the farming and mineral country on the uplands and in the valleys and mountains, from which slavery is excluded by the laws of nature and of physical geography, if I may be permitted to use the emphatic language of the senator himself, when referring to New Mexico and California. I have expressed some apprehension lest Texas might not consider herself bound, under the resolutions of annexation, to give her assent to the subdivision. I wish not to be misunderstood upon this point. I have full confidence that Texas will observe good faith in the execution of every portion of the compact. The only question is, whether she will consider that portion of the compact relating to new States as obligatory or merely discretionary on her part. That she will find it more consistent with her interest and convenience to subdivide than to remain one State, I have no doubt; and hence we may naturally conclude that her assent will be readily and cheerfully given, unless she should be inclined to believe that it was her duty to her sister States of the South to withhold it, in order to prevent the increase of the number of free States in the Union. Whatever may be the prevailing opinion now in the different sections of the Union as to the expediency of the subdivisions of Texas, I think I hazard but little in the prediction that when the time arrives for giving our assent on behalf of the United States, opposition will be much more likely to arise in the South than in the North. But I must pass on and notice another paragraph in the speech of the senator from Massachusetts. For greater certainty as to his meaning, I will read it:

"Sir, that body of northern and eastern men, who gave those votes at that time, are now seen taking upon themselves, in the nomenclature of politics, the appellation of the northern democracy. They undertook to wield the destinies of this empire—if I may call a republic an empire—and their policy was, and they persisted in it, to bring into this country all the territory they could. They did it under pledges, absolute pledges to the slave interest in the case of Texas, and afterwards they lent their aid in bringing in these new conquests."

"Under pledges, absolute pledges to the slave interest." These are bold assertions. Where are those pledges to be found? Where are the evidences of them? What were the terms, and by whom given?

Mr. WEBSTER. When a resolution was brought in here by the senator from Georgia [Mr. BERRIEN] against continuing the war for the acquisition of territory, it was negatived by the votes of the northern democracy.

Mr. DOUGLAS. Well, does that vote prove that it was done under pledges to the slave interest? It only proves that the whigs who voted for the resolution were opposed to the acquisition of California and New Mexico, and that the democrats who voted against it were in favor of the acquisition. That is all it proves, and that we are proud to confess. The democracy claim California and New Mexico as the rich fruits of their labors. We acknowledge with pride that we stood by our country in a just war against a cruel and perfidious foe, and that the acquisitions of those Territories are some of the substantial results of our policy. And because we annexed Texas, and thereby provided for the exclusion of slavery from five and a half degrees of latitude in which it then had a legal existence, and at the same time made provision for its exclusion hereafter by the action of the people themselves from a large portion of the residue, and because we supported our country's cause in time of war, and in consequence acquired five or six hundred thousand square miles of territory from which slavery is excluded "by the arrangement of things by the Power above us," the senator very generously infers that it must necessarily all have been done "under absolute pledges to the slave interest." What a logical deduction! How irresistible the inference! How can it fail to work conviction in the mind of every candid man, after reading the following description of the country from the senator's own speech:

"Now, as to California and New Mexico, I hold slavery to be excluded from those Territories by a law even superior to that which admits and sanctions it in Texas. I mean the law of nature, of physical geography, the law of the formation of the earth. That law settles forever, with a strength beyond all terms of human enactment, that slavery cannot exist in California or New Mexico. Understand me, sir; I mean slavery as we regard it; slaves in gross, of the colored race, transferable by sale and delivery like other property. I shall not discuss the point, but leave it to the learned gentlemen who have undertaken to discuss it; but I suppose there is no slave of that description in California now. I understand that peonism, a sort of penal servitude, exists there, or rather a sort of voluntary sale of man and his offspring for debt, as it is arranged and exists in some parts of California and Mexico. But what I mean to say is, that African slavery, as we see it among us, is as utterly impossible to find itself or to be found in Mexico as any other natural impossibility. California and New Mexico are Asiatic in their formation and scenery. They are composed of vast ridges of mountains of enormous height, with broken ridges and deep valleys. The sides of these mountains are barren, entirely barren; their tops capped by perennial snow."

And again he says:

"I look upon it, therefore, as a fixed fact, to use an expression current at this day, that both California and New Mexico are destined to be free, so far as they are settled at all, which I believe, especially in regard to New Mexico, will be very little for a great length of time—free by the arrangement of things by the Power above us. I have therefore to say, in this respect also, that this country is fixed for freedom to as many persons as shall ever live in it by as irrepealable and more irrepealable a law than the law that attaches to the right of holding slaves in Texas; and I will say further, that, if a resolution or a law were now before us to provide a territorial government for New Mexico, I would not vote to put any prohibition into it whatever. The use of such a prohibition would be idle as it respects any effect it would have upon the Territory; and I would not take pains to reaffirm an ordinance of Nature nor to re-enact the will of God. And I would put in no Wilmot Proviso for the purpose of a taunt or a reproach."

Well, sir, one would suppose that "the slave interest" must feel itself under eternal obligation to the northern democracy for having brought such a country into this Union, in opposition to the combined forces of northern and southern whigery, as shown by the votes on Mr. BERRIEN's resolution? The northern democracy can hardly hope for forgiveness for such a sin against freedom, and such a service to the slave power.

But, Mr. President, I am exceedingly gratified that the senator from Massachusetts has discovered that a prohibition of slavery in those Territories is wholly useless and unnecessary; that it would be as "idle," so far as any effect upon slavery is concerned, as "to reaffirm an ordinance of nature," or "to re-enact the will of God." But I remember well—and the senator reminded us of it the other day, lest the important fact might be forgotten—that at or before a whig convention, at Springfield, Massachusetts, in September, 1847, he made a speech in favor of the Wilmot Proviso as applicable to these very Territories. On that occasion he claimed the Proviso as his own "invention," asserted a priority of discovery, by a period of nine years over all others, and filed his *caveat* against infringements of his patent by Mr. Wilmot and all other "more recent discoverers," and forbid their use of it upon the ground that it was "not their thunder." From that moment the whig party throughout the free States of the Union seem to have taken it for granted that the exclusive right to use this valuable invention of their worthy and distinguished champion had inured to them. It was forthwith introduced into successful operation in all their town meetings and caucuses, and county and State conventions, as a wonderful intellectual machine, whereby men's judgments could be convinced, political opinions moulded, and elections controlled so as to elevate none but whigs to office. It worked like a charm, and produced the most extraordinary and prodigious results in the shape of political capital and artificial thunder, notwithstanding the patent may have been violated by the two ex-senators of whom the senator from Massachusetts has complained, and a few members of the House of Representatives. It has wrought miracles in the political world—revolutionized whole States—changed the moral, intellectual, and political capacities of experienced politicians, and has even created the wisest and most profound statesmen out of men who "had not given a vote in forty years." These are a few of the incomprehensible blessings conferred upon this glorious republic by the "saving grace" of that indescribable invention of the senator from Massachusetts, called the Wilmot Proviso. But, sir, I fear that the distinguished senator from Massachusetts has shared the fate of other great inventors and benefactors who have preceded him. It has usually been the unfortunate lot of such men to see others enjoying the fruits of their labor.

The senator has recently made another discovery, however, which, I think, is destined to give him quite as much substantial reputation as the Wilmot Proviso, although it may not contain as many of the elements of political "thunder." He has discovered that the prohibition of slavery in the Oregon bill, as adopted in the House, on the motion of Mr. WINTHROP, and incorporated in the the territorial bill of 1848, was an "entirely useless, and, in that connexion, entirely senseless proviso." He has also discovered that "such a prohibition" in territorial bills for California and New Mexico "would be idle, as it respects any effect it would have upon the territory;" that "slavery is excluded from those Territories by a law even superior to that which admits and sanctions it in Texas—the law of nature, of physical geography—the law of the formation of the earth; that law settles forever, with a strength beyond all terms of human enactment, that slavery cannot exist in California and New Mexico;" that it would be as idle to prohibit slavery there as it "would to reaffirm an ordinance of nature," or "to re-enact the will of God." Yes, sir, these things have been discovered by the distinguished senator within the last few days—during the present session of Congress—since the accession of the whig party to the power and patronage of the federal government. They have suddenly become great truths, upon which it is deemed entirely safe for a free people to act and rely with perfect security. Well, I am induced to think the senator is right in all this; indeed, I have no doubt upon the subject. His positions are sustained by the observation and experience of all men familiar with those countries, by all the information we possess, or that could be collected. My only regret is, that he did not make this discovery prior to the last presidential election. It is well that he has made it now, but it would have been better if made and proclaimed then. I am not aware that the law of nature—of physical geography—the law of the formation of the earth, has changed materially since the election of General Taylor to the presidency; but it has occurred to me that the ordinance of nature and the will of God have become much more potent in impressing certain great truths upon the minds of men than before that important event occurred.

The startling fact, so clearly illustrated and demonstrated by the distinguished senator in his late speech, that the Territories of California and New Mexico were made free by the law of nature, was distinctly stated and elaborated by Mr. Buchanan in his "Harvest Home letter," and adopted and incorporated into the Nicholson letter by Gen. CASS. I do not recollect of ever having heard that the senator from Massachusetts then agreed with Mr. Buchanan and Gen. CASS upon this point, or that he united with the northern democracy in the effort to place a statesman in the presidential chair who held and openly avowed the precise sentiments which he now so ably advocates in our legislation for the Territories acquired from Mexico. I may have been in error, and, if so, would be happy to be corrected; but I always supposed that the senator from Massachusetts joined with the universal whig party of the North in decrying and deriding the doctrine of non-intervention, borne upon the ordinances of nature and the will of God, as the worst form of locofoco subserviency to the slave power, whereby it was designed to open the door for the admission of slavery into territory now free. If such were not his opinions then—if the powerful influence of his name and intellect were not exerted to the utmost to impress this opinion upon the popular mind, I confess that great injustice has been done him, not only by me, but "the rest of mankind." If he and the party of which he is the great northern leader had then come to the support of those elevated, noble, and patriotic doctrines which are now so boldly proclaimed and ably vindicated by him, the question would have been settled at once and forever, quietly, peaceably, and satisfactorily to all portions of the Union. But, sir, such a settlement at that time would not have suited the purposes of the whig party. They were in a woful, pitiful minority. Having rendered themselves odious to the people by taking sides with the public enemy in a state of war, they were anxious to retrieve their political fortunes, and to be returned to power. This could not be done by open and direct means. It required equivocation and indirection. The first step was to select a man who had endeared himself to the people by his services in prosecuting the war as the presidential candidate of the anti-war party. Thus the slavery agitation was to be kept up, and fomented, and stimulated to the highest point of phrensied excitement. Gen. Taylor was to withhold his opinions and maintain a deathlike silence upon it, while his partisans were to represent him to the people in each section of the Union as holding opinions in accordance with the prevailing sentiment in that section. At the North he was represented as being sufficiently orthodox upon free-soilism, being ready cheerfully and cordially to give his approval to the Wilmot Proviso; while at the South he was represented as being devotedly attached to their peculiar institutions by all the ties of nativity, of habit, association, and interest. Thus the friends of General Taylor succeeded in making the people believe in each section that his opinions and principles harmonized with their own.

And here I will notice a remark of the senator from New York, [Mr. SEWARD,] in his speech delivered a few days since. He went out of his way to get an opportunity of bearing his individual testimony to the fidelity of the northern democracy to what he and his associates are pleased to call the slave interest. He assured the southern senators that the democracy of the North were and ever had been the faithful and reliable allies of the slave power, under all circumstances and in every emergency. His kindness in this respect is fully appreciated. His motive it is not difficult to comprehend. It was necessary for him to say thus much in order that his speech might appear to be consistent with his representations to the people during the presidential canvass. Did he not support the election of Gen. Taylor? And with a view to induce the people to vote for him, did he not pledge Gen. Taylor to the approval of the Proviso?

Mr. SEWARD. The senator will allow me to answer this question—not from any consequences that may result to myself at all, however. I never did pledge General Taylor to anything. I expressed my own belief that General Taylor, if elected President of the United States, would leave the question of the organization of new Territories to Congress; and that, in my own judgment, founded altogether on the means of information in possession of everybody, General Taylor would not veto a bill which would be passed by Congress; which bill, to be passed by Congress, I said, would be one containing the Proviso, and no other.

Mr. DOUGLAS. That comes pretty near it. The senator made no pledges; he only made representations. He did not say that General Taylor would do so and so, but expressed the opinion that he would, and succeeded in making the people of New York believe that the opinion was well-founded. I will now ask the senator from New York if the people of that State could ever have been induced to vote for General Taylor, if they had not been made to believe that he would have approved the Proviso?

Mr. SEWARD. I think not. I think undoubtedly the result would have been otherwise.

Mr. DOUGLAS. The senator thinks not. General Taylor, then, could not have received the electoral vote of New York, but for the impression, which the senator contributed to produce in the minds of the people, that he would sanction and approve the Proviso. General Taylor, in his annual message, and indeed in one or two special messages since, has plainly and boldly recommended non-action; has declared himself opposed to all legislation for the Territories. Now, non-action is non-intervention, so far as the question of slavery is involved. On this point General Taylor and General Cass occupy precisely the same ground. In other respects, even in regard to the Territories, they differ widely and materially. For instance, General Cass is in favor of *action* so far as to institute and establish governments for the Territories, but of *non-action* upon the question of slavery. General Taylor is in favor of *non-action* also upon the slavery question, but goes further, and opposes the establishment of any territorial governments. They agree, therefore, upon one point; and that is, that no law should be passed upon the subject of slavery, and consequently *that the* PROVISO *should NOT be adopted.*

Now, sir, what becomes of the senator's representations, and arguments, and appeals to the people of New York, by which he made them believe that Gen. Taylor was in favor of the Proviso, and, in consequence of that belief, induced them to do what, by his own confession, they otherwise never would have done—to vote for him and make him President of the United States? One thing is clear—the people of New York were cheated out of their votes; yea, another, Gen. Taylor was elected by fraud. Who perpetrated the fraud? Who deceived the people? The senator from New York tells us that he made the representations; he expressed the opinions; he gave them the sanction of his name, the weight of his authority; that he was one of the agents who infused this false impression into the minds and hearts of the people of his own State, and thereby induced them to give their votes for a man for whom they would never have voted if the truth had been told them. The senator does not distinctly inform us whether he did these things on his own account and upon his own individual responsibility, or upon the authority of another. This point is important, in order to detect and expose the guilty party. The circumstances would seem to throw the responsibility upon one or the other of two important personages. The one is the eminent citizen who occupies the White House by virtue of this fraud, according to the senator's confession; and the other is the senator himself. The President, according to all appearances, has vindicated himself by the direct and unequivocal disavowal in his several messages of the sentiments and opinions imputed to him by the senator from New York. Under this view of the case, the responsibility rests with all its force and odium upon the senator from New York. But, sir, the choice, or rather the defeat of the choice of the people, of a President of the United States, is not the only result of this system of double-dealing within the limits of the State of New York. The members of the legislature were elected on the same day, and the same influences which secured the electoral vote to General Taylor gave the Whigs a majority in the legislature, and that majority elected the gentleman [Mr. SEWARD] a member of this body. He too, therefore, is now enjoying the substantial results of that system of double-dealing and deception which was practised upon the people of New York, with the view of placing General Taylor in the presidential chair, and himself in the Senate of the United States. Under these circumstances, I submit whether it would not have been more becoming in that senator to have vindicated himself against the injurious inferences that are likely to be drawn from these facts than to have attempted to fix odium and prejudice upon the northern democracy, by representing them as the faithful ally of the slave power? It looks as if this unfounded charge against the democratic party was gotten up for the purpose of diverting public attention from his own conduct. He may have peculiar reasons for wishing to avoid too rigid a scrutiny into the terms of the alliance between him and the administration, and especially the means by which both were elevated to power, and the mode in which patronage and spoils have been distributed. No one who heard his speech could have failed to note the ominous silence he observed upon all points involving the opinions and action of General Taylor and his cabinet upon the slavery and Proviso question. He did not here venture to express it as his own opinion, as he says he did in New York during the canvass, that General Taylor would approve the Proviso. He did not do this; nor did he sound the alarm, and tell them that they had been deceived and betrayed by either himself or General Taylor. No; he did neither of these things. He contented himself with representing the northern democrats to their constituents as the faithful allies of the slave power, while his southern whig friends are in the daily habit of charging the same northern democracy with being the most radical free-soilers and abolitionists. It seems that the same course of proceeding which was resorted to, to defeat General Cass for the presidency, and to prevent a peaceable and satisfactory adjustment of this vexed question, is to be continued with the view of sustaining the power of the administration.

Mr. HALE. The senator says if his friend from Michigan had been elected, this question would have been settled. Will he be kind enough to tell us how?

Mr. DOUGLAS. Yes, sir. It would have been upon the principle of non-interference by the action of the people themselves. California, with her free constitution, would have been received into the Union as a State long ago, and the usual territorial government would have been established for the residue of the country. The whole country would have remained free as it is now, by the existing laws of the land, by the will of the people who inhabit it, and by the laws of nature, climate, and production. The adjustment would have been effected quietly, peaceably, and satisfactorily. No offence would have been given to any portion of the Union. We would have had none of this irritating agitation, experienced none of this painful excitement. We would have heard not a word of southern rights and northern aggressions, much less the harsh and discordant sounds of disunion. This is, in my opinion, the settlement we would have witnessed, had the regular nominees of the democratic party been elected President of the United States. Is the senator from New Hampshire satisfied on this point?

Mr. HALE. I am satisfied that such is your opinion, but not that such is the fact.

Mr. DOUGLAS. The senator is not satisfied as to the fact. I will remind him of an instance in which he has been mistaken before upon this very subject, and I presume he will now gladly acknowledge his error. Last year I introduced a bill for the admission of all the country acquired from Mexico, by the treaty of peace, into the Union as one State, reserving the right to form new States out of any portion of said Territory lying east of the Sierra Nevada mountains. The senator from New Hampshire opposed that bill upon the ground that, if the Proviso was not adopted, and the people were allowed to decide the question of slavery for themselves, it would be a slave State. Well, sir, the Proviso was not adopted, and the people were allowed to decide the question for themselves, and California has presented to us a constitution prohibiting slavery. The senator then doubted that this fact would happen—he can no longer doubt that it has happened. I then predicted that the people of California would prohibit slavery, and ask to come into the Union as a free State, but the senator shook his head and doubted. In vain I recapitulated to him the arguments in favor of freedom, the physical formation of the country, its climate, productions, elevation above the sea, the feelings and prejudices of the inhabitants, all favorable to the exclusion of slavery. He still doubted: no, he did not doubt; he was positive, absolutely certain, that slavery would inevitably go there, if not prohibited by an act of Congress. Less than one short year has corrected this error, and it may take twelve months longer to correct his errors of judgment in regard to the residue of the country. However, the signs are decidedly favorable. He was then positively certain; he now only doubts the fact. Yet there is one thing of which I must be permitted to remind him, and ask him to bear it in mind; it is this: If my bill of the last session had become the law of the land—which it certainly would have done if he had not united his forces with those of the senator from South Carolina [Mr. CALHOUN] to defeat it—the whole of the territory acquired from Mexico would, at this moment, have been dedicated to freedom forever, by a constitutional provision.

Mr. President, so much has been said in the course of