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MAINTAIN FLIGHTED FAITH.

Speech of Hon. S. P. Chase, of Ohio, in the Senate, February 3, 1854, Against the Repeal of the Missouri Prohibition of Slavery north of 36 deg. 30 min.

The third specification of the Senator charges the signers of the appeal with misrepresentation of the original policy of the country in respect to Slavery. The Senator says: "The argument of this manifesto is predicated upon the assumption that the policy of the fathers of the Republic was to prohibit Slavery in all the Territories ceded by the old States to the Union, and made United States Territory for the purpose of being organized into new States. I take issue upon that statement."

The Senator then proceeds to attempt to show that the original policy of the country was one of indifference between Slavery and Freedom; and that, in pursuance of it, a geographical line was established, reaching from the eastern to the western limit of the original States—that is to say, to the Mississippi river. Sir, if anything is susceptible of absolute historical demonstration, I think it is the proposition that the founders of this Republic never contemplated any extension of Slavery. Let us for a few moments retraced the past.

What was the general sentiment of the country when the Declaration of Independence was promulgated? I invoke Jefferson as a witness. Let him speak to us from his grave, in the language of his memorable exposition of the rights of British America, laid before the Virginia Convention, in August, 1774. These are his words: "The abolition of domestic Slavery is the greatest object of desire in those colonies, where it was unhappily introduced into their infanture."

In the spirit which animated Jefferson, the First Congress—the old Congress of 1774—among their first acts, entered into a solemn covenant against the slave traffic. In 1776, the Declaration of Independence, drafted by Jefferson, announced no such low and narrow principles as to be the fashion now. That immortal document asserted no right of the strong to oppress the weak, of the majority to enslave the minority. It promulgated the sublime creed of human rights. It declared that all men are created equal, and endowed by their Creator with inalienable rights to life and liberty.

The first acquisition of territory was made by the United States three years before the adoption of the Constitution. Just after the country had emerged from the war of Independence, when its struggles, perils, and principles were fresh in remembrance, and the spirit of the Revolution yet lived and burned in every American heart, we made our first acquisition of territory. That acquisition was derived from the cession of Virginia, New York and Connecticut. It was the Territory Northwest of the River Ohio.

Congress forthwith proceeded to consider the subject of its government. Mr. Jefferson, Mr. Howell, and Mr. Chase, were appointed a committee to draft an Ordinance making provision for that object. The Ordinance reported was the work of Mr. Jefferson, and is marked throughout by his spirit of comprehensive intelligence and devotion to liberty. It did not confine its regards to the territory actually acquired, but contemplated further acquisition by the cession of other States. It provided for the organization of temporary and permanent State Governments in all territory, whether "ceded or to be ceded," from the 21st parallel, the boundary between the United States and the Spanish province of Florida on the south, to the 42d parallel, the boundary between this country and the British possessions on the north.

The Territory was to be formed into States; the settlers were to receive authority from the General Government to form temporary Governments. The temporary Government was to continue in force until the population should increase to 20,000 inhabitants; and then the territory were to be converted into permanent Governments. Both the temporary and the permanent Governments were to be established upon certain principles, expressly set forth in the Ordinance, as their basis. Chief among those was the important proviso to which I now ask the attention of the Senate:

"After the year 1800 of the Christian era there shall be neither Slavery or involuntary servitude in any of said States, otherwise than in the punishment of crimes whereof the parties shall have been duly convicted to have been personally guilty."

Let it be noted and remembered that this proviso applied not only to the territory which had been ceded already by Virginia and the other States, but to all territory ceded and to be ceded. There was not one inch of territory within the whole limits of the Republic which was not covered by the claims of one or another of the States. It was then the opinion of many statesmen—Mr. Jefferson himself among them—that the United States, under the Constitution, were incapable of acquiring territory outside of the original States. The Jefferson proviso, therefore, extended to all territory which it was then supposed the United States could possibly acquire.

Well, sir, what was the action upon this proviso? Mr. Speight, of North Carolina, moved that it be stricken from the Ordinance; and the vote stood, for the proviso, six States—New Hampshire, Massachusetts, Rhode Island, Connecticut, New York, and Pennsylvania; against the proviso, three States—Virginia, Maryland, and South Carolina. Delaware and Georgia were not then represented in the Congress, and the vote of North Carolina, being divided, was not counted; nor was the vote of New Jersey counted, one delegate only being present. But the Senate will observe that the States stood six to three. Of the twenty-three delegates present, sixteen were for the proviso and seven against it. The vote of the States was two to one, and that of the delegates more than two to one, for the proviso. But under the provisions of the Articles of Confederation, which then controlled the legislation of Congress, the vote of a majority of all the States were necessary to retain it in the Ordinance. It failed, consequently, precisely as a proviso in a treaty must fail, unless it receives the votes of two-thirds of the members of the Senate.

Sir, if that doctrine of the rights of majorities, of which we hear so much and see in act, and practice so little, had then been recognized—if the wisdom of a majority of the States and of the majority of the delegates had prevailed—if the almost universal sentiment of the people had been respected, the question of Slavery in this country would have been settled that day forever. All the

territory acquired by the Union would have been covered with the impenetrableegis of freedom. But then, as now, there was a slave power. The interest was comparatively small, and the power comparatively weak; but they were sufficient, under the then existing Government, to defeat the proviso, and transfer the great question of Slavery to future discussion. The facts which I have detailed, however, are sufficient to show what was the general sentiment, and what was the original policy of the country, in respect to Slavery. It was one of limitation, discouragement, and repression.

What else occurred? The subject of organizing this Territory remained before Congress. Mr. Jefferson, in 1785, went to France. His great influence was no longer felt in the councils of the country; but his proviso remained, and in 1787 was incorporated into the Ordinance for the government of the Territory Northwest of the River Ohio. I beg the Senate to observe, that this Territory was, at that moment, the whole territory belonging to the United States. I will not trouble the Senate by reading the proviso of the Ordinance. It is enough to say that the Jefferson proviso of 1784, coupled with a provision saving to the original States of the Union a right to reclaim fugitives from service, was incorporated into the Ordinance, and became a fundamental law over every foot of National territory. What was the policy indicated by this action by the fathers of the Republic? Was it that of indifference between Slavery and Freedom?—that of establishing a geographical line, on one side of which there should be Liberty, and on the other side Slavery, both equally under the protection and countenance of the Government? No, sir; the furthest thing possible from that. It was the policy of excluding Slavery from all National territory. It was adopted, too, under remarkable circumstances. The territory over which it was established was claimed by Virginia, in right of her charter, and in right of conquest. The gallant George Rogers Clarke, one of the bravest and noblest sons of that State, had, with a small body of troops, raised under her authority, invaded and conquered the Territory. Slavery was already there, under the French colonial law, and also, if the claim of Virginia was well founded, under the laws of that State. These facts prove that the first application of the original policy of the Government converted slave territory into free territory.

Now, sir, what guarantees were given for the maintenance of this policy in time to come? I once, upon this floor, adverted to a fact, which has not attracted so much attention as, in my judgment, its importance deserves. It is this. While the Congress was framing the Ordinance—the last of its illustrious labors—the Convention which framed the Constitution was sitting in Philadelphia. Several gentlemen were members of both bodies, and at the time this Ordinance was adopted, no proposition in respect to Slavery had been discussed in the Convention, except in that which resulted in the establishment of the three-fifths clause. It is impossible to say, with absolute certainty, that the incorporation of that clause into the Constitution, which gave the slave States a representation for three-fifths of their slaves, had anything to do with the unanimous vote by which the proviso was engrafted upon the Ordinance; but the coincidence is remarkable, and justifies the inference that the facts were connected. At all events, the proviso can hardly fail to have been regarded as affording a guarantee for the perpetuation of the policy which it established.

Already seven of the original thirteen States had taken measures for the abolition of Slavery within their limits, and were regarded as Free States. Six only of the original States were regarded as slave States. The Ordinance provided for the creation of five new free States, and thus secured the decided ascendancy of the free States in the Confederation. The perpetuation of Slavery even in any State, it is quite obvious, was not then even thought of.

And now, sir, let me ask the attention of the Senate to the Constitution itself. That charter of our Government was not formed upon pro-slavery principles, but upon anti-slavery principles. It nowhere recognizes any right of property in man, it nowhere confers upon the Government which it creates, any power to establish or to continue Slavery. Mr. Madison himself records in his report of the debate of the Convention his own declaration, that it was wrong to admit in the Constitution the idea that there could be property in man. Every clause in the Constitution which refers in any way to slaves speaks of them as persons, and excludes the idea of property. In no case of the States, if it is true, slaves were regarded as property.

The language of Mr. Justice McLean on this point is very striking. He says: "That cannot divest them of the leading and controlling quality of persons by which they are designated in the Constitution. The character of property is given them by the local law. This law is respected, and all rights under it are protected by the Federal authorities. But the Constitution acts upon slaves as persons, and not as property."

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It shows conclusively the absence of all intention upon the part of the founders of the Government to afford any countenance or protection to Slavery outside of the State limits. De-parture from the true interpretation of the Constitution has created the necessity for more positive prohibition.

My general view upon this subject is simply this: Slavery is the subjection of one man to the absolute disposal of another man, by force. Master and slave, according to the principles of the Declaration of Independence, and by the law of nature, are alike men, endowed by their Creator with equal rights. Sir, Mr. Pinckney was right, when, in the Maryland House of Delegates, he exclaimed, "By the eternal principles of justice, no man in the State has a right to hold his slave for a single hour." Slavery, then, exists nowhere by the law of nature. Wherever it exists at all, it must be through the sanction and support of municipal or State legislation.

Upon this state of things the Constitution acts. It recognizes all men as persons. It confers no power, but, on the contrary, expressly denies all power to the Government of its creation to establish or to continue Slavery. Congress has no more power, under the Constitution, to make a slave than to make a king; no more power to establish Slavery than to establish the Inquisition.

At the same time, the Constitution confers no power on Congress, but, on the contrary, denies all power to interfere with the internal policy of any State, sanctioned and established by its own Constitution and its own legislation, in respect to the personal relations of its inhabitants. The States, under the Constitution, are absolutely free from all interference by Congress in that respect, except, perhaps, in the case of war or insurrection; and may legislate as they please within the limits of their own Constitutions. They may license other wrongs. But State laws, by which Slavery is allowed and regulated, can operate only within the limits of the State, and can have no extra territorial effect.

Sir, I could quote the opinions of Southern judges *ad libitum*, in support of the doctrine that Slavery is against natural right, absolutely dependent for its existence or continuance upon the State legislation. I might quote the scornful rejection by Randolph of all aid from the General Government to the institution of Slavery within the States. I might quote the decision of the celebrated Chancellor Wythe, of Virginia—overruled afterwards. I know, sir, in the Court of Appeals, that Slavery was against justice, that the presumption of freedom must be allowed in favor of every alleged slave suing for liberty, and that the onus of proving the contrary rested upon the master.

I think, sir, I have now shown that the Ordinance of 1787, and the Constitution of the United States, were absolutely in harmony one with the other; and that if the Ordinance had never been adopted, the Constitution itself, properly interpreted and administered, would have excluded Slavery from all newly-acquired territory. But sir, whatever opinion may be entertained in respect to the interpretation of the Constitution which I defend, one thing is absolutely incontrovertible, and that is, that it was the original policy of the country to exclude Slavery from all national territory.

That policy was never departed from until the year 1790, when Congress accepted the cession of what is now Tennessee, from North Carolina. But did the acceptance of that cession indicate any purpose of establishing a geographical line between Slavery and Freedom? Why, sir, on the contrary, the State of North Carolina, aware that in the absence of any stipulation to the contrary, Slavery would be prohibited in the ceded territory, in pursuance of the established policy of the Government, introduced into her deed of cession an express provision, that the anti-slavery article of the Ordinance of 1787 should not be applied to it. It may be said that Congress should have refused to accept the cession. I agree in that opinion. But Slavery already existed in that district as part of the State of North Carolina, and it was probably thought unreasonable to deny the wish of the State for its continuance.

The same motives decided the action of Georgia in making her cession of the territory between her western limits and the Mississippi, and the action of Congress accepting it. The acceptance of both of these cessions, as well as the acquiescence and re-acceptance by Congress of the slave laws of Maryland for the District of Columbia, were departures from original policy; but they indicated no purpose to establish any geographical line. They were the result of the gradually increasing indifference to the claims of Freedom, plainly perceivable in the history of the country after the adoption of the Constitution. Luther Martin had complained in 1788—"when our own liberties were at stake, we warmly felt for the common rights of man. The danger being thought to be passed which threatened ourselves, we are daily growing more and more insensible to those rights." It was this growing insensibility which led to these departures from original policy. Afterwards, in 1803, Louisiana was acquired from France. Did we then hasten to establish a geographical line? No, sir. In Louisiana, as in the Territories acquired from Georgia and North Carolina, Congress refrained from applying the policy of 1787; Congress did not interfere with existing Slavery; Congress contented itself with enacting prohibitions, absolutely, the introduction of slaves from beyond the limits of the United States; and also prohibiting their introduction from any of the States, except by bona fide owners, actually removing to Louisiana for settlement. When Louisiana was admitted into the Union, in 1812, no restriction was imposed upon her in respect to Slavery. At this time, there were slaves all along up the west bank of the Mississippi as far as St. Louis, and perhaps even above.

In 1818 Missouri applied for admission into the Union. The free States then awoke to the danger of the total overthrow of the original policy of the country. They saw that no State had taken measures for the abolition of Slavery since the adoption of the Constitution. They saw that the feeble attempt to restrict the introduction of slaves into the territories acquired from Georgia and from France had utterly failed. They insisted, therefore, that in the formation of a Constitution for the people of the proposed State should embody in it a provision for the gradual abolition of existing Slavery, and prohibiting the further introduction of slaves.

By this time the slave interest had become strong, and the slave power was pretty firmly established. The demand of the free States was vehemently protested.

A bill preparatory to the admission of Missouri, containing the proposed restriction, was passed by the House and sent to the Senate. In that body the bill was amended by striking out the restriction; the House refused to concur in the amendment; the Senate insisted upon it and the bill failed. At the next session of Congress the controversy was renewed. In the mean time Maine had been received from Massachusetts, had adopted a Constitution, and had applied for admission into the Union. A bill providing for her admission passed the House, and was sent to the Senate. This bill was amended in the Senate by tacking to it a bill for the admission of Missouri, and by the addition of a section prohibiting Slavery in all the Territory acquired by Louisiana north of 36 deg. 30 min. The House refused to concur in these amendments, and the Senate asked for a Committee of Conference, to which the House agreed. During the progress of these events, the House, after passing the Maine bill, had also passed a bill for the admission of Missouri, embodying the restriction upon slavery in the State. The Senate amended the bill by striking out the restriction, and by inserting the section prohibiting Slavery north of 36 deg. 30 min.

This section came from the South, through Mr. Thomas, the Senator from Illinois, who had uniformly voted with the slave States against all restriction. It was adopted on the 17th of February, 1820, as an amendment to the Maine and Missouri bill, by 33 yeas, against 10 noes.

Mr. Hunter, I think that the provision passed without a division in the Senate.

Mr. Chase, the Senator is mistaken. Fourteen Senators from the slave States, and twenty from the free States, voted for that amendment. Eight from the former, and two from the latter, voted against it. No vote by yeas, and noes was taken when the same amendment was engrafted upon the separate Missouri bill, a few days later; the sense of the Senate having been ascertained by the former vote.

This was the condition of matters when the Committee of Conference for which the Senate had asked, made their report. The members of the committee from the Senate were, of course, favorable to the Senate amendments. In the House, the Speaker, Henry Clay, was also in favor of them, and he had the appointment of the committee. Of course he took care as he has since introduced the country, to constitute the committee in such manner and of such persons as would be most likely to secure their adoption. The result was what might have been expected. The committee recommended that the Senate should recede from its amendments to the Maine bill, and that the House should concur in the amendments to the Missouri bill. Enough members from the free States were found to turn the scale against the proposed restriction of Slavery in the State; and the amendment of the Senate striking it out was carried in by ninety yeas, against eighty-seven yeas.

From this moment, successful opposition to the introduction of Missouri with slavery was impossible. Nothing remained but to determine the character of the residue of the Louisiana acquisition, and the amendments prohibiting Slavery north of 36 deg. 30 min. was concurred in by one hundred and thirty-four yeas, against forty-two yeas. Of the yeas, thirty-eight were from slave and ninety-six from free States of the yeas, thirty-seven were from slave States, and five from free. Among those who voted with the minority were Mr. Lovaides, of South Carolina, whose vote, estimated by the worth and honor of the man outweighs many opposites.

Now, for the first time was the geographical line established between Slavery and freedom in this country.

Let us pause and ascertain upon what principle this Compromise was adopted, and to what territory it applied. The controversy was between the two great sections of the Union. The subject was a vast extent of almost unoccupied country, embracing the whole territory west of the Mississippi. It was territory in which slave law existed at the time of acquisition. The compromise section contained no provision allowing slavery south of 36 deg. 30 min. It could never have received the sanction of Congress if it had. The continuance of Slavery was left to the determination of circumstances. There was an implied understanding that Congress should not interfere with the operation of these circumstances—and that was all. The prohibition north of 36 deg. 30 min. was absolute and perpetual. The act in which it was contained was submitted by the President to the Cabinet, for their opinion upon the constitutionality of that prohibition. Calhoun, Crawford and Wirt, were members of that Cabinet. Each, in a written opinion affirmed its constitutionality, and the act received the sanction of the President.

Thus we see that the parties to the arrangement were the two sections of the country—the free States on one side—the slave States on the other. The subject of it was the whole territory west of the Mississippi, outside of the State of Louisiana; and the practical operation of it, was the division of this territory between the institution of Slavery and the institution of Freedom.

The arrangement was proposed by the slave States. It was carried by their votes. A large majority of southern Senators voted for it; a majority of Southern Representatives voted for it. It was approved by all the Southern Members of the Cabinet, and received the sanction of a Southern President. The compact was embodied in a single bill, containing reciprocal provisions. The admissions sustained them upon quite opposite grounds. Under the provisions of the Federal Constitution they said, the slaveholder can hold his slaves in any Territory, in spite of any prohibition of a Territorial Legislature, or even of an act of Congress. The Mexican law forbidding Slavery was operative at the moment of acquisition, by the operation of the Constitution. Congress has not undertaken to impose any prohibition. We can, therefore, take our slaves there, if we please.

The committee tell us that this question was left in doubt by the Territorial bills.

What, then, was the principle, if any, upon which this controversy was adjusted? Clearly this: That when free territory is acquired, that part of it which is ready to come in as a free State shall be admitted into the Union, and that part which is not ready shall be organized into Territorial Governments, and its condition in respect to Slavery or Freedom shall be left in doubt during the whole period of its Territorial existence.

It is quite obvious, Mr. President, how very prejudicial such a doubt must be to the settlement and improvement of the Territory. But I must not pause upon this.

Every other part of the compact, on the part of the free States, has been fulfilled to the letter. No part of the compact on the part of the slave States has been fulfilled at all, except in the admission of Iowa and the organization of Minnesota; and now the slave States propose to break up the compact, without the consent and against the will of the free States, and upon the doctrine of superse-dure which is sanctioned at all, must be inevitably extended as to overthrow the existing prohibition of Slavery in all the organized Territories.

Let me read to the Senate some paragraphs from Niles's Register, published in Baltimore March 11, 1820, which show clearly what was then the universal understanding in respect to this arrangement.

"The Territory north of 36 deg. 30 min. is 'forever' forbidden to be peopled with slaves, except in the State of Missouri. The right, then, to inhabit Slavery in any of the territories is clearly and completely acknowledged, and it is conditioned, as to some of them, that even when they become States Slavery shall be 'forever' prohibited in them. There is no hardship in this. The Territories belong to the United States, and Government may rightfully prescribe the terms on which it will dispose of the public lands. This great point was agreed to in the Senate, 33 yeas to 11; and in the House of Representatives, by 134 to 42, or really 139 to 37. And we trust it is determined 'forever' in respect to the countries now subject to legislation of the General Government."

Let Senators particularly mark this: "It is true that the Compromise is supported only by the letter of the law, repugnant by the authority which created it; but the circumstances of the case give to the law a moral force equal to that of a positive provision of the Constitution; and we do not intend anything by saying that the Constitution exists in its observance. Both parties have sacrificed much to conciliation. We wish to see the compact kept in good faith and we trust that a kind Providence will open the way to relieve us of an evil which every good citizen deprecates as the supreme curse of the country."

That, sir, was the language of a Marylander, in 1820. He expressed the universal understanding of the country. Here, then, is the compact complete, perfect, irrevocable, which is embodied in a legislative act. It had the two sections of the country for its parties, a great territory for its subject, and a permanent adjustment of a dangerous controversy for its object. It was forced upon the free States. It has been literally fulfilled by the free States. It is binding, indeed, only upon honor and conscience; but, in such a matter, the obligations of honor and conscience must be regarded as even more sacred than those of constitutional provisions.

Mr. President if there was any principle which prevailed in this arrangement, it was that of permitting the continuance of Slavery in the localities where it actually existed at the time of the acquisition of the Territory, and prohibiting it in the parts of Territory in which no slaves were actually held. This was a wide departure from the original policy which contemplated the exclusion of Slavery from territories in which it actually existed at the time of acquisition. But the idea that Slavery could ever be introduced into free Territory under the sanction of Congress, did not, as yet, enter into any man's head.

Mr. President, I shall hasten to a conclusion. In 1848 we acquired a vast territory from Mexico. The free States demanded that this territory, free when acquired, should remain free under the Government of the United States. The Senator from Illinois tells us that he proposed the extension of the Missouri Compromise line through this territory, and complains that it was rejected by the votes of the free States. So it was. And why? Because the Missouri Compromise applied to territory in which Slavery was already allowed. The Missouri prohibition exempted a portion of this territory, and the larger portion from the evil. It carried out, in respect to that, the original policy of the country. But the extension of that line through the territory acquired from Mexico, with the understanding which the Senator from Illinois and his friends attached to it, would introduce Slavery into a vast region in which Slavery at the time of acquisition was not allowed. To agree to it would have been to reverse totally the original policy of the country, and to disregard the principle upon which the Missouri Compromise was based.

It is true that when the controversy in respect to this Territory came to a conclusion, the provisions of the acts by which territorial Governments were organized, were in some respects worse than that of the organization of the Territory. While those bills professed to leave the question of Slavery or no Slavery in the Territories, unaffected by their provisions, to judicial decision, they did, nevertheless, virtually decide the question for all the territory covered by them, so far as legislation could decide it, against Freedom. California, indeed, was admitted as a free State; and by her admission the scheme of extending a line of slave States to the Pacific was for the time defeated. The principle upon which Northern friends of the Territorial Compromise acts vindicated their support of them: Slavery is prohibited in these Territories by Mexican law; that law is not repealed by any provision of the acts; indeed, said many of them, Slavery cannot exist in any Territory, except in virtue of a positive act of Congress, no such act allows Slavery there; there is no danger, therefore, that any slaves will be taken into the Territory. Southern supporters of the measure sustained them upon quite opposite grounds. Under the provisions of the Federal Constitution they said, the slaveholder can hold his slaves in any Territory, in spite of any prohibition of a Territorial Legislature, or even of an act of Congress. The Mexican law forbidding Slavery was operative at the moment of acquisition, by the operation of the Constitution. Congress has not undertaken to impose any prohibition. We can, therefore, take our slaves there, if we please.

The committee tell us that this question was left in doubt by the Territorial bills.

What, then, was the principle, if any, upon which this controversy was adjusted? Clearly this: That when free territory is acquired, that part of it which is ready to come in as a free State shall be admitted into the Union, and that part which is not ready shall be organized into Territorial Governments, and its condition in respect to Slavery or Freedom shall be left in doubt during the whole period of its Territorial existence.

It is quite obvious, Mr. President, how very prejudicial such a doubt must be to the settlement and improvement of the Territory. But I must not pause upon this.

The truth is, that the Compromise acts of 1820 were not intended to introduce any principle of Territorial organization applicable to any other Territory except that covered by them. The proposed object of the friends of the Compromise acts was to compose the whole Slavery agitation. There were various matters of complaint. The non-surrender of fugitives from service was one. The existence of Slavery and the slave trade here in this District and elsewhere, under the exclusive jurisdiction of Congress, was another. The apprehended introduction or prohibition of Slavery in the Territories furnished other grounds of controversy. The slave States complained of the free States, and the free States complained of the slave States. It was supposed by some that this whole agitation might be stayed, and finally put at rest, by skillfully adjusted legislation. No, sir, we had the Omnibus Bill and its appendages, the Fugitive Slave Bill, and the District Slave Trade Suppression Bill. To please the North—to please the free States—California was to be admitted, and the slave despoils here in the District were to be broken up. To please the slave States, a stringent Fugitive Slave Act was to be passed, and Slavery was to have a chance to get into the new Territories. The support of the Senators and Representatives from Texas was to be gained by a liberal adjustment of boundary, and by the assumption of a large portion of their State debt. The general result contemplated was a complete and final adjustment of all questions relating to Slavery. The acts passed. A number of the friends of the acts signed a compact, pledging themselves to support no man for any office who would in any way renew the agitation. The country was required to acquiesce in the settlement as an absolute finality.

No man concerned in carrying these measures through Congress, and least of all the distinguished man whose efforts mainly contributed to their success, ever imagined that in the Territorial acts, which formed a part of the series, they were planting the germs of a new agitation. Indeed, I have proved that one of these acts contained an express stipulation which precludes the revival of the agitation in the form in which it is now thrust upon the country, without manifest disregard of the provisions of those acts themselves.

I have now proved beyond controversy that the avowal of the bill, which my amendment proposes to strike out, is untrue. Senators, will you unite in a statement which you know to be contradicted by the history of the country? Will you incorporate into a public statute an affirmation which is contradicted by every event which attended or followed the adoption of the Compromise acts? Will you here, acting under your high responsibilities as Senators of the States, assert as fact, by a solemn vote, that which the personal recollection of every Senator who was here during the discussion of those Compromise acts disproves? I will not believe it until I see it. If you wish to break up the time-honored compact embodied in the Missouri Compromise, transferred into the joint resolution for the annexation of Texas, passed and affirmed by these Compromise acts themselves, do it openly—do it boldly. Repeal the Missouri prohibition. Repeal it by a direct vote. Do not repeat it by indirection. Do not declare it "inoperative," because suppressed by the principles of the legislation of 1850."

Mr. President, three great eras have marked the history of this country, in respect to Slavery. The first may be characterized as the Era of EX-RACISM. It commenced with the earliest struggle for national independence. The spirit which inspired it animated the hearts and prompted the efforts of Washington, of Jefferson, of Patrick Henry, of Wythe, of Adams, of Jay, of Hamilton, of Morris; in short of all the great