Remarks of Hon. W. R. King, On the presentation of Mr. Clay's Resolutions.

I regret that this discussion has aprung up. I think it has been characterized by a little more testing than the occasion called for. I myself enterined the opinion that the Senator from Kenticky brought forward his resolutions with the best possible intentions, in order to calm the irri-tation that unfortunately exists in regard to the shvery question; and to point out, as far as prac-ticable according to his judgement, a mode by which it could be settled, so as to restore fraternal to every portion of the United States .-While I state this, and while I listen with pleasure to many of the remarks of the honorable Senator, I am bound to say that I do not concur with him in several of the positions he occupies in these resolutions. But, sir, while I do not, I appreciate the riews and I honor the motives of the honorable Senator, and I trust and hope it will be the mount of leading gentlemen on all sides to turn their attention to an investigation of the matter, and finally to the adoption of such a measure as will preserve the rights of all, and restore harmony

to the entire country.

Bir, I have long seen that no good results from angry discussion upon any question, however unimportant it may be; and, as this question is well calculated to excite such feelings, I conjure gentlemen to keep as far as possible within those temperate and calm limits which ought to be practicable to all, in the discussion of questions in the Senate of the United States which are of the ut-

Mr. President, while I am up, I must be pertied to say that I think the honorable Senator free Kentucky is perfectly correct in characterising the constitution of California as being very irregular in the mode of its formation, and in the measures resorted to for the purpose of establishing a system of government there. How far, under these circumstances, it may become us to accept that constitution, is not for me to say; but I will simply remark that, unless many objections that exist, according to there presentations that have been made regarding it, are removed, I never can give it my sanction. I am for pursuing the the good old mode that has been pointed out by the Senator from Kentucky—the mode that he m. Then, Sir, all went on well. We we to such territories as we had, territorial Govments—trained them up—fitted them for the on sufficient to entitle them to become States, he received them into the Union, after they had ormed for themselves constitutions and State Governments. This, sir, has been departed from in some instances, but it has been departed from in no instance in which a departure was more un justifiable than in that which has been referred to by the honorable Senator; because I think, inde-pendently to the interference to prevent certain institutions being adopted, there was not that kind of population there that justified the formation of a State Government; made up as that population seems to be, of Chinese, Sanwich Islanders, Maxi-

with regard to the opinions of honorable Senaters respecting the operation of the laws of Mexi-op in our newly acquired territories, there may be and no doubt is, an honest difference of opinion with regard to that matter. Some believe that the municipal institutions of Mexico override the proal institutions of Mexico override the proen remarked by the Senator states to be fact, and hich, as has been remarked by the Senator from what had been done, but by way of illustra-ting to what lengths and extremes this party what is stated, however. Well, be it so. If slave labor he not profitable there, it will not go there, or if it go, who will be benefited? Not the South. They will never compel it to go there. We are mis enators, though not intentionally; but we are stending for principle, lying at the very foun-tion of our constitutional rights—involving our meety, our honor, and all that is dear to us as American freemen. Well sir, for that principle we will be compelled to contend to the utmost, and to resist aggression at every hazard and at every merifice. That is the position in which we are placed. We ask no act of Congress—as has been properly intimated by the Senator from Mississippi—to carry slavery any where. Sir, I believe ession at every hazard and at every we have about as much constitutional power to prohibit slavery from going into the Territories of the United States as we have to pass an act carying slavery there. We have no right to do either the one or the other. I would as soon vote infavor of the Wilmot proviso as I would vote for any law which required that slavery should go into the Teritories. There is a material difference, however, between the two. The Senator from Kentucky certainly must have misunderstood the Senator from Mississippi. The honorable Senator from Mississippi never could have intended to my that we sought to procure the passage of an act of Congress establishing slavery in Territories where the institution did not already exist, or in Territories of the United States which we had a the to govern by territorial government prior to the time of forming constitutions for themselves. The difference is this, that there shall be a security that slavery shall not be prohibited. There is the difference—not that it shall be admitted or he difference—not that it shall be admitted or stablished, but it shall not be prohibited. Do I independ the honorable gentleman correctly?

Mr. Davis That the right shall be recognised.

Mr. King. Well, sir, I agree with the honorable Senator from Kentucky, in very much that he has said respecting the District of Columbia. The terms of his resolution in regard to the District of the Distric rict, however, are not precisely such as I should are used to convey the idea that he intends, gh perhaps the Senator has done it much more appropriately. But, sir, I agree that whether the Congress of the United States has, under the Congress of the United States has, under the constitution, the right to abolish slavery in the District of Columbia or not, it would be, in the language of an individual who, in a celebrated integrated and individual who, in a celebrated integrated and district the matter before the country in a light that was recognised as the true one as gross a violation of good faith towards Maryland and Virginia as if it had been expressly prohibited in the constitution as long as those States temained slaveholding States.

With regard to what is called the slave trade, I have never seen the day—and Senators are a were

sever seen the day-and Senators are aware of it, I presume, from the course I have pursuer when I was not willing to pass a law bose of breaking up those miserable esfor the purpose of breaking up those miserable es-mblishments that exist under the very eyes of Coupear itself, and are so offensive to many gentlemen, who feel perhaps more sensitive on the subset than I do. I am free to say that I am the relast man who would be willing to encourage

I shall not say any thing about the rights of lazze. I think with my friend from Mississippi, that that question, when it comes to be tested, will settle itself in a way that will secure to Texas all that she originally claimed, and which she pro-hably would have lost in part, if negotiations with Mexico had been brought to a close; but inseseh as the negotiations were broken off and war speed, we the contracting parties, negotiating the toundary, having got possession of the country, with a very bad grace can turn round to Texas and say, we have obtained possession of the country by conquest, and we will keep it for ouselves. That is the whole of the mattter.

without the sacrifice of essential rights—in order to settle the question. I had hoped that it was not the design of the honorable Senator, in introducing there resolutions, to press a vote upon them on the part of the Sensie; but that they were intended as the groundwork for the settlement of question, by having the subject brought to the attention of the appropriate committees, and having the whole of the appropriate committees, and having the whole of the settlement of question, by having the subject brought to the attention of the appropriate committees, and having the whole of the settled at once, in order if possible to come to some agreement by which the rights of the settled at one time. He also thought that he should be settled at one time. He also thought that he should be settled at one time. He also thought that he should prepare a scheme that both classes of States of prepare a scheme that both classes of States — free States and slave States—could adopt without any sacrifice of principle. These

a satisfactory adjustment of the question be effec-ted. I beg pardon of the Senate for having de-tained them so long.

series of resolutions propose a plan whereby all this is done.

He saw one section of the States of the



SENATE.

Mr. Borland reported a bill to remunerate the State of North Carolina for certain adances made to volunteers of the Mexican var; which was read three times and passed

Mr. Foote proposed two resolutions as amendments to the resolutions of Mr. Cass concerning diplomatic relations with Austria, which were ordered to be printed.

Mr. Soule offered another resolution as ar amendment to the same.

Mr. Cass accepted the amendments. THE COMPROMISE RESOLUTIONS. Mr. Mangum moved, and the Senate pro-

ceeded, to the consideration of the resolutions submitted by Mr. Clay on Wednesday Mr. Clay said he never rose to address

the Senate with more intense feeling than on the present occasion. He had witnessed many seasons of great peril and danger in the history of the country, but he never be-fore rose to address the Senate when there was such extreme solicitude, fear and anxiety felt by the country in the issue of the great events now transpiring. He did not think it would be out of place to do that in the Senate which he had never ceased to do in his own chamber-that is, to invoke the Supreme Arbiter, who holds in his hand the destinies of nations, to calm the passions of men and the violence of party; to allow reason to resume her empire; and to bestow on him His smiles of approval, and the strength and ability to perform the task before him. He had witnessed other periods when the events and I have been accustomed to see practised so of the day caused the greatest anxiety many years, when we were in the House of Repwell as the present, he had no doubt, were he to trace the cause of the danger, peril and alarm to its true source, he would find it parthen thus fitted, and when they had a populaty spirit. He appealed to Senators if this were not true. Parties, in order to gain a triumph for themselves over their opponents. seized upon every subject that presented itself to make capital of, and to increase their own numbers. Two Senators had told them that both of the two political parties of the country, at the north, actuated by such spirit, had endeavored and were endeavoring to outdo each other to obtain the votes of a small third party called Abolitionists, in order to swell their respective numbers. Nor was this confined to the people at large. In the legislative halls of the country the same party spirit overrides all other considerations. The House of Representatives had spent one whole week in a fruitless attempt to elect a doorkeeper? And what was the question which prevented the election of a doorkeepcarrying our slaves there. That is a matter which I do not propose to discuss; it has been discussed tions of men; but the question was whath at length in the debate upon the compromise bill, putting it on the ground of a judicial decision.—

this or that party, or whether his views and sentiments of political questions were of one Wilmot proviso was pressed by the North; or of another school. He did not allude to he was aware that every free State had exthis subject by way of reproaching any for what had been done, but by way of illustra-

> What vicissitudes we pass through in this short career of life! Eight years ago he took leave of the Senate as he thought forever. And, if his own inclinations, his own desires, hopes, and anticipations to be allowed to enjoy the few remaining years of life in the quiet scenes of retired life had been consulted, that would have been his last appearance in the Senate. But the Legislature of his State, unsolicited by him, had thought proper to confer upon him again the honor being their representative here, and he did not feel at liberty to refuse it. He came. however, to the Senate to serve no party. nor with any personal or private ends, now or hereafter, to accomplish. And, if there was in the Senate, or out of the Senate, any man engaged in the race after high honors or position, let that man rest assured that he would never be jostled by him (Mr. C.) in that race. When his term of service in the Senate was ended, his mission in this life. so far as relates to public affairs, would be closed, and closed forever.

thing would be done to check it in its onward

It was impossible for any candid observer of passing events not to see that the spirit of party, and the promotion and elevation of particular individuals to high places and distinction, were now the absorbing principles of men. At this time, when the White House is in danger of being wrapt in the flames of destruction and ruin, men were engaged in talking about who shall be its next occupant. When an alarming crevasse has taken place, and the waters of destruction are fast pouring upon us, we are talking about who shall rule over the country about to be inundated. The whole subject that seemed to attract the attention of men was party, party, passion, passion, and intemperance of spirit. Was this the way to save the country from the impending danger? Within the Capitol there were twenty furnaces all burning, and sending forth the heat of passion and party spirit. A few months ago there was peace in the country, and every thing was quiet and tranquil. Now there was danger and peril and even menaces against the Union. He implored Senators to look at these things; to quell the fires of passion now raging, and to listen to the voice of reason. He did not suppose what he could say would produce such an effect, but he begged them to listen to the voice of their own reason, judgment, and good sense, as to what can be done for the good of the coun-

To this object he had directed all his forts : with such a view he had in a manner out himself off from all social enjoyments since his arrival in this city, and devoted all his time, labor, and abilities, to the formation of some plan whereby, once more, peace. concord, and harmony, could be restored to the country. He had submitted that plan to the Senate. He did not hope that it could be successful, but he trusted that if Senators found in it any thing objectionable, or that could or ought to be amended, they would endeavor to improve, alter, and amend it,

He saw one section of the States of the country pushing their measures to an alarming and dangerous extreme; he saw the other section preparing to extend their measures to another and equally dangerous extremity; and he thought that he should prepare a plan that would stop this peril, and afford a ground on which both sections could unite without and by a careful and calm consideration of the sympathies and support of every man the resolutions this would appear to be car- who loved justice and right.

In the first resolution it was said that Cali-California themselves; and is it not the doc- people fid not desire it. rine of all parties that the people of every er to control the action of that State on the ment. subject of slavery? Those of the South who the doctrine that once a State, she stood a- thority of decisions of the Supreme Court, or power to control her action in the least still unsettled.

ration, and with what had taken place in ritories. If so, where was the power? Beed. There was now no one who would con- parted with the territory and the sovereignty the assent of Maryland. tend for a moment that if the States formed to the United States, and now the United out of the Northwest Territory, and to whom | States have all the powers and sovereignty Illinois, Ohio, Indiana, and others-chose to power does or does not exist. And, if it exmuch right and power to do so as had Vir- of the Constitution. ginia within her limits.

No one would contend that the exclusion

secure its adoption; he was aware that the northern people considered it as a favorite measure, and had set their hearts on it. He was aware that, by asking them to vote for this resolution, he called upon them to abanwhatever for it.

In thus calling upon them to abandon their avorite measure, he offered them the assertion, in his resolution, of two clear and indisputable truths. They were: First. That slavery does not exist in any part of the territories acquired from Mexico; and secondly, that, in our opinion, slavery never will exist in any portion of it.

He had heard it stated that the assertion of these truths by Congress was equal to the enactment of the Wilmot proviso. He did not think it was. If the Wilmot proviso be passed by Congress, there is a solemn enactment, and it is a positive interdiction of slavery there; but, by this assertion, we say nothing more than that at the present time it does not exist there, and that in our opinion, it never will.

He hoped that the free States would be satisfied with this expression of opinion, and not require any enactment on the subject. This resolution would have been more accep:able to him without the assertion of these two truths than with them, but he had thought that something should be given as a compensation for the surrender and compromise of feeling on this point.

He had no desire to make a speech on each of the resolutions, but would detain the Senate for a while in the examination of the truths set forth in those resolutions. As to the first, that slavery does not exist in any would refer to the act of 1824, by the supreme government of Mexico, whereby slavery was abolished in that nation, and the general acquiescence of all the States of Mexico in that abolition of slavery, down to the time of the treaty ceding those Territories to the United States. This act of the government of Mexico was said to have been irregular, and not binding; but it was not our province-a foreign power-to inquire into the validity of the municipal acts of any government, particularly when the people of Mexico had acquiesced in it.

Mr. C. also read an extract from the correspondence of Mr. Trist with the government on this point. The discussions on a former occasion, when this territory was first ceded, had left the general impression that slavery was not in existence in Mexico or those territories prior to their cession to the United States. Nor could he account for its existence there now, unless at the moment the treaty of cession was concluded the constitution was extended over every part of the territory and took slavery with it.

Such doctrine was wholly irreconcilable with his views and feelings. There were at the time of that treaty fifteen free and fifteen slave States in the Union; the institutions of both were recognised by the Con-Now, sir, in regard to most of the resolutions of the flexator from Kentucky, I am disposed to give them as attentive and careful examination. I am disposed to yield all I can in honor—all I can in the standard order in it susceptible of improvement, let them established in one half of the Union! By improve it, and restore peace, harmony, and the laws of Mexico, there was no slavery in

sacrifice of any principle, but at the sacrifice to resist the pression. They would then be acting in elf-defence; and the slave States would then be justifiable in resisting the act believed that, in all concessions by one section, they should receive a compensation; a civil was in such a case, they would have

France had engaged in a war to propagate the rights of man, and her fate was well fornia should be admitted into the Union known. I/we should engage in a civil war without any provision either prohibiting or about the atroduction of slavery into terriadmitting slavery. But gentlemen from the tories where it does not exist, what a spec- prehensive than the words "exercise exclu- man was bound to make a tour of his State to South say, that in this the North get all they want—that slavery is already prohibited would not be a war to propagate the rights Suppose slavery was abolished in Maryland arrest of a fugitive stave are bound to assist the there, and that the ends and purposes of the of man, but a war to propagate the wrongs of free States have been accomplished. This man. Our British ancestors were blamed, is true. But by whom has it been done? - and justy, for introducing into our midst this Has it been done by Congress, or by any act institution; and he, for one, would never vote | bide in this District for all eternity? Maryof the Government? No, but by the people of for its introduction any where, where the

The question of slavery without the limits State should be left free either to admit or of the states was a debatable one. Slavery prohibit slavery, as they should deem prop- within the States was undebatable. On the er? The question involved in the admission question of slavery without the States there Missouri was whether, after a State had was room for a difference of opinion, but not formed a constitution, and was organized as for such a difference of opinion as would State of the Union, Congress had the pow- lead to the breaking up of this Govern-

He differed widely from his friend from favored her admission into the Union held Michigan (Mr. Cass) as to the binding aumong her peers equal in all respects to them, and elementary writers on the Constitution. and that her rights and powers over that He regarded, that when a constitutional quessubject were as clear and unquestionable as tion was once decided by competent authorithose of any one of the thirteen original ty, it was settled. Otherwise there was noth-States, and that Congress had no authority ing settled under the Constitution, but all was

He put it to gertlemen to say if there was He thought the friends of the Wilmot pro- not an actual existing power somewhere to viso should be well satisfied with this decla- introduce or exclude slavery from the Terad been applied the ordinance of 1787- possessed by Mexico before the treaty. The

There was no power given to Congress in express terms by the Constitution over the of slavery by the people of California was subject of slavery, but there was no power givthe act of Congress, or of the Government en in express terms over an infinite variety of of the United States, but it was a decision other subjects which were acted upon every of the question by the people of California, day. It was an incidental power. Where

likely that slavery would have found a foot- ple of this District should first be taken. hold; and, if slavery is not permitted there. where else in the Territories was it likely to nomalous condition. They are a people be introduced ? In the cold and mountain- governed by an arbitrary power. don the Wilmot proviso, to give it up; to ous districts the climate and the soil forbid are taxed and governed by an authority in open their eyes to the danger to the country its introduction. Then it was a truth that which they they have no voice. Arbitrary in pressing it when there was no necessity slavery was not likely to exist in any part of power he defined to be an authority exerthe Territories. All knew this to be the fact ; then why should there be any hesita- whom it is exercised have no representative.

tion in declaring it? In the free States, where the Wilmot proviso was first agitated, this territory was awere laboring under the apprehension that slavery would likely be extended to those Territories, and, under this apprehension. instructed their representatives to vote against it. But there is now no cause for any such apprehension. If the representatives from those States could have held intercourse with their constituents since the fact of California's action has become known. and could have pointed out to them the dangers of pressing this proviso, when all they Wilmot proviso, and relieve the country from danger. They would tell them to come here and calmly and quietly settle all the difficulties that now now threaten the Union.

Mr. C. then proceded to the examination of the third and fourth resolutions, proposing certain boundaries for Texas, and to pay the debts of Texas, for which the duties on her imports were pledged while she was a re-public. He held that the United States had no power to divide or cut off any portion of that or any other State; but in all questions of unsettled boundaries the United States of the Territories acquired by Mexico, he had the power to settle them. The bounds ries of Texas had never been positively de. termined, and the United States had the power to do so now. Mareover, it was proposed to pay her debt; and this was proposed as a compromise, in the hope that that State would agree to the settlement of all the difficulties, and restote peace and harmony to the country.

Mr. POOTE said, that if the Senator would give way, he would move an adjourn-

Mr. CLAY sequiesced, stating that he

The Senate adjourned. HOUSE OF REPRESENTATIVES. Mr. Haymond announced the death of his predecessor, Mr. Newman, and, after passing the customary resolutions, the House adjourned.

would finish his remarks to-morrow.

WEDNESDAY, February 6, 1850. SENATE. After the presentation of petitions, memorials, and of a few resolutions, which lie o-

Mr. Mangum presented the proceedings of a public meeting held in Wilmington, North Carolina, called for the purpose of considering the alarming threatened en-croachments to be made upon the rights of the Southern people and Southern states.

Mr. Clay said that if any person came

this District. He had never doubted this power to exist in Congress. He did not believe that any one could doubt that power of fugitive slaves. On this subject he would go who would calmly examine into the subject.

tion in all cases whatsoever over such district as may, by cession of particular States and the acceptance of Congress, become the seat of the Government of the United States." and Virginia, and in all the other States of master in capturing him-that is, if any man is this Union, then would the e be any power to abolish it here? Or was slavery to aland had no power over this District. The be given up when properly demanded. He other slaveholding powers had no such authought the decision of the Supreme Court on this other slaveholding powers had no such authority. Then the power must be in Congress. He had expressed similar views in 1838 on this subject. In 1838 he thought cise it without consent of Maryland, Virg n. ia, the people of the District, and without compensation to the owners. Since then The impediment thrown by State enactments that part of the District ceded by Virginia had been retroceded to her, and her consent was not now necessary, she now being no more interested than any other slave State. He had held then as she did now, that while Congress had the power, it ought not to be exercised for Maryland and Virginia in granting the District did so under an implied pro- Ohio. mise that slavery should not be touched therein without their assent.

This District was ceded by Virginia and Maryland, and accepted by the United States, to be the seat of Government; and to make it the seat of government should be California. They should remember, that if fore the treaty with Mexico that power was the leading idea of all our legislation for it; the Wilmot proviso was enacted, its opera- vested in Mexico, she having then the ter- and hence it is inexpedient to abolish slavetion would cease when the State was form- ritory and the sovereignty over it. Mexico here without the desire of the people and

After the adoption of the constitution, Maryland and Virginia, in a feeling of fraternal peace and happiness which then pre-Illinois, Ohio, Indiana, and others—chose to alter their constitutions, and permitted slav- ists, the United States have all the powers the United States this district; but in doing ery to exist within their limits, they had as possessed by Mexico, under the limitst ions so, they never thought that Congress should make it a thorn in their side by abolishing slavery here He thought, in 1838 and believed now, that the Congress of the United States, as an honorable body, would not interfere with slavery in the District without a violation of all those implied agreements with Marvand and Virginia, which, to hon-As to the second truth, that slavery was stance provides that Maryland shall release not likely to exist in any part of the Terrri- the United States from all those imtories, he had a few words only to say. Cal- plied obligations and if she does so one obpressed an opinion in its favor, and had in- ifornia, by her own action, had excluded stacle in the way is removed. There were structed its representatives in Congress to slavery forever from her limits; and there, if other obstacles to the abolition of slavery any where in the Territories, it was most here. One was, that the consent of the peo-

> The people of this District were in an acised by a power in which the people over Congress having this arbitrary power, should never exercise it in a manner harsh or unkind. The consent of the people should first bout to be acquired, and the people there be obtained. The resolution did not stop here. It provides for another thing. There should be a just compensation given to the owners of slaves for their property. Congress should be restrained by every motive of public policy and every principle of eternal justice from depriving the people of the District of their property without making just compensation. England and France, when they abolished slavery in their possessions, did not do so without compensating the owners for their property; and these countries wanted would result as well without its en. | were not bound by any written or unwritten actment as with it, those constituents would tell them to forbear: to cease pressing the obligation of eternal justice. The provision in the Constitution which says that all private property taken for the use of the Government must be paid for, did not literally authorize this appropriation of public money, but by a liberal interpretation of the clause would make it that all property taken for the use or at the instance of the government, would authorize the payment for the slaves. He said yesterday that there was none of the resolutions which did not provide for

mutual concessions, which do not concede to

the South without any compensation to

the North. The North contends, and he thought correctly, that Congress has the power to abolish slavery in the District. The South denies this power. The North concedes, by this resolution, that it is inexpedient, and makes and agrees that slavery here shall be co-existent with slavery in the States; but this concession was made in consideration of the assertion that it was expedient to abolish the slave trade in the District. The right and the power to do this he thought un-questionable. By an amendment to the Constitution, it was provided, that all powers not granted expressly to Congress were reserved to the States and to the people. This was applicable to the powers of Congress over the people of the several States But in rereverse was the law. Over this District Congress had the same powers which the States had over all within their own limits, and Congress had all powers over this dis-trict not expressly prohibited by the constition. There was no state but what had action on the subject of the slave trade. Kentucky had placed in her new constitution the same prohibition against buying slaves into that State to be dealt in as property, as was in the old constitution. Mississippi had a similar provision. Maryland had a provision on the same subject and perhaps other States. The adoption of this resolution he did not THE COMPROMISE RESOLUTIONS, were think would be a concession by either class of States, but would be acceptable to one as and could not carry the principles of freedom established in one half of the Union! By the laws of Mexico, there was no slavery in these territories at the time of cession; and as no action had been taken to introduce it there, he thought he had sufficient reason for saying it did not exist there now.

The question of slavery was divisible into the states and slavery in the state and slavery in the state and slavery in the States and slavery in the state and slavery in

tion, the power to levy a tax, and the pow- to abolish slavery in the District of Colum- this kind of merchandise come to this place from ers relative t fugitive slaves. Beyond this, bia whilst that in titution continues to exist other States, and shock the feeling of men, by ers relative to fugitive alayers. Beyond this, Congress had no power over slavery in the States.

If Congress were called upon to overturn the institution of slavery in the States, and shock the feeling of men, by peop'e of the District, and without just compensation to the owners of slaves within the District.

An objection was made on the occasion of the presentation of the presentation of the resolutions, by a Sendator, to the recognition by this resolution as much as the North. Actor registers the proposed, and there will be restored to the proposed and the slave States.

as far as the farthest in carrying out the enforce The Constitution declares Congress shall ment of the Constitution. It was a requirement have power "to exercise exclusive legisla-tion in all cases whatsoever over such district State officer, and every man in the Union, was bound to aid in its execution. It was a provision of the Constitution which every citizen was bound to observe; every man holding an office took at of the Government of the United States." oath to support the Constitution, and was bound What language can be conceived, more combound to aid in the execution of the laws of the country. It was a power and a right equal to that relative to fugitives from justice; and no man pretends to deny that a fugitive from justice should subject had been greatly mistaken. The decision was that all laws of impediment to the recapture of slaves by the free States are forbidden by the Constitution of the United States, and that the Congress had the power, but could not exer- United States have no power to impose duties or State officers not required by the State constitutions and laws. Beyond this the decision did not go. the way of the enforcement of this provision of the Constitution were produced by evils which he hoped would work their own cure. With the exception of Verginia, perhaps, no State had more reason to complain on this subject than Kentucky. The Senators from Ohio know that it is at the greatest peril, even of life, that a Kentuckian can attempt to recapture a slave who has escaped into

It was unneighborly and unkind that a slave holder cannot travel through the free States with his servants without having them taken forcibly from him. Heretofore there were acts in force in the free States, in behalf of sojourners, but, with the exception of the States of Rhode Island and New Jersey, these acts had been swept away .-The seduction of slaves from their owners in many instances resulted unhappily for the slave; he knew several instances-one in his own familywhen, after dwelling awhile in freedom, they have begged to be allowed to return. He hoped that it would hereafter be considered by the free States their duty to adopt laws for the enforcement of this part of the Constitution.

It was wrong, also, to hold States responsible as States, for the acts of a few persons only; and he never could conceive that the conduct pursued by northern persons to masters in pursuit of their slaves would be sufficient cause for dissolv ing the Union. There was ground for mutual complaint. Massachusetts places her legislatiou on the ground to the treatment, by the citizens of Charleston, to the minister she sent there, Mr Hoar. Massachusetts might have declined sending such a mission there. It was stated that his by California herself, who alone had the right to decide it.

The second resolution of the series was an that Congress had the power to introduce the power to introduce that Congress had the power to introduce that Congress had the power to introduce the power to introduce the power to control. He will mary and and virginia, which is the control of the purpose of bringing before the cours of South Carolina the purpose of bringing before the course of South Carolina the purpose of bringing before the course of South Carolina the purpose of bringing before the course of South Carolina the purpose of bringing before the course of South Carolina the purpose of bringing before the course of South Carolina the purpose of bringing before the course of South Carolina the p important one, and he begged gentlemen to slavery into the Territories; the powers of has the power to abolish slavery in this Dis- another was driven out of New Orleans. He did government adopted when the North held sway in look at it calmly. He was aware, when he pre- introduction and exclusion went together. trict. It is silent. The resolution in sub- not undertake to justify the conduct of either party. the counsels of the nation: they were a there was no reason why Massachusetts should debts, protection to manufacturing interests. hadly treat Virginia, Kentucky, and other States. He mentioned the circumstances to show both sides had causes for complaints.

> The eighth resolution is in these words: That Congress has no power to prohibit or obstruct the trade in slaves between the slaveholding States; but that the admissson or exclusion of slaves brought from one into another of them, depends exclusively upon their own particular laws.

The Supreme Court had already decided this subject, and, he hoped, decided it forever. Such was the series of resolutions which he had prepared, with a view to offer the olive branch to the discordant and warring spirits of the day. He was not at all attached to his own productions, and would willingly consent to their improvement. He put it to the candor of gentlemen to say, if their duty would be performed by limiting ods. Open a review of these events, he mount the South had but little to reproach the North with. their action to the objection to this or that particular point. Let them produce their plans, and let them all see if any thing better can be adopted. Present him with such and the bill was reported by the Senator from a scheme, and he would hail it with pleasure, and adopt it with delight.

When preparing this plan the Missouri compromise was suggested to his mind, and after considering it, he had rejected it as being less worthy of mutual approbation than the plan proposed. His agency in the establishment of the Missouri line of 36° 30' had been greatly exaggerated. He had been wonderfully surprised at the rapidity with which historical events are forgotten. He was not, as had been said, the author of that compromise line. He was not even a mem-

ber of the House in which it originated. At the first session at which a bill was introduced to admit Missouri, the bill failedthe House insisting on engrafting the proviso of the ordinance of 1787, and the Senate dissenting. At the next session, Maine was knocking for admission. The Senate coupknocking for admission. The Senate coup-led the two States together in one bill, and the South complains? The exclusion of slavery said if you do not admit Missouri we will not admit Maine. This was done by a decided majority. The bill went through all the stages of conference before it was settled, and then it was settled by disconnecting the two States. And then it was that Mr. Thomas, a Senator from Illinois, proposed the line to the District? It will not. Would there be any of 36° 30', and so it passed, and so it went to Missouri, and for a while quieted the country. By a reference to the journals it appears that in every instance this line of country. By a reference to the journals it appears that in every instance this line of

36° 30' was offered by Mr. Thomas. The line of 36° 30' was voted for by a majority of the Senators from the South, among whom were Mr. Pinckney of Maryland and Mr. King of Alabama. In the House the majority of the southern members, headed by Mr. Lowndes, voted for it. He believed

At the next session it was discovered that Missouri had inadvertently introduced into her constitution an interdiction of free colored people, and when the constitution came to Congress the country was in an uproar.— Legislative bodies had taken action to keep out Missouri because of this interdiction. He did not come to Washington that year till January, and, with a view to settlement, he asked a committee of thirteen to be appointed from the old thirteen States, and that committee reported a resolution, which was defeated by three southern votes. The matter then laid over. He believed he could have carried any thing, as there was a majority in Congress in favor of settling the difficulty; but there was the ayes and noes, and for fighting for his rights there. In the was, and there he means to die.

Union he now was, and there he means to die. Curtises and Leonidases willing to sacrifice themselves for the country.

He then proposed a joint committee, that of the House to consist of twenty-three memwhich is the same thing as considering the expediency of dissolving the Union. To what a degree of folly and extravagance passion will lead men!

He had been always ready to abolish the slave trade in this District. Why should the traders in

ing five were then chosen. Much to his regret, some of these declined, and Mr. Randolph was appointed on the committee.

The two committees met in the Senate chamber on the Sabbath, and but a few days be. fore the adjournment of Congress, and, after a consultation, adopted a resolution which was reported to both houses, and became the law.

And what was it? It was a mere resolu tion, declaring, as a great fundamental principle, that the Constitution of the United States was the paramount law of the land, and that all State constitutions and laws were of no effect if in conflict with the Constitu tion of the United States. That, if there were anything in the constitution of Missouri in conflict with the United States, Missouri shall, by some solemn act of her Legislature suspend its operation; and that upon such act of Missouri being communicated to the President, (Mr. MONROE,) the President shall issue his proclamation and Missouri shall then be admitted into the Union. This was the compromise. All parties were satis. fied with the assertion of an incontestable principle of law, couched in rather high. sounding words, which meant nothing.

The enactment of the line of 36° 30' would

be an interdiction of slavery north of that line. Will the South be satisfied with this? The Senator from Mississippi (Mr. DAVIS) has said he will accept nothing short of a recognition of the right to hold slaves south of that line, which proposition could not command over twenty votes in the Senate. Is not non-action by Congress the best policy? It is better to have non-action than leg-islation, interdicting slavery north of 36° 30' and no recognition of it south of that line. No earthly power could make him vote to introduce slavery south of 36° 30'; but if majority decided that slavery should be interdicted north, and recognised south of that line, which would be but equal justice, how. ever much it would conflict with his principles and feelings, he would be the last to in. terpose any obstac'e to it a loption. But nonaction by Congress, as he proposed, was the best policy. It had been said that non-action secured every thing the North demanded and who was to blame for this? Not Con. gress. If the people of California thought proper to exclude slavery, that was their own business, and a policy they had a right to adopt. If nature had rendered the soil of the rest of that territory unfit for slavery to exist there, there was none to be reproached save nature and nature's God.

Mr. C. then traced the history of this nation from its foundation to the present day; its vastincrease in population and in territory; the glorious manner in which it had prosecuted several wan, and the brilliant renown it had gained through the gallantry, skill and achievements of its officers. The events of the late war, and the conduct of the two great and leading officers, were dwelt upon with much power. The universal prosperity of the country, with the exception of a few manu-

the United States, the assumption of the State (1779.) the alien and sedition laws, and the quan war with France. These were the leading results of the northern counsels, which had sway during the first twelve years of the government. For the last fifty years the South preponderated in the counsels of the nation, and the results were: the embargo restrictions, the war with Great Britain. the overthrow of the Bank of the United States the extension and enlargement of protection to manufactures, the re-establishment of the Bask of the United States, the same put down again, the acquisition of Louisiana, the purchase of Flo rida, the annexation of Texas, war with Mexico. the acquisition of California and other territories. protection superseded by free trade, the removal of the Indians west of the Mississippi, and the ad-

mission of fifteen new States. In attributing these events to northern and southern counsels he meant not that they were effected by either separately, but by a preponderating of each interest in and during the respective per-ods. Upon a review of these events, he thought They had adopted at different times opposite policies. They had established a Bank of the United States, under the administration of Mr. Madison, South Carolina (Mr. Calhoun;) and he (Mr. Clay) had voted for that bill, although in 1816 he had voted to put down the Bank. Afterwards the South, aided by a few from the North, and headed by General Jackson, had put down the Bank a-gain. The South had extended protection to manufactures, and afterwards broken up that protection, and one member of the Southern States had threatened a dissolution of the Union in her oppo-

Florida was purchased, and slavery was allowed to exist there. Louisiana was acquired, and over all of her territory that was valuable, slaver was now in existence. The South pressed the annexation of Texts.

sition to that protection.

and she was admitted—being slave territory -Texas led to the war with Mexico; the war id to the acquisition of the territories. After all this, is it just for the South to speak of dissolution when the North claims that the only portion of the acquisitions to the territory of the nation to which she could put forth a claim, should be free? from the Territories, the abolition of slavery in the District, and the refusal to surrender fugitive slaves, are the grounds upon which the dissolu-tion of the Union is to depend. If the Union be dissolved can slavery be carried into the Terris-ries? It cannot. If abolished in this District, will the dissolution of the Union restore slavery within their own States after dissolution than they are now? Then the slave will find that their st

cape will be far easier.

He denied the right of any one or more States to seconde. The Union was to be forever and for all posterity. Dissolution of the Union and war were inseparable. To dissolve the Union there must be a consent given or actual war. That conmode left. Even if the consent could be obtained, in less than sixty days there must be a war between the empiracies. Slaves will escape from Kentucky across the river into free States; the will be pursued, the pursuers will be repulsed, and then comes a war; and in less than sixty days the whole country will be in the blaze of war. be three empiracies—the northern free States, the southern Atlantic States, and the confederacy of the great Mississippi valley. Those who reside at the head-waters and tributaries of that river will never consent that the mouth of that river shall

ever be held by a foreign power.

There will be other divisions; but the dark rel which overhangs the future is too thick to be pen There was a better opportunity of maintaining his rights in the Union, than there was of getting them

out of the Union.

The union of these States was for all posterity.

It was like the marriage relation, there was no