

S P E E C H
OF
W I L L I A M H . S E W A R D ,
ON
THE COMPROMISE BILL :

Delivered in the Senate of the United States, July 2, 1850.

MR. PRESIDENT: If an alien in our land should chance to enter here during these high debates, he would ask whether California was a stranger and an enemy ; or an unbidden and unwelcome intruder ; or a fugitive, powerless and portionless, and therefore importunate; or an oppressor and scourge of mankind, and therefore hateful and dangerous. We should be obliged to answer, No ! California yielded to persuasion, rather than to conquest. She has renounced her lineage, language, and ancient loyalty. She has brought us to the banks of streams which flow over precious sands, and, at the base of mountains which yield massive gold, she delivers into our hand the key that unlocks the long coveted treasures of the eastern world. California refuses only to let us buy and sell each other within her domain, so rich in all the elements of legitimate commerce. She invites us to forego an unjust, injurious, and inglorious dominion over a caste, and to extend the sway of peace, of arts, and of freedom, over nations beyond the seas, still slumbering under the mingled reign of barbarian superstition and unalleviated despotism. The very head and front of her offending hath this extent.

The President of the United States recommends, nevertheless, that California shall be admitted *unconditionally*, while a committee of the Senate insist *on conditions*.

I prefer the President's suggestion ; but not merely because it is his, although I honor his patriotism and confide fully in his wisdom. Nor do I prefer his suggestion out of disrespect to the statesmen by whom it is opposed. My veneration for them has been abundantly manifested heretofore, and needs no display of protestations now. We are in a frame of

things disjoint ; and in the confusion resulting from a severance of parties and new conjunctions of statesmen, each of us is obliged to rely on the guidance of his own judgment and conscience.

I submit, sir, that the conditions are *unreasonable, injurious, and oppressive*, in regard to CALIFORNIA. So far as they are found in the bill before us, they are, 1st, the establishment of a territorial government in New Mexico, silent concerning slavery ; 2d, the establishment of a like government in Utah ; 3d, a compromise of a border dispute between New Mexico and Texas. The garment of compromise, thus quilted of various fabrics with artistic skill, is ingeniously pieced out with collateral conditions in a report and two other bills concerning slavery in the District of Columbia, the recapture of fugitive slaves, and other national interests or pretensions of slavery.

It is not pretended that California needs aid from these conditions, nor that they can give it. California is taxed for superfluous power to draw the dependent measures into port, which otherwise would founder and be lost. This forced connexion therefore hinders, and tends to defeat, the admission of California.

Why is California subjected to this embarrassment ? Does she come without right ? She has a treaty. Is that treaty denied or questioned ? No, it is unanimously affirmed. Can California abide delay ? No ; her anomalous condition not merely appeals to our justice, but touches the very virtue of compassion within us. Why, then, should California be kept wanting, while we make a circuit throughout the entire orbit of slavery ? California neither brought the States into confederation, nor constructed the Constitution. She neither planted slavery in the slave States, nor uprooted it in the free States. She is not found by the side of Texas invading New Mexico, nor allied with New Mexico in resisting Texas. She is guiltless equally of buying and of selling, of holding and emancipating, of reclaiming and of harboring slaves any where. She has neither vote nor speech here, nor elsewhere, where this angry strife can be composed. She has severed at a blow, and forever, the loose political connexion—the only connexion she ever had, with Utah and New Mexico. The slave States indeed insist on a right to colonize new Territories with a caste. But all agree that the community in any such Territory may establish a constitution prohibiting caste. California, colonized, has done this already, and her maturity is not well questioned, although it has been as rapid and as bewildering as the presentation of a midsummer night's dream. There is, therefore, neither community nor connexion, nor even congruity between the admission of California and the conditions demanded. It is binding

Eros to Anteros—confiding youth to querulous and wrangling age—the struggling hind to ravening hounds.

We were told long ago that California would save time by yielding to this most unjust combination. We have seen the error of that hope. We are making the overland journey of seven thousand miles between the pillars of Hercules, when we might have crossed the Straits of Gibraltar, on a smooth sea, in six hours.

We were told that a minority in another part of the Legislature might prevent the admission of California, and even bring the Government to a dead stand. But it must work in its own democratic and constitutional way, or must cease to work at all. No one nor more of the States can assume the responsibility of arresting the Government by faction. "*Optimis auspiciis ea geri quæ pro reipublicæ salute gerentur, quæ contram reipublicam ferrentur contra auspicia ferri.*"

I submit, now, that the conditions demanded are equally *unreasonable*, *injurious*, and *oppressive*, in regard to the other parties affected by the combination, viz: TEXAS, NEW MEXICO, UTAH, and the DISTRICT OF COLUMBIA.

Each of these parties ought to be regarded as asking only a just award; and Congress is to be deemed ready to make a just one, and no other. Such an award can be made only by bestowing a distinct and separate consideration on each claim. The same principle of dialectic philosophy which forbids multifariousness of issues and confusion of parties in the administration of justice, condemns incongruous combinations in legislation.

The bill before us seems adapted to enable Senators to speak on one side, and to vote on the other; to comply with instructions, and to evade them; to vote for the line of 36 deg. 30 min., and to vote against it; to support the Wilmot Proviso, and yet to defeat its application to the only territories open to its introduction. I solicit—if stronger language were courteous, I might demand—from the majority here a subdivision of the bill, to enable me to vote effectually for what I approve, without voting equally for what my own judgment, concurring with instructions, condemns; and thus to place myself, where I should invite all others to place themselves, under exact and full responsibility to the States and to the people.

While I leave the interests of Texas in the care of her honorable and excellent Senators, I must be allowed to think that their consent to this bill betrays a want of confidence in her claims or in the justice of Congress. A just claim ought not to need an unjust combination. Those who assume that Texas has a valid title to all of New Mexico east of the Rio Grande, as high as the 42d parallel, will necessarily regard that State as

surrendering, for a pecuniary equivalent, an extensive region, effectually secured to slavery, to the equivocations of this compromise. Those, on the contrary, who regard the pretensions of Texas in New Mexico as groundless, will as certainly protest against the surrender of 77,000 square miles of soil, pregnant with liberty, to the hazards of this adjustment. Both of these parties, I think, must agree that the United States ought not to pay Texas the equivalent unless her title is good; and that if her title is good, then the United States have no constitutional power to buy her territory. If they may buy a part of Texas for purposes not defined in the Constitution, they may buy the whole. If they may buy the territory of a slave State to make it free, they may equally buy the soil of a free State to sterilize it with slavery. If it be replied that the title is in dispute, then the transaction changes character; the equivalent is paid for peace; and Texas is not yet lifted up so high, nor are the United States brought down so low, as to obtain my consent to so humiliating a traffic.

I have heretofore said that I could vote to pay the debt of Texas, on the ground that the repudiation of it by the United States, in the agreement of annexation, was fraudulent. But Texas seems to prefer that we should buy domain and dominion from her rather than pay her debts. She must be content, therefore, to satisfy us concerning the cardinal points in the bargain, viz:

First. *The reasonableness of the amount to be paid.*

Secondly. *The value of the equivalent we are to receive.*

Thirdly. *The title of the vendor.*

Fourthly. *The use to which the territory is to be applied.*

First. How much are we to pay? The sum is set down in —, and the blank is pertinaciously kept open. “The hart Achilles keeps thicket here.” A philosopher replied to a man who asked leave to see what he carried under his cloak, “I carry it there that you may not see it.”

Well, we are obliged to assume that Texas is to be paid more than her claim is worth, because she will not trust to a distinct and independent negotiation. The payment is a condition of the admission of California; and thus we see California—the desire of the nation and the envy of the world—reduced by the Senate of the United States to the humiliation of chaffering and cheving with money-changers and stock-brokers, continually baiting her offers with richer rewards, to obtain her admission into the Union.

The extent and value of the acquisition are equally unsatisfactory. When the question is on the sum to be paid, Texas owns nearly all New Mexico; but when it comes on the domain to be obtained, it turns out that

we are to cede to Texas a part of that province to save the rest; and to pay her ten or fifteen millions to induce her acceptance of the cession. Surely, if we concede to Texas the admiration her representatives require, they must admit that she knows how to coin our admiration into available gold.

The *title*. It is beyond dispute that the territory which Texas offers was, from time immemorial, an integral part of New Mexico, and that not an acre of it ever was in the possession of Texas. It is equally clear that the United States found it in the possession of Mexico, and conquered, and bought it, and that they hold it by treaty solemnly executed. It is as certain that Texas never conquered it, never bought it, and has no treaty concession to show for it.

But, Texas insists that she has an equitable title. She asserted, I think in 1836, by a law in her statute book, that her boundary should be the 42d parallel; that is, she declared her purpose to conquer so much of New Mexico. But she never executed, nor even attempted to execute, that purpose. She came into the United States without having executed it. Her statute, therefore, was mere *brutum fulmen*. The United States, in the articles of annexation, refused to commit themselves to the claim of Texas. Subsequently the United States waged war against Mexico, not for the claim of Texas, but for other causes. The war was waged to obtain satisfaction of commercial debts, and indemnities for the expenses of the war. Being thus engaged in war, the United States accepted New Mexico and California in satisfaction of the commercial debts and the expenses of the contest, after paying fifteen millions of dollars for their excess in value. Thus the United States, free from obligation to Texas, acquired the territory of New Mexico, making the conquest and paying the whole consideration alone. The claim of Texas is as groundless in equity as by the strict rules of law. The claim of Texas is just as good to the whole of California as to New Mexico.

Nor is the proposition more satisfactory in regard to the purposes to which the territory is to be applied. I am satisfied that the soil of New Mexico is free soil now, by operation of unrepealed Mexican laws. I know that it would be less surely free if this bill were passed. The bill would raise a cloud upon the question. I prefer rather to leave New Mexico as it is.

New Mexico has no representative here. Every phase of this compromise exhibits a dismemberment of her territory; and yet she is to receive no equivalent. Texas already has a vast domain of surpassing fertility. New Mexico is less expansive and comparatively sterile. This bill, nevertheless, literally applies the Scripture, "For unto every one that hath shall be given,

and he shall have abundance; but from him that hath not, shall be taken away even that he hath.’

This perversion of right proceeds upon the ground that either New Mexico has no certain title, or that she has no political government to defend it.

Sir, New Mexico was a distinct colony of Spain. New Mexico was a State in the republic of Mexico, and afterwards was a political Territory in that republic. She was never less than that. We found her in that condition and character. She retains that character now. Only her allegiance is transferred to the United States, while some of the powers of government suspended by conquest remain in abeyance. She is a republic according to the definition of Cicero: “*Res publica, res populi, populus autem, non omnis hominum cætus, quoquo modo congregatus, sed cætus multitudinis, juris consensu, et utilitatis communione sociatus.*”

New Mexico has domain, population, resources, and qualified dominion—arts, customs, laws, and religion. She holds these physical and moral elements of a State subordinate to the United States, but nevertheless distinctly, and apart from all other communities. New Mexico, moreover, has framed her institutions on the principle of the common origin of man and the common government of God. And thus she possesses the first, last, and chief element of democratic or republican States—impartial civil liberty—that element which favors the creation of wealth, without which a State must be powerless; the equalization of property, without an approximation to which a State is exposed to oppression; the diffusion of knowledge, without which republican institutions cannot be preserved; and the development of strength, courage, and enterprise, without which a State cannot flourish. New Mexico has adopted the system that is best fitted to maintain war, and the system that is best adapted to secure peace. New Mexico, therefore, might well have aspired, even under Mexican sway—much more may she aspire under the fostering care of the United States—to such greatness as the free States in this Union have attained—such greatness as is attainable only by purely democratic States.

New Mexico, pressed by the encroachment of Texas, and by the jealousy of the slave States, implores from us protection of her territory and of her constitution. This bill of compromise compromises her claims by dividing her territory right and left, boldly assigning a part to undisguised slavery, and the rest insidiously to exposed freedom. Sir, if I concur in giving any government to New Mexico, it must be as good a one as she has already. Although the drama of our conquest in Mexico falls into successive acts, conducted by different performers, it is nevertheless one whole transaction; and if this bill shall pass, that transaction, so far as New Mexico is concern-

ed, will be a conquest of a free Republic, and the conversion of it in whole or in part into a slave State.

What is New Mexico that she should be thus wronged? An unoffending rival, prostrate at our feet? I pray you, Senators, for the sake, if not of justice, at least of magnanimity, to exercise your power over her by sparing her—to punish by forgiving her the crime of loving liberty too well. Her ancient charter contains the glowing words—established by the consent of mankind as the foundation of all true government, which Jefferson made our own—“All men naturally were born free, and were, by privilege above all the creatures, born to command, and not to obey earthly authority, not derived from their own consent.” That charter is in our hands.

If we rase all that out, and give the charter back to New Mexico, a mutilated and lifeless thing, we shall have repeated the crime of the partition of Poland, the crime of the subversion of the recent brief, but brilliant Republic of Italy; we shall have emulated the Stuart, who seized the charters of the free corporations of England, and thereby lost a throne; and shall have surpassed the Guelph, who interpolated taxation without representation into the Constitution of Britain, and thereby lost the empire which we enjoy. Sir, it would be an act so unjust and so tyrannical, that, upon the principles of our own separation from Great Britain, it would work a forfeiture of our title altogether. Hear what the good Las Casas said to the Emperor Charles the Fifth, concerning these very possessions: “Notwithstanding your grant of all these countries from the Pope, and your title by conquest, you have yet no right over them, unless you do in the first place, as the principal end, regard their good. The reason is, that regard is to be had to the principal end and the cause for which a superior or universal lord is set over them, which is their good and profit, and not that it should turn to their destruction and ruin; for if that should be, from thenceforward that power would be tyrannical and unjust, as tending more to the interest and profit of the lord than to the public good and profit of the subjects, which, according to natural reason and the laws of God and man, is abhorred, and deserves to be abhorred.

Sir, I beg those citizens of the metropolis in the State from which I come, who have requested me to vote for this bill, to consider it in these respects, and then to “examine me, and say how look I, that I should seem to be lacking in justice and humanity so much as this fact comes to.”

But it is said that the ordinance of 1787 is unnecessary in New Mexico, and therefore is an abstraction, and that it gives offence.

I cannot yield implicit faith to those who assure me that peculiarities of soil and climate in New Mexico exclude slavery. They are combined

with other statesmen who deny that point ; and this bill concedes away the point itself. It expressly covenants to admit New Mexico as a slave State, if she shall come in that character. I cannot surrender a just and benevolent purpose to arguments which knit contradictions as closely as words can lie together. I know that there are slaves at this moment in Utah ; and I know, moreover, that the discovery of a few flakes of gold, or of a few grains of silver, or even of a few clumps of coal in the unexplored recesses of New Mexico, would be followed by a new revelation of the will of the Almighty in regard to it.

Sir, perhaps those who excuse this measure can point me to a tyrant who ever deprived his subjects of what he deemed necessary for them. Nero thought one neck would be more than enough for the Roman people, when he wished they had but one that he might destroy the body politic at a blow. Perhaps they can point me to any act conferring or declaring human rights that was not an abstraction. It was observed by one of the founders of the Commonwealth of England that the promulgation of those rights had always "been in terms not concrete, but abstract."* Our own experience is the same. There is the Declaration of Independence, with its solemn recital of the natural equality of men, and of the inalienability of their essential rights. There is the Constitution of the United States, beginning with its sublime summary of the objects of the Government, and ending with its jealous bill of personal rights. What were these but abstractions? There is the same bill of rights in every constitution ; and even the constitutions of many of the slave States hopefully assert abstractions of equality, which, for want of only a complete development of political justice, are not yet reduced to the concrete by established laws.

Perhaps, moreover, the apologists can show me some act declaratory of human rights that did not give offence. The tyrant of France took umbrage at the noble motto which Algernon Sydney inscribed in the album of the King of Denmark :

—————MANUS HEC, INIMICA TYRANNIS,
ENSE PETIT PLACIDAM SUB LIBERTATE QUIETEM.

Nay, Algernon Sydney expiated with his life the offence of writing as mere abstractions the fundamental principles of our own Constitution ; and among them was the Wilmot Proviso, thus expressed by that immortal patriot : "The liberty of one man cannot be limited or diminished by one or by any number of men, and none can give away the right of another."

Equal justice always excites fear, and therefore always gives offence ;

* Milton.

otherwise its way would be smooth and its sway universal. The abstractions of human rights are the only permanent foundations of society. It is by referring to them that men determine what is *established* because it is **RIGHT**, in order to *uphold it forever*; and what is *right* only because it is *established*, in order that they may lawfully *change it*, in accordance with the increase of knowledge and the progress of reason.

The abstraction now in question is the right of all the members of a State to equal political freedom. That is the Wilmot Proviso—that is the proviso of freedom—call it by whatever name you will. If it ever was right at any time, in any place, under any circumstances, it is right always, in all places, and under all circumstances. It can be renounced safely nowhere. Certainly New Mexico is not the region, nor is hers the soil, nor hers the clime, where it should be renounced. New Mexico is the very field of the contest. If we surrender here, where we have all the vantage, where else shall we find ground on which to make resistance?

We have taken a breathing spell from annexation of territory to divide the gains. This division once made, no matter how, the national instinct—an instinct fostered by Democratic sentiments and sympathies, and invigorated by martial ambition—will hurry us on in a career that presents scarcely formidable obstacles. Whatever seemed attractive to the slave States in Louisiana, in Florida, in Texas, in New Mexico, and in California, is surpassed in the valley of Mexico, in Yucatan, in Cuba, in Nicaragua, in Guatemala, and in other States of Central America. *There* are fields native to the tobacco plant, to the rice plant, to the cotton plant, and to the sugar cane, and the tropical fruits; and there are even mines of silver and of gold. There the climate disposes to indolence, indolence to luxury, and luxury to slavery. There those who can read the Wilmot Proviso only in the rigors of perpetual winter, or in arid sands, will fail to discern its inhibition. Our pioneers are already abroad in those inviting regions; our capital is making passages through them from ocean to ocean; and within ten years those passages will be environed by American communities, surpassing in power and wealth, if not in numbers, the unsettled and unenterprising States now existing there. You will say that national moderation will prevent further annexation. But national moderation did not hold us back from the Mississippi, nor from the Nueces, nor from the Rio Grande, nor from even the coast of the Pacific ocean. The virtue grows weaker always as the nation grows stronger.

The demand of the slave States for a division line of $36^{\circ} 30'$, or elsewhere across the continent, between slavery in the South and freedom in the North, betrays the near expectation of these conquests. The domestic

production and commerce in slaves will supplant the African slave trade, and new slave States will surround the Gulf of Mexico and cover its islands. Those new States, combined with slave States already existing, will constitute a slave empire, whose seat of commerce on the Crescent levee will domineer not only over the southern portion of the continent, but, through the Mississippi and its far-reaching tributaries, over the broad valley that stretches away from the foot of the Alleghanies to the base of the Rocky Mountains.

This, sir, is the dream of the slaveholder, and this is the interpretation thereof. I know full well that it is woven of the stuff that all "dreams are made on." I know how hopeless would be the attempt to establish and to maintain such States, and an empire composed of such States. But I know that nothing seems to slavery impossible, after advantages already won; and that calamities, distant, and therefore derided, will not deter it from the prosecution of its purpose, or extinguish the hope of success.

There is a sound maxim which teaches that every government is perpetually degenerating towards corruption, from which it must be rescued at successive periods by the resuscitation of its first principles and the re-establishment of its original constitution. The blood is not more native to the heart than the principle of the equality of men contained in the ordinance of 1787 to the Constitution of the United States. The Constitution of the United States confers no power upon Congress to deprive men of their natural rights and inalienable liberty. I shall, therefore, insist upon applying the proviso, not only where it is necessary to save a territory from slavery, but even where its application might be waived, as a means of preserving and renewing the Constitution itself. It cannot be bad political husbandry to stir the earth and apply fresh mould to the roots of the vine our forefathers planted, when its branches are spreading themselves abroad and clustering upon the States which surround us.

Cherishing these opinions, I have struggled, and I shall struggle to the last, to extend the ordinance of 1787 over New Mexico. If I fail in that, I shall not then surrender it by entering into the riddling covenant contained in this bill; but shall fall back, as I did in the case of California, upon the people of the Territory, and leave New Mexico in the mean time under the protection of her ancient laws, deeming her "more safe in sitting free, though without guard, in open danger, than enclosed in a suspected safety." This, sir, will be non-intervention—such non-intervention as you and I can practise and can justify; not voluntary, self-imposed non-intervention, to betray or expose freedom, but compulsory non-intervention, when all intervention to save it has failed. The President anticipated that failure, through the

known discordance between the two Houses of Congress, as we all might well have anticipated it; and therefore he recommended the alternative without an unnecessary trial. It would have been wise for the slave States to have adopted it then; it would be wise for the Senate to adopt it now. If we reject it a little longer, we shall only reach it at last through the necessity which he so well foresaw. When that time comes, he will have his triumphant vindication; for then it will be said truly of him, as it was of the noble Roman, never did he do more for harmony and for freedom than when to dull and prejudiced apprehensions he seemed to be doing nothing.

I need only indicate the application of these remarks to Utah.

The District of Columbia, the offspring of the Republic, is cherished equally by all of the States; and if the destinies of the nation are correctly apprehended, the capital must one day stand "in dignity and for the liberal arts" without a parallel. But it yet lacks one element of prosperity—the freedom of labor; and one element of greatness—the dignity of labor. Its atmosphere suppresses, although it cannot smother, the love of liberty, which is a public, universal, and undying affection. Why should the great interests of the capital be cast into the balance, to bring up the already buoyant scale of California? The only reason is, that you have decided to overload that scale with the weight of your gratuity to Texas, and of the suppression of freedom in Utah and New Mexico.

Such, sir, is the manner in which California, Texas, New Mexico, Utah, and Columbia are wronged by casting their interests into the misshapen chaos of fair-seeming forms, and mischiefs manifold, which constitutes this extraordinary scheme of compromise and adjustment.

The scheme has engrossed the Senate six months, to the exclusion of nearly every other measure. If it ever shall reach the House of Representatives, its most auspicious promise there is a rejection, to be followed by a final disagreement between the two Houses. And this will be the sum of the history of the first session of the thirty-first Congress—the history of an attempt to break, in one compact and twisted bundle, fagots so strong and gnarled that they could hardly be snapped singly—an attempt to overcome reason, passion, and prejudice altogether, instead of engaging reason alone.

We were driven and harassed into this strange proceeding by alarms of danger to the Republic. Well, sir, California, New Mexico, Utah, the District of Columbia, were no sooner crowded and crammed into this unwieldy, rickety ark, through distrust of the customary vehicles of legislation, to weather out the dark and dangerous storm, than the storm passed away like a cloud in autumn. The ominous Kalends of June have come, and with them the extra-constitutional assemblage at Nashville, but not its in-

vading fleets and hostile armies. So also the crisis in the House of Representatives has come, without disclosing the steep ruin which was apprehended. The political elements have subsided from their wild uproar. Why not now let California resume the voyage in her own separate vessel, and, following the Presidential chart, make the port speedily and in safety?

The answer is, that the commonwealth is laboring of wounds which threaten its safety. It cannot be improper to apply to each of them a tent that will search it to the bottom.

The first of them is the alleged neglect to surrender fugitive slaves. This wound bleeds afresh at every return of Congress to the Capitol :

Thammuz came next behind,
Whose annual wound in Lebanon allured
The Syrian damsels to lament his fate,
In amorous ditties all a summer's day.

Sir, it is not proved here that three fugitives a year are withheld against lawful demand; nay, I think it is not proved that even one is so withheld. The value of what is called slave property, because the laws of slave States treat it as property, is not impaired one dollar. Strength, and beauty, and youth, bring their accustomed prices. What, then, is the evil? The people of the free States hesitate at the execution of the act of 1793 among them, without an adequate provision for distinguishing between the fugitive and the free citizen—between surrendering the unhappy slave, and kidnapping the still more unhappy freeman. And what is your remedy? To give the form of a trial after the surrender, in the State to which the alleged fugitive is conveyed! Sir, this will only aggravate the exaggerated evil. Are you, then, prepared to confess that this proud Republic approaches its downfall, because a slave sometimes finds a refuge under it, in spite of its laws?

The next of these evils is the agitation about slavery in the District of Columbia. There are only a thousand slaves here, all told. The people of the free States remonstrate against their being held in hopeless bondage; but they wait patiently, until the mind of the nation can be moved to abolish it. What answer does this scheme give to these remonstrances? It proposes to remove the slave shambles across the Potomac; and, in return for that concession, exacts a guaranty of the continuance of slavery until Maryland shall consent to its abolition. Sir, this is healing the wound by plunging deeper into it the knife that made it. Shall we, then, authorize the newly-returned minister from Russia to give to his imperial master the gratifying intelligence that this Republic, the only counterpoise of his despotism, hastens to its fall by a cause so inadequate and so inglorious as the bare possi-

bility that one thousand slaves may, some five, ten, or twenty years hence, be redeemed from bondage?

The next of these evils is the encroachment of Texas upon New Mexico. Well, sir, we will leave the Territory of New Mexico in the keeping of the President, and her free institutions to the care of her own people, until she can come here as a State and demand admission into the Union.

The fourth of these disasters is the solitude of 10,000 Mormons in the far-off basin of the Salt Lake. But this solitude is of their own choice. They could not live under our governments in any of our States. It is, therefore, solitude sweetened by independence. The remedy proposed by the compromise is to extend to them institutions like those from which they fled. Sir, the Mormons, when they shall have gathered a population adequate to sustain a State government, can establish one; and, in the mean time, they will be living under the protection of our arms, and enjoying the only laws they are yet prepared to endure.

There is, then, only one real wound upon the body politic—the suspense of California. This is a wound, whose pain is not relieved by anguish in any other part; and this is the very one which, with exquisite surgery, the President proposes we shall heal immediately, and by itself, alone.

But it is insisted that, trivial as these disturbances are, the country is nevertheless irritated, excited, and distracted. Sir, the country seems to me neither excited nor distracted. It is worried by our own delay, and has become impatient—not impatient enough yet to approve this bill, but impatient for the admission of California alone. That is all.

Still it is replied that the slavery question must be settled. That question cannot be settled by this bill. Slavery and freedom are conflicting systems, brought together by the Union of the States, not neutralized, nor even harmonized. Their antagonism is radical, and therefore perpetual. Compromise continues conflict, and the conflict involves, unavoidably, all questions of national interest—questions of revenue, of internal improvement, of industry, of commerce, of political rivalry, and even all questions of peace and of war. In entering the career of conquest you have kindled to a fiercer heat the fires you seek to extinguish, because you have thrown into them the fuel of propagandism. We have the propagandism of slavery to enlarge the slave market, and to increase slave representation in Congress and in the electoral colleges—for the bramble ever seeks power, though the olive, the fig, and the vine refuse it; and we have the propagandism of freedom to counteract those purposes. Nor can this propagandism be arrested on either side. The sea is full of exiles, and they swarm over our land. Emigration from Europe and from Asia, from Polynesia

even, from the free States and from the slave States, goes on, and will go on, and must go on, in obedience to laws which, I should say, were higher than the Constitution, if any such laws were acknowledged here. And I may be allowed here to refer those who have been scandalized by the allusion to such laws to a single passage by an author whose opinions did not err on the side of superstition or of tyranny: "If it be said that every nation ought in this to follow their own constitutions, we are at an end of our controversies; for they ought not to be followed unless they are rightly made; they cannot be rightly made if they are contrary to the universal law of God and nature." (Discourses on Government, by Algernon Sydney, chap. 1st, p. 48.) I spoke of emigrants; and wherever those emigrants go—whether they go from necessity or of choice—they form continuous, unbroken, streaming processions of colonists, founders of States, builders of nations. And when colonies are planted, States are founded, or nations built, labor is there the first and indispensable element, and it begins and prosecutes to the end its strife for freedom and power. While the sovereignty of the Territories remains here, the strife will come up here to be composed. You may slay the Wilmot Proviso in the Senate chamber, and bury it beneath the Capitol to-day; the dead corse, in complete steel, will haunt your legislative halls to-morrow.

When the strife is ended in the Territories you now possess, it will be renewed on new fields, North as well as South, to fortify advantages gained, or to retrieve losses incurred, for both of the parties well know that there is "Yet in that word Hereafter."

Senators have referred us to the promise of peace which heralded in the Missouri compromise. Sir, that prophecy is but half its journey yet. The annexation of Texas, the invasion of Mexico, this prolonged struggle over California, this desperate contest for the snows and sands of New Mexico and Deseret, are all within the scope and limits of the prediction; and so are the strifes yet to come over ice-bound regions beyond the St. Lawrence and sun-burnt plains beneath the tropics.

But while this compromise will fail of all its purposes, it will work out serious and lasting evils. All such compromises are changes of the Constitution, made in derogation of the Constitution. They render it uncertain in its meaning, and impair its vigor, as well as its sanctions. This compromise finds the Senate in wide divergence from the House of Representatives, by reason of the undue multiplication of feeble, consumptive States, effected by former compromises of the same sort. You will increase that evil until the Congress of the United States will be unable to conduct the business of the country, by reason of a chronic disagreement

between this and the popular branch; and the result will be the abolition of one branch or of the other; the abolition of either would probably be fatal to liberty.

This compromise is rendered doubly dangerous by the circumstance that it is a concession to alarms of disorganization and faction. Such concessions, once begun, follow each other with fearful rapidity and always increasing magnitude. It is time, high time, that panics about the Union should cease; that it should be known and felt that the Constitution and the Union, within the limits of human security, are safe, firm, and perpetual. Settle what you can settle; confide in that old arbiter, Time, for his favoring aid in settling for the future what belongs to the future, and you will hereafter be relieved of two classes of patriots whose labors can well be spared—those who clamor for disunion, either to abolish slavery or to prevent emancipation, and those who surrender principles or sound policy to clamors so idle.

Sir, the agitations which alarm us are not signs of evils to come, but mild efforts of the Commonwealth for relief from mischiefs past.

There is a way, and one way only, to put them at rest. Let us go back to the ground where our forefathers stood. While we leave slavery to the care of the States where it exists, let us inflexibly direct the policy of the Federal Government to circumscribe its limits and favor its ultimate extinguishment. Let those who have this misfortune entailed upon them, instead of contriving how to maintain an equilibrium that never had existence, consider carefully how at some time—it may be ten, or twenty, or even fifty years hence—by some means, by all means of their own, and with our aid, without sudden change or violent action—they may bring about the emancipation of labor and its restoration to its just dignity and power in the State. Let them take hope to themselves, give hope to the free States, awaken hope throughout the world. They will thus anticipate only what must happen at some time, and what they themselves must desire if it can come safely, and as soon as it can come without danger. Let them do only this, and every cause of disagreement will cease immediately and forever. We shall then not merely endure each other, but we shall be reconciled together, and shall realize once more the concord which results from mutual league, united councils, and equal hopes and hazards in the most sublime and beneficent enterprise the earth has witnessed. The fingers of the Powers above would tune the harmony of such a peace.

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