

## SPEECH

OF

EMERSON ETHERIDGE,  
OF TENNESSEE.

IN THE HOUSE OF REPRESENTATIVES, MAY 17, 1854.

The House being in Committee of the Whole on the state of the Union, (Mr. STANTON, of Tennessee, in the chair.)

Mr. ETHERIDGE said—

Mr. CHAIRMAN: There was a time when I desired, more than now, to submit to the Committee, my opinions in relation to the bill for organizing Territorial Governments for Kansas and Nebraska. The stirring and exciting scenes through which we have passed, within the last few days, have not increased my anxiety to be heard, or given me confidence in being able to secure the attention of the House. Still, sir, I feel that until the measure is consummated, there is hope, and while there is hope remaining, my duty shall be performed. I freely admit the difficulty of moving men from positions already taken, or persuading them to renounce opinions publicly expressed; still, sir, there are many here who are now struggling between the mandates of duty and the exactions of party and sectional association. To these I would address myself; for when right and party allegiance have clashing interests, that man who pauses for honest deliberation, will not always sacrifice the first on the altar of the last.

As but an hour is assigned me for the expression of my opinions upon a subject which, confessedly, involves the nationality of the two great political parties of the country, and, in the judgment of many, the integrity of the Union—a subject which, *all* admit, brings no *practical good* to any section of the country, while it is addressed to the worst passions and prejudices of each; a subject suggestive of a future, which even boldness is unwilling to portray—when I think, sir, of all these things, and the consequences involved in our action, I feel my unfitness for the task which duty imposes. In attempting to proceed—

“I stand in pause, where I shall first begin.”

To the dispassionate observer—aye, sir, to the

whole American People—have you not, for weeks past, presented a remarkable spectacle? Are not your daily proceedings a striking commentary upon those assurances, which your own party so recently gave the people? and that, too, at a time when it was being borne into power, as you alleged, by the conservative and national sentiment of the country? Are you not, this day, furnishing a powerful and satisfactory argument to those sectional agitators, who have always inveighed against the truth and sanctity of political pledges? And is not all this sufficient to make us suspect weakness or corruption in those who, for their supposed political worth, were so recently called to the highest places of position and power?

Have you not, sir, for the last four months, been engaged in bartering away the confidence of the people, for that which they will scorn as an equivalent, and against which the voice of the larger portion has been raised in tones of intemperate opposition, or heard in low murmurs of sorrow and complaint?

More than this, sir; are you not *now* attempting to force upon an unwilling people a measure they have never required—which no necessity or public interest demands, and which its friends and authors admit will be, if consummated, but a barren victory—a fruitless crown—a measure, sir, which this House, if left free from the influence of those threats and promises which are issued, daily, from the other end of the Avenue, would, in one hour, bury so deep, that a thousand consultations of the Cabinet, and as many midnight gatherings of heterogeneous politicians, could not again start it into life? Consign it, sir, to an unhonored grave without a single mourner, unless it should be that little band, who for months past have kept constant vigil around what they feared was its dying couch?

I am here to-day to plead for my own section of the country—to ask Union-loving Representatives, North and South, to consider our real, our

practical interests, and not, hastily, involve them in jeopardy or ruin. I demand no concession of abstract principle, which brings with it a real injury or an abstract wrong. I prefer the peace and prosperity of the South and of the Union, to an empty triumph which may endanger both.

True, sir, in making this appeal, I bring not with me that prestige of success which great names inspire. I must, therefore, rest my cause much on its own merits, and that sense of justice which sties in every heart to which reason appeals.

I shall express my views respectfully, but plainly. I accord to others as much candor as I can claim for myself. I do not know that I ever had so much confidence in my own opinions as to cause me to judge harshly, or impute to others a desire to do wrong, rather than a wish to do right. I had rather be the apologist than the persecutor of those whose opinions do not agree with my own. I believe there are more defective judgments than depraved hearts, and that much which the public censor would set down to the account of corruption, might, more properly, be ascribed to our varied interests and educational feelings.

To the differences in our personal and political interests, of which many seem unconscious, rather than to the native depravity of the friends or opponents of the bill, may be attributed much of that unnecessary bitterness and bad feeling which, up to this time, seems to have attended the consideration of the measure.

The main question which I propose to consider is the repeal of the 8th section of the act of 6th March, 1820, commonly called the "Missouri Compromise." Not that the bill is otherwise free from serious and insuperable objections; but because, in the opinion of many wise and temperate men of all parties, the repeal of the act in question will, ultimately, recruit in mischief to the country.

I desire, if I can, to consider the question *practically*; to test it by the rules of common sense, and to ascertain what good, if any, will result to either section of the country by the repeal.

Before proceeding further, I must, however, be permitted to say a word to those who have evinced so much anxiety for my political welfare, and who have admonished me, that should I vote against the repeal of the Missouri Compromise act of 1820, I need not expect to be retained in public life. The disinterested kindness which prompted the advice, best bespeaks its own commendation; but as I shall disregard the entreaties of some and the expostulations of others, it is due to them to say that their kindness has been duly appreciated. A seat in Congress brings with it no such charms as have caused me to think, for a moment, of the means of retaining it. Were I to do so, however, I should conclude, that a conscientious and faithful discharge of my whole duty, and especially adherence to my public pledges, would be the surest way to retain the confidence of those who sent me here. When I find myself surrendering my own judgment of the propriety of a public measure, and yielding a support to that which I cannot approve, because

the *wrong* may promise more applause than the *right*, then, and in that event, I should deserve the scorn of my constituents and the contempt of mankind.

I confess, that so far as the sentiment of the South is expressed by *their Representatives* on this floor, I am in a minority in my opposition to that part of the bill which proposes to declare the Missouri Compromise "*inoperative and void*." This circumstance has caused me to review and re-review the facts and arguments which drove me to this determination. I have been ready at all times to give my own section of the Confederacy, and my colleagues from that quarter of the country, the full benefit of all doubts upon the subject; and if I could possibly reconcile it with Southern interests, and my pledges to the people, I would now aid them in the work of *repeal*. But, sir, I have not been able to see how the South, in any conceivable event, can be benefited, by repealing the act of 1820, while evils *now*, and I fear *will*, grope out of it, which it would seem that madness alone could have hoped to arouse. And this proposition, with all its hazardous consequences, comes upon us suddenly, without warning, and at a time when the most observant statesmen could see no cloud upon the political horizon—at a time when the shouts of grateful millions, which went up to Heaven for the peace offerings of 1850, had not ceased; and while the words of sober congratulation, which were everywhere heard from the friends of the Union, were still saluting our ears.

It is difficult, sir, to recur to the history of the Missouri Compromise, and more difficult to estimate the consequences of its repeal, without considering, at the same time, some other epochs in our political history, equally remarkable for the passions which they engendered, and the interests they imperilled. We cannot forget the struggle of 1798-9, which severely tried the strength of the Federal Union, and resulted in a repeal of the alien and sedition laws, which produced it. This contest, from its very nature, could not have been *sectional*, as the principles it established were applicable alike to every section of the country. Hence the struggle of 1798-9 never has and never will be revived.

Not so, however, with the Missouri crisis of 1820, the Nullification dangers of 1832-3, and the more recent contest of 1850, at which several periods the integrity of the Federal Union was involved. These contests were all *sectional*; they originated in a difference of pursuits, of institutions, of interests, and of education. Hence the difficulty of healing the wounds which were inflicted during these struggles, and hence the danger of re-opening now those questions which then proved so fearful, and in the adjustment of which the best talents, and the loftiest patriotism were so eminently displayed.

As the value and importance of the Missouri Compromise cannot be properly estimated at this time, without recurring to the events which produced it, I shall review these events, at the risk of being considered tedious. It was the first time that the slave and non-slaveholding States were found arrayed against each other; and the

first time, since the adoption of the Federal Constitution, that Slavery began to be considered with reference to political power.

In 1819, Mr. Scott, (then a delegate from the Territory of Missouri,) presented to Congress a memorial, asking that the Territory of Missouri might be permitted to form a Constitution of State Government, and be admitted into the Union, upon an equal footing with the original States.

Pending the consideration of this question in Congress, various efforts were made for the restriction of Slavery—some proposing to apply the restriction to the unorganized territories west of the Mississippi, while others embraced, also, the then Territory of Missouri. Slavery existed at that time in the Missouri Territory, and the North required that Missouri, in forming a State Constitution, should abolish or not recognise it. This proposition, to restrict Slavery in the State of Missouri was entertained and insisted on by the Northern members of the House of Representatives, who then, as now, had a very decided majority. The Senate held different views, and was unwilling to impose any restriction on the State, in the formation of its Constitution. Thus, the two Houses could not agree; the session was far advanced, and this delicate and perplexing question, which then seemed so ominous of evil, was unadjusted. Argument and entreaty had been exhausted in vain. The firmest and most experienced statesmen began to tremble for the safety of the Republic, as they beheld the people and their representatives about to hazard the peace of the country and the union of the States, by protracting this unnatural struggle between the members of a common brotherhood. But, happily for the country, forbearance and concession were able, at last, to avert the danger and soothe into tranquillity the storm of political and sectional fury.

On the 16th of February, 1820, Mr. Thomas, a Senator from Illinois, renewed his proposition, to restrict Slavery in all the territory west of the Mississippi, north of 36° 30' north latitude, *except within the proposed limits of the State of Missouri.*

The proposition of Mr. Thomas was what has since been called the "Missouri Compromise," and is in these words:

*"And be it further enacted, That in all that territory ceded by France to the United States, under the name of Louisiana, which lies north of 36 degrees 30 minutes north latitude, excepting only such part thereof as is included within the limits of the State contemplated by this act, slavery and involuntary servitude, otherwise than in the punishment of crimes whereof the party shall have been duly convicted, shall be, and is hereby, forever prohibited: Provided, always, That any person escaping into the same, from whom labor or service is lawfully claimed in any State or Territory of the United States, such fugitive may be lawfully reclaimed, and conveyed to the person claiming his or her labor or service, as aforesaid."*

This proposition restricting Slavery north of 36° 30' was adopted in the Senate, as an amendment to the bills then pending, for the admission of Maine and Missouri, by the following vote:

"For the amendment—Messrs. Brown, Burrill, Dana, Dickerson, Eaton, Edwards, Horsey, Hunter,

Johnson of Kentucky, Johnson of Louisiana, King of Alabama, King of New York, Lanman, Leake, Lloyd, Logan, Lowrie, Mollen, Morrill, Otis, Palmer, Parrott, Pinkney, Roberts, Ruggles, Sanford, Stokes, Thomas, Tichenor, Trimble, Van Dyke, Walker of Alabama, Williams of Tennessee, Wilson—34.

"Against the amendment—Messrs. Barbour, Elliott, Gaillard, Macon, Noble, Pleasants, Smith, Taylor, Walker of Georgia, Williams of Mississippi—19."

After the "Missouri Compromise" had been thus made a part of the bill providing for the admission of Maine and Missouri, the question was taken on ordering the bill as amended to be engrossed, and read a third time, with the following result:

"AYES—Messrs. Barbour, Brown, Eaton, Edwards, Elliott, Gaillard, Horsey, Hunter, Johnson of Kentucky, Johnson of Louisiana, King of Alabama, Leake, Lloyd, Logan, Parrott, Pinkney, Pleasants, Stokes, Thomas, Van Dyke, Walker of Alabama, Walker of Georgia, Williams of Mississippi, Williams of Tennessee—24.

"NOES—Messrs. Barrill, Dana, Dickerson, King of New York, Lanman, Lowrie, Macon, Mellen, Morrill, Noble, Otis, Palmer, Roberts, Ruggles, Sanford, Smith, Taylor, Tichenor, Trimble, Wilson—20."

Among these affirmative voters in the Senate, who thus recorded their votes in favor of the "Missouri Compromise," were Barbour and Pleasants; of Virginia; Brown and Johnson, of Louisiana; EATON and WILLIAMS, of Tennessee; Elliott and Walker, of Georgia; Gaillard, of South Carolina; RICHARD M. JOHNSON and Logan, of Kentucky; Lloyd and Pinkney, of Maryland; WILLIAM R. KING (late Vice President) and Walker, of Alabama; Leake and Williams, of Mississippi; Van Dyke and <sup>sey</sup> of Delaware; and Stokes, of North Carolina—making twenty Senators from the South. Only four Senators from the North voted for it, and eighteen against it. But two Senators from the South, (Mr. Macon, of North Carolina, and Mr. Smith, of South Carolina,) voted in the negative.

The Missouri Compromise having passed the Senate, was sent to the House of Representatives, where it was acted on, the 2d of March, 1820. The main question was taken on inserting in the bill the Missouri Compromise, prohibiting Slavery north of 36° 30', and decided in the affirmative by yeas and nays, as follows:

"AYES—Messrs. Allen of New York, Allen of Tennessee, Anderson, Archer of Maryland, Baker, Baldwin, Bateman, Bayly, Beecher, Bloomfield, Boden, Brevard, Brown, Brush, Bryan, Butler of N. Hampshire, Campbell, Cannon, Case, Clagett, Clarke, Cooke, Cook, Crafts, Crawford, Crowell, Calbreth, Culpeper, Cushman, Cutbert, Darlington, Davidson, Dennison, Dewitt, Dickinson, Downs, Eadie, Eddy, Edwards of Pennsylvania, Fay, Fisher, Floyd, Foot, Ford, Forrest, Fuller, Fullerton, Gross of Pennsylvania, Guyon, Hackley, Hall of N. York, Hardin, Hazard, Hemphill, Hendricks, Herriek, Hibshman, Hiester, Hill, Holmes, Hostetter, Kendall, Kent, Kinsey, Kinsey, Lathrop, Little, Lincoln, Linn, Livermore, Lowndes, Lyman, Mackay, McCreary, McLane of Delaware, McLean of Kentucky, Mallary, Marchand, Mason, Meigs, Mercer, Moore, S. Moore, Monell, Murray, Moseley, Murray, Nelson of Mass., Nelson of Virginia, Parker of Mass., Patterson, Philson, Pitcher, Plumer, Quarles, Rankin, Rich, Richards, Richmond, Ringgold, Robertson, Rogers, Ross, Russ, Sampson, Sergeant, Settle, Shaw, Silsbee,

Blair, Smith of New Jersey, Smith of Maryland, Smith of North Carolina, Southard, Stevens, Storrs, Strong, Strong of Vermont, Strong of New York, Strother, Tarr, Taylor, Tomlinson, Tompkins, Tracy, Trimble, Tucker of South Carolina, Upham, Van Rensselaer, Wallace, Warfield, Wendover, Williams of North Carolina, Wood—134.

"Nays—Messrs. Abbot, Adams, Alexander, Allen of Mass., Archer of Va., Barbour, Buffam, Burton, Burwell, Butler of Louisiana, Cobb, Edwards of N. Carolina, Ervin, Folger, Garrott, Gross of N. York, Hall of North Carolina, Hooks, Johnson, Jones of Virginia, Jones of Tennessee, McCoy, Metcalf, Neale, Newton, Overstreet, Parker of Virginia, Pinckney, Pindall, Randolph, Reed, Rhea, Simkins, Slocumb, B. Smith of Virginia, A. Smyth of Virginia, Swearingen, Terrill, Tucker of Virginia, Tyler, Walker of North Carolina, Williams of Virginia—42."

The result in the House of Representatives showed that a majority of the Southern members voted for the Compromise. Of seventy-six Representatives from slaveholding States, who voted on the question, *thirty-nine* recorded their votes in favor of the measure, and *thirty-seven* against it. Yet, sir, in the face of these facts, we have just now been told by my colleague, [Mr. READY,] who addressed the Committee this morning, that this measure was never regarded with favor or received with satisfaction by the people of the slaveholding States; that they submitted to it because of their devotion to the Union, and because that submission was necessary to its preservation.

This statement I emphatically deny, and I appeal with confidence to the writings of those who recorded its history at the time, and who witnessed for themselves how well it performed the great work of pacification for which it was designed, and how favorably it was received by the people of the South.

Before the adoption of this measure, I admit, all was apprehension and alarm. Yes, sir, *alarm* is a feeble word, to express the state of the public mind. Mr. Jefferson, in a letter written while the question was pending in Congress, said—"The Missouri question is the most portentous one which ever yet threatened our Union. In the gloomiest moment of the Revolutionary war, I never had any apprehension equal to that I felt from this source."

But so soon as Congress had adopted the Compromise, all was gratulation, joy, and peace—every patriot heart was made glad, and the pulse of the nation ceased to beat with painful apprehension.

Charles Pinckney, of South Carolina, was a member of that Congress. He had previously been a Senator, a member of the Convention which framed the Federal Constitution, and had represented us at the Court of Spain. He voted *against* the Compromise, yet he testifies, *at the time and on the spot*, that it was regarded by the slaveholding States as "A GREAT TRIUMPH." Though he had voted against it, yet he contributed to swell by his voice the tide of joyous acclamation which went up from all portions of the country. The following letter will show how the measure was received at the time:

"CONGRESS HALL, March 2, 1820,  
"Three o'clock at night.

"DEAR SIR: I hasten to inform you that this mo-

ment we have carried the question to admit Missouri, and all Louisiana to the southward of 36 deg. 30 min., free of the restriction of Slavery, and give the South, in a short time, an addition of six, and perhaps eight, members to the Senate of the United States. It is considered here, by the slaveholding States, as a great triumph. To the north of 36 deg. 30 min. there is to be, by the present law, restriction, which, you will see, by the votes, I voted against. But it is at present of so moment: it is a vast tract, uninhabited, only by savages and wild beasts, in which not a foot of the Indian claim to the soil is extinguished, and in which, according to the ideas prevalent, no land office will be open for a great length of time.

"With respect, your obedient servant,  
"CHARLES PINCKNEY"

This letter was written by Mr. Pinckney, who was a participator in the events which produced the Missouri Compromise, when you and I, Mr. Chairman, were "muling and puking" in our nurses' arms. His opinions are certainly worth more than those of my colleague, who, thirty-four years after the adoption of the Compromise, arrays his researches into antiquity, and his belief, against the authority of one who, though opposed to the Compromise, asserted that it was regarded "by the slaveholding States as a great triumph." Not a triumph of the North, or a concession to the Union, but as a triumph of the South. Mr. Pinckney proceeded to assign the reasons for his opinion—among which he mentioned that it would "give the South, in a short time, an addition of six, and perhaps eight, members to the Senate of the United States." Another reason assigned was, that the country north of 36° 30' was "a vast tract, uninhabited, only by savages and wild beasts," &c.

I do not admit or insist, that the Missouri Compromise was a Southern triumph, but, sir, I intend to show, that it has been regarded by Southern statesmen as a favorite measure, and one which they never desired annulled, or attempted to repeal, until January, 1854—and I further insist, whatever may have been the causes which produced it, that wisdom and statesmanship, the interests of the South, and the peace of the Union, require that it should not, *now*, be disturbed. The champions of repeal admit that it cannot extend Slavery—certainly, then, less than a Southern statesman would see the propriety of letting things alone, rather than raise a tempest of popular excitement, which patriotism may not be able to rule, or power to control.

The adoption of this Compromise brought the country a repose from Slavery agitation, which promised to be more than temporary. It embraced all the territory which, at that time, belonged to us, and has not failed to keep down the fury which it allayed, except when *other Territories* have been added to the Union, by which the Slavery agitation has been revived beyond the limits embraced by that Compromise. While the annexation of Texas was a matter of negotiation, the Slavery Question gave signs of again becoming a disturbing element. It was intimately connected with the commencement, the progress, and the termination of that negotiation, and laid the foundation of that overwhelming, Free Soil, Democratic organization, which has since existed in the Northern States, under the auspices of Mr. Van Buren.

It was evident that the existence of Slavery in Texas was the true ground of Northern objection to annexation. The South readily perceived the difficulty, and sought the means of obviating it. The Representatives from that portion of the country remembered the results of the Missouri Compromise. They regarded it as a sort of universal panacea for all the sectional jealousies and agitation growing out of domestic Slavery. In the very act of annexation they applied the remedy, and that remedy was the Missouri Compromise, which within the last four months has suddenly lost favor with those Southern politicians who have been taught to regard it until recently with so much veneration.

Congress, on the 1st of March, 1845, passed a joint resolution for the annexation of Texas. The third article of the second section of that resolution reads as follows:

"And such States as may be formed out of that portion of said Territory lying south of 36 degrees 30 minutes north latitude, commonly known as the Missouri Compromise line, shall be admitted into the Union with or without slavery, as the people of each State asking admission may desire. And in such State or States as shall be formed out of said territory north of said Missouri Compromise line, slavery or involuntary servitude (except for crimes) shall be prohibited."

The resolution for the annexation of Texas was regarded as a Southern measure, and received the sanction of the great body of statesmen from the slaveholding States. It was adopted a quarter of a century after the Missouri Compromise, in which the latter is recognised as a compromise, and one which then appeared to be in favor with the South.

It was again recognised by Southern Senators as late as 10th August, 1848, when (the Oregon bill being before the Senate) Mr. DOUGLAS moved an amendment, in the following words:

"That inasmuch as the said Territory is north of the parallel of 36 deg. 30 min. of north latitude, usually known as the Missouri Compromise line," &c.

"The vote on this amendment was as follows:

**YEAS**—Messrs. Atchison, Badger, Bell, Benton, Borron, Borland, Bright, Butler, Calhoun, Cameron, Davis of Mississippi, Dickinson, Douglas, Dawson, Fitzgerald, Foster, Hannegan, Houston, Hunter, Johnson of Maryland, Johnson of Louisiana, Johnson of Georgia, King, Lewis, Mangum, Mason, Metcalf, Pearce, Sebastian, Spruance, Sturgeon, Tarnoy, and Underwood—33

**NAYS**—Messrs. Allen, Atherton, Baldwin, Bradbury, Broese, Clarke, Cerwin, Davis of Massachusetts, Dayton, Dix, Dodge, Felch, Greene, Hale, Hamlin, Miller, Niles, Phelps, Upham, Walker, and Webster—21.

This was disagreed to by the House, most of the Southern members—as the Senate had done—voting for the amendment; thus establishing the fact, that as late as August, 1848, the Missouri Compromise line was not regarded by Southern statesmen as destructive of the interests or honor of the slaveholding States.

Again: in September, 1850, Congress passed an act, (one of the compromises of 1850,) proposing to the State of Texas the establishing of her northern and western boundaries, the relinquishment by Texas of all territory claimed by her

exterior to said boundaries, and of all her claims upon the United States; and to establish a Territorial Government for New Mexico. In the fifth clause of the first section of said act is the following *proviso*, introduced on motion of Mr. MASON, a Senator from Virginia:

"Provided, That nothing herein contained shall be construed to impair or qualify anything contained in the third article of the second section of the 'joint resolution for annexing Texas to the United States,' approved March 1, 1845, either as regards the number of States that may hereafter be formed out of the State of Texas, or otherwise."

The word "OTHERWISE," in this *proviso*, was then and is now understood to have reference to the establishment of domestic Slavery in Texas, and the latitude which was to control its locality. Thus we find, as late as 1850, that the Missouri Compromise, which had been extended through Texas, was again in effect recognised by Congress as a part of the legislation of 1850. If so, how could the legislation of 1850 have rendered the Missouri Compromise "inoperative and void?"

I have felt myself justified in thus reviewing the action of the National Legislature, up to 1848-'50, in reference to this subject, from which it will appear that it was always regarded by the people of the South as a favorite proposition, in relation to the origin and practical operations of which no complaint whatever had been heard.

I must, in this connection, introduce one or two witnesses, who have heretofore been regarded by the people of the South as entitled to credit. One of them, [MR. POLK,] now no more, maintained a high character for veracity, and was a favorite with his party in Tennessee up to the period of his death. In 1848, President Polk communicated to Congress his reasons for approving the bill establishing a Territorial Government for Oregon, with a restriction prohibiting Slavery—which restriction was similar in effect to the "Wilmot Proviso." Among other reasons for approving the bill, Mr. Polk assigns the following:

"In December, 1819, application was made to Congress by the people of Missouri Territory for admission into the Union as a State. The discussion upon the subject in Congress involved the question of Slavery, and was prosecuted with such violence as to produce excitements alarming to every patriot in the Union. But the good genius of conciliation, which presided at the birth of our institutions, finally prevailed, and the Missouri Compromise was adopted. \* \* \*

"The Missouri question had excited intense agitation of the public mind, and threatened to divide the country into geographical parties, alienating the feelings of attachment which each portion of our Union should bear to every other. The compromise allayed the excitement, tranquillized the popular mind, and restored confidence and fraternal feelings. Its authors were hailed as public benefactors. \* \* \*

"Ought we now to disturb the Missouri and Texas Compromises? Ought we, at this late day, in attempting to annul what has been so long established, and acquiesced in, to excite sectional divisions and jealousies, to alienate the people of different portions of the Union from each other, and to endanger the existence of the Union itself?"

I see now, in his seat, one of my colleagues, [MR. GEORGE W. JONES,] who was a member of

this House at the time this message was submitted to Congress. He voted for the bill organizing a Territorial Government for Oregon. He heard that message of Mr. Polk, and approved it. I know how he answered these grave questions at the time they were propounded, and I would to-day repeat to him the questions propounded by Mr. Polk: "Ought we now to disturb the Missouri and Texas Compromises? Ought we at this late day, in attempting to annul what has been so long established and acquiesced in, to excite sectional divisions, to alienate the people of different portions of the Union from each other, and TO ENDANGER THE EXISTENCE OF THE UNION ITSELF?" These were grave questions at the time, and the country responded with a united voice: NO! I ask, what is there in the condition of the public mind, at this time, which renders these questions less momentous than in 1848? It has been less than four years since we passed through an intense excitement growing out of the institution of Slavery. The bitterness of that excitement is yet felt by many, and the wounds which were then inflicted have not all been healed, and I think the condition of the country is not now better suited to this hazardous experiment than in 1848, when none were found so bold as to attempt it.

In this connection may be submitted the testimony of the Senator from Illinois [Mr. DOUGLAS.] His *competency* as a witness all admit, and his *credibility* his friends ought not to question. He is the champion of this proposition of repeal, and urges it with all the energy of desperation.

On the 23d of October, 1849, he made a speech at Springfield, Illinois, in which he alluded to the Missouri Compromise as follows:

"The Missouri Compromise had then been in practical operation for about a quarter of a century, and had received the sanction and approbation of men of all parties, in every section of the Union. It had allayed all sectional jealousies and irritations growing out of this vexed question, and harmonized and tranquilized the whole country. It had given to HENRY CLAY, as its prominent champion, the proud soubriquet of the 'Great Pacifier,' and by that title, and for that service, his political friends had repeatedly appealed to the people to rally under his standard as a Presidential candidate, as the man who had exhibited the patriotism and the power to suppress an unholy and treasonable agitation, and preserve the Union. He was not aware that any man or any party, from any section of the Union, had ever urged as an objection to Mr. CLAY, that he was the great champion of the Missouri Compromise. On the contrary, the effort was made by the opponents of Mr. CLAY to prove that he was not entitled to the exclusive merit of that great patriotic measure, and that too honor was equally due to others as well as him, for securing its adoption—that it had its origin in the hearts of all patriotic men who desired to preserve and perpetuate the blessings of our glorious Union—an origin akin to that of the Constitution of the United States, conceived in the same spirit of fraternal affection, and calculated to remove forever the only danger which seemed to threaten, at some distant day, to sever the social bond of union. All the evidences of public opinion at that day seemed to indicate that this Compromise had become engrafted in the hearts of the American people, as a sacred thing, which no ruthless hand would ever be reckless enough to disturb."

Mr. Chairman, it is worthy of observation, that each sectional agitation of the Slavery question has grown, directly or indirectly, out of the acquisition of foreign territory. The great Missouri controversy was the unexpected result of that wise policy of Mr. Jefferson, which secured to this Government the Territory of Louisiana. The peaceful annexation of Texas, in 1845, was not accomplished, without some show of opposition from the public sentiment of the North, the traces of which are still to be seen; but, as Slavery existed in Texas before annexation, the public opinion of the Northern section of the Union soon became composed. The ratification of the treaty of Guadalupe Hidalgo, in 1848, announced the termination of the war with Mexico. That treaty brought territorial acquisitions, sufficient in extent for a vast empire, and extended our national jurisdiction from the shores of the Atlantic to the Pacific ocean; but, sir, it brought, also, the demon of domestic discord.

Those citizen soldiers who had shown themselves invincible in battle, and who, under the stars and stripes of the Federal Union, had won for themselves Immortality, for their country Fame, were recalled from the "tented field" to witness that memorable struggle, which so long imperilled the glory of their recent achievements, and shook the pillars of that Union which is the palladium of our liberties, and the ark of our National safety.

I allude, sir, to the great contest of 1850. That contest was important, in view of the numbers who partook of the maddening excitement of the times; remarkable for the duration of the struggle; and, finally, assumed an intense interest, when politicians began deliberately to calculate the cost of the Union, and to paint the glories of Northern and Southern confederacies.

Tennessee was named as the State, and the vicinity of the "Hermitage" as the place, for the assemblage of those who, after calculating the value of the Union, were ready to take counsel together as to "the mode and measure of redress." At that convention, the Constitution was denounced in violent and bitter terms, and "Secession" was regarded by many as synonymous with Independence. At this stage of affairs, the people of Tennessee became alarmed. That alarm, or anxiety, quickly pervaded a large portion of the people of the South, who, in their devotion to the Union, felt that it was in danger, and they deliberately resolved to withdraw its keeping from the hands of those who wantonly perilled its safety, or despaired of its preservation.

Between the two meetings of this "Nashville Convention," the Compromise Measures of 1850 were passed by Congress. They embraced a *final settlement* of all the questions of Slavery, growing out of territorial acquisitions from Mexico. Against these measures a portion of the most influential men of the South arrayed themselves in fierce and bitter hostility. Opposition thereto was the rallying point of the disunion. Upon that opposition they took their stand, and declared that the "gates of Hell should not prevail against it." The controversy between the Union party of the

South, who accorded a cheerful support to those measures, and the so-called "Southern Rights" men, who "a quiesced" when they were vanquished at the polls, was long and bitter. It resulted, however, in a triumph of the Union party, and those who had been the original friends of the late adjustment.

While this contest was being determined at the South, a battle of opposition to these measures was raging at the North. In some of the Northern States, doubt for a long time hung over the result; but the Union-loving and conservative spirit of the country prevailed there also, and "higher law" on the one hand, and "secession" on the other, were quieted and put down.

But the great Slavery agitation of 1850 had been too fierce, and had aroused too much of patriotic interest throughout the country, to be forgotten with the consummation of that adjustment, which gave repose to the public mind. The wisest and most patriotic men of all parties began to inquire if there were no means by which the agitation of the subject of Slavery could be removed from the Halls of Congress. The end was worthy of any honorable means, and the best and most eminent citizens resolved to aid in its accomplishment. Among the first to conceive, and the boldest to execute, this determination, was that departed statesman, whose fame and public services, for more than thirty years, have been inseparably connected with our National history—a statesman who had been always found first at the post of danger, and who guarded with sleepless vigilance every approach from the enemies of the Union, or the disturbers of its tranquillity.

Soon after the passage of the Compromise acts of 1850, and while extreme men at the North were counselling resistance to those measures, and violent men at the South were denouncing them as a concession to Northern fanaticism, HENRY CLAY raised his potential voice in favor of the finality of that adjustment, and against all who were not known to be opposed to a disturbance of that settlement, and to the "renewal in any form of agitation upon the subject of Slavery."

Great and good men, of all parties and from all sections of the country, promptly rallied round Mr. Clay, and with him recorded their pledge of honor in favor of the measures of 1850, and against all further agitation.

During the year 1850, Mr. Clay and his associates, all of whom were members of the thirty-first Congress, prepared and published to the world the following

**DECLARATION AND PLEDGE.**

The undersigned, members of the Thirty-first Congress of the United States, believing that a renewal of sectional controversy upon the subject of Slavery would be both dangerous to the Union and destructive to its objects, and seeing no mode by which such controversies can be avoided, except by a strict adherence to the settlement thereof effected by the compromise passed at the last session of Congress, do hereby declare their intention to maintain the same settlement inviolate, and to resist all attempts to repeal or alter the acts aforesaid, unless by the general consent of the friends of the measure, and to remedy such evils, if any, as time and experience may develop. And

for the purpose of making this resolution effective, they further declare that they will not support, for the office of President or Vice President, or of Senator or of Representative in Congress, or as Member of a State Legislature any man, of whatever party, who is not known to be opposed to the disturbance of the settlement aforesaid, and to the renewal, in any form, of agitation upon the subject of Slavery hereafter.

- |                       |                    |
|-----------------------|--------------------|
| Henry Clay,           | Howell Cobb,       |
| C. S. Merced,         | H. S. Foote,       |
| Robert L. Rose,       | William Duer,      |
| William C. Dawson,    | James Brooks,      |
| Thomas J. Bask,       | Alex H. Stephens.  |
| Jeremiah Clemens,     | R. Toombs,         |
| James Cooper,         | M. P. Gentry,      |
| Thomas G. Pratt,      | Henry W. Hiliard,  |
| William M. Gwin,      | F. E. McLean,      |
| Samuel A. Eliot,      | A. G. Watkins,     |
| David Outlaw,         | H. A. Bullard,     |
| O. K. Williams,       | T. S. Raymond,     |
| J. Phillips "hoenix," | A. H. Sheppard,    |
| A. M. Schermerhorn,   | Daniel Breck,      |
| John R. Thurman,      | James L. Johnson,  |
| D. A. Boker,          | J. B. Thompson,    |
| George R. Andrews,    | J. M. Anderson,    |
| W. F. Mangum,         | John B. Kerr,      |
| Jeremiah Morton,      | J. P. Caldwell,    |
| R. I. Bowie,          | Edmund Deberry,    |
| F. C. Cabell,         | Humphrey Marshall, |
| Alexander Evans,      | Allan F. Owen.     |

Among those who signed this pledge, are the entire Whig delegation, at that time, in the House of Representatives, from Tennessee—Williams, Gentry, Watkins, and Anderson. With three of them I am personally acquainted, and the fourth enjoys too high a character for talents and patriotism not to be known by reputation to every Tennessean—and without knowing the sentiments of these gentlemen, I doubt not they and each of them still remember and recognise the binding obligations of that pledge.

This declaration, at the time, might have seemed but a feeble effort towards quelling agitation, but, sir, Time has demonstrated that it was a suitable forerunner of the events which were to follow. Very soon, similar sentiments began to be expressed in a variety of assemblies, in county and State conventions, in the legislatures of different States, and in Congressional caucuses. And when, in 1852, the Whig and Democratic parties met at Baltimore to make their Presidential nominations, so powerful and overwhelming was the public sentiment of the country in favor of those measures, that each Convention incorporated the sentiments of the pledge I have read into their platform of principles, and proclaimed to the world that acquiescence therein should be regarded as a test of political orthodoxy.

Among the resolutions adopted by the Democratic party is the following:

"5. Resolved, That the Democratic party will resist all attempts at renewing, in Congress or out of it, the agitation of the Slavery question, and whatever shape or color the attempt may be made."

Here, sir, we have the deliberate pledge of the Democratic party, made by the Convention which nominated Mr. Pierce, that they would resist ALL ATTEMPTS AT RENEWING, IN CONGRESS OR OUT OF IT, THE AGITATION OF THE SLAVERY QUESTION," and

hat resistance is promised us "UNDER WHATEVER SHAPE OR COLOR THE ATTEMPT MAY BE MADE." True, sir, I never attached very much importance to this resolution, although I then and now think it asserted a proper and necessary line of policy for any party to have pursued, which preferred the peace of the country to the ravings of fanaticism; but I have said elsewhere that which I will avow here, that I had no confidence in the ability or sincerity of the various factions who composed that Convention, to discourage or discountenance the agitation of Slavery, whenever that agitation might be thought necessary to their retaining or securing power. I still think so, and subsequent events have confirmed me in that opinion.

The Whig Convention met a few days after the nomination of Mr. Pierce. Before the Southern Whigs would consent to make a nomination for President, they demanded that the Convention should assert the principles upon which the canvass was to be conducted, and, especially, that a guarantee should be given, by which the country should be assured of repose from the dangerous Slavery controversies, which had caused so much apprehension during the administration of Mr. Fillmore. That guarantee was given by the Convention, in the adoption of the following resolution:

"Resolved, That the series of acts of the Thirty-first Congress, commonly known as the Compromise Adjustment, (the act for the recovery of fugitives from labor included,) are received and acquiesced in by the Whigs of the United States as a final settlement, in principle and substance, of the subjects to which they relate; and, so far as these acts are concerned, we will maintain them, and insist on their strict enforcement, until time and experience shall demonstrate the necessity of further legislation to guard against the evasion of the laws on the one hand, and the abuse of their present efficiency to carry out the requirements of the Constitution; and we deprecate all further agitation of the questions thus settled, as dangerous to our peace, and will discountenance all efforts to continue or renew such agitation, whenever, wherever, or however made; and we will maintain this settlement as essential to the nationality of the Whig party and the integrity of the Union."

The meeting of these Conventions gave satisfaction, in one respect, at least, to the largest portion of the American people; for while many Whigs and Democrats disapproved of the nominations, still, they could perceive, in the resolutions adopted by the Conventions, an assurance that the triumph of either candidate would bring us four years of domestic tranquillity. The result of the election disclosed the fact, that about three millions of freemen had recorded their votes in favor of Scott and Pierce, while not over three hundred thousand had expressed a preference for Hale, the candidate of the Abolitionists, and less than ten thousand had voted for Troup, the candidate of the extreme men of the South. Thus, sir, the compromise measures of 1850 were ratified and endorsed at the polls, by the great body of the people.

Mr. Pierce was inaugurated on the 4th of March, 1853. At that time, he pledged himself, in the presence of assembled thousands, to a faithful support of these measures, which he then declar-

ed to be eminently just and constitutional. That pledge elicited the applause of his friends, and wrung from his enemies the tribute of praise.

At the meeting of Congress, in December last, great anxiety was manifested for the reception of his first message, which, it was supposed, would define his administrative policy. That message was true to the conservative sentiment of the country in this respect, and to the platform upon which he had been elected; and he announced that during his administration the repose of the country should suffer no shock, if he had the power to avert it.

I can commend, with confidence, to all those who are now engaged in this new crusade against the public repose, the following from the message of the President, at the opening of Congress:

"It is no part of my purpose to give prominence to any subject which may properly be regarded as set at rest by the deliberate judgment of the people. But while the present is bright with promise, and the future full of demand and inducement for the exercise of active intelligence, the past can never be without useful lessons of admonition and instruction. If its dangers serve not as beacons, they will evidently fail to fulfil the object of a wise design. When the grave shall have closed over all who are now endeavoring to meet the obligations of duty, the year 1850 will be recurred to as a period filled with anxious apprehension. A successful war had just terminated. Peace brought with it a vast augmentation of territory. Disturbing questions arose, bearing upon the domestic institutions of one portion of the Confederacy, and involving the constitutional rights of the States. But, notwithstanding differences of opinion and sentiment, which then existed in relation to details, and specific provisions, the acquiescence of distinguished citizens, whose devotion to the Union can never be doubted, had given renewed vigor to our institutions, and restored a sense of repose and security to the public mind throughout the Confederacy. That this repose is to suffer no shock during my official term, if I have power to avert it, those who placed me here may be assured."

I ask gentlemen if the signs of the times do not already indicate that the repose which we were promised at the commencement of this Congress, is not now disturbed? Sir, is it not in a fair way to be destroyed?

If we attach any importance to the demonstrations which are being made throughout the country, and the occurrences which have so recently transpired here, or credit the predictions of some of our colleagues, we are now on the verge of imminent danger. But a few days ago, the gentleman from South Carolina, [Mr. Brooks,] in a speech which indicated great sincerity and ability, used this language:

"Mr. Chairman, the cry that the Union is in danger has been so often raised, that men have ceased to regard it. But, sir, disunion may come while we are sleeping in security. Before God, I believe that if this bill \* \* \* fails to pass this House, we will be in greater danger of disunion than at any time since the formation of this Government.

"I make no threat of disunion. The failure of the passage of this bill may not so result. But, sir, our young men are becoming familiar with the sound of a word which was breathed by their ares only in secrecy, or forced from their lips by the agony of accumulated wrong."

If this be true, sir, where is the repose which

we were assured would result from the election of Mr. Pierce, and which he promised us, at the opening of Congress, should suffer no shock?

The truth is, we are launching once more upon the turbulent sea of experiment. We are to forget every lesson of the past, and the admonitions of the purest and wisest men who have ever been in our National Councils. The struggles which patriotism has had with faction and fanaticism are to be regarded as so many exhibitions of weakness, folly, and timidity, and we are to go back and explore those paths which a Clay, a King, and a Lowndes, have refused to tread—for, sir, it has been but a very few days since the gentleman from Virginia [Mr. FAULENER] announced to this House, that after

“A struggle, longer in duration than the celebrated religious wars of Europe, we find ourselves, in the progress of the political cycle, at the very point at which this unwise and unwarrantable agitation commenced.”

If this be so, of what value was that “FINAL SETTLEMENT,” that “END OF THE AGITATION,” of which the gentleman’s party boasted in 1852, and upon which Mr. Pierce was elected? If this be so, to what little purpose did the great statesman of the West return in his old age to the theatre of his earliest achievements, there to offer up his life as a willing sacrifice, on the altar of the Federal Union?

I, sir, will not believe the past has been all a delusion and a cheat, and I doubt not the people of this country will yet attest, in a manner which cannot be mistaken, their devotion to the settlement of 1850, their conviction that it was *intended to be final*, and their determination that it *shall be so*.

Sir, while all men are to a greater or less extent the creatures of education, most of them are inclined to adopt certain peculiarities, and to imitate those qualities and aim at those achievements in other, which have been pronounced most rare and remarkable.

This disposition to imitation, while it is quite general, seems of late years to have had unusual sway over the legal profession, and many have displayed no mean ambition in attempting to play a part as miraculous, in some respects, as that which marked the life of one of the greatest lawyers of antiquity. I allude, sir, to that great Apostle, who was brought up “at the feet of Gamaliel,” and whose sudden and miraculous conversion, while on the road to Damascus, was but another evidence of the Divine power of the Christian religion.

I do not think, however, that the sudden conversion of St. Paul, while travelling from Jerusalem to Damascus, justifies the fantastic tricks and political sunsets which we so often witness among those political lawyers, who earn their daily bread by persecuting the Whigs. Paul was suddenly changed from a sinner to a saint. Senators, politicians, and newspaper editors, are changed just as quickly in the 19th century; but the parallel holds good no further; for those who exclaimed, four months ago, “LET WELL ENOUGH ALONE,” touch not the “SOLEMN COVENANT,” it will “INVOLVE THE SAME GRAVE ISSUES WHICH PRODUCED THE AGITATION, THE SECTIONAL STRIFE, AND

THE FEARFUL STRUGGLE, OF 1850,” will not be regarded by the country, in their attempts to repeal the Missouri Compromise, as more sincere than when, a short time ago, they maintained its inviolability; and as the days of miracles have ceased, the country will be anxious to know what “GREAT LIGHT” shone so suddenly as to cause this wonderful change.

Why, sir, but yesterday, the Missouri Compromise might have “stood against the world;” now it is reviled and spurned by those who, at the opening of this Congress, were prepared to do it reverence.

On the 4th of January, 1854, a Senator from Illinois, [Mr. DOUGLAS,] and chairman of the Committee on Territories, made a report to the Senate upon the Nebraska bill. The Senate’s committee, after examining the whole subject, found nothing worthy of especial notice, and did nothing but make a *written argument* and report *against* repealing the Missouri Compromise. Here is an extract from that report. After alluding to the existence of the Missouri Compromise, and noticing its effect upon the Nebraska Territory, Mr. DOUGLAS goes on to say:

“Your committee do not feel themselves called upon to enter into the discussion of these controverted questions. They involve the same grave issues which produced the agitation, the sectional strife, and the fearful struggle, of 1850. As Congress deemed it wise and prudent to refrain from deciding the matter in controversy then, either by affirming or repealing the Mexican laws, or by an act declaratory of the true intent of the Constitution, and the extent of the protection afforded by it to the slave property in the Territories, so your committee are not prepared now to recommend a departure from the course pursued on that memorable occasion, either by affirming or repealing the 8th section of the Missouri act, or by any act declaratory of the meaning of the Constitution in respect to the legal points in dispute.

“Your committee deem it fortunate for the peace of the country and the security of the Union, that the controversy then resulted in the adoption of the Compromise Measures, which the two great political parties, with singular unanimity, have affirmed as a cardinal article of their faith, and proclaimed to the world as a final settlement of the controversy and an end of the agitation. A due respect, therefore, for the avowed opinions of Senators as well as a proper sense of patriotic duty, enjoin upon your committee the propriety and necessity of a strict adherence to the principles, and even a literal adoption of the enactments, of that adjustment, in all their Territorial bills, so far as the same are not locally inapplicable.”

Here, sir, we have the deliberate statement of Mr. DOUGLAS, as late as the 4th of January, 1854, that to repeal the Missouri Compromise, or to disturb it in any way, would “INVOLVE THE SAME GRAVE ISSUES WHICH PRODUCED THE AGITATION, THE SECTIONAL STRIFE, AND THE FEARFUL STRUGGLE, OF 1850.” I still think so, and I know nothing in the condition of the country nineteen days afterwards, which, in my judgment, rendered it more necessary or safe to tamper thus with the public peace.

As soon as this report had been made to the Senate, Mr. DIXON, a Whig Senator from Kentucky, (whose successor has long since been elected,) submitted a proposition to repeal the Missouri Compromise. Thereupon the Washington *Union*,

edited by Mr. Nicholson, a Tennessean, rallied the friends of the Administration to its protection from this covert assault of a Whig, by urging all good Democrats to adhere to the Pierce platform of 1852, and "to *hesitate and reflect maturely upon any proposition*", which a Democrat could object to as an *interpolation of that platform*. Mr. Nicholson said, and said wisely, "LET WELL ENOUGH ALONE." So said the people, North and South, and such had been the sentiment of the country for more than a generation. The following extracts from Mr. Nicholson's paper, of the 20th January last, I cheerfully commend to his numerous friends throughout the country, both on account of the sensible conclusions at which he arrived, and of the high character he maintains with the President and his party.

"THE MISSOURI COMPROMISE.—We have expressed our cordial approval of the bill introduced by Mr. Douglas, providing a Territorial Government for Nebraska. It will be remembered that the bill, as proposed to be amended by Mr. Douglas, re-enacts and applies to Nebraska the clause on Slavery adopted in the compromise of 1850. That clause is silent as to the question of Slavery during the Territorial condition of the inhabitants, but expressly recognises and asserts their right to come into the Union as a State, either with or without the institution of Slavery, as they may determine in their Constitution. Two propositions have been made in the Senate—one by Senator Dixon, a Whig, and the other by Senator Sumner, an Abolitionist—which indicate that the bill, as proposed by Mr. Douglas, is to be vigorously assailed. Mr. Dixon proposes to amend it by a clause expressly repealing the act of 1820, commonly known as the Missouri Compromise. Mr. Sumner proposes to amend it by expressly declaring that the Missouri Compromise is to continue in force. \* \* \*

"We are free to declare that we should have been content to see the question thus presented left where the compromise of 1850 and the bill of Judge Douglas both left it: and yet it would be uncandid in us if we did not add, that a clause in the Compromise of 1850 and in Mr. Douglas's Nebraska bill, declaring the act of 1820 null and void because it contravened the principle of Congressional non-intervention, would have made both of these measures more in consonance with our opinions and wishes. But we accepted the acts of 1850 as they were passed, and approved their passage as a final compromise; and in the same spirit, we have been content with the perpetuation of that compromise, as proposed by Mr. Douglas's Nebraska bill. We have never yielded to the Missouri Compromise any other obligatory force than that which attaches to a solemn covenant entered into by two opposing parties for the preservation of amicable relations. To such considerations we have felt bound to yield as ready an acquiescence as if the Compromise was the law of the land, not only in form, but in substance and reality. Viewed as a legal question, we should be constrained to pronounce it unsustained by constitutional authority: viewed as the evidence of a compromise of conflicting interests and opinions, we have been ready to waive the legal question, and to abide faithfully by its terms. If we have studied the Southern sentiment correctly, this has been the view taken of the Missouri Compromise in that division of the Union.

"But Mr. Dixon's amendment may serve to stir up excitement on one side, whilst Mr. Sumner's will effect the like object on the other; and, as Whigs and Abolitionists have nothing to gain and nothing to lose, the upset may be that the agitation may incur to the benefit of the common opposition to the

Democratic party. *Prudence, patriotism, devotion to the Union, the interest of the Democratic party*, all suggest that the public sentiment which now acquiesces cheerfully in the principles of the compromise of 1850 should not be inconsiderately disturbed. The triumphant election of President Pierce shows that on this basis the hearts and the judgments of the people are with the Democracy. We may venture to suggest that it is well worthy of consideration whether a faithful adherence to the creed which has been so triumphantly endorsed by the People does not require all good Democrats to hesitate and reflect maturely upon any proposition which any member of our party can object to as an interpolation upon that creed. In a word, it would be wise in all Democrats to consider whether it would not be safest to "LET WELL ENOUGH ALONE." To repeal the Missouri Compromise might, and, according to our view, would, clear the principle of Congressional non-intervention of all embarrassment; but we doubt whether the good thus promised is so important that it would be wise to seek it through the agitation which necessarily stands in our path. Upon a calm review of the whole ground, we yet see no such reasons for disturbing the compromise of 1850 as could induce us to advocate either of the amendments proposed to Mr. Douglas's bill."

Such, I say, sir, were the sentiments of the leaders of the Administration in 1854; for the editor of the *Union*, [Mr. NICHOLSON,] and the Senator from Illinois, [Mr. DOUGLAS,] are the leaders of the Administration party. The opinions of the former are echoed and re-echoed by every newspaper in the employment of the Government, so far as I know, without an exception. He is a gentleman of more ability than many of his traducers, and, with the aid of the press he so ably controls, more powerful than the President in the formation of public sentiment.

The Senator from Illinois [Mr. DOUGLAS] has been for a long time the hope and pride of Young America; and so confident are his friends that he will soon be more than "hair apparent to the succession," I doubt not some official expectants are now considering the mode and manner of distributing the spoils.

I say, sir, such were the sentiments of these leaders of the "Administration party" in January, 1854. I took my stand with them then, and I shall not desert my position now.

Sir, when, on the 4th of January last, Mr. DOUGLAS made his report against the repeal of the Missouri Compromise, I took my position with him. When, on the 16th of the same month, Mr. Dixon, a Whig Senator, offered his amendment, proposing to repeal that Compromise, I entered my protest against the movement. And when, on the 20th of January, Mr. NICHOLSON took ground, in the columns of the *Union*, against Mr. Dixon's amendment, I endorsed the views of Mr. NICHOLSON, and I now appeal to my colleague from the Murray district, whom I see in his seat, [Mr. GEORGE W. JONES,] and with whom I have conversed more upon this subject than with any other member of this body, if from the beginning of this controversy I have not uniformly held to the views presented by Mr. DOUGLAS in his report, and to what I supposed, at the time, were the sentiments of the Administration, as expressed by Mr. NICHOLSON in his newspaper; and further, if I did not, from the first, express my disapprobation of the proposition of Mr. Dixon?

Mr. GEORGE W. JONES. The facts are that way.

Mr. ETHERIDGE. Sir, I knew my colleague—who has a reputation for three things, regard for truth, guardianship over the Treasury, and fealty to his party—would not fail to do me justice. [Laughter.] But, sir, I am now required to abandon my position for the benefit of the Administration, when I refused to do it for a member of my own party. This, sir, I will NEVER DO, until reason convinces me that I am wrong. But they (NICHOLSON and DOUGLAS) are both at this time loud, and seemingly earnest, in their advocacy of the repeal of the Missouri Compromise, and some of their friends and followers declare that those who still adhere to the opinions they have so recently abandoned are to be regarded as opposed to the true interests of the South. I do not think so. I believe those gentlemen were right four months ago, when they opposed a repeal of the Missouri Compromise. Neither of them have attempted to answer the arguments they respectively urged at that time against the repeal. They cannot do so.

Now, I may be regarded by some as guilty of an attempt to impugn the motives of eminent gentlemen, who have thus suddenly changed position upon a great public question. Such, sir, is not my purpose. They are, perhaps, much wiser now than then, and may thus justify their sudden change, but it should make them, their followers and admirers, more charitable to those who, like myself, still stand firm in the faith they so recently professed.

But it is needless, and I think improper, to say more of those gentlemen to whom I have referred, for, sir, here, at this time, and in this Hall, and within the sound of my voice, are those who occupy no better position. In fact, I think they will have more difficulty than any others in making the people believe in the sincerity or good sense of their present zeal for the repeal of the act of 1820.

I should be pleased to hear some gentlemen who were members of the last Congress meet the point I will now make: It is said by some that the Missouri Compromise was superseded by the legislation of 1850; by others, that it was intended to be; and by another portion, that it ought to have been.

Now, at the last Congress, which closed its labors the 4th of March, 1853, the House of Representatives passed, by a very large vote, a bill to organize this same Territory of Nebraska, which was lost in the Senate, for want of time to consider it. That bill said not one word about Slavery, or the repeal of the Missouri Compromise. There are about fifty members here now, who were of the last Congress. Many of them voted for the bill which passed this House in February, 1853. The question which I wish answered, when I take my seat, is this: Why did you not, when the bill was under consideration at the last Congress, propose, by amendment, or in some way, to declare the Missouri Compromise "inoperative and void," or to repeal it?

You cannot say it was overlooked or forgotten, for the following scene and debate occurred in

the House of Representatives on the 8th of February, 1853. The present chairman of the Committee on Territories had the floor, and yielded it for but a moment. He and the House were bound to have heard what followed:

"Mr. JOHN W. HOWE. I wish to inquire of the gentleman from Ohio, [Mr. Giddings,] who I see in his seat now, and who I believe is a member of the Committee on Territories, why the Ordinance of 1787 is not incorporated in this bill? [Laughter.] I should like to know whether he or the committee were intimidated on account of the platforms of 1852. [Laughter.] The gentleman pretends to be something of an Anti Slavery man; at least I have understood so.

"Mr. GIDDINGS. With the permission of the gentleman from Illinois, [Mr. Richardson,] I will say to my friend that the south line of this Territory is 36 deg. 30 min. The law authorizing the people of Missouri to form a State Government, enacted in 1820, provides, in express language—

"That in all that territory ceded by France to the United States, under the name of Louisiana, which lies north of 36 deg. 30 min. north latitude, not included within the limits of the State contemplated by that act, (Missouri,) slavery and involuntary servitude, otherwise than for crimes whereof the parties shall have been duly convicted, shall be, and is hereby FOREVER PROHIBITED."

"This law (said Mr. Giddings) stands perpetually, and I did not think that this act would receive any increased validity by a re enactment. There I leave the matter. It is very clear that the territory included in that treaty must be forever free, unless that law be repealed.

"Mr. JOHN W. HOWE. I should like to know from the gentleman from Ohio, if he has not some recollection of a compromise made since that time?

"Mr. GIDDINGS. That does not affect the question."

Sir, this conversation occurred in the presence of this House, on the 8th of February, 1853, while the Nebraska bill was under consideration, and in presence of the chairman of the Committee on Territories, [Mr. RICHARDSON,] who now acts as guardian *ad interim* for this bill, and who is pressing it with all the energy in his power. You, sir, my colleague from the Knoxville district, [Mr. CHURCHWELL,] who is now present, and the honorable gentleman from the Maury district, [Mr. JONES,] were all members of the last Congress. The able gentleman from Georgia [Mr. STEPHENS] was also present when this conversation occurred between Messrs. Howe and Giddings. Mr. WM. H. POLK, of Tennessee, was in his seat at the time, and was a party to what was said. The chairman of the Committee on Territories [Mr. RICHARDSON] was in possession of the floor, and Mr. GIDDINGS spoke by his permission. The effect of the compromise measures of 1850, and the Whig and Democratic platforms of 1852, as well as of the Missouri Compromise, were all brought to the notice of the House by Mr. GIDDINGS, who was better calculated than any other member of that body to excite the apprehensions of the South. We find him reading the Missouri Compromise to the House, and relying on it as an exclusion of Slavery north of 36° 30'. Now, sir, I ask my colleagues, and every member of this body who was of the last Congress, why you permitted the bill to pass at the last session for organizing a Government for this same Territory,

without declaring the Missouri Compromise "superseded," "inoperative and void," or *repealed*? More than this: why did you permit that bill to pass the House at that time without any reference whatever to the subject of SLAVERY? When I take my seat, or before this debate closes, I wish these questions answered, especially by my colleagues. Sir, the answer must be obvious. No human being ever supposed that the legislation of 1850 was inconsistent with or superseded the Missouri Compromise, until since the beginning of the present year. The bill of the last session, on its passage in this House, was voted for by ANDREW JOHNSON, and though it did not mention Slavery, yet, sir, on his return home, he was met by the people of Tennessee with every demonstration of joy. They soon thereafter elected him Governor of the State. In the exciting canvass which preceded his election, and when his political opponents were exerting themselves to defeat him, neither partisan nor personal malignity were bold enough to complain of his having voted to give Nebraska and Kansas a Territorial Government, which was silent as to Slavery and the Missouri Compromise.

The bill of the last session, so soon as it passed the House, was sent to the Senate, and referred to the Committee on Territories. Mr. DOUGLAS, the chairman of that committee, reported it back to the Senate without amendment, and insisted on its passage. While it was under discussion in the Senate, Mr. ARGONSON, the present Vice President of the United States, said:

"I have always been of opinion that the first great error committed in the political history of this country was the Ordinance of 1787, rendering the Northwest Territory free territory. The next great error was the Missouri Compromise. But they are both irremediable. There is no remedy for them. We must submit to them. I am prepared to do it. It is evident that the Missouri Compromise cannot be repealed. So far as that question is concerned, we might as well agree to the admission of this Territory now as next year, or five or ten years hence."—*Congressional Globe, 2d sess. 32d Congress, Vol. 26, p. 1113.*

In looking to the various objections which were urged against the bill at the last session, in the House and in the Senate, it will be found that no one insisted the Missouri Compromise was inconsistent with the legislation of 1850, had been superseded, or ought to be repealed.

My colleague [Mr. READY] stated a few minutes ago, that by the legislation of 1850 it was intended to furnish a rule, or principle, to be applied hereafter in the formation of Territorial Governments. The action of the last Congress proves that no such opinion prevailed as late as 1853, and the establishment of a Government for the Territory of Washington, since the compromise measures of 1850, without any reference to Slavery, is additional proof that the opinion is new, and not supported by facts. From the passage of the measures of 1850, until the present attempt to repeal the Missouri Compromise, no politician or statesman has ventured to risk an opinion, that the territory acquired from France in 1803 (of which Nebraska and Kansas are a part) was embraced in the legislation of 1850, and the opinion

would not now be urged, were it not necessary as the only plausible pretext offered for the abrogation of the Missouri Compromise line.

Sir, the *finality resolution*, adopted by the Whig Convention at Baltimore, in 1852, and which was penned by a Southern gentleman (Mr. Humphrey Marshall, of Kentucky,) asserts the compromise measures of 1850 to be "a final settlement," in principle and substance, OF THE SUBJECTS TO WHICH THEY RELATE." What were these subjects? They were the regulation of the slave trade in the District of Columbia; the fugitive slave law; the settlement of the boundary of Texas; the admission of California as a State; and the establishment of Territorial Governments for Utah and New Mexico, within which was included the territory we acquired from Mexico, except that portion embraced within the limits of California. To these subjects, alone, did the adjustment measures of 1850 relate. In all that was said in and out of Congress, in 1850, it cannot be shown, that any person supposed the legislation of that year embraced or affected in any way Nebraska and Kansas, which we had acquired from France in 1803, and which is north of the line of 36° 30'; nor is there anything to be found in either of the acts of 1850, which, according to any rule for construing law or language, alludes to, or embraces within its spirit or provisions, the Territories proposed to be organized by this bill. These measures were applied to the Territory we had acquired from Mexico only. The Missouri Compromise line was applied to the Territory we purchased from France in 1803. These Territories were acquired at different times, in a different manner and from separate and distinct Powers. The Missouri Compromise embraced all the territory we owned in 1820, west of the Mississippi river. It was afterwards applied to Texas by being inserted in the resolution of annexation. When, in 1848, we acquired a vast territory from Mexico, various efforts and propositions were made, to extend this same Missouri Compromise line to the Pacific Ocean. These propositions were rejected and refused by the members from the free States. The result was, an intense agitation of the subject of Slavery, and, finally, the adoption of the compromise measures of 1850. Now, sir, if any proof were wanting to show that the friends of this bill cannot fairly and justly conclude the Missouri Compromise act of 1820 was superseded by the legislation of 1850, it is found in the fact, that this bill proposes to declare the act of 1820 "inoperative and void," only so far as it affects Nebraska and Kansas, while this same Missouri Compromise act is to be left in full force in the organized Territories of Minnesota, Oregon, and Washington; and in Texas, through which it was extended, as I have before stated, by the resolution of annexation.

If the line of 36° 30' has been to us, as gentlemen have asserted in debate, "the source of unnumbered woes," sound policy and right reason would seem to demand its total annihilation, rather than this repeal of a part only; yet no gentleman, up to this time, has exhibited boldness enough to propose its abrogation in Texas, or to declare it inoperative in the Territories of Oregon,

Washington, and Minnesota. I will not be so uncharitable as to believe the omission to do so proceeds from a desire to preserve some *material* for another Slavery agitation, but such will be the result, unless any attempt hereafter be made to repeal or annul that portion of the Missouri Compromise line, which operates on Texas and the Territories of Oregon, Minnesota, and Washington. As I am opposed to all further agitation, "in Congress or out of it," I prefer that the Missouri Compromise act be repealed altogether, or left wholly undisturbed.

I have not time, now, to examine or comment upon the details of this bill. They are such as, in my judgment, will not and ought not to be regarded with favor by the people of the South, unless there has been a radical change in public sentiment, in that portion of the country, within a short period. The celebrated "Badger proviso," in the opinion of its author and the Southern supporters of the bill, means nothing. The gentleman from Alabama, [Mr. PHILLIPS,] while advocating the bill, declared the proviso to be "simply tautological, and could have been intended only to quiet the apprehension of Northern gentlemen, whose knowledge of law was not equal to their caution." I may or may not endorse this equivocal compliment to Northern members. It remains yet to be ascertained who is the better lawyer. My present opinion is, that the Northern commentary on that particular chapter of the political sayings and remarkable doings of Judge Badger will prove the correct one, and that the South loses, by the proviso, about all it is offered by the repeal of the act of 1820. But why should Northern members have exhibited this strange caution, if they were honestly and in good faith in favor of a repeal of the Missouri Compromise? If they were for the repeal, they should have declared themselves ready for the responsibility and the consequences. But Northern votes were needed, and they could be had if some plausible pretext were offered, by which they might be able to turn that vote to a good account at home; and that pretext was furnished by this Badger proviso, which, in the South, is to be construed as meaningless, and "signifying nothing," while in the free States it is to be regarded as annulling the natural and legal consequences which would result from a plain repeal of the act of 1820.

I must hurry over that feature in the bill which confers on the first Legislature, that convenes in the Territory, the power "to form and regulate their domestic institutions in their own way," and under which slaves will be excluded from the Territories, before they are formed into States. This, sir, is not the rule or the principle for which the slave States have contended, but the opposite. The position of the South in 1848, 1849, and 1850, was, that slaveholders had a right to carry their slaves into the organized Territories, and that Slavery could not be excluded therefrom, by any power or in any manner, but by such constitution of State Government as might be adopted by the people of the Territories, preparatory to being admitted into the Union. These positions are abandoned by this bill; and the South, while it is to be charmed by the re-

peal of the Missouri Compromise, is handed over to the tender mercies of what gentlemen are pleased to term "Squatter Sovereignty," although that "Sovereignty" may be made up of unnaturalized adventurers from all parts of the world. But I promised not to examine the details of the bill. I will proceed to the consideration of an inquiry, the answer to which, in my judgment, should readily indicate the course of a statesman. I ask, sir, what good, what *practical good*, is to result to the slaveholder, the South, or the Union, as a consideration or compensation for the excitement, fraternal strife, and sectional discord, through which we are now passing, and which, I fear, will increase in extent and violence when the deed is done?

The South, notwithstanding the efforts of politicians to produce an excitement there, has been composed and quiet, during the whole contest. Why this apathy and indifference in that quarter? Let the opinions of the authors and advocates of this bill, of the wisdom and utility of this measure, be submitted to the world, and the unconcern of the people of the slaveholding States will not be a matter of astonishment. While the bill was under discussion in the Senate, almost every Senator friendly to the bill expressed his views as to the practical results and consequences of the measure, and all, I believe, admitted that it would not result in any good to the slaveholders or the South. Some of them announced in effect, and with becoming gravity and marked simplicity of language, that they were contending for a GREAT PRINCIPLE, which had nothing in it, which left the South in the same condition, no matter how the quarrel might be decided. These remarkable announcements were made, I say, with great decorum and becoming gravity.

Mr. DOUGLAS said:

"I do not believe there is a man in Congress who thinks it could be permanently, a slaveholding country. I have no idea that it could."

Mr. BADGER said:

"I have no more idea of seeing a slave population in either of them, than I have of seeing it in Massachusetts—not a whit."

Mr. BUTLER said:

"As far as I am concerned, I must say that I do not expect that this bill is to give us of the South anything, but merely to accommodate some thing like the sentiment of the South."

Mr. HUNTER said:

"Does any man believe that you will have a slaveholding State in Kansas and Nebraska? I confess, that for a moment I permitted such an illusion to rest on my mind."

Mr. JAMES C. JONES said:

"Mr. President, I was satisfied to let this question alone. As I told the honorable chairman of the Committee on Territories, and as I have expressed myself everywhere, when I have given my opinion upon this subject, I was content to let this matter stand as it was, because, in my judgment, THERE WAS NOTHING PRACTICAL IN IT."

These, sir, are specimens of the opinions of the advocates of this measure, and I cannot but regard them as very remarkable, coming, as they do, from those who hold the position, and, de-

servedly, enjoy the reputation of statesmen. I, sir, am not surprised at any opinion of the political mendicant, who subsists upon the bounty of his official master, but I do insist that a grave Senator, holding the highest and most honorable legislative office in the world, is not excusable in wading through "THE AGITATION, THE SECTIONAL STRIFE, AND THE FEARFUL STRUGGLE, OF 1850," when no beneficial or practical results are promised or expected, and when that agitation, strife, and struggle, may terminate disastrously to the Union of these States.

I cannot readily comprehend the force of the reasoning of those who admit, that the passage of this bill will rekindle the fires of domestic discord, which burned so intensely in 1850; and who further admit, that it will not affect the relative power or numbers of the free and slaveholding States; and yet are exhibiting so much anxiety to unchain the Slavery agitation, which had been subdued by the compromise measures passed four years ago.

It was, I believe, during the reign of Charles II, and while the Bill of Exclusion was being discussed in the House of Commons, that a member of Parliament made a suggestion, which applies with great force to our proposed action, or rather to the action of those who entertain such opinions as are held by the Senators I have mentioned. He expressed himself favorably to the bill, and to excluding the Duke of York from the throne altogether, rather than resort to *expedients* against Popery, after a Catholic king should have been invested with power, and turned loose, with all his bitter hostility against the Established Church. The speaker said, in support of his position, that any other course "*would be as strange as if there were a lion in the lobby, and we should vote: THAT WE WOULD RATHER SECURE OURSELVES BY LETTING HIM IN AND CHAINING HIM, THAN BY KEEPING HIM OUT.*"

This remark was afterwards so versified as to read:

"I hear a lion in the lobby roar.  
Say, Mr. Speaker, shall we shut the door,  
And keep him out; or, shall we let him in,  
*To try if we can turn him out again?*"

I think this inquiry might, with great propriety,

be addressed to those Senators and Representatives who, in 1852, so eloquently deplored the revival of the Slavery agitation. At the commencement of this Congress, it was agreed that the lion had been chained. The unsuccessful efforts of the gentlemen from New York, [Mr. SMITH,] and from Ohio, [Mr. GIDDINGS,] to unloose him, were laughed at as failures; but now, Northern and Southern gentlemen, with surprising indifference to consequences, seem anxious to invite this monster of discord into the Hall of our deliberations, just to show the world with what facility they can put him out, and shut the door, as they suppose, upon his subsequent return. But, sir, the frequent recurrence of calls from this unwelcome visitor, and the fact that each obtrusion upon our otherwise peaceful deliberations infuses new life and vigor into the monster, should caution us not to invite his presence unnecessarily, when those who play the host admit that they can make nothing by the entertainment.

It is true, sir, that a different opinion, as to the results of this bill, has been expressed in high quarters. It has been stated by responsible authority, and the statement, so far as I know, has not been contradicted, that the President regards the bill as "A PROPOSITION IN FAVOR OF FREEDOM," and that "IF IT SHOULD PASS, ALTHOUGH WE MIGHT ABSORB THE WHOLE OF MEXICO, NOT ANOTHER SLAVE STATE WOULD EVER COME INTO THE UNION." This, sir, may be a satisfactory reason to him for his support of the bill; but I cannot discover why, if his views are correct, the South should feel any concern about its passage. Let the measure pass, and I think the South will, ultimately, see the absurdity of contending for a phantom—especially when, in that contest, the best National men, of all parties, at the North are to be sacrificed to the bad passions which will be engendered and fomented by this unwise and unwarrantable measure.

I have never despaired of the Republic; but, sir, the periodical convulsions through which we have to pass, at the bidding of political demagogues, cannot fail to excite apprehensions in the breast of every lover of the Union; and while I shall continue to trust in the good fortunes of my country, I hope never, never again, to see its peace so wantonly endangered.