

The Fugitive Slave Act

Museum Connection: Labor that Built a Nation

Purpose: This lesson focuses on the passage of the Fugitive Slave Act as part of the Compromise of 1850. In this lesson students will determine the reasoning of both those who supported and those who opposed the law.

Course: Advanced Placement United States History, African-American History

Time Frame: 2-3 days

Correlation to National Standards:

STANDARD 1

The causes of the Civil War

Standard 1A

The student understands how the North and South differed and how politics and ideologies led to the Civil War.

Explain how events after the Compromise of 1850 and the Dred Scott decision in 1857 contributed to increasing sectional polarization. [**Analyze cause-and-effect relationships**]

Common Core Reading Standards for literacy in History/Social Studies 6-12

- Compare the point of view of two or more authors for how they treat the same or similar topics, including which details they include and emphasize in their respective accounts.

Common Core Writing Standards for literacy in History/Social Studies 6-12

- Draw evidence from informational texts to support analysis, reflection, and research.

Objective:

Students will analyze the arguments for and against obedience to the Fugitive Slave Act.

Vocabulary and Concepts:

Compromise of 1850	The Compromise of 1850 was a series of laws that resolved the territorial and slavery issues arising from the Mexican-American War (1846–48). The five laws balanced the interests of the slaveholding states of the South and the free states. California was admitted as a free state; Texas received financial compensation for relinquishing claim to lands east of the Rio Grande in what is now New Mexico; the territory of New Mexico (including present-day Arizona and Utah) was organized without any specific prohibition of slavery; the slave trade (but not slavery itself) was abolished in Washington, D.C.; and the stringent Fugitive Slave Law was passed, requiring all U.S. citizens to assist in the return of runaway slaves.
Fugitive Slave Laws	The federal acts of 1793 and 1850 providing for the return between states of escaped slaves.

Materials

For the Teacher:

In order to teach this lesson the teacher must assemble the materials and review the procedures first. The teacher must also consider the length and difficulty of the sources. Teachers will need, as appropriate, to use reading strategies that will support students' abilities to read and interpret these documents

For the Student:

- Student Resource Sheet 1 – The Fugitive Slave Act of 1850
- Student Resource Sheet 2 – John C. Calhoun's Speech, March 4, 1850
- Student Resource Sheet 3 – Daniel Webster's Speech, March 7, 1850
- Student Resource Sheet 4 – Henry Clay's Speech, March 1850
- Student Resource Sheet 5 – Fugitive Slave Act Capture Sheet

Historical Background

The Fugitive Slave Act was part of the Compromise of 1850 and was the South's attempt to replace the ineffectual Fugitive Slave Law of 1793. Besides adding United States commissioners to the courts to issue warrants for the arrest of fugitives, citizens were now responsible for aiding in the execution of this law. Fines were established for those people who harbored or concealed a fugitive. The new law produced a decade of slave hunting and kidnapping of free African Americans living in the north. Hundreds of runaway slaves fled to Canada, increasing activity in the Underground Railroad and stimulating the writing of Harriet Beecher Stowe's *Uncle Tom's Cabin* in 1852.

On January 29, 1850, the 70-year-old Henry Clay presented a bill which was to become the Compromise of 1850. For eight months, members of Congress led by Henry Clay, Daniel Webster, and John C. Calhoun, debated the compromise. With the help of Stephen Douglas, a young Democrat from Illinois, a series of bills that would make up the compromise was ushered through Congress. According to the compromise, Texas would relinquish the land in dispute but, in compensation, be given 10 million dollars -- money it would use to pay off its debt to Mexico. Also, the territories of New Mexico, Nevada, Arizona, and Utah would be organized without mention of slavery. (The decision would be made by the territories' inhabitants later, when they applied for statehood.) Regarding Washington, the slave trade would be abolished in the District of Columbia, although slavery would still be permitted. Finally, California would be admitted as a free state. To pacify slave-state politicians, who would have objected to the imbalance created by adding another free state, the Fugitive Slave Act was passed.

Of all the bills that made up the Compromise of 1850, the Fugitive Slave Act was the most controversial because it required citizens to assist in the recovery of fugitive slaves. It also denied a fugitive's right to a jury trial. For slaves attempting to build lives in the North, the new law was a disaster. Many left their homes and fled to Canada. During the next ten years, an estimated 20,000 African Americans moved to Canada. Free African Americans, too, were captured and sent to the South. With no legal right to plead their cases, they were completely defenseless.

Passage of the Fugitive Slave Act made abolitionists all the more resolved to put an end to slavery. The Underground Railroad became more active, reaching its peak between 1850 and 1860. The act also brought the subject of slavery before the nation. Many who had previously been ambivalent about slavery now took a definitive stance against the institution. The Compromise of 1850 accomplished what it set out to do -- it kept the nation united -- but the solution was only temporary. Over the following decade the country's citizens became further divided over the issue of slavery. The rift would continue to grow until the nation itself divided.

Lesson Development

1. *Motivation:*

Ask: Who was Harriet Tubman?

Why would the South want to pass laws to stop slaves from running away?
Why would the North oppose such a law?

Review issues related to the admission of California to the Union as a free state.

Ask: How could the issue of runaway slaves be used as a bargaining chip in the argument over the admission of California?

2. Divide the class into triads and pass out **Student Resource Sheets 3-5** to each triad. In each triad, students will read statements made by John Calhoun **Student Resource Sheet 2**, Daniel Webster **Student Resource Sheet 3**, and Henry Clay **Student Resource Sheet 4**. In each triad have the students role play and debate the issues embedded in the speeches.

Note: These speeches are long and can be edited down, but if the teacher wants to get the full impact of the oratory skills of the time, the full text may be used.

3. Pass out **Student Resource Sheet 1**, The Fugitive Slave Act. Have students summarize the information. As a full class discuss any provisions that they feel might be unfair.
4. **Closure:** Explain the concept of civil disobedience. Ask students how the concept of civil disobedience relates to the topics discussed in this lesson. Raise the question “Can you identify other examples in United States history of civil disobedience?”

5. *Assessment:*

- Have students design radio or TV-advertisements reflecting either John Calhoun’s, Daniel Webster’s, or Henry Clay’s positions on the Fugitive Slave Act and/or the Compromise of 1850.
- Organize a panel discussion or simulated congressional hearing in which students assume the roles of prominent figures and stakeholders in the debate over the Fugitive Slave Act. Possible experts providing testimony might include the three senators, Harriet Tubman, Harriet Beecher Stowe, Stephen Douglas, and Frederick Douglass.

- Have students design political cartoons reflecting their own views of the debate over the Fugitive Slave Act and/or the Compromise of 1850.

Thoughtful Application

Ask students to identify issues that currently have polarized our nation and to compare the rhetoric of today with that used in the 1850s.

Lesson Extensions

- Research the Compromise of 1850
<http://www.pbs.org/wgbh/aia/part4/4p2951.html>
- Research Fugitive Slave Laws
<http://www.infoplease.com/ce6/history/A0819828.html>
- Research Daniel Webster's Speech
http://www.senate.gov/artandhistory/history/common/generic/Speeches_Webster_7March.htm
- Research John C. Calhoun's speech on Slavery
http://douglassarchives.org/calh_a59.htm
- Research other Henry Clay Speeches on the American System
http://www.senate.gov/artandhistory/history/common/generic/Speeches_ClayAmericanSystem.htm
- Research compromise in Government
<http://www.usa-patriotism.com/tribute/speeches/hclay1.htm>
- Visit the Reginald F. Lewis Museum of Maryland African American History and Culture. View the exhibits that tell the story of slavery and freedom.
- Research the Christiana Riots involving Maryland fugitives and a Pennsylvania community. www.archives.gov/midatlantic/education/nhd/christiana.html

Student Resource Sheet 1

The Fugitive Slave Act of 1850

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the persons who have been, or may hereafter be, appointed commissioners, in virtue of any act of Congress, by the Circuit Courts of the United States, and Who, in consequence of such appointment, are authorized to exercise the powers that any justice of the peace, or other magistrate of any of the United States, may exercise in respect to offenders for any crime or offense against the United States, by arresting, imprisoning, or bailing the same under and by the virtue of the thirty-third section of the act of the twenty-fourth of September seventeen hundred and eighty-nine, entitled "An Act to establish the judicial courts of the United States" shall be, and are hereby, authorized and required to exercise and discharge all the powers and duties conferred by this act.

Section 2. *And be it further enacted,* That the Superior Court of each organized Territory of the United States shall have the same power to appoint commissioners to take acknowledgments of bail and affidavits, and to take depositions of witnesses in civil causes, which is now possessed by the Circuit Court of the United States; and all commissioners who shall hereafter be appointed for such purposes by the Superior Court of any organized Territory of the United States, shall possess all the powers, and exercise all the duties, conferred by law upon the commissioners appointed by the Circuit Courts

of the United States for similar purposes, and shall moreover exercise and discharge all the powers and duties conferred by this act.

Section 3. *And be it further enacted,* That the Circuit Courts of the United States shall from time to time enlarge the number of the commissioners, with a view to afford reasonable facilities to reclaim fugitives from labor, and to the prompt discharge of the duties imposed by this act.

Section 4. *And be it further enacted,* That the commissioners above named shall have concurrent jurisdiction with the judges of the Circuit and District Courts of the United States, in their respective circuits and districts within the several States, and the judges of the Superior Courts of the Territories, severally and collectively, in term-time and vacation; shall grant certificates to such claimants, upon satisfactory proof being made, with authority to take and remove such fugitives from service or labor, under the restrictions herein contained, to the State or Territory from which such persons may have escaped or fled.

Section 5. *And be it further enacted,* That it shall be the duty of all marshals and deputy marshals to obey and execute all warrants and precepts issued under the provisions of this act, when to them directed; and should any marshal or deputy marshal refuse to receive such warrant, or other process, when tendered, or to use all proper means diligently to execute the same, he shall, on conviction thereof, be fined in the sum of one thousand dollars, to the use of such claimant, on the motion of such claimant, by the Circuit or District Court for the district of such marshal; and after arrest of such fugitive, by such marshal or his deputy, or whilst at any time in his custody under the provisions of this

act, should such fugitive escape, whether with or without the assent of such marshal or his deputy, such marshal shall be liable, on his official bond, to be prosecuted for the benefit of such claimant, for the full value of the service or labor of said fugitive in the State, Territory, or District whence he escaped: and the better to enable the said commissioners, when thus appointed, to execute their duties faithfully and efficiently, in conformity with the requirements of the **Constitution of the United States** and of this act, they are hereby authorized and empowered, within their counties respectively, to appoint, in writing under their hands, any one or more suitable persons, from time to time, to execute all such warrants and other process as may be issued by them in the lawful performance of their respective duties; with authority to such commissioners, or the persons to be appointed by them, to execute process as aforesaid, to summon and call to their aid the bystanders, or posse comitatus of the proper county, when necessary to ensure a faithful observance of the clause of the Constitution referred to, in conformity with the provisions of this act; and all good citizens are hereby commanded to aid and assist in the prompt and efficient execution of this law, whenever their services may be required, as aforesaid, for that purpose; and said warrants shall run, and be executed by said officers, any where in the State within which they are issued.

Section 6. *And be it further enacted,* That when a person held to service or labor in any State or Territory of the United States, has heretofore or shall hereafter escape into another State or Territory of the United States, the person or persons to whom such service or labor may be due, or his, her, or their agent or attorney, duly authorized, by power of attorney, in writing, acknowledged and certified under the seal of some legal officer or court of the State or Territory in which the same may be executed, may pursue

and reclaim such fugitive person, either by procuring a warrant from some one of the courts, judges, or commissioners aforesaid, of the proper circuit, district, or county, for the apprehension of such fugitive from service or labor, or by seizing and arresting such fugitive, where the same can be done without process, and by taking, or causing such person to be taken, forthwith before such court, judge, or commissioner, whose duty it shall be to hear and determine the case of such claimant in a summary manner; and upon satisfactory proof being made, by deposition or affidavit, in writing, to be taken and certified by such court, judge, or commissioner, or by other satisfactory testimony, duly taken and certified by some court, magistrate, justice of the peace, or other legal officer authorized to administer an oath and take depositions under the laws of the State or Territory from which such person owing service or labor may have escaped, with a certificate of such magistracy or other authority, as aforesaid, with the seal of the proper court or officer thereto attached, which seal shall be sufficient to establish the competency of the proof, and with proof, also by affidavit, of the identity of the person whose service or labor is claimed to be due as aforesaid, that the person so arrested does in fact owe service or labor to the person or persons claiming him or her, in the State or Territory from which such fugitive may have escaped as aforesaid, and that said person escaped, to make out and deliver to such claimant, his or her agent or attorney, a certificate setting forth the substantial facts as to the service or labor due from such fugitive to the claimant, and of his or her escape from the State or Territory in which he or she was arrested, with authority to such claimant, or his or her agent or attorney, to use such reasonable force and restraint as may be necessary, under the circumstances of the case, to take and remove such fugitive person back to the State or Territory whence he or

she may have escaped as aforesaid. In no trial or hearing under this act shall the testimony of such alleged fugitive be admitted in evidence; and the certificates in this and the first [fourth] section mentioned, shall be conclusive of the right of the person or persons in whose favor granted, to remove such fugitive to the State or Territory from which he escaped, and shall prevent all molestation of such person or persons by any process issued by any court, judge, magistrate, or other person whomsoever.

Section 7. *And be it further enacted,* That any person who shall knowingly and willingly obstruct, hinder, or prevent such claimant, his agent or attorney, or any person or persons lawfully assisting him, her, or them, from arresting such a fugitive from service or labor, either with or without process as aforesaid, or shall rescue, or attempt to rescue, such fugitive from service or labor, from the custody of such claimant, his or her agent or attorney, or other person or persons lawfully assisting as aforesaid, when so arrested, pursuant to the authority herein given and declared; or shall aid, abet, or assist such person so owing service or labor as aforesaid, directly or indirectly, to escape from such claimant, his agent or attorney, or other person or persons legally authorized as aforesaid; or shall harbor or conceal such fugitive, so as to prevent the discovery and arrest of such person, after notice or knowledge of the fact that such person was a fugitive from service or labor as aforesaid, shall, for either of said offences, be subject to a fine not exceeding one thousand dollars, and imprisonment not exceeding six months, by indictment and conviction before the District Court of the United States for the district in which such offence may have been committed, or before the proper court of criminal jurisdiction, if committed within any one of the organized Territories of the United States; and shall moreover forfeit and pay, by way of civil damages to the party injured by such illegal

conduct, the sum of one thousand dollars for each fugitive so lost as aforesaid, to be recovered by action of debt, in any of the District or Territorial Courts aforesaid, within whose jurisdiction the said offence may have been committed.

Section 8. *And be it further enacted*, That the marshals, their deputies, and the clerks of the said District and Territorial Courts, shall be paid, for their services, the like fees as may be allowed for similar services in other cases; and where such services are rendered exclusively in the arrest, custody, and delivery of the fugitive to the claimant, his or her agent or attorney, or where such supposed fugitive may be discharged out of custody for the want of sufficient proof as aforesaid, then such fees are to be paid in whole by such claimant, his or her agent or attorney; and in all cases where the proceedings are before a commissioner, he shall be entitled to a fee of ten dollars in full for his services in each case, upon the delivery of the said certificate to the claimant, his agent or attorney; or a fee of five dollars in cases where the proof shall not, in the opinion of such commissioner, warrant such certificate and delivery, inclusive of all services incident to such arrest and examination, to be paid, in either case, by the claimant, his or her agent or attorney. The person or persons authorized to execute the process to be issued by such commissioner for the arrest and detention of fugitives from service or labor as aforesaid, shall also be entitled to a fee of five dollars each for each person he or they may arrest, and take before any commissioner as aforesaid, at the instance and request of such claimant, with such other fees as may be deemed reasonable by such commissioner for such other additional services as may be necessarily performed by him or them; such as attending at the examination, keeping the fugitive in custody, and providing him with

food and lodging during his detention, and until the final determination of such commissioners; and, in general, for performing such other duties as may be required by such claimant, his or her attorney or agent, or commissioner in the premises, such fees to be made up in conformity with the fees usually charged by the officers of the courts of justice within the proper district or county, as near as may be practicable, and paid by such claimants, their agents or attorneys, whether such supposed fugitives from service or labor be ordered to be delivered to such claimant by the final determination of such commissioner or not.

Section 9. *And be it further enacted,* That, upon affidavit made by the claimant of such fugitive, his agent or attorney, after such certificate has been issued, that he has reason to apprehend that such fugitive will be rescued by force from his or their possession before he can be taken beyond the limits of the State in which the arrest is made, it shall be the duty of the officer making the arrest to retain such fugitive in his custody, and to remove him to the State whence he fled, and there to deliver him to said claimant, his agent, or attorney. And to this end, the officer aforesaid is hereby authorized and required to employ so many persons as he may deem necessary to overcome such force, and to retain them in his service so long as circumstances may require. The said officer and his assistants, while so employed, to receive the same compensation, and to be allowed the same expenses, as are now allowed by law for transportation of criminals, to be certified by the judge of the district within which the arrest is made, and paid out of the treasury of the United States.

Section 10. *And be it further enacted,* That when any person held to service or labor in any State or Territory, or in the District of Columbia, shall escape therefrom, the party to whom such service or labor shall be due, his, her, or their agent or attorney, may apply to any court of record therein, or judge thereof in vacation, and make satisfactory proof to such court, or judge in vacation, of the escape aforesaid, and that the person escaping owed service or labor to such party. Whereupon the court shall cause a record to be made of the matters so proved, and also a general description of the person so escaping, with such convenient certainty as may be; and a transcript of such record, authenticated by the attestation of the clerk and of the seal of the said court, being produced in any other State, Territory, or district in which the person so escaping may be found, and being exhibited to any judge, commissioner, or other office, authorized by the law of the United States to cause persons escaping from service or labor to be delivered up, shall be held and taken to be full and conclusive evidence of the fact of escape, and that the service or labor of the person escaping is due to the party in such record mentioned. And upon the production by the said party of other and further evidence if necessary, either oral or by affidavit, in addition to what is contained in the said record of the identity of the person escaping, he or she shall be delivered up to the claimant, And the said court, commissioner, judge, or other person authorized by this act to grant certificates to claimants or fugitives, shall, upon the production of the record and other evidences aforesaid, grant to such claimant a certificate of his right to take any such person identified and proved to be owing service or labor as aforesaid, which certificate shall authorize such claimant to seize or arrest and transport such person to the State or Territory from which he escaped: Provided, That nothing herein contained shall be

construed as requiring the production of a transcript of such record as evidence as aforesaid. But in its absence the claim shall be heard and determined upon other satisfactory proofs, competent in law.

Student Resource Sheet 2

John C. Calhoun was a leading politician and orator from the state of South Carolina. He believed strongly that any discussion of slavery or compromise between slave states and free states would push the nation closer to disunion. Instead, he urged his fellow politicians to honor the slave-holding states' rights to take slaves into free territories and to assist slaveholders in capturing fugitive slaves. Otherwise, Calhoun warned, the cords which bind the union would be severed.

John C. Calhoun's Speech, March 4, 1850

(Read by Senator Mason because of Calhoun's ill health)

Mr. Calhoun: As much indisposed as I have been Mr. President and Senators, I have felt it to be my duty to express to you my sentiments upon the great question which has agitated the country and occupied your attention. And I am under particular obligations that the Senate for the courteous manner in which they have afforded me an opportunity of being heard today.

I had hoped that it would have been in my power during the last week to deliver my views in relation to this engrossing subject, but I was prevented from doing so by being attacked by a cold which at the time was so prevalent and which has retarded this recovery of my strength.

Acting under the advice of my friends and apprehending that it might not be in my power to deliver my sentiments before the termination of the debate, I have reduced to writing what I have intended to say, and without further remark will ask the favor of my friend, the Senator behind me to read it. (Mr. Mason) It affords me great pleasure to comply with the request of the honorable senator and to read his remarks.

I have, Senators, believed from the first that the agitation of the subject of slavery would if not prevented by some timely and effective measure end discussion.

Entertaining this opponent I have, on all proper occasions, endeavored to call the attention of each of the two great parties which divide the country to adopt some measures to prevent so great a disaster, but without success. The allegation has been permitted to proceed with almost no attempt to resist it until it has reached a period when it can no longer be disguised or denied that the Union is in danger. You have thus had forced upon you the gravest and greatest question that can ever come under your consideration. How can the Union be preserved?...

To this question there can be but one answer that the immediate cause is the almost universal discontent which pervades all the states composing the Southern section of the union. This widely extended discontent is not of recent origin. It commenced with the agitation of the slavery question, and has been increasing ever since. The next question, going one step further back, is what has caused this widely diffused and almost universal discontent...

The question then recurs what is the cause of this discontent? It will be found in the belief of the people of the Southern states as prevalent as the discontent itself that they cannot remain as things are now consistently with honor and safety in the union. The next question to be considered is what is the cause of this belief?

One of the cause is undoubtedly to be traced to the long continued agitation of the slave question on the part of the North and the many aggressions which they have made on the rights of the South during the time. I will not enumerate them at present,

as it will be done better hereafter, in the proper place.

There is another underlying basis of it, with which this is intimately connected, that may be regarded as the great and primary cause. That is to be found in the fact that the equilibrium between the two sections in the Government as it stood when the constitution was ratified and the government put in action has been destroyed. At that time there was nearly a perfect equilibrium between the two which afforded ample means to each to protect itself against the aggression of the other; but as it now stands, one section has the exclusive power of controlling the Government which leaves the other without any adequate means of protecting itself against its encroachment and its oppression. To place this subject distinctly before you I have Senators, prepared a brief statistical statement showing the relative weight of the two section in the Government under the first census of 1790 and the last census of 1840.

According to the former, the population of the US, including Vt, Ky and Tenn., which then were in their incipient condition of 3,929,827. Of this number the northern States had 1,977,809 and the southern 1,952,072 making a difference of only 25,827 in favor of the former States. The number of states including VT, KY, and Tenn. was sixteen of which eight belonged to the northern section and eight to the southern making an equal division of the States between the two sections under the first census.

According to the last census the aggregate population of the United States was 17,063,357 of which the northern section comprised 9,728,920 and the southern section 7,334,747 making a difference in round numbers of 2,400,000. The number of states had increased from 16 to 26. The position of Delaware has become doubtful as to where

she properly belongs. Considering her as neutral, gives the northern states 13 and the southern 12. According to the apportionment under the 1840 census, there were 223 members of the House of Representatives of which the northern states had 135 and the southern states (considering Delaware neutral) 87.

The result of the whole is to give the northern section a predominance in every part of the Government, and thereby concentrate in it the two elements which constituted the Federal Government - a majority of states and a majority of their population.

The first of the series of acts by which the south was deprived of its due short of the territories originated with the confederacy, which preceded the existence of this Government. It is to be found in the provision of the ordinance of 1787. Its effects was to exclude the South entirely from that vast and fertile region which lies between the Ohio and the Mississippi rivers, now embracing five states and one Territory. The next of the series is the Missouri compromise, which excluded the South from that large portion of Louisiana which lies north of 36° 30' excepting what is in the state of Missouri. The last of the series excluded the south from the whole of the Oregon territory. All these in the slang of the day were what they called slave territories, and not free soil, that is territories belonging to slaveholding powers and open to the emigration of masters with their slaves. By these several acts, the South was excluded from 1,238,025 square miles an extent of country considerably exceeding the entire valley of the Mississippi. To the South was left the portion of the territory acquired with Texas. But a large part of the state of Texas is still in contest between the two sections. The result of the whole of these causes combined is that the North has acquired a decided ascendancy over every department of

the Government and through it a control over all the powers of the system.

There is a question of vital importance to the southern section, in reference to which the views and feelings of the two sections are as opposite and hostile as they can possibly be. I refer to the relations between the two races in the southern section, which constitutes a vital portion of her social organization. Every portion of the North entertains views and feelings more or less hostile to it...This hostile feeling on the part of the North towards the social organization of the south long lay dormant, but it only required some cause to act on those who felt most intensely that they were responsible for its continuance, to call it into action. The increasing power of this government and of the control of the northern section over all its departments, furnished the case. This was sufficient of itself to put the most fanatical portion of the north in action for the purpose of destroying the existing relation between the two races in the south...To justify their course they took the extraordinary ground that congress was bound to receive petitions on every subject however objectionable it might be, and whether they had or had not jurisdiction over the subject. This was the commencement of the agitation which has ever since continued and which as is now acknowledged has endangered the union itself.

It is a great mistake to suppose that disunion can be effected by a single blow. The cords which bind these States together in one common Union are far too numerous and powerful for that. Disunion must be the work of time. It is only through a long process, and successively, that the cords can be snapped until the whole fabric falls asunder. Already the agitation of the slavery question has napped some of the most important, and has greatly weakened all the others, as I shall proceed to show.

The cords that bind the State together are not only many, but various in character. Some are spiritual or ecclesiastical, some political; others social. Some appertain to the benefit conferred by the Union and others to the feeling of duty and obligation.

The strongest of these of a spiritual and ecclesiastical nature consisted in the unity of the great religious denominations all of which originally embraced the whole Union. All these denominations with the exception perhaps of the Catholics, were organized very much upon the principle of our political institutions; beginning with smaller meetings corresponding with the political divisions of the country, their organization terminated in one great central assemblage, corresponding very much with the character of Congress. At these meetings the principal clergyman and lay members of the respective denominations from all parts of the union meet to transact business relations to their common concerns. It was not confined to what appertained to the doctrines and discipline of the respective denominations, but extended to plans for disseminating the Bible, establishing missionaries, distributing tracts and establishing presses for the publication of tracts, information and for the support of the doctrine and creeds of the denomination. All this combined contributed greatly to strengthen the bonds of the Union. The strong ties which held each denomination. All this combined contributed greatly to strengthen the bonds of the Union. The strong ties which held each denomination together formed a strong cord to hold the whole Union together, but; as powerful as they were, they have not been able to resist the explosive effect of slavery agitation.

The first of these cords which snapped, under its explosive force, was that of the

powerful Methodist Episcopal Church. The numerous and strong ties which held it together are all broken, and its unity gone. They now form separate churches and instead of that feeling of attachment and devotion to the interests of the whole church which was formerly felt, they are now arrayed into two hostile bodies, engaged in litigation about what was formerly their common property.

The next cord that snapped was that of the Baptists, one of the largest and most respectable of the denominations. That of the Presbyterians is not entirely snapped, but some of its strands have given away. That of the Episcopal Church is the only one of the four great Protestant denominations which remains unbroken and entire.

The strongest cord of a political character consists of the many and strong ties that have held together the two great parties which have, with some modifications existed from the beginning of the Government. They both extended to every portion of the Union and strongly contributed to hold all its parts together. But this powerful cord has fared no better than the spiritual. It resisted for a long time the explosive tendency of the agitation, but has finally snapped under its force,--if not entirely, in a great measure.

Having now Senators, explained what it is that endangers the union and traced it to its cause and explained the nature and character, the question again recurs. How can the Union be saved? But before I undertake to answer this question, I propose to show by what the Union cannot be saved.

It cannot be saved by eulogies on the Union, however splendid or numerous. The cry of "Union, Union, the glorious Union!" can no more prevent disunion than the cry of "Health, health glorious health" on the part of the physician can save a patient lying dangerously ill.

Nor can we regard the profession of devotion to the Union on the part of those who are not our assailants as sincere when they pronounce eulogies upon the Union, evidently with the intent of charging us with disunions, without uttering one word of denunciation against our assailants. If friends of the Union, their course should be to unite with us in rejecting these assaults and denouncing the authors as enemies of the Union. Why they avoid this and pursue the course they do, it is for them to explain.

Nor can the union be saved by invoking the name of the illustrious Southerner whose mortal remains repose on the western bank of the Potomac. He was one of us--a slaveholder and a planter. We have studied his history, and find nothing in it to justify submission to wrong. On the contrary his great fame rests on the solid foundation that, while he was careful to avoid doing wrong to others, he was prompt and decided in repelling wrong. I trust that, in this respect we profited by his example...

Having now shown what cannot save the Union I return to the question with which I commenced, how can the union be saved? There is but one way by which it can with any certainty; and that is by a full and final settlement on the principle of justice, of all the questions at issue between the two sections. The South asks for justice, simple justice, and less she ought not take. She has no compromise to offer but the constitution and no concession or surrender to make. She has already surrendered so much that she

has little left to surrender. Such a settlement would go to the root of the evil and remove all cause of the discontent by satisfying the south she could remain honorably and safely in the Union and thereby restore the harmony and fraternal feelings between the sections which existed anterior to the Missouri agitation. Nothing else can with any certainty finally and forever settle the question at issue and save the Union.

But can this be done? Yes, easily; not by the weaker party, for it can of itself do nothing--not even protect itself--but by the stronger. The North has only to will it to accomplish it--to do justice by conceding to the South as equal right in the acquired territory and to do her duty by causing the stipulations relative to fugitive slaves to be faithfully fulfilled to cease the agitation of the slave question and to provide for the insertion of a provision in the constitution, by an amendment, which will restore to the South in substance the power she possessed of protecting herself, before the equilibrium between the sections was destroyed by the action of this Government.

But will the North agree to do this? It is for her to answer this question. At all events, the responsibility of saving the Union rests on the North, and not the South. The South cannot save it by any act of hers, and the North may save it without any sacrifice whatever, unless to do justice, and to perform her duties under the constitution, should be regarded by her as a sacrifice.

I have now, Senators, done my duty in expressing my opinions fully, freely and candidly, on this solemn occasion. In doing so, I have been governed by the motives which have governed me in all the stages of the agitation of the slavery question since its commencement. I have been governed. I sincerely believe has justice and the

constitution on its side. Having faithfully done my duty to the best of my ability, both to the Union and my section, through this agitation, I shall have the consolation, let what will come, that I am free from all responsibility.

Student Resource Sheet 3

Daniel Webster was a prominent US Senator from Massachusetts. He is regarded as one of the most eloquent speakers the Senate has ever seen. In this speech he urges the Senate to accept compromise over the issue of slavery and remain united as one nation.

Daniel Webster's Speech, March 7, 1850

Mr. Webster: I wish to speak to-day, not as a Massachusetts man, nor as a northern man, but as an American, and a member of the Senate of the United States. It is fortunate that there is a Senate of . . . high responsibilities, and a body to which the country looks with confidence, for wise, moderate, patriotic, and healing counsels. It is not to be denied that we live in the midst of strong agitations, and surrounded by very considerable dangers to our institutions of government. The imprisoned winds are let loose. The East, the West, the North, and the stormy South, all combine to throw the whole ocean into commotion, to toss its billows to the skies, and to disclose its profoundest depths. I do not expect, Mr. President, to hold, or to be fit to hold, the helm in this combat of the political elements; but I have a duty to perform, and I mean to perform it with fidelity--not without a sense of the surrounding dangers, but not without hope. I have a part to act, not for my own security or safety, for I am looking out for no fragment upon which to float away from the wreck, if wreck there must be, but for the good of the whole, and the preservation of the whole; and there is that which will keep me to my duty during this struggle, whether the sun and the stars shall appear, or shall not appear, for many days. I speak today for the preservation of the Union. "Hear me for my cause." I speak today, out of a solicitous and anxious heart, for the restoration, to the country of that quiet and that harmony which make the blessing of this Union so rich

and so dear to us all. These are the topics that I propose to myself to discuss; these are the motives, and the sole motives, that influence me in the wish to communicate my opinions to the Senate and the country; and if I can do anything, however little, for the promotion of these ends, I shall have accomplished all that I desire....

And it is this circumstance, sir, the prohibition of slavery by that convention, which has contributed to raise--I do not say it has wholly raised--the dispute as to the propriety of the admission of California into the Union under this constitution. It is not to be denied, Mr. President--nobody thinks of denying--that, whatever reasons were assigned at the commencement of the late war with Mexico, it was prosecuted for the purpose of the acquisition of territory, and under the alleged argument that the cession of territory was the only form in which proper compensation could be made to the United States, by Mexico, for the various claims and demands which the people of this country had against that Government. At any rate, it will be found that President Polk's message at the commencement of the session of December, 1847, avowed, that the war was to be prosecuted until some acquisition of territory was made. And, as the acquisition was to be south of the line of the United States, in warm climates and countries, it was naturally, I suppose, expected by the South, that whatever acquisitions were made in that region, would be added to the slaveholding portions of the United States. Events have turned out as was not expected, and that expectation has not been realized; and therefore some degree of disappointment and surprise has resulted of course. In other words, it is obvious that the question which has so long harassed the country, and at times very seriously alarmed the minds of wise and good men, has come upon us for a fresh discussion--the question of slavery in these United States.

Now, sir I propose--perhaps at the expense of detail and consequent detention of the Senate--to review, historically, this question of slavery, which--partly in consequence of its now merits, and partly, perhaps mostly, in the manner it is discussed, in one and the other portion of the country--has been a source of so much alienation and unkind feeling between the different portions of the Union. We all know, sir that slavery has existed in the world from time immemorial. There was slavery, in the earliest periods of history, in the Oriental nations. There was slavery among the Jews--the theocratic government of that people made no injunction against it. There was slavery among the Greeks; and the ingenious philosophy of the Greeks found, or sought to find, a justification for it, exactly upon the grounds which have been assumed, for such a justification, in this country; that is, a natural and original difference among the races of mankind--the inferiority of the black or colored race, to the white. The Greeks justified their system of slavery upon that ground precisely. They held the African, and in some parts, the Asiatic tribes, to be inferior to the white race; but they did not show, I think, by any close process of logic, that, if this were true, the more intelligent and the stronger had therefore a right to subjugate the weaker.

The more manly philosophy, and jurisprudence of the Romans, placed the justification of slavery on entirely different grounds.

The Roman jurists, from the first, and down to the fall of the empire, admitted that slavery was against the natural law, by which, as they maintained, all men, of whatsoever clime, color or capacity, were equal; but they justified slavery--first, upon the ground and

authority of the law of nations--arguing, and arguing truly, that at that day the conventional law of nations admitted, that captives in war, whose lives, according to the notions of the times, were at the absolute disposal of the captors, might, in exchange for exemption from death, be made slaves for life, that such servitude might descend to their progeny. The jurists of Rome also maintained that, by natural law, there might be servitude--slavery, personal and hereditary--first, by the voluntary act of an individual who might sell himself into slavery; second, by his being received into a state of slavery, by his creditors, in satisfaction of a debt; and, thirdly, by being placed in a state of servitude, or slavery, for crime. At the introduction of Christianity into the world, the Roman world was full of slaves, and I suppose there is to be found no injunction against that relation between man and man in the teachings by the Gospel of Jesus Christ, or, by any of his Apostles. The object of the instruction, imparted to mankind, by the founder of Christianity, was to touch the heart, purify the soul, and improve the lies of individual men. That object went directly to the first fountain of all political and all social relations of the human race--the individual heart and mind of man.

Now, sir, upon the general nature, and character, and influence of slavery, there exists a wide difference between the northern portion of this country and the southern. It is said, on the one side, that if not the subject of injunction or direct prohibition in the New Testament, slavery is a wrong; that it is founded merely in the right of the strongest; and that it is an oppression, like all unjust wars--like all those conflicts by which a mighty nation subjects a weaker nation to their will; and that slavery, in its nature, whatever may be said of it in the modifications which have taken place, is not in fact according to the meek spirit of the Gospel. It is not kindly affectioned. It does not "seek another's, and not

its own." It does not "let the oppressed go free." These are sentiments that are cherished, and recently with greatly augmented force, among the people of the northern States. It has taken hold of the religious sentiment of that part of the country, as it has more or less taken hold of the religious feelings of a considerable portion of mankind. The South, upon the other side, having been accustomed to this relation between the two races all their lives, from their birth; having been taught in general to treat the subjects of this bondage with care and kindness--and I believe, in general, feeling for them great care and kindness--have yet not taken this view of the subject which I have mentioned. There are thousands of religious men, with consciences as tender as any of their brethren of the North, who do not see the unlawfulness of slavery; and there are more thousands, perhaps, that, whatsoever they may think of it in its origin, and as a matter depending upon natural right, yet take things as they are, and, finding slavery to be an established relation of the society where they live, can see no way in which--let their opinions on the abstract question be what they may--it is in the power of the present generation to relieve themselves from this relation. And, in this respect, candor obliges me to say, that I believe they are just as conscientiously, many of them--and of the religious people, all of them--as they are in the North, in holding different opinions.

Why, sir, the honorable Senator from South Carolina, the other day, alluded to the great separation of that great religious community, the Methodist Episcopal Church. That apparition was brought about by differences of opinion upon this peculiar subject of slavery. I felt great concern, as that dispute went on, about the result; and I was in hopes that the difference of opinion might be adjusted, because I looked upon that religious denomination as one of the great props of religion and morals, throughout the whole

country, from Maine to Georgia. The result was against my wishes and against my hopes. I have read all their proceedings, and all their arguments, but I have never yet been able to come to the conclusion, that there could be produced by that separation. Sir, when a question of this kind takes hold of the religious sentiments of mankind, and comes to be discussed in religious assemblies of the clergy and laity, there is always to be expected, or always to be feared, a great degree of excitement. It is in the nature of man, manifested by his whole history, that religious disputes are apt to become warm, and men's strength of conviction is proportionate to their views of the magnitude of the questions. In all such disputes, there will sometimes be men found with show everything is absolute-- absolutely wrong, or absolutely right. They see the right clearly; they think others ought to do it, and they are disposed to establish a broad line of discussion between what they think right, and what they hold to be wrong. And they are not seldom willing to establish that line upon their own convictions of the truth and the justice of their own opinions, but they are willing to mark and guard that line, by placing along it a series of dogma, as lines of boundary of mankind by posts and stones. There are men, who, with clear perceptions, as they think, of their own duty, do not see how too hot a pursuit of one duty may involve them in the violation of another, or how too warm an embracement of one truth may add to a disregard of other truths equally important. As I heard it stated strongly, not many days ago, these persons are disposed to mount upon some duty as a war horse, and to drive furiously on, and above, and over all other duties, that may stand in the way. There are men, who, in times of that sort and disputes of that sort, are of opinion, that human duties may be ascertained with the precision of mathematics. They deal with morals as with mathematics, and they think what is right, may be distinguished

from what is wrong, with the precision of an algebraic equation. They have, therefore, none too much charity toward others who differ with them. They are apt, too, to think that nothing is good but what is perfect, and that there are no compromises or modifications to be made to submission to difference of opinion, that human duties may be ascertained with the precision of mathematics. They deal with morals as with mathematics, and they think what is right, may be distinguished from what is wrong, with the precision of an algebraic equation. They have, therefore, none too much charity toward others who differ with them. They are apt, too, to think that nothing is good but what is perfect, and that there are no compromises or modifications to be made to submission to difference of opinion, or to deference to other men's judgment. If their perspicacious vision enables them to detect a spot on the face of the sun, they think that a good reason why the sun should be struck down from Heaven. They prefer the chance of running into utter darkness to living in heavenly light, if that heavenly light be not absolutely without any imperfection. There are impatient men--too impatient always to give heed to the admission of St. Paul, "that we are not to do evil that good may come"--too impatient to wait for the slow progress of moral causes in the improvement of mankind. They do not remember that the doctrine and the miracles of Jesus Christ have, in eighteen hundred years, converted only a small portion of the human race; and among the nations that are converted to Christianity, they forget how many vices and crimes, public and private, still prevail, and that many of them--public crimes especially, which are offenses against the Christian religion--pass without exciting particular regret or indignation. Thus wars are waged, and unjust wars. I do not deny that there may be just wars. There certainly are, but it was the remark of an eminent person, not many years

ago, on the other side of the Atlantic, that it was one of the greatest reproaches to human nature, that wars were sometimes necessary. The defense of nations sometimes causes a war against the injustice of other nations.

Now, sir, in this state of sentiment, upon the general nature of slavery, lies the cause of a great portion of those unhappy divisions, exasperations, and reproaches, which find vent and support in different parts of the union. Slavery does exist in the United States. It did exist in the States before the adoption of this Constitution, and at that time. And now let us consider, sir, for a moment, what was the state of sentiment, North and South, in regard to slavery at the time this Constitution was adopted. A remarkable change has taken place since, but what did the wise and great men of all parts of the country think of slavery? In what estimation did they hold it in 1787, when this Constitution was adopted? Now, it will be found, sir, if we will carry ourselves by historical research back to that day, and ascertain men's opinions by authentic records still existing among us, that there was no great diversity of opinion between the north and the South upon the subject of slavery; and it will be found that both parts of the country held it equally as evil--as moral and political evil. It will not be found, that either at the North or at the South, there was much, though there was some, invective against slavery as inhuman and cruel. The great ground of objection to it was political; that it weakened the social fabric; that, taking the place of free labor, society was less strong, and labor was less productive; and, therefore, we find, from all the eminent men of the time, the clearest expression of their opinion that slavery was an evil. And they ascribed it, not without truth, and not without some acerbity, of temper and force of language, to the

injurious policy of the mother country, who to favor the navigator, had entailed these evils upon the colonies. I need hardly refer, sir, to the publications of the day. They are matters of history on the record. The eminent men, the most eminent men, and nearly all the conspicuous of the South, held that same sentiment, that slavery was an evil, a blight, a blast, a mildew, a scourge, and a curse. There are no terms of reprobation of slavery so vehement in the North of that day as in the South. The North was not so much excited against it as the South, and the reason is, I suppose, because there was much less at the North; and the people did not see, or think they saw the evils so prominently as they were seen, or thought to be seen, at the South.

Then, sir, when this constitution was framed, this was the light in which the Convention viewed it. The Convention reflected the judgment and sentiments of the great men of the South. A member of the other house, whom I have not the honor to know, in a recent speech, has collected extracts from these public documents. They prove the truth of what I am saying, and the question then was, how to deal with it, and how to deal with it as an evil? Well, they came to this general result. They thought that slavery could not be continued in the country if the importation of slaves were made to cease, and therefore they provided, that after a certain period, the importation might be prevented by the act of the new Government. Twenty years was proposed by a northern gentleman, I think--and many of the southern gentlemen opposed it as being too long. Mr. Madison, especially, was something warm against it. He said it would bring too much of this mischief into the country to allow the importation of slaves for such a period, because we must take along with us, in the whole of this discussion, when we are considering the sentiments and

opinions in which this constitutional provision originated, that the conviction of all men was, that if the importation of slaves ceased, the white race would multiply faster than the black race, and that slavery would therefore gradually wear out and expire. It may not be improper here to allude to that--I had almost said celebrated--opinion of Mr. Madison. You observe, sir, that the term slave, or slavery, is not used in the Constitution. The constitution does not require that "fugitive slaves" shall be delivered up. It required that "persons bound to arrive in one State, and escaping into another, shall be delivered up." Mr. Madison opposed the introduction of the term slave, or slavery, into the Constitution, for he said he did not wish to see it recognized by the Constitution of the United States of America, that there could be property in men. Now, sir, all this took place at the Convention in 1787; but connected with this--concurrent and contemporaneous--is another important consideration, not sufficiently attended to. The Convention, for framing this Constitution, assembled in Philadelphia in May, and sat until September, 1787. During all that time, the Congress of the United States was in session at New York. It was a matter of design, as we know, that the Convention should not assemble to the same city where Congress was holding its sessions. Almost all the public men of the country, therefore, of distinction and eminence, were in one or the other of these two assemblies; and I think it happened in some instances, that the same gentlemen were members of both. If I mistake not, such was the case of Mr. Rufus King, then a member of Congress from Massachusetts, and at the same time a member of the Convention to frame the Constitution from that State. Now, it was in the summer of 1787, the very time when the Convention in Philadelphia was framing this Constitution, that the Congress in New York was framing the ordinance of 1787. They passed that ordinance on the 13th

July, 1787, at New York, the very month--perhaps the very day--on which these questions about the importation of slaves, and the character of slavery; were debated in the Convention at Philadelphia. And, so far as we can now learn, there was a perfect concurrence of opinion between these respective bodies, and it resulted in this ordinance of 1787, excluding slavery, as applied to all the territory over which the Congress of the United States had jurisdiction, and that was, all the territory northwest of the Ohio. Three years before, Virginia and other states had made a cession of that great territory to the United States. And a most magnificent act it was. I never reflect upon it without a disposition to do honor and justice--and justice would be the highest honor to Virginia for that act of cession of her northwestern territory. I will say, sir, it is one of her fairest claims to the respect and gratitude of the United States, and that perhaps it is only second to that other claim which attaches to her: that in her counsels, and from the intelligence and patriotism of her leading statesmen, proceeded the first time, put into practice, for the formation of a general Constitution of the United States. Now, sir, the ordinance of 1787 applied thus to the whole territory over which the Congress of the United States had jurisdiction. It was adopted nearly three years before the Constitution of the United States went into operation; because the ordinance took effect immediately on its passage, while the Constitution of the United States having been framed was to be sent to the States to be adopted by their Conventions; and then a Government had to be organized under it. This ordinance, then, was in operation and force when the Constitution was adopted, and this Government put in motion, in April, 1789.

Mr. President, three things are quite clear as historical truths. One is, that there was an expectation that on the ceasing of the importation of slaves from Africa, slavery would begin to run out. That was hoped and expected. Another is, that as far as there was any power in Congress to prevent the spread of slavery in the United States, that power was executed in the most absolute manner and to the fullest extent...

Student Resource Sheet 4

Henry Clay, a dominant figure in the US Senate, represented Kentucky during the early 19th century, as well as serving in the House of Representatives (as Speaker, three times) and Secretary of State. In this speech, he offers a series of compromises that aim to keep the US unified. Clay felt that sectional bickering would lead to “furious, bloody, implacable, exterminating” civil war.

Henry Clay’s Speech March 1850

Mr. Clay: Mr. President, I hold in my hand a series of resolutions which I desire to submit to the consideration of this body. Taken together they propose an amicable arrangement of all questions in controversy between the free and the slave States, growing out of the subject of slavery. It is not my intention, Mr. President, at this time to enter into a full and elaborate discussion of each of these resolutions, taken separately or the whole of them continued together as composing a system of measures, but I desire to present a few observations upon these resolutions, with the purpose chiefly of exposing it fairly and fully before the Senate, I trust and before the country; and I may add with the indulgence of the Senate towards the conclusion some general observations upon the state of the country and the condition of the question to which the resolutions relate. Whether they shall or shall not meet with the approbation and concurrence of the Senate, I trust that at least some portion of the long time which I have devoted with care and deliberation, to the preparation of these resolutions, and to the presentation of this great national scheme of compromise and harmony, will be employed by each Senator before he pronounces against the proposition embraced by these resolutions. The resolutions, sir are all preceded by a

short preamble to which of course I attach very great importance. The preamble and first resolutions are as follows:

It being desirable, for the peace, concord, and harmony of the Union of these States, to settle and adjust amicably all existing questions of controversy between them arising out of the institution of slavery upon a fair equitable and just basis: therefore,

1. Resolved, that California, with suitable boundaries ought upon her application, to be admitted as one of the States of this Union, without the imposition by Congress of any restriction in respect to the exclusion or introduction of slavery within those boundaries.

Mr. President it must be acknowledged that there has been some irregularity in the movements which have terminated in the adoption of a constitution in California, and in the expression of her wish--not yet formally communicated to Congress, it is true, but which may be anticipated in a few days--to be admitted into the Union as a State.

2. Resolved, that as slavery does not exist by law and is not likely to be introduced into any of the territory acquired by the United States from the republic of Mexico, it is inexpedient for Congress to provide by law either for its introduction into, or exclusion from, any part of the said territory; and that appropriate territorial governments ought to be established by Congress in all of the said territory, not assigned as the boundaries of the proposed State of California, without the adoption of any restriction or condition on the subject of slavery.

The resolution proposes in the first instance a declaration of two truths--one of law and the other of fact. The truth of law which it declares is, that there does not exist at this time slavery within any portion of the territory acquired by the US from Mexico. The next truth which the resolution asserts is that slavery is not likely to be introduced into any portion of that territory. That is a matter of fact; and all the evidence upon which the fact rests is perhaps as accessible to other Senators as it is to me; but I must say that from all I have heard or read I am convinced not one foot of the territory acquired by us from Mexico will slavery ever be planted.

The next resolutions are the third and fourth, which having an immediate connection with each other, should be read and considered together. They are as follows:

3. Resolved, that the western boundary of the state of Texas ought to be fixed on the Rio del Norte, commencing one marine league from its mouth and running up that river to the southern line of New Mexico; thence with that line eastwardly, and so continuing in the same direction to the lines established between the United States and Spain, excluding any portion of New Mexico, whether lying on the east or west of that river.

4. Resolved that it be proposed to the State of Texas that the United States will provide for the payment of all that portion of the legitimate and bonafide public debt of that State contracted prior to its annexation to the United States and for which the duties on

foreign imports were pledged by the said State to its creditors, not exceeding the sum of ---dollars, in consideration of the said duties so pledged having been no longer applicable to that object after the said annexation, but having thence forward become payable to the United States; and upon the condition also, that the State of Texas shall, by some solemn and authentic act of her legislature or of a convention, relinquish to the United States any claim which it has to any part of New Mexico.

Mr. President, I do not mean now, I do not know that I shall at any time--it is a very complex subject and one not free from difficulty--go into the question of what are the true limits of Texas. My own opinion is, I must say, without intending by the remark to go into argument, that Texas has not a good title to any portion of what is called New Mexico. Without entering into any inquiry whether the Nueces or the Rio Grande was the true boundary of Texas, I propose, by the first of these two resolutions, that its western limits shall be fixed on the Rio del Norte; and thus embracing a vast country which I think the highest ambition of her greatest men ought to be satisfied with as a state and member of this union...

The fifth and the sixth resolution like the third and fourth are somewhat connected together. They are as follows:

5. Resolved, that it is inexpedient to abolish slavery in the District of Columbia whilst that institution continues to exist in the State of Maryland, without the consent of that

State, without the consent of the people of the District, and without just compensation to the owners of slaves within the District.

6. But, resolved, that it is expedient to prohibit, within the District, the slave trade in slaves brought into it from States or places beyond the limits of the District, either to be sold therein as merchandise, or to be transported to other markets without the District of Columbia.

The first of these resolutions in somewhat different language asserts no other principle than that which was asserted by the Senate twelve years ago, upon resolutions which I then offered, and which passed by a majority of four-fifths of the Senate. I allude to the resolutions presented by me in 1838. It declares that the institution of slavery should not be abolished in the District of Columbia without the concurrence of three conditions: the assent of Maryland, the assent of the people within the District and third compensation to the owners of the slaves within the District.

The next resolution proposed deserves a passing remark. It is that the slave trade within the District ought to be abolished. I do not mean to touch at all the question of the right of property in slaves amongst persons living within the District; but the slave trade to which I refer was pronounced an abomination more than forty years ago by one of the most gifted and distinguished sons of Virginia, the late Mr. Randolph. And who is there who is not shocked at its enormity? ...Sir, I am sure I speak the sentiments of every Southern man and every man coming from the slave States, when I say let it terminate, and that it is an abomination: that there is no occasion for it.

The seventh resolution relates to a subject embraced in a bill now under consideration by the Senate. It is as follows:

7. Resolved, that more effectual provision ought to be made by law, according to the requirement of the constitution for the restitution and delivery of persons bound to service or labor in any State, who may escape into any other State or Territory in the Union.

Sir that is so evident, and has been so clearly shown by the debate which has already taken place on the subject that I have not now occasion to add another word.

The last resolution is as follows:

8. Resolved that congress has no power to prohibit or obstruct the trade in slaves between the slaveholding states; but that the admission or exclusion of slaves brought from one into another of them depends exclusively upon their own particular laws.

This resolution merely asserts a truth that has been established by the highest authority of law in the country, and in conformity with that decree I trust there will be one universal acceptance.

Mr. President you now have before you the whole series of resolutions. How far it may prove acceptable to both or either of the parties on these great questions is not for me to say. I think it ought to be acceptable to both. There is no sacrifice of any principle, proposed in any of them, by either party. The plan is founded on mutual

forbearance, originating in a spirit of conciliation and concession.

Sir I think--although I believe this project contains about an equal amount of concession and forbearance on both sides--have asked from the free States of the North a more liberal and extensive concession than should be asked from the slave States. And why sir? You are more numerically powerful than the slave States. It is as I remarked, a sentiment, a sentiment of humanity and philanthropy on your side. On your side it is a sentiment without sacrifice, a sentiment without danger, a sentiment without hazard without peril, without loss. But how is it on the other side, to which a greater amount of concession ought to be made in any scheme of compromise? In the first place there is a vast and incalculable amount of property to be sacrificed, and to be sacrificed, not by your sharing in the common burdens. And this is not all. The social intercourse safety, property, life, everything is at hazard in a greater or less degree in the slave States.

Behold, Mr. President, that dwelling house now wrapped in flames. Listen sir, to the rafters and beams which fall in succession amid the crash; they tumble down. Behold those women and children who are flying from the calamitous scene and their shrieks and lamentations imploring the aid of high Heaven. Whose home is that? Yours in the free states? No. You are looking on in safety and security, whilst the conflagration which I have described is raging in the slave states and produced not intentionally by you, but produced from the inevitable tendency of the measures which you have adopted, and which others have carried far beyond what you have wished.

In the one scale, then we behold sentiment, alone; in the other property, the social fabric and all that makes life desirable and happy.

Before I conclude I cannot omit relating an incident which occurred prior to my leaving my lodgings this morning. A man came to my room and said to me: "Mr. Clay I heard you make a remark the other day which induces me to suppose that a precious relic in my possession would be acceptable to you." He then drew out of his pocket, and presented to me, the object which I now hold in my hand. And what Mr. President do you suppose it is? It is a fragment of the coffin in which now repose in silence all the earthly remains of the venerated Father of his Country. Was it portentous that it should have been thus presented to me? Was it a sad presage of what might happen to that fabric which Washington's virtue, patriotism and valor established? No, sir, no. It was a warning voice, coming from the grave to the congress now in session to beware, to pause, to reflect before they lend themselves to any purposes which shall destroy that union which was cemented by his exertions and example.

And in conclusion, I now ask every Senator, I entreat you gentlemen in fairness and candor, to examine the plan of accommodation which this series of resolutions proposes and not to pronounce against them until convinced after a thorough examination.

Student Resource Sheet 5

Fugitive Slave Act Capture Sheet

Directions: Complete the table below as you read the Fugitive Slave Act. Use it or record important parts of the sheet and organize your thinking.

<u>How does the law affect each group?</u>	<u>Important Quotes</u>
Officials of the Circuit Court, Marshals and Commissioners Escaped Slaves (fugitives) Owners of fugitive slaves Citizens who assist fugitives	<u>Comprehension Questions</u> 1. What people, groups, or geographic regions gain power under this law? Which people, groups, and regions lose power? What powers or rights are gained and lost?