

admit ; and I put it to gentlemen from the South, are they prepared to be satisfied with the line of 36 deg. 30 min., interdicting slavery to the North of it, and giving them no guaranty for the possession of slavery South of that line ? The honorable Senator from Mississippi told us the other day that he was not prepared to be satisfied with that compromise line. He told us, if I understood him rightly, that nothing short of a positive introduction—

Mr. FOOTE.—Recognition.

Mr. CLAY.—That nothing short of a positive recognition of slavery south of the line of 36° 30 would satisfy him. Well, is there any body who believes that you could get twenty votes in this body, or a proportional number in the other House, to a declaration in favor of the recognition of slavery south of the line of 36° 30 ? It is impossible. All that you can get, all that you can expect to get, all that was proposed at the last session, was action on the north of the line, and non-action as regards slavery south of that line. It is interdicted on one side, without any corresponding provision for its admission on the other side of the line of 36° 30.

Now, sir, when I came to consider the subject, and to compare the provisions of the line of 36 deg. 30m.—the Missouri compromise line—with the plan which I propose for the accommodation of this question, what said I to myself ? Why, if I offer the line of 36 deg. 30m., interdicting slavery north of it, and leaving the question open south of that line, I offer that which is illusory to the South ; I offer that which will deceive them, if they suppose that slavery will be introduced south of that line. It is better for them, I said to myself—it is better for the whole South, that there should be non action on both sides, than that there should be action interdicting slavery on one side, without action for the admission of slavery on the other side of the line. Is it not so ? What, then, is gained by the South, if the Missouri line is extended to the Pacific, with an interdiction of slavery north of it ? Why, sir, one of the very arguments which have been most often and most seriously urged by the South has been this, that we do not want you to legislate upon the subject at all ; you ought not to touch it ; you have no power over it. I do not concur, as is well known from what I have said upon this occasion, in this view of the subject. But that is the Southern argument. We do not want you to legislate at all on the subject of slavery ; but if you adopt the Missouri line and extend it to the Pacific, and interdict slavery north of that line, you do legislate upon the subject of slavery, and you legislate without a corresponding equivalent of legislation on the subject of slavery south of the line. For, if there be legislation interdicting slavery north of the line, the principle of equality would require that there should be legislation admitting slavery south of the line.

Sir, I have said that I never could vote for it, and I repeat that I never can, and never will vote for it ; and no earthly power shall ever make me vote to plant slavery where slavery does not exist. Still, if there be a majority—and there ought to be such a majority—for interdicting slavery north of the line, there ought to be an equal majority—if equality and justice be done to the South—to admit slavery south of the line. And if there be a majority ready to accomplish both of these purposes, though I cannot concur in the action, yet I would be one of the last to create any disturbance, I would be one of the first to acquiesce in such legislation, though it is contrary to my own judgment and my own conscience. I think, then, it would be better to keep the whole of these territories untouched by any legislation by Congress on the subject of slavery, leaving it open, undecided, without any action of Congress in relation to it ; that it would be best for the South, and best for all the views which the South has, from time to time, disclosed to us as correspondent with her wishes.

I know it may be said with regard to these ceded territories, as it is said with regard to California, that non-legislation implies the same thing as the exclusion of slavery. That we cannot help. That Congress is not reproachable for. If nature has pronounced the doom of slavery upon those territories—if she has declared, by her immutable laws, that slavery cannot and shall not be introduced there, whom can you reproach but nature or nature's God ? Congress you cannot ; Congress abstains ; Congress is passive ; Congress is non-active in regard to the subject of slavery south and north of the line ; or rather Congress, according to the plan which proposes to extend no line, leaves the entire theatre of these territories untouched by legislative enactment, either to exclude or admit slavery.

Well, sir, I ask again—if you will listen to the voice of calm and dispassionate reason—I ask of any man from the South to rise and tell me if it is not better for his section of the Union that Congress should remain passive, on both sides of any ideal line, than that it should interdict slavery on one side of the line and be passive in regard to it on the other side of the line.

Sir, I am taxing both the physical and intellectual powers which a kind Providence has bestowed upon me, too much—too much by far—though I beg to be permitted, if the Senate will have patience with me, to conclude what I have to say, for I do not desire to trespass another day upon your time and patience, as I am approaching, though I have not yet nearly arrived at, the conclusion.