

IN SENATE OF THE UNITED STATES.

JANUARY 29, 1850.

Read, ordered that the further consideration thereof be postponed to and made the special order of the day for Tuesday next, and that they be printed.

Mr. CLAY submitted for consideration the following

RESOLUTIONS:

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,

1st. *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.

2d. *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.

3d. *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 line as established between the United States and Spain, excluding any portion of New Mexico, whether lying on the east or west of that river.

4th. *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 *bona fide* 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said State to its creditors, not exceeding the sum of \$—, in consideration of the said duties so pledged having been no longer applicable to that object, after the said annexation, but having thenceforward become payable to the United States; and upon the condition also that the said State of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.

5th. *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.

6th. *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.

7th. *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. And,

8th. *Resolved*, That Congress has no power to prohibit or obstruct the trade in slaves between the slave-holding States; but that the admission or exclusion of slaves brought from one into another of them depends exclusively upon their own particular laws.

IN SENATE OF THE UNITED STATES.

FEBRUARY 8, 1850.

Ordered to be printed.

AMENDMENT

Intended to be proposed by Mr. FOOTE to the resolutions submitted by Mr. CLAY on the 29th January, 1850.

Whereas 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 on the subject of slavery, upon a fair, equitable, just, and constitutional basis: therefore,

1. *Resolved*, That Congress possesses, under the constitution, full and exclusive power to admit or refuse to admit new States into the Union, at its own discretion; which discretion, though, ought in no case to be exercised arbitrarily, unjustly, or to the injury of any of the sovereign members of the confederacy, or to the injury or disparagement of any of their reserved rights.

2. *Resolved*, That Congress possesses no power definitively to decide the strictly legal question, whether slavery does or does not exist by law at the present time in the territories recently acquired from the republic of Mexico; that full, authentic, and reliable information has not yet reached this body touching the question whether or not, in the absence of all restrictive or prohibitory legislation on the part of Congress, slavery is likely to be introduced into those territories; and that, therefore, it would be both unseemly and impolitic to make any formal declaration of opinion at this time upon either of the points referred to.

3. *Resolved*, That, without attempting to provide by law either for the admission of slavery into said territories, or its exclusion therefrom, appropriate territorial governments ought to be established in them with as little delay as practicable; which governments should be so framed as to be exempt from all restriction, limitation, or condition in reference to slavery, and to afford full protection and security to life, liberty, and property, in conformity with the provisions of the constitution of the United States.

4. *Resolved*, That, in the judgment of the Senate, California is not at the present time absolutely entitled to admission into the Union as a State; that whether she should be admitted or not is a simple question of expediency; that it would be altogether impolitic to admit her with the boundaries specified in the constitution recently adopted by her convention, or with a territorial surface extending south of the compromise line of 36 degrees 30 minutes; that it would be unwise to grant such admis-

sion, if it should be hereafter made to appear that her present civil organization has been brought about by unfair, unconstitutional, or coercive action on the part of the federal government, or any of its functionaries; and that, all other impediments being removed, such admission should, under existing circumstances, only be allowed to take place upon a clear and distinct understanding and agreement that a new State may be hereafter formed within the present territorial limits of the State of Texas, in accordance with the articles of Texan annexation, and be admitted into the Union at as early a period as practicable.

5. *Resolved*, That the western boundary of Texas is already "fixed upon the Rio del Norte;" and that the title of Texas to all the territories within her boundaries, as the same were formally specified in the act of the Congress of the republic of Texas of 1836, entitled "An act to define the boundaries of the republic of Texas," is so clear and unquestionable that it cannot now be formally violated, or even seriously drawn into dispute by this government, without a serious violation of the principles of good faith.

6. *Resolved, though*, That it be proposed to the State of Texas that she shall, in consideration of — millions of dollars, cede to the United States all that portion of her said territory which lies north of the 34th degree of north latitude, reserving permanently within the limits of the territory to be ceded the principle of compromise imbodyed in the Texas annexation resolutions.

7. *Resolved*, That the money so to be paid to Texas is to be used and disposed of by her at her own discretion, it being regarded as unconstitutional in itself, and disrespectful to the State of Texas, so far to intermeddle with her domestic concerns as formally to assume the payment of any part of her national debt; for not a dollar of which debt at the present time is the United States either legally or morally responsible.

8. *Resolved*, That Congress cannot properly or justly legislate for the abolition of slavery in the District of Columbia, except with the unanimous consent of all the slaveholding States of the confederacy.

9. *Resolved*, That it is inexpedient to legislate at present in regard to the prohibition of the trade in slaves in the District of Columbia, and that it is a matter which may be well left to be regulated by the municipal authorities of said District.

10. *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. And,

11. *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.

IN SENATE OF THE UNITED STATES.

FEBRUARY 28, 1850.

Ordered to be printed.

AMENDMENT

Proposed by Mr. Walker to the resolutions submitted by Mr. Clay on the 29th January last.

Insert after the word "law," in the first line of the second resolution, the words, "*but has been abolished and prohibited, together with the slave-trade.*"

Strike out the word "is" in first line, and insert the word *can*.

Strike out the word "likely" in first line.

Insert after the word "Mexico," in third line, the words, *without positive enactment.*

The resolution will then read:

*Resolved*, That, as slavery does not exist by law, but has been abolished and prohibited, together with the slave-trade, and cannot be introduced into any of the territory acquired by the United States from the republic of Mexico without positive enactment, it is inexpedient, &c.