

are these considerations? Why, first, that the State of Maryland shall give its consent; in other words, that the State of Maryland shall release the United States from the obligation of the implied faith which I contend is connected with the act of cession by Maryland to the United States. Well, sir, if Maryland, the only State now that ceded any portion of the territory which remains to us, gives us her full consent; in other words, if she releases Congress from all obligations growing out of the cession, with regard to slavery, I consider it is removing one of the obstacles to the exercise of the power, if it were deemed expedient to exercise the power. But it is removing only one of them. There are two other conditions which are inserted in this resolution. The first is the consent of the people of the District.

Mr. President, the condition of the people of this District is anomalous. It is a condition in violation of the great principles which lie at the bottom of our own free institutions, and all free institutions, because it is the case of a people who are acted upon by legislative authority, and taxed by legislative authority, without having any voice or representation in the taxing or legislative body. The Government of the United States, in respect to the people of this District, is a tyranny, an absolute Government—not exercised hitherto, I admit, and I hope it never will be exercised, tyrannically or arbitrarily; but it is in the nature of all arbitrary power, because, if I were to give a definition of arbitrary power, I would say that it is that power which is exercised by an authority over our people who have no voice, no representation in the assembly whose edicts or laws go forth to act upon the unrepresented people to whom I have referred.

Well, sir, that being their condition, and this question of the abolition of slavery affecting them in all the relations which we can imagine—of prosperity, society, comfort, peace, and happiness—I have required as another condition, upon which alone this power should be exercised, the consent of the people of the District. But, sir, I have not stopped there. This resolution requires still another and a third condition, and that is, that slavery shall not be abolished within the District of Columbia, although Maryland consents, although the people of the District themselves consent, without the third condition of making compensation to the owners of the slaves within the District. Sir, it is immaterial to me upon what basis this obligation to compensate for the slaves who may be liberated by the authority of Congress is placed. There is a clause in the constitution of the United States, of the amendments to the constitution, which declares that no private property shall be taken for public use, without just compensation being made to the owner of the property.

Well, I think, in a just and liberal interpretation of that clause, we are restrained from taking the property of the people of the District, in slaves, on considerations of any public policy, or for any conceivable or imaginable use of the public, without a full and fair compensation to the people of this District. But, without the obligation of any constitutional restriction, such as is contained in the amendment to which I refer—without that, upon the principles of eternal justice itself, we ought not to deprive those who have property in slaves, in this District, of their property, without compensating them for their full value. Why, sir, no one of the European powers, Great Britain, France, or any other of the powers which undertook to abolish slavery in their respective colonies, has ever ventured to do it without making compensation. They were under no obligation arising out of any written or other constitution to do it, but under that obligation to which all men ought to bow with homage—that obligation of eternal justice, which declares that no man ought to be deprived of his property without a full and just compensation for its value.

I know it has been argued that the clause of the constitution which requires compensation for property taken by the public, for its use, would not apply to the case of the abolition of slavery in the District, because the property is not taken for the use of the public. Literally, perhaps, it would not be taken for the use of the public; but it would be taken in consideration of a policy and purpose adopted by the public, as one which it was deemed expedient to carry into full effect and operation; and, by a liberal interpretation of the clause, it ought to be so far regarded as taken for the use of the public, at the instance of the public, as to demand compensation to the extent of the value of the property.

If that is not a restriction as to the power of Congress over the subject of slavery in the District, then the power of Congress stands unrestricted, and that would not be a better condition for the slaveholder in the District than to assume the restriction contained in the amendment. I say it would be unrestricted by constitutional operation or injunction. The great restrictions resulting from the obligations of justice would remain, and they are sufficient to exact from Congress the duty of ascertaining, prior to the abolition of slavery, the value of the property in slaves in the District, and of making full, fair and just compensation for that property.

Well, Mr. President, I said yesterday there was not a resolution, except the first, (which contained no concession by either party,) that did not either contain some mutual concession