

## The Compromise of 1850: The Great Debate

America in the 1840s and 1850s was expanding rapidly. The successful Mexican War opened new lands in the West for American settlers. New railroad lines and fast clipper ships were being built, moving people west at an unprecedented pace. Opportunity was great, and the nation's spirit was strong. As bright as the country's future seemed westward expansion did bring with it an intense debate over how slavery should be treated in the new territories.

In 1846 the Wilmot Proviso stated that "neither slavery nor involuntary servitude shall ever exist" in the new western territory won from Mexico during the Mexican War. Although passed in the House of Representatives, the Senate refused to vote. The bill brought fierce opposition from Southern senators who felt a challenge to slavery in the territories would threaten slavery everywhere. The debate over how to treat new territories on the issue of slavery would set the stage for an eventual breakdown of diplomatic ties between North and South.

The discovery of gold in California in January of 1848 drew thousands to the territory. By 1849 more than 80,000 gold-seekers, or "Forty-Niners," had made their way to California to become rich. By December 1849 Californians had formed a free-state government in an effort to gain control over the frenzy caused by the gold rush. Their government included a constitution that outlawed slavery. This aspect of California's government caused great distress among proslavery Southerners in Congress. If California was to be admitted to the Union, its status as a free state would upset the balance of power in the Senate. Southerners feared that if slave-holding states became the minority, limits would be placed on slavery and states' rights.

When war hero Zachary Taylor was elected president in 1848, it was thought he would support the expansion of slavery, being a Southern slave owner himself. He shocked his Southern supporters when he encouraged California's admission to the Union as a free state. Taylor believed that allowing the people of a territory to decide if they would support or oppose slavery was the best policy for peaceful expansion of the country. At the time the number of slave and free states was balanced at fifteen each. California's admission would upset the balance. Enraged southern leaders began to discuss secession from the Union, while in the North, state resolutions were passed demanding the prohibition of slavery in the territories. In an effort to resolve the conflict, John C. Calhoun, Henry Clay, and Daniel Webster, three of the most famous legislators of the time, took the lead in debating the proper response to the crisis.

On January 29, 1850, Henry Clay, known from his work on the Missouri Compromise and Nullification Crises as the "Great Compromiser," proposed a compromise in the form of a piece of legislation that included eight resolutions. The resolutions attempted to appease both sides of the controversy. They included: (1) admitting California as a free state, (2) the formation of territorial governments in the Southwest without restrictions on slavery, (3) ordering Texas to abandon its land claims in New Mexico, (4) compensating Texas by having the federal government assume its debts, (5) continuing to allow slavery in Washington D.C., (6) outlawing the slave trade in Washington D.C., (7) passing a more effective fugitive slave law, and (8) prohibiting Congress from interfering in the interstate slave trade. Clay's proposal for compromise triggered a massive debate in the Senate that would come to be called "the Great Debate."

In response, on March 4, John C. Calhoun, an influential southern senator, denounced the compromise, stating: "the equilibrium between [the North and the South]...has been destroyed.... 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 oppression." Calhoun predicted that if the South could not exist safely within the Union, secession would be the only solution. Three days later, Senator Daniel Webster concluded that if a compromise could not be reached, a disaster would follow. "There can be no such thing as a peaceable secession. Peaceable secession is an utter impossibility.... I see as plainly as I see the sun in heaven what that disruption itself must produce; I see that it must produce war, and such a war as I will not describe." Webster's comments made him a villain in the North. Consensus among the Senate seemed impossible, and President Taylor refused to support the compromise. Clay's bill seemed hopeless.

Months went by with no agreement, until the sudden death of President Taylor on July 9, 1850. His successor, Millard Fillmore, supported Clay's bill. Another major obstacle of the bill, Calhoun, had also died. Fillmore was able to persuade northern Whigs to support compromise. Clay, now exhausted by the months of debate, left the bill in the hands of a young, but crafty, senator by the name of Stephen A. Douglas. Douglas broke the bill up into smaller sections that would be introduced one at a time. By breaking the bill up, Douglas was able to gain majority support for each part of the bill separately. By September Congress passed all the original components of Clay's compromise. Fillmore signed the bills of the Compromise of 1850 into law. The compromise provided a solution to the tensions caused by slavery. The solution would prove to only be temporary.

The Fugitive Slave Act of 1850 did more to enrage Northerners than any other part of the Compromise of 1850. Originally thought of as a benefit to slaveholders, the act ended up hurting the Southern cause for slavery. The act not only allowed escaped slaves to be hunted in the North, but also required federal marshals to assist slave catchers. Marshals could also deputize ordinary citizens to help capture slaves. A citizen refusing to help could face jail time. African Americans were subject to trials without the ability to testify in their own defense. All that was necessary for an African American to be sent south was an affidavit stating the person had escaped from a slaveholder or a testimony by white witnesses. Federal commissioners were influenced to rule in favor of slaveholders because they earned a \$10 commission for judgments in favor of the slaveholder, and only \$5 for a judgment in favor of the accused. The Fugitive Slave Act rallied more Northerners than ever to support the abolition of slavery.

The Compromise of 1850 worked to ease sectional tensions for only a short time. If the nation was to move forward in unity, the issue of slavery needed to be dealt with once and for all. The issue was brought to the nation's attention more than ever through the Fugitive Slave Act of 1850. The Great Debate, while not the beginning or end of the sectional conflict between North and South, moved the nation along a path that would eventually lead to civil war.

### **Assessment**

1. Why did Southern Whigs feel they were betrayed by Zachary Taylor?
2. What political tactic was used to get the Compromise of 1850 passed?
3. What component of the Compromise of 1850 did the most damage to the Southern cause of slavery?