

Re. 16. 6p.

Public 50.

Thirty-seventh Congress of the United States of America;

At the —second— Session,

Began and held at the city of Washington, on Monday, the —second— day of December, one thousand eight hundred and sixty-one

AN ACT

For the release of certain persons held to service or labor in the District of Columbia.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all persons held to service or labor within the District of Columbia by reason of African descent, are hereby discharged and freed of and from all claims to such service or labor, and from and after the passage of this act neither slavery nor involuntary servitude, except for crime, whereof the party shall be duly convicted, shall hereafter exist in said District. Sec. 1. And be it further enacted, that all persons loyal to the United States holding claims to service or labor against persons discharged therefrom by this act may, within ninety days from the passage thereof, but not thereafter, present to the Commissioners hereinafter mentioned their respective statements or petitions in writing, verified by oath or affirmation, setting forth the names, ages, and personal description of such persons, the manner in which said petitions acquired such claim, and any facts touching the value thereof, and declaring his allegiance to the government of the United States; and that he has not borne arms against the United States during the present rebellion, nor in any way given aid or comfort thereto: Provided, that the oath of the party to the petition shall not be evidence of the facts therein stated. Sec. 2. And be it further enacted, that the President of the United States, with the advice and consent of the Senate, shall appoint three commissioners, residents of the District of Columbia, any two of whom shall have power to act, who shall receive the petitions above mentioned, and who shall investigate and determine the validity and value of the claims therein presented, as aforesaid, and appraise and appportion, under the provisions hereunto annexed, the value in money of the several claims by them found to be valid: Provided, however, that the entire sum so appraised and appportioned shall not exceed in the aggregate an amount equal to three hundred dollars for each person shown to have been so held by lawful claim.

The District of Columbia Compensated Emancipation Act of 1862

all acts of Congress and all laws of the State of Maryland in force in said District, and all ordinances of the cities of Washington and Georgetown, inconsistent with the provisions of this act are hereby repealed.

Calusha H. Gray

Speaker of the House of Representatives.

Thomas A. Coit

President of the Senate pro tempore.

Approved, April 16, 1862

Abraham Lincoln

The District of Columbia Compensated Emancipation Act of 1862

An Act for the Release of certain Persons held to Service or Labor in the District of Columbia

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all persons held to service or labor within the District of Columbia by reason of African descent are hereby discharged and freed of and from all claim to such service or labor; and from and after the passage of this act neither slavery nor involuntary servitude, except for crime, whereof the party shall be duly convicted, shall hereafter exist in said District.

Sec. 2. *And be it further enacted,* That all persons loyal to the United States, holding claims to service or labor against persons discharged therefrom by this act, may, within ninety days from the passage thereof, but not thereafter, present to the commissioners hereinafter mentioned their respective statements or petitions in writing, verified by oath or affirmation, setting forth the names, ages, and personal description of such persons, the manner in which said petitioners acquired such claim, and any facts touching the value thereof, and declaring his allegiance to the Government of the United States, and that he has not borne arms against the United States during the present rebellion, nor in any way given aid or comfort thereto: *Provided,* That the oath of the party to the petition shall not be evidence of the facts therein stated.

Sec. 3. *And be it further enacted,* That the President of the United States, with the advice and consent of the Senate, shall appoint three commissioners, residents of the District of Columbia, any two of whom shall have power to act, who shall receive the petitions above mentioned, and who shall investigate and determine the validity and value of the claims therein presented, as aforesaid, and appraise and apportion, under the proviso hereto annexed, the value in money of the several claims by them found to be valid: *Provided, however,* That the entire sum so appraised and apportioned shall not exceed in the aggregate an amount equal to three hundred dollars for each person shown to have been so held by lawful claim: *And provided, further,* That no claim shall be allowed for any slave or slaves brought into said District after the passage of this act, nor for any slave claimed by any person who has borne arms against the Government of the United States in the present rebellion, or in any way given aid or comfort thereto, or which originates in or by virtue of any transfer heretofore made, or which shall hereafter be made by any person who has in any manner aided or sustained the rebellion against the Government of the United States.

Sec. 4. *And be it further enacted,* That said commissioners shall, within nine months from the passage of this act, make a full and final report of their proceedings, findings, and appraisal, and shall deliver the same to the Secretary of the Treasury, which report shall be deemed and taken to be conclusive in all respects, except as hereinafter provided; and the Secretary of the Treasury shall, with like exception, cause the amounts so apportioned to said claims to be paid from the Treasury of the United States to the parties found by said report to be entitled thereto as aforesaid, and the same shall be received in full and complete compensation: *Provided,* That in cases where petitions may be filed presenting conflicting claims, or setting up liens, said commissioners shall so specify in said report, and payment shall not be made according to the award of said commissioners until a period of sixty days shall have elapsed, during which time any petitioner claiming an interest in the particular amount may file a bill in equity in the Circuit Court of the District of Columbia, making all other claimants defendants thereto, setting forth the proceedings in such case before said commissioners and their actions therein, and praying that the party to whom payment has been awarded may be enjoined from receiving the same; and if said court shall grant such provisional order, a copy thereof may, on motion of said complainant, be served upon the Secretary of the Treasury, who shall thereupon cause the said amount of money to be paid into said court, subject to its orders and final decree, which payment shall be in full and complete compensation, as in other cases.

Sec. 5. *And be it further enacted,* That said commissioners shall hold their sessions in the city of Washington, at such place and times as the President of the United States may direct, of which they shall give due and public notice. They shall have power to subpoena and compel the attendance of witnesses, and to receive testimony and enforce its production, as in civil cases before courts of justice, without the exclusion of any witness on account of color; and they may summon before them the persons making claim to service or labor, and examine them under oath; and they may also, for purposes of identification and appraisal, call before them the persons so claimed. Said commissioners shall appoint a clerk, who shall keep files and [a] complete record of all proceedings before them, who shall have power to administer oaths and affirmations in said proceedings, and who shall issue all lawful process by them ordered. The Marshal of the District of Columbia shall personally, or by deputy, attend upon the sessions of said commissioners, and shall execute the process issued by said clerk.

Sec. 6. *And be it further enacted*, That said commissioners shall receive in compensation for their services the sum of two thousand dollars each, to be paid upon the filing of their report; that said clerk shall receive for his services the sum of two hundred dollars per month; that said marshal shall receive such fees as are allowed by law for similar services performed by him in the Circuit Court of the District of Columbia; that the Secretary of the Treasury shall cause all other reasonable expenses of said commission to be audited and allowed, and that said compensation, fees, and expenses shall be paid from the Treasury of the United States.

Sec. 7. *And be it further enacted*, That for the purpose of carrying this act into effect there is hereby appropriated, out of any money in the Treasury not otherwise appropriated, a sum not exceeding one million of dollars.

Sec. 8. *And be it further enacted*, That any person or persons who shall kidnap, or in any manner transport or procure to be taken out of said District, any person or persons discharged and freed by the provisions of this act, or any free person or persons with intent to re-enslave or sell such person or person into slavery, or shall re-enslave any of said freed persons, the person or persons so offending shall be deemed guilty of a felony, and on conviction thereof in any court of competent jurisdiction in said District, shall be imprisoned in the penitentiary not less than five nor more that twenty years.

Sec. 9. *And be it further enacted*, That within twenty days, or within such further time as the commissioners herein provided for shall limit, after the passage of this act, a statement in writing or schedule shall be filed with the clerk of the Circuit court for the District of Columbia, by the several owners or claimants to the services of the persons made free or manumitted by this act, setting forth the names, ages, sex, and particular description of such persons, severally; and the said clerk shall receive and record, in a book by him to be provided and kept for that purpose, the said statements or schedules on receiving fifty cents each therefor, and no claim shall be allowed to any claimant or owner who shall neglect this requirement.

Sec. 10. *And be it further enacted*, That the said clerk and his successors in office shall, from time to time, on demand, and on receiving twenty-five cents therefor, prepare, sign, and deliver to each person made free or manumitted by this act, a certificate under the seal of said court, setting out the name, age, and description of such person, and stating that such person was duly manumitted and set free by this act.

Sec. 11. *And be it further enacted*, That the sum of one hundred thousand dollars, out of any money in the Treasury not otherwise appropriated, is hereby appropriated, to be expended under the direction of the President of the United States, to aid in the colonization and settlement of such free persons of African descent now residing in said District, including those to be liberated by this act, as may desire to emigrate to the Republics of Hayti or Liberia, or such other country beyond the limits of the United States as the President may determine: *Provided*, The expenditure for this purpose shall not exceed one hundred dollars for each emigrant.

Sec. 12. *And be it further enacted*, That all acts of Congress and all laws of the State of Maryland in force in said District, and all ordinances of the cities of Washington and Georgetown, inconsistent with the provisions of this act, are hereby repealed.

Galusha A. Grow
Speaker of the House of Representatives

Solomon Foote
President of the Senate pro tempore

Abraham Lincoln

Approved, April 16, 1862.

Source:

National Archives and Record Administration,
http://www.archives.gov/exhibits/featured_documents/dc_emancipation_act/transcription.html

Transcript

New York Daily Tribune, April 12 1862

News of the Day (Page 4)

Emancipation!

When we remember that there are four millions of Slaves within the United States, the emancipation of about three thousand only is, numerically, a small matter. It is nevertheless a great feat, and one, for which, should be the bill be signed the President to-day, these three thousand people may devoutly thank God to-morrow, and a nation of twenty millions rejoice with them at their peaceful enfranchisement by the benign act of the Law. The war that in so much has taught the people to love mercy and remember justice has not been without a purpose, and should all the Slave States be restored to the Union to-morrow with Slavery intact, a great end is gained. The National reproach is so far blotted out that in the domain hitherto exclusively under Federal law Slavery exists no longer. We may thank God and take courage, for in one year from the day that the enemies of the Union opened fire upon the National flag, the slaves in the Federal Capital are slaves no longer.

Source:

Chronicling America: Historic American Newspapers, Library of Congress,
<http://chroniclingamerica.loc.gov>

THE WAR FOR THE UNION. Safety of Gen. Lewis Wallace. INCIDENTS OF THE SIEGE OF ISLAND No. 10. THE PASSAGE OF MEASURES OF FREEDOM. The Slave Trade—Treaty with England. Vote on the District Emancipation Bill.

New-York Tribune

Vol. XXII, No. 6,559. NEW-YORK, SATURDAY, APRIL 12, 1862. PRICE TWO CENTS.

THE SIEGE OF YORKTOWN. Another raid by the Merrimac.

OFFICIAL WAR BULLETIN. The Secretary of War makes public acknowledgment to the General of Massachusetts, Ireland, and Ohio...

INCIDENTS OF THE SIEGE OF ISLAND No. 10. For some time before the fall of Island No. 10, there was regular mail communication between Cairo and New-Orleans by small boats...

THE MARCH OF FREEDOM. Three steps in the interest of Freedom were taken by different branches of the Government to-day.

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XXXVIIIth CONGRESS. FIRST SESSION. SENATE. Washington, April 11, 1862. Mr. SHERMAN (Mass.) presented a petition for the employment in the transportation of the rebellion...

Mr. HOWE (Iowa) introduced a bill amending the law relating to the appointment of a Senator. Mr. HOWE (Iowa) introduced a bill amending the law relating to the appointment of a Senator...

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New York Daily Tribune, Saturday, April 12, 1862

The March of Freedom (Front Page)

Three steps in the interest of Freedom were taken by different branches of the Government to-day. The President signed his gradual Emancipation resolution. The House, by a more than two-thirds vote, passed the bill abolishing Slavery in the District of Columbia, and the Senate, by an equally gratifying majority, repealed all laws disqualifying colored persons from carrying the mails. In the House several Republican members who had prepared speeches in favor of the Abolition bill, voted for immediate action upon it. Among the Ayes were several Democrats, and several ultra Conservatives, and every Republican. A number of Democrats from New-York were conveniently absent. The House grew wild with excitement it rejected amendment after amendment, and finally passed the bill as it came from the Senate. It now only awaits the signature of the President.

Senator Granger's bill enabling colored persons to be mail carriers passed the Senate without a word of debate. If ever, certainly not of late years, has a bill opposed to the prejudice of race met with such a reception as this. It was introduced quietly, quietly referred to the Post-Office Committee, reported by Senator Collamer, and passed as if it were a measure affecting only white people. Thomas Jefferson's Postmaster-General, Gideon Granger is the father of the law which the Senate voted to repeal. In 1802, he recommended its passage in a public communication, but gave his real reason in a private letter to a Georgia Senator, he saying it was too delicate a subject to be discussed openly; but the truth was that a negro employed in the carriage of the mail would soon "get to know too much, to know his rights." Mr. Granger's recommendation did not become a law till 1810. In 1825, when the Post-Office laws were remodeled, the statute of 1810, retained in substance, was modified in form. It still stands upon the statute books and impose a fine of \$20 for every violation of its provisions.

Source:

Chronicling America: Historic American Newspapers, Library of Congress
<http://chroniclingamerica.loc.gov>

viding, by law, for the punishment of persons guilty of forgery or counterfeiting foreign coins.

Mr. PRESTON introduced a bill explanatory of an act establishing the pay of brevet officers: referred to the Committee on Military Affairs.

Mr. GRUNDY introduced a bill to extend the charter of the Franklin Insurance Company: read twice and referred.

Mr. YOUNG introduced a bill for the relief of the widow of Dr. C. Clitherall, surgeon in the Revolutionary army: read twice, and ordered to be printed.

Mr. TIPTON introduced a bill to provide for the security of Indian and other emigrants west of the Missouri and Arkansas: referred to the Committee on Indian Affairs.

Mr. LINN introduced a bill for the relief of Thomas H. Smith: referred to the Committee on the Judiciary.

Mr. YOUNG introduced a bill relinquishing reversionary interests of the United States to certain Indian reservations of lands in Illinois: referred to the Committee on Indian Affairs.

Mr. PRENTISS introduced a bill to continue in force an act to provide for persons disabled by wounds received in the Revolutionary war: referred to the Committee on Pensions.

On motion of Mr. WALL, it was

Resolved, That the Committee on the Judiciary be instructed to inquire into the expediency of revising the laws in relation to the punishment of United States criminals in certain cases.

On motion of Mr. WILLIAMS, it was

Resolved, That the Secretary of War communicate the result of the surveys in Kenebeck river.

Mr. BENTON introduced a bill for the relief of the clerk in the office of the Attorney General.

Also, a bill to increase the compensation of the chief clerk in the Adjutant General's office.

Also, a bill to provide for the uniform payments for horses lost in the service of the United States.

ORDERS OF THE DAY.

The bill to restrain the issue of small notes in the District of Columbia was taken up in Committee of the Whole, when

Mr. WRIGHT observed, that as this bill was connected with one of a similar character reported yesterday, he thought it would perhaps be better to defer its further consideration until to-morrow, when both might be acted on together; and he would therefore make a motion to that effect. Agreed to.

The bill to authorize Peter Warner to purchase a certain half-section of land in Indiana;

Also, the bill for the relief of J. H. Pickering; were taken up and ordered to be engrossed for a third reading.

And then the Senate adjourned.

HOUSE OF REPRESENTATIVES,
Wednesday, December 29, 1837.

Mr. COPPIN, member elect from the State of Ohio, appeared, was qualified, and took his seat.

Mr. POPE was appointed on the Committee of Ways and Means, to fill the vacancy therein.

Mr. CUSHMAN moved that the House resolve itself into a Committee of the Whole on the state of the Union, on the resolutions to refer the different subjects embraced in the President's Message to appropriate standing committees: lost.

The first business in order was the motion made by Mr. SLADE, on Monday, to refer two memorials, presented by him on that day, praying for the abolition of slavery and the slave trade in the District of Columbia to a select committee.

Mr. SLADE addressed the House at great length on the subject. He commenced by remarking that the business of the country was transacted here, by a reference of all subjects to their appropriate committees, and that matters of the most trivial nature met with no opposition to such reference. But no sooner did any member present a memorial relating in the slightest degree to a certain subject, the abolition of slavery, than it was directly attacked and placed under prohibition. He said that were he to present a petition from a constituent involving the small sum of twenty dollars, even that would not be denied a reference, inasmuch as it might involve an important principle;

but here were a large class of petitions, signed by hundreds of thousands, asking the action of Congress on a subject of the greatest interest, and yet they were disposed of with no ceremony at all. He then alluded to the course pursued by certain members in opposition to such petitions, and expressed his belief that all the movements in relation to the subject had been preconcerted with the regularity of clockwork.

Mr. WISE explained that, as he had hitherto taken upon himself to oppose the reference of such petitions, he would say, once for all, that as far as his knowledge was concerned, there had been no preconcert in relation to the opposition to this subject, neither had he received any intimation from the Speaker, or any one else, as to the mode of proceeding.

Mr. DAWSON wished to ask the gentleman from Vermont if he intended to include him in the charge of preconcerting measures in opposition to the subject.

Mr. SLADE disclaimed any intention of imputing dishonorable motives to the gentlemen who had thought it their duty to adopt such a course. He would not say but that they had acted from pure and conscientious motives; but he had stated what his own impression was, and what must be the impression of all who had observed the course pursued.

Mr. S. then made the motion to refer the memorials to a select committee, with instructions to report a bill providing for the abolition of slavery and the slave trade in the District of Columbia.

Mr. LEGARE hoped the gentleman from Vermont would allow him to make a few remarks before he proceeded further. He sincerely hoped that gentleman would consider well what he was about before he ventured on such ground, and that he would take time to consider what might be its probable consequences. He solemnly entreated him to reflect on the possible results of such a course, which involved the interests of a nation and a continent. He would warn him, not in the language of defiance, which all brave and wise men despise, but he would warn him in the language of a solemn sense of duty, that if there was "a spirit aroused in the North in relation to this subject," that spirit would encounter another spirit in the South full as stubborn. He would tell them that, when this question was forced upon the people of the South, they would be ready to take up the gauntlet. He concluded by urging on the gentleman from Vermont to ponder well on his course before he ventured to proceed.

Mr. SLADE again resumed his remarks, and after proceeding for some time, he entered into an argument touching the subject of slavery in the State of Virginia, and was about to read a paper on the same subject, when upon

Mr. WISE interposed, and said that the gentleman had been discussing slavery in the South, slavery in the State of Virginia, slavery in his district; and he now asked his colleagues to retire with him from that hall.

Mr. HOLSEY made the same request to his colleagues from Georgia, and expressed a hope that the whole southern delegation would retire.

Mr. GRANTLAND also joined in the same wish.

Mr. RHETT. The whole of the delegation of South Carolina has already signed an agreement.

Mr. ROBERTSON. One remark, Mr. Speaker.

Mr. SLADE. I claim the floor.

The CHAIR. Does the gentleman from Virginia rise to a question of order?

Mr. ROBERTSON. No, sir. I wish to make one observation.

Mr. RHETT. I rise to a point of order.

Mr. ROBERTSON. I wish simply to propose to the Southern delegation—

Mr. RHETT. I rise to a point of order. The question of order is, whether the member from Vermont has a right to go into the consideration of slavery in the State of Virginia? I say he has not; and if it is insisted upon, I request the whole Southern delegation to go into the room of the Committee for the District of Columbia.

The CHAIR reminded the House that he had repeatedly interposed when the gentleman from

Vermont had been going into the question of slavery in the States. He was not permitted to give his own opinions, but they might readily be inferred by the House. He felt it his duty to state, that if it were possible in his power to allay excitement, and to prevent discussions of this sort, he would do it.

Mr. TURNEY rose, he said, to a question of order.

Mr. SLADE. I ask leave to read a paper, and to state what that paper is.

Mr. GRANTLAND. I object to the reading of it.

The CHAIR. The gentleman will take his seat.

Mr. JOHNSON of Maryland. Will it be in order, Mr. Speaker, to take the sense of the House whether the member from Vermont shall be permitted to proceed?

The CHAIR replied negatively.

Mr. McKAY. Mr. Speaker, has not the member from Vermont been declared out of order?

The CHAIR. He has.

Mr. McKAY. Then has he a right to proceed?

The CHAIR. No gentleman has raised that question.

Mr. McKAY. Then, sir, I make that question. I object to his proceeding. I object to his resuming his remarks, and I hope the House will not permit him.

The CHAIR then, under the rule, directed Mr. STANS to take his seat, and pronounced the gentleman out of order for discussing the question of slavery in the State of Virginia. Referring to the 22d rule, the CHAIR added that the gentleman could no longer proceed without the leave of the House; and he was about to propound the question, when

Mr. SLADE said he wished to state the position in which he stood. I propose, said he, to read a single paper—

Mr. TURNEY. I object to the gentleman's proceeding at all.

The CHAIR said the rule was imperative. The gentleman could not proceed, under the question made by Mr. McKAY, without leave of the House.

Mr. SLADE. The question now is, whether it is in order for me to ask for the reading of a paper.

The CHAIR. The other question is also before the House, and must be decided by its vote, without debate.

Mr. SLADE. I ask if I am out of order while proceeding with the leave of the House, going on for at least twenty minutes, and then merely asking leave to read a paper.

The CHAIR states that his power to commence was when the question of order was made. Thereafter, the rule was imperative, directing its decision without debate.

Mr. SLADE, (who was still on his feet) Mr. Speaker—

The CHAIR. The gentleman will take his seat.

Mr. SLADE then pledged himself, if the House would permit him to resume, not to discuss the question of slavery in the States.

The CHAIR then propounded the question to the House that the gentleman from Vermont have leave to proceed.

Mr. ALLEN asked for the yeas and nays; which were ordered.

Mr. RENCHER moved that the House adjourn.

Mr. SLADE asked for the yeas and nays; which were ordered, and were—yeas 106, nays 63.

Mr. CAMPBELL then gave notice that the southern delegations were then assembled in the room of the Committee for the District of Columbia; and he said he was instructed by their committee to request the attendance of all gentlemen representing slavemaking interests on that floor immediately.

The House then adjourned.

IN SENATE,
Thursday, December 31, 1837.

Mr. McKEAN presented the petition of sundry citizens of Delaware county, Pennsylvania, remonstrating against the annexation of Texas: laid on the table.

Mr. LUMPKIN presented the petition of the Georgia Railroad Company, praying the remit-

Transcription

Congressional Globe 25th Congress, Second Session, Page 41

House of Representatives, Wednesday, December 20, 1837

The first business in order was the motion made by Mr. SLADE, on Monday, to refer two memorials, presented by in that day, praying for the abolition of slavery and the slave trade in the District of Columbia to a select committee.

Mr. SLADE addressed the House at great length on the subject. He commenced by remarking that the business of the country was transacted here, by a reference of all subjects to their appropriate committees, and what matters of the most trivial nature met with no opposition to such reference. But no sooner did any member present a memorial relating in the slightest degree to a certain subject, the abolition of slavery, than it was directly attacked and placed under prohibition. He said that were he to present a petition from a constituent involving the small sum of twenty dollars, even that would not be denied a reference, in as-much as it might involve an important principle; but here were a large class of petitions, signed by hundreds of thousands, asking the action of Congress on a subject of the greatest interest, and yet they were disposed of with no ceremony at all. He then alluded to the course pursued by certain members in opposition to such petitions, and expressed his belief that all the movements in relation to the subject had been preconcerted with the regularity of clockwork.

Mr. WISE explained that, as he had hitherto taken upon himself to oppose the reference of such petitions, he would say, once for all, that as far as his knowledge was concerned, there had been no preconcert in relation to the opposition to this subject, neither had he received any intimation from the Speaker, or anyone else, as to the mode of proceeding.

Mr. DAWSON wished to ask the gentleman from Vermont if he intended to include him in the charge of preconcerting measures in opposition to the subject.

Mr. SLADE disclaimed any intention of imputing dishonorable motives to the gentlemen who had thought it their duty to adopt such a course. He would not say but that they had acted from pure and conscientious motives; but he had stated what his own impression was, and what must be the impression of all who had observed the course pursued.

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Mr. GRANTLAND. I object to reading of it.

The CHAIR. The gentleman will take his seat.

Mr. JOHNSON of Maryland. Will it be in order, Mr. Speaker, to take the sense of the House whether the member from Vermont shall be permitted to proceed?

The CHAIR replied negatively.

Mr. MCKAY. Mr. Speaker, has not the member from Vermont been declared out of order?

The CHAIR. He has.

Mr. MCKAY. Then has he a right to proceed?

The CHAIR. No gentleman has raised that question.

Mr. MCKAY. Then, sir, I make that question. I object to his proceeding. I object to his resuming his remarks, and I hope the House will not permit him.

The CHAIR then, under the rule, directed Mr. Slade to take his seat, and pronounced the gentleman out of order for discussing the question of slavery in the State of Virginia. Referring to the 22d rule, the Chair added that the gentleman could no longer proceed without the leave of the House; and he was about to propound the question, when

Mr. SLADE said he wished to state the position in which he stood. I propose, said he, to read a single paper –

Mr. TURNEY. I object to the gentleman's proceeding at all.

The CHAIR said the rule was imperative. The gentleman could not proceed, under the question made by Mr. McKay without leave of the House.

Mr. Slade. The question is also before the House, and must be decided by its vote, without debate.

Mr. SLADE. I ask if I am out of order while proceeding with the leave of the House, going on for at least twenty minutes, and then merely asking leave to read a paper.

The CHAIR states that his power to commence was when the question of order was made. Thereafter, the rule was imperative, directing its decision without debate.

Mr. SLADE, (who was still on his feet) Mr. Speaker –

The CHAIR. The gentleman will take his seat.

Mr. SLADE then pledged himself, if the House would permit him to resume, not to discuss the question of slavery in the States.

The CHAIR then propounded the question to the House that the gentleman from Vermont have leave to proceed.

Mr. ALLEN asked for the yeas and nays: which were ordered.

Mr. RENCHER moved that the House adjourn.

Mr. SLADE asked for the yeas and nays; which were ordered, and were—yeas 106, and nays 63.

Mr. CAMPBELL then gave notice that the southern delegations were then assembled in the room of the Committee for the District of Columbia; and he said he was instructed by their committee to request the attendance of all gentleman representing slaveholding interests on that floor immediately.

The House then adjourned.

Vermont Representative William Slade's antislavery speech in the 25th Congress

December 20, 1837

On this date, William Slade of Vermont caused the House to adjourn when he attempted to give a speech “on the abolition of slavery and the slave trade in the District of Columbia.” Two days earlier, he had introduced a petition from his constituents on the same subject but refrained from going any further. The problem, said Slade, was that “no sooner did any member present a memorial relating in the slightest degree to a certain subject, the abolition of slavery, than it was directly attacked and placed under prohibition.” For more than a year, a new House rule had maintained that discussions about slavery and abolition were too contentious for debate during formal House business. Known as the “gag rule,” the provision intended to uphold party politics and prevent slavery from dividing the House into northern and southern voting blocks.

Hugh Swinton Legaré, a Democrat from South Carolina, asked Slade to “consider well what he was about” because if the question of abolition “was forced upon the people of the South, they would be ready to take up the gauntlet.” Nevertheless, Slade continued to speak. As southern Members grew more irritated, Henry Alexander Wise of Virginia interrupted Slade and asked that the Virginia delegation retire from the hall. One by one, southern state delegations withdrew from House Floor, until Robert Barnwell Rhett of South Carolina asked that all southern Members and those “representing slaveholding interests” convene in a nearby committee room in protest.

The next day, John Mercer Patton of Virginia, submitted the resolution “that all petitions, memorials, and papers, touching the abolition of slavery, or the buying, selling, or transferring of slaves, in any State, District, or Territory, of the United States, be laid on the table, without being debated, printed, read, or referred, and that no further action whatever shall be had thereon.” John Quincy Adams of Massachusetts, who opposed the gag rule, tried to speak out against the measure, but was shouted down repeatedly with cries of “Order!” The measure forbidding petitions on subjects concerning slavery and abolition passed the House 122 for to 74 against. When Adams voted he railed, “I hold the resolution to be in violation of the Constitution of the United States.” As before, other Members shouted Adams down with cries of “Order!”

The House reinstated the gag rule during each Congress from May 18, 1836, to December 3, 1844, when Adams finally managed to gather enough support to repeal the rule.

Sources:

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