The Missouri Compromise Itself

Created by Congress
Date: March 6, 1820

Explanation of the Source: The Missouri Compromise was created to bring Missouri into the Union as a slave while still maintaining the balance in the Senate. Below is the description of the Compromise itself. It does not include Maine in its discussion.

“An Act to authorize the people of the Missouri territory to form a constitution and state government, and for the admission of such state into the Union on an equal footing with the original states, and to prohibit slavery in certain territories.

SEC.1. Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the inhabitants of that portion of the Missouri territory included within the boundaries herein after designated, be, and they are hereby, authorized to form for themselves a constitution and state government, and to assume such name as they shall deem proper; and the said state, when formed, shall be admitted into the Union, upon an equal footing with the original states, in all respects whatsoever.

SEC.2. And be it further enacted, That the said state shall consist of all the territory included within the following boundaries, to wit: Beginning in the middle of the Mississippi river, on the parallel of thirty-six degrees of north latitude; thence west, along that parallel of latitude, to the St. Francois river; thence up, and following the course of that river, in the middle of the main channel thereof, to the parallel of latitude of thirty-six degrees and thirty minutes; thence west, along the same, to a point where the said parallel is intersected by a meridian line passing through the middle of the mouth of the Kansas river, where the same empties into the Missouri river, thence, from the point aforesaid north, along the said meridian line, to the intersection of the parallel of latitude which passes through the rapids of the river Des Moines, making the said line to correspond with the Indian boundary line; thence east, from the point of intersection last aforesaid, along the said parallel of latitude, to the middle of the channel of the main fork of the said river Des Moines; thence down arid along the middle of the main channel of the said river Des Moines, to the mouth of the same, where it empties into the Mississippi river; thence, due east, to the middle of the main channel of the Mississippi river; thence down, and following the course of the Mississippi river, in the middle of the main channel thereof, to the place of beginning: Provided, The said state shall ratify the boundaries aforesaid. And provided also, That the said state shall have concurrent jurisdiction on the river Mississippi, and every other river bordering on the said state so far as the said rivers shall form a common boundary to the said state; and any other state or states, now or hereafter to be formed and bounded by the same, such rivers to be common to both; and that the river Mississippi, and the navigable rivers and waters leading into the same, shall be common highways, and for ever free, as well to the inhabitants of the said state as to other citizens of the United States, without any tax, duty impost, or toll, therefor, imposed by the said state.

SEC. 3. And be it further enacted, That all free white male citizens of the United States, who shall have arrived at the age of twenty-one years, and have resided in said territory: three months previous to the day of election, and all other persons qualified to vote for representatives to the general assembly of the said territory, shall be qualified to be elected and they are hereby qualified and authorized to vote...

SEC. 4. And be it further enacted, That the members of the convention thus duly elected, shall be, and they are hereby authorized to meet at the seat of government of said territory on the second Monday of the month of June next; and the said convention, when so assembled, shall have power and authority to adjourn to any other place in the said territory, which to them shall seem best for the convenient transaction of their business; and which convention, when so met, shall first determine by a majority of the whole number elected, whether it be, or be not, expedient at that time to form a constitution and state government for the people within the said territory, as included within the boundaries above designated; and if it be deemed expedient, the convention shall be, and hereby is, authorized to form a constitution and state government; or, if it be deemed more expedient, the said convention shall provide by ordinance for electing representatives to form a constitution or frame of government; which said representatives shall be chosen in such manner, and in such proportion as they shall designate; and shall meet at such time and place as shall be prescribed by the said ordinance; and shall then form for the people of said territory, within the boundaries aforesaid, a constitution and state government: Provided, That the same, whenever formed, shall be republican, and not repugnant to the constitution of the
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United States; and that the legislature of said state shall never interfere with the primary disposal of the soil by the United States, nor with any regulations Congress may find necessary for securing the title in such soil to the bona fide purchasers; and that no tax shall be imposed on lands the property of the United States; and in no case shall non-resident proprietors be taxed higher than residents.

SEC. 5. And be it further enacted, That until the next general census shall be taken, the said state shall be entitled to one representative in the House of Representatives of the United States.

SEC. 6. And be it further enacted, That the following propositions be, and the same are hereby, offered to the convention of the said territory of Missouri, when formed, for their free acceptance or rejection, which, if accepted by the convention, shall be obligatory upon the United States:

First. That section numbered sixteen in every township, and when such section has been sold, or otherwise disposed of, other lands equivalent thereto, and as contiguous as may be, shall be granted to the state for the use of the inhabitants of such township, for the use of schools.

Second. That all salt springs, not exceeding twelve in number, with six sections of land adjoining to each, shall be granted to the said state for the use of said state, the same to be selected by the legislature of the said state, on or before the first day of January, in the year one thousand eight hundred and twenty-five; and the same, when so selected, to be used under such terms, conditions, and regulations, as the legislature of said state shall direct: Provided, That no salt spring, the right whereof now is, or hereafter shall be, confirmed or adjudged to any individual or individuals, shall, by this section, be granted to the said state: And provided also, That the legislature shall never sell or lease the same, at anyone time, for a longer period than ten years, without the consent of Congress.

Third. That five per cent. of the net proceeds of the sale of lands lying within the said territory or state, and which shall be sold by Congress, from and after the first day of January next, after deducting all expenses incidental to the same, shall be reserved for making public roads and canals, of which three fifths shall be applied to those objects within the state, under the direction of the legislature thereof; and the other two fifths in defraying, under the direction of Congress, the expenses to be incurred in making of a road or roads, canal or canals, leading to the said state.

Fourth. That four entire sections of land be, and the same are hereby, granted to the said state, for the purpose of fixing their seat of government thereon; which said sections shall, under the direction of the legislature of said state, be located, as near as may be, in one body, at any time, in such townships and ranges as the legislature aforesaid may select, on any of the public lands of the United States: Provided, That such locations shall be made prior to the public sale of the lands of the United States surrounding such location.

Fifth. That thirty-six sections, or one entire township, which shall be designated by the President of the United States, together with the other lands heretofore reserved for that purpose, shall be reserved for the use of a seminary of learning, and vested in the legislature of said state, to be appropriated solely to the use of such seminary by the said legislature: Provided, That the five foregoing propositions herein offered, are on the condition that the convention of the said state shall provide, by an ordinance, irrevocable without the consent or the United States, that every and each tract of land sold by the United States, from and after the first day of January next, shall remain exempt from any tax laid by order or under the authority of the state, whether for state, county, or township, or any other purpose whatever, for the term of five years or after the day of sale; And further, That the bounty lands granted, or hereafter to be granted, for military services during the late war, shall, while they continue to be held by the patentees, or their heirs remain exempt as aforesaid from taxation for the term of three years; and from and after the date of the patents respectively.

SEC. 7. And be it further enacted, That in case a constitution and state government shall be formed for the people of the said territory of Missouri, the said convention or representatives, as soon thereafter as may be, shall cause a true and attested copy of such constitution or frame of state government, as shall be formed or provided, to be transmitted to Congress.

SEC. 8. And be it further enacted. That in all that territory ceded by France to the United States, under the name of Louisiana, which lies north of thirty-six degrees and thirty minutes north latitude, not included within the limits of the state, contemplated by this act, slavery and involuntary servitude, otherwise than in the punishment of crimes, whereof the parties shall have been duly convicted, shall be, and is hereby, forever prohibited: Provided always, That any person escaping into the same, from whom labour or service is lawfully claimed, in any state or territory of the United States, such fugitive may be lawfully reclaimed and conveyed to the person claiming his or her labour or service as aforesaid.”

APPROVED. March 6, 1820.”
Thomas Jefferson's Letter to John Holmes on the Missouri Statehood Question

By: Thomas Jefferson
Date: April 20, 1820

Explanation of the Source: Thomas Jefferson was writing to colleague of his named John Holmes. John Holmes was a representative from Massachusetts who helped the United States negotiate the Treaty of Ghent during the War of 1812. This letter explains Thomas Jefferson's feelings on the Missouri Compromise.

“I thank you, dear Sir, for the copy you have been so kind as to send me of the letter to your constituents on the Missouri question. It is a perfect justification to them. I had for a long time ceased to read newspapers, or pay any attention to public affairs, confident they were in good hands, and content to be a passenger in our bark to the shore from which I am not distant. But this momentous question, like a fire bell in the night, awakened and filled me with terror. I considered it at once as the knell of the Union. It is hushed, indeed, for the moment. But this is a reprieve only, not a final sentence. A geographical line, coinciding with a marked principle, moral and political, once conceived and held up to the angry passions of men, will never be obliterated; and every new irritation will mark it deeper and deeper. I can say, with conscious truth, that there is not a man on earth who would sacrifice more than I would to relieve us from this heavy reproach, in any practicable way. The cession of that kind of property, for so it is misnamed, is nothing which would not cost me a second thought, if, in that way, a general emancipation and expatriation could be effected; and, gradually, and with due sacrifices, I think it might be. But as it is, we have the wolf by the ears, and we can neither hold him, nor safely let him go. Justice is in one scale, and self-preservation in the other. Of one thing I am certain, that as the passage of slaves from one State to another, would not make a slave of a single human being who would not be so without it, so their diffusion over a greater surface would make them individually happier, and proportionately facilitate the accomplishment of their emancipation, by dividing the burthen on a greater number of coadjutors. An abstinence too, from this act of power, would remove the jealousy excited by the undertaking of Congress to regulate the condition of the different descriptions of men composing a State. This certainly is the exclusive right of every State, which nothing in the constitution has taken from them and given to the General Government. Could Congress, for example, say, that the nonfreemen of Connecticut shall be freemen, or that they shall not emigrate into any other State?

I regret that I am now to die in the belief, that the useless sacrifice of themselves by the generation of 1776, to acquire self-government and happiness to their country, is to be thrown away by the unwise and unworthy passions of their sons, and that my only consolation is to be, that I live not to weep over it. If they would but dispassionately weigh the blessings they will throw away, against an abstract principle more likely to be affected by union than by secession, they would pause before they would perpetrate this act of suicide on themselves, and of treason against the hopes of the world. To yourself, as the faithful advocate of the Union, I tender the offering of my high esteem and respect.”

Th. Jefferson
Lincoln’s Reaction to MO Compromise

By: Abraham Lincoln
Date: October 16, 1854

Explanation of the Source: On October 16, 1854 in Peoria, Illinois, Abraham Lincoln delivered a speech over the Missouri Compromise. Lincoln starts out by explaining the history surrounding the Missouri Compromise from the founding of our country to the original states giving up their claims of the Northwest Territory. The last paragraph is summary of the end results of the Missouri Compromise.

“The repeal of the Missouri Compromise, and the propriety of its restoration, constitute the subject of what I am about to say. I also wish to be no less than National in all the positions I may take; and whenever I take ground which others have thought, or may think, narrow, sectional, and dangerous to the Union, I hope to give a reason, which will appear sufficient, at least to some, why I think differently.

In order to [get] a clear understanding of what the Missouri Compromise is, a short history of the preceding kindred subjects will perhaps be proper. When we established our independence, we did not own, or claim, the country to which this compromise applies. Indeed, strictly speaking, the confederacy then owned no country at all; the States respectively owned the country within their limits; and some of them owned territory beyond their strict State limits. Virginia thus owned the North-Western territory — the country out of which the principal part of Ohio, all Indiana, all Illinois, all Michigan and all Wisconsin, have since been formed. She also owned (perhaps within her then limits) what has since been formed into the State of Kentucky. North Carolina thus owned what is now the State of Tennessee; and South Carolina and Georgia, in separate parts, owned what are now Mississippi and Alabama. Connecticut, I think, owned the little remaining part of Ohio — being the same where they now send Giddings to Congress, and beat all creation at making cheese. These territories, together with the States themselves, constituted all the country over which the confederacy then claimed any sort of jurisdiction. We were then living under the Articles of Confederation, which were superseded by the Constitution several years afterwards. The question of ceding (giving up) these territories to the general government was set on foot. Mr. Jefferson, the author of the Declaration of Independence, and otherwise a chief actor in the Revolution; then a delegate in Congress; afterwards twice President; who was, is, and perhaps will continue to be, the most distinguished politician of our history; a Virginian by birth and continued residence, and a slave-holder; conceived the idea of taking that occasion, to prevent slavery ever going into the north-western territory. He prevailed on the Virginia legislature to adopt his views, and to cede the territory, making the prohibition of slavery therein, a condition of the deed. Congress accepted the cession, with the condition; and in the first Ordinance (which the acts of Congress were then called) for the government of the territory, provided that slavery should never be permitted therein. This is the famed ordinance of ’87 so often spoken of. Thenceforward, for sixty-one years, and until in 1848, the last scrap of this territory came into the Union as the State of Wisconsin, all parties acted in quiet obedience to this ordinance. It is now what Jefferson foresaw and intended — the happy home of teeming millions of free, white, prosperous people, and no slave amongst them.

Thus, with the author of the Declaration of Independence, the policy of prohibiting slavery in new territory originated. Thus, away back of the Constitution, in the pure fresh, free breath of the revolution, the State of Virginia, and the National Congress put that policy in practice. — Thus, through sixty odd of the best years of the republic did that policy steadily work to its great and beneficent end. And thus, in those five states, and five millions of free, enterprising people, we have before us the rich fruits of this policy. But now new light breaks upon us. — Now Congress declares this ought never to have been; and the like of it, must never be again. — The sacred right of self-government is grossly violated by it! We even find some men, who drew their first breath, and every other breath of their lives, under this very restriction, now live in dread of absolute suffocation, if they should be restricted in the “sacred right” of taking slaves to Nebraska. That perfect liberty
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they sigh for — the liberty of making slaves of other people — Jefferson never thought of; their own father never thought of; they never thought of themselves, a year ago. How fortunate for them, they did not sooner become sensible of their great misery! Oh, how difficult it is to treat with respect, such assaults upon all we have ever really held sacred!

But to return to history. In 1803 we purchased what was then called Louisiana, of France. It included the new states of Louisiana, Arkansas, Missouri, and Iowa; also the territory of Minnesota, and the present bone of contention, Kansas and Nebraska. Slavery already existed among the French at New Orleans; and to some extent at St. Louis. In 1812 Louisiana came into the Union as a slave state, without controversy. In 1818 or ’19, Missouri showed signs of a wish to come in with slavery. This was resisted by northern members of Congress; and thus began the first great slavery agitation in the nation. This controversy lasted several months, and became very angry and exciting; the House of Representatives voting steadily for the prohibition of slavery in Missouri, and the Senate voting as steadily against it. Threats of breaking up the Union were freely made; and the ablest public men of the day became seriously alarmed. At length a compromise was made, in which, like all compromises, both sides yielded something. It was a law passed on the 6th day of March, 1820, providing that Missouri might come into the Union with slavery, but that in all the remaining part of the territory purchased of France, which lies north of 36 degrees and 30 minutes north latitude, slavery should never be permitted. This provision of law, is the Missouri Compromise. In excluding slavery north of the line, the same language is employed as in the Ordinance of ’87. It directly applied to Iowa, Minnesota, and to the present bone of contention, Kansas and Nebraska. Whether there should or should not, be slavery south of that line, nothing was said in the law; but Arkansas constituted the principal remaining part, south of the line; and it has since been admitted as a slave state without serious controversy. More recently, Iowa, north of the line, came in as a free state without controversy. Still later, Minnesota, north of the line, had a territorial organization without controversy. Texas principally south of the line, and West of Arkansas; though originally within the purchase from France, had, in 1819, been traded off to Spain, in our treaty for the acquisition of Florida. It had thus become a part of Mexico. Mexico revolutionized and became independent of Spain. American citizens began settling rapidly, with their slaves in the southern part of Texas. Soon they revolutionized against Mexico, and established an independent government of their own, adopting a constitution, with slavery, strongly resembling the constitutions of our slave states. By still another rapid move, Texas, claiming a boundary much further West, than when we parted with her in 1819, was brought back to the United States, and admitted into the Union as a slave state. There then was little or no settlement in the northern part of Texas, a considerable portion of which lay north of the Missouri line; and in the resolutions admitting her into the Union, the Missouri restriction was expressly extended westward across her territory. This was in 1845, only nine years ago. Thus originated the Missouri Compromise; and thus has it been respected down to 1845. — And even four years later, in 1849, our distinguished Senator, in a public address, held the following language in relation to it:

“The Missouri Compromise had been in practical operation for about a quarter of a century, and had received the sanction and approval of men of all parties in every section of the Union. It had calmed all sectional jealousies and irritations growing out of this vexed question, and harmonized and tranquilized the whole country. It had given to Henry Clay, as its prominent champion, the proud sobriquet of the “Great Pacifistor,” and by that title and for that service, his political friends had repeatedly appealed to the people to rally under his standard, as a presidential candidate, as the man who had exhibited the patriotism and the power to suppress, an unholy and treasonable agitation, and preserve the Union. He was not aware that any man or any party from any section of the Union, had ever urged as an objection to Mr. Clay, that he was the great champion of the Missouri Compromise. On the contrary, the effort was made by the opponents of Mr. Clay, to prove that he was not entitled to the exclusive merit of that great patriotic measure, and that the honor was equally due to others as well as to him, for securing its adoption — that it had its origin in the hearts of all patriotic men, who desired to preserve and perpetuate the blessings of our glorious Union — an origin akin that of the Constitution of the United States, conceived in the same spirit of fraternal affection, and calculated to remove forever, the only danger, which seemed to threaten, at some distant day, to sever the social bond of union. All the evidences of public opinion at that day seemed to indicate that this Compromise had been canonized in the hearts of the American people, as a sacred thing which no ruthless hand would ever be reckless enough to disturb.”
To James Monroe regarding MO Compromise

By: James Madison
Date: February 10, 1820

Explanation of the Source: Former President, James Madison sent a letter to James Monroe about the Missouri Compromise. In the letter, James Madison expressed concern with the admission of Missouri into the Union. He expresses below how controlling slavery was a concern.

“Feby 10, 1820.

Dear Sir,—I have duly received your favor of the 5th, followed by a copy of the public documents, for which I give you many thanks. I should I like to get a copy of the Journals of the Convention. Are they to be purchased & where?

It appears to me as it does to you, that a coupling (bringing in together) of Missouri with Maine, in order to force the entrance of the former through the door voluntarily opened to the latter is, to say the least, a very doubtful policy. Those who regard the claims of both as similar & equal, and distrust the views of such as wish to disjoin them may be strongly tempted to resort to the expedient; and it would perhaps, be too much to say that in no possible case such a resort could be justified. But it may at least be said that a very peculiar case only could supersede the general policy of a direct & magnanimous course, appealing to the justice & liberality of others, and trusting to the influence of conciliatory example.

I find the idea is fast spreading that the zeal with which the extension, so called, of slavery is opposed, has, with the leaders, an object very different from the welfare of the slaves, of the check to their increase; and that their real object is, as you intimate, to form a new state of parties founded on local instead of political distinctions; thereby dividing the Republicans of the North from those of the South, and making the former instrumental in giving to the opponents of both an ascendency over the whole. If this be the view of the subject at Washington it furnishes an additional reason for a conciliatory proceeding in relation to Maine.

I have been truly astonished at some of the doctrines and deliberations to which the Missouri question has led; and particularly so at the interpretations put on the terms "migration or importation." Judging from my own impressions I should deem it impossible that the memory of any one who was a member of the Genl. Convention, could favor an opinion that the terms did not exclusively refer to Migration & importation into the U. S. Had they been understood in that Body in the sense now put on them, it is easy to conceive the alienation they would have their created in certain States; And no one can decide better than yourself the effect they would have had in the State Conventions, if such a meaning had been avowed by the Advocates of the Constitution. If a suspicion had existed of such a construction, it would at least have made an obvious figure among the amendments proposed to the Instrument.

I have observed as yet, in none of the views taken of the Ordinance of 1787, interdicting slavery N. W. of the Ohio, an allusion to the circumstance, that when it passed, the Congress had no authority to prohibit the importation of slaves from abroad; that all the States had, & some were in the full exercise of the right to import them; and, consequently, that there was no mode in which Congress could check the evil, but the indirect one of narrowing the space open for the reception of slaves. Had a federal authority then existed to prohibit directly & totally the importation from abroad, can it be doubted that it wd. have been exerted? and that a regulation having merely the effect of preventing an interior dispersion of the slaves actually in the U. S. & creating a distinction among the States in the degrees of their sovereignty, would not have been adopted, or perhaps, thought of?

No folly in the Spanish Govt. can now create surprise. I wish you happily thro' the thorny circumstances it throws in your way. Adieu &c.”