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THE TERRITORIAL QUESTION.

(From the Mobile Register.)

It cannot be gainsaid that the platform of the Democratic party in the last Presidential election is opposed to the proposition now urged by southern politicians, that Congress shall interfere for the protection of slavery in the Territories. That platform expressly referred to the act organizing the Territories of Kansas and Nebraska, and adopted and affirmed the principle of "non-interference with slavery in the States and Territories" as embodied in that measure. What was this principle of non-intervention or "non-interference" embodied in that act? The contemporaneous history of the Kansas-Nebraska act, and its subsequent exposition by those who participated in its enactment, show clearly that its design was to refer the determination of the question, whether or not slavery should be established in the Territories, organized by it, to the inhabitants, and the Supreme Court of the United States. The bill, as it was at first framed, proposed to refer the question to the people of the Territories without any limit or qualification expressed, as it was declared by its framers and chief advocates that its intention was that Congress should unqualified, entirely and definitively all control or power over the subject. The southern members would not consent to the bill in this shape. They did not intend to agree that the decision of slavery in the Territories should be committed to the absolute control of the inhabitants. They believed that the Federal Constitution carried slavery into the Territories, and they were confident also that the Supreme Court would so decide. Hence they were willing to accept the proposition of a total and final relinquishment by Congress of the whole control of the matter of slavery to the people of the Territories, but with distinct understanding that their power over it was to be subject to the rulings of the Supreme Court. They required as a condition of their assent of the bill that this understanding should be expressed on the face of it. It was accordingly done. It was with this view that the clause "subject to the Constitution," was inserted in the bill, after the words providing that the people of the Territories should be "perfectly free to form and regulate their domestic institutions in their own way."

Such was the adjustment of the question of slavery in the Territories, as agreed upon between the Northern and Southern Democrats in Congress, in the passage of the Kansas-Nebraska act. Such was the liability of the understanding established by that measure with regard to the Territories organized by it. There was to be no interference by Congress at any time or under any circumstances with the subject of slavery, but the question whether the institution should be extended to those Territories and form a part of the government of the future States was to be left to the sole pleasure of the people thereof, and to the discretionary power of the local legislature qualified, and restricted, however, by the tenacity action of the Supreme Federal judiciary in pronouncing upon the constitutionality of their acts. We may cite another pregnant fact substantiating the position that this was the construction of the Kansas-Nebraska act. While the bill was under discussion in the Senate, and whilst it was constantly declared that its design was to repeal the Missouri Compromise restriction on the subject of slavery, it still contained the clause, which had always previously formed a provision in territorial acts, subjecting the acts of the Territorial Legislatures to the revision of Congress. The attention of the Senate was called to this circumstance by Mr. Chase, of Ohio, who asked why this provision was in the bill if it is intended that there is to be no intervention at all by Congress. It was answered that this provision was inadvertently retained in framing the bill from the usual form of territorial acts, and it was accordingly stricken out, as inconsistent with the intention of the measure.

It is indisputable from these historical evidences, that the interposition of Congress to protect and uphold slavery in the Territories, is directly in the teeth of the principle of non-intervention, established by the act of 1854, in application to the Territories of Kansas and Nebraska. Well, the principle of that act was expressly adopted, as we have said, into the platform of the Democratic party at Cincinnati, as a general principle to apply to all future Territories, and as the settled policy of the party relative to the question of slavery in the Territories. The South accepted at large her cordial assent and adhesion to it as a perfectly satisfactory adjustment of the question.

It was regarded as a settlement of the question by a portion of the last Presidential election, she has greater reason to be content with it now that the Dred Scott decision has verified her trust that the Supreme Court would determine that the Constitution carried slavery into the Territories, and thus that the Territorial Legislatures have not the power to prohibit its introduction.

But, nevertheless, it is now proposed that the Southern Democracy shall abandon this platform of non-intervention, which they repudiated their faith in 1856, and which the destinies of slavery were happily rescued from the dangers of Wilmot-Proviso-ism. Southern politicians are now urging the Democracy of the South to insist that the Democratic platform shall be so amended by the next convention as to pledge the party to direct interference by Congress to protect and uphold slavery in the Territories. Now, leaving out of view the question whether or not the South is bound by good faith to abide the platform of non-intervention, as we have shown it to have been understood, and to have been accepted and sanctioned by her, we submit it to the calm judgment and reflection of the southern people if this is not a most unwise proposition—one fraught with great mischief, and with no possible good even if it could be successful.

Does any intelligent man think it possible that a direct interference by Congress to protect slavery in the Territories, would serve to make a slave State of any Territory, where there was not slaves enough in the country to supply the demand for labor in the existing States of the South? There are untold millions of productive lands in these States yet to be developed, and the productive qualities more attractive to slave labor than any to be found in our national territories. Here is the source of the great supply, the demand for which is ever increasing in a ratio far greater than the natural increase of our slave population. The demand for cotton, and the consequent progressive development of the lands in the present Southern States, will for an indefinite period absorb and exhaust our slave population and its increase, and still the supply for this species of labor will not come near satisfying the demand for it here. Is it not perfectly clear from these premises, that were Congress to exert the utmost of its power to force a slave extension, it would not avail to establish the institution in a single Territory? On the other hand, it may be demonstrated from the immutable laws of political economy, that slavery will inevitably establish itself in whatever portions of our territories are adapted to its full sustenance, whenever the bulk of our slave population shall have become sufficient to more than supply the demand for it in the present slaveholding States.

Why then shall the South so earnestly demand that Congress shall legislate for the protection and support of slavery in the Territories when no much advantage to her interest is to be gained by it, even should such intervention be obtained? But if such a demand, even if conceded, promises no beneficial results, let us consider, on the other hand, what mischief to southern interests will inevitable spring from it. As certain as fate, will be the dissolution of the Democratic party and the triumph of the Black-Republicans in the next Presidential election, if the southern Democracy insist upon a pla-form of Congressional protection to slavery at the Charleston Convention. Should the northern Democrats yield their consent to such a platform, their party would be totally blasted, and the Black-Republicans would sweep every State, district and county in the North. But the northern Democrats will never agree to such a platform. They could not be expected to do so, when utter political destruction to them would be the immediate and inevitable consequence. They are willing to stand squarely and faithfully by the platform of non-intervention plighted by them with the South, and the demand, as they have a good right to do, is that the southern Democracy shall with equal fidelity abide by their engagement. It is, in a word, perfectly chimerical and absurd to hope that any such amendment of the Democratic platform which is proposed can be obtained at Charleston, and if the South in consequence of its failure secedes from the convention, and the national Democratic party thereby dissolved, the certain result will be that the Black-Republicans will obtain possession of the federal administration and commence practical war upon the institution of slavery in the Territories. The South accepted at large her cordial assent and adhesion to it as a perfectly satisfactory adjustment of the question.

It was regarded as a settlement of the question by a portion of the last Presidential election, she has greater reason to be content with it now that the Dred Scott decision has verified her trust that the Supreme Court would determine that the Constitution carried slavery into the Territories, and thus that the Territorial Legislatures have not the power to prohibit its introduction.

But, nevertheless, it is now proposed that the Southern Democracy shall abandon this platform of non-intervention, which they repudiated their faith in 1856, and which the destinies of slavery were happily rescued from the dangers of Wilmot-Proviso-ism. Southern politicians are now urging the Democracy of the South to insist that the Democratic platform shall be so amended by the next convention as to pledge the party to direct interference by Congress to protect and uphold slavery in the Territories. Now, leaving out of view the question whether or not the South is bound by good faith to abide the platform of non-intervention, as we have shown it to have been understood, and to have been accepted and sanctioned by her, we submit it to the calm judgment and reflection of the southern people if this is not a most unwise proposition—one fraught with great mischief, and with no possible good even if it could be successful.

Does any intelligent man think it possible that a direct interference by Congress would serve to make a slave State of any Territory, where there was not slaves enough in the country to supply the demand for labor in the existing States of the South? There are untold millions of productive lands in these States yet to be developed, and the productive qualities more attractive to slave labor than any to be found in our national territories. Here is the source of the great supply, the demand for which is ever increasing in a ratio far greater than the natural increase of our slave population. The demand for cotton, and the consequent progressive development of the lands in the present Southern States, will for an indefinite period absorb and exhaust our slave population and its increase, and still the supply for this species of labor will not come near satisfying the demand for it here. Is it not perfectly clear from these premises, that were Congress to exert the utmost of its power to force a slave extension, it would not avail to establish the institution in a single Territory? On the other hand, it may be demonstrated from the immutable laws of political economy, that slavery will inevitably establish itself in whatever portions of our territories are adapted to its full sustenance, whenever the bulk of our slave population shall have become sufficient to more than supply the demand for it in the present slaveholding States.

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