Letter From Francis P. Blair.

SILVER SPRINGS Maryland, December 12, 1855.

To Messrs. Daniel R. Goodloe, and Lewis Clephane, corresponding committee of the Republican Association of Washington City, D. C.

Gentlemen: Having relinquished political employment, and, to avoid encountering again its anxieties, addicted myself to country life, I am constrained to decline your invitation to join the Republican Association of Washington City, although tempted by the honor of becoming its presiding officer. Yet I feel it my duty to say, that in the main I concur in the aims of the Association. To exclude slavery from the territories of the United States, and to rebuke the violation of the compromises which were made to stand as covenants between the slave and free states to effect that exclusion, are, in my opinion, the most important movements which have engaged the public mind since the revolution.

The extension of slavery over the new territories would prove fatal to their prosperity; but the greatest calamity to be apprehended from it is the destruction of the confederacy, on which the welfare of the whole country reposes. Every conquest of this element of discord, which has so often threatened the dissolution of the Union, increases the danger. Every surrender of the free states invites invasion.

The cause which your organization is intended to promote may well draw to its support men of all parties. Differences on questions of policy, on constitutional construction, of modes of administration, may well be merged to unite men who believe that nothing but concert of action on the part of those who would arrest the spread of slavery, can resist the power of the combination now embodied to make it embrace the continent from ocean to ocean.

The repealing clause of the Kansas bill is predicated on the nullity of the clause in the constitution which gives congress the power "to make regulations respecting the territories" of the United States. Yet nothing is clearer in the history of our government, than that this phrase, giving power to congress "to make regulations respecting the territories," was meant to give it the power to exclude slavery from them.

Mr. Jefferson's resolutions of 1784, declaring "*that there shall be neither slavery nor involuntary servitude in any of the states*" laid off in the western territory, was subsequently renewed in the congress of 1785, which added that "*this* regulation shall be an article of compact," and it was so voted unanimously by the delegations of eight states out of twelve.

It was passed by the unanimous votes of all the states by the congress of 1787, which sat contemporaneously with the convention forming the constitution, and that constitution gave congress the power "to make regulations respecting the territories," and moreover affirmed the vadility of "the engagements entered into before the adoption of the constitution," by the confederation—one of which engagements was that made by the regulation excluding slavery from the territories. Thus the congress of the confederation and the constitution united in giving a double sanction to the exclusion.

The first exerted the power of exacting Mr. Jefferson's interdict of slavery in the territories *then held* by the United States, to which it had previously given an impressive sanction by adding "this regulation shall be an article of compact," &c.; and the convention guaranteed this "engagement" entered into under the confederation, by declaring it "valid," and employed the same terms, "*regulation of the territories*" to transmit the power here exerted to future congresses. In the face of this history, and the letter of this constitution granting the power to make whatever regulations it deemed fit respecting the territories of the United States, the authors of the Kansas and Nebraska bill deny the constitutionality of all the regulations which exclude slavery from the territories, and set at naught all the precedents that confirm them, which have followed in uninterrupted succession, from the foundation of the government.

That other clause in the constitution, empowering congress to pass laws to prevent the "migration or importation" of slaves after 1808, shows the fixed purpose of the founders of our Union to limit the increase of this evil. The consequence was an inhibition, which prevents a South Carolina planter, who has slaves in Cuba, from bringing them to his home plantation; and to remove this obstruction to the increase of slavery within the Union, and open Africa to supply the demand made by the new act, the Northern nullifiers are already called on by their Southern allies to lend their aid; and certainly those who embrace Mr. Calhoun's doctrine, as stated by Mr. Douglas, that "every citizen has an inalienable right to move into any of the territories with his property, of whatever kind or description," the constitution and compromises notwithstanding, can hardly refuse it. It was on the annexation of the Mexican territories that Mr. Calhoun asserted this principle, to unsettle the fixed policy of the nation, beginning with the era of the Declaration of Independence; and he applied it alike to the compromises of 1820 and 1850. Mr. Douglas thus sums up the position taken, and the result:

"Under this section, *as in the case of the Mexican law in New Mexico and Utah*, it is a disputed point whether slavery is prohibited in the Nebraska country by valid enactment. The decision of this question involves the constitutional power of congress to pass laws prescribing and regulating the domestic institutions of the various territories of the Union. In the opinion of those eminent statesmen who hold that congress is vested with no rightful authority to legislate upon the subject of slavery in the territories, the eighth section of the act preparatory to the admission of Missouri is null and void, while the prevailing sentiment in a large portion of the Union sustains the doctrine that the constitution of the United States secures to every citizen an *inalienable right* to move into any of the territories with his property, of whatever kind or description, and to hold and enjoy the same under the sanction of law. Your committee do not feel themselves called upon to enter into the discussion of these controverted questions. They involve the same grave issues which produced the agitation, the sectional strife, and the fearful struggle of 1850."

From this it appears that the compromises of 1820 and 1850 involved the question of the validity of the law of Mexico excluding slavery from the newly ceded Mexican territory, and the law of our congress excluding it from that north of the line of 36 ° 30. Mr. Douglas's commitee report recommended that as "congress deemed it wise and prudent to refrain from deciding the matters in controversy, then, either by affirming or repealing the Mexican laws, or by an act declaratory of the true intent of the constitution, and the extent of the protection afforded by it to slave property in the territories, so your committee are not prepared now to recommend a departure from the course pursued on that memorable occasion, either by affirming or repealing the eighth section of the Missouri act, or by an act declaratory of the meaning of the constitution in respect to the legal points in dispute."

These passages are quoted to show that the issues made by Mr. Calhoun, as to the constitutionality of the two compromises of 1820 and 1850, were expressly left open for judicial decision by the committee, who nevertheless swept away, by a clause subsequently added to their bill, not only the compromise of 1820, but also the compromise of 1850, which left untouched the Mexican laws prohibiting slavery in the ceded territories, and which Webster, Clay, Benton, and all the leading lights of the Senate (with the exception of Mr. Calhoun.) pronounced valid, and an effectual restriction.

This repeal was the adoption of Mr. Calhoun's nullifying doctrine *in extenso*. The power of congress to make laws excluding slavery forever from its territories, as such, was denied, and all the territories were opened to slavery, on the ground of the "inalienable right" of every citizen "to move into any of the territories with his property, of whatever kind or description;" and the law of squatter sovereignty was superadded, and substituted for the sovereignty of the United States over the public domain. Thus fell, at the dictation of Mr. Atchison, supported by the coalition effected between the whigs and democrats of the south, under the pressure and through the intrigues of the nullifiers, Mr. Jefferson's noble principle, endeared to the country both for its moral grandeur and political wisdom. It is the first thought uttered in the Declaration of Independence; and to the denunciation of the King of Great Britian for the crime of bringing slavery to our shores, it adds, as the deepest aggravation, that "he has prostituted his negative for suppressing every legislative attempt to prohibit or to restrain this execrable commerce."

The first legislative attempt to restrain the progress of the mischief which the King of Great Britain visited upon this country, was Mr. Jefferson's resolution excluding slavery from the territory of the United States in 1784—the next was that introduced by Rufus King, in 1785—the third that of Nathan Dane, in 1787—all receiving the vote of two-thirds of the states of the confederacy, and the last the unanimous vote.

The fourth movement was that of the convention in the constitution itself, providing against the importation of slaves after 1808, declaring the binding validity of the engagements entered into by the congress of the confedracy on the government of the U. States, to exclude it from the territory, and securing to the new government the power of making similar provision for future acquisitions of territory. The fifth regulation to restrain the progress of slavery was that of the compromise of 1820—the sixth, that of 1850.

It is remarkable, that although these great measures had their origin with democratic leaders, federal and whig leaders of greatest renown united in their support. The constitutional provisions on the subject, had the unanimous suffrage of all the illustrious men in the convention who framed the constitution of the United States; and from the silence on the subject in the state conventions called to ratify the constitution, it may well be presumed that these also were unanimous in their approval of what had been done under the confederacy, and in the new constitution to restrain the introduction and limit the extension of slavery. And may not men of all parties unite to restore what the patriots of all parties, during the first seventy years of our government contributed to establish?

The work of restoration is simple and easy, if the men who abhor the late innovation on the long settled policy of the nation can be induced to relinquish petty differences on transitory topics, and give their united voice, in the next presidential election, for some man whose capacity, fidelity, and courage can be relied upon to oppose the issue which the present administration has made to control it. The contest has grown out of presidential aspirations. The decision of the people at the polls, in choosing a chief magistrate, will end it. Senators will easily comply when the nation's demand is backed by presidential power and patronage, and hopes of the future, which animate the leading members of the body.

The administration has staked itself on the support of the party of privilege—of class