

Letter from Abraham Lincoln to Salmon Chase regarding the Fugitive Slave Act

June 20, 1859

Hon. S. P. Chase

My dear Sir,

Yours of the 13th. Inst. is received. You say you would be glad to have my views. Although I think Congress has Constitutional authority to enact a Fugitive Slave law, I have never elaborated an opinion upon the subject. My view has been, and is, simply this: The U.S. Constitution says the fugitive slave “*shall be delivered up*” but it does not expressly say *who* shall deliver him up. Whatever the Constitution says “*shall be done*” and has omitted saying who shall do it, the government established by that Constitution, *ex vi termini*, is vested with the power of doing; and Congress is, by the Constitution, expressly empowered to make all laws which shall be necessary and proper for carrying into execution all powers vested by the constitution in the government of the United States. This would be my view, on a simple reading of the Constitution; and it is greatly strengthened by the historical fact that the constitution was adopted, in great part, in order to get a government which could execute its own behests, in contradistinction to that under the Articles of Confederation, which depended, in many respects, upon the states, for its execution; and the other fact that one of the earliest congresses, under the constitution, did enact a Fugitive Slave Law.

But I did not write you on this subject, with any view of discussing the constitutional question. My only object was to impress you with what I believe is true, that the introduction of a proposition for repeal of the Fugitive Slave law,

into the next Republican National convention, will explode the Convention and the party. Having turned your attention to the point, I wish to do no more.

Yours very truly

A. Lincoln