William Lowndes Yancey  (1860) **His Speech of Protest in the Charleston Convention**

**Full Speech available at:** [**http://www.bartleby.com/268/9/19.html**](http://www.bartleby.com/268/9/19.html)

The South is in a minority, we have been tauntingly told to-day. In the progress of events and the march of civilization and emigration, the Northwest has grown up, from a mere infant in swaddling clothes, at the formation of the Constitution, into the form and proportions of a giant people; and owing to its institutions and demand for white labor, and the peculiar nature of our institutions, tho advancing side by side with us in parallel lines, but never necessarily in conflict, it has surpassed us greatly in numbers. We are, therefore, in a numerical minority. But we do not murmur at this; we cheerfully accept the result; but we as firmly claim the right of the minority—and what is that? We claim the benefit of the Constitution that was made for the protection of minorities…

…

Let the murmur of the hustings be stilled—let the voices of individual citizens, no matter how great and respected in their appropriate spheres, be hushed, while the law, as expounded by the constituted authority of the country, emotionless, passionless and just, rolls in its silvery cadence over the entire realm, from the Atlantic to the Pacific, and from the ice-bound regions of the North to the glittering waters of the Gulf. What says that decision? That decision tells you, gentlemen, that the Territorial Legislature has no power to interfere with the rights of the slave-owner in the Territory while in a Territorial condition. That decision tells you that this government is a union of sovereign States; which States are coequal, and in trust for which coequal States the government holds the Territories. It tells you that the people of those coequal States have a right to go into these Territories, thus held in trust, with every species of property which is recognized as property by the States in which they live, or by the Constitution of the United States.

But, we are met right here with this assertion: we are told by the distinguished advocate of this doctrine of popular sovereignty that this opinion is not a decision of the Supreme Court, but merely the opinion of citizen Taney. He does not tell you, my countrymen, that it is not the opinion of the great majority of the Supreme Court bench. Oh, no! but he tells you that it is a matter that is *obiter dicta,* outside the jurisdiction of the Court; in other words, extra-judicial—that it is simply the opinion of Chief Justice Taney, as an individual, and not the decision of the Court because it was not the subject-matter before the Court.

**Jefferson Davis' Resolutions on the Relations of States**

Senate Chamber, U.S. Capitol, February 2, 1860

Mr. DAVIS submitted the following resolutions:

1. *Resolved*, That in the adoption of the Federal Constitution, the States adopting the same acted severally as free and independent sovereignties, delegating a portion of their powers to be exercised by the Federal Government for the increased security of each, against dangers *domestic* as well as foreign; and that any intermeddling by any one or more States, or by a combination of their citizens, with the domestic institutions of the others, on any pretext, whether political, moral, or religious, with the view to their disturbance or subversion, is in violation of the Constitution, insulting to the States so interfered with, endangers their domestic peace and tranquillity--objects for which the Constitution was formed--and, by necessary consequence, serves to weaken and destroy the Union itself.

2. *Resolved*, That negro slavery, as it exists in fifteen States of this Union, composes an important portion of their domestic institutions, inherited from their ancestors, and existing at the adoption of the Constitution, by which it is recognized as constituting an important element of the apportionment of powers among the States; and that no change of opinion or feeling on the part of the non-slaveholding States of the Union in relation to this institution can justify them or their citizens in open and systematic attacks thereon, with a view to its overthrow; and that all such attacks are in manifest violation of the mutual and solemn pledges to protect and defend each other, given by the States, respectively, on entering into the constitutional compact which formed the Union, and are a manifest breach of faith and a violation of the most solemn obligations.

3. *Resolved*, That the union of these States rests on the equality of rights and privileges among its members, and that it is especially the duty of the Senate, which represents the States in their sovereign capacity, to resist all attempts to discriminate either in relation to person or property, so as, in the Territories--which are the common possession of the United States--to give advantages to the citizens of one State which are not equally secured to those of every other State.

4. *Resolved*, That neither Congress, nor a Territorial Legislature, whether by direct legislation or legislation of an indirect and unfriendly nature, possess the power to annul or impair the constitutional right of any citizen of the United States to take his slaver property into the common Territories; but it is the duty of the Federal Government there to afford for that, as for other species of property, the needful protection; and if experience should at any time prove that the judiciary does not possess power to insure adequate protection, it will then become the duty of Congress to supply such deficiency.

5. *Resolved*, That the inhabitants of an organized Territory of the United States, when they rightfully form a constitution to be admitted as a State into the Union, may then, for the first time, like the people of a State when forming a new constitution, decide for themselves whether slavery, as a domestic institution, shall be maintained or prohibited within their jurisdiction; and if Congress shall admit them as a State, "they shall be received into the Union with or without slavery, as their constitution may prescribe at the time of their admission."

6. *Resolved*, That the provision of the Constitution for the rendition of fugitives from service or labor, "without the adoption of which the Union could not have been formed," and the laws of 1793 and 1850, which were enacted to secure its execution, and the main features of which, being similar, bear the impress of nearly seventy years of sanction by the highest judicial authority, have unquestionable claim to the respect and observance of all who enjoy the benefits of our compact of Union; and that the acts of State Legislatures to defeat the purpose, or nullify the requirements of that provision, and the laws made in pursuance of it, are hostile in character, subversive of the Constitution, revolutionary in their effect, and if persisted in, must sooner or later lead the States injured by such breach of the compact to exercise their judgment as to the proper mode and measure of redress.

Mr. DAVIS.   Mr. President [Vice President John C. Breckinridge], I have presented these resolutions not for the purpose of discussing them, but with a view to get a vote upon them severally, hoping thus, by an expression of the deliberate opinion of the Senate, that we may reach some conclusion as to what is the present condition of opinion in relation to the principles there expressed. The expression even of the resolutions is, to a great extent, not new. The first and second are substantially those on which the Senate voted in 1837-38, affirming them then by a very large majority. I trust opinion to-day may be as sound as it was then. There is also and assertion of an historical fact, which is drawn from the opinion of Judge Story, in the decision of the ruling case of Prigg *vs.* the Commonwealth of Pennsylvania. It was my purpose to rest the propositions contained in these resolutions upon the highest authority of the land, judicial as well as other; and if it be possible to obtain a vote on them without debate, it will be most agreeable to me  To have them affirmed by the Senate without contradiction, would be an era in the recent history of our country which would be hailed with joy by every one who sincerely loves it. I ask that the resolutions may be printed, and be made a special order, for the purpose which I have indicated, for such day as the Senate may choose to name. I have no choice as to time, having no wish to discuss the resolutions, unless it shall be necessary by remarks which shall be made by others. I therefore would like any one to suggest a time when it will be probably agreeable to the Senate to take them up for consideration. Next Wednesday is suggested. I ask, then, that the resolutions may be printed for the use of the Senate, and made the special order for Wednesday next, at half past one o'clock.

**Frederick Douglass, “The Constitution of the United States: Is it Pro-Slavery or Anti-Slavery?” (March 26, 1860)**

**Full speech available at:** [**http://teachingamericanhistory.org/library/document/the-constitution-of-the-united-states-is-it-pro-slavery-or-anti-slavery/**](http://teachingamericanhistory.org/library/document/the-constitution-of-the-united-states-is-it-pro-slavery-or-anti-slavery/)

The way to abolish slavery in America is to vote such men into power as well use their powers for the abolition of slavery…

My argument against the dissolution of the American Union is this: It would place the slave system more exclusively under the control of the slaveholding States, and withdraw it from the power in the Northern States which is opposed to slavery. Slavery is essentially barbarous in its character. It, above all things else, dreads the presence of an advanced civilisation. It flourishes best where it meets no reproving frowns, and hears no condemning voices. While in the Union it will meet with both. Its hope of life, in the last resort, is to get out of the Union. I am, therefore, for drawing the bond of the Union more completely under the power of the Free States. What they most dread, that I most desire. I have much confidence in the instincts of the slaveholders. They see that the Constitution will afford slavery no protection when it shall cease to be administered by slaveholders. They see, moreover, that if there is once a will in the people of America to abolish slavery, this is no word, no syllable in the Constitution to forbid that result. They see that the Constitution has not saved slavery in Rhode Island, in Connecticut, in New York, or Pennsylvania; that the Free States have only added three to their original number. There were twelve Slave States at the beginning of the Government: there are fifteen now. They dissolution of the Union would not give the North a single advantage over slavery, but would take from it many. Within the Union we have a firm basis of opposition to slavery. It is opposed to all the great objects of the Constitution. The dissolution of the Union is not only an unwise but a cowardly measure — 15 millions running away from three hundred and fifty thousand slaveholders. Mr. Garrison and his friends tell us that while in the Union we are responsible for slavery. He and they sing out “No Union with slaveholders,” and refuse to vote. I admit our responsibility for slavery while in the Union but I deny that going out of the Union would free us from that responsibility. There now clearly is no freedom from responsibility for slavery to any American citizen short to the abolition of slavery. The American people have gone quite too far in this slaveholding business now to sum up their whole business of slavery by singing out the cant phrase, “No union with slaveholders.” To desert the family hearth may place the recreant husband out of the presence of his starving children, but this does not free him from responsibility. If a man were on board of a pirate ship, and in company with others had robbed and plundered, his whole duty would not be preformed simply by taking the longboat and singing out, “No union with pirates.” His duty would be to restore the stolen property. The American people in the Northern States have helped to enslave the black people. Their duty will not have been done till they give them back their plundered rights. Reference was made at the City Hall to my having once held other opinions, and very different opinions to those I have now expressed. An old speech of mine delivered fourteen years ago was read to show — I know not what. Perhaps it was to show that I am not infallible. If so, I have to say in defence, that I never pretended to be. Although I cannot accuse myself of being remarkably unstable, I do not pretend that I have never altered my opinion both in respect to men and things. Indeed, I have been very much modified both in feeling and opinion within the last fourteen years. When I escaped from slavery, and was introduced to the Garrisonians, I adopted very many of their opinions, and defended them just as long as I deemed them true. I was young, had read but little, and naturally took some things on trust. Subsequent experience and reading have led me to examine for myself. This had brought me to other conclusions. When I was a child, I thought and spoke as a child. But the question is not as to what were my opinions fourteen years ago, but what they are now. If I am right now, it really does not matter what I was fourteen years ago. My position now is one of reform, not of revolution. I would act for the abolition of slavery through the Government — not over its ruins. If slaveholders have ruled the American Government for the last fifty years, let the anti-slavery men rule the nation for the next fifty years. If the South has made the Constitution bend to the purposes of slavery, let the North now make that instrument bend to the cause of freedom and justice. If 350,000 slaveholders have, by devoting their energies to that single end, been able to make slavery the vital and animating spirit of the American Confederacy for the last 72 years, now let the freemen of the North, who have the power in their own hands, and who can make the American Government just what they think fit, resolve to blot out for ever the foul and haggard crime, which is the blight and mildew, the curse and the disgrace of the whole United States.

**Abraham Lincoln, “Speech Delivered in Springfield” (1858)**

<http://www.digitalhistory.uh.edu/disp_textbook.cfm?smtID=3&psid=384>

Although I have ever been opposed to slavery, so far I rested in the hope and belief that it was in the course of ultimate extinction. For that reason, it had been a minor question with me. I might have been mistaken; but the whole public mind, that is the mind of the great majority, had rested in that belief up to the repeal of the Missouri Compromise [in 1854, as part of the Kansas-Nebraska Act]. But upon that event, I became convinced that either I had been resting in a delusion, or the institution was being placed on a new basis--a basis for making it perpetual, national and universal. Subsequent events have greatly confirmed me in that belief. I believe that [Kansas-Nebraska] bill to be the beginning of a conspiracy for that purpose.... So believing, I thought the public mind will never rest till the power of Congress to restrict the spread of it [slavery] shall again be acknowledged and exercised on the one hand, or on the other, all resistance be entirely crushed out....

Mr. [Preston] Brooks, in one of his speeches, when they were presenting him canes, silver plate, gold pitchers and the like, for assaulting Senator [Charles] Sumner [of Massachusetts], distinctly affirmed his opinion that when this Constitution was formed, it was the belief of no man that slavery would last to the present day.

He said, what I think, that the framers of our Constitution placed the institution of slavery where the public mind rested in the hope that it was in course of ultimate extinction. But he went on to say that the men of the present age, by their experience, have become wiser than the framers of the Constitution; and the invention of the cotton gin had made the perpetuity of slavery a necessity in this country....

My declarations upon this subject of Negro slavery may be misrepresented, but can not be misunderstood, I have said that I do not understand the Declaration to mean that all men are created equal in all respects. They are not our equal in color; but I suppose that it does mean that all men are equal in some respects; they are equal in their right to "life, liberty, and the pursuit of happiness." Certainly the Negro is not our equal in color--perhaps not in many other respects; still, in the right to put into his mouth the bread that his own hands have earned, he is the equal of every other man, white or black. In pointing out that more has been given you, you can not be justified in taking away the little which has been given him. All I ask for the Negro is that if you do not like him, let him alone. If God gave him but little, that little let him enjoy.

When our Government was established we had the institution of slavery among us. We were in a certain sense compelled to tolerate its existence. It was a sort of necessity. We had gone through our struggle and secured our own independence. The framers of the Constitution found the institution of slavery amongst their other institutions at the time. They found that by an effort to eradicate it, they might lose much of what they had already gained. They were obliged to bow to the necessity. They gave power to Congress to abolish the slave trade at the end of twenty years. They also prohibited it in the Territories where it did not exist. They did what they could and yielded to the necessity for the rest....

One more point.... I expressed my belief in the existence of a conspiracy to perpetuate and nationalize slavery.... I showed the part Judge Douglas had played in the string of facts, constituting to my mind the proof of that conspiracy. I showed the parts played by others.

## Abraham Lincoln *Cooper Union Address* (1860)

<http://www.abrahamlincolnonline.org/lincoln/speeches/cooper.htm>

What is the frame of government under which we live?

The answer must be: "The Constitution of the United States." That Constitution consists of the original, framed in 1787, (and under which the present government first went into operation,) and twelve subsequently framed amendments, the first ten of which were framed in 1789.

Who were our fathers that framed the Constitution? I suppose the "thirty-nine" who signed the original instrument may be fairly called our fathers…

What is the question which, according to the text, those fathers understood "just as well, and even better than we do now?"

It is this: Does the proper division of local from federal authority, or anything in the Constitution, forbid our *Federal Government* to control as to slavery in *our Federal Territories*?

Upon this, Senator Douglas holds the affirmative, and Republicans the negative. This affirmation and denial form an issue; and this issue - this question - is precisely what the text declares our fathers understood "better than we."

Let us now inquire whether the "thirty-nine," or any of them, ever acted upon this question; and if they did, how they acted upon it - how they expressed that better understanding?

In 1784, three years before the Constitution - the United States then owning the Northwestern Territory, and no other, the Congress of the Confederation had before them the question of prohibiting slavery in that Territory; and four of the "thirty-nine" who afterward framed the Constitution, were in that Congress, and voted on that question

**Stephen Douglas, “Lincoln-Douglas Debates (1858): Second Debate at Freeport, Illinois,” Excerpt (August 27, 1858)**:

The next question propounded to me by Mr. Lincoln is, can the people of a Territory in any lawful way, against the wishes of any citizen of the United States, exclude slavery from their limits prior to the formation of a State Constitution? I answer emphatically, as Mr. Lincoln has heard me answer a hundred times from every stump in Illinois, that in my opinion the people of a Territory can, by lawful means, exclude slavery from their limits prior to the formation of a State Constitution. Mr. Lincoln knew that I had answered that question over and over again. He heard me argue the Nebraska bill on that principle all over the State in 1854, in 1855, and in 1856, and he has no excuse for pretending to be in doubt as to my position on that question. It matters not what way the Supreme Court may hereafter decide as to the abstract question whether slavery may or may not go into a Territory under the Constitution, the people have the lawful means to introduce it or exclude it as they please, for the reason that slavery cannot exist a day or an hour anywhere, unless it is supported by local police regulations.... Those police regulations can only be established by the local legislature, and if the people are opposed to slavery they will elect representatives to that body who will by unfriendly legislation effectually prevent the introduction of it into their midst. If, on the contrary, they are for it, their legislation will favor its extension. Hence, no matter what the decision of the Supreme Court may be on that abstract question, still the right of the people to make a slave Territory or a free Territory is perfect an