



## Abraham Lincoln, the 1860 Election and the Future of the American Union and Slavery

Student Name \_\_\_\_\_ Date \_\_\_\_\_

### Group 4: Textual Analysis Speeches by Jefferson Davis and William Lowndes Yancey

Jefferson Davis, “Resolutions on the Relations of States,” Excerpt (February 2, 1860):  
<http://memory.loc.gov/ammem/amlaw/lwcglink.html>

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 an 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.

Question	Answer
According to Davis, did the American states or American people establish the U.S. Constitution?	
List at least three reasons that Davis gives to show the importance of “negro slavery” to the southern states.	
Does Congress or a territorial legislature have authority to discourage or prohibit the carrying of slaves into federal territory?	

Does the federal government have any obligation (in 1860) to protect slavery in the federal territories?	
When can the inhabitants of a federal territory decide to prohibit or maintain slavery?	
If a state prevents the enforcement of the federal fugitive slave laws, what has happened to the constitutional compact between the states?	
What right do slaveholding states have if free states continue to interfere with the return of fugitive slaves?	

**William Lowndes Yancey, “Protest in the Charleston Convention,” Excerpt (April 28, 1860):**

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 [i.e., the 1857 *Dred Scott* decision of the Supreme Court]? 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.

Question	Answer
What does Yancey believe the Supreme Court guarantees to slaveowners who travel to a federal territory?	
Where does Yancey believe political sovereignty lies in the United States, the states or the union as a whole?	

### Comparison and Contrast: Abraham Lincoln and Jefferson Davis/William Lowndes Yancey

What did each believe about the following subjects?	Abraham Lincoln	Jefferson Davis and William Lowndes Yancey	Do they agree (yes/no)?
The American Union			
The U.S. Constitution			
The Future of Slavery			