

Resolutions of the Nashville Convention of 1850

1. Resolved, that the territories of the United States belong to the people of the several states of the Union as their common property. That the citizens of the several states have equal rights to migrate with their property to these territories, and are equally entitled to the protection of the federal government in the enjoyment of that property so long as the territories remain under the charge of that government.

2. Resolved, that Congress has no power to exclude from the territory of the United States any property lawfully held in the states of the Union, and any act which may be passed by Congress to effect this result is a plain violation of the Constitution of the United States.

3. Resolved, that it is the duty of Congress to provide proper governments for the territories, since the spirit of American Institutions forbids the maintenance of military governments in time of peace, and as all laws heretofore existing in territories once belonging to foreign powers which interfere with the full enjoyment of religion, the freedom of the press, the trial by jury, and all other rights of persons and property as secured or recognized in the Constitution of the United States, are necessarily void 50 soon as such territories become American territories, it is the duty of the federal government to make early provision for the enactment of those laws which may be expedient and necessary to secure to the inhabitants of and emigrants to such territories the full benefit of the constitutional rights we assert.

4. Resolved, that to protect property existing in the several states of the Union, the people of these states invested the federal government with the powers of war and negotiation and of sustaining armies and navies, and prohibited to state authorities the exercise of the same powers. They made no discrimination in the protection to be afforded or the description of the property to be defended, nor was it allowed to the federal government to determine what should be held as property. Whatever the states deal with as property the federal government is bound to recognize and defend as such. Therefore it is the sense of this Convention that all acts of the federal government which tend to denationalize property of any description recognized in the Constitution

and laws of the states, or that discriminate in the degree and efficiency of the protection to be afforded to it, or which weaken or destroy the title of any citizen upon American territories, are plain and palpable violations of the fundamental law under which it exists.

5. Resolved, that the slaveholding states cannot and will not submit to the enactment by Congress of any law imposing onerous conditions or restraints upon the rights of masters to remove with their property into the territories of the United States, or to any law making discrimination in favor of the proprietors of other property against them.

6. Resolved, that it is the duty of the federal government plainly to recognize and firmly to maintain the equal rights of the citizens of the several states in the territories of the United States, and to repudiate the power to make a discrimination between the proprietors of different species of property in federal legislation. The fulfillment of this duty by the federal government would greatly tend to restore the peace of the country and to allay the exasperation and excitement which now exist between the different sections of the Union. For it is the deliberate opinion of this Convention that the tolerance Congress has given to the notion that federal authority might be employed incidentally and indirectly to subvert or weaken the institutions existing in the states confessedly beyond federal jurisdiction and control is a main cause of the discord which menaces the existence of the Union, and which has well-nigh destroyed the efficient action of the federal government itself

7. Resolved, that the performance of this duty is required by the fundamental law of the Union. The equality of the people of the several states composing the Union cannot be disturbed without disturbing the frame of the American institutions. This principle is violated in the denial of the citizens of the slaveholding states of power to enter into the territories with the property lawfully acquired in the states. The warfare against this right is a war upon the Constitution. The defenders of this right are defenders of the Constitution. Those who deny or impair its exercise are unfaithful to the Constitution; and, if disunion follows the destruction of the right, they are the disunionists.

8. Resolved, that the performance of its duties, upon the principle we declare, would enable Congress to remove the embarrassments in

which the country is now involved. The vacant territories of the United States, no longer regarded as prizes for sectional rapacity and ambition, would be gradually occupied by inhabitants drawn to them by their interests and feelings. The institutions fitted to them would be naturally applied by governments formed on American ideas and approved by the deliberate choice of their constituents. The community would be educated and disciplined under a republican administration in habits of self-government and fitted for an association as a state, and to the enjoyment of a place in the confederacy. A community so formed and organized might well claim admission to the Union and none would dispute the validity of the claim.

9. Resolved, that a recognition of this principle would deprive the questions between Texas and the United States of their sectional character and would leave them for adjustment, without disturbance from sectional prejudices and passions, upon considerations of magnanimity and justice.

10. Resolved, that a recognition of this principle would infuse a spirit of conciliation in the discussion and adjustment of all the subjects of sectional dispute which would afford a guarantee of an early and satisfactory determination.

11. Resolved, that in the event a dominant majority shall refuse to recognize the "neat constitutional rights we assert and shall continue to deny the obligations of the federal government to maintain them, it is the sense of this Convention that the territories should be treated as property and divided between the sections of the Union, so that the rights of both sections be adequately secured in their respective shares. That we are aware this course is open to grave objections, but we are ready to acquiesce in the adoption of the line of 36° 30' north latitude, extending to the Pacific Ocean, as an extreme concession, upon consideration of what is due to the stability of our institution. 12.

Resolved, that it is the opinion of this Convention that this controversy should be ended, either by a recognition of the constitutional rights of the Southern people or by equitable partition of the territories; that the spectacle of a confederacy of states involved in quarrels over the fruits of a war which the American arms were crowned with glory is humiliating; that the incorporation of the Wilmot Proviso in the offer of

settlement, a proposition which fourteen states regard as disparaging and dishonorable, is degrading to the country. A termination to this controversy by the disruption of the confederacy or by the abandonment of the territories to prevent such a result would be a climax to the shame which attaches to the controversy which it is the paramount duty of Congress to avoid.

24. Resolved, that slavery exists in the United States independent of the Constitution. That it is recognized by the Constitution in a threefold aspect: first, as property; second, as a domestic relation of service or labor under the law of a state; and, last, as a basis of political power. And, viewed on any or all of these lights, Congress has no power under the Constitution to create or destroy it anywhere; nor can such power be derived from foreign laws, conquest, cession, treaty, or the laws of nations, nor from any other source but an amendment of the Constitution itself.

25. Resolved, that the Constitution confers no power upon Congress to regulate or prohibit the sale and transfer of slaves between the states.

26. Resolved, that the reception or consideration by Congress of resolutions, memorials, or petitions from the states in which domestic slavery does not exist, or from the people of said states, in relation to the institution of slavery where it does exist, with a view of effecting its abolition, or to impair the rights of those interested in it, to its-peaceful and secure enjoyment is a gross abuse and an entire perversion of the rights of petition as secured by the federal Constitution: and, if persisted in, must and will lead to the most dangerous and lamentable consequences--that the right of petition for a redress of grievances as provided for by the Constitution was designed to enable the citizens of the United States to manifest and make known to Congress the existence of evils under which they were suffering, whether effecting them personally, locally, or generally; and to cause such evils to be redressed by the proper and competent authority, but was never designed or intended as a means of inflicting injury on others, or jeopardizing the peaceful and secure enjoyment of their rights. whether existing under the Constitution or under the sovereignty and authority of the several states.