

LEGISLATURE OF ALABAMA.

RESOLUTIONS

OF THE

LEGISLATURE OF ALABAMA,

*Responsive to those of South Carolina on the subject of controversy between the States of Maine and Georgia.*

JUNE 12, 1841.

Read and laid upon the table.

The Committee on Federal Relations to whom was referred certain resolutions of the Legislature of South Carolina in relation to the Georgia and Maine controversy, have had the same under consideration, and beg leave to report :

That after a careful examination of the facts and circumstances set forth in the preamble of said joint resolutions connected with feloniously stealing and carrying away the slave Atticus by Daniel Philbrook and Edward Kilbron from the State of Georgia, and transporting him to the State of Maine, and the refusal of the Executive of the State of Maine to surrender said Philbrook and Kilbron, fugitives from justice, upon demand made by the Governor of Georgia, pursuant to the provisions of the Federal Constitution, they have come to the conclusion that the demand made was legal and proper, that the right was clear under the Constitution, and the refusal to surrender was inconsistent with the constitutional obligations of a State : they therefore concur in the following resolutions of said State, and recommend their adoption by the General Assembly of this State :

*Resolved*, 1st, That it is the duty as well as the right of any State to insist on the faithful observance of the Federal Constitution by each State in the Union.

*Resolved*, 2d, That to define crimes and felonies within its jurisdiction is an incident to the sovereignty of each State, and that no other State can question the exercise of that right.

*Resolved*, 3d, That to demand the surrender and removal of fugitives from justice is, by the Constitution, a right, and the arrest and surrender a duty. The denial or impairment of this right is inconsistent with the constitutional obligations of a State and subversive of the peace and good government of the other States.

*Resolved*, 4th, That the right has been impaired, if not denied, by the authorities of Maine, and that this State shall never consent that any State

shall become an asylum for those who are fugitives from the justice of other States.

*Resolved, 5th,* That this State will make common [cause] with any State of this Confederacy in maintaining its just rights under the guaranty of the Constitution of the United States; and should the obligations of this instrument be disregarded by those whose duty it may be to enforce them, it will take council of its co-States of this Confederacy, having similar interests to protect and similar injuries to redress, in devising and adopting such measures as will maintain, at every hazard, these rights, and that property, which the obligations of the compact of Union, cancelled, as it then will be, as to us, have failed to enforce.

*Resolved, 6th,* That the Executive of this State be requested to transmit to the Executive of the several States to be laid before their respective Legislatures, to the President of the United States, and to our Senators and Representatives in Congress, a copy of this report, and of these resolutions.

J. T. F. COTTRELL.

*President of the Senate.*

R. A. BAKER,

*Speaker of the House of Representatives.*