

RESOLUTIONS

OF

THE LEGISLATURE OF MISSISSIPPI,

ON

The subject of slavery and the questions in controversy between the northern and southern States growing out of that institution.

MAY 8, 1850.

Read, and ordered to lie on the table and be printed.

REPORT of the joint select committee on federal and state relations, adopted by both branches of the legislature of the State of Mississippi.

The joint standing committee on federal and state relations, to whom was referred so much of the governor's message as relates to the subject of slavery and the unhappy agitation of it which at present distracts the councils of the nation, and threatens the dissolution of our Union as a confederacy of States, have had the subject under consideration, and have instructed me to make the following report :

We have arrived at a period in the political existence of our country when the fears of the patriot and philanthropist may well be excited, lest the noblest fabric of constitutional government on earth may, ere long, be laid in ruins by the elements of discord engendered by an unholy lust for power and the fell spirit of fanaticism acting upon the minds of our brethren of the non-slaveholding States, and that beneath its ruins will be forever buried the hopes of an admiring world for the political regeneration of enslaved millions. The fact can no longer be disguised, that our brethren of the free States, so called, disregarding the compromises of the constitution—*compromises without which* it never would have received the sanction of the slaveholding States—are determined to pursue towards those States a course of policy, and to adopt a system of legislation by Congress, destructive of their best rights and most cherished domestic institutions. In vain have the citizens of the slave States appealed to their brethren of the free States, in a spirit of brotherly love and devotion to that constitution framed by our fathers, and cemented by their blood, as a common shield and protection for the rights of all their descendants. In vain have they invoked the guaranties of that sacred instrument as a barrier to the encroachments of their brethren upon their rights. The spirit of forbearance and concession which has been for more than thirty years manifested and acted on by the slaveholding States has but strengthened the determination of their northern brethren to fasten upon

them a system of legislation, in regard to their peculiar domestic relations, as fatal in its effects to their prosperity and happiness as members of the confederacy, as it is unjust and contrary to the principles and provisions of the constitution.

Slavery, as it exists in the southern States, recognised and protected by the constitution of the United States, is a domestic relation, subject to be abolished or modified by the sovereign power alone of the States in which it prevails; it is not a moral or political evil, but an element of prosperity and happiness both to the master and slave.

A foolish slavery, and you convert the fair and blooming fields of the South into barren heaths, their high-souled and chivalrous proprietors into abject dependants, and the *now* happy and contented slaves into squalid and degraded objects of misery and wretchedness!

The southern States have remonstrated and forborne until forbearance is no longer a virtue. The time has arrived when, if they hope to preserve their existence as equal members of the confederacy, and to avert the calamities which their northern brethren, actuated by an insatiate and maddening thirst for power, would entail upon them, they must prepare to *act*—to act with resolution, firmness, and unity of purpose, trusting to the righteousness of their cause and the protection of the Almighty Ruler of the destinies of nations, who ever looks benignantly upon the exertions of those who contend for the prerogatives of freemen. Therefore, be it

Resolved by the legislature of the State of Mississippi, That they cordially approve of the action of the Southern State Convention held at the city of Jackson on the first Monday of October, 1849, and adopt the following resolutions of said body as declaratory of the opinions of this legislature, and of the people of the State of Mississippi:

1st. *Resolved,* That we continue to entertain a devoted and cherished attachment to the Union; but we desire to have it as it was formed, and not as an engine of oppression.

2d. That the institution of slavery in the southern States is left, by the constitution, exclusively under the control of the States in which it exists, as a part of their domestic policy, which they, and they only, have the right to regulate, abolish, or perpetuate, as they may severally judge expedient; and that all attempts, on the part of Congress or others, to interfere with this subject, either directly or indirectly, are in violation of the constitution, dangerous to the rights and safety of the South, and ought to be promptly resisted.

3d. That Congress has no power to pass any law abolishing slavery in the District of Columbia, or to prohibit the slave trade between the several States, or to prohibit the introduction of slavery into the territories of the United States; and that the passage by Congress of any such law would not only be a dangerous violation of the constitution, but would afford evidence of a fixed and deliberate design, on the part of that body, to interfere with the institution of slavery in the States.

4th. That we would regard the passage by Congress of the "Wilmot proviso" (which would, in effect, deprive the citizens of the slaveholding States of an equal participation in the territories acquired equally by their blood and treasure) as an unjust and insulting discrimination, to which these States cannot without political degradation submit, and to which this convention, representing the feelings and opinions of the people of Mississippi, solemnly declare they will not submit.

5th. That the passage of the Wilmot proviso, or of any law abolishing slavery in the District of Columbia, by the Congress of the United States, would, of itself, be such a breach of the federal compact as, in that event, will make it the duty, as it is the right, of the slaveholding States, to take care of their own safety, and to treat the non-slaveholding States as enemies to the slaveholding States and their domestic institutions.

6th. That, in view of the frequent and increasing evidence of the determination of the people of the non-slaveholding States to disregard the guaranties of the constitution, and to agitate the subject of slavery, both in and out of Congress, avowedly for the purpose of effecting its abolition in the States; and also in view of the facts set forth in the late "Address of the southern members of Congress,"—this convention proclaims the deliberate conviction, that the time has arrived when the southern States should take counsel together for their common safety; and that a convention of the slaveholding States should be held at Nashville, Tennessee, on the first Monday in June next, to devise and adopt some mode of resistance to these aggressions.

7th. That, in the language of an eminent northern writer and patriot, "The rights of the South in African service exist not only *under*, but *over*, the constitution. They existed before the government was formed. The constitution was rather sanctioned by them than they by the constitution. Had not that instrument admitted the sovereignty of those rights, it never would have been itself admitted by the South. It bowed in deference to rights older in their date, stronger in their claims, and holier in their nature, than any other which the constitution can boast. Those rights may not be changed, even by a change of the constitution. They are out of the reach of the nation, as a nation. The confederacy may dissolve and the constitution pass away, but those rights will remain unshaken—will exist while the South exists; and when they fall, the South will perish with them."

Be it further resolved, That it is the duty of the Congress of the United States to provide territorial organization and governments for all the territories acquired by the common blood and treasure of the citizens of the several States; and to provide the means of enforcing in said territories the guaranties of the constitution of the United States in reference to the property of citizens of any of the States removing to any of said territories with the same, without distinction or limitation.

Be it further resolved, That the sum of twenty thousand dollars be, and the same is hereby, appropriated and placed at the disposal and control of the governor of this State, to be drawn from the treasury upon his requisitions, and to be used, if necessary, in the adoption of necessary measures for protecting the constitutional and sovereign rights of the State, in the event of the passage by the Congress of the United States and the approval by the President of any bill containing the "Wilmot proviso," as applicable to any of the territories of the United States; or of any law abolishing slavery in any State or Territory, or in the District of Columbia, or the slave trade between said District and any of the States.

Provided, That, in carrying out the provisions of this act, the executive shall be limited to the necessary requisitions upon the treasury for defraying the expenses of our delegates to the Nashville convention, and for convening the legislature of this State, so soon as, in his estimation, the safety of the South requires the separate or united action of the slave-

holding States; and that the further sum of two hundred thousand dollars be reserved in the treasury, subject to the control of the legislature.

Be it further resolved, That, in the event of the passage by the Congress of the United States of any of the measures enumerated in the preceding resolutions, and such action thereon by the convention of slaveholding States to be held at Nashville on the first Monday in June next as shall, in the opinion of the legislature, render a convention of the people necessary for the assertion and defence of their sovereign and constitutional rights, the governor is hereby authorized and required to issue writs of election to the several counties of the State for the choice of delegates to said convention; each county shall be entitled to a number of delegates equal to double the number of its representatives in the house of representatives, to be an equal number of each of the great political parties of the State; to secure which object, the requisite number of candidates of each party having received the highest number of votes shall be declared elected; the election of such delegates shall be held at such time and upon such notice as the governor shall designate, and shall be conducted, and the returning thereof be made, in all respects, as elections for representatives to the legislature are by law required to be held and conducted; and said convention shall assemble and hold their session at the city of Jackson, at such time as the governor shall appoint.

Be it further resolved, That the legislature shall elect twelve delegates to the Nashville convention to be held on the first Monday in June next—two from each Congressional district, and four from the State at large; six of the above delegates to be selected from each of the great political parties.

Be it further resolved, That said delegates are hereby authorized, upon the certificate of the presiding officer of the Nashville convention, to draw from the treasury of this State the same per diem and mileage as are now allowed by law to members of the legislature.

Be it further resolved, That the State of Mississippi will stand by and sustain her sister States of the South in whatever course of action may be determined on by the convention of slaveholding States to be held at Nashville on the first Monday in June next.

Be it further resolved, That his Excellency the governor be requested to forward a copy of this report to the President of the United States, to each of our senators and representatives in Congress, and to the governor of each of the States.

JOHN J. McRAE,
Speaker of the House of Representatives.
JNO. I. GUION,
President of the Senate pro. tem.

Approved March 6, 1850.

JOHN A. QUITMAN.

A true copy.

SAMUEL STAMPS,
Secretary of State.

STATE OF MISSISSIPPI, EXECUTIVE DEPARTMENT,
Jackson, March 13, 1850.

SIR: I have the honor to transmit a copy of the report and resolutions on federal and state relations adopted by the legislature of this State on the 6th instant.

Very respectfully, your obedient servant,

JOHN. A. QUITMAN.

HON. JEFFERSON DAVIS,
Senator, &c.