30th Congress, 2d Session. [SENATE.] Miscellaneous. No. 48.

RESOLUTIONS

OF THE

LEGISLATURE OF VIRGINIA,

In relation to slavery.

February 5, 1849.

Ordered to be printed.

Whereas the institution of slavery was fully discussed in the convention which formed the constitution of the United States, and the rights of slaveholders recognised and protected by the provisions of that instrument; and without the compromises then solemnly entered into, the union of the States never could have been formed; and whereas the General Assembly of Virginia, regarding what is known as the "Wilmot Proviso" is in palpable disregard of the compromises of the constitution, did, on the 8th day of March, 1847, adopt a series of resolutions distinctly indicating the course which the State of Virginia would pursue in the event of its passage by the Congress of the United States, as applicable to territory to be acquired from Mexico; and whereas the present General Assembly have seen with deep concern a disposition manifested by the House of Representatives of the United States to violate the principles embodied in said resolutions, and to make still further aggressions upon the rights of the southern States: Under these circumstances, this General Assembly deem the occasion fit to reaffirm said resolutions, and most respectfully, but most earnestly, to call the attention of all who are attached to the union of the States, to the serious and inevitable consequences which must follow such action upon the part of the general government:

I. *Be it therefore resolved by the General Assembly of Virginia*, That after the fullest re-examination and reconsideration of the resolutions adopted on the 8th of March, 1847, by this body, we do consider said resolutions as founded in truth, consonant with the constitution, and conducive to its preservation; and therefore we feel it to be our indispensable duty to adhere to and reaffirm them as follows:

1. *Be it resolved unanimously by the General Assembly of Virginia*, That the government of the United States has no control, directly or indirectly, mediately or immediately, over the institution of slavery, so as to impair the rights of the slaveholder; and that in taking any such control, it transcends the limits of its legitimate functions by destroying the internal organization of the sovereignties who created it.

2. *Resolved unanimously*, That all territory which may be acquired by the arms of the United States, or yielded by treaty with any foreign power, belongs to the several States of this Union, as their joint and common

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property, in which each and all have equal rights; and that the enactment by the federal government of any law which should directly, or by its effects, prevent the citizens of any State from emigrating with their property, of whatever description, into such territory, would make a discrimination unwarranted by, and in violation of, the compromises of the constitution and the rights of the States from which such citizens emigrated, and in derogation of that perfect equality that belongs to the several States as members of this Union, and would tend directly to subvert the Union itself.

3. *Resolved*, That if, in disregard alike of the spirit and principles of the act of Congress, on the admission of the State of Missouri into the Union, generally known as the Missouri Compromise, and of every consideration of justice, of constitutional right, and of fraternal feeling, the fearful issue shall be forced upon the country, which must result from the adoption and attempted enforcement of the Wilmot Proviso, as an act of the general government, the people of Virginia can have no difficulty in chosing between the only alternatives that will then remain of abject submission to aggression and outrage on the one hand, or determined resistance on the other, at all hazards and to the last extremity.

4. *Resolved unanimously*, That the General Assembly holds it to be the duty of every man in every section of this confederacy, (if the Union is dear to him,) to oppose the passage of any law, for whatever purpose, by which territory to be acquired may be subject to such a restriction.

5. *Resolved unanimously*, That the passage of the above mentioned proviso makes it the duty of every slaveholding State, and of all citizens thereof, as they value their dearest privileges, their sovereignty, their independence and their rights of property, to take firm, united and concerted action in this emergency.

II. *Resolved*, That we regard the passage of a law by the Congress of the United States, abolishing slavery or the slave trade in the District of Columbia, as a direct attack upon the institutions of the southern States, to be resisted at every hazard.

III. *Resolved*, That in the event of the passage by Congress of the "Wilmot Proviso," or any law abolishing slavery or the slave trade in the District of Columbia, the governor of this Commonwealth is requested immediately to convene the legislature of this State (if it shall have adjourned,) to consider of the mode and measure of redress.

IV. *Resolved*, That the governor of this Commonwealth be requested to send a copy of these resolutions to each of the States of this Union, and also to our senators and representatives in Congress.

Adopted by the General Assembly January 20, 1849.

GEORGE W. MUNFORD, *C. H. D.*

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RICHMOND, *27th January*, 1849.

SIR: It gives me great pleasure to send you the foregoing resolutions of the Virginia legislature, agreeable to the request therein contained, and ask your hearty co-operation in giving effect thereto.

Your very obedient, humble servant,

JOHN B. FLOYD.

To the Hon. HENRY BEDINGER.