

POLITICAL.

ANSWERS OF THE SEVERAL STATES TO THE RESOLUTIONS OF THE HOUSE OF REPRESENTATIVES, &c.

STATE OF DELAWARE. In the House of Representatives, Feb. 1, 1799.

Resolved, By the Senate and House of Representatives of the State of Delaware, in General Assembly met, That they consider the Resolutions from the State of Virginia as a very unjustifiable interference with the General Government...

ISAAC DAVIS, Speaker of the Senate. STEPHEN LEWIS, Speaker of the House of Rep's. Test: JOHN FISHER, C. S. JOHN CALDWELL, C. H. R.

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS. In General Assembly, Feb. A. D. 1799.

Certain Resolutions of the Legislature of Virginia, passed on 21st of December last, being communicated to this Assembly:

1. Resolved, That, in the opinion of this Legislature, the second section of third article of the Constitution of the United States, in these words, to wit: The judicial power shall extend to all cases arising under the laws of the United States...

2. Resolved, That for any State Legislature to assume that authority, would be, 1st. Blending together legislative and judicial powers.

2d. Regarding an interruption of the peace of the States, by civil discord, in case of a diversity of opinions among the State Legislatures; each State having, in that case, no resort for vindicating its own opinions, but to the strength of its own arm.

3d. Submitting most important questions of law to less competent tribunals; and 4th. An infraction of the Constitution of the United States, expressed in plain terms.

3. Resolved, That although for the purposes of the Legislature, in the public capacity, do not feel themselves authorized to consider and decide on the constitutionality of the Sedition and Alien Laws...

4. Resolved, That the Governor communicate these Resolutions to the Supreme Executive of the State of Virginia, and at the same time express to him that this Legislature cannot contemplate, without extreme concern and regret, the many evil and fatal consequences which may flow from the very unwarrantable Resolutions aforesaid...

A true copy, SAMUEL EADY, Sec.

COMMONWEALTH OF MASSACHUSETTS. In Senate, February 9, 1799.

The Legislature of Massachusetts having taken into serious consideration the Resolutions of the State of Virginia, passed the 21st day of December last, and communicated by his Excellency the Governor, relative to certain supposed infractions of the Constitution of the United States...

The Act complained of is no abridgment of the freedom of either. The genuine liberty of speech and the press, is the liberty to utter and publish the truth; but the constitutional right of the citizen to utter and publish the truth, is not to be confounded with the licentiousness in speaking and writing that is only employed in propagating falsehood and slander.

By the Constitution, the legislative, executive and judicial departments of Government are created and established; and general enumerated powers vested in them respectively, including those which are prohibited to the several States. Certain powers are granted, in general terms, by the people, to their General Government for the purposes of their safety and protection.

That the People, in that solemn compact which is declared to be the supreme law of the land, have not constituted the State Legislatures the judges of the acts or measures of the Federal Government, but have confided to them the power of proposing such amendments of the Constitution as shall appear to them necessary to the interests or conformable to the wishes of the people whom they represent.

No answers were given by New Jersey, Pennsylvania, Maryland, North Carolina, South Carolina, and Georgia.

posing such amendments of the Constitution as shall appear to them necessary to the interests or conformable to the wishes of the people whom they represent.

That, by this construction of the Constitution, an amicable and dispassionate remedy is pointed out for any evil which experience may prove to exist, and the peace and prosperity of the United States may be preserved without interruption.

But, should the respectable State of Virginia persist in the assumption of the right to declare the acts of the National Government unconstitutional, and should she oppose successfully her force and will to those of the nation, the Constitution would be reduced to a mere cypher, to the form and pageantry of authority, without the energy of power.

The Legislature of Massachusetts, although they do not themselves claim the right, nor admit the authority, of any of the State Governments, to decide upon the constitutionality of the Acts of the Federal Government, still, least their silence should be construed into disapprobation, or at best into a silent disapprobation, of the acts referred to by the State of Virginia...

The President of the United States is bound, by his oath "to preserve, protect, and defend the Constitution," and it is expressly made his duty "to take care that the laws be faithfully executed."

It is held to be a truth, most clear, that the important trusts before enumerated cannot be discharged by the government to which they are committed, without the power to restrain seditious practices and unlawful combinations against it, and to protect the officers thereof from abusive misrepresentations.

Seditious practices and unlawful combinations against the Federal Government, or any officer thereof, in the performance of his duty, or well as the peace, order, and tranquillity of the press, were punishable in the common law in the courts of the United States, before the Act in question was passed.

This construction of the Constitution and of the existing law of the land, as well as the Act complained of, the Legislature of Massachusetts most deliberately and firmly believe, results from a just and full view of the several parts of the Constitution; and they consider that Act to be wise and necessary, as an audacious and unprincipled spirit of falsehood and abuse had been too long unremotely exerted for the purpose of perverting public opinion; and threatened to undermine and destroy the whole fabric of government.

The Legislature further declare, that in the foregoing sentiments they have expressed the general opinion of their constituents, who have not only acquiesced, without complaint, in those particular measures of the Federal Government, but have given their explicit approbation, by re-electing those men who voted for the adoption of them.

And, lastly, that the Legislature of Massachusetts feel a strong conviction that the several United States are connected by a common interest, which ought to render their union indissoluble, and that this State will always co-operate with its confederate States in rendering that union productive of mutual security, freedom, and happiness.

SAMUEL PHILIPS, President. Sent down for concurrence. In the House of Representatives, Feb. 13, 1799. Read and concurred.

EDWARD H. ROBINSON, Speaker. A true copy.—Attest, JOHN AVERY, Sec.

STATE OF NEW YORK. In Senate, March 5, 1799.

Whereas the people of the United States have established for themselves a free and independent National Government: And whereas it is essential to the existence of every government, that it have authority to defend and preserve its constitutional powers inviolate...

Resolved, That, while the Senate feel themselves constrained to bear unequivocal testimony against such sentiments and doctrines, they deem it a duty no less indispensable explicitly to declare their impotence, as a branch of the Legislature of this State, to supervise the acts of the General Government.

Resolved, That his Excellency the Governor be, and he is hereby, requested to transmit a copy of the foregoing resolution to the Executives of the States of Virginia and Kentucky, to the end that the same may be communicated to the Legislatures thereof.

A true copy. ARN. B. BACKER, Clerk.

STATE OF CONNECTICUT. At a General Assembly of the State of Connecticut, holden at Hartford in the said State, on the second Thursday of May, Anno Domini 1799, his Excellency the Governor having communicated to this Assembly...

Resolved, That this Assembly views with deep regret, and explicitly disavows, the principles contained in the aforesaid Resolutions; and particularly the opposition to the "Alien and Sedition Acts," which the Constitution authorized; which the exigency of the country rendered necessary; which the constituted authorities have enacted, and which merit the entire approbation of this Assembly.

Resolved, That his Excellency the Governor be requested to transmit a copy of the foregoing resolution to the Governor of Virginia, that it may be communicated to the Legislature of that State.

Passed in the House of Representatives unanimously. Attest, JOHN C. SMITH, Clerk. Concurred unanimously in the Upper House. Teste, SAM. WYLLIS, Sec'y.

Resolved, That the General Assembly of the State of Vermont do highly disapprove of the resolutions of the General Assembly of Virginia, in being unconstitutional in their nature, and dangerous in their tendency.

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On the 4th June the following bill was made upon the Journals: "Mr. Baldwin, from the committee appointed, presented, according to order, a bill to establish an Executive Department, to be denominated the Treasury Department; which was received and read the first time." [See 1st vol. of the Journals of 1799, page 45.]

The Bills organizing the War and the Departments as "Executive" Departments were immediately passed and sent to the Senate for concurrence, and each of the bills became a law in the following words: "Be it enacted, &c. That there shall be an Executive Department, to be denominated the Department of War; and there shall be a principal officer therein, to be called the Secretary for the Department of War, who shall perform and execute the duties as shall from time to time be enjoined on, or intrusted to him by the President of the United States."

On the 21st of December last, and communicated by his Excellency the Governor, relative to certain supposed infractions of the Constitution of the United States, by the State of Virginia, passed on 21st of December last, and communicated by his Excellency the Governor, relative to certain supposed infractions of the Constitution of the United States...

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