

1841.

RESOLUTIONS.

Passed April 6,  
1841.

No. 9.

Report and Resolutions in relation to the Constitutional  
Rights of Slaveholders.

The committee on grievances and courts of justice "to whom was referred so much of the Governor's message as relates to the constitutional rights of slave holders, and the case of Bemis and others, pending in the Supreme Court of the United States, with the documents," beg leave to submit the following report: The case against Bemis and others for a supposed violation of the laws of Pennsylvania, by the recapture of fugitive slaves, is pending in the Supreme Court on an appeal from a court in Pennsylvania, carried up by an arrangement heretofore made by the two States. Your committee have every confidence that, that cause will be decided according to the constitution and laws, and that justice will be done in the premises; they therefore recommend that no action be had by the authorities of Maryland, while the case is undecided.

Your committee also report that the other branch of the enquiry relates, as appears by the documents accompanying the order of reference, to a controversy at this time pending between the States of Virginia and New-York; and as it involves questions of the gravest character to all the States, the committee submit their views at length.

It appears from the documents before the committee, "that the executive of Virginia made a demand upon the Governor of New-York, for the surrender of Peter Johnson, Edward Smith and Isaac Gansy, attached to the schooner Robert Center, then in New York, who were duly charged by affidavit, regularly made, before Miles King, mayor and justice of the peace for Norfolk, with having feloniously stolen and taken from John G. Colley, a certain negro slave Isaac, the property of said Colley. The Governor of New York refused to comply with the demand, and assigned as his reasons for the refusal, that the right of demand and the reciprocal obligations to surrender fugitives from justice, between sovereign and independent nations, as defined by the law of nations, include only those cases in which the acts constituting the offence charged, are recognised by the universal law of all civilized countries; that the object of the provisions in the constitution of the United States relative to the demand of fugitives from justice, was to recognise and establish this principle in the mutual relation of the States as independent, equal and sovereign communities; that the provisions applies only to those acts, which if committed within the jurisdiction of