

Virginia General Assembly Resolution regarding the Wilmot Proviso

March 8, 1847

[During the congressional deadlock over the Wilmot Proviso, numerous state legislatures passed resolutions regarding the Proviso. A number of Southern states issued strong statements warning that passage of the Proviso would threaten the continuation of the Union. The following is the Resolution of the State of Virginia.]

Whereas a bill appropriating money to prosecute war or negotiate peace with the Republic of Mexico, has passed the house of representatives of the United States, with the following proviso attached thereto: "*Provided*, That as an express and fundamental condition to the acquisition of any territory from the Republic of Mexico by the United States, by virtue of any treaty which may be negotiated between them, and to the use by the executive of the moneys herein appropriated, neither slavery nor involuntary servitude shall ever exist in any part of said territory, except for crime, whereof the party shall be first duly convicted." And this general assembly deeming this proviso to be destructive of the compromises of the constitution of the United States, and an attack on the dearest rights of the south, as well as a dangerous and alarming usurpation by the federal government: Therefore;

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, 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 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 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 proviso aforesaid as an act of the general government, the people of Virginia can have no difficulty in choosing 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 the citizens thereof, as they value their dearest privileges, their sovereignty, their independence, their rights of property, to take firm, united and concerted action in this emergency.