

GEORGIA LEGISLATURE
REPORT
On the Tariff, and Internal Improvements
The Committee on the State of the Republic, to whom was referred so much of the Governor's communication as related to the powers of the General Government claimed and exercised for the purposes of encouraging domestic manufactures, and effecting a system of internal improvement, beg leave to make the following
REPORT:
The committee are aware that it is

reach of representative bodies whose duty it is to keep within the sphere of the own delegated trust. It would seem that even such a pretension were admissible, it should be considered no great breach of decorum, for a sovereign state through its highest known authority to approach government it had contributed to establish, with a subject of complaint, especially when it is perceived that such infirmities are patiently listened to, and limited to with effect. While manufacturing companies and self-created delegates pretending to represent whole States, assemble for the purpose of directing the Congress what measures they must adopt

much violence to any known rule of modesty, may respectfully offer a counter remonstrance to such a growing temper of dictation. But it is not in this humble manner that your committee would recommend the Legislature to prefer the just complaints to the General Government. They claim it as a right to remonstrate with that Government on all measures which they may conceive violations of the fundamental principles of its institution. They affirm that those who are a delegated government have lawfully power to restrain it within its proper

ed by Iher Martin, in his address to the Legislature of Maryland, at the time of the adoption of the federal constitution, that "the proper constituents of the General Government are the States, and the States are to that Government what the people are to the States, that is, the proper spirit and intention of the Federal Union is to be preserved."

In support of this as well as other principles which will hereafter be presented in this report, the committee will frankly own they can offer nothing new to the Legislature. For it is a subject that has been so much discussed, all must be familiar with its details, nevertheless, with the above acknowledgment, to embody some of the leading objections to the course pursued against the rights of the States will, at it is hoped, be considered important. It cannot be too well remembered, that the States are the States, the people are the people.

that the States, through their Legislature have a right to complain of, and redress they can, all usurpations of the General Government. They maintain "that the terms of the grant, in the Federal Constitution, did not convey sovereign power generally, but sovereign power limited to particular cases, and with restrictive means for executing such powers;" and further that the powers "were delegated not to the people of the United States at large, but by the people of the respective States; and that, therefore, it was a compact between the different States." Compos-

revolution being independent then of each other as they were previous to that event, and in the exclusive possession of no government, it will be readily admitted there could be but two ways to form the General Government, either by "consolidating the American people into a common mass," giving up their State Governments and suffering the majority to govern; or, by continuing their State Governments and delegating a part of their power to the General Government for the protection of the whole. Under one or the other of these methods has

Now none will pretend to say that it is under the first named method: the power was not delegated by the people, composing one great consolidated community, but by the people of each State unconnected with and independent of the people of other States, in their corporate capacity.

If the history of this transaction is tended to, every one must be convinced that, from first to last, it was a proceeding of the States, and not of the people composing one great political society. They were separate and distinct before the union; they confederated as States

ing the through that struggle; they remained independent and were so acknowledged with all their rights, territorial and municipal, at the close of it. By the proposition was made to enlarge the powers of the Confederation. The States appoint delegates for that purpose to the assembly, make and submit to the States a Constitution, expressly declaring that when the same is ratified by nine out of the thirteen States, the same shall be binding, and the States are still found exercising independent and sovereign control over their ungranted powers. No

of the United States was necessary to ratify this instrument, was it not as early as it is so declared, as to say that nine out of the thirteen States should effect their object? Would it not have been more intelligent and have better answered the purpose such was intended, than the more obscure? But that this was not intended is obvious from the fact that according to the plan pointed out by the ratifiers, on the Constitution, more than two thirds of the States would have required the high-

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