

States, provide among other things, that no tax should be imposed on lands—the property of the United States; and

*Whereas*, by section 2, of article 2, of the constitution of the state of Wisconsin, the said proposition was accepted, ratified, and confirmed in the manner required by said act of congress, and the state prohibited from imposing taxes upon land the property of the United States, whereby the compact between the two governments became perfect, and the government of the United States bound in good faith to pay the said five per cent. according to the terms of said proposition; and

*Whereas*, there is now due this state on account of said five per cent. of the net proceeds of the sales of the public lands lying within its limits about two hundred and seventy thousand dollars which the United States government has refused to pay after repeated application for the payment thereof by the proper authorities of the state; therefore

*Resolved, by the Senate, the Assembly concurring*, That the obstinate refusal of the United States to keep and perform the said compact on its part, has released the state from the obligations thereof, and that the state can without a violation of good faith, and in justice to itself, ought to tax for the support of the state government all lands within its limits belonging to the United States, until such five per cent. is paid to the state in accordance with the spirit and intent of said compact, and that it is expedient to tax said lands accordingly.

Approved March 5, 1859.

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### NUMBER III.

JOINT RESOLUTION relative to the protection of American citizens, native or adopted, while without the jurisdiction of the United States.

*Whereas*, it is the duty of the government of the United States to protect its citizens, whether native or adopted, while residing or traveling in foreign countries, either for business or pleasure; and

*Whereas*, this government has, in several instances, manifested its unwillingness to interfere between foreign governments and citizens of this republic when the latter have been imprisoned or detained by the former, although they were guilty of no crime; Therefore, be it

*Resolved, by the Senate and Assembly of the State of Wisconsin*, That our senators in congress be instructed

and our representatives requested to take such action in congress during its present session, as to authorize and require the president of the United States to demand the instant release of any citizen of the United States, whether native or adopted, who is now, or may be hereafter imprisoned or detained by any of the foreign governments under any pretence whatever, and who is not guilty of any crime committed in the country where he is so imprisoned or detained, and to demand ample satisfaction in behalf of such citizen.

*Resolved*, That no foreign government has the right to claim or retain any of our adopted citizens or their descendants, or any property justly belonging to either, under the plea of owing military or other services, and that the interference of this government is highly proper and necessary.

*Resolved*, That the governor of this state shall immediately cause to be sent a copy of the foregoing resolution to each of our senators and representatives in congress.

Approved March 5, 1859.

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#### NUMBER IV.

JOINT RESOLUTION relative to the decision of the United States supreme court, reversing decision of the supreme court of Wisconsin.

*Whereas*, the supreme court of the United States has assumed appellate jurisdiction in the matter of the petition of Sherman M. Booth for a writ of habeas corpus, presented and prosecuted to final judgment in the supreme court of this state, and has, without process, or any of the forms recognized by law, assumed the power to reverse that judgment in a matter involving the personal liberty of the citizen, asserted by and adjusted to him by the regular course of judicial proceedings upon the great writ of liberty secured to the people of each state by the constitution of the United States :

*And whereas*, such assumption of power and authority by the supreme court of the United States, to become the final arbiter of the liberty of the citizen, and to override and nullify the judgments of the state courts, declaration thereof, is in direct conflict with that provision of the constitution of the United States which secures to the people the benefits of the writ of habeas corpus :  
Therefore,