

expressing  
of slaves  
or for  
among

one

7.

de

## II. When

author  
year  
const  
to w  
only  
wh  
to  
to

I. Does the Const. contain a binding or a  
practical operative prohibition or a  
mere injunction to the legislature  
to prohibit after the plan, May 33?

That must be decided by all the  
circumstances of the case -

1. The express language of  
the clause -

Other parts of the same  
article -

Other parts of the same  
Constitution -

Analogous cases.  
Other similar constitutions.  
2. The silence of the Const.  
as to sanctions & penalties.

3. Contemporaneous interpretation.  
By the legislature  
By the Executive  
By the people.

1. Act of 2 March 1839 submitting  
to the people an amendment  
of the Const. page 63.

2. Vote of the People on it. 25.31.

3. Report of the Com. on that vote 26.

4. Report of the Auditor - p. 21. 22.

5. Act laying tax on slaves - 64.

6. Gov. Lynch's message 1837 - 45-6

7. Same year 51-2

8. Refusal of the legislature  
to pass a prohibition of law 43-4

9. The passage of such a law (1837) - 65  
[Read first section]

by

2

removed  
to Ellet