

South Carolina Convention Amendments, 23 May 1788

And Whereas it is essential to the preservation of the rights reserved to the several states, and the freedom of the people under the operations of a general government, that the right of prescribing the manner, time and places of holding the elections to the federal legislature, should be for ever inseparably annexed to the sovereignty of the several states. This Convention doth declare, that the same ought to remain to all posterity a perpetual and fundamental right in the local, exclusive of the interference of the general government, except in cases where the legislatures of the states shall refuse or neglect to perform and fulfill the same, according to the tenor of the said constitution.

This Convention doth also declare, that no section or paragraph of the said constitution warrants a construction that the states do not retain every power not expressly relinquished by them and vested in the general government of the union.

Resolved, That the general government of the United States ought never to impose direct taxes, but where the monies arising from the duties, imposts and excise are insufficient for the public exigencies; nor then, until congress shall have made a requisition upon the states to assess, levy and pay their respective proportions of such requisitions: and in case any state shall neglect or refuse to pay its proportion, pursuant to such requisition, then congress may assess and levy such state's proportion, together with interest thereon, at the rate of six per cent, per annum, from the time of payment prescribed by such requisition.

Resolved, That the 3d section of the 6th article ought to be amended, by inserting the word *other* between the words *no* and *religious*.

Resolved, That it be a standing instruction to all such delegates as may hereafter be elected to represent this state in the general government, to exert their utmost abilities and influence to affect an alteration of the constitution, conformably to the foregoing resolutions.

Done in Convention, the 23d day of May, in the year of our Lord, One Thousand, seven hundred and eighty-eight, and of the Independence of the United states of America the twelfth.

Thomas Pinckney, President. (L.S.)

Attest John S. Dart, Secretary, (L.S.)

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