

IN SENATE OF THE UNITED STATES.

APRIL 28, 1828.

MR. TAZEVELL MADE THE FOLLOWING REPORT:

The Committee on Foreign Relations, to whom were referred sundry petitions and memorials, and the resolutions of several Legislatures of different States, in relation to the colonization of persons of colour, have had all the said documents under their consideration, and now beg leave to

REPORT:

That they have not been able to discover, in the several petitions, memorials, and resolutions, to them referred, any precise and common object, which the different applicants desire should be accomplished, by the exertion of the legislative powers of Congress. The memorial of the American Society for colonizing the free people of colour of the United States, recommends, generally, to the aid and patronage of the government, the plan of that Society, for promoting its objects, by colonizing the free people of colour; without indicating in what particular mode they wish the aid and patronage so solicited to be exerted or furnished. This general recommendation of the American Colonization Society, is supported by a resolution of the Legislature of the State of Ohio, as general as itself. The petition of sundry citizens of the State of Pennsylvania, is somewhat more precise. This prays that a suitable asylum may be provided by the United States, somewhere on the coast of Africa, for the reception of such free persons of colour as may wish to migrate to it. Sundry citizens of the State of Ohio, and others of Minot, in the county of Cumberland, in the State of Maine, have also presented memorials, containing similar applications; and praying that the asylum, so to be provided, may be opened to such slaves as the humanity of individuals and the laws of the different States may permit to emigrate thither. In connexion with this measure, these latter memorialists also suggest the importance of setting apart, from the annual revenue of the government of the United States, a suitable fund for furnishing not only the means of transportation to such free people of colour as may be desirous of emigrating, but also the necessary aids to such humane individuals as may think proper to liberate their slaves, with a view to their colonization on the coast of Africa.

It would appear, therefore, from all these different applications, that the applicants wish, generally, that the United States should exert their power and their means, *First*, to acquire a territory somewhere on the coast of Africa, which, when acquired, should be opened as an asylum for the reception of free persons of colour, and liberated slaves: *Secondly*, that the United States should set apart a portion of their annual revenue, in order to constitute a fund, for the transportation of such persons to the asylum so to be provided: and, *Lastly*, that to effect these objects the better, the United States should extend their aid and protection to the existing society of individuals, known and distinguished as the American Colonization Society.

Against the adoption of any of these measures, the Legislature of the State of Georgia, by a resolution of that body, have preferred a most solemn protest. In this, they explicitly deny the right of Congress to grant any such applications; and plainly intimate the strongest objections to the expediency of doing so, even if the right was conceded. The Legislature of the State of South Carolina have also adopted similar resolutions in relation to this matter, containing the like solemn negation of the right of the government of the United States, in this respect: and all these resolutions have been referred, by the Senate, to this Committee.

Under such circumstances, the Committee, while investigating the subjects to them referred, have felt themselves constrained, by no ordinary considerations, to examine, most attentively, the various questions which they present. And that the reasons, from which are deduced the conclusions—of whose correctness they themselves are well satisfied—may be subject to the same tests in the Senate, to which they have been submitted in the Committee, they will now state them.

The first question which arises is—Does the constitution of the United States grant to this government any right to acquire new territory, for the purpose, and in the quarter, where these applicants propose such territory should be acquired?

The acquisition of new territory, no matter where such territory may be situated, or in what mode, or for what purpose such acquisition may be made, is an exercise of one of the highest powers which any government can ever exert. Such a power necessarily includes the right of governing and disposing of the territory so acquired, either according to the will of the acquiring sovereign, or according to the terms and conditions which may be annexed to the acquisition at the time it is made. Comprehending these high functions, it also implies the power of acting upon and altering materially most of the political and many of the civil relations, that pre-existed in the nation by which the acquisition is made: because all these relations must have been established, in reference to a condition of things, very different from that which will exist after the empire is enlarged by the addition of the newly acquired domain.

Such being the character of the power which it is proposed the United States should now exert; and the possession of such a power being

solemnly denied to them by several of the sovereign States, from whom they derive all their authority, it is due, not less to the high character of those who deny the grant of this power, than to the effects which may result from its exercise, that all the sources from whence it may legitimately flow should be carefully examined. It is only by such an examination that a correct opinion can be formed as to the right of the United States to employ such a power upon this occasion.

All the examples which history furnishes of new territory acquired by any nation, in past time, exhibit but three modes in which such acquisition hath ever been made. These are by discovery, conquest, or negotiation: and this Committee cannot conceive any other means by which new territory can ever be acquired by any sovereign. If this be so, then a government which is not endowed with the power of prosecuting discoveries, of making conquests, or of conducting negotiations, cannot enjoy the legitimate right of acquiring new territory. For it cannot be overlooked, that, high and important as is this power of acquiring new territory, yet, from its very nature, it cannot be a substantive power, but must always exist in connexion with, and as a mere consequence of, some one or more of the other great powers, that afford the only means by which it can ever be exerted. Instead, therefore, of inquiring, whether the United States possess the specific right of acquiring new territory, the inquiry should rather be, do they enjoy fully the general powers before-mentioned, the exercise of which necessarily and properly includes this as an incidental right.

Every government charged with the exclusive direction of the exterior relations of the nation for which it was designed, and specially endowed with the general powers of regulating its commerce, of waging war, and of conducting negotiations, must enjoy, as incident to these powers, the right of prosecuting discoveries, of achieving conquests, and of concluding treaties: and, consequently, must enjoy the right of acquiring new territory by any of these means, unless this natural incident of the powers granted is expressly denied to such government, by those who created and so endowed it. The Federal Constitution specially grants to the government of the United States all these general powers, and contains no direct inhibition of the right of acquiring new territory, which, as has been said, necessarily and naturally flows from each of them. The Committee, therefore, cannot doubt that the government of the United States does possess the right of acquiring new territory, by some of the modes before referred to, whenever the case may occur, to which any of these modes of acquiring new territory is properly applicable. They see, moreover, that the past practice of this government has conformed to this opinion, in the memorable examples of the acquisition of the territory of Louisiana from France, and of Florida from Spain.

But, while the Committee can readily discern the source of the right asserted by the government of the United States in the cases referred to, and can as distinctly perceive that such a right may, at any time hereafter, be legitimately asserted as an incident and consequence of some of the high powers to which they have referred it, whenever the case

may arise to which these powers properly apply, they cannot discover what support this opinion can afford to the legitimate acquisition of the new territory, which is proposed upon the present occasion.

The whole coast of the great peninsula of Africa was discovered a very long time since, by many different civilized nations, even before America itself was visited by any inhabitant of the old world. And if more of the discovered countries there situated have not been occupied by those civilized nations, who have so long known, by so frequently visiting them, the causes that have restrained others from such occupation, merit at least as much consideration from the United States as they have received from the elder members of the family of civilized man. At all events, these notorious facts suffice to show that, at this day, the United States are as much precluded, by the usages of nations, from advancing any claim to new territory there situated, upon the ground of first discovery and prime occupancy, as they would be precluded from asserting such a title to any new territory they might wish to acquire upon the coasts of Patagonia or of Japan. Any nation may possibly support a right to acquire new territory upon the known coasts of Africa, in virtue of either of the other great sources of such right, but none can found any pretension to acquire territory there now, upon the ground of first discovery.

Doubtless, the United States possess the power of declaring war; and, as a consequence of this power, the right to push hostilities through victory to conquest, and so to acquire the dominions of their enemies. But this power of waging war, like all the other discretionary powers conferred by the Constitution, is necessarily limited by the ends and objects for which alone it may be rightfully exerted. Now, as war itself is never to be justified, except as a means necessary to the preservation of permanent peace and greater security, and can never be rightfully declared, for the single and naked purpose of acquiring territory, therefore, the right of acquiring territory, in the proposed case, by any such means, cannot be conceded to belong to the government of the United States. The remote position, the ignorance, the poverty, and the imbecility, in which all the savage hordes occupying the coast of Africa, have ever existed, and must continue to exist for a long period yet to come, place it beyond credulity, that any or all of them can now threaten the peace, or disturb the security of any the most weak and exposed spot in this hemisphere. Defensive war, on our part, with any of these tribes, is at present impossible; and offensive war against such a people, in order to strip them of their possessions, can never be justified. The mere capacity to wage war for such a purpose, with these, or any other people, the United States unquestionably possess. But, until all distinction between power and right shall be forgotten, until the limits of the one shall be supposed to be found only in the measure of the other, the constitutional power of the United States to wage any war, can never be admitted to bestow upon their government the constitutional right to acquire new territory, by means of an unjustifiable war, waged upon the unoffending inhabitants of the coast of Africa. The right of the United States to

acquire new territory there, at this time, cannot, therefore, be derived from their general power to declare war, more than it can be deduced from their right to prosecute discoveries, in virtue of their general power to regulate commerce.

The only remaining source of this right to acquire new territory, is in the power to make treaties. This, too, is a discretionary power granted to the United States by the Constitution; but, like all the other powers of this kind thereby conveyed, it has its limits: limits to be found, not less in the specified ends and objects for which the government itself was created, but in the nature and character of the power itself. Without attempting to define what these limits are, the Committee will merely remark, that, from the very nature of this power, it is one which can only be exercised by two or more sovereigns, acting together, for the attainment of the same object, by means of a compact, which, when concluded, is to be obligatory upon the whole people governed by such sovereigns. None but sovereigns can enter into such an agreement; and the parties being all sovereign, are, of course, equal in that respect.

Many and important are the consequences, not only to the contracting parties themselves, but to the whole civilized world, which result from the mere fact of concluding a treaty. It is a recognition of the sovereignty and independence of the parties, by each other. From this, many results flow, and obligations attach to either, in all their future intercourse. Such being the effects of the exertion of this power of making treaties, civilized nations have rarely believed themselves at liberty to conclude them with any savage people, until many events had combined to prove that such people were capable and sincerely disposed to maintain the rights, and to conform to the usages, which, for the wisest reasons, have been acknowledged and adopted, to regulate the relations and intercourse between the different members of the family of nations. Therefore it is, that no civilized nation in modern times, hath ever entered into a treaty with any of the savage tribes who wander over the deserts, or dwell upon the coast of Africa; and numerous circumstances exist, (which need not be here repeated,) that in the opinion of this Committee, are sufficient to restrain the United States from being the first to enter into such a compact, with any such people, especially for the purpose of enlarging the limits of our present wide-spread empire. Some of these circumstances have hitherto been considered as sufficient to prevent this from being done by the United States, for very different purposes, with another people, whose situation, in all respects, is certainly much more elevated in the scale of civilization, than that which any of the savage tribes of Africa have yet attained.

In the pursuit of their private avocations, enterprising individuals have often attained from some of these tribes, the privilege of making establishments, for various purposes, within the limits of their supposed possessions. When these establishments in after time had acquired a growth and consequence, sufficient to require the attention and protection of the nations to which the individuals engaged in them were

subject, such nations have granted to these their subjects, the aid of their power, to guard them from lawless violence, and to protect their honest acquisitions. But this Committee are not aware, that any civilized nation hath ever yet concluded a solemn treaty, with any of the people of Africa, the direct object of which was to extend its dominions, by the surrender of their possessions—or has ever regarded any of these tribes as a moral being, capable of entering into, and disposed to conform to the obligations of such compacts. This right of acquiring new territory, which it is proposed the United States should exert in order to make such acquisition upon the coast of Africa, can therefore derive a little support, at this time, from the treaty-making, as it has been shown to derive from the other great powers of the government of the United States.

Should it be supposed, that the example of the nominal treaties concluded between the United States and the various savage tribes inhabiting within their acknowledged dominions, by some of which nominal treaties the Indian title to territory there situated has been extinguished, constitutes any exception to the position here asserted, a very slight notice of the peculiar character of these instruments, and of the situation of the parties, will furnish a sufficient answer to this supposition. The Indian title so extinguished, is but a mere usufructuary interest, enjoyed by the courtesy, and under the permission of the United States, who long since acquired the acknowledged sovereignty and dominion over the territory so possessed. In extinguishing such an interest, the United States do not acquire any new territory; they merely exempt that territory which they before held, from an incumbrance to which their humanity had previously subjected it. By concluding such compacts, the United States do not recognise the independent sovereignty of the people whose rights of possession are so extinguished; and the Senate require not to be informed by their Committee, of the particular *local* considerations, which, at the very commencement of this government, made it highly desirable, if not indispensably necessary, that the form and manner of effecting the extinction of this possessory right, which was not prescribed by the constitution, should be by a nominal treaty, rather than by statute, as under other circumstances would probably have been the case.

But if it was even conceded, that the treaty-making power of the United States was equal to the legitimate acquisition of new territory, either within or contiguous to their original dominions, (as it certainly is,) this Committee do not see in such a concession, any foundation for the opinion, that this power would extend to the acquisition of a distant territory, in another quarter of the globe, separated from the United States by a wide ocean. These circumstances, of themselves, if none other existed, would necessarily convert such a territory, when acquired, either into a sovereignty, independent of the United States, or into a colony absolutely dependent upon them. A country so situated, could never be admitted into this Union as an integral part of the confederation: because, in the nature of things, it could never contribute its just proportion of the blessings, or bear its proper share of the re-

sponsibilities of our representative democracy. Our established system of uniform laws, too, must necessarily work its speedy ruin, or cripple and greatly impair the beneficial effects of that system, upon the other parts of the empire. The new territory, when acquired, must, therefore, ever continue in a state of colonial bondage, deprived of all hope of being ever admitted into the Union, or it must be endowed with the character and attributes of a sovereign State, entirely independent of the parent country. To suppose, however, that our free constitution was ever designed to vest in the United States, a power of establishing and holding distant colonies, to be always retained in a state of colonial bondage to the mother country, or of creating new empires absolutely independent of it, is an opinion which this Committee believe to be opposed to the whole theory of that constitution, and to the genius and spirit of all our institutions.

In all the cases in which the United States have ever yet acquired new territory, this has been done upon the expressed condition, that the territory so acquired, and its inhabitants, should thereafter be admitted into the Union, as a part and equal member of this confederation. This practice, in the opinion of this Committee, is in strict conformity with that provision of the Constitution which authorizes the admission of new States into the Union; and which was probably intended to provide for the very case, of new territory acquired by some of the means before referred to. Indeed, this Committee would be at a loss to discover in the Constitution, any foundation for the permanent acquisition of new territory, upon any other terms.

If the Committee are correct in the opinions which they have thus expressed, then, although it is true, that the Government of the United States does possess the right to acquire new territory, under particular circumstances, and for a certain purpose, yet this Government cannot now rightfully exercise any such power, in the mode, and for the purpose, proposed by any of these applicants. It is true, that some of the applicants have deduced this right of acquiring new territory, from other powers vested by the Constitution in the Government of the United States, than those to which alone the Committee have referred it. But the Committee cannot concur, either in the principles or application of the reasoning resorted to, for the purpose of showing the rightful possession of such power by this government.

The petition of the Colonization Society, refers specially to the power of Congress to provide for the common defence, and to promote the general welfare, as to a general authority bestowed upon this body by the Constitution, in virtue of which the United States may lawfully acquire distant territory, or do any other of the acts which this Society wishes to be performed. But the error of this construction, which would convert a mere limitation into a grant of power, and into a grant too of power unlimited, has been so often exhibited and established, that this Committee do not feel justified now in again examining it minutely. They will merely remark, that although to provide for the common defence, and to promote the general welfare, are some of the great objects for which this Government was established, yet

the manner of attaining even these great objects, is prescribed in the enumeration of the limited powers specially delegated to the Government, for their accomplishment. It is by the exercise of these granted powers, and of none other whatever, that the common defence can be provided for, or the general welfare promoted. Now the power of acquiring new territory, is not one of the powers specially enumerated in the Constitution, by the employment of which the common defence may be provided for, or the general welfare promoted. This is a power which the United States enjoy, as a mere incident of the powers of regulating commerce, of declaring war, or of negotiating treaties, all of which powers are expressly granted to them. Being thus derived, any circumstance, whether physical, moral, or political, which constitutes a necessary limitation or bar to the legitimate exercise of the great powers before referred to, must unavoidably obstruct the acquisition of new territory by any such means. And these being the only means that can be legitimately employed for that end, the end is prohibited, when the use of these necessary means is denied. Any other construction of the Constitution would convert the government of the United States, which confessedly is limited both in object and power, into a government unlimited in either of these respects. Nay, it would justify even the annihilation of the State sovereignties themselves, whenever the existence of these might be regarded by the authorities of the United States, as impediments to the common defence, or obstacles in the promotion of the general welfare.

A similar answer may be given to another suggestion, presented in some of the documents the Committee have had under their consideration. In some of these, it is said that the power to acquire distant territory, although not specially granted to the United States by the Constitution, may yet be inferred from the power of appropriating the public revenue, which seems to be considered as a discretionary power, limited by nothing but the judgment of the body to which it is confided. The Committee do not concur in these opinions. The power of collecting revenue, is a power specially granted by the Constitution, limited, however, in the grant which concedes it, by the enumerated objects for which revenue may be collected, and by the prescribed modes in which it must be levied, even for these objects. The United States have no power to raise revenue in any other than according to these prescribed modes, or for any other than these declared objects. From this expressed power of collecting revenue, the subsidiary power of appropriating the revenue, when collected, is certainly fairly to be deduced. The power of appropriating the revenue, is not, however, a substantive power, an original end, the attainment of which is specially authorized by the Constitution; but it is a mere incident, resulting from the grant of other powers, as being necessary and proper to be exerted, in order to give to them effect. Thus Congress, having the power to wage war, may undoubtedly collect and appropriate revenue for that purpose. The acquisition of territory being a consequence that may result from waging war, by appropriating revenue to the prosecution of war, the revenue so appropriated may happen to be applied to the acquisition of territory. But as the acquisition of territory is not one

of the objects enumerated in the Constitution, for which revenue may be collected, it seems hardly necessary to say, that revenue cannot be appropriated for any such substantive purpose, although it may chance to be applied in that way, whenever the acquisition of territory becomes a necessary and proper means, to give full effect to any of the general powers which are specially granted. To carry this doctrine further, would be to assert, that revenue might be appropriated to a purpose for which it could not be collected; and so to make the resulting and mere accessorial power greater than the original and principal power, from which alone it is derived. A proposition which seems to this Committee, as erroneous in argument, as it would be dangerous in practice.

The Committee having thus shown that the United States have no right, at this time, to acquire new territory upon the coast of Africa, for any purpose, might perhaps excuse themselves from examining this subject under any other aspect. But the subject is one by much too important in itself, not to be investigated in every shape under which it has been presented, by any of those who have brought it before the Senate. The Committee will, therefore, examine it in another view.

If it was permissible to the United States to acquire territory upon the coast of Africa, do they possess the right of transporting thither, at the public expense, any part of our own population? And here the Committee will observe, that, although in this particular instance, it is proposed to transport none but a portion of the coloured population to the coast of Africa, yet the power proposed to be exerted is the same that would be employed if the object was to transport, at the public expense, any portion of the white population to any other spot. It is true that the power in question is now proposed to be exerted for the transportation of voluntary emigrants only. But, if the United States enjoy this power, and may employ it for such a purpose, none can deny to them the right of acting upon the will of the people, by holding out inducements to them to emigrate. Of the extent of such inducements, the United States must necessarily be the sole judges; and, being the judges, it is obvious they may offer bounties of such a character as to overcome all reluctance, and so convert any into willing emigrants, when the power in question, if it be legitimate, would rightfully apply to them. Nay, bounties and rewards are not the only means by which the United States might act upon the citizen to overcome his reluctance to emigrate. In the exercise of other powers which belong to them, while they do not exceed the Constitutional limits, and are not, therefore, guilty of usurpation, they may, nevertheless, so oppress him, by unintentionally misdirecting his labor and capital, as to inspire him with the wish of flying from the land of his birth, and of accepting their proffered aid to bear the expense of his transportation. It is a question, therefore, well deserving the serious consideration of every State in this Union, whether the United States may rightfully intrude within the confines of any of the States, for the purpose of withdrawing from thence any portion of its inhabitants, in order to locate them permanently elsewhere?

Upon this subject the Committee have no doubt. They believe, that, for all mere external purposes, which bring the United States into contact with any foreign State, the powers vested in them by the Constitution are full and complete. All powers useful and fit for the attainment of any of these objects, are not only vested in the United States, but expressly denied to each of the States. For all purposes merely internal, however, whether connected with either the territory or population of a State, where the reserved powers of the States are plenary to their accomplishment, those of the United States are limited, specially enumerated in the Constitution, and circumscribed, not less by the enumeration than by the objects for which these powers were granted. The United States, therefore, cannot act directly in any way, either upon the territory or the population of a State, (whether it be white or coloured,) except for the objects defined, and in the modes prescribed, by the Constitution. The revenue of the United States can no more be appropriated to the defraying of the expenses of transporting any portion of the inhabitants of the States, not being in the service of the United States, from one part of the world to another, than it can be appropriated to the support and comfort of such inhabitants while within the United States, either to feed, to clothe, or to educate them there. These latter powers, however, it has ever been conceded, the United States do not enjoy under the Constitution; and yet, that which it is now proposed to exert, is a power not only similar in its nature, but may be infinitely more prejudicial to the States in its effects. For it must be obvious to all, that the effect of the exercise of such a power by the United States, if carried to any extent, would be to impair the political weight of the State, from which the subtraction of population was made; and so to derange that equilibrium of political power, which it was the purpose of the Constitution to establish and to preserve. It is obvious too, that, in the proposed case, this power must, of necessity, be partially exerted; because the coloured population, which it is proposed to transport, is not scattered generally or equally over the whole surface of the United States, but exists in very unequal proportions, and in particular districts only. The expense of their transportation, however, must be defrayed by the appropriation of revenue derived from the contributions of all.

A power of such doubtful origin, of such partial operation, of such broad and dangerous extent, and to the attainment of all the beneficial effects of which the powers of every State are fully equal, this Committee cannot think is possessed by the United States. As one of the powers not granted to the United States, it is reserved to the States, each of which possesses the clear right of controlling and governing its own people and territory, in all cases, where the exercise of such a power does not conflict with any of the powers granted to the United States; who on their part could not possibly exert this power, of taking away any part of the population of a State, in order to locate it permanently elsewhere, beyond the confines of such State, without impairing and destroying the rights of the States over such a subject.

Doubtless the United States may invite, perhaps coerce, the free population of all the States, to fill the ranks of their armies, to navigate their fleets, and to execute their laws. All these are objects which the constitution expressly authorizes the United States to accomplish; and which may not be attainable without the use of such means. But the people thus taken into the service of the United States, continue the subjects of the States from which they may have been originally drawn. Their numbers will still add to its political weight, while they remain in it; and even when, in the discharge of their duties, they may be withdrawn from it, this withdrawal is not necessarily permanent, nor is this the purpose for which the power is given or exerted, although such may be the accidental effect resulting from it.

Before they leave this part of the subject, the Committee will observe, that the framers of the Constitution most wisely abstained from bestowing upon the government thereby created, any power whatever, over the coloured population of the United States, as such, whether this population was bond or free. Any attempt to endow it with such a power, we know, as an historical fact, would have frustrated all the labours, and defeated the great objects, of the patriot statesmen, assembled for the purpose of framing this plan of government. The condition of the persons inhabiting the several States, was therefore left to the control of the States respectively, who retained the exclusive power of defining and regulating this condition, as they might severally think best; and any power to prohibit the migration or importation of such persons as the States might think proper to admit, was specially denied to Congress, for a term of twenty years. It is true that this term has expired: but, in the opinion of this Committee, it would be a departure from the spirit of the constitution, as well as an exertion of power not granted by it, if Congress were now, by any special legislative act on their part, to invite and encourage the emigration or transportation of that particular class of persons, whose introduction into the States they were at first expressly prohibited from preventing.

Indeed this Committee cannot perceive in what mode the power which it is proposed should be exerted by the United States upon this occasion, could ever be practically exercised, without a violation of that great principle which lies at the very foundation of this government, that the States respectively should retain the exclusive right of severally determining the condition of their own inhabitants. For if the United States possess the right to intrude into any State, for the purpose of withdrawing from thence its free coloured population, they undoubtedly must exert, practically, the power of previously deciding what persons are embraced within this description. They must have the right of determining finally, not only who are coloured, but who are free persons. This Committee believe, however, that any attempt by the United States to exercise such a power, would not only be a direct violation of the constitution, but must be productive of the worst effects.

It has been said by an eminent statesman, that even if the constitution had not contained any express inhibition of the exercise by this

government, of the powers not granted to it, yet the consequences which must unavoidably result from the exertion of any such powers, would be found, in practice, so inconvenient, inexpedient, and impolitic, that no wise men would ever voluntarily attempt to use them. The case now before the Committee furnishes a good illustration, if not a proof, of the truth of this opinion. This Committee will not state all the facts and arguments which may suggest themselves to the minds of those who shall examine this subject, to prove, that even if the power it is desired should be employed by the United States upon this occasion, was enjoyed by them without question or doubt, yet it is a power that ought not to be exerted by this government. They will confine themselves to the statement of a few only of these facts and arguments.

And first, they will endeavor to show, that the object which these applicants purpose to accomplish, cannot be attained, by any of the means which, in justice to the people of this country, the United States ought ever to apply to any such purpose. This object is, to relieve the States of this confederacy, from what is supposed to be the evil of their free coloured inhabitants, by transporting all these to the coast of Africa. Now, by the last census, taken in 1820, the whole number of the free coloured people of the United States, is shown to have then been 233,530. By comparing this number with that shown by the preceding enumeration, the mean ratio of their annual increase, for the ten years preceding 1820, appears to be somewhat more than two and one half per cent. Add then an annual increase according to this ratio, during the term of eight years which has elapsed since the census of 1820 was taken, and we shall find the probable number of the free coloured population of the United States, now, to exceed 280,000; and that the annual increase of this population, at present, is more than 7,000.

The expense of transporting such persons from the United States to the coast of Africa, has been variously estimated. By those who compute it at the lowest rate, the mere expense of this transportation has been estimated at \$20 per head. In this estimate, however, is not comprehended the expense of transporting the persons destined for Africa, to the port of their departure from the United States, or the necessary expense of sustaining them, either there or in Africa, for a reasonable time after their first arrival. All these expenses combined, the Committee think they estimate very low, when they compute the amount at \$100 per head. It has been estimated by some at double this amount; and if past experience may be relied upon as proving any thing, the official documents formerly furnished to the Senate by the Department of the Navy, show that the expenses attending the transportation of the few captured slaves who have been returned to Africa by the United States, at the expense of this government, far exceeds even the largest estimate. But taking the expense to be only what the Committee have estimated it: Then the sum requisite to transport the whole number of the free coloured population of the United States, would exceed twenty-eight millions of dollars; and the ex-

pense of transporting a number, equal only to the mere annual increase of this population, would exceed seven hundred thousand dollars per annum. Sums which would impose upon the people of this country, an additional burthen of taxation, greater than this Committee believe they could easily bear; and much greater than ought to be imposed upon them for any such purpose.

The views of the present applicants, however, are not confined to the transportation of the existing free coloured population of the United States, or of the future natural increase of this population. They also propose that this government shall furnish the necessary aids to such humane individuals as may think proper to liberate their slaves; and that the slaves so liberated, may, in like manner, be transported to Africa. What augmentation of the number to be transported, would be produced by the adoption of such a project, would depend very much upon the quantum of the aids which this government might think proper to tender to humane individuals, in order to induce them to liberate their slaves. Doubtless, the proprietors of the whole slave population in the United States might be tempted to part with their property, by the offer of what they might deem a fair equivalent; and as the plan of some of the applicants seems to look even to this event, the Committee have thought it necessary to examine into the effects of this measure also.

By the census of 1820, the whole number of slaves in the United States is shown to be 1,538,128. By comparing this number with that shown by the preceding enumeration, the mean ratio of their annual increase, for the ten years preceding 1820, appears to be somewhat less than three per cent.; add then an annual increase, according to this ratio, during the term of eight years, which has elapsed since the census of 1820 was taken; and we shall find the probable number of slaves in the United States, now, to be at least 1,900,000; and that the annual increase of this population, at present, is at least 57,000. Now allow the same sum per head for the transportation of these persons, that has been estimated for the transportation in the other similar case; and the sum requisite to defray the expense of the transportation of all the slaves in the United States, would be one hundred and ninety millions of dollars; and that requisite to defray the expense of the transportation of a number only equal to their mere annual increase, would be five millions seven hundred thousand dollars per annum. But to either of these sums must be added the reasonable equivalent, or necessary aid, to be paid by the United States to humane individuals, in order to induce them voluntarily to part with their property. The Committee have no "data" by which they can measure what this might be. But any sum, however small, will make so great an augmentation of the amount, as almost to baffle calculation, and to exhibit this project at once, as one exceeding, very far, indeed, any revenue which the United States could ever draw from their citizens, even if the object was to increase and multiply, instead of reducing the numbers of the class of productive labour.

It would not, in any degree, allay the excitement which an imposition so grievous as that necessary to defray the expense of transporting the mere annual increase of our present free coloured population only, would generate in this country, to know that its effects must necessarily be partial, as well as oppressive. The free persons of colour now in the United States, are collected, for the most part, in the cities, towns, and villages, situated on the Atlantic sea-board. From hence, therefore, the exportation of such persons would commence, and would long be confined to the inhabitants of such places. The provisions of such a regulation could not be extended to many of the States of this Union at all; nor would they be felt, directly, in the interior, even of those States to the sea-board of which they would extend.

But this is not all. In the sea-board towns, where the free coloured population of the United States, for the most part, now exists, these persons are generally engaged as domestics, servants, and day labourers in various necessary menial duties. The removal of this useful portion of their population from the Atlantic towns, would necessarily create a vacuum there. This vacuum, by enhancing the rate of wages of such persons, in the places where it existed, would certainly tempt others to resort thither. The free coloured people from the country contiguous and adjacent to these towns, would probably first rush in to supply the void, so creating a new vacuum in the places from whence they went. This new void would inevitably be supplied by fugitive slaves escaping from their owners in the slave-holding States. The system would, therefore, be productive, at first, of much temporary inconvenience, and of some loss to the inhabitants of the sea-board towns, and must occasion, ultimately, real and permanent injury to the slave property in all the slave-holding States.

This Committee, believing themselves to be correct in all the views which they have taken of this subject, do not therefore find it necessary to examine particularly the character and objects of the American Colonization Society, to which it is asked that the aid and protection of this government should be extended. Of the generous feelings and philanthropic purposes of the members of this Society, the Committee do not entertain the slightest doubt. But they cannot refrain from stating, that, in a government like this, the establishment of a self-created society at the seat of this government, which society numbers in the list of its members, many of the most distinguished officers and agents of the government itself, and which extends its influence throughout the Union, by means of affiliated associations formed in the different States, is an exhibition, which, under any circumstances, would merit attention. Should the objects and plans of that society be in any way connected with the action of this government, either to invite, to stimulate, to restrain, or to prevent, the exercise of any of its acknowledged or supposed powers, such an institution, in despite of the purity and intelligence of its members, must be looked at with suspicion and distrust. But when such a society professes to draw distinctions, for any purpose, between the different classes of our population: to establish colonies: to erect governments; nay, to found new

empires, independent of the United States, the example of such an association cannot be productive of any benefit. Much better would it be for the peace and good order of society, if the government, instead of lending its aid, and extending its protection to such an institution, should take the whole subject at once into its own hands, and regulate it in the customary mode, by agents directly responsible to the people and to the States. This, however, as the Committee believe, the United States cannot and ought not to do; and as they cannot assist, they ought not to countenance the plans of such an institution, but should leave it to be dealt with by the several State sovereignties, as to their wisdom may seem best.

The Committee, therefore, pray to be discharged from the further consideration of all the petitions, memorials, and resolutions upon this subject, which to them have been referred.