

itors is the first and great object of a bankrupt law, yet the relief of unfortunate debtors, who have honestly given up their property for the benefit of their creditors, is another object of it.

Your memorialists forbear to urge those arguments which are calculated to operate upon the heart, by approaching it through the feelings of compassion in favor of the unfortunate, for reasons which will readily suggest themselves; but they beg leave to state that the situation of the United States seems in their opinion to require, as a mere matter of state policy, that merchants who have become unfortunate should not from that moment be considered as drones in the political hive, unable in any way to contribute to the general welfare. Misfortune is apt enough to drive mankind to desperation, to palsy all manly exertion, and to make the stoutest man a mere infant. The laws of the country should encourage the unfortunate to future exertion, and not sink them yet deeper in despair; they should hold out, as objects worthy of his future industry, the support of his family, who by his exertions may yet become respectable, and the re-establishment of his own reputation, which, although sullied by misfortune, may yet, through honest industry and exertion, become brighter than ever. By doing so, the state is certainly benefited, because it is its interest to encourage industry, and to excite as much as possible the exertions of all its citizens in some honest pursuit. The Supreme Court of the United States having decided that the State Legislatures have no authority to discharge insolvent debtors from their debts, unless Congress in their wisdom shall think proper to interfere and pass a general bankrupt law, a merchant who becomes unfortunate in the United States must be content for the residue of his life to become a charge upon his friends or his country. The consequences of such a state of things upon the commercial prosperity of the United States your memorialists leave to those to determine upon whom the duty of regulating and protecting our commerce is intrusted by the constitution.

Your memorialists most respectfully pray that Congress will pass a law establishing a general system of bankruptcy throughout the United States, which they believe is called for by the best interests of the country.

And your memorialists will ever pray, &c.

JOHN PINTARD, *Secretary.*

WILLIAM BAYARD, *President.*

16th CONGRESS.]

No. 479.

[1st Session.]

### PROHIBITION OF SLAVERY IN MISSOURI.

COMMUNICATED TO THE SENATE, JANUARY 12, 1820.

NEWPORT, *Wednesday, December 22, 1819.*

At a late and numerous meeting held at the State-house, pursuant to notice, for the purpose of taking into consideration the expediency of presenting a petition to Congress to prohibit the introduction of slavery into any State or Territory that may hereafter be admitted into the Union, Thomas G. Pitman, Esq. was called to the chair. After reading the circular letter from the New York committee on this very interesting subject, and likewise their address to the American people, which was followed by considerable debate and many applicable remarks, the following resolutions were almost unanimously adopted:

*Resolved*, That Dutee J. Pearce, Caleb Green, John Slocum, Thomas Peckham, and Edward W. Lawton, be a committee to draught a memorial to Congress, praying them to prohibit the further extension of slavery into any Territory that may be admitted into the union of the States.

*Resolved*, That David Buffum, David Buffum, jun., Benjamin Hadwen, John Slocum, Stephen Gould, Clarke Rodman, Job Sherman, Thomas H. Mumford, and Edward W. Lawton, be a committee to obtain signatures to the said memorial, and forward the same to Congress as soon as may be.

Agreeably to the first recited resolution, the undersigned, having prepared the annexed memorial, respectfully submit the same to the citizens of the town of Newport and its vicinity for their approbation and signatures.

THOMAS PECKHAM,	} <i>Committee.</i>
DUTEE J. PEARCE,	
CALEB GREEN,	
JOHN SLOCUM,	
EDWARD W. LAWTON,	

*To the honorable Senate of the United States: The memorial of the inhabitants of the town of Newport, in the State of Rhode Island, with reference to the bill now pending before your honorable body, authorizing the people of the Territory of Missouri to form a State Government, and for other purposes, respectfully sheweth:*

That slavery, as it now exists in the United States, in the opinion of your memorialists, can never be made a matter of reproach to the existing Government or the present generation. It was an evil introduced into the colonies by the parent state, and acquiesced in to a great degree by the colonies themselves, in an age when the traffic in slaves was pursued by all nations without a suspicion of its enormity.

The northern colonies participated in it equally with the southern, and the navigation of the New England ports, and particularly of this town, was employed continually on the African coast, in the transportation of slaves to the different American markets, and by means of American capital. There can be no reproach, therefore, cast upon our southern brethren for the introduction of this evil, which, as your memorialists conceive, will not equally attach itself to ourselves and to the English nation. We were all equally disposed to embark in the traffic, and to avail ourselves of its proceeds, and the guilt, if any there be, must be shared in an equal degree by the parties concerned. The constitution of the United States, as is well known to your honorable body, after giving Congress an unlimited power to regulate commerce, with certain reservations as to the intercourse between the respective States, provides "that the migration or importation of such persons as any of the States now existing shall think proper to admit shall not be prohibited by the Congress prior to the year one thousand eight hundred and eight; but a tax or duty may be imposed on such importation, not exceeding ten dollars for each person."

As the reservation here mentioned related merely to the direct trade, an act was passed as early as A. D. 1794 making it unlawful for any citizen of the United States, or alien residing therein, to transport in American bottoms the inhabitants of any kingdom, place, or country, to any other foreign kingdom, place, or country, to be sold and disposed of as slaves, or from the United States to any foreign kingdom, place, or country; and, by a subsequent act, it was made penal to hold property in any vessel whatever so employed, or to serve on board such vessel, whether American or foreign. The direct trade, as is known to your honorable body, had become limited to one or two States, by the enlightened views that prevailed in the south, even before Congress had the authority to interpose for itself. And when the constitutional period to which the limitation on their power extended was about to expire by the prospective act of March 2d, A. D. 1807, it was declared unlawful to import or bring into the United States any negro, mulatto, or person of color, with the intent to hold, sell, or dispose of such negro, mulatto, or person of color, as a slave, after the 1st day of January, 1808. This law, as is well known to your honorable body, has since been modified by another act, principally with respect to its penalties; and, finally, enforced by a law of the last session of Congress, authorizing the President to employ the armed vessels of the United States on the American and African coasts, to appoint agents to reside in Africa, and to offer bounties for the slaves released. Thus, the United States have the honor of being the first to advocate and the first to adopt those humane and enlightened measures which, after twenty years' earnest and eloquent exhortation, have become the pride and the glory of the states of Europe.

If the people of this country, as is the opinion of your memorialists, were responsible for the continuance of the slave trade after the government of the States and the Union had passed into their own hands, it is equally incumbent on your memorialists, and all others who enjoy the protection of our mild and equal laws, to confine the existence of slavery within the narrowest limits possible. To say nothing of its utter inconsistency with the genius of our republican institutions, and of its fatal effects on the principles and morals of men, the simple circumstance that the Government of the United States has entirely prohibited the importation of slaves, directly or indirectly, as your memorialists have set forth, is sufficient of itself to enforce on us the duty. But it will be in vain that Congress shall prohibit the traffic in slaves under the severest penalties, or that the President be disposed to exert himself to the utmost to enforce these provisions, if an immense market is to be opened in the Territories of the west for the unhappy victims of this traffic. The inevitable result of such a course of proceedings must be, as your memorialists apprehend, to increase the temptations to introduce them illegally, already too great, and fatal to the morals and industry of your constituents. It cannot, then, escape the notice of your honorable body that the outlet of the Mississippi and its tributary waters, and generally of the streams that flow into the Gulf of Mexico, is placed by nature in a region, beyond almost any other in the Union, open to an illicit trade—a low alluvial country, abounding in inlets, remote from any dense population, in the vicinity of Cuba, a great depot and slave mart—and affording temptations innumerable to a traffic in slaves from the education and habits of the people of Louisiana. The experience of the Government has exactly corresponded to what your memorialists would have presumed to be the case. We refer your honorable body to the explicit testimony of the collector of the customs at New Orleans, (Mr. Beverly Chew,) in his letters to the Secretary of the Treasury on the subject of the piratical establishment at Galvezton; and to the statement made at the last session of Congress, and never contradicted, that above 14,000 slaves were introduced into the United States in that year, and principally through these outlets. We would ask, then, with all deference to your honorable body, what can be more feasible to the unprincipled men engaged in this business than, after the Louisiana market is glutted, to introduce slavery to any extent, and with perfect impunity to themselves, into the Missouri State, if Congress should unhappily countenance its existence? Your memorialists cannot doubt for a moment that this would really be the case, and they are persuaded that it has already taken place, to an alarming extent, under the Territorial laws.

But admitting, for the sake of the argument, as your memorialists are willing to admit, that the number of slaves introduced into the Union from foreign countries, and in violation of your laws, must ever be inconsiderable, your memorialists are still of opinion that it would be unwise in Congress to permit the extension of slavery in the new States. The slaves which might then be introduced into Missouri, from the Union at large, would multiply, as your memorialists conceive, to a degree hitherto unknown in this country, not only from the increased facilities of subsistence, but the comparative mildness of her climate. Whilst these causes were operating to perpetuate the evil in the west, the slave population in the Atlantic States must of necessity rise with the demand for labor and the means of life; and the event would be, as your memorialists can confidently predict, that the number of persons of this unhappy description in the United States would be a thousandfold greater than if the slaves were confined, as your memorialists would advise, to the States now holding them.

We would ask, with all deference to your honorable body, when and where is this evil to cease? If it be permitted to the people of Missouri, there is no reason that your memorialists can conceive why it may not be allowed to the inhabitants of every part of Louisiana within the treaty of limits. And, without pretending to any uncommon sagacity on this subject, it is easy for your memorialists to foresee that this will certainly be the case, without the interposition of the General Government. If the United States had no experience whatever of the effects of slavery, and it were still a problem how far it might be beneficial to a State to tolerate its existence in the mildest form, it would appear more credible to your memorialists that citizens of the United States might be found who would be willing to make the untried experiment in our new Territory.

But, with the convictions which our colonial history and every day's experience are forcing on the minds of your constituents; with the acknowledged and lamented fact that slavery was introduced among us in an unenlightened and fanatical age, and that for nearly two centuries it has been progressively fruitful of the most unhappy results in this country; and knowing, as we well do, its effects on the state of agriculture, the manufacturing and mechanic arts, and generally on the industrious and profitable habits of a people, and their domestic peace—to think of introducing such a state of things, and of choice, too, into a new country, is to your memorialists perfectly inconceivable.

Your memorialists are well aware that it may be a very obvious reply to the statement of your memorialists, that, admitting the reasonableness of what your memorialists have set forth, it is still incumbent on them to show that Congress have a right to prescribe this condition to a sovereign State. Your memorialists might be content, on this occasion, to refer to the uniform practice of the Government, and to the well-known fact that this very condition, and many others besides, have been made in almost every instance the bases of their admission into the Union whenever new States have been formed out of our old domain. There is nothing, as your memorialists can perceive, in the treaty of Paris, by which Louisiana was ceded to this country, that makes it necessary for the United States to depart from the practice. It simply requires of this Government that the Territory in question shall be admitted into the Union as soon as possible, and upon the principles of the federal constitution—that is, as your memorialists understand it, precisely in the same manner as other States have been admitted. And, in point of fact, when the southern section of this Territory, under the name of Louisiana, was about to be formed into a State, it was required of it to conform, not to the condition we have mentioned, indeed, (for the situation of the Territory entirely forbade it,) but other conditions were made preliminary to this favor, and implying an equal de-