

Mr WILLIAMSON. This could surely never be admitted. Should a majority of the Legislature be composed of any particular description of men, of lawyers for example, which is no improbable supposition, the future elections might be secured to their own body.

Question on the motion to strike out with regard to property
N. H. no. Mas. no. C^t ay. N. J. ay. P^a ay. Del. no. M^d no.
V^a no. N. C. no. S. C. no. Geo. ay. [Ayes, 4; noes, 7.]

On the question for agreeing to Art. VI. Sect. 2^d
N. H. ay. Mas. ay. C^t no. N. J. no. P^a no. M^d no. V^a no. N. C.
no. S. C. no. Geo. ay. [Ayes, 3; noes, 7.]

NAVIGATION ACTS AND SLAVERY

The important compromise dealing with navigation acts and importation of slaves must be followed from August 21 through August 29. The basis of this dispute lay in contradictory sectional attitudes which the report of the Committee of Detail challenged. North and South differed on the requirement (Art. VII, Sect. 4) that navigation acts receive a two thirds majority, since the former wanted to build up shipping and the latter desired low rates for moving staples. Congress at this time was empowered to tax imports (VII, 1) but not exports (VII, 4). It could not, however, interfere with the importation of slaves (VII, 4). Besides many humanitarian objections to the latter, the slave-breeding states of the upper South saw in this restriction loss of a market in the deep South. Thus beginning on August 21, just after an attempt to make it easier for Congress to tax exports passed negatively, a Marylander and a Virginian raised the question of slavery. Hoping for accommodation on control of navigation acts, Northern delegates threatened the South to the point where disruption was feared. Morris candidly saw the ingredients of a bargain, which emerged from the Grand Committee on August 29. Nevertheless Charles Pinckney, Martin, and Mason tried to prevent the compromise, which passed on August 29.

Tuesday, August 21. In Convention

Mr L. MARTIN, proposed to vary the Sect: 4. art VII. so as to allow a prohibition or tax on the importation of slaves. 1. as five slaves are to be counted as 3 free men in the apportionment of Representatives, such a clause w^d leave an encouragement to this trafic. 2. slaves weakened one part of the Union which the other parts were bound to protect: the privilege of importing them was therefore unreasonable. 3. it was inconsistent with the principles of the revolution and dishonorable to the American character to have such a feature in the Constitution.

Mr RUTLIDGE did not see how the importation of slaves could be encouraged by this Section. He was not apprehensive of insurrections and would readily exempt the other States from the obligation to protect the Southern against them.—Religion & humanity had nothing to do with this question. Interest alone is the governing principle with nations. The true question at present is whether the Southⁿ States shall or shall not be parties to the Union. If the Northern States consult their interest, they will not oppose the increase of Slaves which will increase the commodities of which they will become the carriers.

Wednesday, August 22. In Convention

Art VII sect 4. resumed. Mr SHERMAN was for leaving the clause as it stands. He disapproved of the slave trade; yet as the States were now possessed of the right to import slaves, as the public good did not require it to be taken from them, & as it was expedient to have as few objections as possible to the proposed scheme of Government, he thought it best to leave the matter as we find it. He observed that the abolition of Slavery seemed to be going on in the U. S. & that the good sense of the several States would probably by degrees compleat it. He urged on the Convention the necessity of despatching its business.

Col. MASON. . . . The present question concerns not the importing States alone but the whole Union. The evil of having slaves was experienced during the late war. . . . Maryland & Virginia he said had already prohibited the importation of slaves expressly. N. Carolina had done the same in substance. All this would be in vain if S. Carolina & Georgia be at liberty to import. The Western people are already calling out for slaves for their new lands, and will fill that Country with slaves if they can be got thro' S. Carolina & Georgia. Slavery discourages arts & manufactures. The poor despise labor when performed by slaves. They prevent the immigration of Whites, who really enrich & strengthen a Country. They produce the most pernicious effect on manners. Every master of slaves is born a petty tyrant. They bring the judgment of heaven on a Country. As nations can not be rewarded or punished in the next world they must be in this. By an inevitable chain of causes & effects providence punishes national sins, by national calamities. He lamented that some of our Eastern brethren had from a lust of gain embarked in this nefarious traffic. As to the States being in possession of the Right to import, this was the case with many other rights, now to be properly given up. He held it essential in every point of view that the Gen^l Gov^t should have power to prevent the increase of slavery.

Mr ELSWORTH. As he had never owned a slave could not judge of the effects of slavery on character: He said however that if it was to be considered in a moral light we ought to go farther and free those already in the Country.—As slaves also multiply so fast in Virginia & Maryland that it is cheaper to raise than import them, whilst in the sickly rice swamps foreign supplies are necessary, if we go no farther than is urged, we shall be unjust towards S. Carolina & Georgia. Let us not intermeddle. As population increases poor laborers will be so plenty as to render slaves useless. Slavery in time will not be a speck in our Country. Provision is already made in Connecticut for abolishing it. And the abolition has already taken place in Massachusetts. . . .

Mr PINKNEY. If slavery be wrong, it is justified by the example of all the world. . . . In all ages one half of mankind have been

slaves. If the S. States were let alone they will probably of themselves stop importations. . . . An attempt to take away the right as proposed will produce serious objections to the Constitution which he wished to see adopted.

General PINKNEY declared it to be his firm opinion that if himself & all his colleagues were to sign the Constitution & use their personal influence, it would be of no avail towards obtaining the assent of their Constituents. S. Carolina & Georgia cannot do without slaves. As to Virginia she will gain by stopping the importations. Her slaves will rise in value, & she has more than she wants. It would be unequal to require S. C. & Georgia to confederate on such unequal terms. . . . He contended that the importation of slaves would be for the interest of the whole Union. The more slaves, the more produce to employ the carrying trade; The more consumption also, and the more of this, the more of revenue for the common treasury. He admitted it to be reasonable that slaves should be dutied like other imports, but should consider a rejection of the clause as an exclusion of S. Carol^a from the Union.

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Mr WILSON . . . As the Section now stands all articles imported are to be taxed. Slaves alone are exempt. This is in fact a bounty on that article.

Mr GERRY thought we had nothing to do with the conduct of the States as to Slaves, but ought to be careful not to give any sanction to it.

Mr DICKENSON considered it as inadmissible on every principle of honor & safety that the importation of slaves should be authorised to the States by the Constitution. . . .

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Mr RUTLEDGE. If the Convention thinks that N.C. S.C. & Georgia will ever agree to the plan, unless their right to import slaves be untouched, the expectation is vain. The people of those States will never be such fools as to give up so important an interest. He was strenuous agst striking out the Section, and seconded the motion of Gen^l Pinkney for a commitment.

Mr Gov^t MORRIS wished the whole subject to be committed

including the clauses relating to taxes on exports & to a navigation act. These things may form a bargain among the Northern & Southern States.

M^r PINKNEY & M^r LANGDON moved to commit Sect. 6. as to navigation act by two thirds of each House

M^r GORHAM did not see the propriety of it. Is it meant to require a greater proportion of votes? He desired it to be remembered that the Eastern States had no motive to Union but a commercial one. They were able to protect themselves. They were not afraid of external danger, and did not need the aid of the Southⁿ States.

M^r WILSON wished for a commitment in order to reduce the proportion of votes required.

M^r ELSWORTH was for taking the plan as it is. This widening of opinions has a threatening aspect. If we do not agree on this middle & moderate ground he was afraid we should lose two States, with such others as may be disposed to stand aloof, should fly into a variety of shapes & directions, and most probably into several confederations and not without bloodshed.

On Question for committing 6 Sect. as to navigation act to a member from each State—N. H. ay. Mas. ay. C^t no. N. J. no. P^a ay. Del. ay. M^d ay. V^a ay. N. C. ay. S. C. ay. Geo. ay. [Ayes, 9; noes, 2.]

The Committee appointed were M^r Langdon, King, Johnson, Livingston, Clymer, Dickenson, L. Martin, Madison, Williamson, C. C. Pinkney, & Baldwin.

To this committee were referred also the two clauses above-mentioned, of the 4 & 5. Sect: of Art. 7.

Friday, August 24. In Convention

Governour Livingston, from the Committee of Eleven, to whom were referred the two remaining clauses of the 4th Sect & the 5 & 6 Sect: of the 7th art: delivered in the following Report:

"Strike out so much of the 4th Sect: as was referred to the

Committee and insert—"The migration or importation of such persons as the several States now existing shall think proper to admit, shall not be prohibited by the Legislature prior to the year 1800, but a tax or duty may be imposed on such migration or importation at a rate not exceeding the average of the duties laid on imports."

"The 5 Sect: to remain as in the Report"

"The 6 Sect to be stricken out"

Saturday, August 25. In Convention

The Report of the Committee of eleven (see friday the 24th instant) being taken up,

Gen^l PINKNEY moved to strike out the words "the year eighteen hundred" as the year limiting the importation of slaves, and to insert the words "the year eighteen hundred and eight"

M^r GHORUM 2^d the motion

M^r MADISON. Twenty years will produce all the mischief that can be apprehended from the liberty to import slaves. So long a term will be more dishonorable to the National¹ character than to say nothing about it in the Constitution.

On the motion; which passed in the affirmative.

N. H. ay. Mas. ay. C^t ay. N. J. no. P^a no. Del. no. M^d ay. V^a no. N. C. ay. S. C. ay. Geo. ay. [Ayes, 7; noes, 4.]

It was finally agreed nem: contrad: to make the clause read "but a tax or duty may be imposed on such importation not exceeding ten dollars for each person," and then the 2^d part as amended was agreed to. . . .

Wednesday, August 29. In Convention

Art. VII Sect. 6 by y^e Committee of eleven reported to be struck out (see the 24 instant) being now taken up,

M^r PINKNEY moved to postpone the Report in favor of the

¹ (The word "American" is substituted in the transcript for "National.")