

and limits hereinafter described, that is to say, all the territory or tract of country included within the river Mississippi and a line beginning at that part of the said river Mississippi which is intersected by the southern boundary line of North Carolina, and continuing along the said boundary line until it shall intersect a ridge or chain of mountains which divides the eastern from the western waters; thence along the said ridge of mountains to where it intersects a line to be drawn due west from the head of the southern branch of Tugalo river to the said mountains, and thence to run a due west course to the river Mississippi: and whereas the United States did accept of a deed of cession, executed by the said delegates in due form, on the seventh day of August, in the year of our Lord one thousand seven hundred and eighty-seven: and whereas, that previous to the date of the aforesaid deed of cession, that is to say, in the year of our Lord one thousand seven hundred and seventy-two, the Governors of the then provinces of North and South Carolina, by virtue of an order of George the Third, King of Great Britain, appointed commissioners to alter the line between the two provinces aforesaid, now States of North and South Carolina, which said line was actually run and ascertained by the said commissioners; and that the said line was continued from the end of the line northwest from Little River, a due west course, to the lands belonging to the Catawba nation of Indians; thence northwardly with their lands, so as to leave the same in South Carolina; thence due west; by which proceeding it evidently appears that all the land comprehended within the limits of Walton county, and as far as the thirty-fifth degree of north latitude, continued to be the property of South Carolina, until their deed of cession to the United States: and whereas articles of agreement and cession were entered into, and signed, sealed, and executed by commissioners duly authorized by the United States and this State, respectively, on the twenty-fourth day of April, in the year of our Lord one thousand eight hundred and two, which were ratified by this State on the sixteenth day of June following, by which articles of agreement and cession aforesaid the United States conveyed to this State both the right of soil and jurisdiction to all the territory within the aforesaid boundaries and limits which the State of South Carolina had any claim to at the time that State made a cession of the same to the General Government:

And whereas the State of Georgia did, being vested by the articles of agreement and cession aforesaid with the right of soil and jurisdiction of the lands within the limits of the county of Walton, pass an act on the tenth day of December, in the year of our Lord one thousand eight hundred and three, entitled "An act to establish a county in the territory lately acquired by a cession of the United States," which said act has been carried completely into effect; and the said county of Walton, in pursuance of the same, hath been duly organized, and the authority of this State exercised therein:

And whereas it is necessary that commissioners, on the part and behalf of this State, should be appointed to meet any commissioners which may hereafter be appointed by the State of North Carolina for the purpose of marking more plainly the line, in every part, designating the county of Walton.

Sec. 1. *Be it therefore enacted by the Senate and House of Representatives of the State of Georgia, in general assembly met, and by the authority of the same,* That his excellency the Governor be, and he is hereby, authorized and required to appoint two or more fit and proper persons, as commissioners on the part and behalf of this State, with full and competent power, to meet any two or more commissioners that may be appointed by the State of North Carolina for the purpose of designating more plainly and clearly the lines of the aforesaid county of Walton.

ABRAHAM JACKSON, *Speaker of the House of Representatives.*
JARED IRWIN, *President of the Senate.*

Assented to: December 10, 1805.

JOHN MILLEDGE, *Governor.*

9th CONGRESS.]

No. 202.

[1st SESSION.]

SLAVE TRADE.

COMMUNICATED TO THE HOUSE OF REPRESENTATIVES, FEBRUARY 13, 1806.

To the Senate and House of Representatives of the United States of America in Congress assembled:

It is to us a subject of deep regret that circumstances once more command an address to you in the language of solicitation. In thus calling your attention from objects of importance to those which may perhaps be deemed of inferior moment, we are not actuated by an ignoble passion for renown. Far otherwise; we are perfectly content to pass down the stream of time unnoticed by the world, unrewarded by celebrity. If the purposes which we hold up to view for attainment are but accomplished, entire satisfaction will be ours, though fame record not our actions. The existence of injustice and a wish to eradicate it, have alone drawn us from the obscurity of private life.

Sources of affliction still force themselves upon the feelings of your memorialists in viewing the land of their nativity and affection. Though the horizon in some places has resumed its native lustre, dark clouds intercept its splendor in others. We still hear the clanking fetters of slavery in the dominions of liberty; and we hear them with increasing noise.

That the cause of this injurious change should be legalized, we can but lament. We ask not the interposition of Congress. Though it is believed to be within their inclination, we know it is beyond their power. The object of this memorial is the removal of other evils.

Eminence in the slave trade has long disgracefully distinguished a number of the citizens of an eastern State. Regardless of their own or their country's reputation, they have long been the inhuman forgers of chains for the sons of Africa. By their means the American flag still continues to flutter on an insulted territory, the witness of the greatest enormities. Parents are torn from children, husbands from wives; in a word, thousands of freemen are annually dragged into slavery, through the instrumentality of the vessels, the citizens, and the produce of the United States; and this, too, in undisguised contravention of the laws of their country. To one of the practices, to which the African traders of the place alluded to have resorted for escaping even a chance of punishment, we beg

leave to call the attention of the wisdom of the Union. We say chance of punishment, for he who there dares to step forward to assert the laws of the land hazards his life.

It is declared, in the first section of an act of Congress, passed May 10, 1800, unlawful for any citizen of the United States, or other person residing within the United States, directly or indirectly, to hold any right or property in any vessel employed in the transportation of slaves from one foreign country to another; and any right or property belonging as aforesaid shall be forfeited, and may be libelled and condemned for the use of the person who shall sue for the same, &c. Under this act, giving the whole forfeiture to the informer, the vessels of those who incur its penalties are libelled and condemned by collusion with their friends. The defendants, by this mockery of justice, purge their vessels from crime, subjecting themselves merely to an inconsiderable expense. From unquestionable authority we are assured of several evasions of this description. To prevent them, and strengthen the provisions of the acts generally upon the subject of the slave trade, we would suggest to Congress the propriety of such an alteration in the law as to entitle the United States, in all cases, to a proportion of the condemned article; and annexing to the persons engaged in this traffic (since shame is a powerful motive to action) a disqualification to hold any office under the United States.

Your memorialists would further suggest another alteration of the penal code. By the same law of 1800, voluntarily serving on board vessels employed in the transportation of slaves from one foreign country to another is declared unlawful. The punishment of this offence is directed to be by indictment. By the existing law, criminal prosecutions can only be supported, with some few exceptions, by *viva voce* testimony. The accused, upon the trial, must be confronted by the witnesses against him. To seamen the knowledge of infractions of the part of the law last alluded to is usually confined. Persons whose avocations constantly lead them from their homes to distant places, and whose attendance at trial it is of course generally impossible to secure, without subjecting them to the palpable injustice of confinement, or an inconvenience equally great, that of compelling by surety their presence at a particular day, on which, unexpectedly and unavoidably, they may be hundreds of miles from the scene of trial. This difficulty, it is apprehended, would be obviated by removing from written testimony the objection to which it is now liable in criminal prosecutions under the law of 1800, and giving it, in such cases, the force which it possesses in civil actions. We have not been able to discover any objection to depositions fairly taken in the presence of prosecutor and prosecuted. It is, however, with great deference, submitted to the superior judgment of Congress.

We hope that, in thus concisely urging upon your notice some apprehended defects in the laws for the discouragement of the worst of crimes, impertinence will not be discoverable. Though the prospect is brightening on the eye of humanity, though the period rapidly advances in which Congress will acquire a capacity of performing, by a single unexpensive act, more good than perhaps ever fell to the lot of a Legislature to accomplish, we have not, hence, conceived ourselves at liberty to view with inactive zeal present excesses, to remedy which a competent authority exists.

Signed, by order of the American convention for promoting the abolition of slavery, &c., held at Philadelphia, from the 13th to the 15th day of January, 1806.

GERSHOM CRAFT, *President.*

Attest: JACOB WALN, JUN. *Secretary.*

9th CONGRESS.]

No. 203.

[1st SESSION.]

EXTENSION OF THE RIGHT OF SUFFRAGE, AND THE ADMISSION OF SLAVERY, FOR A LIMITED TIME, IN THE INDIANA TERRITORY, AND THE DIVISION THEREOF.

COMMUNICATED TO THE HOUSE OF REPRESENTATIVES, FEBRUARY 14, 1806.

Mr. GARNETT, from the committee to whom were referred the report of a select committee, made on the 17th of February, 1804, on a letter of William Henry Harrison, president of a convention held at Vincennes, in the Indiana Territory, declaring the consent of the people of the said Territory to a suspension of the sixth article of compact between the United States and the said people; also on a memorial and petition of the inhabitants of the said Territory; also on the petition of the Legislative Council and House of Representatives of the said Territory; together with the petition of certain purchasers of land, settled and intending to settle on that part of the Indiana Territory west of Ohio, and east of the boundary line running from the mouth of the Kentucky river; and on two memorials from the inhabitants of Randolph and St. Clair—made the following report:

That, having attentively considered the facts stated in the said petitions and memorials, they are of opinion that a qualified suspension, for a limited time, of the sixth article of compact between the original States and the people and States west of the river Ohio, would be beneficial to the people of the Indiana Territory. The suspension of this article is an object almost universally desired in that Territory. It appears to your committee to be a question entirely different from that between slavery and freedom, inasmuch as it would merely occasion the removal of persons, already slaves, from one part of the country to another. The good effects of this suspension, in the present instance, would be to accelerate the population of that Territory, hitherto retarded by the operation of that article of compact, as slave-holders emigrating into the Western country might then indulge any preference which they might feel for a settlement in the Indiana Territory, instead of seeking, as they are now compelled to do, settlements in other States or countries permitting the introduction of slaves. The condition of the slaves themselves would be much ameliorated by it, as it is evident, from experience, that the more they are separated and diffused, the more care and attention are bestowed on them by their masters, each proprietor having it in his power to increase their comforts and conveniences in proportion to the smallness of their numbers. The dangers, too, (if any are to be apprehended,) from too large a black population existing in any one section of country, would certainly be very much diminished, if not entirely removed. But whether dangers are to be feared from this source or not, it is certainly an obvious dictate of sound policy to guard against them, as far as possible. If this danger does exist,