

Commonwealth of Massachusetts.

The Joint Special Committee, to whom was referred an order of the House of Representatives of January 12th; also the petition of J. Ingersoll Bowditch and others, merchants of Boston; also the report and resolutions of the State of Georgia, transmitted by His Excellency the Governor; also an order of the House of the 11th inst.; and lastly, the Message of His Excellency the Governor, communicating copies of papers in the executive department since 1834,—all which orders and papers have reference to the imprisonment of colored seamen, citizens of Massachusetts, in the southern ports of the United States,—ask leave to

R E P O R T :

The fact of the existence of laws, in most of the southern States, in which slavery is established, by the operation of which any colored seaman, sailing in the vessels of Massachusetts, is subjected to imprisonment, and to slavery if the expenses attending that imprisonment are not paid, is now too generally known to need any explanation. The Legislature of this State has heretofore expressed the sentiment of the State, in remonstrance against this most arbitrary and unjust species of legislation. It has appealed to the provision of the federal constitution, which gives to her citizens not simply protection from wrong, but the privileges and immunities in other States,

which citizenship in those States confers. And, at the session of the General Court in 1842, it went so far as, by a resolve, to vest in the Governor for the time being a discretionary power, whenever application should be made to him in behalf of any citizen imprisoned in the manner specified, to take measures for the release of such prisoner, and for the submission to the United States Court of the question of legality of his imprisonment. It does not appear that any application has been virtually made to the Governor under this resolve. The reason of this may be readily comprehended, when your committee reflect that most of the persons liable to be affected by the operation of these laws, are either wholly friendless, and are consequently sold into slavery and heard of no more, or else that they are attached to merchant ships, which cannot conveniently lose their hands, and the captains of which prefer to pay the expenses of redeeming them rather than to be detained in trying the question of legality of their imprisonment.

It has not heretofore been the desire, or the policy of Massachusetts, to make complaint of the violation of her rights by other States, where such violation appears to have been incidental to the attainment of some useful object, or unintentional as it respected her citizens. So long as South Carolina alone had adopted such a law as the one referred to, in a moment of exaggerated alarm at the threatened rising of her slave population, there was reason to suppose that the evil complained of might be only temporary, and that it would be removed with the decline of the feeling that occasioned it. But since time has shown not only the perseverance against all remonstrance of South Carolina, but the adoption of the same law by the other States of the south, there is good reason to suppose that no relaxation of the system can be expected to take place. Indeed, your committee understand this to be definitively declared by the report and resolutions of the Legislature of Georgia, which have been referred to them for consideration.

It remains, then, to be considered what should be done. One of two things must be settled. The State must either sit down quietly under the wrong, and determine to put up with it, for the sake of the general attachment it bears to the Union, or it

must endeavor to do something more effective than has yet been attempted, for the protection of citizens who have a right to claim it. Your committee have no doubt on which side of the alternative duty calls them to act. They perceive, in the petition of J. I. Bowditch and others, which has been referred to them, a prayer that an agent may be appointed, in one or two of the southern ports, for the purpose of collecting information, as to the names and number of citizens of Massachusetts who may be imprisoned there, as well as for the more certain prosecution of the question of the validity of the laws under which they are imprisoned, before the United States tribunals. This suggestion is worthy of adoption. The expense attending it will be trivial, in comparison with the solemn principle which is involved. Your committee ask leave to report the following resolves.

By order,

C. F. ADAMS.