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## Debates in the North Carolina Hillsborough Convention, 26 July 1788 (excerpt)

First clause of the ninth section read.

Mr. *J. M'Dowall* wished to hear the reasons of this restriction.

Mr. [Richard Dobbs] *Spaight* answered, that there was a contest between the northern and southern states: That the southern states, whose principal support depended on the labour of slaves, would not consent to the desire of the northern states to exclude the importation of slaves absolutely: That South-Carolina and Georgia insisted on this clause as they were now in want of hands to cultivate their lands: That in the course of twenty years they would be fully supplied: That the trade would be abolished then, and that in the mean time some tax or duty might be laid on.

Mr. [Joseph] *M'Dowall* replied, that the explanation was just such as he expected, and by no means satisfactory to him, and that he looked upon it as a very objectionable part of the system.

Mr. [James] *Iredell*: I rise to express sentiments similar to those of the gentleman from Craven [Richard Dobbs *Spaight*]. For my part, were it practicable to put an end to the importation of slaves immediately, it would give me the greatest pleasure, for it certainly is a trade utterly inconsistent with the rights of humanity, and under which great cruelties have been exercised. When the entire abolition of slavery takes place, it will be an event which must be pleasing to every generous mind, and every friend of human nature; but we often wish for things which are not attainable. It was the wish of a great majority of the Convention to put an end to the trade immediately, but the states of South-Carolina and Georgia would not agree to it. Consider then what would be the difference between our present situation in this respect, if we do not agree to the Constitution, and what it will be if we do agree to it. If we do not agree to it, do we remedy the evil? No, Sir, we do not. For if the Constitution be not adopted, it will be in the power of every state to continue it forever. They may or may not abolish it at their discretion. But if we adopt the Constitution the trade must cease after twenty years if Congress declare so, whether particular states please so or not; surely then we gain by it. This was the utmost that could be obtained. I heartily wish more could have been done. But as it is, this government is nobly distinguished above others by that very provision. Where is there another country in which such a restriction prevails? We therefore, Sir, set an example of humanity, by providing for the abolition of this inhuman traffic, though at a distant period. I hope therefore that this part of the Constitution will not be condemned, because it has not stipulated for what was impracticable to obtain.

Mr. [Richard Dobbs] *Spaight* further explained the clause. That the limitation of this trade to the term of twenty years, was a compromise between the eastern states and the southern states. South-Carolina and Georgia wished to extend the term. The eastern states insisted on the entire

abolition of the trade. That the state of North-Carolina had not thought proper to pass any law prohibiting the importation of slaves, and therefore its Delegates in the Convention did not think themselves authorised to contend for an immediate prohibition of it.

Mr. [James] *Iredell* added to what he had said before, That the states of Georgia and South-Carolina, had lost a great many slaves during the war, and that they wished to supply the loss.

Mr. [James] *Galloway*: The explanation given to this clause, does not satisfy my mind. I wish to see this abominable trade put an end to. But in case it be thought proper to continue this abominable traffic for twenty years, yet I do not wish to see the tax on the importation extended to all persons whatsoever. Our situation is different from the people to the north. We want citizens. They do not. Instead of laying a tax, we ought to give a bounty, to encourage foreigners to come among us. With respect to the abolition of slavery, it requires the utmost consideration. The property of the southern states consists principally of slaves. If they mean to do away [with] slavery altogether, this property will be destroyed. I apprehend it means to bring forward manumission. If we manumit our slaves, what country shall we send them to? It is impossible for us to be happy, if after manumission they are to stay among us.

Mr. [James] *Iredell*: The worthy gentleman, I believe, has misunderstood this clause, which runs in the following words, “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 1808, but a tax or duty may be imposed on *such importation*, not exceeding ten dollars for each person.” Now, Sir, observe that the eastern states, who long ago have abolished slavery, did not approve of the expression *slaves*, they therefore used another that answered the same purpose. The Committee will observe the distinction between the two words migration and importation. The first part of the clause will extend to persons who come into the country as free people or are brought as slaves. But the last part extends to slaves only. The word *migration* refers to free persons; but the word *importation* refers to slaves, because free people cannot be said to be imported. The tax therefore is only to be laid on slaves who are imported, and not on free persons who migrate. I further beg leave to say, that the gentleman is mistaken in another thing. He seems to say that this extends to the abolition of slavery. Is there any thing in this Constitution which says that Congress shall have it in their power to abolish the slavery of those slaves who are now in the country? Is it not the plain meaning of it, that after twenty years they may prevent the future importation of slaves? It does not extend to those now in the country. There is another circumstance to be observed. There is no authority vested in Congress to restrain the states in the interval of twenty years, from doing what they please. If they wish to inhibit such importation, they may do so. Our next Assembly may put an entire end to the importation of slaves.

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