Tuesday

MADISON

August 28

On Mr. Sherman's motion

N. H. ay . Mas . no . Ct . ay . N. J. ay . Pa . ay . Del . ay . Md . no . Va . ay . N. C. ay . S. C. ay . Geo . ay . [Ayes 9 ; noes

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2.]

Art XIII was then agreed to as amended .

Art . XIV was taken up.28

Genl . Pinkney was not satisfied with it . He seemed to wish some provision should be included in favor of property in slaves .

On the question (on art : XIV .) N. H. ay . Mas . ay . Ct . ay . N. J. Md . ay- Va . ay . N- Cay . S [Ayes - 9 ; noes - 1 ; divided — 1.]

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ay- Pa . ay . Del . ay . C. no . Geo . divided

" "

Art : XV . being taken up.29 the words " high misdemesnor , ' were struck out , and " other crime " inserted , in order to com- prehend all proper cases : it being doubtful whether " high misdemeanor " had not a technical meaning too limited .

Mr. Butler and Mr Pinkney moved " to require fugitive slaves and servants to be delivered up like criminals . "

Mr. Wilson . This would oblige the Executive of the State to do it , at the public expence .

Mr Sherman saw no more propriety in the public seizing and surrendering a slave or servant , than a horse .

Mr. Butler withdrew his proposition in order that some particular provision might be made apart from this article . Art XV as amended was then agreed to nem : con : Adjourned 30

28 Article XIV . " The Citizens of each State shall be entitled to all privileges and immunities of citizens in the several States . "

" Article XV . " Any person charged with treason , felony or high misdemeanor in any State , who shall flee from justice , and shall be found in any other State , shall , on demand of the Executive power of the State from which he fled , be de- livered up and removed to the State having jurisdiction of the offence . "

30 See further , Appendix A , XCVI .