

The State Records of South Carolina

Journals of the HOUSE OF REPRESENTATIVES, 1789-1790 MICHAEL E. STEVENS, *Editor*, CHRISTINE M. ALLEN, *Assistant Editor* Published for the South Carolina Department of Archives and History by the University of South Carolina Press Columbia, SC 8557 Copyright ©1984 by the South Carolina Department of Archives and History First Edition Published in Columbia, SC by the University of South Carolina Press **Manufactured in the United States of America ISBN 0-87249-944-8** 20 JANUARY 1790 (page) 363 (*continued from previous page*) thereto, Our Committee are Mr. Hugh Rutledge, Major Pinckney & Mr. Deas. **House Journal 4 January 1790- 20 January 1790.**

A petition was presented to the House from Sundry Free **Moors**, Subjects of the Emperor of Morocco; and residents in this State, praying that in case they should Commit Any Fault amenable to be brought to Justice, that they as Subjects to a Prince in Alliance with the United States of America, may be tried under the same Laws as the Citizens of this State would be liable to be tried, and not under the Negro Act, which was received and read.

[The humble Petition of Francis, Daniel, Hammond and Samuel, (Free **Moors**) in behalf of themselves and their wives Fatima, Flora, Sarah and Clarinda, Humbly Sheweth That your Petitioners some years past had the misfortune while fighting in the defence of their Country, to be captured with their wives and made prisoners of War by one of the Kings of Africa. That a certain Captain Clark had them delivered to him on a promise that they should be redeemed by the Emperor of Moroccan Ambassador then residing in England, in order to have them returned to their own Country: *Instead of which* he brought them to this State, and sold them for slaves. Since that period they have by the greatest industry been enabled to purchase their freedom from their respective Masters: And now prayeth your Honorable House, That as free born subjects of a Prince now in Alliance with these United States; **that they may not be considered as subject to a Law of this State (now in force) called the negro law:** but if they should unfortunately be guilty of any crime or misdemeanor against the Laws of the Land, that they may have a just trial by a Lawful Jury. And your Petitioners as in duty bound will ever pray.]
1 Ordered That it be referred to a Committee, the following Gentlemen were accordingly appointed, Mr. Justice Grimke, General Pinckney & Mr. Edward Rutledge.

Mr. Edwd. Rutledge reported from the Committee to whom was referred the petition of the Free **Moors**, which he read in his place and afterwards delivered it in at the Clerks Table where it was again read for information. Ordered That it be taken into immediate Consideration which being read through was agreed to and is as follows Viz. Report That they have Considered the same and are of opinion that **no Law of this State can in its Construction or Operation apply to them, and that persons who were Subjects of the Emperor of Morocco being Free in this State are not triable by the Law for the better Ordering and Governing of Negroes and other Slaves.** Resolved That this House do agree with the Report.