Since the date of the last Report the light-house has been finished and is now in use; it was built and is supported without any demand from the Society for assistance—and the single fact, that at the end of nine years a colony of free colored people from the State of Maryland, whose whole number for two years did not amount to one hundred, and which has been increased by such materials as it has been in the Society's power to send, until it now numbers seven hundred inhabitants,—the single fact, it is repeated, that under such circumstances a light-house has been erected and maintained, speaks by itself volumes in behalf of the colonists who have done it.

Political Character of the Colony.—The question is often asked, what are the relations of the colonists to this country? what the rights of the societies by which they have been founded? and during the past year, the attention of the Board has been called particularly to the subject by a circular addressed to them by the American Colonization Society, containing a correspondence between Governor Roberts, of Monrovia, and the commanding officer of Her Britanic Majesty's squadron on the Sierra Leone station. Commodore Jones claimed the right of free trade with the natives at a place for which the American Colonization Society held deeds from the native Kings. The Board declined expressing any opinion in reference to the difference in question, because they did not wish to take sides in a controversy, which they regretted to see going on. The present occasion is one, however, in which the Board think it is right to express the views which they have entertained in regard to the questions suggested above.

The origin of all government is a compact between the parties subjected to it, who agree to give up certain natural rights for the benefits to be derived from association under control. To establish a nation the ownership of the soil is necessary in perpetuity. This ownership may be gradually acquired by the increase of a single pair into a large community, or a community already in existence may acquire it by conquest or purchase from the aboriginal inhabitants. As government is a compact that may be varied in its terms according to the will of the parties,—these last may place the control in whatever hands they please; they may retain it within themselves, or allow a portion of it to be extraneous, either absolutely or temporarily. About these principles there can be no difference of opinion. It follows from them, that it was perfectly competent for the twenty or thirty men and women who left Baltimore in November, 1833, to agree among themselves as to the form of government which they would adopt in the event of the purchase of the territory of Cape Palmas from the aboriginal inhabitants; and they might agree among themselves that, in consideration of the aid given them by the Maryland State Colonization Society and to be afforded thereafter, this Society should exercise certain stipulated powers during a prescribed period. It was quite as competent for them to make this agreement *inter se* and with the Society, which was done in the charter signed by the emigrants before sailing, as it was for them to agree that they would not claim the natural right to drink spirituous liquors, but give it up, which they did by the same instrument. The emigrants who joined the expedition at the old Colony signed the charter or constitution, and became bound by its terms; so that when the territory was acquired, the compact among the parties became forthwith the

law of the new community; and all subsequent comers, whether they signed the constitution or not, became bound, in the act of becoming citizens, by its terms. The territory being thus acquired, the emigrants in possession and the laws agreed upon in force, the perpetuity of the possession was to depend upon the natural increase of the people.

From this view of the subject, it will be seen that the authority of the State Colonization Society is the result, not of any right, inherent in themselves, of sovereignty, but of an agreement which is incorporated into the fundamental law of the nation which has thus been established. This agreement is binding because there was a consideration for it, to wit, the aid given to the colonists in the first instance, and since annually continued to them: but it is an agreement which cannot, in the nature of things, be expected to continue longer than it shall be the interest of both parties to maintain it, and they may be influenced by those high moral considerations which should give it validity according to its terms. This view of the relations of the Society and the Colony obviates all the objections that have been urged in regard to the right of the State of Maryland, or a corporation created by it, to acquire property in Africa—objections that may or may not be valid; but which it is unnecessary to discuss. And it places in a clear light the independence of the Colony of all questions of peace or war affecting the United States. The Colony is not the *property* of a corporation created by Maryland, or of citizens of the State, and, therefore, cannot be seized and held in the event of a war, to which the United States might be a party, as property of a belligerent. The nationality of the Colony depends upon the occupancy of the soil by the organized community for which it and the eminent domain was purchased from the aboriginal inhabitants. The agency of the Maryland State Colonization Society in its affairs is not a matter to affect its character in the eyes of the rest of the world. It is well known that the United States, the nation from which its people emigrated, lay no claim to it; and the rest of the world can only know it as the germ of a nation struggling into existence under circumstances entitling it to the sympathies of all mankind.

From all this it follows, that the Maryland Colony, to which these views are confined, is not so connected with the United States or with the State of Maryland, or with the citizens of Maryland or any of them, as to be the subject of hostile aggression on the part of any nation at war with the United States. In this conviction the Board of Managers passed the ordinance of 3d Feb'y, 1841, a copy of which will be found in the Appendix. It is not a declaration of independence for the Colony; but it is an act, declaratory of well understood principles. The immediate object in passing it, was to furnish to the Governor, in an authentic shape, the views entertained on the subject by the Board, in the event, then threatened, of a war between the United States and an European power.

In the prosecution of the plan of Colonization, it has become necessary to add to the original purchase from the natives, and land has been acquired both to windward and leeward and to the interior. The settlement at Cape Palmas, however, is the only one of any importance on the coast line of Maryland in Liberia. Here, there is a custom-house, and here, trade is carried on under the eye of the Governor and his agents. Trade is, very probably, carried on by

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VIII. Commissions and Reports

D. Reports of the Board of Managers
1835-47