The Peculiar Institution
An Investigation Into the Conflict of Slavery in the United States
Agenda

- Welcome!
- Goals and Objectives
- Spanish Colonial America
- North America
- The Revolution Was for Whom?
- The Constitutional Era
- Early Republic Through Jackson
- The Divide Deepens
- Take it to the Government
- Take it to the People
- The Civil War
- The Failure of Reconstruction
- The Next 100 Years...
- Vocabulary / Concept Review
- Dossier of Evidence
- Reflection/Conclusion
Documents Relating to Spanish Colonial America

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They... brought us parrots and balls of cotton and spears and many other things. They willingly traded everything they owned... They were well build with handsome features. They do not bear arms (weapons), and do not know them. I showed them a sword, they took it and cut themselves out of ignorance. They would make fine servants... with fifty men we could subjugate (overpower) them and make them do whatever we want.

Christopher Columbus
October 14, 1492

“...they are artless and generous with what they have, to such a degree as no one would believe but him who had seen it. Of anything they have, if it be asked for, they never say no, but do rather invite the person to accept it, and show as much lovingness as though they would give their hearts.”

"their Highnesses may see that I shall give them as much gold as they need .... and slaves as many as they shall order to be shipped."

Christopher Columbus
April 1493
...all islands and mainlands found and to be found, discovered and to be discovered towards the west and south, by drawing and establishing a line from the Arctic pole, namely the north, to the Antarctic pole... found and to be found, discovered and to be discovered... And we make, appoint, and depute you and your said heirs and successors lords of them with full and free power, authority, and jurisdiction of every kind... in order to instruct the aforesaid inhabitants and residents in the Catholic faith and train them in good morals.

Doctrine of Discovery - 1493
Pope Alexander VI

I implore (beg) you to recognize the Church as a lady and in the name of the Pope take the King as lord of this land and obey his mandates. If you do not do it, I tell you that with the help of God I will enter powerfully against you all. I will make war everywhere and every way I can. I will subject you to the yoke and obedience to the Church and majesty. I will take your women and children and make the slaves... The deaths and injuries that you will receive from here on will be your own fault and not that of his majesty nor of the gentlemen that accompany me.

Spanish “Requerimeiento” - Declaration of Sovereignty
Attributed to Juan López Palacios Rubios of the Council of Castile
1513
We define and declare by these Our letters... the said Indians and all other people who may later be discovered by Christians, are by no means to be deprived of their liberty or the possession of their property, even though they be outside the faith of Jesus Christ; and that they may and should, freely and legitimately, enjoy their liberty and the possession of their property; nor should they be in any way enslaved; should the contrary happen, it shall be null and have no effect.

- Pope John Paul III
May 29, 1537

Whereas one of the most important things in which the Audiencias [royal courts] are to serve us is in taking very especial care of the good treatment of the Indians and preservation of them... We ordain and command that from henceforward for no cause of war nor any other whatsoever, though it be under title of rebellion, nor by ransom nor in other manner can an Indian be made a slave, and we will that they be treated as our vassals of the Crown of Castile since such they are.

No person can make use of the Indians by way of Naboria [the Arawak Natives] or Tapia or in any other manner against their will. As We have ordered provision to be made that from henceforward the Indians in no way be made slaves, including those who until now have been enslaved against all reason and right and contrary to the provisions and instructions thereupon... speedily set the said Indians at liberty...

- The New Laws of the Indies
1542
All the settlers of Hispaniola beg Your Highness to give them permission to import Negro slaves, because they say that the Indians do not provide them with enough labor to be able to support themselves there. . . . [I]t seemed to all of us [three monks who served as the island’s governors] that it would be good for them to be imported...

Fray Bernardino de Manzanedo
Dispatch to King Charles I of Spain, 1518
Documents Relating to English Colonial America

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"About the latter end of August, a Dutch man of Warr of the burden of 160 tons arrived at Point Comfort, the Comandor's name was Capt. Jope, his Pilot for the West Indies one Mr. Marmaduke and Englishman. They mett with the Treasurer in the West Indies and determined to hold consort shipp hetherward, but in their passage lostone the other. he brought not anything but 20 and odd Negroes, which the Governor and Cape Merchant bought for victualle [whereof he was in greate need as he pretended] a the best and easyest rate they could. He hadd a lardge and ample Comyssion from his Excellency to range and to take purchase in the West Indies."

Letter to Sir Edwin Sandys from John Rolfe
1619
This Indenture

Witnesseth, That

of his own free Will and Accord

for and in Consideration of

the Sum of Seven Pounds

bound and put himself, and by these Presents doth bind and put

himself Servant to the said

Executors, Administrators or Assigns, to serve him the said

his Attorney — Exeutors, Administrators or Assigns, in the
Province of South Carolina, for and during the full Term of Three Years
next ensuing the Date hereof. During which Time the said

shall behave himself obedient and faithful in all Things, as a good and dutiful Servant ought to do. And the said

shall provide the said Servant during that Time with sufficient Meat, Drink, Lodging and Washing, fit and necessary

In Witness whereof both Parties have hereunto interchangeably set their
Hands and Seals the Second Day of January Anno Domini
One Thousand Seven Hundred and Forty Four and in the Thirtieth Year of his Majesty's Reign.

Signed, Sealed and Delivered in the Presence of

"This daye Anthony Johnson negro made his complaint to the court against mr. Robert Parker and declared that hee deteyneth his servant John Casor negro under the pretence that said negro was a free man. The court seriously consideringe and maturely weighing the premisses, doe fynde that the saide Mr. Robert Parker most unjustly keepeth the said Negro from Anthony Johnson his master ... It is therefore the Judgement of the Court and ordered That the said John Casor Negro forthwith returne unto the service of the said master Anthony Johnson, And that Mr. Robert Parker make payment of all charges in the suit."

Johnson v. Parker (1655)

Whereas some doubts have arisen whether children got by any Englishman upon a negro woman should be slave or free, Be it therefore enacted and declared by this present grand assembly, that all children borne in this country shall be held bond or free only according to the condition of the mother, And that if any Christian shall commit fornication with a negro man or woman, he or she so offending shall pay double the fines imposed by the former act.

Act XII - 1662
partus sequitur ventrum
Virginia
Whereas some doubts have risen whether children that are slaves by birth, and by the charity and piety of their owners made pertakers of the blessed sacrament of baptism, should by virtue of their baptism be made free; It is enacted and declared by this grand assembly, and the authority thereof, that the conferring of baptism doth not alter the condition of the person as to his bondage or freedom; that diverse masters, freed from this doubt, may more carefully endeavour the propagation of Christianity by permitting children, though slaves, or those of greater growth if capable to be admitted to the sacrament.

Axt III - 1667
Virginia

Whereas the only law in force for the punishment of refractory servants resisting their master, mistress or overseer cannot be inflicted upon negroes, nor the obstinacy of many of them by other than violent means suppressed, Be it enacted and declared by this grand assembly, if any slave resist his master (or others by his masters order correcting him) and by the extremity of the correction should chance to die, that his death shall not be considered a felony, but the master (or that other person appointed by the master to punish him) be acquit from molestation, since it cannot be presumed that malice existed(which alone makes murder a felony) [or that anything] should induce any man to destroy his own estate.

Act I - 1669
Virginia
Whereas the frequent meeting of considerable numbers of negroe slaves under pretence of feasts and burials is judged of dangerous consequence... that from and after the publication of this law, it shall not be lawful for any negroe or other slave to carry or arm himself with any club, staff, gun, sword or any other weapon of defense or offence..

And it is further enacted by the authority aforesaid that if any negroe or other slave shall presume to lift up his hand in opposition against any Christian, shall for every such offence, upon due proof made thereof by the oath of the party before a magistrate, have and receive thirty lashes on his bare back well laid on...

And it is hereby further enacted by the authority aforesaid that if any negroe or other slave shall absent himself from his masters service and lye hid and lurking in obscure places, committing injuries to the inhabitants, and shall resist any person or persons that shall by any lawful authority be employed to apprehend and take the said negroe, that then in case of such resistance, it shall be lawful for such person or persons to kill the said negroe or slave...

Act X - 1680
Virginia
And for the prevention of that abominable mixture and spurious issue which hereafter may increase in this dominion, as well as by negroes, mulattoes, and Indians intermarrying with English, or other white women, as by their unlawful accompanying with one another, Be it enacted by the authority aforesaid, and it is hereby enacted, that for the time to come, whatsoever English or other white man or woman being free shall intermarry with a negroe, mulatto, or Indian man or woman bond or free shall within three months after such marriage be banished and removed from this dominion forever.

Act XVI - 1691
Virginia

Be it enacted by the authority aforesaid, and it is hereby enacted, That no negro or mulatto be after the end of this present session of assembly set free by any person or persons whatsoever, unless such person or persons, their heires, executors or administrators pay for the transportation of such negro or negroes out of the countrey within six moneths after such setting them free...

- Virginia Legal Code (1691)
"Be it therefore enacted, by his Excellency, William, Lord Craven, Palatine.... and the rest of the members of the General Assembly, now met at Charles Town, for the South-west part of this Province, and by the authority of the same, That all negroes, mulattoes, mestizo's or Indians, which at any time heretofore have been sold, or now are held or taken to be, or hereafter shall be bought and sold for slaves, are hereby declared slaves; and they, and their children, are hereby made and declared slaves..."

South Carolina Code of Law - 1712

South Carolina, 1712 - "Be it enacted by the authority aforesaid, That no master, mistress, overseer, or other person whatsoever, that hath the care and charge of any negro or slave, shall give their negroes and other slaves leave...to go out of their plantations.... Every slave hereafter out of his master's plantation, without a ticket, or leave in writing, from his master...shall be whipped...."

South Carolina Code of Law - 1712
“If the husband be a slave, and the wife a free woman, it is our will that their children, of whatever sex they may be, shall share the condition of their mother, and be as free as she, notwithstanding the servitude of their father; and if the father be free and the mother a slave, the children shall all be slaves.

The slave who, having struck his master, his mistress, or the husband of his mistress, or their children, shall have produced a bruise, or the shedding of blood in the face, shall suffer capital punishment."

Louisiana's Code Noir - 1724

“That whatsoever free-born [English] woman shall intermarry with any slave... shall serve the master of such slave during the life of her husband; and that all the issue of such free-born women, so married shall be slaves as their fathers were.”

Maryland Code of Law - 1664
How did New Englanders view slavery and the slave trade?

Although it might be hard for us to believe today, most English colonists viewed slave trading as a respectable business. Governors of Massachusetts and Rhode Island, judges from Massachusetts, the president of Yale University, and prominent members of the clergy all participated in the trade.

As for slavery itself, most whites did not regard it as a moral problem. By and large, most colonial New Englanders believed in a hierarchical society, one in which some people had power and some did not. They accepted servitude as normal, and they expected servants and slaves to be obedient to their masters in the same way that they expected children to be obedient to parents.

Colonial New Englanders also justified slavery in religious terms. They believed that their religion was the only valid religion in the world and that all who did not accept it would go to hell. Many slave traders argued that enslaving Africans was actually a blessing to them, since it introduced them to Christianity. They thought that by removing Africans from their "heathen" land, they were actually ensuring their eternal salvation.

Another argument addressed the warfare and violence of the African continent. Although warfare actually increased as a result of slave trading, many merchants saw their actions as removing Africans from the dangers of war. Some felt that their actions could be characterized as charitable or beneficial to the Africans they purchased. Few slave traders saw hypocrisy in their arguments. Many traders saw the combination of saving bodies and souls and of benefiting the home economy as a perfect match. For those who did feel queasy about their participation in the slave trade, the economic benefits mostly outweighed their discomfort until the late 1700s.
Destination of Enslaved Africans on Rhode Island ships (1700-1807)

- Cuba: 26%
- Other Caribbean: 21%
- Barbados: 14%
- South Carolina: 14%
- Jamaica: 5%
- Georgia: 5%
- Other U.S.: 3%
- S. America: 3%
- Rhode Island: 9%
Documents Relating to the Atlantic Slave Trade

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"The African continent was bled of its human resources via all possible routes. Across the Sahara, through the Red Sea, from the Indian Ocean ports and across the Atlantic. At least ten centuries of slavery for the benefit of the Muslim countries (from the ninth to the nineteenth).... Four million enslaved people exported via the Red Sea, another four million through the Swahili ports of the Indian Ocean, perhaps as many as nine million along the trans-Saharan caravan route, and eleven to twenty million (depending on the author) across the Atlantic Ocean”.

- Elikia M’bokolo
Le Monde diplomatique 1998

And further, of Our more especial Grace, certain knowledge and mere motion, We do hereby, for us, our heirs and Successors, grant unto the said Royal African Company of England and their Successors, that it shall and may be lawful to and for the said Company and their Successors, and none others, from time to time to set to Sea such and so many shipps, pinnaces, and barks as shall be thought fitting . . . prepared and furnished with Ordnance, Artillery and Ammunition or any other habiliments in warlike manner fitt and necessary for their defence; And shall for ever hereafter have, use and enjoy all mines of Gold and Silver . . . which are or shall be found in all or any the places above mentioned, And the whole, entire and only Trade, liberty, use and privilege of Trade and Traffic into and from the said parts of Africa above mentioned. . .

Royal African Company Charter (1672)
Origins of Enslaved Africans

- West Central Africa: 39%
- Bight of Biafra: 15%
- Bight of Benin: 20%
- Senegal and Gambia: 5%
- Southeastern Africa: 5%
- Winward Coast: 2%
- Upper Guinea: 4%
- Gold Coast: 10%

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Origins of Enslaved Africans

[Map showing the origins of enslaved Africans]
Destinations of Enslaved Africans

- Portuguese America: 39%
- Spanish Empire: 18%
- British America (minus North America): 18%
- French Americas: 14%
- British North America: 6%
- Dutch West Indies: 2%
- Danish West Indies: 0%
- English Americas: 3%
An overruling Providence has been pleased to bring to this land of freedom another cargo of benighted heathen, to enjoy the blessing of a Gospel dispensation."

- A Newport slave trader
The stench of the hold while we were on the coast was so intolerably loathsome, that it was dangerous to remain there for any time.... It became absolutely pestilential. The closeness of the place, and the heat of the climate, added to the number in the ship, which was so crowded that each had scarcely room to turn himself, almost suffocated us.... The air soon became unfit for respiration, from a variety of loathsome smells, and brought on a sickness among the slaves, of which many died.”

-Olaudah Equiano - 1789
<table>
<thead>
<tr>
<th>Month</th>
<th>Destination</th>
<th>Reason</th>
</tr>
</thead>
<tbody>
<tr>
<td>September</td>
<td>Leave Rhode Island For Africa</td>
<td>Shipping Rum to Africa</td>
</tr>
<tr>
<td>November</td>
<td>Arrive in Africa</td>
<td>Begin to Trade</td>
</tr>
<tr>
<td>December</td>
<td>Leave Africa for the West Indies</td>
<td>Shipping Slaves to Africa</td>
</tr>
<tr>
<td>January</td>
<td>Arrive in the Caribbean</td>
<td>Spend the Next 2 Months Trading</td>
</tr>
<tr>
<td>March</td>
<td>Leave Caribbean</td>
<td>Shipping Molasses and Sugar to Rhode Island</td>
</tr>
<tr>
<td>May</td>
<td>Arrive in Rhode Island</td>
<td>8 Month Voyage Completed</td>
</tr>
</tbody>
</table>

8 Month Voyage Completed

![Graph showing embarkation and disembarkation from 1501-1825](image)
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The ill effect such a practice has on the morals and manners of our people: one of the first signs of the decay, and perhaps the primary cause of the destruction of the most flourishing government that ever existed was the introduction of great numbers of slaves—an evil very pathetically described by Roman Historians—but ‘tis not the present intention to expose our weakness by examining this subject too freely.

George Mason in his protest against the Stamp Act (1765)

‘The state of slavery is of such a nature, that it is incapable of being introduced on any reasons, moral or political, but only by positive law,... It is so odious, that nothing can be suffered to support it, but positive law. Whatever inconveniences, therefore, may follow from the decision, I cannot say this case is allowed or approved by the law of England; and therefore the black must be discharged.’

Lord Mansfield (1772)
Decision in Somerset v. Stewart
That slow poison...is daily contaminating the minds and morals of our people. Every gentleman here is born a petty tyrant. Practiced in acts of despotism and cruelty, we become callous to the dictates of humanity, and all the finer feelings of the soul. Taught to regard a part of our own species in the most abject and contemptible degree below us, we lose that idea of dignity of man which the hand of nature has implanted in us for great and useful purposes.

- George Mason (1773)
By His Excellency the Right Honorable JOHN Earl of DUNMORE, his Majesty's Lieutenant and Governour-General of the Colony and Dominion of Virginia, and Vice-Admiral of the same:

A PROCLAMATION.

As I have ever entertained Hopes that an Accommodation might have taken Place between Great Britain and this Colony, without being compelled, by my Duty, to this most disagreeable, but now absolutely necessary Step, rendered so by a Body of armed Men, unlawfully assembled, firing on his Majesty's Tenders, and the Formation of an Army, and that Army now on their March to attack his Majesty's Troops, and destroy the well-disposed Subjects of this Colony: To defeat such treasonable Purposes, and that all such Traitors, and their Abettors, may be brought to Justice, and that the Peace and good Order of this Colony may be again restored, which the ordinary Course of the civil Law is unable to effect, I have thought fit to issue this my Proclamation, hereby declaring, that until the aforesaid good Purposes can be obtained, I do, in Virtue of the Power and Authority to me given, by his Majesty, determine to execute martial Law, and cause the same to be executed throughout this Colony; and to the End that Peace and good Order may the sooner be restored, I do require every Person capable of bearing Arms to resort to his Majesty's STANDARD, or be looked upon as Traitors to his Majesty's Crown and Government, and thereby become liable to the Penalty the Law inflicts upon such Offences, such as Forfeiture of Life, Confiscation of Lands, &c. &c. And I do hereby further declare all indentured Servants, Negroes, or others, (appertaining to Rebels) free, that are able and willing to bear Arms, they joining his Majesty's Troops, as soon as may be, for the more speedily reducing this Colony to a proper Sense of their Duty, to his Majesty's Crown and Dignity. I do further order, and require, all his Majesty's liege Subjects to retain their Quitrents, or any other Taxes due, or that may become due, in their own Custody, till such Time as Peace may again be restored to this at present most unhappy Country, or demanded of them for their former salutary Purposes, by Officers properly authorised to receive the same.

GIVEN under my Hand, on board the ship WILLIAM, off Norfolk, the 7th Day of November, in the 16th Year of his Majesty's Reign.
He has waged cruel war against human nature itself, violating its most sacred rights of life and liberty in the persons of a distant people who never offended him, captivating & carrying them into slavery in another hemisphere or to incur miserable death in their transportation thither. This piratical warfare, the opprobrium of infidel powers, is the warfare of the Christian King of Great Britain. Determined to keep open a market where Men should be bought & sold, he has prostituted his negative for suppressing every legislative attempt to prohibit or restrain this execrable commerce. And that this assemblage of horrors might want no fact of distinguished die, he is now exciting those very people to rise in arms among us, and to purchase that liberty of which he has deprived them, by murdering the people on whom he has obtruded them: thus paying off former crimes committed again the Liberties of one people, with crimes which he urges them to commit against the lives of another.

Original Draft - Declaration of Independence
Thomas Jefferson - 1776

What was radical about the Declaration in 1776? We know it did not mean that blacks and women were created equal to white men (although it would in time be used to justify those equalities too). It was radical in 1776 because it meant that all white men were equal.

There can be no pure memory of an American Revolution that published a declaration that liberty was a right accorded to "all men" and then created a Constitution that specifically prohibited blacks from enjoying that right. The only logical conclusion that modern blacks can draw from such circumstances is that their forefathers were not regarded as "men" by the white founders of this country.


"all men are created equal" and possess "inalienable rights," including "life, liberty and the pursuit of happiness... no male person, born in this country, or brought from over sea, ought to be holden by law, to serve any person, as a servant, slave or apprentice, after he arrives to the age of twenty-one Years, nor female, in like manner, after she arrives to the age of eighteen years, unless they are bound by their own consent."

- Constitution of Vermont (1777)
And be it further enacted by the authority aforesaid, That no man or woman of any nation or colour... shall at any time hereafter be deemed, adjudged, or holden within the territories of this commonwealth as slaves or servants for life, but as free men and free women...

An Act for the Gradual Abolition of Slavery, 1780 Pennsylvania
Documents Relating to the Confederation / Constitutional Era

Believe • Connect • Succeed

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Provided that both the temporary & permanent Governments be established on these principles as their basis. 1, That they shall forever remain a part of the United States of America. 2, That in their persons, property & territory, they shall be subject to the Government of the United States in Congress assembled and to the articles of confederation in all those cases in which the original states shall be so subject. 3, That they shall be subject to pay a part of the federal debts contracted or to be contracted to be apportioned on them by Congress, according to the same common rule and measure by which apportionments thereof shall be made on the other states. 4, That their respective Governments shall be in republican forms, and shall admit no person to be a citizen, who holds any hereditary title. 5, That after the year 1800 of the Christian era, there shall be neither slavery nor involuntary servitude in any of the said states, otherwise than in punishment of crimes, whereof the party shall have been duly convicted to have been personally guilty.

-Proposed by Thomas Jefferson
Ordinance of 1784
(1784)
"There is an article in the report of the Committee on which that act was made which I am extremely sorry to see was rejected. The Committee proposed that after the year 1800 there should be no slavery in the new States. I hardly have patience to write on a subject in which what is right is so obvious and just, and what is wrong is so derogatory to Americans, above all men—so inhuman, so iniquitous in itself."

Thomas Pickering’s Reaction to the Rejection of the Ordinance of 1784 (1785)

Congress once made this important declaration—that all men are created equal, that they are endowed by their Creator with certain inalienable rights, that among these are life, liberty, and the pursuit of happiness, and these truths were held to be self-evident... What pretense (argument there could be none) could be offered for its rejection? I should indeed have objected to the period proposed (the year 1800) for the exclusion of Slavery; for the admission of it for a day or an hour ought to have been forbidden. It will be infinitely easier to prevent the evil at first, than to eradicate it or check it at any future time. How would Congress wish these new States to be settled? By slaves or by freemen?

Thomas Pickering’s Reaction to the Rejection of the Ordinance of 1784 (1785)
Art. 6. There shall be neither slavery nor involuntary servitude in the said territory, otherwise than in the punishment of crimes whereof the party shall have been duly convicted: Provided, always, That any person escaping into the same, from whom labor or service is lawfully claimed in any one of the original States, such fugitive may be lawfully reclaimed and conveyed to the person claiming his or her labor or service as aforesaid.

Land Ordinance of 1787

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 one thousand eight hundred and eight, but a tax or duty may be imposed on such Importation, not exceeding ten dollars for each Person.

Article 1 - Section 9 - U.S. Constitution (1787)
Representatives and direct Taxes shall be apportioned among the several States which may be included within this Union, according to their respective Numbers, which shall be determined by adding to the whole Number of free Persons, including those bound to Service for a Term of Years, and excluding Indians not taxed, three fifths of all other Persons.

Article 1 - Section 2 - U.S. Constitution (1787)

All this is admitted, it will perhaps be said; but does it follow, from an admission of numbers for the measure of representation, or of slaves combined with free citizens as a ratio of taxation, that slaves ought to be included in the numerical rule of representation? Slaves are considered as property, not as persons. They ought therefore to be comprehended in estimates of taxation which are founded on property, and to be excluded from representation which is regulated by a census of persons. This is the objection, as I understand it, stated in its full force. I shall be equally candid in stating the reasoning which may be offered on the opposite side. "We subscribe to the doctrine," might one of our Southern brethren observe, "that representation relates more immediately to persons, and taxation more immediately to property, and we join in the application of this distinction to the case of our slaves. But we must deny the fact, that slaves are considered merely as property, and in no respect whatever as persons.

Federalist No. 54 (1788)
Hamilton or Madison
The regulation of foreign commerce, having fallen within several views which have been taken of this subject, has been too fully discussed to need additional proofs here of its being properly submitted to the federal administration. It were doubtless to be wished, that the power of prohibiting the importation of slaves had not been postponed until the year 1808, or rather that it had been suffered to have immediate operation. But it is not difficult to account, either for this restriction on the general government, or for the manner in which the whole clause is expressed. It ought to be considered as a great point gained in favor of humanity, that a period of twenty years may terminate forever, within these States, a traffic which has so long and so loudly upbraided the barbarism of modern policy; that within that period, it will receive a considerable discouragement from the federal government, and may be totally abolished, by a concurrence of the few States which continue the unnatural traffic, in the prohibitory example which has been given by so great a majority of the Union. Happy would it be for the unfortunate Africans, if an equal prospect lay before them of being redeemed from the oppressions of their European brethren! Attempts have been made to pervert this clause into an objection against the Constitution, by representing it on one side as a criminal toleration of an illicit practice, and on another as calculated to prevent voluntary and beneficial emigrations from Europe to America. I mention these misconstructions, not with a view to give them an answer, for they deserve none, but as specimens of the manner and spirit in which some have thought fit to conduct their opposition to the proposed government.

Federalist No. 42 (1788)
James Madison
All this is admitted, it will perhaps be said; but does it follow, from an admission of numbers for the measure of representation, or of slaves combined with free citizens as a ratio of taxation, that slaves ought to be included in the numerical rule of representation? Slaves are considered as property, not as persons. They ought therefore to be comprehended in estimates of taxation which are founded on property, and to be excluded from representation which is regulated by a census of persons. This is the objection, as I understand it, stated in its full force. I shall be equally candid in stating the reasoning which may be offered on the opposite side. "We subscribe to the doctrine," might one of our Southern brethren observe, "that representation relates more immediately to persons, and taxation more immediately to property, and we join in the application of this distinction to the case of our slaves. But we must deny the fact, that slaves are considered merely as property, and in no respect whatever as persons.

Federalist No. 54 (1788)
Hamilton or Madison

The federal Constitution, therefore, decides with great propriety on the case of our slaves, when it views them in the mixed character of persons and of property. This is in fact their true character. It is the character bestowed on them by the laws under which they live; and it will not be denied, that these are the proper criterion; because it is only under the pretext that the laws have transformed the negroes into subjects of property, that a place is disputed them in the computation of numbers; and it is admitted, that if the laws were to restore the rights which have been taken away, the negroes could no longer be refused an equal share of representation with the other inhabitants.

Federalist No. 54 (1788)
Hamilton or Madison
The true state of the case is, that they partake of both these qualities: being considered by our laws, in some respects, as persons, and in other respects as property. In being compelled to labor, not for himself, but for a master; in being vendible by one master to another master; and in being subject at all times to be restrained in his liberty and chastised in his body, by the capricious will of another, the slave may appear to be degraded from the human rank, and classed with those irrational animals which fall under the legal denomination of property. In being protected, on the other hand, in his life and in his limbs, against the violence of all others, even the master of his labor and his liberty; and in being punishable himself for all violence committed against others, the slave is no less evidently regarded by the law as a member of the society, not as a part of the irrational creation; as a moral person, not as a mere article of property.

Federalist No. 54 (1788)
Hamilton or Madison
This question may be placed in another light. It is agreed on all sides, that numbers are the best scale of wealth and taxation, as they are the only proper scale of representation. Would the convention have been impartial or consistent, if they had rejected the slaves from the list of inhabitants, when the shares of representation were to be calculated, and inserted them on the lists when the tariff of contributions was to be adjusted? Could it be reasonably expected, that the Southern States would concur in a system, which considered their slaves in some degree as men, when burdens were to be imposed, but refused to consider them in the same light, when advantages were to be conferred? Might not some surprise also be expressed, that those who reproach the Southern States with the barbarous policy of considering as property a part of their human brethren, should themselves contend, that the government to which all the States are to be parties, ought to consider this unfortunate race more completely in the unnatural light of property, than the very laws of which they complain?

Federalist No. 54 (1788)
Hamilton or Madison

"Representatives and direct taxes shall be apportioned among the several States, which may be included in this Union, according to their respective numbers, which shall be determined by adding to the whole number of free persons, including those bound to service for a term of years, and excluding Indians not taxed, three-fifths of all other persons." What a strange and unnecessary accumulation of words are here used to conceal from the public eye what might have been expressed in the following concise manner: Representatives are to be proportioned among the States respectively, according to the number of freemen and slaves inhabiting them, counting five slaves for three freemen.”

Brutus (Antifederalist Papers) - 1788
If they have no share in government, why is the number of members in the assembly to be increased on their account?... If this be a just ground for representation, the horses in some of the States, and the oxen in others, ought to be represented—for a great share of property in some of them consists in these animals; and they have as much control over their own actions as these poor unhappy creatures, who are intended to be described in the above recited clause, by the words, "all other persons."

By this mode of apportionment, the representatives of the different parts of the Union will be extremely unequal; in some of the Southern States the slaves are nearly equal in number to the free men; and for all these slaves they will be entitled to a proportionate share in the legislature; this will give them an unreasonable weight in the government, which can derive no additional strength, protection, nor defense from the slaves, but the contrary. Why, then, should they be represented?

What adds to the evil is, that these States are to be permitted to continue the inhuman traffic of importing slaves until the year 1808—and for every cargo of these unhappy people which unfeeling, unprincipled, barbarous and avaricious wretches may tear from their country, friends and tender connections, and bring into those States, they are to be rewarded by having an increase of members in the General Assembly....

Brutus (Antifederalist Papers) - 1788
Without Negroes, this state would degenerate into one of the most contemptible in the Union; and he cited an expression that fell from General Pinckney on a former debate, that whilst there remained one acre of swampland in South Carolina, he should raise his voice against restricting the importation of Negroes. Even in granting the importation for twenty years, care had been taken to make us pay for this indulgence, each negro being liable, on importation, to pay a duty not exceeding ten dollars; and, in addition to this, they were liable to a capitation tax. Negroes were our wealth, our only natural resource; yet behold how our kind friends in the north were determined soon to tie up our hands, and drain us of what we had!

Rawlins Lowndes in a Speech to the South Carolina Ratifying Convention January 16-18 1788
Documents Relating to the Early Republic Era (1789-1836)

The Peculiar Institution
An Investigation Into the Conflict of Slavery in the United States
Section 1. Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That no citizen or citizens of the United States, or foreigner, or any other person coming into, or residing within the same, shall, for himself or any other person whatsoever, either as master, factor or owner, build, fit, equip, load or otherwise prepare any ship or vessel, within any port or place of said United States, nor shall cause any ship or vessel to sail from any port or place within same, for the purpose of carrying on any trade or traffic in slaves, to any foreign country; or for the purpose of procuring, from any foreign kingdom, place or country, the inhabitants of such kingdom, place or country, to be transported to any foreign country, port, or place whatever, to be sold or disposed of, as slaves: And if any ship or vessel shall be so fitted out, as aforesaid, for the said purposes, or shall be caused to sail, so as aforesaid, every ship or vessel, her tackle, furniture, apparel and other appurtenances, shall be forfeited to the United States; and shall be liable to be seized, prosecuted and condemned, in any of the circuit courts or district court for the district where said ship or vessel may be found and seized

- Slave Trade Act of 1794
That the several states composing the United States of America are not united on the principle of unlimited submission to their general government; but that, by compact, under the style and title of a Constitution for the United States, and of amendments thereto, they constituted a general government for special purposes, delegated to that government certain definite powers, reserving, each state to itself, the residuary mass of right to their own self-government; and that whenever the general government assumes undelegated powers, its acts are unauthoritative, void, and of no force

Kentucky Resolution 1 (1798)

That the Constitution of the United States, having delegated to Congress a power to punish treason, counterfeiting the securities and current coin of the United States, piracies, and felonies committed on the high seas, and offenses against the law of nations, and no other crimes, whatsoever; and it being true as a general principle, and one of the amendments to the Constitution having also declared, that "the powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people," therefore the act of Congress, passed on the 14th day of July, 1798, and intitled "An Act in addition to the act intitled An Act for the punishment of certain crimes against the United States," as also the act passed by them on the—day of June, 1798, intitled "An Act to punish frauds committed on the bank of the United States," (and all their other acts which assume to create, define, or punish crimes, other than those so enumerated in the Constitution,) are altogether void, and of no force whatsoever.

Kentucky Resolution 2 (1798)
That this Assembly doth explicitly and peremptorily declare, that it views the powers of the federal government as resulting from the compact to which the states are parties, as limited by the plain sense and intention of the instrument constituting that compact, as no further valid than they are authorized by the grants enumerated in that compact; and that, in case of a deliberate, palpable, and dangerous exercise of other powers, not granted by the said compact, the states, who are parties thereto, have the right, and are in duty bound, to interpose, for arresting the progress of the evil, and for maintaining, within their respective limits, the authorities, rights and liberties, appertaining to them.

Virginia Resolution (1799)

“...withdraw the citizens of the United States from all further participation in those violations of human rights ... which the morality, the reputation, and the best of our country have long been eager to proscribe.”

Jefferson’s Message to Congress (1806)
Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That from and after the first day of January, one thousand eight hundred and eight, it shall not be lawful to import or bring into the United States or the territories thereof from any foreign kingdom, place, or country, any negro, mulatto, or person of colour, with intent to hold, sell, or dispose of such negro, mulatto, or person of colour, as a slave, or to be held to service or labour.

- Act to Prohibit the Importation of Slaves (1807)

Que la esclavitud se proscriba para siempre y lo mismo la distinción de castas, quedando todos iguales y sólo distinguirá a un americano de otro el vicio y la virtud.

Sentimientos de la Nación (1813)
"there is nothing I would not sacrifice to a practicable plan of abolishing every vestige of this moral and political depravity... But as it is, we have the wolf by the ear, and we can neither hold him nor safely let him go. Justice is in one scale and self-preservation in the other."

Thomas Jefferson
A letter to Thomas Cooper, Monticello, September 10, 1814

"The internal slave trade became the largest enterprise in the South outside the plantation itself, and probably the most advanced in its employment of modern transportation, finance, and publicity." The slave trade industry developed its own unique language, with terms such as ‘prime hands, bucks, breeding wenches, and fancy girls’ coming into common use.”

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<th>Free States</th>
<th>1790</th>
<th>1800</th>
<th>1810</th>
<th>1820</th>
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**TABLE I.**

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<th>Free Inhabitants</th>
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HAVING REMOVED TO THE
CORNER OF ESPLANADE & MOREAU STS.
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Seamstresses, Washers and Ironers,
Mechanics, &c,
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LOW FOR CASH,
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Call and Examine before Purchasing elsewhere.
Progression of the Slave Population in Selected Southern States, 1810–1860

The Domestic Slave Trade 1820–1829

“...The first key factor in creating the domestic slave trade was an insatiable demand for slave labor from expanding plantation regions in the South. The second essential factor was the availability of a ready supply of slaves. This supply arose because North American slaves, unlike those in the rest of the Americas, experienced natural increase (that is to say, the number of births exceeded the number of deaths)” from Tadman, “Speculators and Slaves”
...but this momentous question, like a fire bell in the night, awakened and filled me with terror. I considered it at once as the knell of the Union. it is hushed indeed for the moment. but this is a reprieve only, not a final sentence. A geographical line, coinciding with a marked principle, moral and political, once conceived and held up to the angry passions of men, will never be obliterated; and every new irritation will mark it deeper and deeper...

-Thomas Jefferson in a letter to John Holmes (1820)

"unconquerable prejudice resulting from their color, they never could amalgamate with the free whites of this country. It was desirable, therefore, as it respected them, and the residue of the population of the country, to drain them off”.

- Henry Clay (c.1830)
We are the serfs of the system, out of whose labor is raised, not only the money paid into the Treasury, but the funds out of which are drawn the rich rewards of the manufacturer and his associates in interest. Their encouragement is our discouragement. The duty on imports, which is mainly paid out of our labor, gives them the means of selling to us at a higher price; while we cannot, to compensate the loss, dispose of our products at the least advance.

John C. Calhoun (1828)
South Carolina Exposition and Protest

But the existence of the right of judging of their powers, so clearly established from the sovereignty of States, as clearly implies a veto or control, within its limits, on the action of the General Government, on contested points of authority; and this very control is the remedy which the Constitution has provided to prevent the encroachments of the General Government on the reserved rights of the States; and by which the distribution of power, between the General and State Governments, may be preserved for ever inviolable, on the basis established by the Constitution. It is thus effectual protection is afforded to the minority, against the oppression of the majority. . . .

John C. Calhoun (1828)
South Carolina Exposition and Protest
And on the 12th of May, 1828, I heard a loud noise in the heavens, and the Spirit instantly appeared to me and said the Serpent was loosened, and Christ had laid down the yoke he had borne for the sins of men, and that I should take it on and fight against the Serpent, for the time was fast approaching when the first should be last and the last should be first.

Nat Turner in His Confession (1831)
Attend then to the sentence of the Court. You have been arraigned and tried before this court, and convicted of one of the highest crimes in our criminal code. You have been convicted of plotting in cold blood, the indiscriminate destruction of men, of helpless women, and of infant children. The evidence before us leaves not a shadow of doubt, but that your hands were often imbrued in the blood of the innocent; and your own confession tells us that they were stained with the blood of a master; in your own language, "too indulgent." Could I stop here, your crime would be sufficiently aggravated. But the original contriver of a plan, deep and deadly, one that never can be effected, you managed so far to put it into execution, as to deprive us of many of our most valuable citizens; and this was done when they were asleep, and defenceless; under circumstances shocking to humanity. And while upon this part of the subject, I cannot but call your attention to the poor misguided wretches who have gone before you. They are not few in number--they were your bosom associates; and the blood of all cries aloud, and calls upon you, as the author of their misfortune. Yes! You forced them unprepared, from Time to Eternity. Borne down by this load of guilt, your only justification is, that you were led away by fanaticism. If this be true, from my soul I pity you; and while you have my sympathies, I am, nevertheless called upon to pass the sentence of the court. The time between this and your execution, will necessarily be very short; and your only hope must be in another world. The judgment of the court is, that you be taken hence to the jail from whence you came, thence to the place of execution, and on Friday next, between the hours of 10 A. M. and 2 P. M. be hung by the neck until you are dead! dead! dead and may the Lord have mercy upon your soul.

The Commonwealth v. Nat Turner (1831)
He [the General] will not specify all the instances that he is bound to believe have occurred, but pass in silence what has happened, with the expression of his deepest sorrow, that any necessity should be supposed to have existed, to justify a single act of atrocity. But he feels himself bound to declare, and hereby announces to the troops and citizens, that no excuse will be allowed for any similar acts of violence, after the promulgation of this order.

-Orders of General Eppes (1831)

"Any person or persons who attempt to teach any free person of color, or slave, to spell, read, or write, shall, upon conviction thereof by indictment, be fined in a sum not less than two hundred and fifty dollars, nor more than five hundred dollars."

"Any free person of color who shall write for any slave a pass or free paper, on conviction thereof, shall receive for every such offense, thirty-nine lashes on the bare back, and leave the state of Alabama within thirty days thereafter..."

"Any slave who shall write for any other slave, any pass or free-paper, upon conviction, shall receive, on his or her back, one hundred lashes for the first offence, and seven hundred lashes for every offence thereafter..."

- Alabama Law - 1833
“The relation which now exists between the two races has existed for two centuries. It has grown with our growth and strengthened with our strength. It has entered into and modified all our institutions, civil and political. We will not, cannot permit it to be destroyed.”

- John C. Calhoun - 1836

All petitions, memorials, resolutions, propositions, or papers, relating in any way, or to any extent whatsoever, to the subject of slavery or the abolition of slavery, shall, without being either printed or referred, be laid on the table and that no further action whatever shall be had thereon.

- “Pickney Gag” (1836)
Resolved, That the honorable John Quincy Adams, by the attempt just made by him to introduce a petition purporting on its face to be from slaves, has been guilty of a gross disrespect to this House, and that he be instantly brought to the bar to receive the severe censure of the Speaker.

-Register of Debates, 24th Congress, 2nd Session (6 Feb. 1837)

Yes I have; please give my compliments to my friends in your State and say to them, that if a single drop of blood shall be shed there in opposition to the laws of the United States, I will hang the first man I can lay my hand on engaged in such treasonable conduct, upon the first tree I can reach.

-Andrew Jackson
Documents Relating to Expansion and War (1836-1865)

The Peculiar Institution
An Investigation Into the Conflict of Slavery in the United States
The Constitution of the United States recognizes the slaves, held within some of the States of the Union, only in their capacity of persons--persons held to labor or service in a State under the laws thereof--persons constituting elements of representation in the popular branch of the National Legislature--persons, the migration or importation of whom should not be prohibited by Congress prior to the year 1808. The Constitution nowhere recognizes them as property. The words slave and slavery are studiously excluded from the Constitution...

-John Quincy Adams (1841)

If any person or persons shall, from and after the passing of this act, by force and violence, take and carry away... any negro or mulatto, from any part or parts of this commonwealth, to any other place or places whatsoever, out of this commonwealth, with a design and intention of selling and disposing... as a slave or servant for life... shall on conviction thereof, in any court of this commonwealth having competent jurisdiction, be deemed guilty of a felony.

-Pennsylvania Statute (1826)
The administration, wrote the Secretary of State, “regards with deep concern the avowal” that England was “constantly exerting herself” to procure world-wide antislavery. The administration was also appalled that England was urging emancipation as “one of the conditions on which Mexico should acknowledge” Texas.

-An emancipated Texas, continued the Carolinian, would give “Great Britain the most efficient means of effecting in the neighboring States of this Union what she avows to be her desire to do in all countries where slavery exists.” A free labor Texas “would expose the weakest and most vulnerable portions” of slaveholders’ “frontiers” to inroads.

-The Works of John C. Calhoun
William W. Freehling (1854)
But while England’s hope is to end what she calls our evil, warned Calhoun, our mission is to perpetuate what we consider our blessing. Under southern Christian slavery, bragged the American Secretary of State, “the negro race” has attained an unprecedented “elevation in morals, intelligence,” and “civilization.”

-The Works of John C. Calhoun
William W. Freehling (1854)

“With us [the policy to be adopted to the African race], is a question to be decided not by the Federal government, but by each member of this Union, for itself, according to its own views of its domestic policy, and without any right on the part of the Federal government to interfere in any manner whatever. Its rights and duties are limited to protecting, under the guarantees of the Constitution, each member of this Union in whatever policy it may adopt in reference to the portion within its respective limits.”

-John C. Calhoun “Pakenham Letter” (1844)
Provided, That, as an express and fundamental condition to the acquisition of any territory from the Republic of Mexico by the United States, by virtue of any treaty which may be negotiated between them, and to the use by the Executive of the moneys herein appropriated, neither slavery nor involuntary servitude shall ever exist in any part of said territory, except for crime, whereof the party shall first be duly convicted.

- Wilmot Proviso (1846)

Leave it to the people, who will be affected by this question to adjust it upon their own responsibility, and in their own manner, and we shall render another tribute to the original principles of our government, and furnish another for its permanence and prosperity

- Lewis Cass (1847)
  In a Letter to A.O.P. Nicholson
We have never dreamt of incorporating into our Union any but the Caucasian race—the free white race. To incorporate Mexico, would be the very first instance of the kind, of incorporating an Indian race; for more than half of the Mexicans are Indians, and the other is composed chiefly of mixed tribes. I protest against such a union as that! Ours, sir, is the Government of a white race.... We are anxious to force free government on all; and I see that it has been urged ... that it is the mission of this country to spread civil and religious liberty over all the world, and especially over this continent. It is a great mistake.

John C. Calhoun (1848)
- Message to Congress
And be it further enacted, That when a person held to service or labor in any State or Territory of the United States, has heretofore or shall hereafter escape into another State or Territory of the United States, the person or persons to whom such service or labor may be due... may pursue and reclaim such fugitive person...

Fugitive Slave Law (1850)
I never would obey it. I had assisted thirty slaves to escape to Canada during the last month. If the authorities wanted anything of me, my residence was at 39 Onondaga Street. I would admit that and they could take me and lock me up in the Penitentiary on the hill; but if they did such a foolish thing as that I had friends enough on Onondaga County to level it to the ground before the next morning.

Rev. Luther Lee (1855)
We have arrived at the conclusion, and are thoroughly convinced, that an immediate and earnest effort ought to be made by the government of the United States to purchase Cuba from Spain at any price for which it can be obtained, not exceeding the sum of $ [blank]

Ostend Manifesto (1854)

“We should, however, be recreant to our duty, be unworthy of our gallant forefathers, and commit base treason against our posterity, should we permit Cuba to be Africanized and become a second St. Domingo (Haiti), with all its attendant horrors to the white race, and suffer the flames to extend to our own neighboring shores, seriously to endanger our actually to consume the fair fabric of our Union.”

Ostend Manifesto (1854)
...were intended to have a far more comprehensive and enduring effect than the mere adjustment of the difficulties arising out of the recent acquisition of Mexican territory. They were designed to establish certain great principles, which would not only furnish adequate remedies for existing evils, but, in all time to come, avoid the perils of a similar agitation, by withdrawing the question of slavery from the halls of Congress and the political arena, and committing it to the arbitrament of those who were immediately interested in, and alone responsible for its consequences.

- Committee for the Kansas-Nebraska Act (1854)

The Kansas-Nebraska Act would, “...create a deep-seated, intense, and ineradicable hatred of the institution which will crush its political power, at all hazards, and at any cost.”

- New York Times (1854)
“A filibuster led by Lewis D. Campbell, an Ohio free-soiler, nearly provoked the House into a war of more than words. Campbell, joined by other antislavery northerners, exchanged insults and invectives with southerners, neither side giving quarter. Weapons were brandished on the floor of the House. Finally, bumptiousness gave way to violence. Henry A. Edmundson, a Virginia Democrat, well oiled and well armed, had to be restrained from making a violent attack on Campbell. Only after the sergeant at arms arrested him, debate was cut off, and the House adjourned did the melee subside.”

- Michael Morrison (1997)

"What is the excuse for all this turmoil and mischief? We are told it is to keep the question of slavery out of Congress! Great God! It was out of Congress, completely, entirely, and forever out of Congress, unless Congress dragged it in by breaking down the sacred laws which settled it!"

- Senator Thomas Hart Benton (1854)
Little by little, but steadily as man's march to the grave, we have been giving up the old for the new faith. Nearly eighty years ago we began by declaring that all men are created equal; but now from that beginning we have run down to the other declaration, that for some men to enslave others is a 'sacred right of self-government.' These principles cannot stand together. They are as opposite as God and Mammon; and whoever holds to the one must despise the other.

— Abraham Lincoln (1854)
"He (Henry W. Beecher) believed that the Sharps Rifle was a truly moral agency, and that there was more moral power in one of those instruments, so far as the slaveholders of Kansas were concerned, than in a hundred Bibles. You might just as well... read the Bible to Buffaloes as to those fellows who follow Atchison and Stringfellow; but they have a supreme respect for the logic that is embodied in Sharp's rifle."

- New York Tribune (1856)
It would give to persons of the negro race, ...the right to enter every other State whenever they pleased, ...to sojourn there as long as they pleased, to go where they pleased ...the full liberty of speech in public and in private upon all subjects upon which its own citizens might speak; to hold public meetings upon political affairs, and to keep and carry arms wherever they went.

- Dred Scott v. Sanford (1857)

“Freesoilers and abolitionists are the only true friends of the South; slaveholders and slave-breeders are downright enemies of their own section. Anti-slavery men are working for the Union and for the good of the whole world; proslavery men are working for the disunion of the States, and for the good of nothing except themselves.”

-Hinton Rowan Helper (1857)
The Impending Crisis of the South
In my opinion, it will not cease, until a crisis shall have been reached, and passed. "A house divided against itself cannot stand."

I believe this government cannot endure, permanently half slave and half free. I do not expect the Union to be dissolved -- I do not expect the house to fall -- but I do expect it will cease to be divided.

It will become all one thing or all the other. Either the opponents of slavery, will arrest the further spread of it, and place it where the public mind shall rest in the belief that it is in the course of ultimate extinction; or its advocates will push it forward, till it shall become alike lawful in all the States, old as well as new -- North as well as South.

- Abraham Lincoln (1858)
"Quicker than thought I brought my saber down with all my strength upon [Brown's] head. He was moving as the blow fell, and I suppose I did not strike him where I intended, for he received a deep saber cut in the back of the neck. He fell senseless on his side, then rolled over on his back. He had in his hand a short Sharpe's cavalry carbine. I think he had just fired as I reached Colonel Washington, for the Marine who followed me into the aperture made by the ladder received a bullet in the abdomen, from which he died in a few minutes. The shot might have been fired by someone else in the insurgent party, but I think it was from Brown. Instinctively as Brown fell I gave him a saber thrust in the left breast. The sword I carried was a light uniform weapon, and, either not having a point or striking something hard in Brown's accouterments, did not penetrate. The blade bent double."

Lt. Israel Greene - October 18, 1859
The controlling majority of the Federal Government, under various pretenses and disguises, has so administered the same as to exclude the citizens of the Southern States, unless under odious and unconstitutional restrictions, from all the immense territory owned in common by all the States on the Pacific Ocean, for the avowed purpose of acquiring sufficient power in the common government to use it as a means of destroying the institutions of Texas and her sister slave-holding States. By the disloyalty of the Northern States and their citizens and the imbecility of the Federal Government, infamous combinations of incendiaries and outlaws have been permitted in those States and the common territory of Kansas to trample upon the federal laws, to war upon the lives and property of Southern citizens in that territory, and finally, by violence and mob law to usurp the possession of the same as exclusively the property of the Northern States.

The Texas Ordinance of Secession
(February 2, 1861)
And be it further enacted, That whenever hereafter, during the present insurrection against the Government of the United States, any person claimed to be held to labor or service under the law of any State... in every such case, the person to whom such labor or service is claimed to be due shall forfeit his claim to such labor, any law of the State or of the United States to the contrary notwithstanding...

- Confiscation Act of 1861

If slavery is not wrong, nothing is wrong ... And yet I have never understood that the Presidency conferred upon me an unrestricted right to act officially upon this judgment and feeling ... I claim not to have controlled events, but confess plainly that events have controlled me

- Abraham Lincoln (1863)
By the President of the United States of America.

Proclamation.

Whereas, on the twenty-first day of September, in the year of our Lord one thousand eight hundred and sixty-two, a proclamation was issued by the President of the United States containing, among other things, the following, to wit:

"That on the first day of January, in the year of our Lord one thousand eight hundred and sixty-three, all persons held as slaves within any State or designated part of a State, the people whereof shall then be in rebellion against the United States, shall be then, thenceforward, and forever free; and the Executive Government of the United States, including the military and naval authority thereof, will recognize and maintain the freedom of such persons, and will do no act or acts to repress such persons, or any of them, in any efforts they may make for their actual freedom."

"That the Executive will, on the first..."
The Peculiar Institution
An Investigation Into the Conflict of Slavery in the United States
The Congress of the Confederate States of America do enact,
That, in order to provide additional forces to repel invasion,
maintain the rightful possession of the Confederate States,
secure their independence, and preserve their institutions, the
President be, and he is hereby, authorized to ask for and accept
from the owners of slaves, the services of such number of able-
bodied negro men as he may deem expedient, for and during
the war, to perform military service in whatever capacity he
may direct.

SEC 2. That the General-in-Chief be authorized to organize the
said slaves into companies, battalions, regiments, and brigades,
under such rules and regulations as the Secretary of War may
prescribe, and to be commanded by such officers as the
President may appoint.

General Orders, No.14 (1865)

Section 1. Neither slavery nor involuntary servitude, except as a
punishment for crime whereof the party shall have been duly
convicted, shall exist within the United States, or any place
subject to their jurisdiction.

Section 2. Congress shall have power to enforce this article by
appropriate legislation.

13th Amendment (1865)
Slavery was not abolished even after the Thirteenth Amendment. There were four million freedmen and most of them on the same plantation, doing the same work that they did before emancipation, except as their work had been interrupted and changed by the upheaval of war. Moreover, they were getting about the same wages and apparently were going to be subject to slave codes modified only in name. There were among them thousands of fugitives in the camps of the soldiers or on the streets of the cities, homeless, sick, and impoverished. They had been freed practically with no land nor money, and, save in exceptional cases, without legal status, and without protection.

-W. E. B. Du Bois (1935)

The people of Texas are informed that, in accordance with a proclamation from the Executive of the United States, all slaves are free. This involves an absolute equality of personal rights and rights of property between former masters and slaves, and the connection heretofore existing between them becomes that between employer and hired labor. The freedmen are advised to remain quietly at their present homes and work for wages. They are informed that they will not be allowed to collect at military posts and that they will not be supported in idleness either there or elsewhere.

-General Order No. 3 (1865)
All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the state wherein they reside. No state shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any state deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.

14th Amendment (1868)

The United States Attorneys are instructed, therefore, to consider such complaints in accordance with the following statutes and authorize prosecutions where any one or more of the following conditions exist, regardless of the existence of debt real or claimed:

(a) Section 443, Title 18, U.S. Code carrying or enticing of any person from one place to another in order that he may be held in slavery or involuntary servitude; causing another by force, fraud or intimidation to enter and remain in another's employment.

-Circular No. 3591 (1941)