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## The problem of slavery in the Old Northwest, 1787-1858

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THE PROBLEM OF SLAVERY IN THE OLD NORTHWEST, 1787-1858

by

Lulu Merle Johnson

A dissertation submitted in partial fulfillment of the  
requirements for the degree of Doctor of Philosophy,  
in the Department of History, in the Graduate  
College of the State University of Iowa

August, 1941

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L.M.J.

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## INTRODUCTION

This study suggests a field that has been carefully examined and skillfully interpreted by various competent scholars. But nothing is available for the student wishing a composite view of the slavery conflict in the Old Northwest since the chief studies have been limited to the problems of slavery within the individual states. The aim is to trace the origin and development of the slavery conflict within the Old Northwest and to observe how certain socio-economic and geographic factors entered into the struggle.

The core of the study is to be found in the Sixth Article of Compact between the original States and the people and States of the Northwest Territory. The six articles of Compact formed a portion of the ordinance for the government of the territories of the United States lying north and west of the Ohio River. The Ordinance stipulated that these articles should "forever remain unalterable, unless by common consent." To some persons, this provision suggested that the Ordinance was a sort of subsidiary constitution to the Northwest Territory, unalterable by Congress or the future state governments. Particularly was this supposition applied to Article Six. The adoption of this Ordinance in 1787 constituted one of the last acts of the old Congress under the Articles of Confederation. Article Six had provided that;

There shall be neither slavery nor involuntary servitude in the said territory, otherwise than in the pun-

ishment 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.

This clause has been generally interpreted to mean that slavery was thereby prohibited within the Northwest Territory. An examination of subsequent events reveals that the validity of other provisions in the Ordinance depended upon a somewhat different interpretation of the anti-slavery clause. Although Congress did not maintain a consistent point of view with respect to pro-slavery memorials and petitions praying for some revision of Article Six, it did insist that the provision was not retroactive but looked forward to limiting the future extension of slavery. The purely academic interest in these interpretations of Article Six has subsided. Of more interest is the question of how the Northwest emerged upon the national scene as a free section. Slavery did not cease to exist by virtue of the Ordinance alone. Congress did not legislate French slavery out of existence and start the Northwest as free territory. These facts are verified by Congress itself in census returns which decennially reported slaves residing in the Northwest.

The forces which made possible the emergence of a Free Northwest depended neither upon the region being started free nor upon the survival of French slavery. The point to be remembered is that when slavery became the great sectional issue, the Free Northwest determined that the balancing scales

should tip in favor of forces gathered in the North rather than the South.

One of the primary forces in building the Free Northwest was the great waves of migration which, after the Revolutionary War, swept the population of the Atlantic Seaboard across the Allegheny Mountains into the Northwest Territory. The Southern States contributed liberally to the pioneer settlements of the Ohio Valley. From the outset there were conflicts of opinion among men whose cultural traditions were derived from opposing sections. Such sentiment as there was for the admission of slavery in the territory was generated among southern emigrants and slaveholders desiring to settle north of the Ohio. Congress, the territorial legislatures and territorial courts made feeble and inconsistent efforts to uphold the anti-slavery proviso of the Ordinance. This lack of a straightforward policy in respect to slavery in the Old Northwest encouraged pro-slavery agitation. Working from two centers, southern Ohio and southern Illinois, the pro-slavery party was able to circumvent the slavery prohibition by introducing a system of indentures. Many practices of indenture were continued after statehood.

Another force encouraging the development of a Free Northwest was a geographic environment that had made possible an economy in which slave labor had no place. The pioneers in the Northwest had come seeking homes and in the end had emerged a democratic society comprised of small farmers and industrialists. The environment with which the first

settlers had struggled had little to recommend itself to planter economy. The agitation favoring slavery carried over into statehood. While some men believed that the disposition of the slavery issue was entirely in the hands of Congress others believed it was a matter which the states would decide for themselves. The adoption of each free constitution in the Northwest, although accompanied by hostile opposition, emphasized the increasing anti-slavery point of view. The pro-slavery forces were no longer being reinforced by pro-slavery opinion even though southern emigrants continued to seek homes in the Northwest. As the slavery problem came more and more to command the center of the national stage the rallying anti-slavery forces in the Northwest began to consolidate. From colonization schemes to immediate abolitionism, the forces of freedom battled their way. Until the rise of the "Liberty Party" these anti-slavery activities bore only social and moral implications. After 1840 slavery was a political issue bearing only a tinge of this earlier morality. The pro-slavery forces had made their last stand in the defense of the Black Codes by which Negroes were denied legal status in the Free Northwest. When the time came for the West to choose between an alliance with the East or the South she did not hesitate. The slavery impulse which had been perennial since the Ordinance of 1787 had been broken on the rocks of conflicting social heritage, economic differentiation and geographic unity.

It is this composite picture of the slavery struggle



in the Old Northwest which the writer has undertaken to present.

## Chapter I

### THE SOCIAL AND ECONOMIC CHARACTER OF WESTWARD MIGRATION

Settlement in the Old Northwest proceeded slowly for over a century until the Ordinance of 1785 laid the foundations of a public land system and launched a flood of westward migration. This movement began even before the close of the Revolutionary War and by 1817 had reached startling proportions. The pioneer settlers were a motley aggregation. Some had emigrated from New England, others from the Middle States, and still others from the South. They represented various and varied racial stocks and religious creeds. Among them were Puritans, Quakers, Methodists, Baptists, and Presbyterians. Along the western frontier soon were to be found English, Swiss, French, German, Swede, Scotch-Irish and American settlers. There were land speculators, poor farmers, Revolutionary veterans, fervent pacifists, anti-slavery zealots driven by conscience, and deluded foreigners. Pioneering alongside the debt-hating and homeseeking, the sober, pious and industrious, were the miscreant and pauper. Out of this heterogeneity the Old Northwest developed a distinctive type of frontier idealism.

The frontier in American History was first made an intelligible phenomenon by the researches of the late Frederick Jackson Turner. Frederic L. Paxson believes that the frontier with its continuous and persistent influence was the most American thing in America. The American frontier

has been a dynamic force characterized by swift and sudden change:

This westward flow of population has been characteristic of American growth since the period of the earliest settlements. It has been kept in motion by two forces,.... The constant force is the necessity upon society to take care of the new adults, arriving each year at manhood, and requiring opportunity for livelihood. The peculiar force that directed the newer generation toward the West, as they sought their jobs, was the supply of unclaimed land that could be had in unlimited amounts. 1

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1

Paxson, History of the American Frontier, p. 186.

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Obviously these two forces were at work in the peopling of the Old Northwest. Turner saw a succession of frontiers advancing across the continent each in its turn being occupied by missionaries, hunters, soldiers, stockmen and farmers. By 1787 the missionary and hunter were already deserting the Old Northwest. The isolated condition of people on the western frontier tended to develop in them traits of self-confidence, equality and a distrust of the absentee. 2

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2

Paxson, op. cit., p. 95.

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In the light of these theories of the frontier an examination of the social and economic character of migrations into the Old Northwest is necessary to the development of this study. Although the western frontier did develop peculiarities of its own, the core of that particularism must be sought in the heritage of its emigrants.

The American Revolution provided the first impetus to western migration:

The early adventurers to the North-Western Territory

were generally men: who had spent the prime of their lives in the War of Independence. Many of them exhausted their fortunes in maintaining the desperate struggle; and retired to the wilderness to conceal their poverty, and avoid companions mortifying to their pride, while struggling to maintain their families, and improve their condition. Some of them were young men, descended from revolutionary patriots, who had fallen in the contest, or become too feeble to endure the fatigue of settling a wilderness. Others were adventurous spirits, to whom any change might be better; and who, anticipating a successful result, united in the enterprise. 3

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<sup>3</sup> Jacob Burnet, Notes on the ...North Western Territory, p. 42.

Many of the veterans referred to by Judge Burnet had settled on lands located in the military reserves. There were four reserves lying within the Old Northwest.<sup>4</sup> Virginia retained

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<sup>4</sup> For the location of these reserves consult Map No. I. (Appendix.)

reservations of extensive military bounty lands when in 1784 she ceded her western lands to the National government. The first reserve, known as Clark's Grant, consisting of 150,000 acres of land lying opposite the falls of the Ohio, was granted to George Rogers Clark, his officers and soldiers. The second reserve, known as the Virginia Military District, consisted of lands lying between the Little Miami and Scioto rivers. Within these boundaries Virginia troops were permitted to redeem in bounty lands their military warrants. These warrants had been issued in lieu of back pay for military service and were good for lands in the Virginia Military District only when the supply of bounty lands in Kentucky had been exhausted.<sup>5</sup> Connecticut's western lands constituted a

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<sup>5</sup>Thorpe, Federal and State Constitutions, II, pp. 955-56.

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third military reserve. By her cession of lands to Congress in 1786, Connecticut retained the vast Western Reserve lying on the south shore of Lake Erie, as compensation for her defense of western lands during the revolution. In May, 1792, Connecticut set off a half million acres of land at the western end of her Reserve for the relief of families who had been burned out during the late war with England. These lands, called the Firelands, were subsequently occupied by Revolutionary veterans and their families. An act of Congress in

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<sup>6</sup>  
Whittlesey, Early History of Cleveland, pp. 155-161. For the purposes of this study the Firelands have not been regarded as a separate reserve.

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1796 had created a fourth military reserve west of the Seven Ranges.

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<sup>7</sup>  
Annals of Congress, Fourth Congress, Second Session, p. 2905.

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Into the foregoing reserves drifted the Revolutionary veterans of Virginia and Connecticut. The advent of the joint stock company with its attendant speculation in western lands witnessed a new type of activity on the part of the Revolutionary veteran. The histories of the Ohio Company, Scioto Company, Connecticut Land Company and the Miami Purchase reveal the active role which these military men played in opening the western territory to immigration and settlement. Nothing could serve better to reveal the character of these "early adventurers" than their own correspondence, the accounts of travelers returning from the West,

and the attention directed to their activities by early newspapers.

The first settlement in the lands of the Ohio Company was made under the direction of General Rufus Putnam. On June 16, 1783, two hundred and eighty-eight New England officers in the Continental Line of the army petitioned Congress for grants of land between the Scioto and Miami rivers. Reverend Manasseh Cutler was indefatigable in his efforts to promote the Congressional sale of lands to the Ohio Company. After three years the efforts of General Samuel Parsons and Reverend Cutler were rewarded and within five weeks after the sale contract had been made a party of forty-eight persons were on their way to the Ohio country. These pioneers landed at Fort Harmar on the Muskingum April 7, 1788, and here founded Marietta, the first legal white settlement in the Northwest Territory. Several who had made application to Congress in 1783 were in the original party. Extracts from letters written by Putnam and Parsons to Cutler during the first months of settlement at Marietta illustrate the general optimism of the emigrants:

You wish to be informed if it will be prudent for families to move on in the spring and summer? I answer, by all means;...the sooner they come on the better; the sooner they get in a way of cultivating their lands and raising provisions, the better. 8

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8  
General Putnam to Dr. Cutler, 16 May, 1788, St. Clair Papers, I, p. 377.

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The beauty of situation, fertility of soil, and goodness of climate are equal to our most sanguine expectations; industry and perseverance will soon place us

in very easy circumstances. Rome was not built in a day. We have some difficulties to encounter which require a persevering mind. I think families determined to sacrifice a temporary convenience to great prospects should hasten to this place. 9

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9  
Sam. H. Parsons to Dr. Cutler, 16 July, 1788, Ibid., p. 390.

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The settlers here appear highly satisfied with the measures we have taken, and very many will go out to those lands. As they must be settled by spring, or early next summer, it will be necessary for as many as wish to receive donations to be out as soon as possible. We have had an addition of about 100 within two weeks, and more are expected. We are constantly putting up buildings, but arrivals are faster than we can provide covering. Between 40 and 50 houses are so far done as to receive families, and 10 more are in building, about one half of which I expect will be able to receive families next week. 10

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10  
Ibid., Parsons to Dr. Cutler, Marietta, December 11, 1788, p. 439.

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Beverly Bond makes an interesting contribution in his analysis of the lure which the western lands had upon the East, particularly New England. An examination of the Providence Gazette (Rhode Island) and the Massachusetts Spy, for the years 1788-1795, reveals the interest which the public took in western immigration. The Gazette during 1788 carried numerous notices of land sold in the Worcester district where many of the shareholders of the Ohio Company owned property. Putnam himself offered his estate in exchange for military warrants and continental certificates. The Spy carried an ever increasing list of Massachusetts farms for sale. While it would be rash to assume that all

owners of land sold their estates in order to migrate to the Ohio Purchase, no doubt some did. The Boston Gazette devoted considerable space to the progress of settlement in the Virginia Military District. Later the resources of the Western Reserve were described in New England newspapers. This same enthusiasm for the West was evident in newspapers published in New York, New Jersey and Virginia. Almanacs published in the Middle States were generous in the space allotted to a description of routes to the West.<sup>11</sup>

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<sup>11</sup>  
Bond, "Lure of the Western Country", Miss. Valley Hist. Rev., Vol. XVI, p. 245.

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The first survey and entry for land in the Virginia Military District was made by John O'Bannon on November 13, 1787. This survey located 1000 acres of land on Eagle Creek (now Neville in Freemont County, Ohio) for Mace Clement. During the following July, a Congressional resolution declared all surveys in the district invalid because it had not been ascertained whether all bounty lands in Kentucky had been taken up. This restriction was removed on August 1, 1790, and the first organized emigration into the district began. It was among these settlers from Virginia that Governor St. Clair was to find considerable opposition.<sup>12</sup>

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<sup>12</sup>  
History of Brown County, (Ohio), p. 250.

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Conspicuous in the rise of a Virginia party was aristocratic Thomas Worthington, who at the age of twenty-three had joined a party of young men headed for the Vir-



ginia Military District to locate the land warrants of their fathers and friends. Arriving at Chillicothe in 1796 the party found some twenty cabins of the rudest construction. Worthington evidently bought three lots from Colonel Massie who, that summer, had laid out the town of Chillicothe on the Scioto just above the mouth of Paint Creek. Soon afterwards Worthington returned to Virginia and married a woman of wealth. They proposed to free the slaves which they held jointly, but since the Virginia law required that manumitted slaves be provided with a home they decided to settle them in Ohio. Worthington and his brother-in-law, Dr. Edward Tiffin, set out in May, 1797, to occupy land which they had purchased from General William Darke, a revolutionary veteran, who owned lands at Chillicothe and who had served Worthington as guardian during his minority. In a letter to his wife Worthington commented on the changes which had occurred in Chillicothe during the year of his absence. It was now a town of some hundred houses with one hundred and fifty families within a circle of twelve miles; there were four shops fairly well stocked, and a good class of settlers. After building homes for their families Worthington and Tiffin returned to Virginia. The families accompanied by their freedmen reached Chillicothe in March, 1798. These freedmen were settled on the Worthington lands and given an option to purchase freeholds of their own by gradual payments. Worthington, recently given a contract to survey land in the Virginia Military District, set to work. He

became a member of the first Territorial Legislature which sat at Cincinnati in 1799. Dr. Tiffin as speaker of the Legislative Assembly and Worthington as chairman and member of various standing committees, took the lead in the contest with St. Clair concerning the creation of new counties and the division of the territory along lines aimed to curb Jeffersonian republican principles advanced by the Chillicothe Junto.<sup>13</sup> This Junto consisted of Virginians and Ken-

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<sup>13</sup> "Thomas Worthington", D. A. B., Vol. XX, p. 540; Ohio Arch. and Hist. Pub., Vol. XII, pp. 339-347.

---

tuckians who either had purchased lands from Massie or received grants for military service. There was another Virginia faction residing in Ross County which approved of slavery. St. Clair found the anti-slavery views of the Chillicothe Junto consistent with his own but their republicanism led to bitter strife.

Symmes' Miami Purchase was the focal point for emigrants from the Middle States. John Cleves Symmes' civil career in New Jersey and military career during the late war recommended him as a leader. The New Jersey Revolutionary veterans, who held continental certificates and military warrants, fell in with Symmes' plan much as the Massachusetts veterans had supported the Ohio Associates. Symmes sold lands in the Miami Purchase even before he had secured a grant from Congress. In the end he made only the initial payment on the contract, yet this did not prevent people from emigrating into the valley of the Muskingum. Symmes

appointment as Northwest Territorial Judge only added to the growing popularity of his scheme of westward migration. Not a few qualified as settlers under terms set forth as follows in the Brunswick Gazette (New Jersey) of January 8 and 22, 1788:

Any industrious, sober person or family of good character who will go and settle on the [Miami Purchase] Lands in the course of the present year, and may not be able to provide themselves with bread-corn, after coming on the ground, until some may be raised; the subscriber will furnish such persons with indian-corn wherewith to make bread for six months, at his expense, with interest, either in money, or in grain or labor, at a price agreed between the parties; and that within two years after such supplies are furnished; in which time the same may be replaced with great ease from the produce of the sale.

John Cleves Symmes. 14

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14

Bond, The Correspondence of John Cleves Symmes, p. 284.

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A typical Symmes agreement to attract immigrants was one such as that made with Zachariah Hole at North Bend on the Little Miami in May, 1795. If Hole could secure at least ten men, provided with arms, to aid him in erecting a station of ten cabins, covered with clapboard or puncheon, by Christmas 1795 and clear thirty acres of land in the sixth range of townships by June 1796, Symmes would provide gratis one hundred acres of land to be divided equally among them. In addition they would receive an option to purchase at \$1.50 an acre as much land adjacent to the station as they desired.

Colonel Charles Whittlesey, eminent historian of the Western Reserve, like Judge Burnet, believed that the military traditions of the early immigrants had a great in-

fluence upon pioneer life:

It required precisely such characters, as the impoverished soldiers of the Revolution, to conquer the Western wilds. Men who had never been toughened by the exposures and dangers of the camp, would not relish such undertakings.. Perhaps many of these, would not have sought after fortune in such remote regions, had not the war left them with nothing but their physical strength, ambition and courage. 15

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15

Whittlesey, op. cit., p. 156.

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General Moses Cleaveland, lawyer and director of the Connecticut Land Company, who led the first party of surveyors and pioneers into the Western Reserve, typifies this military tradition. Cleaveland referred to his party consisting of boatmen, cooks, pack-horsemen, chainmen and axemen as "the first English people" to take possession of the Connecticut Reserve. On July 4, 1796, the party founded Port Independence on Conneaught Creek. General Cleaveland records the events of that day in his Journal as follows;

The day, memorable as the birthday of American Independence, and freedom from British, tyranny, and commemorated by all freeborn sons of America, and memorable as the day on which the settlement of this new country was commenced and in time may raise her head amongst the most enlightened and improved states. And after many difficulties and hardships were surmounted and we were on the good and promised land, felt that a just tribute of respect to the day ought to be paid. There were in all, including men, women and children, fifty in number. 16

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16

Whittlesey, op. cit., pp. 181 ff. The original surveying party included fifty-two persons and makes no reference to children.

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The directors of the Connecticut Land Company were anxious to secure the settlement of their holdings. Connecticut had

the misfortune of making only a single sale of land out of the Western Reserve between 1786 and 1795, with the result that the state had been forced to sell its lands to the Connecticut Land Company. <sup>17</sup> A fresh grant of powers given

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17

This sale was made to General (later Territorial Judge) Samuel Parsons in February, 1788. The tract embracing twenty-four thousand acres was located in Trumbull County. cf. Whittlesey, op. cit., p. 159.

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by the company directors to Cleaveland and the surveyors were aimed to forstall the recurrence of such a calamity:

In respect to the five townships, which the Directors were authorized to sell by the Constitution, so many of them as remain unsold, we believe would be well for you to dispose of to best advantage, having particular regard to actual settlements being made; and the greater number of actual settlers the more for the interest of the company. And in respect to the township in which...the first settlements are to be made, and... sold and disposed of to actual settlers only, we are of the opinion that the sales made to any one settler, ought not exceed one hundred and fifty or two hundred acres.... 18

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18

Letter to Moses Cleaveland, August 26, 1796, Whittlesey, op. cit., p. 204.

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Settlement in the lake region went on slowly. Fever, ague and starvation plagued the original surveyors and the settlers who arrived during the first years of settlement. By July 17, 1800, Turhand Kirkland was able to write to General Cleaveland who had returned to Canterbury, Connecticut:

Crops extraordinary good, and settlers healthy and in good spirits. They are increasing as fast as can be expected, but the universal scarcity of cash, in this back country, renders it extremely difficult to sell for money, and the vast quantity of land in market will prevent a speedy sale of our lands. Mr.

Tillitson, from Lyme, [Conn.] wants two, one hundred acre lots, and would pay for one in hand if horses, cattle or provisions would answer, or would take them on credit, if he could have sufficient time to turn his property, but has no cash to advance. 19

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19

Whittlesey, Ibid., pp. 377 ff.

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The year 1803 was described as a healthy year, marked by increased immigration; however, the influx of settlers remained negligible for another decade.

An unfortunate episode in the course of the early immigration to the Old Northwest was the failure of the Scioto Company. The maze of scandals in which the Scioto Company became involved led seriously close to the Puritan foundations of the Ohio Company. A group of New York speculators, headed by Colonel William Druer, secretary to the National Board of Treasury, had secured through the connivance of the Ohio Company, 3,500,000 acres of land in the Miami Valley. Joel Barlow, as company representative, was sent to France to dispose of these lands. Frenchmen, in the year 1789, anxious to escape the revolutionary atmosphere of their native land, sold their goods and invested their funds in the Scioto Company. The first French immigrants settled at Gallipolis in the summer of 1790. Before the close of 1791 nearly five hundred Frenchmen had journeyed to the paradise described by Barlow. To plead law, build coaches, make perukes, carve, gild and bake fine pastries were not the tasks awaiting them on the Ohio. Lack of preparedness for the responsibilities of pioneer life was but

a small part of their misfortune. The Scioto Company had made no attempt to meet the payments due the government on their land, hence they could not have given clear titles to the credulous French pioneers. Furthermore, the location

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20

Rosengarten, French Colonists and Exiles in the U.S., pp. 19-21.

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of Gallipolis was within the limits of the Ohio Company's purchase. To remain on the land would necessitate a second purchase from the rightful owners. In 1795 Congress set aside 24,000 acres of land, sixty miles from Gallipolis, for the relief of the distressed Frenchmen who still remained in the settlement. Andre Michaux, visiting Gallipolis in 1793, spoke of it as an unfortunate colony with only one hundred and fifty of its original six hundred settlers remaining. Francois Michaux reported that only thirty families had gone to the French Grant provided by Congress. C. F. Volney, a fellow countryman who visited Gallipolis in 1796, described the deplorable condition of the settlers then remaining;

...he found two rows of little houses, built on the flat summit of the bank of the Ohio. He found the place wild and unkempt, the people thin, sickly, and uneasy. The houses were nothing but huts made of trunks of trees, plastered with clay and covered with shingles, whitewashed, but damp and badly sheltered from the weather. 21

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21

Rosengarten, op. cit., p. 137.

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Volney concluded that Frenchmen brought up in the ease and indolence of Paris had not the talent of the English, Irish

or German for emigrating to a new country.

The first notable change in the character of the western migration came when Congress passed the Land Act of May 10, 1800. Prior to that year the progress of immigration had been impeded by several unfavorable circumstances. By the Ordinance of 1785 public lands were offered for sale in townships or sections at the minimum price of one dollar an acre. The purchaser was required to make a down payment of one half the purchase price, to pay patent fees ranging from six to twenty dollars and to complete the balance of his payment within one year.<sup>22</sup> The resulting sales were

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<sup>22</sup>  
Journals of the Continental Congress, Vol. XXVIII,  
pp. 375 ff.

---

negligible due to the inability of many to raise the necessary \$640 with which to purchase the minimum amount of 640 acres of land. The war veteran was privileged to make one-seventh of his payment in military land warrants but the average immigrant had no such available resources for an outright purchase. A circumstance which discouraged the occupation of the military lands was that numerous warrants had fallen into the hands of speculators interested only in the realization of profits. At the same time many holders of warrants preferred to remain absentee owners of their western military bounty lands. Finally, Congress realized that neither the public land system nor private enterprise had encouraged settlement or increased the sale of land in the public domain. When the Ohio Company offered to pur-



chase a tract of Western land which they in turn would dispose of, Congress readily agreed. The contract with the Ohio Company was the first of a series of such large scale transactions. The private speculator had now been replaced by a corporate speculator with scarcely better results. The failure of the contracts let to the Ohio Company, Scioto Company and the Miami Purchase speculation put an end to further attempts on the part of Congress to dispose of public lands through the channels afforded by large scale transactions. Until Congress could be persuaded to give up the idea of making public lands a source of revenue there was small likelihood that the element of speculation could be curbed. Gradually Congress came to realize the fact that immigration would be encouraged by placing public lands within the reach of the common people. The result was the Land Act of 1800. It provided that public lands should be sold locally through offices established at Cincinnati, Chillicothe, Marietta and Steubenville. For a period of three weeks the Congressional lands east of a line northward from the mouth of the Kentucky River would be sold at public auction, after which period they would be sold at a minimum of two dollars an acre. The purchasers were required to deposit one-twentieth part of the purchase money as down payment, which would be forfeited unless one-fourth of the purchase money was paid within forty days. Payment of the balance was distributed over a period of four years. Unfortunately the act granted only limited

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23

U. S. Statutes at Large, Vol. II, pp. 73 ff.

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preëmption rights and did not apply to lands lying west of the line extending northward from the mouth of the Kentucky River. These difficulties were overcome by the Land Act of 1804 and western immigration entered upon a new phase in its development.

Concerning the growth in population at the opening of the century Dr. F.A. Michaux observed that along the banks of the Ohio, where in 1796 and 1797 scarcely thirty families were to be found in a distance of four hundred miles, in 1802 families dwelt only one to three miles apart. Though these families had holdings of three or four hundred acres they seldom cultivated more than eight or ten acres. Families with six children dwelling in small, miserable log houses conveyed the impression that wood for the construction of homes was scarce. The abundance of land permitted a farmer to let his clearing lie fallow for four or five years at a time.

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24

Michaux, Travels to the Westward of the Allegany Mountains...in 1802, p. 50.

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Abundant evidence of the diverse character of westward migration exists in the accounts rendered by travelers and in the accounts of pioneers who made infrequent trips to the East. The continuous publication of Emigrant Guides And Gazetteers during the early decades of the nineteenth century reflects their popularity as a device aimed to attract

settlers. That these accounts did attract settlers there can be but little doubt. The Guides frequently underwent several editions, a traveler occasionally referred to the guide book which he had used. In any event these accounts bear witness

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Some of the emigrant guide books enjoying a wide circulation were Cotton, The Western Tourist and Emigrant's Guide...; Peck, A New Guide For Emigrants To The West; Hodditch, Emigrant Guide to the United States; Amplett, The Emigrant Directory to the Western States; Brown, The Western Gazetteer and Collins, The Emigrant's Guide.

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to the character of the people who were settling the Old Northwest.

The Reverend Timothy Flint, a New School Presbyterian (Congregationalist), was for eighteen years a pioneer missionary to the West. His removal from Massachusetts was not a matter of personal decision but came as a call to duty from the Missionary Society of Connecticut. Before he left New England he believed that emigrants lived in a "state of estrangedness and exile from all that was dear to them" and that they dreamed "incessantly of their native hills and valleys." Considerations of a mild climate which might benefit his health or the prospect of founding a western religious periodical seem to have disappeared when Flint realized that he was about to become an emigrant:

I propose to commence my journey in patriarchal style, taking my wife and three children with me. May I go with simplicity of heart, and confidence in God, and the submission to his will of a patriarch. Should I go with such feelings, though it be to a strange and distant land..., He will protect me, and make us useful, and suffer us to want nothing, that is necessary for us. 26

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26

Letter dated Lunenburg, Mass., August 15, 1815, Kirkpatrick, Timothy Flint..., p. 55.

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All sorts of misgivings and longings attacked Flint as the Allegheneys rose before him and the backwoodsman began to replace the easterner as his traveling companion. Writing from Cincinnati in December, 1815, he referred to his journey westward as being fraught with "fatigues, exposures and dangers." The boatmen on the Ohio River were "the most abandoned race of men in any country, that professes to be Xn...." During the first winter Flint came to know the great human sacrifices and poverty that men and women endured in the vain hope of building a new home on the frontier.<sup>27</sup> Flint was to appreciate the West only after long

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27

Kirkpatrick, op. cit., p. 66.

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contact with it and its people. As editor and author in later years he found less of "estrangedness" in the West.

Morris Birkbeck, an educated English farmer, made some very keen observations concerning the emigrants he saw as he traveled westward to Illinois over the National Road in 1817. He believed that the high rate of labor arose from the cheapness of land. The point is well illustrated in the following account:

I have this moment before me two Germans, widowers, with three young children each, whose case is very appropriate. They are mere labourers and cannot speak English, and are therefore sufficiently destitute for the purpose of illustration. These two men were hired at Philadelphia by a respectable man,

and they are now together, the master and the man, on their way to his farm, near Corydon, in the State of Indiana. These men are engaged for two years at eighty-dollars per annum, with necessaries, viz, house, food and clothing for themselves and children. Thus at the expiration of two years they are possessed of thirty-six pounds sterling each, and their children growing up to be useful. With this they may pay the first deposit on eighty or a hundred acres, build themselves cabins, and become free holders and citizens. Mechanics and artisans of the most simple kind earn half as much more; and those of superior talents rise rapidly to wealth. 28

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28

Birkbeck, Notes on a Journey....., p. 49.

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Emigrants were indeed fortunate who had friends or relatives already established and upon whom they could rely to aid them in their difficulties. Money in the western territory was a potent factor in the acquisition of land, but "weak in providing the means of a living, except as to the bare necessities of life." On June 10 and 11, 1817, Birkbeck saw twenty-seven wagons loads of emigrants pass through St. Clairsville, Ohio.

Birkbeck's motive for observing the economies and habits of settlers in the country through which he passed, was to find guidance for selecting a site where a colony of English emigrants might establish new homes. During 1817 and 1818 Birkbeck, aided by George Flower, negotiated for the purchase of 26,400 acres of land in Edwards County, Illinois which was presently settled by some 200 emigrants. In

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29

Buck, Illinois In 1818, pp. 103-110.

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England Birkbeck was accused by William Cobbett and Dr. Samuel Johnson as misrepresenting conditions in the English

settlement. To these charges Birkbeck answered in the negative. He believed that the colony had every chance of success and that even then laborers and mechanics had already acquired their little freeholds and were building cabins. He advised that incoming settlers should bring letters of credit rather than merchandise and to restrict their personal effects to such items as were of "immediate requisition on arrival...."<sup>30</sup>

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30

Birkbeck, Extracts from a Supplementary Letter from the Illinois, Jan. 31, 1819, pp. 28 ff.

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By July 13, 1819, the community of English Prairie, Illinois contained from six to seven hundred persons. Although the fertile soil had not been extensively cultivated, building and fencing had been going forward and a considerable number of hogs and cattle collected.<sup>31</sup>

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31

Birkbeck, Address to British Emigrants Arriving in Eastern States, p. 10.

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The English settlement was but one of several instances where migration took on something of a nationalistic character. A colony of Swiss vinters had settled along the upper Ohio in a region later designated as Switzerland County, Indiana. Under the leadership of Jean Jacques Dufour they had established a "First Vineyard" in Kentucky in 1796. In 1802 when ruin faced the original venture some of the French Swiss pioneers crossed the Ohio and applied to Congress for lands along the Ohio River. New Switzerland, with Vevay as its center, embraced about 3700 acres of land. The wines of the "Second Vineyard" were not the high quality of

old world wines yet they made it possible for the small community to complete the payments on their lands by 1816. In the original plans of the Kentucky venture Dufour proposed that the association invest \$5000 of their \$8000 capital stock in the purchase of five families of Negroes. There seems to be no evidence that the early Swiss settlers held slaves after removing to Indiana although there the practice was commonplace enough. In 1810 or 1811 Switzerland County had supported Jonathan Lawrence an anti-slavery delegate to Congress from Indiana Territory.

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32

P. Dufour, The Swiss Settlement...., Indiana Hist. Coll., Vol XIII, pp. xiii-xviii, 14, 55.

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More than twenty years after the founding of Vevay, Karl Postel visited the once flourishing community. He found that the wine industry had degenerated to the point where a most indifferent beverage was being produced. The town itself had fallen to decay and ruin. The travelers attention seemed focused on the emigrants passing through the town:

In the evening arrived ten trains laden with fifty emigrants from Kentucky, going to settle in Indiana; their reasons for doing this were numerous. Although they had bought their lands in Kentucky twice over, they had to give them up a third time, their titles having proved invalid; but still they would have remained, had it not been for the insolent behaviour of their more wealthy neighbors, who, in consequence of these emigrants having no slaves, but even encouraged their own blacks to give them every kind of annoyance, and to rob them--for no other reason than their dislike to have paupers for neighbors.

My landlord assured me that at least 200 wagons had passed from the Kentucky side, through Vevay,

during the present season, all full of emigrants,  
discouraged from continuing among these lawless  
people. 33

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33

Postel, "Americans As They Are....", Ind. Hist. Coll.,  
Vol. I, pp. 753 ff.

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Occasionally the westward migration was given a distinct religious cast by the emigration of an entire body of persons adhering to common religious principles. This appears to be the case of the Quakers and the Friends of Humanity Baptists settling in the Old Northwest. Both sects were to become conspicuous as supporters of the Western Anti-Slavery party.

Stephen Weeks in his classic study on southern Quakers and slavery, warns against assuming that Quakers comprised the majority of emigrants who fled from the South to escape slavery. The driving forces of southern emigration according to Weeks were; the adventurous pioneer spirit, the Revolution which served to check expansion southward and the culmination of political and economic troubles in North Carolina in 1771.<sup>34</sup>

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34

Weeks, Southern Quakers...., John Hopkins Univ. Studies, Extra Vol. XV, pp. 251 ff.

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Rufus M. Jones issues a similar warning against concurring in the belief that it was the opposition to slavery that caused Friends to migrate westward. "It was due partly," he explains, "to the spirit of the times, the desire to enlarge the borders, to possess the new lands, to



engage in adventure and to enjoy the freedom and the opportunities that were possible to new settlements."<sup>35</sup>

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<sup>35</sup>

Jones, Later Periods of Quakerism, Vol. I, p. 389.

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The emigration of Quakers into the Northwest began shortly after 1795 and by 1805 there were not less than five monthly meetings of Quakers being held in Ohio.<sup>36</sup> In

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<sup>36</sup>

Jones, op. cit., pp. 406-411.

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1803 the Redstone Quarterly Meeting, held at Westland, Pennsylvania, granted the request of Friends to set up a Miami Monthly meeting. Certificates of removal from monthly meetings to which the settlers originally belonged began to appear in the Miami monthly meeting of July 12, 1804.<sup>37</sup>

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<sup>37</sup>

MS. Records of First Friends Church (Richmond, Indiana)

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These certificates of removal are valuable sources for determining the bulk of the Quaker emigration. The figures at best must be estimates because they did not always include women and children. For example, the Records of the White Water (Indiana) Monthly Meeting, first held September 30, 1809, includes only certificates for the heads of families and their sons. Between the foregoing date and July 27, 1811, certificates had been received from Cane Creek and Piney Grove, South Carolina; Springfield, New Garden, Deep River, Back Creek, Symons' Creek and Contentnea, North Carolina. Occasionally the certificates bore the endorsement of the

Miami Monthly Meeting indicating, as in the cases of Joseph Hastings and Lewis Hozier, that they had stopped over in Ohio rather than proceeding directly from Back Creek to White Water.

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38

MS. Records of First Friends Church (Richmond, Indiana)

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The pioneering instinct of the Friends who established settlements in the Old Northwest were often put to the severest tests. They cleared the forests, raised log cabins, tilled the soil and struggled to procure the necessities of life. Their own improvisations supplemented their simple store of worldly goods. Occasionally their records reveal how members had to be disciplined, placed on probation or even cut off from the fellowship of other Friends. As early as 1805 the Miami Monthly Meeting appointed a Committee of four to examine into the situation of the black people among them and to report their findings within three months. No report was returned within the designated period of time.

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39

MS. Miami Monthly Meeting - 1805 (Richmond, Indiana).

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ial General Assembly met at Chillicothe, 1801, Governor St. Clair referred to the considerable number of the people called Quakers, who had come into the territory as exemplary models of "industry, sobriety and good morals."

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Burnet, op. cit., p. 328.

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The Friends of Humanity Baptists exerted a unique influence upon the history of the Northwest by their adherence to anti-slavery principles. Under the leadership of Reverend Samuel Lemens, Sr. they were to resist the rise of the western pro-slavery party. Lemens, by a secret compact with Thomas Jefferson, agreed to migrate to the Illinois Territory and use his efforts to prevent the introduction of slavery. To the same James Lemen, Jefferson attributed his inspiration for inserting the anti-slavery clause in the Northwest Ordinance.<sup>41</sup> Included among the emigrants from Kentucky, who

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41

Roycroft, Friends of Humanity Baptists, ( unpublished M.A. thesis, 1935, S.U.I.) pp. 6-11, passim.

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were members of this church, were the parents of Abraham Lincoln.

In 1834 Reverend Robert Baird published an Emigrant and Traveler's Guide which quite accurately described the manner of colonization in the western country. Up to that time emigration had gone on in columns moving from the East to the West. The New England column had reached out through New York and thence along the lakes to the upper Mississippi. The column showed a slight divergence toward Michigan and toward the Ohio on the south. The Pennsylvania and New Jersey column advanced westward through Ohio and extended itself into the mid-sections of Indiana and Illinois. This parallelism Baird thought helped;

to furnish a correct knowledge of the diversities and customs and manners which prevail in the Valley of the Mississippi. For if one knows what are the peculiari-

ties of the several states east of the Alleghany Mountains, he may expect to find them, with some shades of difference, occasioned by local circumstances, in the corresponding parallels in the West. Slavery keeps nearly within the same parallels. 42

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42

Baird, View of the Valley of the Mississippi, p. 100.

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Timothy Flint writing in 1826, had noted the same parallelism in western migration. In Indiana he found the number and manners of northern people predominating among the immigrants. New England dialect was conspicuous. In contrast to the immigration to Illinois, characterized by a certain amount of wealth and display, the immigration to Indiana was a gradual infiltration of plain people. Instead of four or six horse-wagons attended by droves of cattle and considerable numbers of Negroes the incoming Indiana settlers were young men in limited circumstances. 43

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43

Flint, op. cit., p. 443. J.M. Peck author of a popular emigrant guide also describes the parallel columns of emigration.

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Immigration into the more northerly portions of the Old Northwest lagged behind that of the southern limits until after the completion of the Erie Canal in 1825. The Ohio River and National Road had been the pathway of thousands of immigrants when the Erie Canal was still a dream. The solitude of northern Ohio and the difficulties of the Sandusky swamp had served to divert the stream of emigrants south and west. The impulse given to settlement in the lake region is apparent in the rapid growth of populations which

some towns experienced between 1820 and 1840.

|           | 1820  | 1840  | increase over previous census |
|-----------|-------|-------|-------------------------------|
| Cleveland | 606   | 6,071 | 464.2                         |
| Detroit   | 1,422 | 9,102 | 309.6                         |

Cincinnati on the Ohio, which had shown an increase of 279.6 in the decade between 1810 and 1820, showed only an increase of 157.5 and 86.6 for the decades of 1830 and 1840. The population of Michigan rose from 30,000 in 1830 to 212,267 in 1840 while that of Wisconsin showed a percentile increase of 886.9 in the decade from 1840-1850.<sup>44</sup>

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<sup>44</sup> Fifteenth Census of U.S., Vol. I, (Ohio) pp. 836-39; (Mich.) pp. 511-512; (Wisc.) p. 1179.

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The estimates made by contemporary observers of the Great Migration had their limitations and these must be recognized. Even the most fair minded traveler was frequently mistaken in his judgments. A conscientious Quaker or Puritan was not above entertaining prejudices against the land hungry Scotch-Irish Presbyterians who flocked in large numbers to the West. The clannish Germans of Cincinnati were frequently regarded with suspicion. Thus evidence revealing the diverse social origin of the westward migration, becomes a useful key to understanding the frontier character of the Old Northwest. The ideals and sentiments of the older sections often clashed upon the frontier. Political opinions generated in Virginia conflicted with those of New England. One of the marked differences between the frontier West and eastern seaboard was their points of view respecting public

lands. A new frontier viewpoint came into vogue between 1810 and 1820. The land laws enacted since 1800 had produced growing discontent among western settlers who because of their poverty demanded cheaper land on easier terms. The Congressmen from the West objected to making the public domain a source of profit. Tidewater Congressmen balked at the idea of free farms to the frontiersmen. In 1820 a Land Act replaced the existing credit system with a cash purchase and reduced the size of a purchase to eighty acres at \$1.25 an acre. Congress relieved the debt-ridden settlers by taking back lands which they had been unable to pay for. During the next decade the frontier was busy assimilating the land it had acquired and not until the thirties was the course of westward emigration resumed.<sup>45</sup>

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Paxson, op. cit., pp. 222-225.

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The southern origins of many emigrants had done much to bind the southern sections of the Old Northwest to the South. The Ohio-Mississippi River system encouraged their economic relations. The conflict between the southern and northern elements in the population of the Northwest were apparent as early as the St. Clair administration. Slavery was the issue destined to widen the cleavage between these groups whose social heritage had been derived from opposing sections.

## Chapter II

### THE RISE OF A WESTERN PRO-SLAVERY PARTY

Sentiment favoring the practice of slavery in the Old Northwest antedated the Ordinance of 1787 by some years. As early as 1720 the French had introduced negro slaves and employed them in the operation of lead mines on the upper Mississippi.<sup>1</sup> The transfer of the Ohio Valley by France to

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<sup>1</sup> Harris, Negro Servitude in Illinois, pp. 1-2.

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England in 1763 did not alter the status of Negroes then held in bondage.<sup>2</sup> Virginia, whose claims to western lands

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<sup>2</sup> Shortt and Doughty, The Constitutional History of Canada, pp. 113 ff. The French sanction of Negro slavery is given in the 47th Article of Capitulation of Montreal in 1760. Nothing in the Definitive Peace of Paris nor the Royal Proclamation of 1763 can be construed as a negation of the practice of slavery.

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had been surrendered in 1784, had won the assurance of the National government that those French and Canadian inhabitants of the Illinois Country, who professed themselves citizens of Virginia, should have their possessions and titles confirmed to them.<sup>3</sup> The same guarantee of their laws

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<sup>3</sup> Sec. 3 of the Virginia Act of Cession, Thorpe, Federal and State Constitutions, Vol. II, p. 956.

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and customs had been repeated to the French and Canadians in the Northwest Ordinance of 1787.<sup>4</sup> The Jay Treaty of 1794

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<sup>4</sup> Paragraph 2 of the Northwest Ordinance, Thorpe, op. cit., p. 958.

made a similar guarantee to people dwelling along the West-<sup>5</sup>  
ern frontier who had not claimed citizenship in Virginia.

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<sup>5</sup>  
Article 2 of the Jay Treaty, Malloy, Treaties, Con-  
ventions....., Vol. I, pp. 590 ff.

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Slavery in the French settlements, being a well  
established institution, drew forth protests against the  
slavery prohibition in the Ordinance. Nor were the French  
alone in their protestations against the provision. A sec-  
ond source of pro-slavery agitation came from the Virginia  
Military District.

Governor Arthur St. Clair, who arrived in the ter-  
ritory in 1788, was called upon early in his administration  
to offer an explanation of the seemingly conflicting mean-  
ings of the Ordinance.<sup>6</sup> Bartholomew Tardiveau, a French mer-

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<sup>6</sup>  
The conflict was implied by a guarantee of French and  
Canadian customs and practices on the one hand and a pro-  
hibition against slavery on the other.

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chant adventurer, in a letter to Governor St. Clair held  
that the "obnoxious resolution" was ex post facto  
in its operation and would deprive a considerable number  
of citizens of property which they had acquired before com-  
ing under the jurisdiction of the United States. He further  
admitted that the only reason he had refrained from offer-  
ing a petition to Congress on the subject was because mem-  
bers had assured him during a visit in the East that;

...[the slavery clause] had been solely to prevent the  
future importation of slaves..., that it was not meant



to affect the rights of the ancient inhabitants; and [said Congressmen] promised to have a clause inserted in it explanatory to its real meaning, sufficient to ease apprehension of the people....

Tardiveau concluded his plea for a resolution declaring the meaning of Article Six by the announcement that the wealthiest French slaveholders, fearing to lose their property, had already fled from the Illinois County to the Spanish Territory of Missouri.<sup>7</sup>

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<sup>7</sup> Tradiveau to St. Clair, 30 June, 1789; St. Clair Papers, II, pp. 117-119.

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Apparently St. Clair had been given no instructions regarding the true intent of the slavery clause of the Ordinance nor did he appeal to Congress for enlightenment or any alteration of the provision. In 1793 St. Clair made his own declaration of the meaning of slavery prohibition. He viewed Article Six of the Ordinance as the declaration of a principle which would govern the legislature and courts in their action arising out of such matters. He believed the Congress had not aimed at making the clause retroactive in its operation. He also said that while slaveholders had a legal right to their present slaves, the purpose of Congress was to limit the future extension of slavery.<sup>8</sup>

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<sup>8</sup> St. Clair to Luke Decker, 11 October, 1793, Ibid. pp. 318 ff.

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In 1794 St. Clair reaffirmed his earlier opinion that the prohibition against slavery in the Ordinance applied only to slaves that had been brought into the terri-

tory after 1787. He was confident that slaves held prior to the Ordinance were retained as property under the legal titles established by France, continued by England and Virginia, and finally confirmed by Congress in the Virginia deed of Cession in 1784. He thought that had the Ordinance looked forward to the release of slaves held in 1787, compensation would have been provided for those sustaining losses through such liberation of their slaves. He believed that for Congress to have demanded the freedom of these slaves without compensating the owners would have implied a similar right to declare<sup>9</sup> the liberation of all slaves held in the Slave States.

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<sup>9</sup>  
St. Clair to Judge Turner, 14 December, 1794, Ibid., p. 331.

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St. Clair interpreted the slavery clause of the Ordinance to allay the apprehensions of those who held slaves in the Northwest Territory prior to 1787. Slavery under the French had developed along mildly paternalistic lines. American traders and Jesuits missionaries, who traveled among the French settlements, frequently commented on the humane treatment of these slaves. There was, no doubt, men like Tardiveau who hoped to benefit personally by the ultimate repeal of the slavery clause. As will be pointed out presently Tardiveau had conceived a plan by which he would be compensated in lands for aiding French and American inhabitants in securing a confirmation of their rights as set forth by the Ordinance. Many inhabitants were confident

that Congress had left undisturbed their ancient right of property in slaves and there were probably a few who simply wanted Congress to render a satisfactory explanation of the prohibitory clause. Others rejecting the foregoing views constituted a selfish fringe bent on securing an extension of the slavery frontier that they might profit financially by its extension. They formed the nucleus of a pro-slavery party after it became clear that St. Clair's views were a true reflection of Congressional intent.

The movement to secure the repeal or modification of Article Six began in 1796 when four inhabitants residing in St. Clair and Randolph counties petitioned Congress. In

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These memorials and petitions have been skillfully edited, so that it is only necessary here to outline them briefly. For a full account see J.P. Dunn, "Slavery Petitions and Papers," Indiana Historical Society Publications, II, No. 12; J.P. Dunn, Indiana, A Redemption From Slavery.

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much the same spirit of Tardiveau these petitioners contended that the slavery clause was contrary to the assurances made them by Virginia, that the Ordinance was not a compact between the original States and the people and States of the Northwest Territory. They asked for the repeal of the slavery clause and sought permission to import slaves from the Slave States, but modified their plea in such a way, that if repeal were denied, slaves might be imported into the territory free but thereafter be apprenticed for life. By this alternative the offending clause would be circumvented. The petitioners claimed that agricultural laborers were demanding one dollar a day in wages exclu-

sive of washing, lodging and boarding while tradesmen were receiving a dollar and a half to two dollars a day.

Here is the western argument of a scarcity of labor for hire. A labor problem was developing because of an insufficient number of wage earners. There was no laboring class in the sense of the older settled communities. As Callender points out in his discussion of western settlement that until newly occupied regions find markets in other communities they can possess no material advantages over old ones in producing wealth. Without a supply of labor a man could make only a poor living, but with a supply he would soon be drawing capital from the old to the new community. <sup>11</sup>

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<sup>11</sup> Callender, Economic History of the United States, p. 599.

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Joshua Coit of Connecticut, chairman of the House Committee, to which the Kaskaskia petition had been referred, reported against the petitioners. <sup>12</sup> Two appeals for the modi-

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<sup>12</sup> Annals of Congress, Fourth Congress, Second Session, p. 1349.

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fication of Article Six were made to the legislature of the Northwest Territory in 1799 by Virginia Revolutionary officers who had already settled or planned to settle in the Virginia Military bounty lands lying between the Little Miami and Scioto rivers. A committee headed by William Goforth of Hamilton county on September 27th reported that the request of the petitioners was incompatible with the Ordinance. The

proslavery memorials of Thomas Posey and other Virginia officers contemplating settlement in the reserve was discussed in a committee of the whole House and then referred to a committee to be reported by bill or otherwise. The committee, after considerable deliberation, reported an indenture bill which was defeated by a house vote of 16-1.<sup>13</sup>

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<sup>13</sup>  
House Journal, Northwest Territory, quoted in Bond, Civilization in the Old Northwest, p. 97.

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These failures to introduce slavery reveal the legislative support given St. Clair's interpretation of Article Six. On other issues St. Clair was to find the legislature less amenable.

These appeals directed first to Congress and later to the territorial legislature are indicative of the existence of pro-slavery sentiment. That the sentiment was local and confined rather than widespread is borne out by the fact that future attempts to secure the repeal or modification of the slavery clause of the Ordinance came from these same French and Virginia centers of influence. Seven pro-slavery petitions and memorials had been submitted to Congress between 1800 and 1807. These protests had originated in the Legislative Council and House of Representatives of Indiana Territory (set off from the Northwest Territory in 1800), St. Clair and Randolph counties and a special pro-slavery Convention held in Vincennes.

The arguments employed by the petitioners remained practically unaltered during these years. They resented the

ex post facto implications of the Ordinance, they protested against the emigration of slaveholders into Missouri, they visualized the blessings which repeal of the slavery clause would bring to the Slave States and slaves removed to the territory and ended their plea with the argument that the growth in population would be delayed by the inconvenience arising from prohibition.<sup>14</sup> These pro-slavery petitions

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The aforementioned blessings were designed to secure "justice to the slaves and the policy as it regarded the Southern States." Slaves would be relieved of hardships and the social order relieved of an evil.

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regarded it an inconvenience to perform tasks which slaves were accustomed to perform. That they sensed the temper of Congress on the slavery issue is best evidenced by their willingness to accept compromises of gradual emancipation, indenture or suspension of the slavery clause for a limited period of time.

Several aspects of this pro-slavery agitation must be examined in order to understand the extent to which the issue penetrated the local consciousness. The pro-slavery faction appears to have rested their case upon an economic argument that was not altogether unsound. Two conditions which accompany the development of new settlements are the cheapness of land and the scarcity of labor.<sup>15</sup> It was this

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15

Smith, The Wealth of Nations, Bk. IV, Chap. VII, part 11, p. 67.

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latter condition which the pro-slavery party hoped to remedy

by the introduction of slaves. Their position was not secured by the presence of a large following nor did the West at any time down to 1848 show signs of becoming predominantly pro-slavery. Yet the slavery issue held its steady course through the history of the Old Northwest until Wisconsin, the last state to be carved out of the original territory, had entered the Union in 1846.

Governor St. Clair in a communication to President Washington in 1790 repudiated Tardiveau's claim that the wealthiest French, fearful of losing their slaves, had fled the Illinois Country. St. Clair implies that his construction of the slavery clause quieted the fears of the French masters and prevented a "general desertion of the country." He was of the opinion that those who had fled in alarm would return if they could bring their slaves back with them. Scattered

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<sup>16</sup>  
St. Clair's Report to Washington, St. Clair Papers, II, p. 176.

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as the references are to Tardiveau's activities, it is known that he never lived in the Illinois Country, yet his letter to St. Clair from Danville, Kentucky in 1789 evoked the Governor's earliest interpretation of Article Six. Tardiveau had accompanied Colonel Harmar to Kaskaskia in 1787 and within ten days after his arrival on August 17, had persuaded the French inhabitants to enter into a contract by which he became "their agent to Congress for the purpose of claiming and obtaining for them the confirmation of their rights and also other grants of land...." For such services Tardiveau

was to receive, "the tenth part of all lands which he shall cause to be confirmed or be conceded in our favor." <sup>17</sup> At the

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<sup>17</sup>  
Kaskaskia Records, 1778-1790, Illinois Historical Collection, Vol. V, pp. 440-441.

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same time he secured a similar contract with the American settlers in the Kaskaskia district. This American Contract promised Tardiveau a second reward in lands. Tardiveau's concern regarding the meaning of the Ordinance appears to have been impelled by purely selfish motives. Shadrach Bond, Sr., and James Lemen, Sr., whose names appear on the American Contract, were men whose action keynoted the progress of the slavery issue. Bond and Lemen could easily have had the same motive for signing the American Contract. Bond had migrated to the Kaskaskia district in 1781 and Lemen in 1786. Neither had a desire to be disposed of lands which they had acquired prior to the passage of the Ordinance. Beyond the Tardiveau agency they had little in common. Two of the signers of the Kaskaskia petition of 1796, as well as Bond, became well known for their efforts to secure the modification of the slavery clause of the Ordinance. Lemen is the anomaly, for he became an ardent anti-slavery man in a region where public sentiment largely favored slavery.

John Edgar, William Morrison, William St. Clair and John De Moulin, the signers of the Kaskaskia petition, claimed that they acted in behalf of the residents of St. Clair and Randolph counties, yet they did not circulate the petition for signatures. Dunn believed that the petition



would have been concurred in had it circulated freely in the two western counties, but that sentiment east of the Miami River would have defeated the petitioners project as long as the Northwest Territory remained undivided. Quite apart from this speculation is the fact that Edgar and Morrison were Randolph County's most prominent citizens and neither were French. Edgar had acquired great wealth in the manufacture of salt, flour-milling and real estates. Morrison, representing the Philadelphia firm of Bryant and Morrison, directed thriving wholesale and retail business in peltries, furs, lead, flour and horses. He had accumulated a vast amount of land through purchases from original French and American landholders. Both Edgar and Morrison were among those Americans who received grants for militia duty in the Kaskaskia district.<sup>18</sup> The right to own slaves would have

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18

American State Papers, "Public Lands," II, pp. 139 ff.

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solved the labor problem entailed by their large holdings. A traveler who spent some time in the French settlements five months prior to the petition gave no hint of the labor troubles suggested by the petitioners. He was, however, struck by the scarcity of population. At that time the number of families in Kaskaskia was estimated to be forty-five, in Prarie du Rocher twenty-two or twenty-four, in St. Philippe three American families, Fort Chartres deserted, in Cahokia one hundred and twenty families, in Corne de Cerf<sup>19</sup> and Bellefontaine thirty-five American families. In 1797

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19

"A Michaux's Travels," Thwaites, Early Western Travels, Vol. III, p. 71.

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there was not a house the whole distance from Kaskaskia to Fort Massac. The great hardships suffered in that year by the colony of Virginians proceeding to New Design beyond Kaskaskia is testimony of the undeveloped state of the Illinois Country.<sup>20</sup> The depopulation of the French settlements

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Reynolds, Pioneer History of Illinois, pp. 236-37.

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had begun following the English acquisition of the Illinois Country. The scarcity of population was quite apt to be felt by enterprising men like Morrison and Edgar. Although both men were engaged in pursuits usually regarded as ill-adapted to slave labor they appeared anxious to supplement the labor supply by introducing slaves. In their appeal for slaves labor they were presuming that it would be cheaper than free labor at the wages they quoted in the petition. John Edgar in a letter to Major Hamtramck, dated October, 1789, confessed that the undeveloped state of frontier government might induce him to move into Spanish territory. Subsequent events were to render such a move quite unnecessary.

Robert Morrison, brother of William, was in 1801 commissioned to take the census of Randolph and St. Clair counties. The first report rendered on April 1, indicated 2,361 inhabitants. Later, to this report was added the 550

inhabitants living at Prarie Duchaine and on the Illinois River, 750 recent emigrants into the foregoing counties and 650 settlers on the Ohio between the mouth of the Wabash and Fort Massac. This supplemented census was submitted to Congress as a deposition accompanying the petition of 1806 as convincing evidence that the growing population favored a separation of Illinois from Indiana Territory so that un-<sup>21</sup>conditional or limited slavery might be introduced.

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<sup>21</sup>

Dunn, "Slavery Petitions and Papers," Ind. Hist. Soc. Pub., Vol. II, No. 12, p. 41.

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In the foregoing and other petitions there was little opposition to the introduction of slavery in the Illinois portion of Indiana Territory. The pro-slavery party within Indiana Territory had undergone a division prior to 1809, with the result that one faction continued to support Harrison's pro-slavery views while the other protested against them. The first group, consisted of officials chosen largely from Knox County (Indiana) whom Harrison dominated through his power of appointment. In the Illinois counties, (St. Clair and Randolph) Pierre Menard led the Governor's French supporters. The anti-Harrison pro-slavery faction led by men like John Edgar and the Morrison brothers protested against Harrison's temporizing policy of petitions. Their demand for the separation of Illinois from Indiana Territory was based in part upon Harrison's favoritism to Knox County and in part upon their desire to secure Illinois for the Illinoisians. The latter victory would practically have insured the advent of slav-

ery since the settlers in Illinois were predominantly pro-slavery at the time. So anxious were they to enter into the practice of slavery that they sought permission to be incorporated into Louisiana Territory in which slavery was permitted. By hastening the adoption of second grade territorial government the anti-Harrison faction hoped to curb his power over the judges who assisted in law making. Finally, in 1803, when the governor and judges enacted a law permitting indentures, the Illinois pro-slavery men were much incensed and in time used the indenture law as the basis of charges against Harrison.

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22

Alvord, The Illinois Country, pp. 422-23.

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The Illinois country was filling in but not rapidly enough to solve the labor problem or to satisfy men like Edgar, Morrison, Dumoulin and Shadrack Bond. In 1800 these men had added their signatures along with 267 others, to the first Legislative Petition from Indiana Territory. Almost a decade was to pass before Bradbury in his travels in the western country wrote:

There is no part of the World where labour finds a better market than in the Western Country; this results from a state of things that will not admit speedy change. A very moderate sum of money enables a man to procure one or two hundred acres of land; the savings of two or three years will enable a working man to effect this,...and although he can cultivate a small part of it,...not more than will maintain his family, yet the accumulation of property..., forms more than equivalent to the savings of the labourer or mechanic. From this cause there is a continued tendency in the labourers to turn to farming....

Wages in the Western Country, to a labourer or hus-

bandman, are about fifteen dollars,...per month, and his board, washing, etc. Carpenters, masons, and other handicraft men, average about one dollar and board. 23

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23

Bradbury, "Travels in the Interior of America," from Thwaites, Early Western Travels, Vol. V, p. 285.

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Two situations which favored the consolidation of the pro-slavery party were the division of the original Northwest Territory and the advance toward second grade in Indiana Territory. <sup>24</sup> Territorial government directed during

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24

The Northwest Ordinance provided that when population in the territory reached 5000 free male inhabitants a legislature and legislative council should replace the governor and judges, thus constituting a second grade territorial government.

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its first stage by Governor St. Clair and three judges had not been accomplished without a struggle. The increasing population in the eastern sections by 1798 had brought about the establishment of representative government through a Legislative Council and Assembly. St. Clair in the meanwhile had witnessed a growing opposition to his Federalist views as the Republican immigrants became more numerous. The clique of Virginia settlers, residing in and around Chillicothe, had succeeded under the leadership of Thomas Worthington in successfully challenging St. Clair when he vetoed proposals for creating new counties and taking a census of the eastern division of the territory. In view of the recent immigration such a census would have been but a prelude to statehood. St. Clair defended his veto

with the following argument:

The act to ascertain the number of souls in the eastern division of the Territory, was not approved, because a division of the Territory, which does not, nor ever did exist, has been assumed as its principle. Such a division must indeed take place at a future period; and, when that period arrives, this legislature, that is, the legislature constituted as it is at present, can have nothing to do with it. 25

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25

St. Clair to Terr. Legis., 19 December 1799, St. Clair Papers, II, p. 476.

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The Virginians, who had supported the candidacy of William Henry Harrison as territorial delegate to Congress, regarded as a distinct republican triumph Harrison's efforts in securing the passage of a bill dividing the Northwest Territory. It is significant that the two petitions to the legislature of the Northwest Territory respecting the admission of slaves would have emerged from the same center of influence as did the man who was soon to identify himself with the pro-slavery party in Indiana Territory. The story of how Ohio became the "first fruits of the Ordinance" does not concern us here but it is well to note how the Virginia faction employed the Scioto Gazette as the mouthpiece of republicanism. In a notice given to the electors of Ross County by convention candidates John Hopking and Noble Crawford the following anti-slavery opinions were expressed:

I think it unjust and cruel - prejudicial to the community in general, and the encouragement of idleness and luxury to the holders and their property.

Slavery I have always viewed with abhorrence, as an infringement on the rights of a part of our species,

which can never be perpetrated with impunity; and should such a species of cruelty be introduced into the state, we may expect that our posterity, for generations to come, while they groan under the difficulties arising from slavery, will curse the memory of those who had entailed upon them so grievous a judgment.

Let us then, fellow citizens, use every exertion to keep ourselves and our posterity clear of this odious stigma, and the intolerable curse of slavery and while we acknowledge the Africans to be a part of a human species, let us cheerfully grant them the privileges of freedmen. 26

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26

Scioto Gazette, Chillicothe, Saturday, Oct. 2, 1802.

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St. Clair, even in defeat refusing to give ground, railed at the advocates of statehood:

What is a republican? Is there a single man in all the country that is not a republican, both in principle and practice, except a few people who wish to introduce Negro slavery amongst us, and those chiefly residing in the county of Ross? Let them say what they will about republicanism, a man who is willing to entail slavery upon any part of Gods creation is no friend to the rational happiness of any, and had he the power would as readily enslave his neighbors as the poor black that has been torn from his country and friends. 27

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27

St. Clair at Cincinnati, July 1802, St. Clair Papers, II, p. 588.

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The pro-slavery impulse emanating from the Virginia Military District had been too far distant to command the support of the French settlements on the Wabash and Kaskaskia rivers and in the presence of the new forces encouraging westward migration it **survived** only as a minor issue until revived by the fugitive slave problem. St. Clair had hoped that when the time came for the division of the Northwest Territory that the dividing line might

be so drawn as to weaken the ascendancy of the Virginia clique, but he had reckoned without the growing frontier belief in Jeffersonian republicanism. The division of the territory served a two-fold purpose. The pro-slavery advocates in the Illinois Country were now free to renew their agitation for the modification of Article Six and the Virginia republicans residing in that remnant of the Northwest Territory which survived the Indiana division, were likewise free to resume their march toward statehood.

At the time of the creation of Indiana Territory three counties already had been organized. St. Clair and Knox counties were organized in 1790 while Randolph County had been erected out of the southern part of St. Clair County in 1795.<sup>28</sup> In 1801, Clark County was created out

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<sup>28</sup>

For the locations of these counties consult Map No. II. (Appendix.)

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of that part of Clark's Grant lying in Knox County. The fourth and fifth counties, Wayne and Dearborn, were not created until 1803. The federal census for 1800 showed 6,550 people residing in the new territory. This population was centered around Kaskaskia, Fort Massac, in Clark's Grant, and Vincennes on the Wabash. It was at the latter post that William Henry Harrison arrived on January 10, 1801, to assume his somewhat delayed duties. Bearing in mind the fate of the Legislative Petition of 1800, (tabled and no further action taken), one sees the pro-slavery party again memo-



rializing Congress to repeal the slavery clause of the Ordinance. On November 22, 1802, the following proclamation calling a convention to petition Congress to allow slavery in Indiana Territory was issued by Governor Harrison:

Petitions having been presented to the Governor by a considerable number of the citizens of the Territory praying that a proclamation should Issue from the Executive authority for calling a General Convention for the purpose of taking into consideration the propriety of repealing the sixth article of Compact between the United States and the people of the Territory, and for other purposes, and proof having been advanced to the governor that a very large majority of the citizens are in favor of the measures: the Governor in Compliance with the wishes Issues his proclamation.... 29

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29

Messages and Letters of William Henry Harrison, Ind. Hist. Coll., Vol. I, pp. 60 ff.

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The Vincennes pro-slavery Convention, duly authorized by Governor Harrison's proclamation, consisted of four delegates from Knox county, three from Randolph, three from St. Clair and two from Clark county. The resolution adopted by the Vincennes Convention prayed for suspension of Article Six for a period of ten years. On March 2, 1803, the House of Representatives accepted the adverse report of John Randolph of Virginia, chairman of the committee to whom the petition had been referred. A year later, on February 17,

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30

American State Papers, "Public Lands," Vol. I, p. 160.

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1804, Caesar Rodney of Delaware made a second and favorable report on the petition. Even this did not bring about the

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31

Annals of Congress, 8th Congress, first session, pp. 1023-4.

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Congressional authorization for the introduction of slaves into Indiana Territory.

An interesting aspect of the pro-slavery convention held in Vincennes is in its personnel. Luke Decker, to whom St. Clair had given his interpretation of Article Six, was there together with such men as John Rice Jones, Robert Morrison, Shadrack Bond, Pierre Menard and others whose names correspond with the signatures on pro-slavery memorials and petitions that had been circulated up to that time. This same recurrence of signatures appears in the Randolph and St. Clair petitions of 1805 and 1806. The census returns for Indiana Territory, 1800 and 1810, reveal a localization of slavery itself which corresponded to the localized area of pro-slavery agitation. In 1800 Knox County reported twenty-eight slaves, Randolph one hundred and seven and St. Clair none. In 1810 Knox reported one hundred and thirty-five, Clark eighty-one, Harrison (1st Division) fifteen, Washington township ( 2nd Division) <sup>32</sup> six. Even this increase from 135 to 237 slaves

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<sup>32</sup> Executive Journal, Indiana Territory, quoted in Ind. Hist. Soc. Pub., Vol. III, p. 83.

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during a period of ten years is entitled to an explanation. Natural growth may have accounted for part of the increase but in the event that it did not some other accounting must be made of the increased number of slaves in Indiana Territory. The increase revealed by the decennial census reports raises a question. The explanation is to be found in the

indenture system adopted by Indiana in 1804.

Under the provisions of the Northwest Ordinance, during the first grade of territorial organization, the governor and judges were directed to adopt those laws which were already in force in the original states. It has already been shown how the proponents of slavery had switched their appeals from Congress to the legislature of the Northwest Territory between 1796-1799. After the Randolph Report of 1803 we find the pro-slavery party in Indiana Territory ready to resort to the same procedure. The Vincennes Convention had shown the Harrison government sympathetic in its views on slavery. Curiously enough the Governor and Judges had passed the first of such laws before Caesar Rodney made his report favorable to the suspension of Article Six.

At their fourth session Governor Harrison and Judges Thomas T. Davies and Henry Vander Burgh adopted the following law from the Virginia and Kentucky Code:

No negro, mulatto or Indian shall be a witness except in the pleas of the United States against negroes, mulattoes or Indians, or in civil pleas where negroes, mulattoes or Indians, alone shall be parties.

Every person other than a negro, of whose grandfathers or grandmothers any one is, or shall have been a negro although all his other progenitors, except that descending from negro, shall have been white persons, shall be deemed a mulatto, and so every such person who shall have one fourth part or more of negro blood shall in like manner be deemed a mulatto.

This law, which was to take effect January 1, 1804, set up the basic racial distinctions upon which a system of indenture might operate. Two days following the adoption of the

foregoing law, September 22, 1803, "A Law Concerning Servants" was adopted from the Virginia Code which definitely established the common conditions of indenture. In principle a slave might be indentured for life. The law provided that contracts of indenture were binding upon both parties, that the master must provide food, clothing and lodging, that the contract could be assigned to another with the servant's consent, that disorderly servants were liable to punishment, that a servant was entitled to redress against a cruel master, that a servant might not be denied property falling to him during his indenture, that Negroes, mulattoes and Indians might purchase servants of their own complexion and at the expiration of his term of indenture the servant was entitled to have the fact recorded.

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33

Laws Adopted by the Governor and Judges of Indiana Territory, Ill. Hist. Coll., Vol. XXI, Law Series, II, pp. 42 ff.

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Among the laws passed at the first session of the first General Assembly of Indiana Territory was an "Act Concerning the Introduction of Negroes and Mulattoes" which permitted the importation of slaves and their immediate indenture. From this point on a series of acts were directed toward perfecting the indenture system. Between July 29, 1805, and October 26, 1808, no less than seven measures concerned themselves with slaves and servants.

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34

Laws of the General Assembly of Indiana Territory, Ill. Hist. Coll., Vol. XXI, Law Series, II, pp. 136 ff.

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John Rice Jones, Pierre Menard and Shadrach Bond, members of the early general assemblies, had succeeded at last in their efforts to circumvent the provisions of Article Six. Their continued efforts to further the pro-slavery interest illustrated how a small faction could wield influence quite out of proportion to its numbers. They desired to encourage Southern emigration into the Western Country by removing the chief obstacle to the practice of slavery. They used no moral persuasives to induce the desired end. The establishment of the indenture system in Indiana Territory marks the successful climax in the rise of a pro-slavery party. What happened in the constitutional convention of Illinois and in those state legislatures, which successfully promulgated Black Codes, was but an anti-climax to these efforts. Men had finally discovered a means of complying with the letter of the slavery prohibition of 1787 yet destroying its meaning.

### Chapter III

#### THE STRUGGLE TO UPHOLD THE ANTI-SLAVERY PROVISIO

Thomas Jefferson's first proposal to prohibit the extension of slavery in the North-Western Territory was defeated in 1784 by a curious vote. Jefferson headed the Virginia delegation in Congress which, on March 1, 1784, executed the deed of cession for Virginia's western lands. A few days later Jefferson, Chase of Maryland and Howell of Rhode Island were appointed a committee to prepare a plan for the government of the Western Territory. This original plan of government proposed;

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 convinced to have been personally guilty. 1

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1

Randall, Life of Thomas Jefferson, p. 398.

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On April 19 , Congress took the committee's report into consideration and upon the motion of Spaight of North Carolina the clause concerning the prohibition of slavery was put to a vote. Then followed the strange vote which defeated the clause. The delegates of New Hampshire, Massachusetts, Rhode Island, Connecticut, New York, New Jersey and Pennsylvania voted for the retention of the provision. Maryland, Virginia and South Carolina voted against it. Delaware and Georgia had no delegates present at the time the vote was taken. North Carolina lost her vote because her delegation was equally divided. New Jersey lost hers by having only one

delegate voting. In all a total of sixteen affirmative votes had been cast as against seven negative votes. Jefferson alone of the three Virginia delegates had voted aye. Thus the clause was stricken out because a majority of all the States had not voted to support the proposal. The Resolutions, with minor changes, were adopted April 23, but remained inoperative until they were finally superceded by the Ordinance of 1787.

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<sup>2</sup> Randall, op. cit., pp. 399-400.

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Although the authorship of the Northwest Ordinance remains a controversial issue, fundamentally it followed the lines of Jefferson's Ordinance of 1784. While not primarily concerned here with the history of the document, it should not be forgotten that the Ohio Company's purchase awaited the passage of a measure which would create a satisfactory system of government for the Western Territory. The Ohio Associates had directed General Samuel Parsons to negotiate with Congress for the purchase of western lands and when his efforts availed nothing, they appointed Dr. Manasseh Cutler to push their claims. If the scheme for the purchase and systematic occupation of Ohio lands, which Cutler laid before Congress on July 6, 1787, was to succeed, the company's sponsors demanded to know beforehand the nature of the organic laws of the territory. Seven days later the law establishing the government North and West of the Ohio River was passed by the unanimous vote of eight states present. (The purchase contract was executed July 23, ten days following the passage of the Ordinance.) Delegates from New Hampshire, Rhode Island,

Connecticut, Maryland and Pennsylvania were absent from the voting. A single dissenting vote was cast by Yates of New York but it was lost since the delegation consisted of three members.<sup>3</sup> Five of the states voting on the Northwest Ordin-

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<sup>3</sup>  
Journals of Congress, Vol. XIII, p. 63.

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ance were slave-holding states; thus the question immediately arises concerning the unanimity of their vote on a document containing an anti-slavery proviso. The explanation is not a simple one. The Ohio Company's representative was prepared to meet the opposition of southern Congressmen when he reached the National Capitol. Among the forty letters of introduction which Cutler carried with him from Ipswich, Massachusetts to New York were ones for Congressmen Grayson, Lee and Carrington of Virginia. Cutler was successful in securing the support of these and other "members from the southward." Cutler's biographers believe he succeeded because;

They were men that could, and did, listen to an intelligent presentation of a most important national enterprise, and they possessed the patriotism and integrity of character that raised them above a mere sectional view of the matter. 4

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<sup>4</sup>  
Cutler and Cutler, Life, Journals and Correspondence of Reverend Cutler, Vol. I, p. 351.

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Among Cutler's sponsors the slavery prohibition had been approved since the beginning of the venture. Timothy Pickering of Massachusetts, in outlining his scheme for settling a new state in the west had, on April 7, 1783, pro-



posed "the total exclusion of slavery from the State to form an essential and irrevocable part of the Constitution." <sup>5</sup> Offi-

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<sup>5</sup>  
Cutler and Cutler, op. cit., p. 158.

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cers and soldiers of the Continental Line must have known of this sentiment and approved of it when on June 16 , two hundred and eighty-eight signed a petition to be submitted to the President and Congress praying for grants of land on the Ohio. Although the origin of the anti-slavery clause in the Ordinance of 1787 may be a matter of dispute, it is fairly obvious that this was one of the provisions which the Ohio Company desired to be incorporated in the organic law of the Western Territory. There is Cutler's word that on July 10 , Congress sent him a draft of the Ordinance that he might propose amendments on behalf of his sponsors. <sup>6</sup> Richard Henry Lee of the Vir-

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<sup>6</sup>  
Cutler and Cutler, op. cit., p. 342.

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ginia delegation in a letter to President Washington two days after the passage of the Ordinance stated that it seemed necessary to establish a "strong-toned government" in the Northwest "as a measure preparatory to the sale of lands." <sup>7</sup> Lee, a warm

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<sup>7</sup>  
Cutler and Cutler, op. cit., p. 367.

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advocate of Cutler's proposition, exhibited no compunction about accepting the anti-slavery proviso. There is no hint of compromise in a letter written July 30, 1787, to his brother Colonel Henry Lee. He writes that nothing remarkable had occurred during the month save that Congress had passed an Ordinance for

the government of the Western Territory:

The form of this government...is much more tonic than our democratic forms on the Atlantic are. 8

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8

Ballagh, Letters of Richard H. Lee, Vol. II, p. 430.

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Of the contract for the sale of land to the Ohio Company Lee wrote freely and at some length. This business transaction reflects nothing of Lee's attitude on the slavery question. It neither reflects his pro-slavery upbringing nor does it reaffirm a confession which he made to James Monroe in 1784 that slavery was the greatest of human evils.

The Ordinance of 1787 provided a plan for the partition of the territory, a form of government adaptable to increased population, and a bill of rights embracing the democratic concepts of that day. The sixth article of "compact between the original States and the people and States in the said territory" provided that;

There shall be neither slavery nor involuntary servitude in the said territory, otherwise than in the punishment of crimes whereof th 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 services as aforesaid. 9

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Thorpe, Federal and State Constitutions, Vol. II, p. 962.

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When Daniel Webster made his famous reply to Hayne on January 20, 1830, he referred to the Ordinance as fixing;

...Forever the character of the population in the vast region northwest of the Ohio by excluding from them involuntary servitude. It impressed on the soil itself; while it was yet wilderness, an incapacity to bear up any other than free men. 10

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<sup>10</sup>

Webster, The Works of Daniel Webster, Vol. III, p. 264.

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Not only in the year Webster spoke, but a decade later, as well, the United States Census returned slaves in Ohio, Indiana, Illinois and Wisconsin.<sup>11</sup> The anti-slavery proviso had not been

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<sup>11</sup>

Sixth Census Compendium, 1840, pp. 78,82, 86, 102.

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clearly understood at the time of its adoption nor had its final interpretation been made in Webster's day. Several factors should be considered in attempting to establish the real intent lying back of the prohibition. First, the Ordinance confirmed the promise which Congress had made to Virginia in the deed of cession in 1784 and which Virginia in turn had made to French and Canadians along the Kaskaskia River respecting their ancient laws and customs.<sup>12</sup> Slavery had been a French custom

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<sup>12</sup>

See Chapter II, footnote 3.

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prior to 1787. Second, the Ordinance by designating inhabitants as "free male" and "free inhabitants" implied that there were those who were not free. Third, the Jay Treaty of 1794 had secured to all inhabitants not claiming citizenship in Virginia rights in property which in numerous instances proved to be slaves.

Congress early attempted to clarify the meaning of Article Six. Its very attempt is a confirmation of the anti-slavery position taken in 1787. This confirmation is given in the report of a committee on the memorial presented by Tardi-

veau in behalf of the French and American inhabitants of the Illinois settlements. In September, 1788, a committee consisting of Clark of New Jersey, Williamson of North Carolina, and Madison of Virginia reported that;

...it was not the intention of Congress to violate by said Ordinance but merely to restrain the Settlers in future from carrying persons under Servitude into the Western territory, for remedy whereof; Resolved, That the before mentioned Ordinance for the government of the Western territory shall not be construed to deprive the Inhabitants of Kaskaskias Illinois, Post Vincents and the other Villages formerly settled by the French and Canadians of their Right and property in Negro or other Slaves, or in any manner to manumit or Set free any such Negroes or other persons under Servitude within any part of S d Western territory; any thing in the Said Ordinance to the contrary notwithstanding. 13

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13

Territorial Papers of the United States, Vol. II, p. 149.

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Foregoing pages have noted that Governor Arthur St. Clair had early attempted to clarify the meanings attached to the anti-slavery proviso. Congressional action in the first instance had been anti-slavery and as pro-slavery petitions and memorials began to pour in from the West respecting the alteration or suspension of Article Six, Congress confirmed its earlier anti-slavery position. More than once the stand taken by Congress was challenged. A summary of the action on various petitions presented to Congress between 1796 and 1807 will indicate its course in maintaining the original anti-slavery impulse expressed in the Ordinance.

The Kaskaskia petition of January 12, 1796, originating in St. Clair and Randolph counties, Illinois Country, was reported against May 12 , by a Committee of the House  
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headed by Coit of Connecticut. The committee rested its de-

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Annals of Congress, Fourth Congress, Second Session,  
p. 1349.

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cision to deny the petition on the grounds that;

The petitioners being only four in number, and producing no power which they claim to petition, even in behalf of the inhabitants of the said counties, and no evidence appearing of the wishes of the rest of the inhabitants of the said counties; and your committee having information that an alteration of the ordinance, in the manner prayed for by the petitioners, would be disagreeable to many of the inhabitants of the said Territory: they have conceived it needless to enter into any consideration of the policy of the measure, being persuaded that, if it could be admissible, under any circumstances, a partial application, like the present, could be listened to; they are, therefore, of opinion that this part of the prayer of the petition ought not to be granted. 15

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American State Papers, "Public Lands," Vol. I, p. 68.

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In 1802 the Indiana pro-slavery party, meeting in Convention at Vincennes, adopted a resolution in favor of a ten year suspension of Article Six. On December 28 , this resolution was embodied in a petition which in turn was transmitted by Governor William Henry Harrison to Congress. John Randolph of Virginia, chairman of the House Committee to whom the Vincennes petition had been referred, offered the following report on March 2, 1803;

That the rapid population of the State of Ohio sufficiently evinces in the opinion of your committee, that the labor of slaves is not necessary to promote the growth and settlement of colonies in that region. That this labor, demonstrably the dearest of any, can only be employed to advantage in the cultivation of products more valuable than any known to that quarter of the United States: that the committee deem it highly dangerous and inexpedient to impair a provision wisely calculated to promote the happiness and prosperity of the Northwestern country, and to give strength and security to that extensive frontier. In the salutary operation of this sagacious and benevolent

restraint it is believed that the inhabitants of Indiana will, at no very distant day, find ample remuneration for a temporary privation of labor and of emigration. Resolved, that it is inexpedient to suspend...the six-the article.... 16

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16

American State Papers, "Public Lands," Vol. I, p. 160. Curiously enough the slaves of John Randolph were manumitted and sent to Ohio only to be refused homes in Mercer county. cf Bruce, John Randolph, Vol. II, Chap. iii.

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Randolph's report was referred to a committee of the whole House on March 3, , but as the session ended on March 2, another committee headed by Rodney of Delaware offered a second report February 17, 1804. This second report on the Vincennes petition favored the suspension of Article Six for a limited period of time as being productive of benefit and advantages to Indiana Territory. Even this concession provided

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American State Papers, "Miscellaneous," Vol. I, p. 387. The committee made no attempt to enumerate these benefits and advantages.

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limitations: slaves could be imported only if born within the United States and the children of such slaves became free, females at twenty-one and males at twenty-five years of age. The report was not concurred in by the house on December 18, 1805, was referred, along with three other petitions of similar nature, to a committee headed by Garnett of Virginia.

Of the three new petitions one, dated December 18, 1805, had originated in Indiana Territorial Legislature while the other two had originated in Randolph and St. Clair counties during 1805 and 1806. Garnett, from the committee to whom were referred the second report on the Vincennes petition together

with the three petitions of 1805<sup>and 1806,</sup> offered the following report to the House of Representatives, February 14, 1806;

...[the committee] are of the opinion that a qualified suspension, for a limited time, of the sixth article of compact..., would be beneficial to the people of Indiana Territory. The suspension of this article is an object almost universally desired in that Territory. It appears to your committee to be a question entirely different from that between slavery and freedom, in as much as it would merely occasion the removal of persons, already slaves, from one part of the country to another. The good effects of this suspension in the present instance, would be to accelerate the population of that Territory, hitherto retarded by the operation of that article of compact, as slaveholders emigrating into the Western country might then indulge any preference which they might feel for a settlement in the Indiana Territory, instead of seeking, as they are now compelled to do, settlements in other states or countries permitting the introduction of slaves. The condition of the slaves themselves would be much ameliorated by it, it is evident, from experience, that the more they are separated and diffused, the more care and attention are bestowed on them by their masters, each proprietor having it in his power to increase their comforts and conveniences in proportion to the smallness of their numbers. The dangers, too, (if any are to apprehended,) from too large a black population existing in any section of the country, would certainly be very much diminished, if not entirely removed. But whether dangers are to be feared from this source or not, it is certainly an obvious dictate of sound policy to guard against them as far as possible. If this danger does, exist, or there is any cause to apprehend it, and our Western brethren are not only willing but desirous to aid us in taking precautions against it, would it not be wise to accept their assistance? We should benefit ourselves, without injuring them, as their population must always so far exceed any black population which can ever exist in that country as to render the idea of danger from such source chimerical.

Resolved, that the sixth article of the ordinance of 1787, ...be suspended for 10 years.... 18

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American State Papers, "Misc.," Vol. I, p. 450. The Vincennes petition of 1802 was void by its own provision after March 4, 1805 therefore the committee had no grounds for their action. The arguments presented in the foregoing report are in the main rationalizations. The universal desire for suspension is discredited by the counter petitions

praying for the retention of Article Six. The growth of population in Ohio had shown that a slavery prohibition did not deter immigration. The only vital point raised by the committee was whether Congress had the right to keep slaveholders out of territory belonging to the people of the United States. This point they did not press.

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This report of 1806 like that of the previous year failed to gain the concurrence of the House of Representatives. In 1807 the Indiana Legislature again petitioned for the temporary suspension of Article Six. The House committee headed by Parke of Indiana reported in favor of suspending the prohibition for a term of ten years and again the House refused. In the Senate Franklin of North Carolina reported against the suspension of Article Six and the chamber concurred unanimously on the report. Although committees had reported favorably on suspension in 1804, 1806 and 1807 no action was ever taken by the House of Representatives.

Senator Benton referred to this anti-slavery attitude of Congress during his Anti-compromise Speech of 1850:

Thus five times in four years [1803-1807]...Congress refused to admit even a temporary extension or rather re-extension of slavery into Indiana Territory.... These five refusals to suspend the ordinance of 1787, were so many confirmations of it...the ordinance of 1787 itself, so often confirmed by Congress, was curtailment of slave territory - in fact its actual abolition; for it is certain that slavery existed in the French settlements of the Illinois at that time; and that the ordinance terminated it. 19

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19  
Benton in the Senate, 10 June, 1850; Appendix to the Congressional Globe, Thirty-first Congress, first session, p. 681.

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Benton's statement ignored the report of 1788 by which Congress denied that the Ordinance of 1787 was aimed to deprive inhabi-



tants of their slaves.

While St. Clair remained governor of the Northwest Territory, 1788-1802, the struggle to maintain the anti-slavery provision of the Ordinance was fairly successful even in the face of a rising pro-slavery party. Eight laws were enacted between 1788 and 1800 by the Governor and Judges and Territorial Legislature respecting servants but none dealt with slavery.<sup>20</sup> For the legislature to have enacted laws

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Pease, Laws of the Northwest Territory, pp. 20, 152, 195, 196, 211, 223, 328-329, 417.

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dealing with slavery would have been an admission that slavery existed ipso facto. Since servants, unlike slaves, owed voluntary service for a definite period of years, laws respecting their status were in no way regarded as contrary to the meaning of Article Six. The meaning of the anti-slavery proviso of the Ordinance had arisen in the territorial courts in 1794 when two slaves belonging to Judge Vander Burgh, had applied to Judge Turner's court at Vincennes for emancipation by writ of habeas corpus. Before the case could be tried the Negroes were spirited away and the litigants had appealed to Governor St. Clair to intervene. St. Clair took sides against Turner who was possibly responsible for the application of the writ. Previously examined was the opinion expressed by Governor St. Clair to Judge Turner respecting the meaning of Article Six.<sup>21</sup> In respect to St. Clair's point of view it

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21

The case of Judge Vander Burgh's slaves is one of several cited in Dunn, Indiana: A Redemption from Slavery. The

opinion of the courts was at no time consistent. Decisions rested upon the several interpretations of the slavery proviso, namely; that slaves could be held under the provisions of the Jay Treaty, that slaves born in the Northwest Territory after the passage of the Ordinance were free and that French slaveholders were excepted from the operation of the anti-slavery clause.

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it should be borne in mind that he was president of the Congress that adopted the Ordinance of 1787 and that he was made known to Cutler by a letter of introduction.<sup>22</sup>

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<sup>22</sup>

Cutler and Cutler, op. cit., Vol. I, p. 292.

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During the first legislative session, November, 1800, which followed the separation of Indiana Territory from the Northwest Territory, two petitions were presented asking for an act to authorize and require the courts of the Northwest Territory to compel specific performances of covenants and indentures entered into for a valuable consideration. These petitions were designed to produce a kind of limited slavery or indenture. These indentures, patterned upon those of the early colonial period, provided that the servant enter voluntarily into an agreement with a master. For a given period of years the servant received food, clothing and shelter in consideration for his services. Under such a system slaves brought into the territory northwest of the Ohio could scarcely be regarded as voluntary servants since they were ignorant of the terms set forth in the indenture contracts. Emigrating masters simply went through the form of drawing up indentures for those slaves whom they intended to take into free territory. Thus the indenture easily circumvented

the slavery prohibition of the Ordinance. According to Judge Burnet the aforementioned petitions, "were laid on the table, with an understanding that they should not again be taken up. The feeling which was manifested in that occasion...afforded the most satisfactory evidence, in the infancy of the western settlements, of a resolution to maintain the Ordinance; by resisting every attempt that might be made, in any form, to introduce involuntary servitude into the Territory, or the States to be formed within it."<sup>23</sup>

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<sup>23</sup> Burnet, Notes on the North-Western Territory, pp. 332-333.

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After the year 1807 the number of petitions and memorials presented to Congress from Indiana Territory began to diminish. The reason is to be found in the effective operation of the indenture system introduced in 1803. When Congress failed to assume a line of action that would provide even a limited extension of slavery, the territorial government had enacted laws permitting a system of indenture. Following the act of February 3, 1809, which separated the Territory of Illinois from Indiana Territory, the anti-slavery party east of Wabash again gained the ascendancy. Governor Harrison, without the support of his Vincennes followers, could do little to curb the anti-slavery impulse of his legislature. On December 14, 1810, Harrison approved "An Act to repeal an act entitled 'An Act for the introduction of negroes and mulattoes into this country.'" This law concurrently repealed a law providing for the fulfillment of contracts made by negroes and

mulattoes prior to entering the territory, and fixed a penalty for kidnapping free Negroes for southern markets. By

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24  
Laws of Indiana Territory, 1809-1816, Ind. Hist. Coll.,  
Vol. XX, p. 138.

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1813 the Indiana Legislature had arrived at the point where it could appeal to President Madison on the following anti-slavery grounds:

Promoted to a confidence that almost amounts to an assurance that your Excellency will appoint or nominate No man to the Governor of the Indiana Territory who is in favour of the principle or practice of Slavery--Would respectfully beg leave to suggest that the Ordinance of Congress, the Laws of Congress and the minds and habits of our constituents, all go to make it necessary that the man vested with such extraordinary power as the Executive of the Indiana Territory ought to be one whose mind upon all occasions, should as much as possible accord with the wishes of the people.... 25

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25  
Memorial: Appointment of Governor, 1813, Ind. Hist. Coll., Vol. XX, p. 795.

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The course of the struggle to uphold the anti-slavery Ordinance is clearly marked throughout the state constitutional conventions of Ohio, Indiana, Illinois, Michigan and Wisconsin. Each State in turn entered the Federal Union with an anti-slavery constitution. In spite of these provisions slavery continued to exist in veiled forms in defiance of the organic law of both the territory and State. Indenture was but a clever subterfuge to cover the actual practice of slavery. In the constitutional conventions many fierce and heated battles were waged over the slavery issue. Later the courts were called upon to interpret the meaning of the provisions.

Neither the territorial courts nor the United States Supreme Court had set up satisfactory legal principles which the states could follow. Increasingly did problems arise out of the practices of slavery and involuntary servitude. To these in time were added the problems arising from the operation of fugitive slave laws. As a result the cases arising in the state courts of the Old Northwest present a curious record of how slavery was dealt with in states having free constitutions.

The Virginia clique of Jeffersonian Republicans had led the fight against St. Clair over the division of the Northwest Territory. As they continued their struggle of statehood for Ohio it became clear that the constitution would be an embodiment of democratic ideals. The leaders, such as Massie, Worthington and Tiffin, had already questioned the principles by which territorial government was administered. In their eyes the Federalist pose of St. Clair had interfered with the rights of free men. There had been no popular control over the governor, judges and council; appointive powers had been abused and the governor's veto had hung like a whip over the representatives of the people. The Chillicothe Junto entered the Ohio Constitutional Convention of 1802 pledged to draft a constitution in which these Federalist tendencies would be checked.

The Scioto Gazette, which had been founded at Chillicothe in 1800, was employed by the Virginia clique in the struggle against St. Clair and as a campaign paper during the advance to statehood. From the beginning it had advertised run away slaves for readers on both sides of the Ohio. Later

this aroused a storm of protest from anti-slavery sympathizers.

Months before the convention opened there was a good deal of reflection on how far the convention was authorized to proceed in relation to the admission of slavery. One "Citizen" offered his views on the subject and attempted to point out the only regular way slavery could be introduced:

It must appear plain, that no part of the compact can be altered but by the mutual consent of the original States and the people and the States to be found in the Territory. If therefore the people wish an alteration of this 6th article of compact, or that it should be entirely done away, they can propose it, through their representatives in convention, to the original States in Congress assembled, and if Congress accede to the proposition, the alteration made by such proposition, will be binding on the people of the New State; or in other words, if the Convention provide for the admission of slaves into the new State, and Congress shall sanction such provision, the people will be bound to comply with it. Not one step further, in my opinion, can the convention proceed and observe faithfully their obligations; it therefore follows --(And the people do well to recollect it) that although the Convention have not absolute power, yet they have concurrent right to introduce slaves into the country.

Jly. 28, 1802

Citizen 26

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26

Scioto Gazette, July 31, 1802. This citizen has taken the view that Article Six being a portion of a Compact between the original States and the people and States of the territory can only be altered by the consent of both the parties. In brief Congress can accept or reject any proposal to permit slavery in the territory.

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From the opening of the Ohio Constitutional Convention a wide interest was manifest in the Negro. What was to be his status? The defeat of five out of six motions designed to establish his legal status suggests the hostility of the convention toward Negroes. The numerous propositions concerning the status of people of color were tabled while the con-

stitution was being framed lest the issue defeat the object of the convention. Nevertheless the constitution was framed, according to Judge Burnet, without direct reference whatever to the presence of Negroes then residing in the state. <sup>27</sup> The

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<sup>27</sup>

Burnet, op. cit., p. 355.

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committee which drafted the bill of rights was also assigned the question whether slavery should be admitted or excluded from Ohio. John W. Browne, delegate from Hamilton County and chairman of the committee, was of the opinion that the Ordinance would cease to operate with the establishment of statehood and then the question of slavery could be decided by the people. His proposal to permit limited slavery was defeated in committee by a vote of five to four. The clause which prohibited slavery was drafted by Ephraim Cutler, son of the Reverend Manasseh Cutler who had successfully lobbied the passage of the Ordinance in 1787. When the clause was presented to the Constitutional Convention it was adopted by the bare majority of one vote. <sup>28</sup> In a convention comprised

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<sup>28</sup>

Chaddock, Ohio Before 1850, pp. 79-81; Quillin, The Color Line in Ohio, pp. 13 ff.

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of thirty-five members such a vote clearly indicates the division of opinion respecting slavery. Of the twenty members whose birthplaces are known, Chaddock reports that thirteen were southerners. The protesting element later was to advocate the stringent Black Code of Ohio. The position of the Negro was at once an anomaly. He could neither be enslaved

nor held to involuntary servitude yet because he had not been accorded citizenship by the constitution, Burnet could write;

... (they) cannot be represented in the Legislature; and that they have not, and cannot have, any agency in conducting the government, or in making or administering the laws. In these respects they stand on the ground of the aborigines, who remain in the state.... While they are suffered to continue, they have a right to claim the protection of the laws of the state, and to be treated with justice and humanity, but beyond that, no claims are secured to them. 29

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29

Burnet, op. cit., p. 356.

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After the constitution of 1802 became operative, legislative enactments began to abuse the status accorded to Negroes by the constitution and render his position insecure. The Southern sentiment which dominated the population of Ohio during the first decade of statehood accounts for a large measure of this hostility. Of the 230,760 persons residing in Ohio in 1810 the majority were to be found in the tier of southern counties. The popular lines of emigration from East and Southeast to West remained the Ohio River and Wilderness Road. Settlers from New England in Trumbul County (Western Reserve), Huron County (Firelands) and Washington County were far outnumbered by settlers from the South and Middle States who had flocked to Ross, Hamilton and Adams counties. It is not our purpose at this

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Chaddock, op. cit., pp. 39-46. Consult map No. II. for the location of these counties. (Appendix.)

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time to trace the evolution of the Ohio Black Code but to examine cases which appeared in the courts of Ohio as the



result of the application of these restrictive laws.

In repeating the language of the Ordinance of 1787, the state of Ohio confirmed the anti-slavery position held by Congress. The courts of Ohio between 1803 and 1849 had the curious responsibility of upholding Congressional precedent as well as the anti-slavery provision of the state's constitution and at the same time enforcing the Black Code which discriminated against Negroes. Legal evidence for this period indicates that the courts were engaged in enforcing the Black Code rather than upholding the slavery prohibition of the State Constitution. The presence of slaves held in the State, hired in the State or passing through the State were ignored and thereby the Ohio constitutional prohibition against slavery was upheld. A brief summary of certain cases tried in the Ohio courts will illustrate the duality of this position.

In the case of Gray v. Ohio, (4 Ohio, 353) January 1831, the court held that no negro or mulatto could give evidence in any court of record where either party was a white person. This judgment had been secured only after the prisoner was granted a new trial upon a writ of error; the error having been the admission of a black witness. In 1846 in the case of Jordon v. Smith, (14 Ohio, 199) it was held that a black person could swear to the truth of a plea even though the plaintiff was white and the defendant and witness black women. Three cases concerning the support and

attendance of schools reveal these same exclusion tendencies. In Williams v. School District, (1 Wright, 578) May 1834, the plaintiff, a tax-payer, was one-quarter Negro. His five children by a white wife were denied admission to the school for all white children. The court held that the term white was a matter of blood and not complexion and that the children could not be excluded. In Chalmers v. Stewart, (11 Ohio, 386) December 1842, the salary of a teacher of the common schools was denied on the grounds that the defendant had failed to keep a legal school by the admission of black youths. In Lane v. Baker et al, (12 Ohio, 237) December 1843, one of Lane's three children, being of darker complexion than the other two, was refused admission to the common school. Again as in the case of Williams v. School District the child was held to be white. A curious example of the application of the Fugitive

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Catterall, op. cit., pp. 4, 7, 9.

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Slave Act of 1793 occurred in Tom v. Daily et al, (4 Ohio, 368) January 1831. Defendant Daily bought his sister Kate, an ensicente slave, at a sale, for a small sum declaring that his purpose was to give her freedom. Shortly after being declared free Kate gave birth to a son; the plaintiff Tom. Later Daily bought a slave from defendant Desha, and as security gave him a bill of sale for Tom who was at liberty in Cincinnati. Tom believing his best defense was to take the offensive, brought suit to enjoin the threatened interference with his freedom. The bill charged that Desha knew Tom's mother was emancipated

but Daily denied all knowledge of her freedom. The court held that Tom was not a fugitive under the Act of 1793, that his mother in equity was virtually free at the birth of the complainant and being free, had remained free. <sup>33</sup>

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Catterall, op. cit., pp. 3 ff.

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The skeletal records of the Indiana Constitutional Convention held at Croydon June, 1816, throw very little light on the action of that body and still less on the problem of slavery. The anti-slavery party apparently had little difficulty in securing the adoption of a measure prohibiting slavery. The repeal, in 1810, of the acts by which indenture had been instituted, had brought about public acquiescence in the anti-slavery position. The division of Indiana and Illinois territory had shifted the slavery issue farther west and south. In 1815 the Indiana Legislative Council and House of Representatives memorialized Congress respecting the status of slavery in the new state:

And whereas the inhabitants of this territory are principally composed of emigrants from every part of the Union, and as various in their customs and sentiments as in their persons. We think it prudent at this time to express to the general government our attachment to the fundamental principles of legislation, prescribed by Congress in their ordinance for the government of this territory, and particularly as respects personal freedom and involuntary servitude, and hope that they may be continued as the basis of the constitution. 34

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Niles' Weekly Register, Vol. IX, p. 352.

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The files of the Western Sun further reveal the public interest in slavery during the period just prior to the con-

vention. Some individuals were of the opinion that the admission of slavery would result in a positive good while others were opposed to its introduction. The Indiana Constitution

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Kettleborough, Constitution Making in Indiana, Vol. I, n. p. xvi.

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of 1816 prohibited slavery and rendered invalid within the the state any indenture of negroes and mulattoes made outside the state. Census returns for Indiana in 1820 and 1830 included a few slaves but the Negro problem which developed following statehood was not occasioned through the presence of these Negroes but by other circumstances. Runaway slaves sought refuge on Indiana's free soil, men from the border states engaged in the organized kidnapping of free Negroes residing in Indiana and finally the free Negro population within the state frequently became dependent upon public charities. These considerations not only intensified a public distaste for slavery but encouraged a sentiment against the very presence of Negroes.

As early as 1818 the federal courts in Indiana held In re Susan, 23 Fed Cas. 444 (2 Wheeler Cr. Cas. 594) that the federal law providing a procedure for the reclamation of a fugitive slave escaping from one state to another, was valid, and remedy under such an act superceded the remedy given by the laws of Indiana. In the case of Vaughan v. Williams, 28 Fed. cas. 1115 (3 McLean 530) May, 1845, the federal court held that three slaves residing in Hamilton County, <sup>Indiana,</sup> could not be claimed as fugitives. The slaves had been taken by their

master to Illinois, employed for six months and thence taken to Missouri and sold. The slaves forthwith escaped to Indiana. Vaughan, the Missouri purchaser, sought to repossess himself of the fugitives but the Indiana court held that his claim to the services of these persons could not be sustained as their six month residence in Illinois rendered them  
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free persons.

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Catterall, op. cit., pp. 33 ff.

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Nowhere in the Old Northwest was the struggle to provide a free constitution more intense than in Illinois. There are numerous reasons why the question of slavery held the center of attention in the first Illinois Constitutional Convention. The early pro-slavery agitation had centered in St. Clair and Randolph counties in Illinois. The separation of Indiana and Illinois territories in 1809 in no way disturbed the indenture system inaugurated in 1803. Economically the presence of the Ohio and Mississippi rivers had created a bond of unity between the west and the south. Geographically no part of the Northwest extended as far South as did Illinois; as a matter of fact Cairo, Illinois was farther south than Richmond, Virginia. The men who took the leadership in this conflict were men of the Old South, but they were not all pro-slavery men. The constitutional convention had among its members representatives of such Southern families as the Moores, Bonds, Kidds, Rutherfords, Garrisons, Biggses, Lemens, Ogles and Whitesides.  
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The careers of three men are intimate-

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MS. 965. Western Reserve Historical Society, Old Settlers Address by Judge John M. Scott, Alton, Illinois, Sept. 3, 1895.

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ly associated with the course of slavery in the Illinois Constitutional Convention. These men were Shadrack Bond, Ninian Edwards and Edward Coles.

Edward Coles, like Worthington of Virginia, decided to remove to Illinois and free his slaves. In 1814 he had written to the aging Thomas Jefferson to exert his knowledge and influence in devising and executing some plan for the gradual emancipation of Virginia slaves. Jefferson, feeling that his years forbade further crusading, urged Coles to make abolition his cause. Coles accepted the challenge but decided to expend his efforts in the new West rather than Virginia. It was his repugnance against holding slaves that prompted him to remove to Illinois. Coles had passed through

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Alvord, "Governor Edward Coles," Ind. Hist. Coll., Vol. XV, p. 24.

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Illinois in 1815 and in 1818 spent the summer at Kaskaskia. Illinois in 1818 was preparing to adopt a constitution and Coles used his influence to prevent the admission of slavery in the state where he proposed to reside. Using the pen name "Agis", Coles published letters in the columns of the Illinois Intelligencer denouncing the support of slavery among his fellow citizens. Of Coles and his slaves we shall hear more

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Buck, Illinois in 1818, p. 242; Washburne, Sketch of Governor Coles, p. 44.

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later.

Ninian Edwards, only territorial governor of Illinois, was a slave owner who had migrated to Illinois from Maryland by way of Kentucky. The same territorial legislature which had petitioned Congress for an Illinois Enabling Act had undertaken to repeal the indenture system inherited from Indiana. Governor Coles vetoed the act because in its preamble it had been stated that the law had always been invalid. Coles knew this was untrue because Congress had refused to exercise its right to disallow acts of the territorial legislature even though such laws recognized slaves as property. He says;

I am no advocate for slavery; and if it depends upon my vote alone, it should never be admitted into any State or Territory not already cursed with so great an evil. I have no objection to the repeal which I suppose was intended, but there being no such law as that which is described in the preamble and referred to me for my approval, the proposed repeal would be a mere nullity, and with every possible aid of legal construction and intentment would leave in full force the act of 1812. 40

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Edwards, History of Illinois from 1778 to 1833 and Life and Times of Ninian Edwards, pp. 183-184.

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The Illinois Constitutional Convention sat at Kaskaskia from August 3, until August 26, 1818. Twenty-one of the thirty-three delegates were opposed to the admission of slavery. Such a vote would seem to indicate that the anti-slavery margin was sufficient to insure the adoption of a free constitution. This was hardly the case since the outright pro-slavery men and the outright anti-slavery men were

outnumbered by compromisers who sought to enter the Federal Union with an acceptable constitution and after statehood was attained chart their own course in respect to slavery. The anti-slavery clause in the state constitution was but the confirmation of the system of indentures which had prevailed during territorial organization. Indentures were limited to one year but subject to renewal. The age limit at which Negroes could be indentured was reduced. New indentures became infrequent but the old ones were renewed indefinitely. When the proposed constitution came before Congress that body was already engulfed in the Missouri Compromise issue and with little opposition the State of Illinois came into existence<sup>41</sup> December 1, 1818. The constitution was not submitted to the

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<sup>41</sup>

Harris, Negro Servitude in Illinois, pp. 20-26.

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people for popular approval. The existing system of indenture was left untouched and the legislature at its first session proceeded to enact laws respecting Negroes and mulattoes. The census of 1820 returned 917 slaves for Illinois. Ten years later the number had dropped to 331.<sup>42</sup> The condition of black

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<sup>42</sup>

Census Report, 1820, 1840.

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persons had in no way been altered by the substitution of the word servant for slave. In 1815 Governor Ninian Edwards had advertized twenty-two slaves for sale in the Illinois Herald. In 1825 he wrote to A.G.S Wight concerning a "servant I have since sold you." True, Edwards does not speak of Maria as a



slave, but he speaks of selling her rather than her services as would have been the case had he recognized her status as a servant. <sup>43</sup> Here again is the recognition that anti-slavery

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<sup>43</sup> Edwards to Wight, 19 August, 1825, Edwards Papers, p. 243.

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provisos were not retroactive.

Shadrack Bond Jr. became the first governor of Illinois under the Constitution of 1818. Bond was known to have supported the Harrison pro-slavery regime. While in Washington as territorial delegate from Illinois, Bond had written Governor Edwards respecting a resolution praying for the partial introduction of Negroes to carry on the salt works: "I suppose [it], will make a fuss with some." His fears that it would not succeed were well founded because Congress passed no such law. Scarcely had Bond's administration begun when the pro-slavery men began a whispering campaign in favor of a convention to revise the Constitution of 1818. The re-election of an outspoken anti-slavery man to Congress in 1820 arrested the convention movement temporarily. In 1822 Coles was elected governor to succeed Bond. Cole's small plurality coupled with a pro-slavery majority in the State Legislature was the signal for reviving the convention movement. For two years the agitation raged. Five weekly newspapers were controlled by the faction demanding a convention. When the resolution proposing a constitutional convention was put to a legislative vote in February, 1823, one pro-slavery man bolted

his party and the resolution failed to pass. The pro-convention faction unseated the recalcitrant member, named his successor and the resolution demanding a convention was put to a vote a second time and passed. In December, 1823, the State House at Vandalia was fired at the instigation of the pro-slavery faction. The following spring the pro-slavery Illinois Intelligencer which had served as the pro-convention mouthpiece, faced financial failure. Coles bought the paper and used it to aid the anti-convention cause. The election took place on August 2, 1824. By a margin of 1,668 votes Illinois rejected the constitutional convention and thereby indirectly approved the constitution of 1818.<sup>44</sup>

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Harris, op. cit., pp. 27-49; Genius of Universal Emancipation, No. I, Vol. IV, Oct. 1824.

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The annals of the Illinois judiciary are filled with cases arising under the authorized system of indentures. Not less than twenty times between 1818 and 1849 were Negroes the cause of action. One of the earliest cases involved the slaves which Edward Coles brought from Virginia to Illinois. In 1819 while Coles was enroute to Madison County with his slaves, and Illinois law was enacted requiring a bond of \$200 for each slave so removed to Illinois.<sup>45</sup> An act of the Illinois Legis-

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Catterall, op. cit., pp. 50 ff.

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lature in 1827 provided that county taxes might be assessed on property consisting of slaves, indentured or registered negro or mulatto servants. In the case of Phoebe v. Jay,

(Breese, 207.) December, 1828, the status of indentured servants under the Ordinance of 1787, the constitution of 1818 and the act of 1827 was established. The court held that although a contract of indenture was in no real sense a voluntary contract, yet Illinois had been admitted into the federal union under a constitution making provision for such contracts and thus Congress had permitted a modification of Article Six of the Ordinance of 1787. The court concluded that it would be an unreasonable hardship to make a master prove the validity of his indenture. In the case of Willard v. The

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Catterall, op. cit., pp. 53-55.

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People (4 Scammon 461.) December, 1843, the Illinois court held that the prohibition of slavery within the state did not prevent a citizen of another state from journeying through Illinois with his slaves. Such slaves could not demand freedom on the ground that they had touched free soil. The

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Catterall, op. cit., pp. 62-65.

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qualified condition of slavery ended in 1845 - four years before the indenture laws were repealed by the state legislature. In the case of Joseph Jarrot, alias Pete, alias Joseph, a colored man v. Julia Jarrot, (2 Gilman.) December, 1845, Justice Young of the Federal Court delivered a separate opinion in which he reviewed the long conflict occasioned by Article Six:

...were the descendants of A -- free by virtue of the

Ordinance of 1787? It cannot be ascertained from the evidence, whether the plaintiff was born before, or since the adoption of our State Constitution,...but the more reasonable presumption is,--and I adopt that presumption as the fact,--that he was born since...the matter to be determined is, whether all prior laws which authorize persons of color to be held in slavery, the Virginia Act of Cession inclusive, were not abrogated by the sixth article of the compact,...I think that such was the intention of Congress, and this opinion has been very much strengthened by an examination of the Act of 1789, and another in 1800,...In neither of these is any mention made of any antecedant rights or privileges, either under the Cession Act of Virginia, or any prior law or custom, supposed to be in conflict with the provisions of the Ordinance...while not a solitary case had been found, after the most laborious search where it has been determined that the Act of Cession of Virginia...had any controlling influence...upon this subject, since the passage of the Ordinance of 1787, as an organic law for the government of the Territory. Does our State Constitution perpetuate...the claim of the defendant, Julia Jarrot, to the Plaintiff, Joseph, as a slave?...It was evidently intended by the framers of our Constitution that this should be a free State, and yet it is contended...that the French Negroes and their descendents, though resident in this State are slaves forever! As to the power of a State to emancipate the slaves of its citizens, there can be no reasonable doubt...we cannot resist the conclusion, that all persons of color, who were in this country before and since the passage of the Ordinance of 1787, and their descendants, usually known by the appellation of 'French Negroes', are free...If the plaintiff was born since the adoption of our Constitution,...that instrument also, as well as the Ordinance of 1787, would entitle him to his freedom, as there is no saving Clause in relation to the French Negroes and their descendants, as in the case of indentured and registered Negroes and their children. 48

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Catterall, op. cit., pp. 70-71.

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Statehood in Michigan and Wisconsin was accomplished without the accompaniment of the slavery controversy. Michigan territory, organized in 1805, early established the status of Negroes within her limits. The decision handed down in 1807 by Territorial Judge Woodward rested not upon the prohi-

bition in the Ordinance of 1787, but upon the Jay Treaty of 1794 by which British Posts in the Northwest were evacuated. The justice further declared that in cases not covered by the treaty, slavery could not exist in Michigan territory by the law of nations, by common law or by domestic legislation. He concluded that the right of property guaranteed to all settlers who had not claimed citizenship under the laws of Virginia could extend to human species - only if that human property were in the actual possession of British settlers in the territory on June 16, 1796, the date of British evacuation under the terms of the Jay Treaty. After that date all men coming into Michigan Territory were freemen unless fugitives from lawful labor and service in some other American State or territory. <sup>49</sup> The Michigan State Constitution adopted in 1835

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Cooley, Michigan, pp. 136-137. Documentary evidence of the case is in possession of the Michigan Historical Society.

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was an anti-slavery triumph. It was not until ten years later that a movement was launched to extend the right of suffrage to Negroes within the State. The Anti-Slavery Bugle (Ohio) commenting on the report of the legislative committee charged with investigating the extension of the franchise, regarded it as abounding with true, just and republican sentiments. Two reasons which induced the committee to report favorably on the petition praying for Negro suffrage were:

An 8th reason is found in the unutterable littleness of taking from a class, year after year the means of supporting our government, of paying our governor, judges, legislators etc. and yet disfranchising the tax payers for voting and from representation. There is not a member of the present legislature who has not in his pocket the money

of the disfranchised and politically degraded tax payer of color. A 9th reason is suggested in the preposterous puerility of making color a qualification for suffrage. To deny this right of a man born on our soil, whose fathers fought with ours for American Independence; who is sane, crimeless, a taxpayer and good citizen; and to deny it only because the Creator's sovereignty dictated the color of his skin, is a procedure, in your committee's opinion, beneath the dignity of a sovereign people, claiming intelligence and animated by a just self respect. 50

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Anti-Slavery Bugle, Vol. I, No. 20, December 5, 1845.

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There were few grounds for dragging slavery into the state courts. Serious litigation began to center around the voting privilege after the adoption of a second Constitution in 1850. Michigan territory in 1820 returned no slaves at all and only a few in 1830. Slavery in Michigan made only an indifferent appeal to the public. In 1838 the legislature refused to consider a proposition to secure the right of jury trial for fugitive slaves. Yet it was a governor of Michigan territory -- Lewis Cass, who helped to formulate the doctrine of squatter sovereignty as the compromise most likely to solve the question of slavery in the territories.

Wisconsin, the last state to be created out of the Old Northwest, was drawn into the slavery issue on grounds similar to those already described in Ohio. First, Wisconsin's population contained a large southern element. Second, fugitives sought freedom on her soil. Many Wisconsin settlers had emigrated from the Southwest from the states of Kentucky, Tennessee and Missouri. Like the Southerners who had settled in Ohio they were familiar with slavery. Governor Dodge himself a southerner, held slaves in Wisconsin.

Missouri slaves were often taken into Wisconsin by their masters. From Galena in Illinois, north through the lead producing areas, slaves were held in small numbers. Outwardly this relationship between master and slave bore many characteristics of the French system of slavery. The Wisconsin

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MS. (Palmer Collection) No. 1033. Western Historical Society; Davidson, "Negro Slavery in Wisconsin," Wisconsin Historical Society Proceedings, 1892, pp. 86-96.

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Territorial Legislature of 1845 had attempted to give colored persons the same right to vote as white persons. The narrow margin by which the measure was defeated is clearly indicative of public sentiment. Along with the first constitution submitted to the people for approval in 1846 was the matter of Negro suffrage. A vote of 7,604 ayes and 14,615 nays resulted on the latter.

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Tuttle, History of Wisconsin, pp. 238, 244.

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Hardly had the free constitution of 1848 been promulgated when the Wisconsin legislature instructed their Congressmen to oppose all action to admit additional slave states to the Federal Union. In time Wisconsin Courts became the

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Tuttle, op. cit., p. 261.

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scene of many bitter controversies arising out of the Fugitive Slave Law of 1850.

Thus was waged the struggle over the anti-slavery provision of the Ordinance of 1787. In spite of the efforts

to keep the Old Northwest forever free, the pro-slavery forces did succeed in modifying the meaning of the proviso. Free soil might indeed be legislated into existence by an act of Congress but not even that body could keep the soil free if men of diverse social-heritages were to occupy it with their families. Filiation in the first and second generations of settlers reflected the dominant sectional characteristics of the East and South. By the twenties this heritage was sloughing off into an existence that was typically western. By the time this new sectional phenomenon was recognizable outside the Northwest, slavery had come to dominate the center of the national stage and the West was not destined to remain outside the controversy. The Northwest remained free in spite of the Ordinance rather than because of it. The social and economic individualism of the West was to manifest itself during the high tide of Jacksonian democracy. The West in 1848 faced a choice of a political alliance with the East or an economic alliance with the South. The answer was more than a decade away.



## Chapter IV

### ECONOMIC UNITY WEAKENS THE WESTERN DEFENSE OF SLAVERY

The Western defense of slavery rested upon two basic principles, one economic and the other political. When the Great Migration got underway shortly after the close of the second war with England, the gathering forces of the Cotton Kingdom were preparing to expand. In the excitement of advancing the cotton frontier men did not stop long to consider the physical limitations which nature might have set to its expansion. Because of an increasing supply of cheap labor and an abundant supply of virgin lands the South had succeeded in weathering the minor depressions before 1815. If the Cotton Kingdom was to spread into the lower Northwest as it was already spreading into the Southwest, a plentiful supply of labor was as necessary as the available lands. The political defense of slavery in the West was strengthened by commercial relations existing between the West and the South. Southern slaveholders looked to the men who had emigrated from the South (1) to carry forward the struggle to admit slaves in the free West and thereby encourage Southern immigration and (2) to maintain their support of southern slavery by preventing the West from aiding fugitive slaves to escape. These obligations caused the pro-southern element in the West to use their political influence in behalf of the South. The plans of Calhoun to establish the Cincinnati and Charleston Railroad and the

support which Hayne gave Benton against the Foot Resolution in 1829 are illustrative of how the political and commercial objectives of the pro-slavery West were never far apart.

Paxson suggests one of the vital forces which underlies the slavery conflict in the Northwest when he states that the region remained free because of underlying economic conditions.<sup>1</sup> These conditions resulted from the peculiar

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<sup>1</sup> Paxson, History of the American Frontier, p. 200.

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geographic unity which the Northwest possessed. Webster's statement that the soil of the Northwest was incapable of bearing up none but free men was true by an accident of nature rather than by an act of Congress.

Monroe writing to Jefferson in January, 1786, expressed extreme pessimism in regard to the economic development of the West:

A great part of the territory is miserably poor, especially that near Lakes Michigan and Erie and that upon the Mississippi and Illinois consists of extensive plains which have not had from appearances and will not have a single bush on them, for ages. The districts therefore within wh these fall will never contain a sufficient number of inhabitants to entitle them to membership in the Confederacy. 2

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<sup>2</sup> Writings of James Monroe, Vol. I, p. 117.

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Economic developments were to prove the utter untruth of such statements within a generation. How the West achieved a distinct sectional character as a result of her economic unity aids in explaining how an economy built upon slave labor could not have taken root in the West. Nature and free labor

proved to be the great enemies of slavery in the West.

Geographic unity was a part of Nature's physical endowment to the Old Northwest. This unity was enhanced by natural boundaries and a well-defined geologic pattern. Nature had created a comparatively level V-shaped area bounded on the east by mountains, on the west by the Mississippi River, on the north by the Great Lakes and on the south by the Ohio River and its watersheds. The region's geologic pattern resulted when immense glacial ice sheets extending as far south as the Ohio region, began to recede and left in its wake a series of lakes and interlacing waterways. Yet within an area of such pronounced unity there existed a variegated physical environment. As the columns of emigration began to advance westward, keeping close parallel to the older settlements, the settlers found themselves in the presence of a world of nature quite different from that which they had forsaken. The New England settlers who followed the Mohawk Valley and Lake Shore Trail to northern Ohio, Illinois, Indiana, Wisconsin and Michigan territories found themselves in a region of lakes, sand dunes, virgin forests and rich mineral deposits. This was indeed a contrast to the rocky New England countryside from which they were accustomed to coax a niggardly subsistence. The settlers from the Middle States and South followed the Old National Road or floated down the Ohio to occupy the rich bottom lands formed by the numerous tributaries of the river. These arms of the Ohio carried the settlers closer to the great praries that comprised the central portion

of the Old Northwest. Here the settlers prepared to reproduce the familiar agricultural pattern, but the presence of the Ohio River, the rich deposits of coal and the deep thrust which southern Illinois made into the South were to complicate the economic life of the southern portion of the Old Northwest. This difference between the upper and lower sections of the region was further accentuated by their respective soils, climate, native vegetation and water systems. The marked environmental differentiation within the territory tended to breed economic diversification and in the end a clash of interests followed in its wake. The emigrants from New England and the South settling in the Ohio Valley tended to found compact communities in which cultural traditions survived without difficulty. In contrast to such communities the emigrants who settled in the upper Northwest, arriving in single migratory units, found it more difficult to establish communities of interests and ideals.

The wide range of economic diversity within the Old Northwest must first be considered as a direct outgrowth of the region's physical endowment. What were the environmental forces with which western pioneers had to grapple? When settlers had succeeded in gaining control over their environment it was evident that the economic development of the southern portion of the territory had been more rapid than that of the northern portion of the territory. In addition to this factor the economic pursuits which developed within the territory varied from south to north. Yet in the end the

Old Northwest emerged upon the national scene as a section. The economic differentiation that developed within the Old Northwest was not sufficient to destroy the unity which nature had bestowed upon the region. The success or failure of the slavery appeal which the South made to the Old Northwest depended upon conditions which were inherent in these geographic and economic forces.

Along the Southern exposure of the Northwest territory coursed the Ohio River for a distance of one thousand miles. The Northern exposure of the territory was open to the waters of Lakes Superior, Michigan, Huron and Erie. Only a few rivers emptied into the lakes as contrasted to the numerous streams emptying into the Ohio. Proceeding down stream from the mouth of the Muskingum River at Marietta the waters of the Hocking, Scioto, Little Miami, Great Miami and Wasbash rivers joined the Ohio in its journey toward the Mississippi. Compared to these navigable waters the Conneaut, Grand, Cuyohoga, Sandusky, Maumee and Rasin rivers emptying into Lake Erie were unimportant. Into Lakes Huron and Michigan emptied a single river of prominence; the St. Joseph River in southern Michigan Territory. The Mississippi like the Ohio was joined by numerous branches. Between Cairo, Illinois and the Falls of St. Anthony five important rivers penetrated far into the Northwest Territory. Upstream from Cairo were the Kaskaskia, Illinois, Rock, Wisconsin and Black rivers.

When Manasseh Cutler journeyed to the lands of the Ohio Company in 1788 he entered into his journal numerous re-

marks concerning the lands on the Muskingum. He speaks of fine and beautiful bottom land, the hills retiring from the river and level lands on each side of the river stretching away as far as eye could reach. Cutler was impressed with the magnitude of the land already planted to flax and corn, the huge trees felled by the surveyor's axe, the streams stocked with fine fish and muscles, the abundance of wild grapes and game, particularly deer.

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<sup>3</sup> Cutler and Cutler, Manasseh Cutler, pp. 410-419.

In 1802, Dr. F.A. Michaux observed that the shores of the Ohio beyond Pittsburg, though from twenty to sixty feet in height, contained scarcely any stony substances; except for the grey boulders of friable texture to be seen just below Wheeling. Beyond this point the shore appeared to consist of simple vegetable earth. Michaux reports that the mother of pearl taken from the abundance of mullet in the Ohio even then was being converted into sleeve-buttons.

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<sup>4</sup> F.A. Michaux, Travels to the Westward of the Allegany Mountains..., p. 50.

Winters along the Ohio were often severe. The year following the founding of Marietta the Ohio was frozen over from December to March and the settlers could not go to Pittsburg for provisions. That the winters were less severe as

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<sup>5</sup> Gov. St. Clair to the Sec. of War, 18 January, 1789, St. Clair Papers, Vol. II, p. 109.

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one continued down stream is apparent from observations made by settlers in southern Illinois. Birkbeck described the winter of 1818 as an agreeable season. When the wind blew from the northwest the temperature dropped to 7° or 8° below zero but once the wind had shifted to any other quarter the thermometer frequently rose to 50°. The absence of the evergreen added to the sombre appearance of the forests and the pastures retained no trace of green. This doleful aspect of the scenery was relieved only in those spots where perennial or evergreen species were to be found.<sup>6</sup> This same contrast in the

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<sup>6</sup> Birkbeck, Letters From Illinois, p. 73.

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upper and lower Ohio valley is reflected in accounts concerning the season at which certain vegetation began to thrive. Southern Illinois possessed climate not unlike that of the upper South.<sup>7</sup> Cincinnati on the Ohio River lay only a short

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<sup>7</sup> Hall, Notes on the Western States, pp. 138-139.

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distance north of the 39th parallel while Vandalia, Illinois many miles north of the river lay only slightly south of the same parallel. Crop records made in 1826 and 1830 respectively, show that the period of germination at Vandalia was perhaps a week earlier than at Cincinnati.

When the first party of surveyors arrived in New Connecticut in 1796 they founded Port Independence on Conneaut Creek, just inside the eastern boundary of the Western Reserve. Amzi Atwater, one of the party, later described the

site chosen for the settlement. The lake there was low and calm and the beach wide. The southwest wind blowing persistently had driven the creek back to form a wide sand bar, behind which rose a high bank covered with timber. Between the bank and beach the earth was covered with small timber and bushes. Atwater speaks of this timber as similar to that of the lake-shore in general. The trees were not large, but straight and suggested the varieties common to New England save that evergreen was scarce. As the party of surveyors

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Whittlesey, Early History of Cleveland, pp. 185-186.

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made their way to the southeast corner of the reserve they observed intermittenly land not well watered, land covered with almost ~~all kinds~~ of timber and open swampy lands of an abominable character. Although the swamp afforded raspberries, gooseberries and winter ~~green~~berries with which to ward off the pangs of hunger, the great discomfiture occasioned by the presence of gnats and mosquitoes was only heightened by the lack of drinking water. In the midst of tamarach and elder swamps the surveyors found great virgin stands of hemlock, oak, beech and pine abounding. Holley's journal for July 12, 1796 carefully describes the region, parallel to the Pennsylvania line, through which the surveyor's chain was being dragged southward:

On the thirty-first mile is a fine creek, ...land ridgy, soil good. On the thirty-second mile is fine land for wheat; thirty-third mile is a good run of water, good land and ridgy. To the end of the thirty-seventh mile the land is good, level and timbered with maple, beach, oak, and white



wood, with herbage. 9

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<sup>9</sup>  
Whittlesey, op. cit., p. 196.

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Day by day the scenery changed--swamps gave way to poor lands covered with large stones but these in turn gave way to streams abounding in fish and rich bottom lands timbered with red elm, cherry, crab apple trees, plum and thorn bush. At the sixty-first mile a light red loam began to replace the sandy soil of the lake shore. Sixty-eight miles south of Lake Erie the surveyors located the southern extremity (forty-first parallel) of the Western Reserve in the lush valley of the Mahoning not far from a salt spring. From the best calcula-

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<sup>10</sup>  
Whittlesey, op. cit., p. 201.

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tions of land surveyed in the Western Reserve it has been estimated that the company's purchase included approximately 300,000 acres of valueless swamp land. The surveyor's jour-

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<sup>11</sup>  
Whittlesey, op. cit., p. 259.

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nals include pathetic accounts of the suffering occasioned by agues and fevers contracted in these swamps. None of the field notes, letters or reports connected with the Connecticut Land Company refer to the existence of iron ore or coal in the Reserve. Although coal beds underlaid the townships east of the Cuyohoga River none were worked before 1810, and then were used only by blacksmiths.

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<sup>12</sup>  
Whittlesey, op. cit., p. 316.

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Estwick Evans who made a pedestrious tour along the south shore of Lake Erie during the winter of 1818 made careful notes respecting the soil, climate, vegetation and rivers which he observed. At times he traveled some distance from the shore thus gaining a better view of the country. He notes that the country in the Western Reserve was level, with occasional swells; the soil a rich sandy loam containing no small stones but numerous ledges and quarries. The timber was mostly hard wood and rarely was pine to be seen. During the early part of March, Evans traveled several days bare foot because his moccasins and socks had worn through during his passage over snow, water and ice! Beyond Cleveland he found game such as black and grey squirrel, partridges, quail and deer. Some distance on Evans passed the Vermillion River, abounding in fish, the nearby soil was fertile and covered with a valuable growth of hard wood. Sugar maple and many kinds of nut bearing trees were observed, swine were numerous in the woods. At the Huron River on March 8th Evans noted the moderate weather and thaws which heralded the approach of spring. The soil beyond the Huron River, Evans described as rich black prairie soil two or three feet deep with a limestone subsoil. The prairie grass offered excellent fodder for cattle. Crops in the region were usually rotated, the third year the land was permitted to lie fallow and produce grass for live stock. Some of the richest ground was too wet for cultivation and cattle which fattened in the summer frequently sickened and died during the winter. Wild turkeys made

their homes on the prairie. Near the Black Swamp, extending from the Sandusky to the Maumee River, wolves attacked Evan's dogs and killed them. Evans regarded the future site of Sandusky as an unhealthy spot although located in a plain of rich land. The Maumee choked with ice and debris had reached the flood stage when Evans arrived at Fort Meigs. On northward the traveler continued making his painstaking record of the state of agriculture in Michigan territory. The notes which Evans includes concerning the beaver skin industry, the perfect wilderness between Lake Huron and Lake Michigan, Michilimachinac with its stores of herring, white fish and trout, the sterile lands lying between Lake Michigan and Lake Superior were in all probability obtained from accounts which he had read or from explorers whom he met, since he did not journey beyond Detroit. <sup>13</sup> Certainly they were true estimates

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Estwick Evans, "A Pedestrious Tour," quoted in Thwaites, Early Western Travels, Vol. VIII, pp. 187-207.

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of that almost impenetrable wilderness north of Detroit known only to the fur-trader and voyageur.

Early travelers such as Henry Schoolcraft who penetrated the region beyond Detroit occasionally made their way to the lead mines of the upper Mississippi. These mines had been worked by the French and Indians long before the coming of the American settler. From Prairie du Chien in south western Wisconsin to the "Fever River" district (as Galena, Illinois was then known) and Julian Dubuque's Indian diggings on the west bank of the Mississippi, the rich lead mining area

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extended.

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14  
Henry Schoolcraft, Summary narrative of an exploratory expedition to the sources...., pp. 167-174.

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These illustrations of the diversified environment which engulfed the early immigrants into the Old Northwest could be multiplied many times over by citing such instances as the settlers of New Design, Illinois, who were detained almost a month in the flooded wilderness between Fort Massac and Kaskaskia or the devastating floods which threatened the settlements in the valley of the Wabash. <sup>15</sup> As the lake shore

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15  
Reynolds, Pioneer History of Illinois, p. 236.

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and river columns of immigration began to converge toward the midlands of the Old Northwest settlers found themselves on the vast central prairies, picking their way through buffalo swamps or tracing a saline stream to its source in some salt lick or spring. Each additional adventure serves to emphasize the particular nature of the new environment. Through a North-South extension of more than seven hundred miles Nature had scattered her gifts while at the same time drawing a climatic belt from east to west. In the Ohio valley she had granted approximately two hundred frost-free days while northern Michigan received only one hundred fifty. The use to which the settlers put nature's gifts were to be measured for some time to come by the development of communication and transportation, both of which must result from man's growing control over nature.

In 1810 the Third Territorial Assembly at its first<sup>16</sup> session had incorporated the Ohio Steamboat Company. This

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<sup>16</sup>  
Laws of Indiana Territory, Third Assembly, First Session, p. 161.

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action serves to keynote the rapid strides made by transportation in western water after 1794. On Saturday, January 11, 1794, The Centinel of the Northwest Territory, published at Cincinnati, announced in its columns that four keel boats would soon be available for the trade between Cincinnati and Pittsburg.

Two Boats for the present will start from Cincinnati for Pittsburgh, and return to Cincinnati in the following manner, viz:

First boat will leave Cincinnati this morning at eight o'clock, and return to Cincinnati, so as to be ready to sail again in four weeks from this date.

Second boat will leave Cincinnati on Saturday the 30 inst. and return to Cincinnati in four weeks as above.

And so regularly, each boat performing the voyage to and from Cincinnati to Pittsburg once in every four weeks.

Two boats, in addition to the above will shortly be completed and regulated in such manner that one boat of the four will set out weekly from Cincinnati to Pittsburg, and return in like manner. 17

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<sup>17</sup>  
The Centinel of the Northwest Territory, 11 January, 1794, quoted in Hall, op. cit., pp. 223-224.

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For a decade or better the Ohio Packet boats were adequate to handle the western trade designed for eastern markets and to provide the necessities of the frontier settlements. As population moved farther down the Ohio valley and surpluses increased, river transportation underwent a complete change.

By 1830 the generation of boatmen, who had manoeu-

vred the keel and flat boats down the river, were being displaced by the steamboat. Eight years later Cincinnati rivalled Pittsburg in the number of steamboats built. In that year the total number of vessels constructed at Pittsburg reached one hundred and seventy-three, Cincinnati followed second with one hundred and sixty-four. Other Ohio towns included Marietta with eighteen ships built, Steubenville twelve, Portsmouth seven, Ripley six, Gallipolis three and New Richmond two. A comparison of figures by states finds Ohio leading with two hundred and twenty-six steamboats constructed by 1838, Pennsylvania second with two hundred and sixteen, Kentucky third with fifty-six and Indiana fourth with forty-seven. In 1826 it was estimated that the total number of steamboats built in the West had reached seven hundred. Native lumber supplies and the presence of numerous navigable streams had encouraged this production. In the same year the amount of capital invested in ship-building by citizens of Cincinnati was nearly 500,000 dollars, the city's imports more than \$2,000,000 and her exports were \$1,000,000.<sup>19</sup> Morgan Neville

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Hall, op. cit., p. 198.

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estimated that the amount spent on building and repairing steamboats navigating in western waters between 1819 and 1829 was \$8,000,000. This estimate was calculated on the basis of fuel consumed for the year 1829. With 200 boats whose combined tonnage was 35,000 tons consuming 2,917 cords of wood during the six months of their actual operation, Neville fixes the total consumption of fuel for 1829 at \$1,181,385.

Other expenditures for operation would bring the figure for 1829 up to \$2,481,385. This annual expenditure added to the amount of first costs in steamboats brings the total amount of expenditures for building and repairs over a period of ten years to \$8,400,000.<sup>20</sup> Neville believed the estimated tonnage

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<sup>20</sup>

Hall, op. cit., pp. 235-236.

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and cost of repairs were too low. Whether Neville's arithmetical exercise is valid or not is a matter of speculation. He has however in the cord wood industry struck a vital note in western river economy. In 1838 the extensive sale and consumption of timber along the Ohio had been so great that the supply was endangered. James Hall, whose valuable Statistics on the West were first published in 1836 believed that scarcely an acre of the remaining uncleared land would yield less than 100 or 150 cords of wood. With the price of wood ranging from \$2 to \$3 per cord, a man might expect a fine margin of profit from a hundred cords after deducting one dollar per cord for cutting, hauling and other labor.<sup>21</sup>

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<sup>21</sup>

Hall, op. cit., pp. 144-145.

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Although Hall compiled a most exhaustive record of the steamboats operating in western waters he was constantly on the alert for additional information regarding them. A writer in the Wheeling Gazette about 1837 estimated that sixty boats were operating between Pittsburgh and Louisville.

Supposing the amount of freight conveyed in each boat to be 40 tons down and 20 up, some opinion may be form-

ed of the amount of merchandise transported yearly upon the Ohio. The river may be estimated to be navigable from six to eight months in the year, and each boat to perform twelve trips from Wheeling to Louisville and back. Each boat then transports 12 times 40 tons down, and half this quantity up, equal to 720 tons. This multiplied by 60, the number of boats, gives 43,200 tons as the gross amount of merchandise transported yearly in steamboats upon the Ohio. 22

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Hall, op. cit., p. 248.

By similar reasoning the value of each of the twelve cargoes transported during the season was estimated at \$240,000. Thus downstreams freight by sixty steamboats amounted to \$14,800,000 and upstream freight \$1,500,000, making a total estimated value of merchandise conveyed upwards to \$16,000,000 exclusive of freight hauled by keel and flat boats. 23

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Hall, op. cit., p. 249.

A part of this merchandise being freighted by steamboats reached New Orleans. From a statement of the New Orleans imports from the interior by way of the Mississippi a vast range of commodities is apparent. While it cannot be determined from these figures what shares of the imports came from the Northwest the very nature of the commodity suggests that some part of the whole was drawn from the Northwest.

|                      | 1825    | 1834    |
|----------------------|---------|---------|
| Apples, bbls         | 11,827  | 9866    |
| Apple brandy, bbls   | 149     | 50      |
| Bacon, assorted      | 1595    | 5569    |
| Bacon, hams          | 576     | 8076    |
| Bacon, in bulk       | 211,259 | 615,324 |
| Beef dried, lbs      | 4000    | 59,160  |
| Buffalo Robes, packs | 18,411  | 1835    |



|                    |         |           |    |
|--------------------|---------|-----------|----|
| Corn in ears, bbls | 72,563  | 98,554    |    |
| Corn shelled       | ...     | 62,900    |    |
| Coal, western bbls | ...     | 65,000    |    |
| Flour, bbls        | 140,546 | 320,660   |    |
| Ginseng, lbs       | 150     | 13,600    |    |
| Hemp, bundles      | 1149    | 32        |    |
| Hides              | 11199   | 41,439    |    |
| Horn               | 14852   | 38,934    |    |
| Lard, bbls         | 486     | 2,359     |    |
| Lard, kegs         | 34,373  | 199,204   |    |
| Lead, pig          | 58,479  | 203,100   |    |
| Pork, in bulk lbs. | 146,750 | 2,603,860 | 24 |

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Hall, op. cit., p. 276.

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The era of Canal building heightened western immigration and at the same time gave an additional impetus to the internal trade of the Northwest. The era had begun at Rome, New York in 1817 when ground was broken for the Erie Canal. Within two decades the canal building era was in full swing. In Ohio the canals turned aside from Lake Erie or the Ohio and made their way inland. By 1832 the boom had reached Indiana and by 1848 it had reached Illinois and Michigan. Chief among the canals constructed in the Northwest during this era were the Wabash and Erie, Ohio and Erie, Miami, and Illinois-Michigan. The Ohio-Erie Canal started at Portsmouth on the Ohio and followed the Scioto north and then swung northeast toward the Cuyohoga and thence to Cleveland. It was opened to traffic in 1830. The Miami canal began at Cincinnati and followed the Little Miami north to join the Maumee and thence to Toledo on the Lake. It was completed in 1831. Construction on the Wabash and Erie Canal began in 1832. From the mouth of the Wabash the route passed north and east forming a junction with the Miami canal and continuing down the

Maumee to Toledo. Difficulties conspired to prevent the completion of the canal until 1851. Finally the Illinois-Michigan Canal had connected the Mississippi River and Lake Michigan in 1848.<sup>25</sup>

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Alvin Harlow, Old Towpaths, pp. 120-121. Consult Map No. II for the location of these canals. (Appendix.)

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An examination of the records and receipts of one of these canals reveals the vast amount of passenger and freight traffic which passed over them. Mr. Latham, who served as resident engineer on the Miami Canal, reports that the tolls collected between Cincinnati and Dayton, from the commencement of navigation, on the 18th of March, 1828, to the 31st of December, 1837, amounted to \$402,214.58. The figures showed an increase from \$8,507.69 in 1828 to \$66,154.72 in 1837. Of this total sum \$183,253.84 was collected in Cincinnati, \$33,484.97 at Hamilton, \$63,899.99 at Middletown and \$121,575.78 at Dayton. During the ten year period from 1828 to 1837 the canal had been closed by ice on the average of thirty-three days for each year. The shortest time the canal was closed in any year was ten days, the longest time eighty-seven days. The cost of the canal, exclusive of the locks in Cincinnati was \$727,864.84. The upkeep over a period of ten years had amounted to slightly more than 4% of the investment. With the total expenditures for construction and repairs amounting to \$890,360.44 in December 1837, the net proceeds from the venture amounted to \$488,149.86.<sup>26</sup>

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Hall, op. cit., pp. 288-289.

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The banking development offers another illustration of the economic development in the Northwest as well as a contrast in the advance which the southern portion of the territory held over the northern portion. In December 1837, Cincinnati was the only city in the state of Ohio with a bank capitalized at \$1,000,000. Cincinnati had not one such bank but four such banks and the entire capital stock in each case had been paid in. Steubenville and Portsmouth had banks whose capital was authorized at \$500,000. At the former \$326,437 had been paid in and at the latter \$275,195. Chillicothe had paid in the authorized capital stock of \$500,000. Zanesville and Columbus, on the National Road, had subscribed \$266,673 and \$300,000 of their authorized capital stock of \$500,000 and \$300,000 respectively. Cleveland, the lone banking center of Ohio's lake shore, had two banks with capital authorized at \$300,000 and \$500,000. The first bank had subscribed \$230,575 and the second bank, the entire amount. In

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Hall, op. cit., p. 285.

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Indiana a state bank had been chartered for 25 years in 1834. Ten branch banks were set up, each being assigned \$160,000 as its share of the capital stock. By December 1837, six branches had paid \$160,000, the branch at La Fayette \$200,000, the branch at Madison \$240,000 and the branch at Lawrenceburgh \$205,000. None of the Indiana branches were located farther north than Fort Wayne on the Wabash-Erie Canal. The entire

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Hall, op. cit., p. 287.

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capital paid in was \$1,903,812 - less than the amount of capital paid in by two Cincinnati banks.

The State Bank of Illinois had been chartered February 12, 1835, with a capital stock of \$1,500,000. Branch banks were set up at Vandalia, Mt. Carmel, Jacksonville, Galena, the lead mining center and Chicago, a post whose population in 1840 was still less than 5000 persons.<sup>29</sup>

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Hall, op. cit., p. 288.

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We have already paid some attention to the growth of western population from 1820 to 1840 and the influence which the National Road, the Erie Canal and the Western Canal-River systems had upon increased immigration. The Land Act of 1820 was another favorable circumstance attending the new westward expansion. That the presence of an increased population had its effect upon the economic life of the west may be seen by an examination of the diversified interests of the people. A comparison of the prevailing economic pursuits in the upper portion of the northwest with the pursuits in the lower portion of the territory brings out a distinct occupational differentiation. When the value of investment and output are measured it appears that the economic development in the region drained by the Ohio and its tributaries far exceeded that of the Upper Lake Region. The population factor must not be neglected in making such a comparison. It is reasonable to suppose that a part of the economic lag of the upper Northwest was due to its smaller population. Another

part of this economic lag was intimately bound up with the more rigorous physical environment and the peculiar gifts which nature had bestowed upon the upper lake region. What then were the chances for the profitable expansion of slavery in a region rapidly devoting itself to small farms and industry?

The foregoing description of the Northwest serves to emphasize the great physical diversity within a region whose fundamental economic interests bound it closely together. The physical environment was not one in which the interests of the Cotton Kingdom could best be served. There were at least two distinct attempts to graft the southern point of view onto institutions in the Northwest. Both deserve a word since they also illustrate how slavery in the West failed in competition with free labor in a region of increasing economic unity.

A westward extension of Mason and Dixon's line would have penetrated the Old Northwest in such a manner as to leave portions of Ohio, Indiana and Illinois in immediate contact with the slave-holding South. As the climate of this region compared favorably with that of the slave states of Missouri, Kentucky, Virginia and Maryland, it is only fair to assume that slavery might profitably have been introduced there. Certainly it was in this region that the western pro-slavery party was strongest and most often re-inforced by immigration. It was in southeastern Illinois that the pro-slavery party probably came nearest to duplicating the economy of the South.

Immigrants from Kentucky and Tennessee occupied a district later designated as "Egypt." These were slave holding families who proposed to convert the rich bottom lands of the Ohio River into plantations. Negro slaves in the region were employed not only in tilling soil but also as house servants, artisans and workers in the salt mines. "Egypt" replaced Kaskaskia as the great center of negro slavery. It was largely by their efforts that the bulk of the state's cotton production in 1840 was grown in Williamson, Johnson, Union, Hamilton and Jefferson counties. In the same year 17,000 bushels of the state's salt came from Gallatin County. Gover-

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Sixth Census Compendium, pp. 298 ff. For the location of "Egypt" consult Map II. (Appendix.)

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nor Flower once said that, "to roll a barrel of salt once a year or to put salt into a salt-cellar was sufficient excuse for any man to hire a slave and raise a field of corn." It should be noted that these Negroes were referred to as slaves although the word servant was generally employed to cover a multitude of sins. An examination of agricultural, manu-

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31

Harris, Negro Servitude in Illinois, p. 15.

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facturing, and commercial statistics for Illinois in 1840 fail to reveal any great concentration of wealth in the counties where slaves were held, nor do these counties reveal the economic diversity of Madison County, opposite St. Louis, Missouri. This brief picture of "Egypt" does show how cotton and salt were forced to compete with larger production

in coal, livestock, Indian corn, oats and wheat. This diversity in output spelled disaster for the Illinois planter who preferred his single crop and slave labor. The second location of large scale slave labor began at Galena in northern Illinois and reached into southern Wisconsin. Far beyond the limits of cotton production southern emigrants carried their slaves in the vain hope that they would prove a satisfactory labor supply. Probably more Negroes were held as house servants than were employed in the lead mines and lead shot industry.<sup>32</sup> Public opinion in the region did not favor

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Thwaites, "Notes on Early Lead Mining....", Wis. Hist. Soc. Coll., Vol. XIII, pp. 271 ff.

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the presence of slaves. The outcome was much the same as that in "Egypt," slave labor proved unequal in competition with free labor.

The western defense of slavery was weakening in its chief strongholds--Southern Illinois and Southern Wisconsin. From the beginning the defense rested upon the assumption that slave labor would be profitable in latitudes outside the South. The folly of this assumption became clearer as southern emigrants began to push into the upper Ohio and Mississippi valleys. Aside from the fact that slave labor could not compete with free labor one recognizes the fact that large scale farming and a one crop system were foreign to a region of home seekers. Not only was the defense of slavery weakening between 1810 and 1830 but its defenders were becoming less vociferous. Many southern immigrants who sympathized with slavery,

had never owned slaves and were personally indifferent to its introduction into the Northwest, once they had settled in the new territory. Many who owned slaves hesitated to move into the Northwest until some action on the part of Congress or the state legislatures assured them of the legality of slaveholding.

Doughfaces in the forties, Copperheads in the fifties and the pro-slavery stand taken by Stephen A. Douglas all testify to the fact that the Southern point of view existing with in the Northwest did not disappear simply because slave labor had proven unwelcome and unprofitable.

The force which the pro-slavery argument possessed was political rather than economic. The economic advantages lay wholly on the side of the anti-slavery forces. The markets of the East and South were clamouring for the surpluses which the farmer and small industrialists were producing. Certain geographic factors caused the upper portion of the Northwest to connect itself with the East and Middle States while the southern part of the territory leaned more toward the South. In the former case the alignment was due to the increasing Lake traffic and in the latter case the presence of the Ohio River. That the Northwest as a section was developing a consciousness of its own peculiar unity was quite evident by 1840. It was the fundamental nature of her unity which rose above the intra-sectional diversity that caused the West ultimately to entrust her fortunes to a political union with the East rather than to continue her economic alliance with the South. The abolition pro-slavery clash in



Wisconsin in 1842 was fundamentally no different than the clash of interests between the Virginia clique at Chillicothe, Ohio and the New England federalists led by St. Clair. The advantage in this latter situation rested with the Virginia republicans whose position was constantly being reinforced by Virginia stock. The emigrants from Kentucky and Missouri who had settled in northern Illinois and southwestern Wisconsin were but an island of immigrants in a widening sea of German, Irish, New York, and New England settlers. Nature had set the physical limits in which the southern point of view could be advanced safely and sanely.

## Chapter V

### THE EVOLUTION OF BLACK CODES ON FREE SOIL

Black Codes, whether in Ohio and Illinois or the slave-holding states of the South, were deliberately designed to degrade and to take advantage of every misfortune of the free Negro. The rigor with which they were applied varied somewhat in proportion to the number of colored people within the State. In the states of the Northwest Territory the severity of the Black Codes ranged from the stringent pronouncements of the Ohio Legislature to the absence of such a code in Michigan. Foregoing pages have been devoted to a discussion of how the supporters of slavery in the Old Northwest had devised a system of indenture by which Article Six of the Ordinance of 1787 might be rendered ineffective. It has also been pointed out how Congressional action on pro-slavery memorials and petitions tended to reaffirm the anti-slavery stand taken by Congress in that document. Although Congress, after 1787, looked forward to the future exclusion of slavery it continued to recognize the increasing numbers of slaves in the Northwest Territory and made no inquiry into the nature of indenture laws and practices. Once territorial organization had given away to statehood, the problem of the black population was left to the state legislatures and state courts. A few persons who supported the state constitutions of the Northwest merely regarded their anti-slavery clauses as outward evidence of conformity to the Ordinance and looked forward to the time when

the state would decide the slavery issue for itself. The evolution of Black Codes on free soil was a logical development in the transition from slavery to an unconditional state of freedom.

The Black Codes of Ohio and Illinois offer a study in contrasts for the circumstances which produced them were quite unlike. Neither code should be regarded as typical of the Northwest, as a matter of fact, some of the provisions in these codes were identical with restrictive clauses in southern codes. What the Black Codes of Ohio and Illinois do reveal is the effort which was directed toward regulating every aspect of the free Negro's life. It is from this angle that the codes of Ohio and Illinois present such striking contrasts. From the beginning, the Ohio Black Laws were aimed at ridding the state of its free black population. The Illinois Code, on the other hand, was designed to perpetuate a system of involuntary servitude which would stabilize the labor supply and only in time was it directed toward curbing black immigration. Ohio, while still a part of the Northwest Territory, had experienced the pro-slavery agitation led by officers of the Virginia Military Reserve, but the actual evolution of her Black Code came after statehood. In contrast, Illinois supporting slavery from the days of French occupation, had inherited her system of indenture from Indiana Territory and secured a free constitution by a narrow margin in 1818 only to have it hotly attacked by pro-slavery forces in 1824. Thus the foundation of the Illinois Black Code reached even

beyond the Northwest territorial period. Again, the location of Ohio made her the goal of escaping slaves. Illinois, however, was not situated in the direct line of slaves fleeing bondage. Another point of contrast is that indentured servants as well as free Negroes were victimized by the Illinois Code.

The State Constitution of Ohio, adopted in 1802 under the direction of Virginia republicans and New England federalists alike, contained the following provisions respecting slavery;

Article 7, Sec. 5...but no alteration of this constitution shall ever take place so as to introduce slavery or involuntary servitude into this state.

Article 8, Sec. 2...there shall be neither slavery nor involuntary servitude in this state, otherwise than for the punishment of crime, whereof the party shall have been duly convicted; nor shall any male person arrived at the age of twenty-one years or female arrived at the age of eighteen years, be held to serve any person as a servant, under pretense of indenture or otherwise, unless such person shall enter into such indenture while in a state of perfect freedom, and on condition of a bona fide consideration received, or to be received for their service, except as before excepted. Nor shall any indenture of any Negro or mulatto hereafter made and executed out of the State, or if made in the State where the term of servitude exceeds one year, be of the least validity, except those given in the case of apprenticeships. 1

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Patterson, The Constitution of Ohio, pp. 88, 90.

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This second clause was probably introduced in order to prevent indentures from defeating the anti-slavery provision of Article Eight. Two years following the adoption of the first Ohio Constitution, a law was enacted by the legislature which became the cornerstone upon which the Black Code was ultimately constructed. A year earlier Governor Harrison and the

Judges of Indiana Territory had enacted a law which became the basis of the indenture system that carried over into the states of Illinois and Indiana.

For Ohio to have adopted a free constitution in 1802 and to have launched the first of a series of restraining Black Laws two years afterward demands attention. First, it should be remembered that the anti-slavery clause inserted in the Ohio Constitution had been adopted in committee by a bare majority of one vote. Some who had voted against the proviso believed that when statehood was achieved a state could provide for slavery on the theory that slavery was a state institution with which Congress had no power to interfere. Among this group probably were to be found the pro-slavery Virginians of Ross County who having failed to secure a modification of the anti-slavery proviso of the Ordinance looked forward to the adoption of a state constitution permitting slavery. Another reason why Ohio in 1802 furnished small opposition to the pro-slavery forces was a general unwillingness to do anything which would destroy their business relationships with the South. Caleb Atwater, early historian of Ohio, in 1838 was still of the opinion that;

...as a state it is our interest, in Ohio, to have slavery in the slave-holding states for a century yet; otherwise our growth would be checked. The broad and deep streams of wealth, numbers, enterprise, youth and vigor of the slaveholding states, now rolling into Ohio like mighty floods, would be stayed. 2

By 1804 a noticeable change in public sentiment was taking place in Ohio. Not so much in respect to the admission of slavery as to the problem of free blacks within the state. In time the whole issue respecting the admission of slavery was submerged in the more pressing issue of black immigration. The rapid growth of the state's population was evidence that immigration did not depend upon a slavery proviso. From this point on the pro-slavery arguments began to lessen and men who had supported the free constitution saw no inconsistency in endorsing the Black Code.

Manumitted slaves whose masters chose the free soil of Ohio upon which to settle them, account for a large part of the early hostility directed toward free Negroes. In 1804, few free Negroes resided in Ohio. North Carolina had spread alarm in the free west in 1795 by requiring free Negroes to post bonds or leave the state on penalty of being enslaved. This tended to encourage masters who manumitted their slaves to transport them to free territory. Ohio had no desire to become the dumping ground for these victims of southern benevolence, thus the act of 1804 was aimed to safeguard against an influx of black immigrants. It was the act of alarmists, but in time, increased Negro immigration appeared to justify their action. The act of 1804 was supplemented in time by other acts so as to discourage free Negroes from settling in the state and to hasten the departure of any who lingered on in the state.

The black settlement in Brown County will illustrate how the free black population of Ohio increased and in time

became a public burden. Samuel Gist of London had owned lands in Hanover, Amherst, Goslin and Henrico counties, Virginia. These extensive holdings were worked by more than a thousand slaves. Gist, who died in 1815 without ever having visited his estates, willed them to his daughter and his slaves. By the terms of the will the slaves were to be freed, transplanted to free soil and provided with teachers, schools and churches. Out of their patrimony, 2,322 acres of land were purchased in Brown County near Georgetown and Fincastle, Ohio, and nine hundred free Negroes arrived at the settlement in June 1818. The lands were swampy and valueless and soon the Negroes were in poverty. Public charities alone prevented the complete destruction of the community. Not all settlements of

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<sup>3</sup>  
History of Brown County, (Ohio), pp. 591-592.

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free Negroes experienced the misfortunes of the Brown County settlement. A striking contrast was furnished by the twenty families of mulattoes who settled in Darke County, Ohio, on August 10, 1836. These families arriving from the vicinity of Raleigh, North Carolina, were provided with farm lands and soon developed a prosperous community. The settlers in south-

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<sup>4</sup>  
MS. Records of the Bass-Goins family (Richmond, Indiana) This community still exists with some of the original lands in possession of fourth generation descendants.

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ern Ohio were well acquainted with the character of free blacks and such wholesale migrations as that of the Gist Negroes were disconcerting to a people who regarded slavery as a necessary

evil in the South but who wanted none of its tenacles to reach the free soil of Ohio.

Thus did hostile attitudes develop within Ohio almost from the moment of statehood. Although the immigration of large numbers of free Negroes was a matter of conjecture in 1804 the legislature in that year passed a law patterned upon the provisions of the North Carolina law of 1795. By a vote of nineteen to seven the House of Representatives passed an act requiring Negroes and mulattoes entering the state of Ohio to present certificates of freedom issued by some court of the United States. Negroes already residing in the state were required to register before June 1, 1804. Any person employing a Negro who could not produce freedom papers or prove that he had registered within the time limit was liable to a fine and the payment of fifty cents a day to the master to whom the slave owed service. Negroes arriving in the state with freedom papers were given two years to register. An additional fine was levied against anyone guilty of aiding runaway slaves. On January 25, 1807, the

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<sup>5</sup>  
Acts of the State of Ohio, 1st session, 2nd General Assembly, pp. 63-66.

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Black Code was made more severe by the passage of an act demanding that each Negro settling in the state post a bond of five hundred dollars signed by two free holders who were thus made to guarantee the Negro's good behavior and support in the event that he became a dependent. All who failed to comply with the provisions of the law were regarded as pau-



pers under the immediate jurisdiction of the county overseers. Anyone who employed, harbored or concealed persons who had not complied with the provisions of the law were liable to a fine of one hundred dollars or the maintenance and support of such person should they become unable to support themselves. Negroes were further denied the right to be sworn in court or give evidence against a white person.<sup>6</sup>

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<sup>6</sup>  
Acts of the State of Ohio, 1st session, Fifth General Assembly, pp. 53-55. A curious feature of this law was that it made a man permanently responsible for the support of any unregistered servant whom he employed.

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Negroes who had arrived in Ohio prior to the adoption of this new law, being unable to post a bond themselves, found it difficult to induce free holders to sign one in their behalf. Had the law been rigidly applied the majority of free Negroes living in the state would have been driven from her soil. On February 12, 1829, Ohio passed an act to become effective the following March 1, . . . stating that no Negro or Mulatto could receive instruction in the schools of Cincinnati, but all taxes assessed on such person's property should be in the hands of "Trustee and Visitors" who should spend such money on Negro education and for no other purpose.<sup>7</sup> The Negroes of

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<sup>7</sup>  
Acts (Ohio) of a General Nature, 1st session, 27th General Assembly, p. 35.

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of Cincinnati had not then acquired taxable property sufficient to support a school. On the same day as the above act the legislature enacted a law for the Relief of the Poor, but through carefully worded phrases it denied the right of the negro and mulatto to gain legal settlement. Two days prior

to the above acts, Negroes were prohibited from attending  
the common schools of the state.

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<sup>8</sup>  
Acts (Ohio) of a General Nature, 1st session, 27th  
General Assembly, pp. 54, 73.

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By 1830 the Ohio Black Code was being severely criticized by the friends of slaves and free Negroes, both within and outside the state. The editor of the Anti-Slavery Record made the following protest against the law of evidence;

Under the unquittous law, the following case may occur. The life of a man depends upon the admisibility of a witness, who declares he is only one eighth negro. But he is objected to by the counsel as being a mulatto. There is only one person in the world who can decide the question, and that is the witness' mother, who alone can tell whether she herself is one half or one fourth black--and in either case her testimony cannot be received! Surely prejudice against color is the perfection of folly! 9

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<sup>9</sup>  
Anti-Slavery Record, Vol. I, 1835, p. 35.

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Judge William Jay making an inquiry into the nature of Ohio's Black Code regarded it as particularly detestable because it originated not from the fears and prejudices of slaveholders but because it originated on free soil. Governor Giles speaking before a Virginia Convention in 1829 warned that Ohio's law requiring Negroes to post a bond might drive those "unfortunate and deluded people" back upon the South. He believed Virginia should be on the alert to counteract such a move.

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<sup>10</sup>  
Anti-Slavery Record, Vol. I, 1835, pp. 52-54.

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Ohio, however had not completed the task of persecuting black persons. In 1830, an act was passed making Ne-

groes and mulattoes inelegible for militia service. <sup>11</sup> A year

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<sup>11</sup>  
Act of the State of Ohio, 1st session, 28th General Assembly.

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later on February 9, they were denied the right to serve on <sup>12</sup> juries.

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<sup>12</sup>  
Acts of the State of Ohio, 1st session, 29th General Assembly, pp. 94 ff.

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These restrictive measures aimed at reducing Negro immigration did not produce the desired outcome if judged by Federal Census Reports. An increase in the numbers of Negroes residing in Ohio is apparent with each succeeding census:

|      |       |       |      |       |        |    |
|------|-------|-------|------|-------|--------|----|
| 1800 | ----- | 337   | 1830 | ----- | 9,568  |    |
| 1810 | ----- | 1,899 | 1840 | ----- | 17,342 |    |
| 1820 | ----- | 4,723 | 1850 | ----- | 25,279 | 13 |

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<sup>13</sup>  
U.S. Census Report, 1850, table V, p. 853.

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In Cincinnati where the concentration of Negroes was greatest, public opinion became sufficiently hostile to provoke a race riot in 1829. Negroes who had failed to comply with the registration law were ordered to leave the city within thirty days. The time was extended while a committee investigated the possibility of transporting all such Cincinnati Negroes to Canada. Violence broke out at the expiration of sixty days and the majority of the city's two thousand Negro residents were <sup>14</sup> banished or fled.

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<sup>14</sup>  
Steward, "The Banishment of the People of Color from

Cincinnati", Jr. of Negro History, Vol. VIII, pp. 330 ff. So intense was racial feeling in Cincinnati before this outburst that Negroes were denied the right to practice specific trades or become apprenticed in those trades.

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For almost a decade Negroes continued to suffer from disabilities arising out of the operation of the Black Laws. Only an occasional disorder gave evidence that public sensibilities were not completely indifferent to the plight of the free Negro. Mr. S. Weaver, an eastern merchant, went so far as to establish a steam mill in Mercer County so that free Negroes might be employed at a trade. The Philanthropist urged Negroes to take advantage of this generosity and to move out into the country, buy land, seek employment and persuade their sons and daughters to acquire some trade, learn the dignity of labor and become useful members of society.<sup>15</sup> Also at work were the anti-slavery and abolition-

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Philanthropist, May 22, 1838, Vol. I, No. 20.

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ist agencies although they, too, were often the victims of mobs. By 1839 these groups were censoring the state legislature but when their own program began to develop political character they increased their attacks upon the legislative policies of their opponents. In 1839 complaints were made that the legislature was not doing much in relation to abolition. Petitions sent to the legislature received indifferent attention. This was considered ample evidence that the legislators were unwilling to reshape their policies concerning the black people within the state.<sup>16</sup> The actual con-

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16

Philanthropist, Vol. I, No. 51, Jan. 8, 1839.

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firmation of this position is seen in a vote against repeal taken in the House of Representatives on January 15, 1839. Forty-seven voted against the repeal of the Black Code while only sixteen voted for repeal. The last stand

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17

Chaddock, Ohio Before 1850, p. 85.

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of the factions which had promoted the Black Cod was taken on February 11, 1839, when by a House vote of fifty-three to fifteen a drastic fugitive slave law was adopted. This law permitted any master or his agent to recover a runaway slave by securing a warrant from a sheriff for the arrest of the fugitive and bringing him before a court where the claimant had simply to prove his legal right to his property.

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18

Chaddock, op. cit., p. 86.

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No obstacle was placed in the way of the slave hunter. The repeal of this harsh law four years later encouraged the anti-slavery forces to renew their attacks on the entire Black Code.

All temporizing on the Black Code issue had given way to a hostile stand by 1845. By this late date most of the laws were dead letters upon the statute books of the state. Governor Bartly in a message to the legislature in 1845 stated that the spirit of man's religion and philosophy demanded that the laws which unjustly degraded the colored

people of Ohio, be repealed. The 400 slaves of John Randolph settled in Mercer County had aroused the community to mob action. Resolutions protesting against the Negroes had been circulated by the mob. In answer to these resolutions Governor Bartly had issued a proclamation on August 31, 1846 calling upon the law enforcement agencies of Mercer County to protect the blacks and their property. An editorial of

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19

Non-Slaveholder, Vol. I, No. 12, p. 192.

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1846 announced that;

Public sentiment in this state is rapidly undergoing a change in reference to what are generally known as Black Laws. The more thoroughly they are understood the more rapid will be this change--at least in reference to some of them. The notorious fact that many of them are dead letters--those that require Negroes to have certificates of freedom--inflict a penalty for hiring a black--require a bond of \$500 for good behavior, on entering the state etc--is in itself an argument in favor of this modification or repeal; for the retention of unexecuted laws on our statute books, has a tendency, to diminish respect for all law. 20

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Anti-Slavery Bugle, Vol. I, No. 24, Jan. 2, 1846.

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The anti-slavery Whig party made the first feeble effort to carry the repeal of the Ohio Black Code. Their political enemies contemptuously remarked that their efforts had been devoted to the more important business of taxing dogs and protecting graveyards! When the House vote was taken on the postponement of the bill to repeal the code, twenty-five of the forty Whigs voted in favor of postponement. Fifteen Whigs, supported by five of the twenty-one Democrats in the legislature, voted to take up repeal. Although the

Whigs had a majority in both branches of the legislature the bill was indefinitely postponed by a House vote of thirty-five to twenty-seven.<sup>21</sup>

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Anti-Slavery Bugle, Vol. I, No. 31, Feb. 20, 1846.

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The elections of 1848 returned to the Ohio legislature men who brooked no halfway action on the problem of free Negroes. Salmon P. Chase in the Senate and Joshua Giddings in the House were the vanguard of the repeal movement. Chase, a Cincinnati lawyer had viewed the race riots and the violence against abolitionist presses in Cincinnati with grave concern. He had played a prominent role in the organization of the Liberty Party and was the acknowledged spokesman of abolition forces in southern Ohio. Giddings, a northern Ohio abolitionist, had once been threatened with proscription by the Whigs because of his outspoken views on slavery.

Not only were Ohio's Black Code and Fugitive Slave Law injurious to the interest of her black population but they were rapidly proving to be a subversive threat to the interests of freemen. It was when the liberties of white men became jeopardized by the operation of these laws that the cry for repeal grew loudest. Outrages against abolitionists or their property, the penalties for violations of these laws, the demands of the southern states upon Ohio to assist in the return of fugitives, all showed clearly that the liberties of free men were being invaded. This new danger encouraged the anti-slavery forces to draw closer together that they might meet this unwelcome pressure.

The origin of the Illinois Black Code must be sought among the legislative acts of Indiana Territory. The territorial laws respecting black and mulatto servants were the basis of the indenture system practiced in Illinois prior to her separation from Indiana Territory in 1809. A series of acts had been adopted providing that all contracts between master and servant executed during the time of service were void; masters allowing any sick or lame Negro to become a public charge were liable to a fine of thirty dollars; servants were denied the performance of militia service, to have bail when arrested, to assemble unlawfully, to travel beyond their respective residence without a pass; any slave refusing to render service after entering the territory was liable to removal and sale in a slave state.<sup>22</sup> When in 1818, Illinois

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<sup>22</sup>  
Laws of Indiana Territorial, 1801-1809, First and Second General Assembly, pp. 136-657, passim.

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entered the Federal Union the forces favoring slavery rejoiced in the "free" constitution which permitted the continuation of the old system of indentures. The Constitution of 1818 provided that neither slavery nor involuntary servitude could be introduced into the State except for the punishment of crimes whereof the party had been duly convicted. No male of twenty-one years, nor female of eighteen years of age could be held to an indenture unless it had been made in a perfect state of freedom upon a bona fide consideration. No indenture made outside or within the state could have the least validity beyond the term of one year, except in the case of appren-



23  
ticeships. This limitation of indentures of one year made

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23  
Constitution of 1818, Art. VI, Sec. 1.

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it possible to secure perpetual service by forcing each servant to renew his indenture annually. At the second session of the Legislative Assembly the greater number of Indiana territorial laws respecting indentures were adopted. In addition Negroes were forbidden to settle in the state unless producing a certificate of freedom and it was declared illegal to bring slaves into the state for the purpose of manumission. In a message to the legislature delivered at Van-

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24  
Laws of Illinois, March 30, 1819, Second Session, First General Assembly

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dalia, December 1822, Governor Coles declared that;

justice and humanity require of us a general revisal of the laws relative to Negroes, in order the better to adapt them to the character of our institutions and the situation of the country. 25

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25  
Alvord, "Governor E. Coles," Ind. Hist. Coll., Vol. XI, Bio. series, Vol. I, p. 57; Genius of Universal Emancipation, No. I, Vol. III, July 4, 1823.

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Coles' appeal failed to arouse the anti-slavery forces and it was with utmost effort that the pro-slavery party was prevented from calling a constitutional convention in 1824 to legalize slavery. A speech by a member of the Illinois Senate in 1829 showed how emphatic was the opposition to the free Negro:

Their residence among us, even as servants,...is productive of moral and political evil.... The natural difference between them and ourselves forbids the idea that they should ever be permitted to participate with us in the political affairs of our government. 26

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26

Senate Journal, (Illinois), 1828-29, p. 182.

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In 1837 the Legislature adopted joint resolutions condemning abolition. Two years later the Illinois delegation in Congress gave solid support to the gag resolution permitting the tabling of petitions and memorials respecting slavery in the District of Columbia and territories of the United States. This period was probably the high peak of pro-slavery agitation in Illinois. It was also the period when the anti-slavery efforts of Lundy, Garrison, Embree and Eastman were beginning to be felt throughout southern Illinois. Editor Eastman employed the Genius of Liberty in keeping before the public the disgraceful nature of the Black Code. Through its columns he sought information which could be used as evidence of the evils arising from these laws. Nor was the

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Harris, Negro Servitude in Illinois, p. 139.

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Genius alone in carrying on the attack against the Black Code. The numerous publications of the Anti-Slavery Society lashed at these enactments continuously. The State Convention of the Liberty Party held in Chicago, May, 1842, adopted as one of the planks of their platform, the repeal of the Illinois Black Laws.

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28

Harris, op. cit., p. 148.

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Two of the proposals offered in the Illinois State Constitutional Convention of 1847 were to restrict citizen-

ship to white persons and prohibit free persons of color from immigrating to and settling within the state. Accordingly, by Article XIV of the new constitution, the legislature was empowered to enact laws at its first session, which would effectually prohibit free persons of color settling in Illinois. In spite of anti-slavery protests this article was adopted by a majority vote of 28,182. The public repudiated the right of Negro suffrage and militia service by a majority vote of 44,028.

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<sup>29</sup>

Harris, op. cit., p. 235.

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In February 1853, the Illinois legislature adopted the most infamous of all her Black Laws. Logan's Law forbade free Negroes to come into the State under penalty of a fine of fifty dollars, or sale by the county sheriff to whom ever would pay the fine and costs of the arrest and sentence.

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<sup>30</sup>

Laws of Illinois, Feb. 12, 1853, "An Act to Prevent ..." Sec. 1-9, pp. 57-60.

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The state constitution of 1862 continued the principle of Logan's Law. It was not until 1865 that the Black Laws of Illinois were actually stricken from the statute books. They

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<sup>31</sup>

Laws of Illinois, Feb. 7, 1865, "An Act to Repeal ..." Sec. 16, p. 105.

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had stood upon the statute books for forty-six years in spite of the efforts to secure their repeal. It should be mentioned to the credit of the anti-slavery forces that test cases arising under the law of 1853 did show a trend in the direc-

tion of ultimate repeal. The actual qualified condition of slavery in Illinois ended in 1845 by a Supreme Court decision in the case of Jarrot vs Jarrot.<sup>32</sup>

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<sup>32</sup>

See Chapter III quote 48.

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In Illinois as in Ohio the more active centers of anti-slavery and abolitionist activity were located in the central and northern portions of the state. The repeal movement in Illinois accompanied the advance of the slavery issue to the national stage. The early justification for the Illinois Black Code was that it provided the basis on which a necessary labor supply was maintained. After the passage of Logan's Law this argument was supplemented by the defense that white labor needed to be saved from the competition of free Negroes immigrating into the state. The problem of the runaway and fugitive did not affect Illinois until rather late, but when the problem did arise it was dealt with in the same manner employed earlier by Ohio. The local sentiment encouraging the repeal of the Illinois Black Code coincides with the growing national consciousness of the evils of slavery. The war with Mexico, The Compromise of 1850, the Wilmot Proviso, the Kansas-Nebraska Bill, the rise of the Liberty and Free Soil Parties were obscuring the local aspects of the slavery conflict in the Old Northwest. The Lincoln-Douglas debates of 1858 showed clearly that the slavery issue had been carried beyond the limits of the state of Illinois. In 1787 no force had arisen to question the right of Congress to legislate for the territories of

of the United States. The opening up of new territories caused the forces of slavery to challenge the right of Congress to create "free" territory by legislative action. But even as they awaited the outcome of the issue the anti-slavery forces, opposing any extension of the Cotton Kingdom, hastened to prepare the territories for freedom. The story of the struggle for the extension of slavery into the later territories of the United States does not fall within the limits of the present study.

## Chapter VI

### ANTI-SLAVERY AND ABOLITIONIST ACTIVITY IN THE OLD NORTHWEST

It has been observed that pro-slavery sentiment existing in the Northwest Territory after 1787 was in part a carry-over from the period of French occupation and in part the result of southern immigration. The opinions held by emigrants from the South who supported slavery clashed with those of emigrants who were opposed to its extension in the free West. Men who were anxious to found new homes for themselves had no desire to have labor cheapened by the importation of slaves. These diverse views conflicted first, in the territorial legislature; second, in the state constitutional conventions, and finally in the state legislatures and courts. The pro-southern point of view was reinforced by northern men of southern principles who believed that some form of servitude was necessary to attract immigration into the western states. Economic ties resulting from the presence of the Ohio-Mississippi river system encouraged the South to vie with the East for ascendancy in the West. Other circumstances which combined to give the Ohio Valley a pro-southern outlook were that many did not oppose slavery except as a practice within their own states, others were willing to accept whatever modified views of slavery were necessary to preserve the economic balance between West and South. Although these forces were at work in the southern portion of the territory, it should not be implied that the region was predominantly pro-

southern. The general sentiment against slavery, indentures or Black Codes could not be justified on the basis of the numbers of Negroes who suffered through such restrictions. At no time did the number of slaves north of the Ohio justify the conflict which their presence inspired. Their defenders recognized no dividing line between free and slave territory. Anti-slavery sentiment was never confined to emigrants whose social origins derived exclusively from New England and the Middle States. Many Quaker emigrants from the Carolinas and Virginia and non-slave holding agricultural families such as the Lincoln stock from Kentucky, had removed to the northwest in order to escape the competition and presence of the slave regime. In an era when the Cotton Kingdom began to expand these families found themselves crowded into the barren hill country by patriarchial Cotton Kings and their retinues of slaves. The small farmer moved on to southern Illinois and Indiana only to find that the lords of the Cotton Kingdom desired those lands as well as the rich lands of the South.

It is important to understand the forces which motivated the anti-slavery and abolitionist activity of the Old Northwest. Would the small numbers of slaves in the territory have inspired these efforts? Would the self-interest of emigrant slave holders have aroused the protest? These questions suggest the more obvious explanations which lie back of the Northwest's anti-slavery and abolitionist activity. The less conspicuous factor is the urge which induced the emigrant to defend the old social pattern which he had car-

ried to his new home. The new environment modified the social traditions of the western pioneer but it did not destroy them. The views held by New England settlers in the Ohio Valley presented a striking contrast to those of their southern neighbors even after the first impact of frontier life began to wear away. According to the 1850 Census of the inhabitants born in other states but living in Ohio, Pennsylvania furnished twice as many as any other state, while Virginia furnished twice as many as Massachusetts and Connecticut combined. While it would be unfair to call these people southerners, yet it must be admitted that a generation of residence north of the Ohio had not destroyed the body of southern sentiment which they had brought with them. Slavery was not the least of those views which bound the lower West and South. This kinship of ideas was not peculiar to southern emigrants; it was similarly true of emigrants from New England and the East. Inherent within the common body of New England cultural traditions was a general repugnance to slavery and it prevailed wherever New England pioneers were to be found, whether in the lands of the Ohio Company, the Western Reserve or Michigan Territory. These surviving climates of opinion respecting the practice of slavery produced the friction, which when properly intensified, propelled the Northwest along its anti-slavery and abolitionist course. The forces which intensified the already existing slavery conflict in the Northwest were marshalled outside the region. Among these forces were the fugitive slave law passed by Congress in 1793, the growing conviction that the



problem presented by the slave could be solved by removing him to Africa and the dawning belief that slavery was a moral issue. The Northwest possessed sufficient individualism to interpret in terms of her own interest the issue of slavery. The impact of outside forces together with the hostile currents of slavery opinion within the Northwest gave her a prominent part in making slavery the great national political issue.

Frederic L. Turner believed that it was because the Mississippi Valley offered an area of expansion that slavery became a force in American history and struck the dominant political note heard in the Missouri Compromise of 1820, the Kansas-Nebraska Bill, the Dred Scott Decision and in "bleeding Kansas."<sup>1</sup> Potentially the Northwest held the

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<sup>1</sup> Turner, The Frontier in American History, p. 201.

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balance of power between the East and South. As the slavery issue came more and more to dominate the national stage, the position which the Northwest would assume on the issue was all-important. There were economic arguments for a union between West and South yet the fundamental unity of the whole northwest territory outweighed any intra-sectional particularism. The more intense the abolition, free soil, colonization society or anti-slavery activities became the more accentuated did the pro-southern character of the West become.

At the outset it should be understood that anti-slavery and abolitionist activities were not directed toward

a common goal nor did they employ similar lines of attack. The American Colonization Society, the Union Humane Society, the Liberty Party, the abolitionist, the disunionists, the manumission and the anti-slavery societies were all opposed to the existence of slavery, but where the Colonization Society believed the removal of all blacks to Africa to be the solution of the problem, the radical disunionists urged the free states to withdraw from a union with slaveholders. The abolitionist on the other hand wanted nothing less than the unconditional dissolution of the entire system of slavery. It is in their broadest meanings that the anti-slavery and abolitionist activities within the Northwest will be discussed here.

Previously observed was an expression of anti-slavery sentiment in the Ohio Constitutional Convention of 1802 which found support among Virginia Republicans and New England Federalists alike. Also observed were the Quakers of the Miami Monthly Meeting who in 1805 were directing their attention to the welfare of the colored people in their locality. In 1806 slave catchers from Kentucky had failed in an attempt to seize a slave named Ben living at Cleveland in the Western Reserve. Major Lorenzo Carter, who had cared for Ben, perhaps expressed a sentiment common to early Ohio when he said, "I hate Negroes, and do not want them around me," yet he had not turned his back upon a black man who sought shelter and protection. <sup>3</sup> An Ohio law adopted in 1804

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Whittlesey, Early History of Cleveland, p. 339.

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was further evidence that public sentiment was not wholly favorable to the presence of Negroes within the state. This law as already pointed out became the cornerstone of the Ohio Black Code. The men who were willing to befriend the Negro had not taken their stand publicly, but the time was not far off.

Two circumstances existing quite outside the Northwest had generated the earliest anti-slavery agitation within the territory. The first trans-Appalachian frontier had been settled by Virginians who filtered into the Monogahela Valley of western Pennsylvania during the 1750's. After Pennsylvania passed a general emancipation law in 1780 many of these settlers moved on to Kentucky where slave holding was yet legal; for the Blue-Grass country was then within the limits of Virginia.<sup>4</sup> The exodus of these Scotch-Irish

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<sup>4</sup> Alfred P. James, "First English-Speaking Trans-Appalachian Frontier," Mississippi Valley Hist. Rev., Vol. XVII, p. 55.

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pioneers had been preceded by a movement of Quakers from eastern Pennsylvania toward Maryland, Virginia and the Carolinas.<sup>5</sup> These two streams of immigration were to meet later

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<sup>5</sup> Jones, The Later Periods of Quakerism, Vol. I, pp. 386-388.

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in the Ohio Valley. The Virginians, who had moved to Kentucky from Pennsylvania, probably received a rude shock during the Kentucky Constitutional Conventions of 1792 and 1799. The anti-slavery forces operating through religious groups

struggled to give Kentucky a free constitution. Although they failed in their first efforts by a margin of twenty-six to sixteen votes, the Baptist, Presbyterian and Methodist insurgents forced the adoption of provisions which helped to mitigate the lot of slaves. As a result the constitution did not prohibit manumission and masters were obligated to treat their slaves with humanity. In 1808 the Baptist Licking-Locust Association and Friends of Humanity organized the Kentucky Abolition Society, the first distinctly anti-slavery organization in Kentucky. The latter society had been formed in 1807 when eleven Baptist clergymen and thirteen laymen signed articles of agreement protesting against slavery.

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Coleman, Slavery Times in Kentucky, pp. 290-293.

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These events occurring in Kentucky were not without their importance as settlers began to migrate northward across the Ohio. Early issues of the Scioto Gazette contain notices of the manumission and abolition societies which were active in the vicinities of Lexington and Danville, Kentucky.

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Scioto Gazette, April 3, 1802; 1803-1804.

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of southern Illinois, was an ordained Friend of Humanity Baptist Minister. The parents of Abraham Lincoln belonged to one of the churches of the Kentucky Licking-Locust Association, Friends of Humanity. Cassius M. Clay of Madison

County, Kentucky, was not without his anti-slavery following north of the Ohio. James G. Birney, whose career will be discussed presently, worked in Kentucky before coming into the Northwest. Henry Clay of Kentucky, who wooed the West with a program of internal improvements, became president of the American Colonization Society in 1836. The forces which were to set in motion the anti-slavery activities of the Northwest were rising among the Quakers of the south Atlantic seaboard and the Virginia stock now in its second generation along the Kentucky frontier. New England was to stimulate the same sort of anti-slavery activity along the upper lake region but in point of time she followed the advance guard of the South. The Cincinnati-Danville anti-slavery axis which was engineered by Theodore Weld and James Birney in 1835 had completely broken down by the time that a territorial abolition society was formed at Milwaukee, Wisconsin in 1844. The whole anti-slavery agitation in the upper Northwest failed to produce the violence that marked the progress of the crusade in the lower West.

William L. Garrison, Levi Coffin, Elihu Embree, James G. Birney, Benjamin Lundy, Arthur and Lewis Toppan, Elijah P. Lovejoy, the Grimké sisters and Maria Chapman are well known for their anti-slavery connections. The careers of these men and women struck a responsive chord in the sentiments of the Old Northwest. Some of them at least were drawn into the very maelstrom of events that transpired north of the Ohio after 1820. As a group these better known crusa-

ders tend to eclipse the work of the smaller circle of zealots which included Charles Osborn, Marius Robinson, Thomas E. Thomas, Elisha Bates, Robert Bishop, Stephen Foster and Abbey Kelley Foster, Zebina Eastman and others. It is to this group that our attention is now directed and to the former only when their work is directly concerned with the course of the anti-slavery and abolitionist movement in the Northwest.

Some measure of the character of western anti-slavery and abolitionist activities will be reflected in the numerous periodicals and journals published within the Northwest and devoted to the cause of or opposition to slavery. Accounts of the western organizations frequently found their way into the anti-slavery papers published in the East and South. Another profitable source of information is the annals of the various religious organizations. Presbyterian, Congregational, Baptist, Quaker, and other religious sects were unable to remain aloof from the slavery issue. Institutions of higher learning such as Miami University, Lane Seminary and Oberlin College became hot beds of activity. Finally there were the auxiliaries of the societies whose objectives varied from the amelioration of the slave's condition to the absolute extinction of slavery. Much of this organized activity emanated from Ohio and in turn Ohio's enthusiasm infected the whole of the Northwest.

Charles Osborn, a Quaker born in North Carolina, migrated at an early age to Tennessee where in 1814 he became active in the organization of emancipation societies. In

1816 Osborn moved to Ohio and in 1817 began to publish the Philanthropist at Mount Pleasant. This weekly publication was the first journal in the United States advocating immediate and unconditional emancipation of slaves. The first

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8

Chaddock, Ohio Before 1850, p. 90.

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issue of the Philanthropist made its appearance on October 24, 1817. In 1818 Benjamin Lundy became the assistant editor. From 1818 until 1821, the date of its suspension, the Philanthropist was published by Elisha Bates. The Philan-

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This publication should not be confused with the Philanthropist published from January 1836 to March 1840 by James G. Birney. Cf Annotated Catalogue of Newspaper files in the Library of the State Historical Society of Wisconsin.

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thropist adopted as its slogan the phrase, "The Public sentiment should be improved and refined, till man, in every situation, becomes a friend of man."

Founded in the same year as the American Colonization Society the Philanthropist devoted considerable space to the program and aims of that body, often reprinting from the National Intelligencer items respecting its activities. That the society's suggestion for transporting free Negroes back to Africa met some approval in the West was evidenced by the fact that a meeting was called at St. Clairville, Ohio, October 18, 1817, for the purpose of forming a western auxiliary to the American Colonization Society. In the

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Philanthropist, tenth month, 10th 1817, p. 38.

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same issue editor Osborn expressed the hope that the public would contribute to the usefulness of the Philanthropist by forwarding such matters as "may apprehend with comfort" the editors views. The paper gave its approbation to Tallmadge of New York who offered reasons why the Congregational resolution to admit Illinois into the Union in 1818 should not pass. The resolution had been read before the House a third time when Tallmadge protested on the grounds that the proposed Illinois constitution did not sufficiently prohibit slavery. <sup>11</sup>

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<sup>11</sup>

Philanthropist, No. I, Vol. I, p. 6.

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The New York Manumission Society highly approved of the stand taken by Tallmadge. His action was but a prelude to his participation in the Missouri question. An article appearing in the Belmont Journal (Ohio) was brought to the attention of the Philanthropist readers. The author of the article observed an "Inconsistency of conduct and dereliction of principle, which ought not to have been..." present in the votes cast in Congress on the subject of slavery. On the question of prohibiting slavery in Missouri, General Harrison voted for slavery and Representatives Beecher and Cambell of Ohio voted against it. On the final vote respecting Arkansas Territory Harrison, Beecher and Cambell voted for slavery. <sup>12</sup>  
This "defection" of opinion was roundly condemned.

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<sup>12</sup>

Philanthropist, No. XIV, Vol. I, p. 213.

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In 1819 the issues of the Philanthropist were again



flooded with news of the Western Colonization Society. The Reverend Mr. Mead, agent of the society, wrote from somewhere in the South that there was in the care of a certain kindly gentleman a parcel of Negroes for whom he would undertake on the morrow to raise funds for their transportation to Africa. <sup>13</sup> A letter to Robert G. Harper appears in the

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<sup>13</sup>

Philanthropist, June 2, 1819, p. 131.

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issue of September 25, 1819, by a writer who signs himself "An Enquirer." He goes to great length to show how the object of the Colonization Society was unattainable. His argument was based largely upon the evidence furnished in the society's annual report. Negroes themselves were numbered among the opponents of the colonization scheme. They opposed the scheme because the cultural ties which bound them to Africa had been destroyed. On December 12, 1819, Editor Bates reprinted from Niles' Weekly Register a protest of the Negroes of Philadelphia, Pennsylvania against the colonization of colored people. <sup>14</sup> Additional reverberations from

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<sup>14</sup>

Niles' Weekly Register quoted in the Philanthropist, No. 7, Vol. 3, p. 102.

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the east central portion of Ohio reflect a spread of the state of mind held by the writer in the Belmont Journal who deplored the wavering stand taken by Congressmen of the Northwest on the slavery issue. From a county meeting at Steubenville, Jefferson County, went a memorial to Congress "praying the prohibition of slavery and involuntary servitude, except as

a punishment for crime...within any state or territory to be erected or admitted into the Union." Harrison and Belmont counties joined in the Jefferson county petition because they too objected to the strong efforts recently made to tolerate slavery north and west of the Mississippi.

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<sup>15</sup>  
Philanthropist, No. 10, Vol. 3, first month, 1820, p. 145.

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A reprint of an article appearing in the National Intelligencer indicates that the gathering anti-slavery forces in Ohio were ready in 1819 to challenge a proposed Ohio Constitutional Convention which contemplated a repeal of the clause in the Constitution of 1802 prohibiting the introduction of slavery. Commenting on the matter the editor of the Philanthropist expressed grave doubts that the convention would have any other object than an attempt to fasten slavery upon Ohio. In December, 1819, the editor at-

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<sup>16</sup>  
Philanthropist, seventh month, 3, 1819, p. 191.

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tacked a southern apologist for slavery who asserted that the evil was entailed upon the South by its ancestors. Recalling that the same evil was entailed upon Massachusetts who rid herself of the burden, the editor felt that a similar course was open to North Carolina.

A great deal of public interest was directed to the Missouri Question. The issues of the Philanthropist from December 1819 through the early months of 1820 are filled with the speeches on the Missouri Question which were deliv-

ered in Congress by Senator King and Representative Taylor of New York. In the midst of these debates Meigs of New York offered a resolution in the House providing for the appointment of a committee to inquire into the expediency of converting the public lands into a fund to employ naval force to annihilate the slave trade, to emancipate slaves and repatriate them to Africa!<sup>17</sup>

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<sup>17</sup>  
Philanthropist, No. 10, Vol. 3, first month 1, 1820, p. 274.

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On April 1, 1820, the Philanthropist announced that the supplies being solicited for the destitute people of color in Brown County would be shipped to them by boat after the fifteenth of that month. The editor hastened to correct the story then being circulated that the people were not in great need of necessities. The following week the paper announced the receipt of 290 pieces of clothing from the women in the vicinity of Smithfield, Ohio. The issue of May 27, 1820, reports the arrival of the boat Friendly Supply at Ripley in Brown County. The black settlers of Brown County occupied some 2200 acres of land, more than half of which was wet and unfit for cultivation. The remaining 1000 acres were tillable and given tools and seeds with which to work the community promised to survive. A small school was kept by a man of color for colored children. During this same spring a white man had kidnapped a girl child from the settlement and carried her into Kentucky. The Governor of Ohio

attempted to extradite the man but under the laws of Kentucky he had already been sentenced to seven years imprisonment.

The child was returned and editor Bates freely applauded

<sup>18</sup>  
Kentucky's action. A year later friends of the Negro in

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18

Philanthropist, fifth month 27, 1820, p. 75.

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Ohio purchased lands in the Sandusky plains and planted crops in preparation of the arrival of a company of Negroes from Virginia. White persons living in the region attempted to prevent the immigration by resorting to force and circulating stories to the effect that economic independence on the part of free Negroes would lead to a desire for racial inter-  
<sup>19</sup>  
marriage.

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19

Philanthropist, sixth month 2, 1820, p. 76.

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The Union Humane Society, founded in Ohio in 1816, was active in behalf of the slave because "prejudice of deep root [are] cherished among us, and laws of questionable policy and gross injustice are to be found in our statute books."  
<sup>20</sup>  
In 1820 a reader of the Philanthropist sent to

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Philanthropist, sixth month 17, 1820, p. 122.

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Bates for publication a draft of the address stating the purpose of the Union Humane Society. The impetus for the founding of this society had been provided by Benjamin Lundy. The son of Quaker parents, Lundy was born in New Jersey in 1789. A saddle maker by trade, he moved to Wheeling, Virginia, in 1808 and there viewed with misgivings the inter-

state traffic in slaves. Finally he moved to St. Clairsville, Ohio, in 1815 and the following year was instrumental in organizing the Union Humane Society.<sup>21</sup> His career as

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<sup>21</sup>  
D. A. B., "Benjamin Lundy," Vol. XI, p. 506.

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as a journalist was made distinguished as assistant editor of Osborn's and Bates' Philanthropist and later as editor of the Genius of Universal Emancipation.

A curious conflict arose among the editors of several Ohio newspapers respecting the advisability of advertising runaway slaves in the columns of their newspapers. The Scioto Gazette had long advertised runaways and at the same time printed statements condemning the principle of slavery.<sup>22</sup> Mr. Wilson of the Western Herald and Steuben-

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<sup>22</sup>  
Scioto Gazette, January 23, 1802; cf footnote 26, Chapter II.

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ville Gazette refused to accept such advertisements, Mr. Bailhache of the Scioto Gazette condemned Mr. Wilson. Elisha Bates took sides with Wilson in the condemnation of the Scioto Gazette's "spirit of the slaveholders."<sup>23</sup>

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<sup>23</sup>  
Philanthropist, ninth month 16, 1820, p. 310.

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Even the advertisements in the columns of the Philanthropist tell the story of the increasing activities of the anti-slavery faction. The publication of Elihu Embree's Emancipator at Jonesboro, Tennessee, was first announced on

May 27, 1820. The death of Embree in 1821 drew a humble eulogy from Bates. The Abolition Intelligencer and Missionary Messenger published in Shelbyville, Kentucky, was advertised in the columns of the Philanthropist. When in 1821, the Philanthropist was suspended, Bates in his scrupulous Quaker manner announced that all paid up subscriptions would be transferred to the Moral Advocate which would succeed the Philanthropist.

Three other notable anti-slavery publications made their appearance in Ohio between 1821 and 1849. Lundy published a successor of Osborn's and Bates' Philanthropist in 1821 called The Genius of Universal Emancipation. The monthly and later weekly journal was published for a time at Steubenville, Ohio, then removed to Jonesboro, Tennessee, where it was published on the Emancipator press of the late Elihu Embree. From Jonesboro the Genius moved to Shelbyville, Tennessee, and finally in 1824 to Baltimore, Maryland. It was here that Lundy was joined by William Lloyd Garrison whom he met in Boston in 1828. The abolition doctrine of immediatism preached by Garrison clashed with Lundy's gradualism so they parted company, Garrison going on to Washington where he published the Liberator. Benjamin Birney, after having organized the Kentucky Anti-slavery Society in 1835, succeeded in persuading Garrison to include Kentucky within the scope of the national society. Birney then sought to establish an abolitionist journal at Danville, Kentucky. On the eve of the appearance of the second Philanthropist, in

August, 1835, a committee of thirty-three citizens from Mercer County, Kentucky, presented themselves to Birney and warned him not to publish the paper. His flight to Cincinnati prevented a mob from taking his life.<sup>24</sup> It was

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<sup>24</sup>  
Coleman, op. cit., p. 300.

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also the ultimate admission that a Cincinnati-Danville axis was impossible. In January, 1836, Birney established the Philanthropist at New Richmond, Ohio. The following April it was removed to Cincinnati where it became the official organ of the Ohio State Anti-Slavery Society. Within two months time a mob destroyed the offices of the publication. Birney continued to edit the paper until September, 1837. A paper which survived the vicissitudes of strife between both men and principles was the Anti-Slavery Bugle, published weekly from 1845 to 1859, first at New Albany and later at Salem, Columbiana County, Ohio. Under the banner "No Union With Slaveholders" the Anti-Slavery Bugle, as will be discussed later, became a mouthpiece of the Liberty Party.

The American Anti-Slavery Society at times subsidized local publications such as Birney's Philanthropist while at the same time maintaining the Record, Human Rights, Emancipator, Examiner and Quarterly. As they possessed no<sup>25</sup> press they employed various printers to do their work. Their

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<sup>25</sup>  
Barnes and Dumond, Weld-Grimke Letters, Vol. II, p. 494  
Weld to Sarah Grimke, 15 December, 1837.

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agents were urged to circulate the society's publications gratuitously whenever there was a possibility of winning a supporter of immediate abolition. Agents kept alive the local interest by forwarding to the editorial boards items respecting the activities of the local auxiliaries. Receipts into the Treasury of the American Anti-Slavery Society for the period of December 20, 1834, to February 20, 1835, reveal that thirteen Ohio towns and Western Reserve College contributed amounts ranging from one to thirty dollars. A cur-

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26

Anti-Slavery Record, Vol. I, pp. 12, 24.

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ious incident was related in the Anti-Slavery Record for July 1835. A "Report of the Free Colored Population of Ohio" contained an account of the slave husband of a free woman of color residing in Cincinnati. The husband's master agreed to permit the husband to go to Cincinnati to work and buy his freedom. The price was to be paid to the master's son attending Miami University at Oxford, Ohio. After numerous dunnings the man and his family payed the student \$100 at 10% interest and promised to pay the balance of \$50 at 12%.

Until the organization of the American Anti-Slavery Society in 1833 the most enterprising activity had been carried on by the American Colonization Society. Elisha Whittlesey in an address to the Colonization Society at Hartford, Connecticut, stated that the idea for colonizing free Negroes in Africa originated with Dr. Thornton in Washington in 1787.



By 1833 it had become quite clear that the great hopes for the colonization scheme were not materializing. Between 1816, the year of the society's organization, and 1836 fewer than four thousand Negroes had been repatriated. Of the total number of Negroes sent back to Africa between 1820 and 1860 not more than twenty-five percent were born free while the remaining seventy-five percent had been freed for the purpose of expatriation. This latter action arose from the fact that the majority of southern states prohibited manumission unless the free Negroes could<sup>be</sup> removed from the state. The colonization movement received general support in the North and South, among slaveholders and non-slaveholders. These diverse groups were drawn together by the common desire to rid themselves of the free black population. Some slaveholders welcomed a plan to free themselves of slaves. Free states welcomed colonization because it would prevent free Negroes from being settled within their limits. There was no moral issue involved in the program, no plan for the regeneration of the race.

For an explanation of the failure of the American Colonization Society see Dumond, Anti-Slavery Origins of the Civil War, pp. 10-20.

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Two men were indefatigable in their efforts to foster the work of the American Colonization Society. They attempted a Cincinnati-Danville anti-slavery axis and when that failed they transferred their faith in colonization to hopes

of abolition. At Lane Seminary their efforts provided slavery with a moral tone unknown before 1833. These men were James G. Birney and Theodore D. Weld.

James G. Birney, son of a wealthy trader and rope manufacturer, was educated for the legal profession. In 1816, at the age of twenty-four, he moved from Danville, Kentucky, to Madison County, Alabama. Marriage made him a well-to-do slaveholder. It was at Huntsville, Alabama, after 1823 that he became indoctrinated with the principles of the American Colonization Society and in 1832 accepted the society's southwestern agency. The following year Birney was instrumental in dispatching the ill-fated brig Ajax for Liberia. Of the ships one hundred and fifty passengers ninety-six were manumitted slaves from Kentucky. Cholera broke out aboard the brig and many of the passengers died. <sup>29</sup> By the fall of 1833

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<sup>29</sup>

Coleman, op. cit., p. 276.

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Birney found public interest in colonization at such a low ebb that he resolved to return to Danville, Kentucky, and free his slaves. In turn Birney founded the Kentucky Society for the Relief of the State of Kentucky from Slavery, the Ashmun Association, and the Kentucky Anti-Slavery Society. <sup>30</sup> Thus was the southern stage set for the axis.

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<sup>30</sup>

Coleman, Ibid., p. 298.

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While still residing at Huntsville, Birney in the spring of 1832, was visited by Theodore Weld. Although born in Connecticut Weld received his education at Hamilton Col-

lege, New York, where he came under the influence of Captain Charles Stuart. Into nearby Utica, during the winter of 1825, came Charles Grandison Finney bearing the spirit of the Great Revival. Weld, until then, the very soul of Congregational conservatism succumbed and joined the revivalist. Two years later Weld enrolled at Oneida Institute where he became associated with the sons of Lewis Tappan. The years 1830 and 1831 found Weld being inducted more and more into the anti-slavery doctrines of Stuart and the Tappans. Finally, in 1832 he set out for the West as agent of the Society for Promoting Manual Labor in Literary Institutions and pledged to select a site for a national manual labor theological society. These tasks he assumed at the instigation of a group of benevolent New York philanthropists headed by Lewis Tappan. <sup>31</sup> It was during his travels of

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31

Weld-Grimké Letters, Vol. I, pp. xix-xxii. In 1838 Weld married Angelina Grimke, daughter of a Charleston, South Carolina aristocrat, who became converted to Quakerism and the cause of slavery during a visit to Philadelphia.

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1832 that Weld visited Birney at Huntsville. About this time Birney decided to accept the agency of the American Colonization Society. In the summer of 1832 both men favored colonization. Weld further made his journey notable by selecting Cincinnati as the site for a theological seminary. The contacts which he made as a Finney revivalist helped to produce the student body of Lane Seminary. The Preamble and the Constitution of Lane Seminary reveal that recording secretary Andrew Benton of Missouri was the only officer from North

32  
of the Ohio.

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32

MS., No. 551, W. R. H. S. This book contained clippings from papers and copied incidents relative to the cruelty of slaves. On the cover appears the name of M.R. Robinson, Lane Seminary, June, 18 (3) 1. The institution was actually founded in 1829 by the Presbyterians.

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During the years 1831 to 1834 Weld was busy drawing to Lane Seminary men of character and talent, many of them former students at Oneida, all destined to share in the tempest in a teapot brewing at Cincinnati. The Cincinnati-Danville axis was complete when Lane Seminary opened its doors. Weld working at Lane Seminary in Cincinnati and Birney at Centre College in Danville were in the meantime advancing toward a position of abolition.

Whatever may be the determination of our northern friends in reference to my entire consecration to the cause of abolition in our country, I am greatly delighted not only at their opinion of my letter and their hope of its salutary efficacy, but at the intelligence you give me as to the effect it is producing in the State of Ohio. I have seen nothing in relation to it any Ky. paper. How is this to be interpreted? Good or bad? I should rather say good, when taken in connection with the fact that nothing of consequence is doing for Colonization. This was so before, it is true, but I should judge the letter has had some effect in making colonization more dead. 33

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33

Birney to Weld, 9 September, 1834, Weld-Grimké Letters, Vol. I, p. 167.

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Lane Seminary in Cincinnati has been described as experiencing one of the greatest contests for academic freedom in the history of the country. Certain it is that the students who withdrew from Lane Seminary in 1834 became fa-

mous as agents of the American Anti-Slavery Society and succeeded in giving character and direction to that stage of the slavery struggle when it was assuming a moral tone. The students of Lane Seminary under the inspiration of Weld had set about to discover whether Negroes were totally depraved creatures or whether they would respond to a program of uplift. Their efforts in teaching began to bear results much to the discomfiture of those who had supported the colonization project. The new crusaders thereby provided the moral equasion for the gathering slavery conflict:

They preached immediate emancipation; but in their hands it was more than the jesuitical "gradualism in a British cloak" of the New York philanthropists: it was an immediatism of repentance from sin. By making the sin of slavery "the standard to which the abolitionist is to rally," their agents made the anti-slavery cause "identical with religion; and men and women were exhorted by all they esteem holy, by all the high and exciting obligations of duty to man and God, by all that can warm the heart and inflame the imagination, to join in the pious work of purging the sin of slavery from the land." 34

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34

Barnes and Dumond, op. cit., pp. ix-x.

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This larger opportunity to engage in the crusade had resulted when the executive committee of Lane Seminary met on August 20, 1834, and recommended to the trustees that the student anti-slavery society be abolished and that public meetings and discussions, appeals or communications among the students without the consent of the faculty would be punished by dismissal. This action seemed necessary in view of two incendiary publications issued by Birney in May, 1834, and

the eight day debates on slavery and its abolition which Weld organized among the Lane students during the winter of 1833. President Lyman Beecher, who had promised Lewis Tappan that students would be permitted the right of free expression, was at the time in the East soliciting funds for the school. Professor Morgan, and Professor Stowe, who later married Lyman Beecher's daughter Harriet, both supported the student's anti-slavery stand but unfortunately they too were in the East on their vacations. Professor Briggs alone was on the scene to lend support to the students. The spirited students refused to cease their activities or recant and on September 10, the Executive Committee granted honorable dismissal to almost the entire student body. On Monday October 6, the trustees of Lane Seminary met and passed laws permitting either the Executive Committee or faculty to expel any student without reason. Their action was prompted by the

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35

Weld-Grimké Letters, Vol. I, pp. 170-173.

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desire to maintain obstacles in the way of free expression. The "Lane Rebels" redoubled their anti-slavery efforts and Oberlin College opened its doors to all who sought admission. They became the nucleus of the famed "Seventy" which taught the new gospel of abolition from New England to the Mississippi Valley during the late thirties and forties.

Marius R. Robinson, one of the "Lane Rebels" whose experiences as a teacher of the Negroes of Cincinnati and an itinerant anti-slavery crusader, was typical of the many who

left Lane in 1834. On Thursday, June 1, 1837, Robinson visited the home of Jesse Garretson of Berlin, Trumbull County, Ohio. His application to deliver a lecture on American slavery in the district school house having been refused, he spoke from his friend's home. In order to prevent him speaking again the following Sunday he was taken by a mob consisting of the town's leading merchants, farmers and physician, tarred and feathered and driven ten miles from Berlin. In

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36

MS. No. 925 W.R.H.S.

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later years Robinson served as editor of the Anti-Slavery Bugle.

The genie was out of the bottle and there was no luring him back. The Cincinnati end of the axis was breaking down only to rise like the Phoenix from its own ashes. Things were not faring well for Birney in Danville but the axis refused to admit defeat until a Kentucky mob hooted Birney across the Ohio in 1835.

Miami University at Oxford, Ohio, experienced a period of unrest occasioned by the growing anti-slavery agitation. It did not, however, produce the disorder fomented at Lane Seminary. President Robert H. Bishop of Miami University had begun his protests against slavery while a fellow professor of Henry Clay at Transylvania University at Lexington, Kentucky. In 1827 Bishop, then President of Miami University, accepted the vice-presidency of the Ohio State Colonization Society. Bishop like Birney, with whom

he had some connection, traveled the road of conviction from colonization to anti-slavery. Bishop's position as president of the college was made untenable by trustees and faculty members alike to whom his policies of religion and slavery were unacceptable. William Holmes McGuffey of Eclectic Reader fame was one of the pro-slavery antagonists whom Bishop numbered among his faculty. The region had long been the center of a good deal of pro-southern sympathy, many local families were related to slave holding families of the South and numerous Miami University students were drawn from below the Ohio River.

The enemies of Bishop attacked him on any and all grounds of which they could conceive. The abolitionists attacked him because he was not strong enough in his antislavery activities, the colonizationists and pro-slavery groups condemned him because he was too radically opposed to slavery, the Old School and the New School Presbyterians declaimed against him because he dared to defy both factions and stick to the principle of union. 37

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37

MS. by James H. Rodabaugh entitled "Robert Hamilton Bishop, Pioneer Educator, 1822-1840"; Rodabaugh, A History of Miami University, from its Origin to 1845, unpublished M. A. thesis Miami University, 1933, pp. 144-165.

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An Anti-slavery Society was founded at Miami University on June 12, 1834. From this time on Bishop, at the head of Presbyterian anti-slavery forces in Butler County, became more outspoken though not radical. In 1840, when Bishop undertook to organize the Butler County Anti-Slavery Society, he was ousted from the presidency of Miami University. In his successor, George Jenkins, Miami University found a man whose thought and action were the very anthesis of Bishop's.



In 1843, Jenkins in an eight hour address delivered at Hamilton, Ohio, presented a Biblical justification of slavery. 38

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<sup>38</sup>  
Ibid., pp. 144-165.

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One of the few students to affiliate with the Miami University Anti-Slavery Society was English born Thomas Ebenzer Thomas. The youthful Thomas who attended the University from 1829 to 1834 became thoroughly indoctrinated with the anti-slavery teachings of President Bishop. He once wrote to a friend that his distaste for slavery came even as he suckled milk from his mother's breast and leaned upon his father's knee. <sup>39</sup> Upon his graduation from Miami, Thomas

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<sup>39</sup>  
Thomas to Reverend Joseph Montfort, 28 September, 1857, Correspondence of T.E. Thomas, p. 99.

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taught school in Rising Sun and later Franklin, Ohio. In 1837 he became an ordained Old School Presbyterian minister at the time when strife between Old and New theology was rending the Presbyterian church in America. This cleavage left the New School church, which after 1837 included Congregationalists, with twenty of its twenty-six synods north of the Ohio River and the Old School church with fourteen of its thirty-five synods in the slave states. Although Thomas deprecated this division it did not lessen his anti-slavery zeal. <sup>40</sup> In 1859 the Presbyterian church divided

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<sup>40</sup>  
Vander Velde, The Presbyterian Church and the Federal Union, pp. 14-15, 228.

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North and South over the slavery issue. Two years earlier Thomas and E. P. McMasters were mentioned for professorial chairs at the new Seminary of the Northwest at Chicago. At the time both men were teaching at the New Albany (Indiana) Theological Seminary. Both were rejected by the General Assembly on the grounds that they had been too plain spoken in their anti-slavery convictions. Thomas wrote:

'I'd rather be a dog baying at the moon' than a professor in such a seminary. 41

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41

Thomas to Jared M. Stone, 10 August 1857, Thomas, op. cit., p. 95.

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In September he again wrote Stone that he could not bring himself to attend the coming Synod to be held in Dubuque, Iowa. He refused to make any public disavowal of charges of radicalism.<sup>42</sup> The action of the General Assembly is ren-

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42

Thomas to Stone, Thomas, op. cit., pp. 98-99.

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dered intelligible by two circumstances. The appointment of either Thomas or McMaster might have prevented Cyrus McCormick from giving the new seminary a promised sum of money. Second, the Old School Presbyterians of the East regarded the West as radical since from an early date the Synod of the West consisted largely of Presbyterians who had emigrated from the South as a protest against slavery. The man who received the chair denied to McMasters was Rev. N.L. Rice who for four days in October, 1845, had engaged in a debate on slavery in Cincinnati. Dr. Rice had upheld the negative

side of the proposition, "Is Slave-Holding In Itself Sinful and the Relation Between Master and Slave; A Sinful Relation." His opponent, another Old School Presbyterian Minister, was the Reverend J. Blanchard also of Cincinnati.

The Society of Friends was one sect that withstood the impact of sectional separation over the slavery problem. The separatism which occurred within the Indiana Yearly Meeting must not be overlooked. Lundy whose career, already described, was a staunch advocate of colonization while Osborn on the other hand, suspected that colonization was but "a clever design to quiet anti-slavery conscience and propagate slavery surreptitiously."<sup>43</sup> Lundy recognized that

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43

Jones, Later Periods of Quakerism, Vol. II, p. 562.

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his people were slow to rouse themselves to the support of the anti-slavery movement. Although Quakers had ceased to hold slaves individually before 1787 they did sometimes hold them as an organization prior to transporting them to free territory. This was necessary wherever laws prohibited the manumission of slaves without provision for their removal. Jones points out that nothing could be more unhistorical than to assume that the Society of Friends as a unit championed the cause of the slave. Such leaders as Lundy, Osborne, Abby Kelley and Lucretia Mott expressed the anti-slavery views of a few rather than many Quakers. These viciferous members were frequently disciplined by the Society. Nor did

such action by the Meeting arise from any lack of moral approval of slavery, rather, it rose from a disapproval of the methods employed by the converts to anti-slavery or abolition. Yet it was the few who broke down the compromise and lethargy of which Lundy complained.

Under the leadership of Levi Coffin an aggressive anti-slavery sentiment had been developing in the Newport, Indiana, Society of Friends. A visit by Arnold Buffam, a New England Friend, in 1840, had resulted in a positive stand being taken by many lukewarm members. In 1842 a State Anti-Slavery Convention was held at Newport about the same time that the Indiana Yearly Meeting was holding its sessions at Richmond, Indiana. Although Richmond was a vigorous center of Quakerdom it had a large conservative wing. Henry Clay, the Whig candidate for the presidency, visited Richmond in 1842 and from this cautious element received assurances that they were wholly out of sympathy with an abolitionist program. Already in 1841 the Indiana Yearly Meeting had issued a remonstrance warning members of the Society not to join anti-slavery societies or allow anti-slavery lecturers to speak from their churches. In the Yearly Meeting of 1842 the remonstrance was enforced. The action of the body caused the advanced wing of Friends led by Coffin to withdraw from the main body and set up the Indiana Yearly Meeting of Anti-Slavery Friends. The separation Convention met in February, 1843, and made a formal declaration of their abolitionist position. The separatists hopes of having their action con-

firmed by the London Yearly Meeting were doomed to disappointment. In time the majority of the two thousand who withdrew from the parent society returned to its fold. The effort of the Indiana separatists did not pass unheeded. It was the beginning of the moral awakening among the Society of Friends.<sup>44</sup> The larger vision produced the dauntless

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<sup>44</sup> Edgerton, History of the Separation in Indiana, p. 61.

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courage and enterprise which made the Underground Railroad in Ohio a most formidable agency of freedom. Among a sect given to "causes" and guided by a deep sense of reverence for the rights of individual ownership, their efforts to assist runaway slaves was prompted by that higher law which emanated from heaven itself.<sup>45</sup>

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<sup>45</sup> Jones, Later Periods of Quakerism, Vol. II, p. 575.

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In addition to Osborn's and Bates' Philanthropist, the Genius of Universal Emancipation and the Anti-Slavery Bugle two additional Quaker periodicals published in Ohio were the Moral Advocate and Miscellaneous Repository. Both were edited by Elisha Bates at Mt. Pleasant. Quaker publications outside the Northwest enjoying circulation within the region were The Non-Slaveholder published in Philadelphia, The Friend or Advocate of Truth published originally in New York and later moved to Philadelphia, and The Friend A Religious and Literary Journal published in Philadelphia. These publications contain illuminating accounts of the pro-

gress of Friends in their efforts to aid the slave. The Non-Slaveholder preserves a record of the American Free Produce Association pledged to abstain from the purchase of commodities produced by slave labor. Free Produce auxiliaries were set up in the West. Reference to the Black Codes of Ohio and the indenture system of Illinois are numerous. The Minutes of Indiana Yearly Meetings are replete with activities in which slavery and free Negroes were involved.

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46

Minutes of Indiana Yearly Meeting of Friends, 1821, 1823, 1824, 1826, 1830-1833, 1836, 1851.

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The Annual Report of the Colored Orphans Association of Philadelphia contains lists of Quaker donors and subscribers scattered over the Northwest. The tenth such report published in 1846 contains a letter written by an orphan who had been taken into an Illinois home.

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47

Tenth Annual Report of Colored Orphans Association, pp. 25-26.

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This list of publications, lay as well as secular, is by no means complete, but it does give some idea how the printed page was employed by the anti-slavery and abolitionist forces to spread their gospel. Birney frequently journeyed from place to place, carrying his press upon his back and pausing here and there to print his broadsides against slavery. More often than not they were distributed free. One of the "Lane Rebels" reported that twenty of them gathered during the summer of 1834 in 3rd hall and when discovered

were;

with their sleeves rolled up, surrounded by paraphernalia of paper, paste and ink, preparing for the mail some thousands of Birney's incendiary letter!! 48

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48

Lyman to Thomas, Weld-Grimke Letters, Vol. I, p. 171 n.

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As the activities of various societies became more highly organized this all important pamphleteer literature was not left to chance circulation but became an important weapon in the struggle against the pro-slavery forces.

The work of Governor Edward Coles in the Illinois Constitutional Convention of 1823 and Reverend James Lemen, Sr., in founding the anti-slavery Bethel Church, near Collinsville, Illinois, provided a fitting background for such crusaders as Gideon Blackburn, David Nelson, Elijah P. Lovejoy and Zebenia Eastman. Blackburn and Nelson were southern abolitionists. Both were educators and had held responsible positions in secular institutions of learning as well as pastorates. Both had been associated with the Quaker Birney in Kentucky. In the end both were to migrate to Illinois and share with Lovejoy the task of founding the Illinois Anti-Slavery Society in 1837. Lovejoy, born in Albion, Maine,

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49

Dumond, Anti-Slavery Origins of the Civil War, p. 7.

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in 1802, had emigrated to Saint Louis, Missouri, in 1827 and became the editor of a Whig newspaper. He returned to the East in 1832 and entered the seminary at Princeton, New Jersey. Back again in St. Louis the following year as an ordain-

ed Presbyterian minister he began to edit the St. Louis Observer as the official western publication of the Presbyterian church. Lovejoy's marriage to the daughter of a planter failed to bring him closer to the pro-slavery viewpoint. St. Louis whose location made her the spearhead of an increasing river traffic with the South accepted the southern point of view regarding slavery. Into the columns of the Observer crept the editor's abolition convictions. At length Lovejoy was forced by hostile public opinion to move twenty-five miles up the river to Alton, Illinois. Here sentiment was more favorable, but when Lovejoy's first printing press arriving at the local warehouse was destroyed it became evident that Alton would not tolerate impassioned abolitionism. Three times between July, 1836, and October, 1837, Lovejoy's presses were destroyed by hostile mobs. In the defense of the fourth Lovejoy was shot and killed. <sup>50</sup> The anti-slavery

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50

D. A. B., "Elijah P. Lovejoy," Vol. VI, p. 434.

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front was to gain rather than lose by the death of Lovejoy. He became a martyr to the cause of abolition. Benjamin Lundy moved to Illinois during 1838 and drew to himself Zebina Eastman who became an outstanding Anti-slavery journalist and in a large measure carried on the work begun by Lovejoy. Concerning the death of Lovejoy, Eastman wrote:

At so late a time as 1839, 1840, after the murder of Lovejoy, and when the state was loaded down with weight of debt and depression of business there were men of influence who declared there was no other way for the state to be delivered from its "Slough of Despond", but to call a State Convention on...



and in thirteen years after the state had deliberately decided to stand for the liberty that was guaranteed her in the ordinance for her government [i.e. thirteen years after the state had rejected the proposed Constitutional Convention of 1824] she gained the unenviable title of being the Martyr State, by suffering one of the truest men that ever lived, to die for the very cause that she had made alive. And there were very few people, indeed, in the state to raise any voice of condemnation against this outrage. And like the martyr Stephen, devout men carried Lovejoy to his burial, though not so many in number as made lamentation over Stephen, for only a brother minister made a prayer over his grave, at which were present, for fear of the mob, but one or two faithful friends and relatives. 51

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51

Chicago Historical Society MS. Collection  
Z. Eastman (Pamphlet) Vol. 40, "The Anti-Slavery Agitation in Illinois", no date.

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Zebina Eastman, a native of North Amherst, Massachusetts, had emigrated to Michigan in 1837 where he remained two years. From Ann Arbor he moved on to Chicago and finally to Peoria where he worked on the Peoria Register. Sometimes during 1838 he joined Benjamin Lundy, who was preparing to revive his paper The Genius of Universal Emancipation. Lundy's death in 1839 prevented the development of these plans. However, with the aid of Harper Warren, Eastman began the publication of the Genius of Liberty to succeed Lundy's paper. In 1842 the paper was moved to Chicago where it was issued under the subsequent titles of The Western Citizen and The Free West until it merged with The Chicago Tribune.<sup>52</sup> Eastman's correspondence in-

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52

Historical Encyclopedia of Illinois, Vol. I, p. 145.

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dicates that he was an active agent of the Liberty Party. A curious side light on the party's history during the forties is found in a letter written to Eastman from Alton a decade after the death of Lovejoy:

The trouble with our politicians especially our anti-slavery friends in the Whig Ranks is, that they are opposed to voting abolitionists, and as parties are nearly equal in the Country, they cannot afford to lose any votes, and therefore do all they can to discourage an organization. The day of mob action has passed by -- no open active opposition is pursued persuasion argument and ridicule are alternately used by proposed friends, while our adversaries say let them alone -- they will soon die off. I am glad that the Liberty Party is moving forward in the North.... 53

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53

MS. Vol. 37, Eastman Collection, Chas. W. Hunter to Z. Eastman, 11 June, 1847.

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By 1840 the slavery problem in the Northwest was about to pass into another stage. Already it had produced a definite pro-slavery viewpoint that had received a severe set back with the development of economies in which slave labor had no place. The program of colonization had found support in the West because it promised to relieve society of free Negroes who everywhere were regarded as undesirables. Those settlers who had migrated to the Northwest to escape the competition of cheap slave labor looked favorably upon colonization. After 1830 the movement for colonization began to break down and in its place arose the American Anti-Slavery Society pledged to "immediate emancipation, gradually accomplished." The very tenor of the society's purpose had opened the way for immediatism and gradualism. It was the gospel of immediatism preached by Garrison that produced

abolitionist fanaticism. In 1840 when Garrison succeeded in gaining control of the American Anti-Slavery Society its first fire was ready burned out. The Tappans, Weld and Birney were no longer there to give the movement guidance. The general inability to keep the thousands of local auxiliaries in touch with the National Organization and the losses sustained by the panic of 1837 conspired to render the society nothing more than a name. National religious groups such as the Baptists, Presbyterians and Methodists had shown their separatist tendencies when the slavery problem was introduced into the pulpit. There was still the possibility of employing independent political action in the event that the existing national parties underwent cleavage on the slavery issue. When Democrats and Whigs began to purge themselves of any and all signs of abolitionist leanings the forces opposing slavery organized the Liberty Party. James G. Birney was nominated the Liberty Party presidential candidate by a National Anti-Slavery Convention held at Albany, New York, April 1, 1840.

The direct action program of the Liberty Party only increased the gap between abolitionists and anti-slavery forces. The Liberty Party had little to offer anti-slavery men who supported the Whig and Democrat platform except their repugnance of slavery. The organization of the Liberty Party produced the schism already brewing in the ranks of the decadent American Anti-Slavery Society. The slavery problem was about to undergo another transformation.

In the hands of the Liberty Party it was to be elevated to the level of a political issue even as the "Lane Rebels" had converted it into a moral issue. The very action of the Liberty Party seemed to be confirmed by events occurring in the national capital. Between 1836 and 1844 a series of laws violating the constitutional right to petition were passed by Congress. The Pinkney resolution which were adopted in 1836 provided that all petitions relating to slavery should be put forward without reference to committee or being printed.<sup>54</sup> To the more ardent abolitionists political

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54

Philanthropist, Vol. I, No. 51, January 8, 1839; Chase, Address..., appendix, p. 141.

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action seemed necessary to preserve the struggle and carry it forward. The presence of the Liberty Party produced scarcely a ripple in the presidential campaign of 1840. When Birney again carried the party standards in 1844 he polled almost a half million popular votes though no electoral votes.

This new political emphasis in the slavery crusade was spread in much the same manner as the gospel of the sin of slavery. The publication of the Anti-Slavery Bugle in 1845 widened the channel through which the Liberty Party's aims might be dissiminated. The object of the paper as stated by the Executive Committee of the Ohio American Anti-Slavery Society was to show what great barriers stood in the way of the slave's redemption, and to point out a plan for their redemption. Under the caption Ohio

Anti-Slavery Society the following comment appeared:

We notice a call for a Mass Meeting to be held on the 5th and 6th of August, at Mt. Pleasant. This call emanates from the Ohio Anti-Slavery Society, alias the Ohio Liberty Party Association.

We wish that the society would sail under true colors that its character might not be mistaken--, Its agents are Liberty Party lecturers, its measures Liberty Party measures and its design to strive for the abolition of slavery by building up the Liberty Party. Then let them hoist the Liberty Party colors and sail under their true flag--the flag of Birney and the bloody union to which they stand pledged.

The people are beginning to understand that their calls for anti-slavery meetings, should read Liberty Party gatherings and they cannot persuade them that theirs is a moral movement. 55

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55

Anti-Slavery Bugle, Vol. I, No. 2, July 25, 1845.

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The Bugle was taken to task by the Ohio American, a Liberty Party Paper, because of its constant prating on "No Union With Slaveholders." The American pointed out that the Ohio American Anti-Slavery Society, "known to everybody except a portion of the Whig editors, who will wish to identify the Bugle with the Liberty Party," was comprised of Garrisonian sympathizers who opposed the federal constitution on the grounds that it was pro-slavery and that a pledge to support it was tantamount to supporting slavery. The American speaker for the Liberty Party disavowed disunionism by asserting that only when the federal constitution failed to provide freedom would they accept disunion. They advocated Liberty and union and disunion only in the event that the constitution attempted an incompatible union between Liberty and Slavery. Abigail Kelley Foster lectured in Northern Ohio in

behalf of the Liberty Party. She was accused in the columns of the Bugle of using the anti-slavery platform for promoting infidel principles.

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56

Anti-Slavery Bugle, August 1, 1845, May 8, 1846.

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The careers of Prudence Crandall and Grimke sisters, Angelina and Sarah, found a response among the women of Ohio. In 1835 the Ashtabula County Female Anti-Slavery Society was organized with seventy-four members. The organization stated that they were prompted to act because of the recent successes against slavery in Antigua and the West Indies. The following year the society numbered two hundred and twenty-four members. During this same year eight auxiliary societies were founded in the townships of Ashtabula county. The membership for the entire county was thereby raised to four hundred and forty-seven. These western soc-

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57

MS. No. 387, Western Reserve Historical Society; Anti-Slavery Record, Vol. 2, p. 46.

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ieties were encouraged to affiliate their own organizations with those in the East. Maria Chapman, corresponding secretary, pro-tem, of the Boston Female Anti-Slavery Society invited Mesdames Andrews, Severance and Long of the Cleveland Female Anti-Slavery Society to attend the Women's Auxiliary meeting to be held concurrently with the National Anti-Slavery Society conclave in New York, May 9, 1837.

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58

MS., No. 1614, W. R. H. S.

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Mrs. L. L. Severance was also an active member of the Cleve-  
land Anti-Slavery Society. <sup>59</sup> Another prominent woman's au-

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59

MS. No. 1407, W. R. H. S.

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xiliary was the Canton Ohio Female Anti-Slavery Society or-  
ganized in 1836. <sup>60</sup> New Lyme, Ohio, organized a Women's

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60

MS. No. 26, W. R. H. S.

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61

Anti-Slavery Sewing Circle. The Minute Book of the Execu-

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61

Attic, 104 (framed) W. R. H. S.

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tive Committee of the Western Anti-Slavery Society organ-  
ized August 2, 1836, indicates that this early enthusiasm  
exhibited by women did not desert them as the struggle be-  
came more intense. In the precise handwriting of J. Eliza-  
beth Jones the minutes of each session of the committee were  
kept. <sup>62</sup>

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62

MS. No. 554, W. R. H. S.

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Two things are apparent through this welther of  
anti-slavery and abolitionist activity between 1817 and  
1858. Those who first raised a voice of protest within the  
Northwest included numerous individuals of southern origin,  
second, the intensity of the struggle was most marked in  
those sections of the Northwest where pro-southern sympathy  
survived in racial or economic bonds. Although Wisconsin  
and Michigan joined the Anti-Slavery forces, Oberlin in the

old Western Reserve remained the one large center of abolitionist activity in the Lake shore regions. The sites chosen for the Lincoln-Douglas debates of 1858 were hardly a matter of chance. Each man had the advantage of speaking against a sympathetic background. Freeport, Illinois was as far north as Douglas might venture safely.



## CONCLUSION

Statesmen and students alike have shown no hesitancy in declaring that the Old Northwest was made forever free by the Sixth Article of the Ordinance of 1787. Historians have denounced one another for their interpretations of the meaning of that clause. They have made vehement charges against each other for assuming that slavery did or did not exist in the Old Northwest. These issues, largely a matter of academic interest and hair splitting argument, have resulted in the emergence of two points of view in respect to the problem of slavery in the Old Northwest. These points of view have served as possible approaches to the problem. The first approach assumes that Congressional action in the Ordinance of 1787 and in the disposition of pro-slavery memorials and petitions respecting some modification of Article Six was anti-slavery thus limiting the progress of slavery in the Old Northwest. The second approach assumes that no less than three documents contained provisions which left undisturbed the practice of slavery in the Northwest as instituted by the French in the Illinois Country and Detroit Post district. These documents were the Ordinance of 1787 itself, the Virginia Deed of Cession in 1784 and the Jay Treaty of 1794. Neither of these approaches give any hint that forces outside the limits of legislative action had any affect upon the meanings which men might attach to the anti-slavery proviso of the Ordinance.

In presenting a composite study of the slavery problem in the Old Northwest the writer has been primarily concerned with the forces operating outside the limits of Congressional legislation which tended to encourage the emergence of a Free Northwest. At the roots of this investigation has lain two basic and constant factors: first, in the face of vacillating Congressional action slavery maintained an ipso facto existence in the Old Northwest; second, there was no rigid application or enforcement of (a) the anti-slavery proviso of the Ordinance or (b) the subsequent territorial and state laws respecting black and mulatto servants. If these factors had been variable rather than constant the course of slavery in the Old Northwest might have been different.

The interplay of social, economic and geographic factors had much to do with the events which favored the exclusion of slavery from the Northwest Territory and the emergence of a free West. Such a line of investigation tends to emphasize the fact that the course of slavery opinion in the Old Northwest can only partially be revealed through an examination of legislative action arising out of circumstances created by Article Six of the Ordinance of 1787. Slavery in the Old Northwest was a matter of opinion as well as a legal term employed to define the status of black persons.

The social origins of the emigrants who settled in the territories north and west of the Ohio River were

to be found in all the sections of the older East and South. Many persons who observed or participated in the Great Migration noticed that the columns of immigration in general kept parallel with the older settlements. A few observed that slavery, too, kept the same parallel as it held in the east, receding somewhat to the south. In the states of Ohio, Illinois and Indiana the southern influence remained dominant more than two decades after the Great Migration reached its peak. This dominance was even more pronounced as one traveled southward from the National Road toward the Ohio River. It was this area which, under the influence of the South, strove to keep alive a sentiment favoring slavery. One does well to remember that the Ohio River cut into the South for more than half the distance from Pittsburg to Cairo and that it drained a valley consisting of the upper South as well as the lower Northwest. The immigrants of New England origins presented a distinct contrast to those of southern origins. Their settlement of the Lake Shore region and the future states of Wisconsin and Michigan did not reach large proportions until after the completion of the Erie Canal. Thereafter the streams of native New York, Western Pennsylvania, New England and foreign immigration were on the increase. It was these settlers who later founded the centers of anti-slavery and abolitionist activity in the Old Northwest.

The settlement of that vast wedge of territory comprising portions of the Ohio and Mississippi valleys

was not as simple an accomplishment as the foregoing remarks suggest. What of the islands of Puritan influence in southern Ohio and the islands of pro-southern influence in northern Illinois and southern Wisconsin? What of that republican element among southern emigrants which protested against slavery, what of those religious sects which fled from the South as a protest against slavery, what of the southern yeomen farmers who migrated to the West where free white labor was not frowned upon? These and other conflict situations existed and continued to exist in the Northwest until a sectional character was manifest. The Northwest discovered that she possessed a set of primary interests which were unlike those of either East or South.

A final evaluation of the forces which favored the extinction of slavery in the Old Northwest cannot ignore the evidence which attests the strength of the pro-slavery party. First, it should be remembered that the pro-slavery party enjoyed unrivaled prominence in the early councils of the lower Northwest. Second, the large southern immigration gave them the advantage of numbers during the early stages of the slavery conflict. Third, the pro-slavery party was concentrated in a geographic area where it was reasonable to assume that slavery might have been profitable. These situations would scarcely have existed had not the slave-holding states attempted to penetrate the cheap and abundant farm lands of lower Northwest. The hopes which the South had entertained of

binding that region to the Cotton Kingdom survived long after it became apparent that a union of West and South was not to be effected through immigration. These circumstances, favorable as they appear were not sufficient to outweigh the forces favoring the extinction of slavery in the Old Northwest. The forces which lay back of the ultimate anti-slavery triumph not only extinguished the vestiges of earlier French slavery but also excluded a possible pro-slavery victory. The free Northwest emerged because; first, the physical environment of the region would have permitted only a limited extension of slavery, second, the economic unity of the Northwest prevented an alliance with the South, third, elemental in the social heritage of many immigrants was an aversion of slavery and fourth, the public land system encouraged the rise of free labor.

Under the operation of the Ordinance of 1787 the Old Northwest had developed a community of interests which were encouraged by small farmers, townmakers and business builders who demanded free labor. The economics of slavery failed to establish a permanent tie between the Upper South and the frontier democracy of the Old Northwest.

BIBLIOGRAPHY

I. SOURCES

A. DOCUMENTS

1. Acts of a General Nature (Ohio) 1829-1831.
2. Acts of the State of Ohio 1804, 1807.
3. Alvord, Clarence, Editor; Kaskaskia Records, 1778-1790, Illinois Historical Collections, Vol. V, Virginia Series, Vol. II, Springfield, Illinois State Historical Library, 1919.
4. American State Papers, "Public Lands," Vol. I, (1789-1815); "Miscellaneous," Vol. I, (1789-1809).
5. Annals of Congress of the United States, (1789-1825).
6. Catterall, Helen F., Editor; Judicial Cases Concerning American Slavery and the Negro, Washington D.C., Published by Carnegie Institution, 1937.
7. Congressional Globe, First Session, Thirty-First Congress (1850) Vol. XIX, Appendix 2.
8. Dunn, Jacob P., Editor; "Slavery Petitions and Papers," Indiana Historical Society Publications, Vol. II, No. 12, Indianapolis, The Bowen-Merrill Co., 1895.
9. Commager, Henry S., Editor; Documents of American History, 2nd ed., New York, F. S. Crofts and Company, 1940.
10. Executive Journal Indiana Territory, edited by William Woollen, Daniel Howe and Jacob Dunn, Indiana Historical Publications, Vol. III, No. 3, Indianapolis, The Bowen-Merrill Co., 1900.
11. Journals of Congress, Vol. XII, (1786-1787), Philadelphia, Folwell's Press, 1801.
12. Journals of the Continental Congress, 1774-1789, Vol. XXVIII, (1785), Library of Congress edition, Washington D.C.

13. Laws of Illinois 1853, 1865
14. The Laws of Indiana Territory, 1801-1809, edited by Francis S. Philbrick, Illinois Historical Collections, Vol. XXI, Law Series, Vol. II, Springfield, Illinois State Historical Library, 1930.
15. The Laws of Indiana Territory, 1809-1816, edited by Louis Ewbank and Dorothy Riker, Indiana Historical Collections, Vol. XX, Indianapolis, Indiana Historical Bureau, 1934.
16. Laws of the Northwest Territory, 1788-1800, edited by Theodore Pease, Illinois Historical Collections, Vol. XVII, Law Series, Vol. I, Springfield, Illinois State Historical Library, 1925.
17. Laws of Ohio 1804-1831.
18. Malloy, William M., Compiler; Treaties, Conventions, International Acts, Protocols and Agreements between the United States of America and Other Powers, 1776-1909, Washington D.C., Government Printing Office, 1910.
19. Minutes of the Indiana Yearly Meeting of Friends, 1821-1836; 1850-1851.
20. Shortt, Adam and Doughty, Arthur; Compilers, The Constitutional History of Canada, 1759-1791, Vol. I, Ottawa, Printed by J. T. Taché, Printer to the King's Most Excellent Majesty, 1918.
21. The Territorial Papers of the United States, Vol. II, compiled and edited by Clarence E. Carter, Washington D.C., United States Government Printing Office, 1934.
22. Thorpe, Francis N., Compiler and Editor; The Federal And State Constitutions, Vol. II, Washington D. C., Government Printing Office, 1909.
23. United States Census Reports, (1790-1850), especially the Sixth Census Compendium, 1840.
24. United Statutes at Large, Vol. II, (1800).

B. MANUSCRIPTS

1. Records of the White Water Monthly Meeting, 1809-1830  
Part of the manuscript records of the Indiana Yearly Meeting of Friends, First Friends Church, Richmond, Indiana.
2. Records of the Miami Monthly Meeting, 1803-1828  
Part of the manuscript records of the Indiana Yearly Meeting of Friends, First Friends Church, Richmond, Indiana.
3. Manuscript Papers of Zebina Eastman  
"The Anti-Slavery Agitation in Illinois" Vol. 40  
Autograph Letters, Vol. 37. In possession of the Chicago Historical Society, Chicago, Illinois.
4. Records of the Bass-Goins Family, 1836-  
Manuscripts in the private possession of Nellie Goins-Metcalf, Richmond, Indiana.
5. William Pendleton Palmer Collection, Western Reserve History Society, Cleveland, Ohio, This vast collection includes materials relating to Slavery, Lincniana and the Civil War.

|              |                                                    |
|--------------|----------------------------------------------------|
| MS. No. 387  | Ashtabula County Anti-Slavery Society              |
| MS. No. 925  | Berlin, Ohio Mob                                   |
| MS. No. 1614 | Boston and Cleveland Female Anti-Slavery Societies |
| MS. No. 192  | Elisha Whittlesey                                  |
| MS. No. 551  | Preamble and Constitution of Lane Seminary         |
| MS. No. 554  | Minute Book of Western Anti-Slavery Society        |
| MS. No. 965  | Old Settlers of Illinois                           |
| MS. No. 1407 | Cleveland, Ohio Anti-Slavery Society               |
| MS. No. 26   | Canton, Ohio Female Anti-Slavery Society           |
| MS. No. 1033 | Slavery in Wisconsin                               |

C. NEWSPAPERS

1. Abolition Intelligencer and Missionary Magazine  
(Shelbyville, Ky.) 1822
2. Anti-Slavery Bugle (New Albany; later Salem, Ohio)  
1845-1848
3. Anti-Slavery Record (New York) 1835



4. The Chillicothe Leader (Chillicothe, Ohio) 1891 (?)
5. Genius of Universal Emancipation (Greenville, Tenn.) 1821; (Philadelphia, Pennsylvania) 1837
6. Miscellaneous Repository (Mt. Pleasant, Ohio) 1833
7. Moral Advocate (Mt. Pleasant, Ohio) 1822-1823
8. Niles' Weekly Register (Baltimore, Maryland) 1815-1816
9. The Non-Slaveholder (Philadelphia, Pennsylvania) 1846
10. The Philanthropist (New Richmond; later Cincinnati, Ohio) 1836-1840
11. The Philanthropist (Mt. Pleasant, Ohio) 1817-1822
12. Scioto Gazette (Chillicothe, Ohio) 1802-1804; 1815-1816

#### D. OTHER MATERIALS

1. Atwater, Caleb, A History of the State of Ohio, Cincinnati, Stereotyped by Glezen and Shepard, 1838.
2. Baird, Reverend Robert, View of the Valley of the Mississippi or the Emigrant's and Traveller's Guide to the West, Philadelphia, published by H.S. Turner, 1834.
3. Ballagh, James Curtis, Editor, The Letters of Richard Henry Lee, 2 Vols., New York, Macmillan Co., 1911.
4. Barnes, Gilbert and Dumond, Dwight, Editors, Letters of Theodore Dwight Weld Angelina Grimke Weld and Sarah Grimke, 1822-1844, 2 Vols., New York, D. Appleton-Century Co. 1934.
5. Birkbeck, Morris, Notes on a Journey in America from the Coast of Virginia to the Territory of Illinois, Philadelphia, Caleb Richardson, 1817  
Letters from Illinois, London, Printed for Taylor and Husey, 1818.  
Extracts From A Supplementary Letter From Illinois; An Address to British Emigrants, London, Printed for James Ridgway, 1819.

6. Bond, Jr., Beverley, Editor, The Correspondence of John Cleves Symmes Founder of Miami Purchase, New York, MacMillan and Company, 1929.
7. Buel, Rowena, Compiler, Memoirs of Rufus Putnam, Boston, Houghton Mifflin and Company, 1903.
8. Burnet, Jacob, Notes on the Early Settlement of North-Western Territory, Cincinnati, Derby, Bradley and Company, 1847.
9. Callender, Guy S., Editor, Selections From Economic History of the United States, 1765-1860, Boston, Ginn and Company, 1909.
10. Chase, Salmon P., and Cleveland, Charles D., An Address Of The Southern And Western Liberty Convention, Held At Cincinnati, June 11 and 12, 1845, Philadelphia, J.A. Bancroft and Co., 1867.
11. Cutler, William P. and Julia P., Editors, Life, Journals and Correspondence of Reverend Manasseh Cutler LL.D., 2 Vols., Cincinnati, Robert Clarke and Company, 1888.
12. A Debate on Slavery Held in the City of Cincinnati, October 1845, William H. Moore and Company, 1846.
13. Edgerton, Walter, History of the Separation in Indiana Yearly Meeting of Friends; which took Place in the Winter, 1842 and 1843, on the Anti-Slavery Question, Cincinnati, Achilles Pugh, 1856.
14. Esarey, Logan, Editor, Messages and Letters of William Henry Harrison, 2 Vols., Indiana Historical Collections, Vols. VII and IX, Indianapolis, Indiana Historical Commission, 1922.
15. Flint, Timothy, Recollections of the Last Ten Years Passed in Occasional Residences and Journeying in the Valley of the Mississippi, Boston, Cummings, Hilliard and Company, 1826.
16. Hall, James, Notes on the Western States: Containing Descriptive Sketches of Their Soil, Climate, Resources, and Scenery, Philadelphia, Harrison Hall, 1838.
17. Hamilton, S. M., Editor, Writings of James Monroe, (1778-1794), Vol. I, New York, G. P. Putnam's Sons, 1898-

18. Lindley, Harlow, Editor, Indiana As Seen by Early Travelers, Indiana Historical Collections, Vol. I, Indianapolis, Indiana Historical Commission, 1916.
19. Michaux, Dr. F. A., Travels to the Westward of the Alleghany Mountains in the States of Ohio, Kentucky and Tennessee in the year 1802, London, Barnard and Sultzter, 1805.
20. Peck, J. M., A New Guide For Emigrants To the West, Boston, Gould, Kendall and Lincoln, 1836.
21. Schoolcraft, Henry R., Summary narrative of an exploratory expedition to the sources of the Mississippi river, in 1820, Philadelphia, Lippincott, Grambo, and Co., 1855.
22. Smith, William H., Editor, The St. Clair Papers, 2 Vol., Cincinnati, Robert Clarke and Co., 1882.
23. Tenth Annual Report of the Association for the Benefit of Colored Orphans, New York, Egbert, Henry and King, 1846.
24. Thomas, Alfred A., Correspondence of T. E. Thomas, Dayton, Published by his Son, 1909.
25. Thwaites, Reuben A., Editor, Early Western Travels, 1748-1846, Cleveland, Arthur Clark Company, 1904.
26. Washburne, E. B., Editor, The (Ninian) Edwards Papers, Chicago Historical Society Collections, Vol. III, Chicago, Fergus Printing Company, 1884.
27. Webster, Daniel, The Works of Daniel Webster, Vol. III, Boston, Little, Brown, Little Company, 1860.

## II. SECONDARY SOURCES

### A. BOOKS

1. Alvord, Clarence W., The Illinois Country, 1673-1818, Centennial History of Illinois, Vol. I, Springfield, Published by the Illinois Centennial Commission, 1920.
2. Bemis, Samuel F., Jay's Treaty, New York, The Macmillan Company, 1923.

3. Bond, Jr., Beverley, The Civilization of the Old Northwest, New York, The Macmillan Company, 1934.
4. Buck, Solon J. Illinois in 1818, Springfield, Published by the Illinois Centennial Commission, 1917.
5. Chaddock, Robert E., Ohio Before 1850: A Study of the Early Influence of Pennsylvania and Southern Population in Ohio, New York, Columbia University Press, 1908.
6. Channing, Edward, A History of the United States, 6 Vols., New York, The Macmillan Company, 1925.
7. Coleman, John W., Slavery Times in Kentucky, Chapel Hill, The University of North Carolina Press, 1940.
8. Coles, Edward, History of the Ordinance of 1787, Philadelphia, The Historical Society of Pennsylvania Press, 1856.
9. Cooley, Thomas, Michigan: A History of Governments, Boston, Houghton Mifflin and Company, 1895.
10. Dictionary of American Biography, 20 Vols., edited by Allen Johnson, New York, Charles Scribner's Sons, 1928-1936.
11. Dufour, Perret, The Swiss Settlement of Switzerland County, Indiana, Indiana Historical Collections, Vol. XIII, Indianapolis, Indiana Historical Commission, 1925.
12. Dumond, Dwight, Anti-Slavery Origins of the Civil War in the United States, Ann Arbor, University of Michigan Press, 1939.
13. Dunbar, Seymour, A History of Travel in America, 3 Vols., Indianapolis, The Bobbs-Merrill Company, 1915.
14. Dunn, Jacob P., Indiana, A Redemption from Slavery, Boston, Houghton Mifflin and Company, 1893.
15. Edwards, Ninian Wirt, History of Illinois from 1778 to 1833 and Life and Times of Ninian Edwards, Springfield, Published by the Illinois State Journal Company, 1870.

16. Esarey, Logan, A History of Indiana from its Exploration to 1850, Indianapolis, W. K. Stewart Co., 1915.
17. Harlow, Alvin, Old Towpaths, New York, D. Appleton and Co., 1926.
18. Harris, N. Dwight, Negro Servitude in Illinois; Chicago, A. C. McClurg and Co., 1904.
19. Hindsdale, B. A., The Old Northwest, New York, Townsend MacCoun, 1888.
20. Historical Encyclopedia of Illinois, Vol. I, edited by Newton Bateman and Paul Selby, Chicago, Munsell Company, 1905.
21. History of Brown County, (Ohio), Chicago, W. H. Beers and Co., 1883.
22. Jones, Rufus M., The Later Periods of Quakerism, 2 Vols., London, MacMillan and Co., Limited, St. Martins Street, 1921.
23. Ketring, Ruth A., Charles Osborn in the Anti-Slavery Movement, Ohio Historical Collections, Vol. VII, Columbus, Ohio State Archeological and Historical Society, 1937.
24. Kettleborough, Charles, Constitution Making in Indiana, Indiana Historical Collections, Vol. I, Indianapolis, Historical Commission, 1915.
25. King, Rufus, Ohio First Fruits of the Ordinance of 1787, Boston, Houghton Mifflin and Company, 1896.
26. Kirkpatrick, John E., Timothy Flint, Pioneer, Missionary, Author, Editor, 1780-1840, Cleveland, Arthur H. Clark Co., 1911.
27. Ogg, Frederic, The Old Northwest, Allen Johnson, Editor, The Chronicles of America, Vol. XIX, New Haven, Yale University Press, 1919.
28. Patterson, I. F., The Constitution of Ohio, Cleveland, The Arthur Clark Company, 1912.
29. Paxson, Frederic L., History of the American Frontier, 1763-1893, Boston, Houghton Mifflin Company, 1924.
30. Quillin, Frank, The Color Line in Ohio, University

of Michigan Historical Studies, Vol. III, Ann Arbor, George Wahr, Publisher, 1913.

31. Randall, Henry S., The Life of Thomas Jefferson, 3 Vols., New York, Derby and Jackson, 1858.
32. Raney, William F., Wisconsin a Story of Progress, New York, Prentice Hall, Inc., 1940.
33. Raycroft, Eljoseph, The Friends of Humanity Baptists in Illinois, A Master of Arts Thesis prepared at the University of Iowa, 1935.
34. Reynolds, John, The Pioneer History of Illinois, Chicago, Fergus Printing Company, 1887.
35. Rodabaugh, J. H., A History of Miami University from its Origin to 1845, A Master of Arts Thesis Prepared at Miami University, Oxford, Ohio, 1935.
36. Rosengarten, J. G., French Colonists and Exiles in the United States, Philadelphia, J. B. Lippincott Company, 1907.
37. Smith, Adam, An Inquiry Into the Motive and Causes Of the Wealth of Nations, 2nd Ed., London, Methuen and Co., Lt. D., 1920.
38. Smith, Theodore, The Liberty and Free Soil Parties in the Northwest, Longmans, Green and Co., 1897.
39. Tuckerman, Bayard, William Jay and the Constitutional Movement for the Abolition of Slavery, New York, Dodd Mead and Company, 1894.
40. Turner, Frederick J., The Frontier in American History, New York, Henry Holt and Company, 1920.
41. Rise of the New West, 1819-1829, A. B. Hart, Editor, The American Nation: A History, Vol. XIV, New York, Harper and Brothers Publishers, 1927.
41. Tuttle, Charles T., An Illustrated History of Wisconsin, Madison, B. B. Russel and Co., 1875.
42. Vander Velde, Lewis G., The Presbyterian Churches and the Federal Union, 1861-1869, Cambridge, Harvard University Press, 1932.
43. Washburne, E. B., Sketch of Edward Coles, Second Governor of Illinois and the Slavery Struggle, Chicago, Jansen, McClurg and Company, 1882.

44. Weeks, Stephen, Southern Quakers and Slavery, John Hopkins University Studies in Historical and Political Science, Extra Volume, XV, Baltimore, the Johns Hopkins Press, 1896.
45. Whittlesey, Col. Charles, Early History of Cleveland, Ohio, Fairbanks, Benedict and Co., 1867.

B. ARTICLES AND PAMPHLETS

1. Barnhart, John, "Sources of Southern Migration into the Old Northwest," Mississippi Valley Historical Review, Vol. XXII, No. 1, June, 1935, pp. 49-62.
2. Bond, Jr. Beverley, "The Lure of the Western Country," Mississippi Valley Historical Review, Vol. XVI, No. 2, September, 1929.
3. Cole, Frank T., "Thomas Worthington," Ohio Archaeological and Historical Publications, Vol. XII, No. 4, Oct., 1903, pp. 339-375.
4. Davidson, John N., "Negro Slavery in Wisconsin." Wisconsin Historical Proceedings, 1892, pp. 82-87.
5. Gilmore, W. E., "The Ordinance of 1787," Ohio Archeological and Historical Publications, Vol. XIV, No. 2, pp. 148-158.
6. Hubbart, Henry C., "Pro-Southern Influence in the Free West, 1840-1865," Mississippi Valley Historical Review, Vol. XX, No. 1, June, 1933, pp. 45-63.
7. James, Alfred P., "The First English Speaking Trans-Appalachian Frontier," Mississippi Valley Historical Review, Vol. XVII, No. 1, June, 1930, pp. 55-71.
8. Lindley, Harlow, "The Quakers in the Old Northwest," Mississippi Valley Historical Proceedings, Vol. V, 1911-1912, pp. 60-72.
9. Phelan, Raymond, "Slavery in the Old Northwest," Proceedings of the State Historical Society of Wisconsin, 1905, pp. 252-265.
10. Steward, T. G., "The Banishment of the People of Color from Cincinnati," Journal of Negro History, Vol. VIII, pp. 331-332.

11. Thwaites, R. A., "Early Lead Mining in Illinois and Wisconsin," American Historical Association Report, 1893, pp. 189-196.





