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COVENANT BREAKING, AND ITS CONSEQUENCES:

OR

THE PRESENT POSTURE OF OUR NATIONAL AFFAIRS, IN CONNECTION

WITH THE

MEXICAN WAR:

EMBODYING THE SUBSTANCE

OF

TWO DISCOURSES,

PREACHED IN HAMILTON, OHIO,

ON THE 4TH. AND 11TH. OF JULY, 1847.

BY THOMAS E. THOMAS,

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# DISCOURSE.

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## THE BROKEN COVENANT.

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MAL. II: 10.—Have we not all one Father? Hath not one God created us? Why do we deal treacherously every man against his brother, by profaning the covenant of our fathers?

WHEN the Most High divided to the nations their inheritance, when he separated the sons of Adam, he set the bounds of the people according to the number of the children of Israel. (Deut. 32: 8.) For this favored nation he selected the land of Canaan, the glory of all lands, (Ezek. 20: 6.)—where, when he had cast out the heathen, he planted them. He gave them a complete code of laws, moral, ceremonial, and political; and condescended to become, not only their Legislator, but, in a peculiar sense, their Chief Magistrate. In that wonderful volume which contains their constitution and laws, Jehovah was pleased to reveal to them, (what all other nations were ignorant of,) the true foundation of the equality of man's natural rights;—the fact that all mankind were possessed of a common nature, as descended from one original pair;—or, in the language of the Apostle, (Ac. 17: 26.) that he had “made of one blood all nations of men, to dwell on all the face of the earth.”

Equality of natural rights, however, does not imply, nor demand, equality of outward condition.

“Order is Heaven's first law; and this confest,  
Some are, and must be, greater than the rest,  
More rich, more wise.”

[Pope's Ess. on man, Ep. 4.]

There always have been, and, while human nature continues what it is, there always must be, rulers and subjects, leaders and followers, thinkers and workers, masters and servants.—Accordingly, in the Divine system of laws given to Israel, we find these diversities of condition, circumstances, and employment, recognized and provided for. With reference to the last mentioned relation, it may be said, that Jehovah not only permitted, but established, a system of servitude ;—(I use the word in its mildest sense: )—not a system of slavery, but yet of servitude ;—a system founded upon a distinct recognition of man's natural rights ; in which those rights were scrupulously guarded ; in which the interests as well as the rights of the servant were studiously consulted, and carefully protected ; in which the prerogatives of the master were accurately defined, and his obligations solemnly enforced.

And yet, alas! though blessed with such a code of laws ; on this, as on every other subject, so wisely adapted to the necessities of society, and so happily adjusted as to preserve the rights and promote the interests of all, so far as law could accomplish these ends ; we find on every page of Jewish history an exhibition of man's native tendency to tyrannize over his fellow-man. "If thou seest," said Solomon, "the oppression of the poor, and violent perverting of judgment and justice in a province, marvel not at the matter." (Eccl. 5: 8.) So common a sight was this, that to wonder at it, would but evince a childish ignorance of fallen human nature, and its mournful history. To the just and good man there remains this only consolation ;—"He that is higher than the highest regardeth," and will one day smite the oppressor, and rescue the oppressed.

The prophet Jeremiah was directed to reprove the princes and people of Jerusalem, because they had converted the Divine system of Hebrew servitude into a system of slavery ; and he closed his prophetic rebuke with this memorable denunciation ; Therefore, thus saith the Lord ; ye have not hearkened unto me, in proclaiming liberty, every one to his brother, and every man to his neighbor ; behold, I proclaim a liberty for you, saith the Lord, to the sword, to the famine, and

to the pestilence ; and I will make you to be removed into all the kingdoms of the earth." ( Jer. 34: 17.)

At a subsequent period, even after this threatened judgment had been executed, and some of the people, upon repentance, had been restored to their own land, we find Nehemiah compelled to " set a great assembly " against certain wealthy Jews, who were endeavoring to enslave their poorer brethren, (Neh. 5: 1, &c.)

And in the language of our text, this last of the Old Testament prophets solemnly and eloquently upbraids his people, and especially the priests, for their partial administration of that equitable law vouchsafed to their ancestors, ( v. 9.) "Have we not all one father? Hath not one God created us? Why then do we deal treacherously, every man against his brother, by profaning the covenant of our fathers?" Why do we not respect those rights of our brother which have a common foundation with our own ; and which are expressly recognized, and secured, in the covenant that God made with our fathers?

So much, then, in reference to the original application of the text. I propose to prove that its searching and momentous queries may, with equal pertinency, be considered as addressed by the messenger of God to the people of these United States : and surely they may, with special emphasis, be employed for that purpose on this day, so long celebrated as the birth-day of American liberty.

We surely need no assistance from the imagination, in drawing a parallel, at once interesting and instructive, between the ancient people of Israel, and the early settlers of these United States. An apostle has taught us that God, who made of one blood all nations of men, to dwell upon all the face of the earth, hath determined the times before appointed, and the bounds of their habitation. ( Ac. 17: 26.) And who can doubt that, when the Most High divided unto the nations their inheritance, when he separated the sons of Adam, he set the bounds of the people according to the number of *our* fathers? For nearly four thousand years after the ark had rested on Mount Ararat, whilst the posterity of Noah multiplied to hundreds of millions in the old world, where oriental, and Roman, and

feudal despotisms, successively, enchained the bodies, minds, and consciences of men, his descendants in the new world, at least in the fair and rich, the vast and magnificent portion which constitutes our national domain, numbered only a few hundred thousand wandering savages. There lay this beautiful land—stretching thousands of miles northward and southward, eastward and westward, with its immense capabilities for sustaining untold millions; yet left, according to the counsels of Heaven, during all those forty centuries, in undisturbed, primeval simplicity. No lofty city encumbered its soil. No keel cleaved those vast rivers, which have, not improperly perhaps, been denominated “inland seas.” No gallant vessel ruffled the bosom of its glassy lakes. No rich merchant-man, or frowning ship of war, floated in one of its capacious natural harbors. No plough of the farmer turned the sod of its extensive prairies. No axe of the feller was lifted up against its magnificent, and almost boundless forests. No adventurous miner explored the hidden riches of its coal and iron, and lead, and copper, and gold. The busy hum of industry had never been heard throughout all its borders. Not even the call of the herdsman to his cattle, or the whistle of the shepherd to his flock, had ever broken the silence of its forests, or awakened the slumbering echoes of its mountains.

But when the fullness of time had come, God guided the barks of Columbus to this western hemisphere: and mark how his providence ordered the subsequent events. Mexico and Peru, the portions of our continent already occupied by a denser and more civilized population, attracted, by their exhaustless wealth of gold and silver and precious stones, the curious, the ambitious, and the avaricious adventurers of Europe. These northern, and less alluring, but really more valuable regions, comparatively unoccupied, afforded a safe and happy home for ten thousands of the old world, who under the government of priests and princes in their native lands, had long sought in vain for civil and religious liberty. Truly has it been said that God sifted three nations to obtain the seed planted in these United States. And, indeed, he sifted, not three nations, only, but all the nations of Europe. The Scotch, the Irish, the English

Puritans, the Huguenots of France, the Calvinists of Holland, the Moravian Germans, and even the English Catholics, who first emigrated to this country, were prompted to leave their homes, and encounter all the perils of the sea and of the wilderness, mainly by an impressive desire for civil and religious freedom.

In the plenitude of his goodness God granted their desire.—Every occurrence in the eventful history of the colonies, even those at first apparently adverse, was rendered subservient to the attainment of liberty. He that directed the Israelites to flee out of Egypt, brought our fathers out of their house of bondage. He that opened, for the one, a path through the Red Sea; provided, for the other,—by the invention of the compass, and the improvements in the art of navigation,—facilities for safely traversing the broad Atlantic. If constant miracles of mercy supported the one, in the wilderness of Sinai; a series of providences, no less manifest, sustained the other amid the wilds of America. If he raised up a Joshua to conduct the former to victory, he furnished the latter with an equally competent commander, in the person of Washington. Alas that the parallel must be pursued yet farther! The ancient people of God set up, even in the wilderness, that idolatrous worship, which, in one form or other, cleaved to them and their descendants, until it issued in their complete national overthrow.—And our fathers, the most highly favored of all modern nations, suffered the early introduction of a system of iniquity, which has grown with our growth, and strengthened with our strength; and which, if we heed not the warnings of God's providence and word, will as certainly result in our utter and irrevocable ruin.—I refer to the introduction into the colonies of *slavery and the slave-trade*.

Who would have believed that the very men who had themselves fled from oppression, and into whose souls the iron of despotism had entered, would have ever permitted the asylum of their adoption to be pressed by the foot of a slave? But so it was;—such is poor human nature! The very year which witnessed the establishment of the Pilgrim Fathers at Plymouth, witnessed, also, the introduction of negro slavery into

Virginia. At first, indeed, "scruples arose among the conscientious Puritans and Quakers, and the whole system fell into disrepute and reprobation. As early as 1645, when some negro slaves, stolen from Guinea, were introduced into Massachusetts, the General Court ordered them to be restored, at the public charge, to their native country, with a letter expressing the indignation of the Court at their wrongs."\* The two church members, who had been concerned in this iniquity, were summarily suspended from communion. And yet, little more than a century had elapsed, before slaves were held, not only in Georgia, South Carolina, North Carolina, Virginia, Maryland, Delaware, Pennsylvania, New York, and New Jersey, but even in Connecticut, Rhode Island, and Massachusetts; and slaves were publicly advertised for sale, in the news papers of Boston! †

Nor is there much weight in the assertion, so often made, that slavery was forced upon the colonies by the British government. It is true that some colonial Assemblies, those of Virginia in particular, did frequently pass laws, restricting, or prohibiting the slave-trade; to which the King, or the Governors by his direction, refused assent. But, on the other hand, —not to insist upon what was always and everywhere true, that, however the importation might be allowed, no colonist was ever required to buy slaves; (and, had public opinion been decidedly against the traffic, few would ever have been purchased; )—not to insist upon this, I say, there are some stubborn facts which go far to fix no small portion of responsibility, in this matter, upon our own country.

The original charter of Georgia, as granted to Oglethorpe and others, prohibited, the importation of W. India rum, and the existence of negro slavery. Both these prohibitions were complained of by the colonists, "and it was asserted that the prohibition of slavery prevented successful cultivation of their lands. This latter assertion was, however, disproved by the

\* "Before the Revolution, domestic slavery was not uncommon in the large towns in Massachusetts; and as late as 1774, the public papers usually contained notices of black slaves for sale."—Bradford's Hist. of Mass. † Bancroft's U. S. vol. 1. p. 173.



Moravian settlers, whose fields were always well cultivated, without the least assistance of negroes, or other servants."\*—Notwithstanding these complaints, therefore, the proprietors continued the restrictions from 1732 to 1752; nor was it until the charter passed into the hands of the King, that the wishes of the colonists prevailed, and slavery was introduced into Georgia.

While the Duke of York, (afterwards King James the 2nd. of England,) gave law to the colony of New York; by the statutes known as "the Duke's laws," which continued in force from 1665 to 1683, it was forbidden to a "christian to keep a slave, except persons adjudged thereto by authority, or such as have willingly sold or shall sell themselves." But when the government was in the hands of the colonists, the Assembly of 1740, (which, by the way, was charged with seeking independence of the British crown,) observed, "that all due encouragement ought to be given to the direct importation of slaves, and all smuggling of slaves condemned, as an eminent discouragement to the fair trader"† †

Even with reference to Virginia, Jefferson says: "During the regal government, we had, at one time, obtained a law, which imposed such a duty on the importation of slaves, as amounted nearly to a prohibition; when one inconsiderate Assembly, placed under a peculiarity of circumstances, repealed the law. This repeal, (he adds,) met with a joyful sanction from the then sovereign; and no devices, no expedients which could ever after be attempted by subsequent Assemblies, (and they seldom met without attempting them,) could succeed in getting the regal assent to a renewal of the duty."‡

The original draft of the Declaration of Independence, as it came from the pen of Jefferson, contained this important paragraph: "He (the King of Great Britain) has waged cruel war against human nature itself, violating its most sacred rights of life and liberty in the persons of a distant people who never offended him, captivating and carrying them into slavery in another hemisphere, or to incur miserable death in their trans-

\* Frost's Hist. of the U. S. ii. 103. † Kent's Commentaries, ii. 255.  
‡ Notes on Va. Phil. 1801, p. 171.

portation thither. This piratical warfare, the approbrium of infidel powers, is the warfare of the *Christian* King of Great Britain: determined to keep open a market where MEN should be bought and sold, he has prostituted his negative for suppressing every legislative attempt to prohibit or to restrain this execrable commerce;" &c.\* It is well known that this paragraph is not to be found in the Declaration as adopted by Congress, July 4th, 1776. The causes of its omission, which may not be so generally understood, are thus stated by Jefferson himself: "The clause reprobating the enslaving the inhabitants of Africa, was struck out in complaisance to South Carolina and Georgia, *who had never attempted to restrain the importation of slaves, and who, on the contrary, still wished to continue it.* † Our northern brethren, also, I believe, felt a little tender under their censures; for altho' their people had very few slaves themselves, yet they had been *pretty considerable carriers of them to others.*" ‡

Such, then, was the unhappy state of things during the former half of the eighteenth century. Negroes, more or fewer, were held in bondage throughout all the colonies; the slave-trade, if not universally legalized, was extensively practised; and, although many good people remonstrated, and an occasional act of legislation looked towards prohibition, or emancipation, yet there was no such strength of public sentiment against slavery, especially in those provinces where slave labor was profitable, as could warrant the hope of its speedy termination.

The controversy on paper, between the colonies and Great Britain, relative to the rights and liberties of the former, which preceded the controversy on the battle fields of the Revolution, first produced a decided change in public opinion with regard to negro slavery. For many years, the colonists were absorbed in that discussion of principles. The whole subject of natural and political rights was thoroughly investigated. The

\* See a fac simile of the Declaration, Jefferson's correspondence vol. 4. † This statement must be qualified by the facts mentioned below. ‡ See Niles' Register, 11th July, 1829.

true foundation of those rights, and of all just government, was clearly ascertained. The press teemed with able political essays. The forum thundered forth eloquent denunciations of tyranny. The principles of the Bible, bearing upon the subject, were presented from a hundred pulpits. The popular mind was enlightened, aroused, and profoundly interested.— True, the main points at issue were the nature, extent, and foundation of the rights of the colonists themselves: but it was readily and universally perceived, that the arguments by which they defended themselves against the tyranny of a British King, were equally valid in defending a slave against the tyranny of his master.\* The result of this discussion, so far as African slavery was concerned, may be learned from the facts and resolutions which follow; and especially from that solemn national covenant, in reference to the slave-trade, which it is my chief design to present, in this connexion.

In 1770, "several blacks in Massachusetts sued their masters for their liberty, and for wages for past service; the Courts deciding in their favor, on general principles of freedom."†

Dr. Benj. Rush, in a letter to Granville Sharp, dated May 1, 1773 said,—“A spirit of humanity and religion begins to awaken in several of the colonies, in favor of the poor negroes. Anthony Benezet stood alone, a few years ago, in opposing negro slavery in Philadelphia; and now, three-fourths of the province, as well as of the city, cry out against it.”‡

Jan. 1774, “An act to prevent the importation of negroes

\* As a specimen of these discussions, and of their necessary bearing upon negro slavery, take one brief extract from a *sermon*, preached by the Rev. John J. Zubly, D. D., before the provincial congress of Georgia, meeting at Savannah, July 4th, 1775. (Dr. Z. represented the city of Savannah, in that congress.) His text was, James 2. 12;—his subject, “The law of liberty;”—his principles may be discovered in the following sentences. “That government and tyranny are the hereditary right of some, and that slavery and oppression are the original doom of others, is a doctrine that would reflect dishonor upon God. It is treason against all mankind.”— [American Archives; 4th series; vol. 2. p. 1545, published by authority of the Congress of the U. S.] Would such a discourse be endured in Savannah to-day? Its influence at that time may be seen in the resolution quoted upon p. 15.

† Walsh's Appeal, 303. ‡ Stuart's life of Sharp, p. 21.

and others, as slaves into this province," was passed by the Massachusetts Assembly.\*

In 1774, Connecticut prohibited the importation of slaves.

The preamble to the act prohibiting the importation of slaves into Rhode Island, passed in June, 1774, contains the following language ; "Whereas the inhabitants of America are generally engaged in the preservation of their own rights and liberties, among which that of personal freedom must be considered the greatest ; and as those who are desirous of enjoying all the advantages of liberty themselves, should be willing to extend personal liberty to others, therefore," &c.

The adoption, by the British Parliament, of the celebrated Boston Port Bill, which annihilated the commerce of that "rebellious" city, after the 1st day of June, 1774, called forth the loudest expressions of indignation from all parts of the American colonies. Town, county, and provincial meetings were every where held, in which such measures were suggested and adopted, as the people deemed most likely to stop the progress of governmental usurpation, and secure the colonial liberties. Among these measures, that of a universal non-importation and non-exportation agreement, in reference to Great Britain, met with almost unanimous approval. In connexion with this measure, the subject of slavery and the slave trade, naturally suggested itself ; the opportunity was generally embraced to express the public hostility to that nefarious business ; and its immediate abolition was almost universally demanded. The following extracts from the proceedings of these assemblies will suffice to show the position then occupied by our fathers.

June 1774. "At a general meeting of the freeholders and inhabitants of *Prince George's County, Virginia*, the following resolves were unanimously agreed to : (Among others,) "Resolved, that the *African* trade is injurious to this colony, obstructs the population of it by freemen, prevents manufactures and other useful emigrants from Europe from settling amongst us, and occasions an annual increase of the balance of trade against this colony."†

\* Walsh's Appeal, p. 313. † Am. Archives, series fourth, vol. 1, p. 493.

“ At a meeting of the freeholders and other inhabitants of the county of *Culpepper*, in *Virginia*, assembled on due notice, at the Court House of the said county, on Thursday, the 7th of July, 1774, to consider of the most effectual method to preserve the rights and liberties of America :---Resolved, That the importing slaves and convict servants, is injurious to this colony, as it obstructs the population of it with freemen and useful manufacturers, and that we will not buy any such slave or convict servant hereafter to be imported.”\*

“ At a general meeting of the freeholders and inhabitants of the County of *Nansemond*, *Virginia*, on the 11th day of July, 1774, the following resolutions were unanimously agreed to : Resolved, That the African trade is injurious,” &c, [same as the resolution of Pr. George’s Co. ]†

July 14, 1774, At a similar meeting in *Caroline County*, *Virginia*, “ Resolved, That the African trade is injurious to this colony, &c---and therefore that the purchase of all imported slaves ought to be associated against.”‡

July 16th, 1774, At a meeting of *Surry County*, *Virginia*, “ 5th, Resolved, That as the population of this colony with freemen and useful manufacturers, is greatly obstructed by the importation of slaves and convict servants, we will not purchase any such slaves or servants hereafter to be imported.” ||

“ At a general meeting of the freeholders and other inhabitants of the *County of Fairfax*, *Virginia*, at the court house in the town of Alexandria, on Monday, the 18th day of July, 1774 ;—( *George Washington*, Esqr. in the chair ) :—Resolved, That it is the opinion of this meeting, that during our present difficulties and distress, no slaves ought to be imported into any of the British colonies on this continent ; and we take this opportunity of declaring our most earnest wishes to see an entire stop forever put to such a wicked, cruel, and unnatural trade.—Resolved, That it is the opinion of this meeting, that

\* Do. p. 523. † Do. p. 530. ‡ Do. p. 541. ||Do. p. 593.

a *Solemn Covenant and Association* should be entered into by the inhabitants of all the colonies, &c.,"\*

"At a meeting of the freeholders of *Hanover County, Virginia*, at the court house, on July 20th, 1774," an address of instruction to their Delegates, John Syme and Patrick Henry, was adopted, in which they say: "The African trade for slaves, we consider as most dangerous to virtue and the welfare of this country; we therefore most earnestly wish to see it totally discouraged."†

"At a meeting of freeholders &c, of *Princess Anne County, Virginia*,—Resolved, That our Burgesses be instructed to oppose the importation of slaves and convicts, as injurious to this colony," &c. ‡

"At a very full meeting of Delegates from the different counties in the colony and dominion of *Virginia*, begun in Williamsburgh the 1st day of August, 1774,—the following Association was unanimously resolved upon, and agreed to—  
2nd. We will neither ourselves import, nor purchase any slave or slaves imported by any other person, after the first day of *November* next, either from Africa, the West Indies, or any other place."||

Thomas Jefferson was one of the Delegates appointed to attend this Virginia Convention. Prevented by sickness from attendance, he drew up a paper expressive of his sentiments upon some important points, which he forwarded by one of his brother Delegates. That paper contains the following paragraph:—  
"The abolition of slavery is the greatest object of desire in these colonies, where it was unhappily introduced in their infant state. But previous to the enfranchisement of the slaves we have, it is necessary to exclude all further importations from Africa. Yet our repeated attempts to effect this by prohibitions, and by imposing duties which might amount to a prohibition, have been hitherto defeated by his Majesty's neg-

\* Do. p. 600. † Do. p. 616. ‡ Do. 641. || Do. p. 687.

ative : thus preferring the immediate advantage of a few African corsairs, to the lasting interests of the American states, and to the rights of human nature, deeply wounded by this infamous practice.”\*

Aug. 27, 1774, The first *Provincial Convention of North Carolina*, held at *Newburn*, adopted the following, among other resolutions : “ Resolved, That we will not import any slave or slaves, or purchase any slave or slaves imported or brought into this province by others, from any part of the world, after the first day of November next.”†

On the 5th of September, 1774, the *First Continental Congress* assembled in Philadelphia. Eleven Colonies were represented in that body. After a long and patient consideration of the subject, a Plan of Association for carrying into effect the non-importation, &c., was adopted on the 20th of October, from which I quote the following article : “ WE DO, FOR OURSELVES, AND FOR THE INHABITANTS OF THE SEVERAL COLONIES WHOM WE REPRESENT, FIRMLY AGREE AND ASSOCIATE, UNDER THE SACRED TIES OF VIRTUE, HONOR, AND LOVE OF OUR COUNTRY, *as follows*:—2nd. THAT WE WILL NEITHER IMPORT, NOR PURCHASE ANY SLAVE IMPORTED, AFTER THE FIRST DAY OF DECEMBER NEXT, AFTER WHICH TIME WE WILL WHOLLY DISCONTINUE THE SLAVE TRADE, AND WILL NEITHER BE CONCERNED IN IT OURSELVES, NOR WILL WE HIRE OUR VESSELS, NOR SELL OUR COMMODITIES OR MANUFACTURES TO THOSE WHO ARE CONCERNED IN IT.”‡ This Association was read, and signed at the table, by the Delegates of New Hampshire, Massachusetts, Rhode Island, Connecticut, N. York, N. Jersey, Pennsylvania, Delaware, Maryland, Virginia, North Carolina, and South Carolina. Georgia was not represented in that Congress. Among the signers, were John Adams, Roger Sherman, John Jay, Philip Livingston, Richard Henry Lee, George Washington, Patrick Henry, Benj. Harrison, &c.

Such was THE COVENANT OF OUR FATHERS, form-

\* Do. p. 696. † Do. p. 735. ‡ Do. pp. 913, 914.

ed by the first American Congress : an act, demanded, as we have seen, by the public conscience and will, even in the Southern States : an act by which, at the earliest period within which it could be made universally known, the Representatives of the people, in their name, and by their authority, resolved *wholly to discontinue the slave trade*, and thus put away from us,—preparatory to entering upon a fearful struggle for freedom,—our chief national iniquity : an act which as Jefferson distinctly intimates, was regarded only as initiative to the final abolition of slavery itself. It may be said, indeed, that this Association, by its very terms, was binding, only until certain Acts of Parliament were redressed : and this is true, so far as the letter of the Covenant, and the body of its provisions, are concerned. But that these limitations were never intended to apply to the *second article* of that association, is evident, *first*, from the peculiar and emphatic phraseology employed : *secondly*, from the fact that the object of a non-importation was, to affect the business interests of the mother country, and thus compel her own citizens to oppose the tyrannical measures of government ; but the slave trade could have been continued without the possibility of benefiting Great Britain : and *thirdly*, from the nature of the arguments used against that traffic,—“ that it is injurious to the colonies,”—“ a wicked, cruel, and unnatural trade,”—“ most dangerous to virtue and the welfare of the country,”—“ an infamous practice, deeply wounding the rights of human nature,” &c. Surely the Congress could never have intended that such a traffic should be suspended only until their own threatened rights should be secured ! And, let it ever be remembered, that, as the grievances complained of by the colonists were never redressed, until the Governor of nations had manifestly interposed in their behalf, they were then bound by every tie of gratitude and of religion, never to relapse into the practice of that enormous crime, which they had so long perpetrated, and now solemnly professed “ wholly to discontinue.” Well, then, might the Philadelphia Yearly meeting of Quakers, in their anti-slavery petition to the Constitutional Congress of 1797 say,—“ This was a solemn league and covenant made with the Almighty in an hour



of distress ; and he is now calling upon you to perform and fulfil it.”\*

That the Continental Congress, in subscribing, for themselves and for the colonists, so important and enduring an obligation as that contained in the second article of the Association, did not transcend their powers, and the wishes of their constituents, is evident, not only from the facts and resolutions already quoted, but from others which remain to be mentioned. In every part of the land, this act was confirmed and sanctioned, by town, and county meetings, as well as by Provincial Conventions ; and innumerable committees were appointed to see that its provisions were strictly complied with.

“At a legal meeting of the inhabitants of the town of *Danbury, Connecticut*, Dec. 12th 1774, they say : “2. We do heartily approve of the Association containing a non-importation, non-exportation, and non-consumption agreement, entered into by the General Congress,” &c. “4. It is with singular pleasure we notice the second article of the Association, in which it is agreed to import no more negro slaves, as we cannot but think it a palpable absurdity so loudly to complain of attempts to enslave us, while we are actually enslaving others ; and that we have great reason to apprehend the enslaving the Africans is one of the crying sins of the land, for which Heaven is chastising us. We notice also with pleasure, the late act of our General Assembly, imposing a fine of one hundred pounds on any one who shall import a negro slave into this colony. We could also wish that something further might be done for the relief of such as are now in a state of slavery in the colonies, and such as may hereafter be born of parents in that unhappy condition.”†

Such were the views of the *second article*, entertained in the northern colonies. Let us see how it was regarded in the extreme south. The Provincial Congress of *South Carolina*,

\*American State Papers, vol. XX. pp. 163, 164. †Amer. Archives, fourth series, vol. 1. p. 1038.

meeting on the 11th January, 1775, "Resolved, That this Congress do approve the American Association."\*

We have seen that *Georgia*, (from a peculiarity of circumstances,) was not represented in the Continental Congress of 1774. The people of that state, however, were deeply interested in its proceedings; and on the 12th. of January, 1775, the Darien committee adopted a paper from which the following extract is taken: "We, therefore, the Representatives of the extensive district of *Darien*, in the colony of *Georgia*, having now assembled in Congress, by authority and free choice of the inhabitants of the said district, now freed from their fetters, do resolve,—5. To show the world that we are not influenced by any contracted or interest'ed motives, but a general philanthropy for all mankind, of whatever climate, language, or complexion, we hereby declare our disapprobation and abhorrence of the unnatural practice of slavery in America, (however the uncultivated state of our country, or other specious arguments may plead for it,) a practice founded in injustice and cruelty, and highly dangerous to our liberties, (as well as lives,) debasing part of our fellow-creatures below men, and corrupting the virtue and morals of the rest; and as laying the basis of that liberty we contend for (and which we pray the Almighty to continue to the latest posterity) upon a very wrong foundation. We therefore resolve, at all times to use our utmost endeavors for the manumission of our slaves in this colony, upon the most safe and equitable footing for the masters and themselves."†

On the 18th of January, 1775, forty-five of the Deputies assembled in Provincial Congress, at Savannah, in *Georgia*, subscribed an Association, as follows:—"We do, therefore, for ourselves and our constituents, firmly agree and associate, under the sacred ties of virtue, honor, and love of country.—2nd. That we will neither import nor purchase any slaves imported

\* Do. p. 1111. †Do. p. 1136.

from Africa, or elsewhere, after the 15th day of March next."\*

On the 6th of July, 1775, The *Provincial Congress* of *Georgia* meeting at Savannah, resolved, "4th, That we will neither import, nor purchase any slave imported, from Africa, or elsewhere, after this day."†

On the 24th of March, 1775, a Bill to prohibit the importation of slaves, passed the Assembly of *Delaware*.‡

Finally, to omit other facts of a similar character, the general principles which must forever condemn both the slave-trade and slavery, were solemnly affirmed by the third Continental Congress, when they adopted, on the 4th of July 1776,—seventy one years since,—the memorable document which immortalized the memory of the day, and gave birth to our Republic. "We hold these truths to be self-evident: that *all men* are created equal; that they are endowed by their Creator with certain unalienable rights; that among these are life, *liberty, and the pursuit of happiness*." In defence of these principles, and their legitimate consequences, our fathers waged war with the mightiest power on earth, "appealing" as they said, "to the Supreme Judge of the world" for the rectitude of their intentions. "And for the support of this Declaration," (such was their language to one another,) "with a firm reliance on the protection of Divine Providence, we mutually pledge to each other, our lives, our fortunes, and our sacred honor."

Who can doubt that the act of the first Continental Congress, by which, "under the sacred ties of virtue, honor, and the love of country," they bound themselves and their constituents "wholly to discontinue the slave-trade" after December 1st., 1774,—was an act acceptable to God? Who can doubt

\* Do. p. 1158. †Do. vol. 2. p. 1545. It was before this body that Dr. Zubly preached his 4th of July sermon, mentioned above. ‡Do. vol. 2. p. 127.

that the principles of the Declaration of Independence, being absolute truth, received his righteous approval? And was the appeal of our fathers to the Supreme Judge of the world unheard? Was their humble reliance on Divine Providence an idle trust? Before they called, he had answered. Already had he prepared suitable agents for that great work which he intended to perform in their behalf: and when the hour for action arrived, he who raised up Cyrus from the east, gave the nations before him, and made him rule over kings, (Isa. 41: 2,) summoned generals to the field, statesmen to the legislative halls, financiers to the management of fiscal affairs, and ambassadors to promote our cause in foreign courts:—a body of men, so admirably qualified for their several stations, and so harmoniously co-operative, that the history of the world cannot furnish its parallel. Time would fail us to recount the many clear and marked providential interpositions, by which it was manifest that God defended the right. Let one or two facts serve as a specimen of the whole. The campaign of 1776, was, for the most part, disastrous to the American cause. Attacked by twenty-four thousand effective soldiers, under Lord Howe, amply supplied, and backed by a powerful fleet, Washington, with his nine thousand poorly provided followers, were compelled to abandon Long Island. “In the evening, a disadvantageous wind, and rain, prevented the troops from embarking, and it was feared that a retreat could not be effected that night. *But about eleven o’clock, a favorable breeze sprung up, the tide turned in the right direction, and a thick fog arose about two o’clock in the morning, which hung over Long Island, while on the New York side it was clear.*” Thus aided by Him who makes his pavilion dark waters and thick clouds of the skies, (Ps. 18; 11,) “the whole American army, with all the field artillery, such heavy ordnance as was of any value, ammunition, provisions, cattle, horses, carts, and every thing of importance, passed safely over. All this was effected without the knowledge of the British, although they were so nigh that they were heard at work with their pick-axes and shovels. *In half an hour* after the lines were finally abandoned, the

fog cleared off, and the enemy were seen taking possession of the abandoned works." \*

Driven from New York city, and partially defeated at White plains, Washington was compelled to pass the Hudson, and, after the loss of forts Washington and Lee, to retreat across N. Jersey, and pass the Delaware. Here, in mid winter, with an army reduced to three thousand men, bare-foot and bleeding, shivering in their tents, scantily furnished with the munitions of war, and even the necessaries of life, lay the American leader, defeated, but not disheartened. East of the Delaware, spread out over the conquered country, were thirty thousand victorious British troops. A proclamation from Gen. Howe, offering pardon to such as would take the oath of allegiance within sixty days, had led multitudes to abandon their country's cause; among the number, even some members of Congress. The Congress itself had removed from Philadelphia to Baltimore, leaving Robert Morris, and two associates, as a committee, to remain in that city, and attend to the necessary public business. At this critical juncture of our affairs, when, even in strong hearts, despair was obliterating the last faint traces of hope, Washington, in view of the positions, and confident security of the enemy, and the necessity of striking some bold stroke which might revive the fainting spirits of his countrymen, resolved on attacking some of the British posts. But "the sinews of war" were wanting. Washington addressed a letter to Robert Morris, "in which it was stated, that while the enemy was accurately informed of all his movements, he was compelled, from the want of specie, to remain in complete ignorance of their designs; and that a certain sum specified, (ten thousand dollars,) was absolutely necessary to the safety of the army, and to enable him to obtain such intelligence of the movements and precise position of the enemy on the opposite shore, as would authorize him to act offensively." Such was the pressing appeal:—but compliance seemed impossible. Congress had gone; the treasury had long been empty; the citizens of Philadelphia had many of them fled, carrying their

\* Frost's U. S. II. 210.

wealth with them. Deeply and gloomily did Morris revolve the matter in his mind : his usual time for retiring from the counting room arrived, and, as he was proceeding slowly and sorrowfully home, he met, providentially, a member of the society of Friends. The gentleman was, of course, from his principles, no friend to war ; but Morris resolved to ask his aid. "What news?" said the Quaker. "The most important news," he replied, "is, that I require ten thousand dollars in specie, and that you must let me have it. Your security is to be my note and my honor."—"Robert, thou shalt have it," was the brief and characteristic reply. The money was promptly remitted to General Washington ; the requisite information was gained ; the victories of Trenton and Princeton followed ; and from that hour, the American eagle soared aloft toward heaven.\*

In 1779 or 1780, two of the most distressing years of the war, General Washington wrote to Judge Peters, then at the head of the board of war, an alarming account of the prostrate condition of the military stores. There were no musket cartridges but those in the men's boxes, and they were wet : of course, if attacked, as they had every reason to apprehend, a retreat, or rout, was inevitable. The Board had already exhausted all the lead accessible to them ; having melted even the weights of clocks, and the spouts of houses ; and having offered, in vain, two shillings a pound for lead.† At an entertainment given by the Spanish minister, the same evening of the receipt of Washington's letter, Judge Peters, whose depression of spirits was discovered by the penetrating eye of Robert Morris, revealed to the latter the cause of his anxiety ;

\*Biog. of the Signers of the Decl. of Independ. vol. 5. pp. 199--201.

† When the British army arrived off New York, in June 1776, the Convention, apprehending an attack, ordered all the leaden window-sashes, which were then common in Dutch houses, to be taken out for the use of the troops. Shortly after, the church bells, and even the brass knockers on the doors, were removed, for the purpose of being converted into cannon. These facts strikingly illustrate the unprepared condition of the colonies for war. [Life of John Jay, vol. 1. pp. 44. 48.]

when, to his astonishment and delight, Mr. Morris informed him that the Holkar privateer, one of his own vessels, had just arrived at his wharf, *with ninety tons of lead*, which she had brought as ballast. The lead had been landed at Martinique, and stone ballast had supplied its place; but, from some cause, *this had been put on shore, and the lead again taken in!* "I instantly left the entertainment," said Judge P., relating the anecdote, "sent for the proper officers, and set more than one hundred people to work during the night. Before morning a supply of cartridges was ready, and sent off to the army. *I could relate many more such occurrences.*"\*

Let these well-attested facts suffice to illustrate the manner in which God heard and answered the appeal of our fathers. In view of such mercies, well might Franklin exclaim, "Had it not been for the justice of our cause, and the consequent interposition of Providence, in which we had faith, we must have been ruined. If I had ever before been an atheist, I should now have been convinced of the being and government of a Deity. It is he that abases the proud and elevates the humble; may we never forget his goodness to us, and may our future conduct manifest our gratitude."† Franklin was right. An infant nation, of scarce three million souls; at the beginning of the war without a navy, without an army, without an organized government, destitute of the various manufacturing establishments essential for support and defence;—we entered, single-handed, into a bloody conflict with the giant of the nations;—with a power whose navies swept every sea; whose armies were flushed with recent victories on every continent; whose government had all the strength of maturity, and all the promptness and vigor of monarchy; whose manufactories supplied the world, and poured streams of gold into the public treasury: we entered upon that dread conflict; we fought; we conquered; *for God was with us.*

The war had ended, and the danger had passed. Four years

\*Biog. Sign. Decl. vol. 5. pp. 203---205. †Do. vol. 2. p. 125.

of peace ensued ; and every day's experience strengthened the conviction that we needed a government, better constituted, and affording more promise of permanence than that which had been hastily fitted up, for the emergency of a revolutionary war. Accordingly, on the 25th of May, 1787, Delegates from all the States, except Rhode Island, the best and ablest statesmen in the land, assembled in Philadelphia to digest a new form of government for the nation. After almost four months of patient deliberation, earnest debate, and cautious decision, the Federal Convention offered to their constituents the present Constitution of the United States of America ;\* a system of government, which, with the exception of one or two mournful features, may be justly said far to surpass any similar work of man. Painful indeed is it to speak of these exceptions ; but who, on a review of the facts which we have been considering, can conceal his shame, astonishment, and indignation, on discovering in that Constitution *a licensed renewal of the African slave trade,—a national act of assent to its continuation during a period of twenty years!* Well might George Mason of Virginia, (himself a member of the Federal Convention,) exclaim, (with reference to Art. 4. sec. 9, subs. 1.) “Mr Chairman, *this is a fatal section.* The augmentation of slaves weakens the States ; and such a trade is diabolical in itself, and disgraceful to mankind. Yet, by this Constitution, it is continued for twenty years. As much as I value an union of all the States, I would not admit the Southern States† into the Union, unless they agreed to the discontinuance of this disgraceful trade. I cannot express my detestation of it.” Well might Mr. Tyler, of Virginia, say, “My earnest desire is, that it should be handed down to posterity that I opposed this wicked clause.”

If any thing can be more humiliating than the existence of such a clause in the Constitution, it is the utter selfishness, on the part of the East and South, that led to the adoption of an article by which the covenant of the fathers was so shamefully

\*A few amendments were subsequently adopted: †He referred to South Carolina and Georgia.



profaned. South Carolina and Georgia, only, (to use John Randolph's expression,) "stickled for the slave trade,"\* and threatened to abandon the union unless they were allowed its prosecution. Virginia, Maryland, and the middle States firmly opposed the traffic. Oh! if that Convention had stood by the noble Virginian, when he said, Let the "Southern States" go; but let us discharge our duty to mankind, and to God,—how different might have been the present fortunes of our Republic! If some Malachi could but have stood among them, and cried in the language of our text, Have we not all one Father? hath not one God created us? Why do we deal treacherously, every man against his brother, by profaning the covenant of our fathers?—But, alas! no Malachi could have prevailed. The large majority desired to fulfil their obligations; but, after a protracted struggle, they suffered principle in the many, to be overborne by covetousness and selfishness in the few. Said Rutledge of S. Carolina, a member of the Federal Convention, "Religion and humanity have nothing to do with this question. Interest alone is the governing principle with nations. The true question at present is, whether the Southern States (S. C. and Geo.) shall or shall not be parties to the union."—"I found the Eastern States," said Luther Martin, another member, from Maryland, "notwithstanding their aversion to slavery, were very willing to indulge the Southern States, at least with a temporary liberty to prosecute the slave-trade, provided the Southern States would in their turn gratify them, by laying no restriction on the navigation acts; and after a very little time, the committee, by a great majority, agreed on a report, by which the general government was to be prohibited from preventing the importation of slaves for a limited time, and the restrictive clause relative to navigation acts was to be omitted."

For the honor of a portion of the Federal Convention, suffer me to make a further quotation from the same speech. "This report," says Martin, "was adopted by a majority of the convention, but not without considerable opposition. It was said,

\*Congr. Debates for 1825-6. vol. 2. pt. 1. p. 127.

we had just assumed a place among independent nations in consequence of our opposition to the attempts of Great Britain to enslave us; that this opposition was grounded upon the preservation of those rights to which God and nature had entitled us, not in particular, but in common with all the rest of mankind; that we had appealed to the Supreme Being for his assistance, as the God of freedom, who could not but approve our efforts to preserve the rights which he had thus imparted to his creatures; that now, when we had scarcely risen from our knees, from supplicating his mercy and protection,—in forming our government over a free people, a government formed pretendedly on the principles of liberty, and for its preservation, in that government to have a provision not only putting it out of its power to restrain and prevent the slave trade, but even encouraging that most infamous traffic, by giving the States power and influence in the Union in proportion as they cruelly and wantonly sported with the rights of their fellow-creatures, ought to be considered as a solemn mockery of, and an insult to, that God whose protection we had then implored, and could not fail to hold us up in detestation, and render us contemptible to every true friend of liberty in the world. It was said, it ought to be considered that national crimes can only be, and frequently are, punished in this world by national punishment; and that the continuance of the slave trade, and thus giving it a national sanction and encouragement, ought to be considered as justly exposing us to the displeasure and vengeance of Him who is equally Lord of all, and who views with equal eye the poor African slave, and his American master.—These reasons influenced me, both on the committee, and in the convention, most decidedly to oppose and vote against the clause, as it now makes part of the system.”\* —Such were the views and arguments of Luther Martin, a lawyer and a delegate from the State of Maryland. Would to God that they might have prevailed with the Convention! But his warning voice, and those of his compatriots, Gerry, Morris, Mason, Wilson, Randolph, Madison, and others, were disregarded: *the covenant of our fathers*, made in the day of their distress, was *deliberately*

\*See his speech delivered before the Maryland Legislature.

*violated*; and the violation was *as deliberately confirmed* by the voice of the nation, in their final adoption of the constitution.

Such was the fatal error in principle committed by the people of these United States at the formation of our government; let us glance, for a moment, at the practical operation of that government, with reference to this subject. It may be said, that, however the framers of the constitution may have erred in permitting the continuance of the slave trade, they yielded only to what they regarded as an imperative necessity; and that, so far as the constitution allows, our national legislation has been uniformly adverse to that infamous traffic. In proof of this it may be alleged that, by the act of May 2d., 1807, Congress prohibited, under severe penalties, all further importation of slaves after Jan. 1st., 1808: that by the act of April 20th., 1808, these penalties were greatly increased: that by the act of March 3d., 1819, vessels engaged in the slave trade were declared to be confiscated, and armed ships were directed to cruise upon the coast of Africa for the purpose of seizing American slavers: and, finally, that by the act of May 15th., 1820, the slave trade was pronounced piracy, and the doom of pirates was declared to await all American citizens employed in this nefarious business.

Where is the American who does not wish that these facts were conclusive? Who would not rejoice in the proof of the position, that *since* 1808, at least, our nation has endeavored to atone for former injuries against the African; and, by her unwearied exertions in the cause of humanity, has offered to God, fruits meet for repentance of her crime? These Congressional acts have indeed, a fair appearance; but, alas! the history of their execution mantles the patriot's face with a blush of shame, and swells the christian's heart with fearful forebodings of national judgment. Let the following facts be duly considered, and it will be painfully evident, that, instead of bringing forth fruits of repentance for former errors, our na-

tion has gone on still in her trespasses, adding iniquity to iniquity.

1. Notwithstanding the legislative prohibition of the foreign slave trade after 1808, such was the negligence of the proper authorities in enforcing the law, or such the difficulty of compelling obedience while the law was unsustained by public sentiment in the South, and opposed by avarice and the love of political power, that thousands of slaves were annually imported from Africa and the West Indies, long after that period. During a debate in Congress, in 1819, Mr. Middleton, of South Carolina stated, that, in his opinion, 13,000 Africans were annually smuggled into the United States. Mr. Wright, of Virginia, estimated the number at 15,000. The same year, Judge Story, of the Supreme Court of the United States, in a charge to the Grand Jury, speaking of the slave trade, said, "American citizens are steeped to their very mouths (I can scarcely use too bold a figure,) in this stream of iniquity."— On the 7th January, 1819, Joseph Nourse, Register of the Treasury, in an official document submitted to Congress, certified that there were no records in the Treasury Department of any forfeitures under the act of 1807, abolishing the slave trade. As late as 1838, Mr. Elliot Cresson, of the Pennsylvania Colonization Society, stated in a public address at Boston, that "out of 177 slave ships which arrive at Cuba every year, *five-sixths* are owned and fitted out from ports in the United States. \*

2. In 1823, Feb. 28th., the House of Representatives passed a resolution requesting the President of the United States to negotiate with foreign powers for the abolition of the African slave trade, and its denunciation as piracy, by the consent of the civilized world. In consequence of this resolution several treaties were formed with other nations; but the Senate steadily refused to ratify any of them, even when they were precisely such as our own Government had proposed. Our final answer to the governments of Great Britain and France, as

\*The reader is referred for a multitude of similar facts, to Jay's View of the action of the Federal Government in behalf of slavery.

stated in the Edinburgh Review for July, 1836, is, that “under no consideration, in no form, and with no restriction, will the United States enter into any convention, or treaty, or combined efforts of any sort or kind with other nations, for the suppression of this trade.”\*

3 Altho’ our Government has professed to regard the African slave trade as *piracy*, ever since 1820,—a period of twenty-seven years ;—although slavers are frequently fitted out from American ports ;—although thousands of slaves have been imported into our own country since that time ; and although our national flag is notoriously disgraced by affording protection to numerous slave ships on the high seas ;—yet, *not a single individual*, it is believed, *has ever been executed for piracy, under this law, since its adoption*. Within a few years past, the crews of several American Slavers have been seized and sent home for trial ; but the few who have been sentenced by our Courts, have been pardoned by our Presidents.

4. Before the *legal* termination of the foreign slave trade in 1808, there sprang up between the southern States, a new, and, if possible, more detestable branch of this general business,—*the domestic slave trade* ; a species of traffic, which, receiving its earliest impulse from the very suppression of the African trade, and constantly stimulated by the acquisition of new markets in the West and South-west, has, during the last half century, been steadily pursued, and continually increasing. The character of the domestic, as compared with the foreign slave trade, was well drawn by Thomas Jefferson Randolph, of Virginia, in the legislative debate of 1832:—“The trader (African) receives the slaves, a stranger in aspect, language, and manner, from the merchant who brought them from the interior. But here, sir, individuals whom the master has known from infancy, whom he has seen sporting in the innocent gambles of childhood, who have been accustomed to look to him for protection, he tears from the mother’s arms, and sells into a

\*See Jay’s View &c. p. 118—126.

strange country, among a strange people, subject to cruel task-masters. In my opinion it is much worse."

As to the progress and extent of this infamous business, some idea may be formed from the following facts. In 1829, Mr. C. F. Mercer asserted in the Virginia Convention, that an annual revenue of a million and a half of dollars was derived by that State alone, from the exportation of slaves. In 1832, Thomas J. Randolph said, during a debate in the Legislature, that Virginia had been converted into "one grand managerie, where men are reared for the market like oxen for the shambles."—President Dew, of William and Mary College, Virginia, in his review of that debate, congratulated his fellow-citizens on the fact that the revenue derived from the domestic slave trade "*encouraged breeding*;" and he added, "Virginia is, in fact, *a negro-raising State* for other States." In 1836, the editor of the Virginia Times, asserted that 40,000 slaves were exported for sale, from that State, within twelve months past; affording, as he calculated, an income of *twenty-four millions of dollars!* In 1790, Elbridge Gerry valued all the slaves in the southern States at ten million dollars.\* According to a report of a committee of the citizens of Mobile, the people of Alabama, alone, had purchased slaves from other States, during the four years preceding 1837, to the amount of ten million dollars annually.†

The most painful and disgraceful fact remains to be told.—The capital city of that Republic which, *seventy-three years since*, covenanted "wholly to discontinue the slave trade," has been selected, with permission of Government, as the especial headquarters of the domestic slave trader. In the District of Columbia, "large establishments have grown up, provided with prisons for safe-keeping of the negroes, till a full cargo is procured; and should the factory prisons at any time be insufficient the public ones, erected by Congress, are at the service of the slave dealers."‡ The more humane part of the inhabitants of

\* Congressional Debates, 1, 1247. †Jay's View, p. 92. ‡Do. p. 93.

that District, have repeatedly expressed their abhorrence of this business. So long ago as 1802, the Grand Jury of Alexandria complained of it, and asked redress from Congress.—In 1816, Judge Morell; of the Circuit Court of the United States, charged the Grand Jury of Washington on this subject. In 1827, the Alexandria Gazette said, “scarcely a week passes without some of these wretched creatures being driven through our streets. After having been confined, and sometimes manacled in a loathsome prison, they are turned out in public view to take their departure for the South. The children and some of the women are generally crowded into a cart or wagon, while others follow on foot, not unfrequently handcuffed and chained together. Here, you may behold fathers and brothers leaving behind them the dearest objects of affection, and moving slowly along in the mute agony of despair; there, the young mother sobbing over the infant whose innocent smiles seem but to increase her misery. From some you will hear the burst of bitter lamentation; while from others, the loud, hysteric laugh breaks forth, denoting still deeper agonies.”—In 1828, a petition for the suppression of this trade was presented to Congress, signed by more than one thousand inhabitants of the District. In 1829, the Grand Jury of Washington requested from Congress “the exclusion of this disgusting traffic from the District.”—And yet, in 1838, the laws of the city of Washington contained the following enactment:—“*For a LICENSE to trade or traffic in slaves for profit, four hundred dollars!*”—The victims of avarice and lust clank their chains in the public avenues!—The soul drivers muster their wretched gangs within sight of the Congress Halls!—pursuing, undisturbed and unquestioned, a business, of which the New Orleans Courier well said, “it would require some casuistry to show that the present slave trade from that quarter is a whit better than the one from Africa!” And these atrocious proceedings are sanctioned by law at the Capital of our Republic, and in a District “under the exclusive jurisdiction” of the Federal Government!

“Have we not all one Father? Hath not one God created us?

Why do we deal treacherously every man against his brother, by profaning the covenant of our fathers!"—"Shall I not visit for these things? saith the Lord; shall not my soul be avenged on such a nation as this?"



## DISCOURSE II.

## THE CONSEQUENCES OF COVENANT-BREAKING.

JER. xxxiv. 8—17. This is the word that came unto Jeremiah from the Lord, after that the king Zedekiah had made a covenant with all the people which were at Jerusalem, to proclaim liberty unto them; that every man should let his man-servant, and every man his maid-servant, being an Hebrew or an Hebrewess, go free; that none should serve himself of them, to wit, of a Jew his brother. Now when all the princes, and all the people which had entered into the covenant, heard that every one should let his man servant, and every one his maid servant, go free, that none should serve themselves of them any more, then they obeyed, and let them go. But afterwards they turned, and caused the servants and the handmaids, whom they had let go free, to return, and brought them into subjection for servants and for handmaids. Therefore the word of the Lord came to Jeremiah, from the Lord, saying, Thus saith the Lord, the God of Israel; I made a covenant with your fathers in the day that I brought them forth out of the land of Egypt, out of the house of bond-men, saying, At the end of seven years, let ye go every man his brother an Hebrew, which hath been sold unto thee, and when he hath served thee six years, thou shalt let him go free from thee; but your fathers hearkened not unto me, neither inclined their ear. And ye were now turned, and had done right in my sight, in proclaiming liberty every man to his neighbor, and ye had made a covenant before me in the house which is called by name: but ye turned and polluted my name, and caused every man his servant, and every man his handmaid, whom he had set at liberty at their pleasure, to return, and brought them into subjection, to be unto you for servants and for handmaids. Therefore thus saith the Lord; Ye have not hearkened unto me, in proclaiming liberty, every one to his brother, and every man to his neighbour: behold, I proclaim a liberty for you, saith the Lord, to the sword,

to the pestilence, and to the famine; and I will make you to be removed into all the kingdoms of the earth."

The General Assembly of the Presbyterian Church in these United States, at its recent sessions, unanimously adopted the following resolutions: "Resolved, That in view of the present posture of our national affairs, the continuance of the war, and its great and dreadful results, it be earnestly recommended to all our churches to humble themselves before Almighty God, with confession of their own sins and of the sins of the people, that as individuals and as a nation we may be forgiven; that there may be a speedy, righteous, and amicable adjustment of all existing difficulties with other nations; and that we may be permitted to enjoy, without interruption, the blessings of peace.—Resolved, That all pastors, and all others preaching stately, be requested to bring this subject before the several churches in which they minister, on the second sabbath of July, or as soon after as may be convenient, and to urge upon our people the duty pointed out in the foregoing resolution."

In accordance with the Assembly's request, I invite your attention to *the present posture of our national affairs, as connected with the Mexican war; and to the duty of American christians and patriots, in view of our dangerous and critical condition as a nation.*

But how shall I discuss such a subject without departing, in some measure, from the ordinary routine of pulpit discourses? How can the present posture of our national affairs be understood, (in view of which we are called upon to humble ourselves,) without adverting to their past history?—without touching upon topics of political history, in regard to which there is the utmost sensitiveness in the public mind?—without trespassing upon party politics, and perhaps awakening unfriendly party feelings? I well know the exceeding reluctance with which the American public, and even the American Christian public, allow a Minister of the Gospel to intermeddle with political affairs, especially in the pulpit: and I cordially admit

the propriety of that reluctance. A clergyman is, indeed, a citizen, enjoying public benefits, sharing public burdens, and suffering public calamities, in common with his fellow-citizens; but he is one, "separated," by the appointment of Christ, with his own cheerful consent, "separated unto the gospel of God." Like other men, he is liable to err, and to view the conduct of his rulers through one or other distorting party medium. In the church and community for whose spiritual welfare he labors, there are men of every shade of political complexion, some of whom he can scarcely avoid offending by political discussions. Besides, the great interests of the Redeemer's kingdom have but a remote connection with the ordinary topics of political party controversy.

And yet there are, now and then, in the course of a generation, certain great questions agitating the public mind;—not tariff questions, nor bank questions; least of all, presidential questions, and petty squabbles between the ins and the outs at the public crib;—but certain great national questions, in which politics and morals, and the common prosperity and safety, are so intermingled and equally concerned as scarcely to admit of separate consideration; and which yet demand that the voice, not only of the professed politician, and of the common citizen, but also of the christian preacher, should be loudly lifted up. The British revolution of 1648 involved such a question; of which Baxter shrewdly remarks, "whereas the king's party usually say that it was the seditious preachers that stirred up the people, and were the cause of the king's overthrow, I answer, that it is partly true, and partly not."\* Our own revolutionary struggle, so recently commemorated, affords another example in point; nor were the public then unwilling that the influence of the christian ministry should be openly exerted in behalf of liberty.† The elder Adams, describing the actors

\* Life and times, fol. p. 34.

† "The inhabitants of New England," says Botta, "being extremely attached to religion, and more easily influenced by this than any other motive, the preachers exercised over their minds an authority scarcely conceivable. They often insisted, and always with new vehemence, that the cause of the Americans was the cause of Heav-

“in the real American revolution, the radical change in the principles and affections of the American people,” refers to Dr. Mayhew, of Boston, as one who exerted a vast influence in effecting the change, particularly by a sermon preached on the 30th. January, 1750, on passive obedience and non-resistance.

I may be mistaken, but it is my deliberate and deep conviction that *the question of slavery*, as connected with the present posture of our national affairs, and with the war, presents another of these great politico-moral subjects, which cannot be wholly excluded from the pulpit, unless the pulpit prove faithless to truth, faithless to the church, faithless to the public, and to God.

In tracing, as I propose to do, the progress of slavery in this country, its relation to the Mexican war, and its bearings on the future prospects of our nation, it is my chief design to show that the just and holy God, who presides over the affairs of men, has already fearfully punished our breach of covenant; and that, by successive events in our national career, He has, for many years, been manifesting that terrible catastrophe, which, without repentance, must inevitably and speedily overtake us. If compelled to introduce a large number of historical facts, unusual in a sermon, let it be remembered that no small part of the Bible is history, developing God's providential government of men and nations. These facts I shall endeavor so to present as to avoid even the suspicion of political partizanship; I shall assert nothing without documentary evidence; and if the facts adduced should involve conclusions contrary to pre-conceived opinions, let not the patriot-christian reject them, without a full, fair, and candid examination of the evidence upon which those conclusions are founded.

en; that God loves and protects freemen, and holds the authors of tyranny in abhorrence; that the schemes of the English ministers against America were, beyond measure, unjust and tyrannical, and consequently it was their most rigorous duty, not only as men and citizens, but also as christians, to oppose these attempts; and to unite under their chiefs, in defence of what man has the most precious, religion the most sacred.” *Hist. of the War of Indep.* vol. 1. p. 155.

“As in water face answereth to face, so the heart of man to man,” (Prov. 27: 19,) Human nature, in other words, is every where the same. Our text is an historical statement of the short-sighted wickedness committed by the people of Jerusalem, on a certain occasion ; and a denunciation of the Divine judgments upon the transgressors. The princes, and wealthy and powerful Jerusalemites, had enslaved their poor brethren. When a Chaldean army was laying siege to Jerusalem, (Jer. 37: 5.) at the instance of the prophet, ( who, by the way, scrupled not to preach against political slavery, ) these people covenanted to free their slaves. Subsequently, however, when an Egyptian army raised the siege, and delivered the former slaveholders from their fears, forgetful, both of the natural rights of their brethren, and the recent covenant with God, they compelled the emancipated bondmen to return to their former unhappy condition. Hereupon, the great God, doubly offended by their oppression, their hypocritical repentance, and their covenant-breaking, commissioned Jeremiah to proclaim for them, in language of awful irony, “a liberty to the sword, to the famine, and to the pestilence.”

Precisely such, as has been already demonstrated, was the conduct of our fathers. The simple truth was told by Luther Martin, before the Maryland Legislature, when he said,—“*At this time, ( 1788 ) we do not generally hold this commerce ( the African slave-trade ) in so great abhorrence as we have done. When our liberties were at stake, we warmly fell for the common rights of men. The danger being thought to be past which threatened ourselves, we are daily growing more insensible to those rights.*”

It must be admitted, in regard to the great and good men who formed our Federal Constitution, as well as in regard to the people generally who adopted it, that they were drawn from the path of duty by no ordinary temptations. The old Confederation had proved a rope of sand. A new constitution of government must be adopted ; and it seemed highly important if not absolutely indispensable, to the common safe-

ty, that all the old thirteen States should be united in support of that government. But South Carolina and Georgia positively refused, at least through their representatives in the Federal Convention, to enter the Union, unless they were allowed to trade in the bodies and souls of men ; and some other States desired that the slaves already in their possession should be taken into account in the matter of *representation*. What should be done ? The covenant of the fathers must be violated, and the rights of man be trampled under foot, at least for a time ;—or, on the other hand, all their fair hopes of a peaceful, prosperous republic must be hazarded,——perhaps blighted forever ! No wonder that more than forty days, one third of the whole time occupied in forming the constitution, were spent, in Convention, in adjusting the question of slavery.\*—The crisis was indeed a fearful one. Upon the decision of that question depended the destiny of this vast country. The Scripture says, “ Blessed is he that *endureth* temptation :” unhappily, our fathers did not endure, but yielded. Apparently forgetting that to compromise principle is to sin against God, they resolved on a compromise. A representation for three-fifths of the slaves, and an agreement to forbid the prohibition of the slave-trade by Congress until 1800, were offered. South Carolina and Georgia were still dissatisfied. 1808 was substituted for 1800 :—and the bargain was completed !

I would by no means insinuate, however, that the framers of the Constitution, flinging honor and conscience to the winds, made a deliberate sacrifice of their principles. Far from it : they were incapable of such folly and wickedness. On the contrary, they persuaded themselves, with many misgivings no doubt, that notwithstanding the concessions of the Constitution, both the slave-trade, and slavery itself, would soon terminate throughout the Republic. Some States had already abolished slavery ; others were preparing to do so ; it was believed that the rest would follow so honorable an example ; and it was a matter of general understanding that *no new slave States*

\*Essay on the Distr. of Columbia, p. 29.

would be admitted into the Union. These statements are capable of unquestionable proof.

By the Federal Constitution itself, (Art. 1. sec. 9) it was determined that "The migration or importation of such persons as any of the States *now existing* shall think proper to admit, shall not be prohibited by Congress prior to the year 1808," &c.,—thus clearly showing that Congress might *at once* prohibit both the migration and importation of slaves, in respect to any *new* States thereafter to be admitted. This position is confirmed by a comparison of this section with the *sixth* article of the Ordinance of 1787 for the government of the North West Territory; an ordinance adopted by the old Congress, while the Federal Convention was in session; and re-affirmed by the first Constitutional Congress. That article provides, that any person escaping into the said Territory, "from whom labor or service is lawfully claimed *in any one of the original States*, may be redeemed" &c.\*

In the Federal Convention, Mr. Pinckney, of South Carolina, said, "South Carolina can never receive the plan if it prohibits the slave-trade.—If the States be all left at liberty on this subject, South Carolina may perhaps, by degrees, do of herself what is wished, as Virginia and Maryland have already done." Mr. Sherman, of Connecticut, observed, "that the abolition of slavery seemed to be going on in the United States, and that the good sense of the several States would probably by de-

\*John Jay, the first Chief Justice of the Supreme Court of the United States, said, in reference to this subject,—"To me the constitutional authority of the Congress to prohibit the migration and importation of slaves into any of the States, does not appear questionable. ---I understand the sense and meaning of this clause ( Art. 1. sec. 9, of the Constitution ) to be, that the power of the Congress, altho competent to prohibit such migration and importation, was not to be exercised with respect to the *then existing* States ( and them only ) until the year 1808; but that the Congress were at liberty to make such prohibition as to any new State, which might, in the mean time, be established: and further, that from and after that period, they were authorized to make such prohibition, as to all the States, whether new or old." Life of Jay, vol. 1. p. 453.

grees complete it.”—Mr. Ellsworth, of Connecticut, said, “Slavery, in time, will not be a speck in our country.”\*

In the Massachusetts Convention for adopting the Federal Constitution, Mr. Dawes remarked, “Altho slavery is not smitten by an apoplexy, yet it has received a mortal wound, and will die of a consumption.”—Gen. Heath said, “The Federal Convention went as far as they could: the migration and importation &c. is confined to the States *now existing*, only; new States cannot claim it. Congress, by their ordinance for erecting new States, some time since, declared that the new States should be republican, and that there should be no slavery in them.”

In the Pennsylvania Convention, Judge Wilson, (one of the framers of the Constitution,) observed, “In a few years I hope the slave-trade will be prohibited altogether; and in the mean time, the new States which are to be formed, will be under the control of Congress in this particular; and slaves will never be introduced among them,—Yet the lapse of a few years, and Congress will have power to exterminate slavery from within our borders!”

In the Virginia Convention, Patrick Henry said, “Another thing will contribute to bring this event (emancipation) about;—slavery is detested—we feel its fatal effects—we deplore it with all the pity of humanity.”—Mr. Johnson said, “They tell us that they see a progressive danger of bringing about emancipation. The principle has begun since the revolution. Let us do what we may, it will come round.”

It is by no means surprising that such hopes should have been entertained, in view of the following, among many similar facts, which were then of recent occurrence. In 1777, Vermont prohibited slavery by her Constitution. In 1778, the General Assembly of Virginia passed a law prohibiting, under heavy penalties, the further importation of slaves; and decla-

\*See Debates in the Federal Convention, Aug. 21, 22, 1787.



ring that every slave imported thereafter, should be immediately free. The example of Virginia was followed, before the date of the Federal Constitution, by most of the other States.\* In 1780, Massachusetts and Pennsylvania passed laws for the abolition of slavery. In the act of the latter, it was said, "We conceive it be our duty, and we rejoice that it is in our power, to extend a portion of that freedom to others which has been extended to us. Weaned by a long course of experience from those narrow prejudices and partialities we had imbibed, we find our hearts enlarged with kindness and benevolence toward men of all conditions and nations."† In 1782, Virginia passed her celebrated manumission act; under which, within nine years, nearly *eleven thousand* slaves were voluntarily emancipated by their masters.‡ In 1784, Connecticut, Rhode Island, and New Hampshire, abolished slavery. In 1787, Maryland passed an act legalizing manumission; and the progress of emancipation under that act was astonishing.§ In the same year, as has been already remarked, (July 13th, 1787,) the Congress of the Confederation, sitting in Philadelphia, where the Federal Convention was then engaged in framing the Constitution, adopted the well-known Ordinance for the government of the North West Territory, comprehending what is now Ohio, Indiana, Illinois, Michigan, and Wisconsin. Between 1781 and 1786, New York, Virginia, Massachusetts, and Connecticut, had surrendered their respective claims upon this territory, in favor of the General Government. "Virginia made her cession, March 1, 1784, and during the month following, a plan for the temporary government of the newly acquired territory came under discussion. On the 19th of April, *Mr. Spaight, of North Carolina*, moved to strike from that plan, which had been reported by Mr. Jefferson, a provision for prohibiting slavery north-west of the Ohio, after the year 1800,—and *this motion prevailed.*"|| Subsequently, however, the plan was changed, and then passed unanimously. The

\*Walsh's Appeal, p. 318. Jefferson's Notes on Va., p. 171.  
 †Ess. on Distr. of Columbia, p. 27. ‡Judge Tucker's Diss. on slavery, p. 72. §Ess. Distr. Col. p. 33. ||Annals of the West, p. 292.

*sixth* article, as finally adopted, "forever to remain unalterable," was as follows: "There shall be neither slavery nor involuntary servitude in the said territory, otherwise than in the punishment of crimes, whereof the party shall have been duly convicted:" &c.—This was then *the whole and sole territory* belonging to the United States, out of which *new States* could be carved.

Referring to this act of the old Congress, Mr. Sargeant, of Philadelphia, said, in the House of Representatives, when arguing the Missouri question,—“From the Minutes of the Federal Convention it will be seen, that the two most important and difficult points to adjust, were those of the admission of new States, and the slave representation. The ordinance (of 1787) finally adjusted both the matters, as far as concerned all the territories then belonging to the United States, and was therefore eminently calculated to quiet the minds of the advocates of freedom; to remove their objections to the principle of slave representation; and to secure their consent to the instrument which contained that principle, by limiting its operation to the existing States. It is not to be questioned, that this ordinance, unanimously adopted, and, as it were, fixing an unchangeable basis by common consent, had a most powerful influence in bringing about the adoption of the Constitution.”\*

It was in view of all these facts, then, that many of the framers of the Constitution, and the people of the United States adverse to slavery, persuaded themselves, that, despite the compromises of that instrument, the whole system would be speedily and forever abolished. We, who look back over a period of sixty years passed since the formation of the Constitution, and behold, not *six*, but *fifteen* slave States; not *six hundred thousand slaves*, but *five times that number*—a body of bond-men equal to the entire population of the United States in 1790;—who have recently witnessed the annexation of a new State, eight times as large as Ohio, under a Constitution guaranteeing perpetual slavery; and who await with trembling

\*Niles' Register, July 22, 1820.

anxiety the probable annexation of immense regions in the southwest, already wrested by military violence from a sister Republic, with the evident intention of strengthening the slave-power,—long since become predominant in this confederacy;—*we*, I say, cannot but feel how lamentably these fond hopes of the fathers have been disappointed: nor can we be at much loss to ascertain the causes of that disappointment.

1. In a Constitution ordained “to establish justice, promote the general welfare, and secure the blessings of liberty to themselves and their posterity,” they had permitted a renewal and continuation of the African slave-trade for twenty years: and well did Madison say, in the Federal Convention, “Twenty years will produce all the mischief that can be apprehended from the liberty to import slaves.” Well did Mason, of Virginia, add, “All would be in vain, if South Carolina and Georgia be at liberty to import. The Western people are already calling out for slaves for their new lands; AND WILL FILL THAT COUNTRY WITH SLAVES, if they can be got through South Carolina and Georgia.”\* Their words, as the result has mournfully attested, were characterized by almost prophetic sagacity.

2. The provision of the Constitution, (Art. 1. sec. 2. subsec. 3.) by which *three fifths of the slaves* were to be included in the basis of representation to Congress, operated powerfully to encourage the importation and increase of that species of population: for, as political power is expressed by representation; and as, by the Constitution, the more slaves the larger the representation; and as the States possessing this peculiar privilege would naturally associate for the defence and enlargement of their prerogatives; southern politicians saw at once their interest in multiplying, both the number of slaves in each State, and the number of slave States. These natural consequences of such a representation were plainly presented in the Federal Convention. Said Luther

\*Debates, Aug, 22, 25, 1787.

Martin "to take slaves into the account in giving representation, tended to encourage the slave trade, and to make it the interest of the States to continue that infamous traffic." Mr. Madison said, "It seemed now to be pretty well understood, that the real difference of interests lay, not between the large and small, but between the northern and southern States. The institution of slavery, and its consequences, formed the line of discrimination." Gouverneur Morris observed, "that he could never agree to give such encouragement to the slave trade, by allowing them a representation for their negroes." And on another occasion,—“The train of business, and the late turn which it had taken, had led him, ( he said ) into deep meditation on it, and he would candidly state the result. A distinction had been set up, and urged, between the northern and southern States. He had hitherto considered this doctrine as heretical. He still thought the distinction groundless. He sees, however, that it is persisted in ; and the southern gentlemen will not be satisfied unless they see the way open to their gaining the majority in the public councils.”

3. The revival of the foreign slave trade, under circumstances adapted to stimulate that atrocious business ; the certainty of increased political power proportioned to the numerical increase of bond-men ; the invention of machinery by which the value of slave labor was greatly increased ; together with the prospect of gain to the older States from the opening of new markets in the west and south-west for the domestic slave trade, naturally and necessarily effected a radical change of public sentiment in the South, relative to the whole system of slavery. The public mind, as we have seen, was already becoming more and more insensible to the wrongs of the colored man:—the several considerations just adverted to, greatly increased that insensibility: the revolutionary leaders, and their compatriots, who had learned by experience the hatefulness of oppression, and the value of freedom, were fast passing away: a multitude of citizens, especially of christian citizens, residing in the South, wearied with an evil whose removal they had failed to effect, emigrated to the free West: the advocates of slavery

daily multiplied: and the ultimate result has been, that not S. Carolina and Georgia merely, but the whole of the slave-holding States, have become the apologists, if not the advocates, of slavery, and have uniformly labored together for its further extension.\*

4. Worst of all—that great and dreadful God, to whom, in the hour of distress, we had publicly appealed for help in the defence of our liberty; who had heard our cry, and granted us deliverance; and who looks with equal eye upon the poor African and the proud Anglo-American, saw our faithlessness to our own principles, and could not but be deeply offended by the violation of our national covenant. I cannot affirm that he said to us, in his heart, as he said to the Jews by the prophet,—“Ye have not hearkened unto me, in proclaiming liberty every one to his brother, and every man to his neighbor; behold, I proclaim a liberty for you, to the sword, to the pestilence, and to the famine.” Nor, notwithstanding all the blessings which we have since received, can any man affirm the contrary; for *the end* is not yet disclosed to the view of mortals. But one thing is unquestionable, as our whole subsequent history, and the present posture of our national affairs, demonstrate;—he has made our sin our punishment; and there is great reason to fear that he will yet make it the instrument of our final, irremediable ruin. The proof of this I proceed to adduce, by tracing, in brief and rapid outline, the history of the extension of American slavery.

In February, 1791,—two years after the organization of our present government,—*Kentucky*, the eldest of the new States,

\*I do not wish to be understood, here, as denying that there have been, and *now are*, in the slave-holding States, many thousands of true patriots and sincere christians, who hate slavery, and are decidedly opposed to its extension. I speak of the southern States, acting as such, on the political arena: and their votes upon the Missouri question, and the annexation of Texas, are a sufficient evidence of the truth stated above. Unhappily, the anti-slavery sentiment, existing, I trust, in a host of southern bosoms, has seldom sufficiently influenced their political leaders. May God, in infinite mercy both to them and us, increase that influence a thousand fold!

applied for admission into the Union. A similar application had been made, in 1788, to the old Congress of the Confederation; but, after long debate, the matter had been referred to the new government, for reasons which were thus disclosed by the Representative of Kentucky, in a letter to his constituents:—"The eastern States would not, nor do I think they ever will, assent to the admission of the District into the Union; as an independent State, unless Vermont, or the province of Maine, is brought forward at the same time. The change which has taken place in the general government is made the ostensible objection to the measure; but the jealousy of the growing importance of the western country, and *unwillingness to add a vote to the southern interest*, are the real causes of opposition."\* In the Convention which formed the constitution of Kentucky, the Rev. David Rice, a Presbyterian Minister, put forth a powerful effort to obtain a constitutional provision for the abolition of slavery. The effort proved abortive; and Kentucky asked admission as a slave state. Nor could her request be easily denied by Congress, whatever "unwillingness" there might be, on the part of many, to strengthen "the southern interest;" for Kentucky, *as a part of Virginia*, had already been represented in the old Congress; and moreover, if rejected, it was by no means impossible that her bold and spirited sons would declare themselves independent, and establish a new Republic west of the Alleghanies. Accordingly, in 1792, the twin sisters, Kentucky and Vermont, were received into the family of States.—Here was the first step in the extension of slavery under the Federal Constitution.

Some years afterward, *Tennessee* desired admission as a State. The territory comprehended within its limits had formerly belonged to North Carolina, and had been ceded by her, in 1790, to the United States, with the express condition "that no regulation made, or to be made, by Congress, should tend to emancipate slaves." This condition in the act of cession occasioned some discussion in that body, when the act in question was

\*Perkins' Annals of the West, p. 313.

brought before them for their approval. An amendment was offered, and defeated;\* but, as it was highly desirable that the United States should acquire possession of that, as well as all the other unoccupied western territory claimed by the several States; and as it was known that Tennessee could be secured on no other terms, the amendment was rejected, and the cession accepted with the conditions specified. Bound by this agreement, of course, Congress admitted *Tennessee*, in 1796, as the second new slave State.

In the same year, an attempt was made to introduce slavery into the North Western Territory, where, as above mentioned, it had been forever prohibited by the ordinance of 1787.—Four persons, in behalf of the inhabitants of St. Clair and Randolph counties, (Illinois,) petitioned congress to *legalize* the holding of slaves among them; alledging that they were then, and long had been, in possession of that species of property: and, inasmuch as their slaveholding was contrary to the “organic law” of the territory, they modestly requested that august body so to modify the law as that it might not conflict with their practices in this particular!† The same subject was brought before Congress in 1803, and again in 1804; when the following resolution was offered in the House of Representatives: “Resolved, That the sixth article of the ordinance of 1787, which prohibited slavery within the said territory, be *suspended*, in a qualified manner, for ten years, so as to permit the introduction of slaves,” &c. In 1806, the same resolution was again offered. Finally, in 1807, the subject was introduced before Congress, upon a representation by the House of Representatives and Legislative Council of the Territory.—The National Representatives were asked by their committee to approve the step; but in the Senate a different view was taken, and it was declared inexpedient to suspend the ordinance.—Thus, through the blessing of Providence, a nefarious scheme to curse this free West with the evils of slavery,—a scheme

\*See Gales and Seaton’s Hist. of Debates in Congress, vol. 2. p. 1528. †Amer. State Papers, vol. 16. p. 68.

which had been steadily pursued for eleven years,—was finally and forever defeated.\*

In 1802, after a long-protracted controversy, articles of agreement and cession between the United States and Georgia were drawn up, by which the latter ceded to the former her claim to the territory now constituting the States of Mississippi and Alabama, on certain conditions, the fifth of which was as follows: "That the territory thus ceded shall form a State, and be admitted as such into the Union, as soon as it shall contain sixty thousand free inhabitants, or at an earlier period, if Congress shall think it expedient, on the same conditions and restrictions, with the same privileges, and in the same manner, as is provided in the ordinance of Congress of the 13th. July, 1787, for the government of the Western Territory of the United States; which ordinance shall, in all its parts, extend to the territory contained in the present act of cession, that article only excepted which forbids slavery." By the second of these articles, "The United States accept the cession above mentioned, and on the conditions therein expressed."† In accordance with this agreement, Mississippi and Alabama were admitted, the one in 1817, the other in 1819, as additional slave States.‡

In 1803, the United States purchased from France, for fifteen millions dollars, the immense region west of the Mississippi, then called Louisiana Territory. It equalled in extent the whole United States, as at that time bounded; and contained a population, chiefly around New Orleans, of about eighty-five thousand souls, one half of whom were slaves.§ Our Government desired, at first, to secure only a small portion of Louisiana; but Napoleon, it is said, resolved to sell the whole

\*Annals of the West, p. 507: and the State Papers there referred to.  
†Public Land laws, Appendix, vol. 1.

‡"The States of Kentucky, Tennessee, Mississippi, and Alabama, admitted into the Union previously to (Missouri) were made subject to no restrictions, (relative to slavery;) as they were taken from States in which slavery existed. From that consideration no attempt was made in Congress to restrict these States in this respect." Bradford's Hist. of Federal Government, p. 267.

§Frost's U. States, vol. 4. p. 25.



or none : the West demanded an outlet for its productions ; our government desired to exclude French ambition from the continent ; and last, but not least, the slave-power wanted room for future expansion. In due time, that power accomplished its designs ; and planted its forces, under the protection of the Federal Government, on the *west* bank of the Mississippi.— The southern portion of the purchased territory, *Louisiana*, was admitted into the Union, in 1811, as a slave State ; “for there,” (to use the language of John Sergeant in 1820,) “slavery existed to an extent which left no alternative.”

In 1819, East and West Florida were purchased of Spain for five millions of dollars, in accordance with the provisions of a treaty with that power, conducted, on our part, by John Quincy Adams, Secretary of State under President Monroe. By that treaty, a boundary line was established between the United States and the Spanish Mexican dominions ; the river Sabine, between Louisiana and Texas, constituting part of that line. Mr. Adams was anxious to secure Texas also, and to make the Rio Grande, or at least the Colorado, instead of the Sabine, our southwest boundary. With all his arguments, eloquence, and address, however, he failed to obtain the province by treaty ; and altho the last member of the American Cabinet to abandon the attempt, he at length accepted the Sabine as our limit.\*

Referring to this treaty, the National Intelligencer of February, 1819, said, “It terminates the only existing controversy with any of the European powers. It *rounds off* our southern possessions, and forever precludes foreign emmissaries from stirring up Indians to war, and Negroes to rebellion ; whilst it gives to the southern country important outlets to the sea. It adjusts the vast western boundary, acknowledging the United States to be sovereign, under the hitherto contested Louisiana treaty, over all the territory we ever seriously contended for.” Mr. Niles, however, remarks, † that “some of our citizens are dissatisfied with the south-western boundary, and de-

\*See Niles' Register, vol. 37, p. 401. †Register 29th May, 1819.

sire to possess the country to the Rio del Norte, (Rio Grande,) as laid down in Mellish's map; which would give us the whole province of Texas, and a great extent of coast on the Mexican gulf." One of the most distinguished of these dissatisfied citizens was *Henry Clay*, who, on the 28th March, 1820, introduced into the House of Representatives two resolutions, the second of which was as follows: "Resolved, That the equivalent proposed to be given by Spain to the United States, in the treaty concluded by them on the 22d. February, 1819, for that part of the territory of Louisiana lying west of the Sabine, was inadequate; and that it would be inexpedient to make a transfer thereof to any foreign power; or to renew the aforesaid treaty."\*

The ratification of the treaty by Spain, in October, 1820, and by the United States in 1821, silenced these complaints; settled the boundary question; and secured to our country the Floridas. In this connection it may be proper to introduce a paragraph from Niles' Register, of August 28th 1819: he says, "In anticipation of a transfer of the Floridas, a large quantity of African slaves are imported therein; no doubt by American citizens." In the light of this statement it will be readily perceived that, on the admission of Florida into the Union, in 1845, as another slave State, "slavery existed there to an extent which left no alternative."

In 1818, the inhabitants of Missouri asked of Congress permission to form a constitution, and organize a State government. Missouri was a part of the territory purchased from France; and, since 1804, together with the rest of what was called, first Louisiana, and afterwards Missouri, Territory, had been placed by Congress under the control of the Governor and Judges of Indiana Territory, where slavery was prohibited. "It was believed," said Mr. Taylor, a member of Congress from New York, † "that these officers would apply to Missouri the same principles of government on which they were bound to ad-

\*Niles' Register, vol. 18, p. 85. †See his Speech in the Ho. of Reps. in 1820, Niles' Register, vol. 18, p. 20, &c.

minister that of Indiana Territory. Unhappily for Missouri, these gentlemen entertained different views, and suffered the evil to increase without an effort to retard it.”

Slavery had, therefore, been gradually and silently introduced ; and when it was proposed in Congress, on her admission, to prohibit the increase, and ultimately to terminate the existence of that evil, Missouri resisted; she refused to submit to the restriction ; the slave States rallied to her support ; and now, for the first time since the formation of the Constitution, the people at large in the free States began to discover the existence, designs, and mighty influence of the *Slave Power*. The generation of 1820 had, indeed, sprung into existence since 1787 ; but the old men remembered how it was said, in their early days, that slavery would soon die, and that there were to be no more slave States. They had seen the falsehood of these assertions demonstrated by the successive admission of Kentucky, Tennessee, Mississippi, Alabama, and Louisiana ; and now Missouri sought to swell the number. The various pleas which had been successfully urged in behalf of the former, were wholly inapplicable to the last: Missouri was neither a part of one of the old slave States ; nor was slavery so rooted there as to render its eradication hopeless. In short, it was manifest that Missouri was to be admitted as a slave State, only that she might promote the pecuniary and political interest of a power, unknown and antagonistic to the Genius of Freedom. It was clearly seen, too, how great a change had already been effected in southern public sentiment toward slavery. The eloquent and indignant denunciations of that system, uttered thirty years before by Martin, and Mason, and Madison, and Jefferson, and Tyler, and Randolph, and Henry, were no longer repeated by Maryland and Virginia. On the contrary, these States were found among the foremost advocates for the extension of slavery.\* The consideration of these alarming facts thoroughly awakened the free States ; who resisted, with becoming spirit, the unrestricted admission of Missouri. The

\*See the Resolutions of the Virginia House of Delegates, in Niles' Register, vol. 17, pp. 342—344.

conflict which followed shook the Republic to its foundation. Said De Witt Clinton, in his message to the New York Legislature, "I consider the interdiction of the extension of slavery, a paramount consideration. Morally and politically speaking, slavery is an evil of the first magnitude, and whatever may be the consequences, it is our duty to prohibit its progress in cases where such prohibition is allowed by the Constitution.— No evil can result from its prohibition more pernicious than its toleration."\* In the Congressional debates, *Mr. Sergeant*, of Philadelphia, thus portrayed the nature and importance of the decision about to be made: "It will be remembered that this is the first step (of slavery) beyond the Mississippi. The State of Louisiana is no exception, for there slavery existed to an extent which left no alternative. It is the last step, too; for this is the last stand that can be made. Compromise is forbidden by the principles contended for on both sides: any compromise that would give slavery to Missouri is out of the question. It is, therefore, the final, irrevocable step, and must lead to an immeasurable spread of slavery beyond the Mississippi.—The case is indeed an important one; but its importance is derived altogether from its connection with the extension, indefinitely, of negro slavery, over a land which I trust Providence has destined for the labor and support of freemen.—Admit the State without restriction,—the power is gone forever, and with it are forever gone all the efforts that have been made by the non-slaveholding States to repress and limit the sphere of slavery, and enlarge and extend the blessing of freedom."†

Mr. Taylor, of New York, said, "The representation in Congress allowed for slaves was matter of compromise. The extent of this concession was supposed to be seen, and clearly understood. It was believed that it could not be carried beyond the then existing States, and possibly to the territory then in dispute between the United States and Georgia. It did not apply to foreign territory. If you can claim it as incident

\*Niles' Reg., vol. 17, p. 381. †Niles' Reg., July 22d, 1820

to the power of admitting new States, you may stretch the principle to I know not what length. The words of the Constitution may not be violated, but its spirit will be disregarded."\*—The light in which the Missouri question was regarded by the slave-holding party that controlled the southern States, may be learned from a remark dropped by *Col. Benton*, during a speech delivered ten years afterward (in 1830) in the United States Senate: "The contest, upon its face, was a question of slavery, and the rights of free negroes and mulattoes: *in its heart, it was a question of political power.*"†

I need not remind you that in this fearful contest the friends of freedom were unsuccessful; and unsuccessful only because the representatives of the free States were not, all of them, faithful to their trust. On a final vote in the Senate, the amendment prohibitory of slavery was rejected by a majority of eleven: seven Senators from the free States, a number sufficient to have turned the scale, voting with the majority. In the House of Representatives, after decided majorities had repeatedly sustained the prohibitory enactment relative to Missouri, and had even passed a resolution to secure the ultimate emancipation of slaves in the territory of Arkansas,—on the final vote, chiefly through the eloquence, influence, and indefatigable exertion of *Henry Clay*, a bare majority of three was obtained for concurrence with the Senate. Of those who finally voted in favor of slavery, four were from Massachusetts, two from Connecticut, one from Rhode Island, two from New York, three from New Jersey, and one from Delaware; together with all the members present from Maryland, Virginia, North Carolina, South Carolina, Georgia, Alabama, Mississippi, Louisiana, Tennessee, and Kentucky.

As, in 1787, the framers of the Constitution compromised by yielding to slavery all the privileges necessary to secure its perpetuity; so, in 1820, the representatives of the free States compromised by yielding all the territory in which slave labor

\*Niles' Reg. 18, p. 20. †Supplement to Niles' Reg., vol. 38, p. 15.

could ever be profitable. The country south of  $36^{\circ} 30'$ , and the State of Missouri north of that line, together with the certainty of future indefinite extension into regions not then in our possession, were the rich spoils won by the Slave Power from this Waterloo defeat of the hosts of freedom!

This victory having been secured, that Power, after brief respite, began to seek a field for future triumphs. West of the Mississippi, and within the limits of the United States,—Louisiana and Missouri had been obtained, and Arkansas was preparing for unquestioned admission as a slave State:\* north of  $36^{\circ} 30'$ , the vast Missouri Territory was closed against it, not only by the compromise act, but by the nature of the soil, climate, and productions, which forbade the profitable employment of slaves: south of the compromise line, and west of Arkansas, the country was uninviting, already occupied by Indians, and about to be appropriated forever to the scattered remnants of these aboriginal tribes. But in the far south-west, across the Sabine, there lay an immense region, thinly inhabited, whose mild climate, exuberant fertility, and rich tropical productions, invited possession. The Slave Power *marked it for his own*.

True, that beautiful land did not belong to our country.—Whatever might have been our claims, we had, many years since, yielded them to Spain; and it was now the undisputed property of our sister Republic, Mexico. That fair region, moreover, was forbidden ground to the slave-holder. As early as 1823, the Mexican colonization law, passed during the administration of the Emperor Iturbide, had declared, (Article 30th) that “After the publication of this law, there can be no sale or purchase of slaves which may be introduced into the empire. The children of slaves born in the empire, shall be free at fourteen years of age.”† In 1824, Mexico, at the moment of throwing off the Spanish yoke, gave a noble testimony of her loyalty to free principles, by decreeing, “that no per-

\*Arkansas was admitted in 1836. †Mrs. Holley’s Texas, p. 200.

son thereafter should be born a slave, or introduced as such into the Mexican States ; that all slaves then held should receive stipulated wages, and be subject to no punishment but on trial and judgment by the magistrate.”\* The colonization law of Coahuila and Texas, adopted in 1825, provided, ( Art. 46,) that “The new States, as regards the introduction of slaves, shall subject themselves to the existing laws, and to those which may hereafter be established on the subject.”† The Constitution of Coahuila and Texas, published in 1827, contained the following article: “13. In this State no person shall be born a slave after this Constitution is published, and six months thereafter ; neither will the introduction of slaves be permitted under any pretext.”‡ On the 15th. September, 1829, the anniversary of Mexican independence, President Guerrero, in conformity with a provision of the Federal Constitution to that effect, issued a decree totally and immediately abolishing slavery throughout the Republic.§ Such, so far as concerned this iniquitous system, were the laws of Mexico, and of Texas, her province. We shall see how far her rights of property, her Constitution, and her laws, were regarded by Anglo-American slave-holders.

The policy of Mexico toward emigrants, except so far as respected religious liberty, was always liberal. And even this exception was rather nominal than real ; for, says a responsible writer who had himself resided in Texas, “a disposition generally prevailed among the Mexican people to tolerate the public exercise of all other professions of the christian religion ; and both Methodists and Presbyterians held their meetings, openly, in the colonies, without the least degree of molestation from the Government or individuals.”|| At a later period, indeed, by the 10th article of the law of Coahuila and Texas, passed on the 26th. March, 1834, it was declared that “no person shall be molested on account of his religious or political opin-

\*Channing's Works, vol. 2. p. 198. †Mrs. Holley's Texas, p. 216. ‡Lundy's War in Texas, p. 5. §Do. p. 5. ||War in Texas, p. 12, and compare D. B. Edward's Hist. of Texas, pp. 293, 294, &c. Mrs. Holley's Texas, ch. 9, Religion.

ions, provided he does not disturb the public order.\* Immense tracts of land were granted to any Empresario, or Contractor, who engaged to introduce, within a certain specified time, a definite number of families. Each of these families, *on producing evidence that they professed the Catholic religion*, were of good moral character, and intended to cultivate their land, received a title to several hundred acres. They were also exempt from taxation for ten years. Encouraged by these liberal offers, a considerable body of settlers was soon introduced. In 1821, Moses Austin, of Missouri, obtained permission from the Spanish Mexican authorities to introduce three hundred families, on terms satisfactory to both parties. After his death, his son, Stephen F. Austin executed his engagement, and commenced the first permanent colony in Texas. He was speedily followed by other Contractors; many of whom sold their contingent titles to joint-stock companies of land speculators in Nashville, New York, and other American cities; and these latter disposed of their doubtful property, in small parcels, to all who were willing to purchase. It is foreign to my purpose to dwell upon the enormous frauds arising out of these transactions, which awakened the indignation of the Mexican Government, and led to the exclusion, for a season, of all immigration from our country. They deserve, however, the careful attention, of all who would learn the true history of the Texan revolution, and discover the secret cause of that zeal displayed by many American politicians and newspaper editors, in behalf of Texan liberties, as well as of the recognition and annexation of Texas by the United States.†

\*Mrs. Holley's Texas, p. 181.

†Mr. Niles, in his Register of Nov. 23, 1829, said, "In relation to the lands in this desired-to-be territory of the United States, we have intimated that certain individuals had a mighty interest. A citizen of Baltimore claims *forty eight million acres*. Col. Austin, we know not how many millions more. Others, we are assured, have speculated deeply; and if we remember rightly, some handful of millions will be claimed by certain bankers in Europe. Millions may probably be subscribed to prosecute this project to its consummation, and hire hundreds of scribes to puff it off in the papers." About the same time, Charles Hammond, of the Cincinnati Gazette, said, "Many adventurous spirits of the west, and south-west, have secured a large interest in the lands of the territory proposed to be acquired. At this



Another fact, more pertinent to my subject, deserves especial consideration. Many emigrants from the United States, favored by their remoteness from the seat of government, and the unsettled state of the country, secretly introduced into Texas large numbers of slaves; and they even purchased, on the coasts, the human cargoes of African traders. As early as 1826, within five years after the first settlement of the country, the following paragraph was circulated in our southern newspapers; "Letters have been received, stating that the States of Coahuila and Texas have abolished slavery *in toto*; and that all slaves in the province at the promulgation of the decree, shall be free. This has produced the greatest dissatisfaction, and should the report be true, it is rumored that the slaveholders will make considerable opposition to any measure of the kind. The Americans in this province have become dissatisfied with the government," &c.\*

The following extract from a letter written by the Agent of a Texas land company for the purpose of inviting emigration from our country, affords a specimen of the respect shown by some of the settlers for the constitution and laws of their adopted country, which they had sworn to support. The letter was published in the New Orleans Mercantile Advertiser, in 1828. "Although more than seven years have elapsed since the Austins began their colony near Rio Grande, it now numbers from twelve to fifteen thousand souls, mostly emigrants from the United States. *The law of Mexico prohibiting slavery is evaded by having negroes bound to serve an apprenticeship of ninety-nine years!* There are several planters who number fifty or sixty such apprentices."†

moment, efforts are making to effect sales in one vast grant of these lands. I know others who have obtained extensive grants conditionally. I have understood that a company in Tennessee is deeply engaged in speculations of this nature" (Quoted in National Intelligencer of Oct 7, 1829. See also, Dr. Channing's Works, vol. 2. pp. 195---197. Mrs. Holley's Texas, p. 229. D. B. Edward's Hist. of Texas, pp. 283, 285---293. War in Texas, p. 4. &c.)

\*Niles' Register Nov. 4, 1826. †Niles' Register, July 19, 1828. ---To prevent this evasion, as contemptible as it was wicked, the Legislature of Coahuila & Texas, on the 28th, April, 1832, adopted

To such an extent was this violation of Mexican law carried by the colonists, that, in 1830, the government, as before intimated, passed a law prohibiting the entrance of all foreigners on the northern frontier, "unless they be furnished with passports, signed by the Agents of the Republic at the place whence they proceed :—" "There shall be no variation with regard to the colonies already established, nor with regard to the slaves that may be in them ; but the General Government, or the particular State Government, shall take care, under the strictest responsibility, that the colonization laws be obeyed, & that no more slaves be introduced."\* Still in spite of laws and precautions, this shameful conduct was continued. Niles' Register, Feb. 25th, 1832, contains the following paragraph : "The introduction of slaves by emigrants from the United States, in defiance of the laws of Mexico, seems to have excited the attention of that government ; but the colonists, for the sake of their negroes, talk of resisting !" A Little Rock (Arkansas) paper, in 1825, said, "The emigration to Arkansas is very great, with large droves of negroes, exclusive of those who are about to join the people of Texas."†

In this manner, then, was Texas colonized from 1821 to 1834. Notwithstanding the liberality of Mexico toward honest and legal settlers, millions of acres were sold by swindling speculators in our great cities, and a population thrust themselves upon her, in violation of all law and constitution, bringing with them hundreds of American slaves !

Let us turn, now, to inquire what was doing by southern politicians in our own country, with reference to this very colonization, and its ultimate results. Col. Thomas H. Benton

a law with the following provisions, " Art. 35. The new settlers, in regard to the introduction of slaves, shall be subject to laws which now exist, and which shall hereafter be made on the subject. Art. 36. The servants and laborers, whom, in future, foreign colonists shall introduce, shall not, by force of any contract whatever, remain bound to their service a longer space of time than ten years." (War in Texas, p. 24)

\*War in Texas, p. 28. †Niles Reg. vol. 49, p. 281.

is said to have first suggested the "re-annexation" of Texas, very shortly after the ratification of our treaty with Spain in 1820.\* A series of articles on that subject, signed *Americanus*, originally published in St. Louis at a somewhat later period, were universally attributed to his pen. In these able essays, the writer insisted that Texas had been improperly surrendered to Spain by Mr. Adams, through his hostility to southern institutions: that it ought to be recovered by the United States: that by this measure five or six slave-holding States would be added to this Union; and he even intimated that nine States, as large as Kentucky, might be formed within the limits of that province. These essays were subsequently republished by all the southern papers, and with general commendation. The Edgefield Carolinian, said to be under the control of Mr. McDuffie, remarked: "Some imposing essays, &c. explaining the circumstances of the treaty of 1819, and displaying the advantages of the retrocession, have operated upon the public mind in the West with electrical force and rapidity. This large fragment of the Mississippi valley, affording sufficient territory for four or five slaveholding States, was unceremoniously sacrificed, with scarcely a pretext of a demand for it on the part of Spain. *Americanus* exposes the evils to the United States of this surrender under twelve distinct heads. Two of them, of particular interest to this section of the country are, that it brings a non-slaveholding empire in juxtaposition with the slaveholding southwest, and diminishes the outlet for Indians," &c.† The Nashville Banner said: The annexation of Texas "will *round off* our territory, and give us as appropriate, safe, and natural south-western boundary." The National Gazette, and the New York Courier and Enquirer, approved the suggestion; the latter speaking of Texas as "a refuge for absconding slaves"! The Southern Patriot, of Charleston, S. C. said: "The reasons offered in favor of the acquisition are highly satisfactory. Those who have always opposed the formation of States in the West, and the extension

\*See National Intelligencer, Sept. 18, 1829. †War in Texas p. 15.

of slavery in that quarter, will no doubt resist the policy of purchasing more land,' &c. \*

The Virginia Free Press, in a spirit worthy of the Old Dominion in '76, said: "In relation to the purchase of this immense tract of country, an objection is urged that it may be the means of extending and perpetuating the evils of slavery. The objection, we think, is entitled to some weight. Should a mart so extensive be opened, where the labor of slaves can be successfully employed, human cupidity will soon engulf, in its interminable abyss, all the schemes of benevolent philanthropy which have been so fondly fostered for the last ten years." †

An elaborate communication appeared in the Nashville Republican, of Aug. 18, 1829, in which, after presenting a graphic description of Texas, as a second Eden, and the probability that Mexico, then, "poor and embarrassed", would be glad to sell it, the writer proceeded to offer the following, among other reasons, for its purchase:—"1. It is necessary to the security of Louisiana, Arkansas, &c. While Texas remains in the hands of its present possessors, a foreign power could take possession, encourage the insurrection and elopement of slaves, &c. All Texas was once ours. The Rio Grande was then our western boundary. To any one acquainted with this country it seems as if this river was designed by the hand of Heaven as a boundary between two great nations of dissimilar pursuits." (*A slave-holding, and a slave-hating Republic, for instance!*) "On both sides of the river, the land for a hundred miles distance, is as sterile as the deserts of Arabia. 2. It is necessary to have that country in order to prevent it from being a place of refuge for debtors, malefactors, and fugitive slaves, from the United States. As things now stand, a deserter from our army, a debtor, a perpetrator of the blackest crimes, or a slave, by crossing a small stream, or a mere line, can entirely defeat the

\*See these and similar quotations in National Intelligencer, Sept. 26, 1829.

†National Intelligencer, Oct. 7, 1829.

claims of justice." (*Mexico would deliver up fugitives from justice, but not from injustice.*) "4. It is important to have Texas as an outlet to the negroes of the lower country. Humanity shudders at even the conception of what must one day be the consequence of the great and increasing disproportion of the white to the slave population of Louisiana. The expectation of immense profits from the cultivation of sugar, causes the importation of a great number of slaves into that State annually. By the ordinary process of increase, they must shortly become too numerous for profit or safety. What is then to be done with them?"†

The writer next anticipates objections from the North and East; and thus answers the natural reference to the extension and fate of other empires: "We, too, should be opposed to an extension of our territory beyond seas, or impassable mountains, so as to prevent an easy and speedy communication with all its parts. On this account, we have been opposed to the occupation of the country on the Columbia river, separated, as it is, from the United States, by those precipitous, cloud-piercing, and snow-capped Rocky Mountains. Cut off, as its inhabitants would be, from all intercourse with us, and pursuing trades and occupations essentially different, they would soon forget us; encompassed by English, Russians, and Indians, they would become a prey before assistance could be afforded them; or their protection would involve us in continual collisions. From the difficulties, then, of intercourse, *we have been in favor of giving up the Oregon Territory,*" "for as much as it is worth, *in exchange for Texas*, where no such obstacles exist." (*and where nine slave States as large as Kentucky, could be formed.*) This article, by a sad misnomer, was signed "*Patriot.*"

† In the Virginia Convention of 1829, Judge Upsher observed, "that if Texas should be obtained, which he desired, it would raise the price of slaves, and be a great advantage to the slaveholders of that State. In the Virginia Assembly of 1832, Mr. Gholson stated, "that the price of slaves fell twenty five per cent, within two hours after the news was received of the non-importation act passed by the Louisiana Legislature. Yet he believed the acquisition of Texas would raise their price fifty per cent at least." National Intelligencer Sept 2, 1829.

The Richmond Inquirer, of Sept. 1829, said: "We hazard very little in asserting, that, when the facts come out, this administration will be found equally vigilant in watching over the south-western border of our country.—The statesmen who are at the head of our affairs, are not the men we take them to be, if they have not already pursued the proper steps for obtaining the cession of Texas, even before the able numbers of *Americanus* saw the light. But *nous verrons!*" We shall see, presently, that the sagacious editor, (who had no doubt been informed of the facts,) was correct.—A Charleston paper also observed: "It is not impossible that he (the President) is now examining the propriety and practicability of a retrocession of the vast territory of Texas, an enterprise loudly demanded by the welfare of the West, and which could not fail to exercise an important and favorable influence upon the future destinies of the South, *by increasing the votes of the slave-holding States in the United States Senate.*"

We have now glanced at the manner in which Texas was colonized: we have seen the clearly avowed object for which southern politicians sought its annexation to the United States by purchase: the last quotations direct our attention to the proceedings of our National Government, in connection with this subject.—From the purchase of Louisiana in 1802, until the treaty with Spain in 1819, we steadily and strenuously insisted upon our right to Texas, with the Rio Grande for our western boundary, as composing a part of the territory obtained from France.\* By that treaty, however, we forever yielded our claims, in favor of the Spanish Government: and, upon the establishment of her independence, wrested from Spain, the Mexican Republic, of course, became possessed of the Spanish title, to Texas. Unfortunately, both for us and Mexico, when we parted with our claims, we did not extinguish our desire to possess that valuable province. The Florida treaty was ratified by the United States in 1821; and in 1825, under the Presidency of John Quincy Adams, the Secretary of State, Mr. Clay, instructed Mr. Poinsett, our Minister in Mexico, to

\*See Amer. State Papers, Foreign Relations, Correspond, of Pinckney, Monroe and Cevallos, &c.

sound that Government upon the subject of a more westerly boundary than the Sabine. The overture proving unsuccessful, a more vigorous effort was made in 1827, when Mr. Clay authorized Mr. Poinsett to purchase the whole country to the Rio Grande, for a sum not exceeding one million of dollars: but the Mexican authorities refused to sell it. In 1829, under the Presidency of Gen. Jackson, Mr. Van Buren, the Secretary of State, directed Mr. Poinsett again to open negotiations, with that Government, authorizing him to offer them four or even five millions of dollars: and as Mexico was then engaged in repelling a threatened Spanish invasion, and was "poor and embarrassed," it was confidently hoped that our proposal would be accepted. On the contrary, however, it proved exceedingly disagreeable to Mexico; and she requested President Jackson to recall Mr. Poinsett; which he did immediately. Finally in 1835, Mr. Butler, our Charge'd' Affairs in Mexico, was instructed to negotiate once more for the whole country, as far west as the Rio Grande, together with a strip of California, South of Oregon Territory, five degrees broad, and extending from our Western borders to the Pacific Ocean!—For this, if he could obtain it, he was authorized to give something handsome, additional to the five millions formerly proposed. Is it strange that the Mexican Government was yet more deeply offended with this last proposal, made at the very time when American citizens were actually endeavoring to tear Texas from her, by force of arms?—It is evident, from this brief statement of facts, that our Government never ceased to seek the possession of Texas: and it is equally clear, that, by our repeated attempts to purchase of Mexico, we acknowledged her right of ownership. It is not for me to judge the motives which prompted these attempts, by each successive administration: the Ruler and Judge of nations only knows how far such perpetual teasings with price upon price, may have indicated, on the part of our people and rulers, a sinful coveting of that which was our neighbors.

On the failure of our negotiations for purchase in 1829, the leading spirits in the Texas movement seem to have resolved on another mode of accomplishing their object. What that

mode was, is plainly intimated in the following extract from the Arkansas Gazette, published in 1830: "As the subject of the purchase of Texas has engrossed much of the attention of our politicians for a year or two past, it may not, perhaps, be improper to state that we are in possession of information, derived from a source entitled to the highest credit, which destroys all hope of the speedy acquisition of that country by the United States. Col. Butler, the Charge' d' Affairs of the United States in Mexico, was especially authorized by the President to treat with that Government for the purchase of Texas. The present predominant party are decidedly opposed to ceding any portion of its territory. No hopes need therefore be entertained of our acquiring Texas, until some other party, more friendly to the United States than the present, shall predominate in Mexico; *and perhaps not until the people of Texas shall throw off the yoke of allegiance to that Government, which they will do, no doubt, so soon as they shall have a reasonable pretext for doing so.*" This was in 1830, let it be remembered: and yet the writer had the cool impudence to add, "At present, they are probably subject to as few exactions and impositions as any people under the sun!"\*

Unhappily for all parties, the internal affairs of Mexico have ever been miserably managed. An ambitious military, and an avaricious priesthood, too generally controlled them: revolution succeeded revolution; and it would have been strange indeed if, amid continual changes and commotions, our own citizens had not sometimes suffered injustice at the hands of Mexican authorities; and if, in their efforts to chastise Texan insubordination, they had not afforded those ungenerous intruders what they might deem "a reasonable pretext" for erecting the standard of revolt.

It would be long,—and out of place here,—to tell the story of that revolt. Within the space of five years previous to 1829, as Mr. Van Buren stated in his letter to Poinsett, there occurred, "among the inhabitants of Texas (not Spaniards), not less than four revolts against the Government, one of them having for its avowed object the independence of the country."

\*War in Texas, p. 15.



In 1831, when Gen. Bustamente had overthrown President Guerrero, and seized upon the government, a portion of the Texans, supposing the favorable time had arrived to strike for independence, made an attack upon the Mexican officer at Anahuac ; and in May, 1832, it was proposed in a public meeting to attack the fort at Velasco ; when, having learned that Bustamente had been overthrown by Santa Anna, they declared themselves on the side of the victor, and continued hostile operations, under that pretence. And when, at length, Santa Anna, having prostrated Bustamente, and having been elected President of Mexico, sent a large body of troops to quell the rebellion of the Texans, the latter escaped by insisting that they had taken arms against Bustamente, and in support of Santa Anna and the Constitution of 1824!\*

Hitherto Texas and Coahuila had composed one State of the Mexican confederacy. The emigrant inhabitants of the former, who had long desired separation from Coahuila, held a convention at San Felipe, in 1833, for the purpose of forming a State constitution for Texas, and of petitioning the Mexican Congress in favor of a separate organization. In this constitution, however, they were careful to say nothing against slavery ; but, on the contrary, by Article 22nd. of the *General Provisions*, a foundation was laid for future legislation in favor of that system.† On this account, as well as for other reasons, Col. Austin, who was sent to lay the petition before the government, received but little encouragement ; and having written a letter to the colonists, while at the city of Mexico, advising them to organize a separate State Government without the permission of the Federal authorities, which letter was intercepted, he was seized at Saltillo, on his return home, sent back to the capital, and imprisoned. This, of course, increased the hostility of the Texans toward their adopted country.

In 1834, the Mexican Congress, under the Presidency of Santa Anna, in accordance, it is said, with legal forms, abolished the federal constitution of 1824, and established in its place a con-

\*Texas and the Texans, by H. S. Foote, pp. 12—25. † See the State Constitu. in Edward's History of Texas, p. 196, &c.

solidated system. How far they were justified in so doing, it is not easy to decide. Certain it is, by the confession of all parties, that the old constitution had fallen into contempt, and that a stronger central government appeared necessary for the public welfare, under the existing condition of the Mexican people. This radical change in the national constitution, at once banished all hope of a separate State organization for the Texans, and afforded that "*reasonable pretext*" for revolt which they had so long sought. Accordingly, they announced their opposition to the change of government; organized a military force; and, on the 3d November, 1835, published an official declaration of war against the President Santa Anna, in defence of the Federal Constitution of 1824. On the 2nd, March, 1836, the Texan Provisional Government published a declaration of Independence of the Parent Government. To this "final step of separating forever from Mexico," the people of Texas, as their chosen historian and pompous eulogist himself admits, were "powerfully influenced by admonition received from the United States."\* In their "Declaration" are set forth, at length, the causes which impelled a separation: these are, the fact that Mexican legislation was conducted in the use of the Spanish language!—that efforts for separate State organization had been unsuccessful;—that Col. Austin had been imprisoned for advising an act of open opposition to Congress!—that they had not enjoyed the right of trial by jury; (a thing unknown to Spaniards as well as Mexicans, and which no constitution of theirs had ever provided for; and, by the way, a fair trial before an honest jury was the last thing which some of these Texans would have desired;)—that religious freedom had been denied them, a national religion established; that their attempt to restore the constitution of 1824 had been unsustainable by the Mexican people, &c. &c. In reference to these complaints, one remark may suffice. The constitution of 1835, *against* which they had fought, said, "Art. 1. The Mexican nation, one, sovereign, and independent, has not, and does not profess, or protect any other religion than the Catholic, and Roman religion, nor will the exercise of any other be

\*Texas and the Texans, vol. 2. p. 142.

tolerated." The constitution of 1824, for which they had pretended to fight, said, "Title 1st. art. 3. The religion of the Mexican nation, is, and will be perpetually, the Roman Catholic Apostolic. The nation will protect it by wise and just law, and prohibit the exercise of any other whatever."

That the emigrants to Texas had suffered under some real grievances, is altogether probable : that both the Mexican constitutions were, in some respects, anti-republican, is unquestionable : that the administration of that Government was every way unfortunate, and sometimes oppressive, we may readily believe : and all legal proceedings for the amendment of the constitution, and the prevention of faults in its administration, must have been highly commendable. Even an armed resistance to tyranny, on the part of the colonists, might have deserved our sympathy, did not every fact in their history demonstrate that, from the beginning, a large portion of them had sought to establish negro slavery on soil already consecrated to freedom ; and that they had kept steadily in view the ultimate separation of Texas from Mexico, and its annexation to these United States. If any thing be wanted to complete the proof of this charge already furnished, it may be found in the *Constitution* of the Republic of Texas, adopted fifteen days after the Declaration of Independence. In that document the 9th section under the head of '*General Provisions*,' is as follows ; " All persons of color who were slaves for life previous to their emigration to Texas, and who are now held in bondage, shall remain in the like state of servitude, provided the said slave shall be the bona fide property of the person so holding said slave as aforesaid. Congress shall pass no laws to prohibit emigrants from the United States of America from bringing their slaves into the Republic with them, and holding them by the same tenure by which such slaves were held in the United States ; nor shall Congress have power to emancipate slaves ; nor shall any slave-holder be allowed to emancipate his or her slave or slaves, without the consent of Congress, unless he or she shall send his or her slave or slaves without the limits of the Republic. No free person of African descent, either in whole or in part, shall be permitted to reside permanently in the Republic,

without the consent of Congress ; and the importation or admission of Africans or negroes into this Republic, excepting from the United States of America, is forever prohibited, and declared to be piracy."

The remainder of this sad recital may be briefly told. Immediately upon the Texan declaration of independence, arms, troops, and money were poured into that country from the southern and western States. Regiments of volunteers were organized, officered, and drilled, in the United States, who marched in open day, and without molestation or question, to the scene of action ; our Government, meanwhile, professing to be at peace with that of Mexico ! The cannon used in the decisive battle of San Jacinto, were a present from Cincinnati. Said Mr. Buchanan, in the United States Senate, while discussing Mr. Walker's resolutions for recognizing Texan independence, "Every one knows that the success of Texas, thus far, has been achieved mainly by men and resources drawn, in fact, from the people of the United States, tho without any recognition of its government."\* The actual war terminated with the defeat and capture of Gen. Santa Anna, at San Jacinto, April 21st 1836 ; and on March 1st, 1837, just at the close of the session, the Senate of the United States, by a vote of 23 to 19, taken while some Senators were absent at dinner, recognized the independence of Texas. On their return, a reconsideration was moved, and lost by a tie vote.†

Immediately after the formal recognition of Texas, the Legislature of that Republic, instructed by the people, directed their President ( Houston ) to make application to the Government of the United States for admission to this Union. Application was accordingly made, by a Minister Plenipotentiary, Gen. Hunt, in August, 1837. It was not until 1845, however, that the grand scheme, so long in process of execution, received its completion in the annexation of Texas, as one immense State, with a Constitution sanctioning perpetual slavery !

To a reflecting mind, perusing the history of these transac-

\*Niles' Reg., March 4, 1837. †Niles' Reg., March 4, 1837.

tions, the questions cannot but occur,—Where were the enemies of slavery during all this period? What were the Free States doing from 1830 to 1845, and especially in the seven years' interval between the first offer and the final acceptance of Texas? Alas! how sad is the truthful answer to the lover of liberty; to him who remembers the principles and the men of 1776! In righteous indignation of our former sins, God seemed to have inflicted alike upon free and slave States, a fearful judicial blindness. The only body of men in the United States, who for fifteen years prior to 1845, were in any good degree faithful to the free principles of our revolutionary period, who were laboring to retrieve the errors of the past, and prevent their consummation in the annexation of Texas,—branded with the name of "*abolitionists*," were every where held up to public contempt and execration. Not only in New Orleans, and Mobile, and Charleston, and Nashville, and Richmond; but in Alton, and Cincinnati, and Philadelphia, and N. York, and Boston:—in the free, no less than in the slave States;—their principles were denounced, their reputations slandered, their acts misrepresented, their intentions belied, their presses torn to pieces, their voices silenced in the public assemblies, their names erased by common consent from the list of party association, their houses assaulted and in ruins, their lives threatened, and in some instances offered as a bloody sacrifice on their own hearth-stones, to appease the popular fury! During the Congressional session of 1837-8, when Texas, all foul with blood shed in the extension of slavery, first presented herself for admission to our once glorious confederacy; her bloody hand was politely grasped, while the doors of an American Congress were rudely slammed in the face of three hundred thousand American citizens, vainly petitioning for the support of American principles! Posterity must look back with astonishment upon the mournful scenes of that gloomy period, and ask, incredulously, Could these events have occurred in the land of Washington, and Jay, and Morris, and Gerry, and Samuel Adams? Strange infatuation! Sad evidence that a just God was visiting the iniquities of the fathers upon the children; evidence none the less weighty in establishing

such a conclusion, even tho we should admit, (as of course we do not,) that these abolitionists, as a body, were a set of wild fanatics; for the recan be no clearer token of the Divine displeasure against a nation, than the fact that its sacred Ark is permitted to fall into the hand of Philistines.

Texas, as we have seen, was annexed to the United States in 1845. *The first fault of that annexation was our present unhappy war with Mexico.* The necessity of such a result, which had been long predicted, was obvious on a consideration of two important facts. First, Mexico, however impotent to effect the re-subjugation of Texas, had steadily protested against her independence. After the capture of President Santa Anna, at the battle of San Jacinto, a treaty of peace, and of boundaries was, indeed, agreed to between that high officer and the President of Texas; \* but that treaty, together with Santa Anna's subsequent attempts at negotiation with the Cabinet of Washington, were promptly disavowed by the Mexican Government, and of course, could have no binding obligation.—When, therefore, under such circumstances, Texas was received as a member of this confederacy, our Government could have entertained no hope of avoiding a war with Mexico, other than that which arose from her acknowledged weakness, and our own vast superiority.

Secondly, the Texas annexed to us as a sister State was by no means co-incident in boundaries with the Texas so familiar to Mexico as one of her ancient provinces. As constituting, in connection with Coahuila, one of the Mexican States under the Constitution of 1824, Texas embraced an area of about 160,000 square miles. † Its boundaries were, the Sabine on the east, Red River on the north, and the Nueces on the West. By an act of the Texan Congress, however, approved Dec. 19, 1836,

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\* Texas and the Texans, vol. 2. pp. 318—320. † See Murray's Encyclopedia of geogr. vol. 3. p. 329.—Tanner's Map of Mexico in 1834.—War in Texas, p 25.—Edwards says, 150,000 sq. miles: Hist. of Texas, p. 13.—“Nearly 200,000 sq. miles,” Mrs. Holley's Texas p. 14.

her limits were extended to the west as far as the Rio Grande, from its mouth to its source, and thence northward to the 42° of north latitude ; thus including a part of the Mexican States, Tamaulipas, Coahuila, Chihuahua, and New Mexico ; and comprehending an area of 324.018 square miles, or more than double her former territory. \* With such an extravagant claim of territory, she offered herself to us, and was finally accepted : and it was in defence of these assumed boundaries that Gen. Taylor was ordered to lead the United States' forces from Corpus Christi, on the Nueces, to the bank of the Rio Grande. Our Government did indeed, propose to that of Mexico to settle by treaty the western boundary of Texas ; and sent a Minister for that purpose, whom Mexico, whether for sufficient or insufficient reasons, refused to receive. The fact is, however, that before the question was, or could be thus amicably settled, our army, which had laid unmolested for months on the banks of the Nueces, marched into the disputed territory ; the Mexican forces, as might naturally have been anticipated, resisted the encroachment ; the battles of Palo Alto and Resaca d' la Palma ensued ; American blood, as we were told, was shed by an enemy "*on American soil* ;" the martial spirit of the Nation was aroused, and Congress declared that war existed "*by the act of Mexico*" ! Such is a plain recital of facts connected with the origin of our present war. If Congress had declared that war existed through the insatiable appetite of the American people for more territory ; the determination of the Slave Power to enlarge its borders, and open new and vast markets for slaves ; and the absurd pretensions of the State of Texas ; they would have uttered but the simple truth. I say, *absurd* pretensions : for it is a matter of universal notoriety that the Texan Government never had possession of a large part of the territory she claimed ; but that it had always been, and, until seized by our armies, continued to be, in full possession of Mexico. Without pretending to any considerable knowledge of the laws of nations, applicable to such cases, it is obvious to common sense, that when one nation may, by a simple act of legis-

\*See a Map of Texas compiled for the State Department under the direction of Col. Abert, 1844.

lation, appropriate to herself vast tracts of country belonging to another people, there is an end to all law but that which is promulgated at the cannon's mouth.

The result of the battles just mentioned, was, to give our army undisputed possession of the country east of the Rio Grande. But, when once we tasted blood, that was not satisfactory: we "conquer a peace" from Mexico; and then, under pretence of making her pay the expenses of the war, secure to ourselves another vast portion of her dominions, stretching across to the Pacific Ocean.\* In the pursuit of this unhallowed object, the war has been prosecuted for more than a year; vast sums of money have been expended; thousands of lives have been sacrificed; many Mexican cities have been captured; and an American army now at the very gates of their capital. Still, "peace" is not "conquered"; and God knows what shall be the end of these things! "The race is not to the swift, nor the battle to the strong," (Eccl. 9; 11.

One thing is certain; as the discussions, in our last Congress upon the Wilmot Proviso demonstrated: the Slave Power has fixed its covetous eyes upon the provinces about to be wrested from our neighbor. ;—If those provinces be obtained, a second Missouri controversy is destined to agitate these United States; and there is abundant reason to apprehend, that, if the Divine mercy prevent not, with the termination of that controversy, our glorious Union, our hopes, our prosperity, our civil and religious liberties, will forever terminate!

\* As early as Dec. 1843, more than two years before the war commenced, Col. Fremont, at the head of an armed exploring party, sent out by our Government, had entered Upper California, where he pursued his discoveries for several months!