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No. 12.

THE
ANTI-SLAVERY EXAMINER.

DISUNION.

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P. 19

ADDRESS

OF THE

AMERICAN ANTI-SLAVERY SOCIETY;

AND

F. JACKSON'S LETTER

ON THE

PRO-SLAVERY CHARACTER

OF THE

CONSTITUTION.

NEW YORK:
AMERICAN ANTI-SLAVERY SOCIETY.

142 NASSAU STREET.

1845.



Collect. 1 oct.

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BOSTON :
PRINTED BY DAVID H. ELLA,
NO. 37, CORNHILL.

A D D R E S S

OF THE

EXECUTIVE COMMITTEE

OF

THE AMERICAN ANTI-SLAVERY SOCIETY

TO THE

Friends of Freedom and Emancipation in the U. States.

At the Tenth Anniversary of the American Anti-Slavery Society, held in the city of New-York, May 7th, 1844,—after grave deliberation, and a long and earnest discussion,—it was decided, by a vote of nearly three to one of the members present, that fidelity to the cause of human freedom, hatred of oppression, sympathy for those who are held in chains and slavery in this republic, and allegiance to God, require that the existing national compact should be instantly dissolved; that secession from the government is a religious and political duty; that the motto inscribed on the banner of Freedom should be, **NO UNION WITH SLAVEHOLDERS**; that it is impracticable for tyrants and the enemies of tyranny to coalesce and legislate together for the preservation of human rights, or the promotion of the interests of Liberty; and that revolutionary ground should be occupied by all those who abhor the thought of doing evil that good may come, and who do not mean to compromise the principles of Justice and Humanity.

A decision involving such momentous consequences, so well calculated to startle the public mind, so hostile to the established order of things, demands of us, as the official representatives of the American Society, a statement of the reasons which led to it. This is due not only to the Society, but also to the country and the world.

It is declared by the American people to be a self-evident truth, “that all men are created equal; that they are endowed **BY THEIR CREATOR** with certain inalienable rights; that among these are *life*, **LIBERTY**, and the pursuit of happiness.” It is further maintained by them, that “all governments derive their just powers from the consent of the governed;” that “whenever any form of government becomes destructive of human rights, it is the right of the people to alter or to abolish it, and institute a new government, laying its foundation on such principles, and organizing its powers in such form, as to them shall seem most likely to effect their safety and happiness.” These doctrines the patriots of 1776 sealed with their blood. They would not brook even the menace of oppression. They held that there should be no delay in resisting, at whatever cost or peril, the

first encroachments of power on their liberties. Appealing to the great Ruler of the universe for the rectitude of their course, they pledged to each other "their lives, their fortunes and their sacred honor," to conquer or perish in their struggle to be free.

For the example which they set to all people subjected to a despotic sway, and the sacrifices which they made, their descendants cherish their memories with gratitude, reverence their virtues, honor their deeds, and glory in their triumphs.

It is not necessary, therefore, for us to prove that a state of slavery is incompatible with the dictates of reason and humanity; or that it is lawful to throw off a government which is at war with the sacred rights of mankind.

We regard this as indeed a solemn crisis, which requires of every man sobriety of thought, prophetic forecast, independent judgment, invincible determination, and a sound heart. A revolutionary step is one that should not be taken hastily, nor followed under the influence of impulsive imitation. To know what spirit they are of—whether they have counted the cost of the warfare—what are the principles they advocate—and how they are to achieve their object—is the first duty of revolutionists.

But, while cirenspection and prudence are excellent qualities in every great emergency, they become the allies of tyranny whenever they restrain prompt, bold and decisive action against it.

We charge upon the present national compact, that it was formed at the expense of human liberty, by a profligate surrender of principle, and to this hour is cemented with human blood.

We charge upon the American Constitution, that it contains provisions, and enjoins duties, which make it unlawful for freemen to take the oath of allegiance to it, because they are expressly designed to favor a slaveholding oligarchy, and, consequently, to make one portion of the people a prey to another.

We charge upon the existing national government, that it is an insupportable despotism, wielded by a power which is superior to all legal and constitutional restraints—equally indisposed and unable to protect the lives or liberties of the people—the prop and safeguard of American slavery.

These charges we proceed briefly to establish:

1. It is admitted by all men of intelligence,—or if it be denied in any quarter, the records of our national history settle the question beyond doubt,—that the American Union was effected by a guilty compromise between the free and slaveholding States; in other words, by immolating the colored population on the altar of slavery, by depriving the North of equal rights and privileges, and by incorporating the slave system into the government. In the expressive and pertinent language of scripture, it was "a covenant with death, and an agreement with hell"—null and void before God, from the first hour of its inception—the framers of which were recreant to duty, and the supporters of which are equally guilty.

It was pleaded at the time of the adoption, it is pleaded now, that, without such a compromise there could have been no union; that, without union, the colonies would have become an easy prey to the mother country; and, hence, that it was an act of necessity, deplorable indeed when viewed alone, but absolutely indispensable to the safety of the republic.

To this we reply: The plea is as profligate as the act was tyrannical. It is the jesuitical doctrine, that the end sanctifies the means. It is a confession of sin, but the denial of any guilt in its perpetration. It is at war with the government of God, and subversive of the foundations of morality. It is to make lies our refuge, and under falsehood to hide ourselves, so that we may escape the overflowing scourge. "Therefore, thus saith the Lord God, Judgment will I lay to the line, and righteousness to the plummet; and the hail shall sweep away the refuge of lies, and the waters shall overflow the hiding place." Moreover, "because ye trust in oppression and perverseness, and stay thereon; therefore this iniquity shall be to you as a breach ready to fall, swelling out in a high wall, whose breaking cometh suddenly at an instant. And he shall break it as the breaking of the potter's vessel that is broken in pieces; he shall not spare."

This plea is sufficiently broad to cover all the oppression and villainy that the sun has witnessed in his circuit, since God said, "Let there be light." It assumes that to be practicable, which is impossible, namely, that there can be freedom with slavery, union with injustice, and safety with bloodguiltiness. A union of virtue with pollution is the triumph of licentiousness. A partnership between right and wrong, is wholly wrong. A compromise of the principles of Justice, is the deification of crime.

Better that the American Union had never been formed, than that it should have been obtained at such a frightful cost! If they were guilty who fashioned it, but who could not foresee all its frightful consequences, how much more guilty are they, who, in full view of all that has resulted from it, clamor for its perpetuity! If it was sinful at the commencement, to adopt it on the ground of escaping a greater evil, is it not equally sinful to swear to support it for the same reason, or until, in process of time, it be purged from its corruption?

The fact is, the compromise alluded to, instead of effecting a union, rendered it impracticable; unless by the term union we are to understand the absolute reign of the slaveholding power over the whole country, to the prostration of Northern rights. In the just use of words, the American Union is and always has been a sham—an imposture. It is an instrument of oppression unsurpassed in the criminal history of the world. How then can it be innocently sustained? It is not certain, it is not even probable, that if it had not been adopted, the mother country would have reconquered the colonies. The spirit that would have chosen danger in preference to crime,—to perish with justice rather than live with dishonor,—to

dare and suffer whatever might betide, rather than sacrifice the rights of one human being,—could never have been subjugated by any mortal power. Surely it is paying a poor tribute to the valor and devotion of our revolutionary fathers in the cause of liberty, to say that, if they had sternly refused to sacrifice their principles, they would have fallen an easy prey to the despotic power of England.

II. The American Constitution is the exponent of the national compact. We affirm that it is an instrument which no man can innocently bind himself to support, because its anti-republican and anti-christian requirements are explicit and peremptory; at least, so explicit that, in regard to all the clauses pertaining to slavery, they have been uniformly understood and enforced in the same way, by all the courts and by all the people; and so peremptory, that no individual interpretation or authority can set them aside with impunity. It is not a ball of clay, to be moulded into any shape that party contrivance or caprice may choose it to assume. It is not a form of words, to be interpreted in any manner, or to any extent, or for the accomplishment of any purpose, that individuals in office under it may determine. *It means precisely what those who framed and adopted it meant—NOTHING MORE, NOTHING LESS, as a matter of bargain and compromise.* Even if it can be construed to mean something else, without violence to its language, such construction is not to be tolerated *against the wishes of either party.* No just or honest use of it can be made, in opposition to the plain intention of its framers, *except to declare the contract at an end, and to refuse to serve under it.*

To the argument, that the words “slaves” and “slavery” are not to be found in the Constitution, and therefore that it was never intended to give any protection or countenance to the slave system, it is sufficient to reply, that though no such words are contained in that instrument, other words were used, intelligently and specifically, *TO MEET THE NECESSITIES OF SLAVERY:* and that these were adopted *in good faith, to be observed until a constitutional change could be effected.* On this point, as to the design of certain provisions, no intelligent man can honestly entertain a doubt. If it be objected, that though these provisions were meant to cover slavery, yet, as they can fairly be interpreted to mean something exactly the reverse, it is allowable to give to them such an interpretation, *especially as the cause of freedom will thereby be promoted* — we reply, that this is to advocate fraud and violence toward one of the contracting parties, *whose co-operation was secured only by an express agreement and understanding between them both, in regard to the clauses alluded to;* and that such a construction, if enforced by pains and penalties, would unquestionably lead to a civil war, in which the aggrieved party would justly claim to have been betrayed, and robbed of their constitutional rights.

Again, if it be said, that those clauses, being immoral, are null and void — we reply, it is true they are not to be observed; but it is also true that they are portions of an instrument, the support of which, *AS A WHOLE,* is required by oath or affirmation; and, therefore, *because*

they are immoral, and BECAUSE OF THIS OBLIGATION TO ENFORCE IMMORALITY, no one can innocently swear to support the Constitution.

Again, if it be objected, that the Constitution was formed by the people of the United States, in order to establish justice, to promote the general welfare, and secure the blessings of liberty to themselves and their posterity; and therefore, it is to be so construed as to harmonize with these objects; we reply, again, that its language is *not to be interpreted in a sense which neither of the contracting parties understood*, and which would frustrate every design of their alliance — to wit, *union at the expense of the colored population of the country*. Moreover, nothing is more certain than that the preamble alluded to never included, in the minds of those who framed it, *those who were then pining in bondage* — for, in that case, a general emancipation of the slaves would have instantly been proclaimed throughout the United States. The words, “secure the blessings of liberty to ourselves and our posterity,” assuredly meant only the white population. “To promote the general welfare,” referred to their own welfare exclusively. “To establish justice,” was understood to be for their sole benefit as slaveholders, and the guilty abettors of slavery. This is demonstrated by other parts of the same instrument, and by their own practice under it.

We would not detract aught from what is justly their due; but it is as reprehensible to give them credit for *what they did not possess*, as it is to rob them of what is theirs. It is absurd, it is false, it is an insult to the common sense of mankind, to pretend that the Constitution was intended to embrace the entire population of the country under its sheltering wings; or that the parties to it were actuated by a sense of justice and the spirit of impartial liberty; or that it needs no alteration, but only a new interpretation, to make it harmonize with the object aimed at by its adoption. As truly might it be argued, that because it is asserted in the Declaration of Independence, that all men are created equal, and endowed with an inalienable right to liberty, therefore none of its signers were slaveholders, and since its adoption, slavery has been banished from the American soil! The truth is, our fathers were intent on securing liberty *to themselves*, without being very scrupulous as to the means they used to accomplish their purpose. They were not actuated by the spirit of universal philanthropy; and though *in words* they recognized occasionally the brotherhood of the human race, *in practice* they continually denied it. They did not blush to enslave a portion of their fellow-men, and to buy and sell them as cattle in the market, while they were fighting against the oppression of the mother country, and boasting of their regard for the rights of man. Why, then, concede to them virtues which they did not possess? *Why cling to the falsehood, that they were no respecters of persons in the formation of the government?*

Alas! that they had no more fear of God, no more regard for man, in their hearts! “The iniquity of the house of Israel and Judah [the North and South] is exceeding great, and the land is full of blood,

and the city full of perverseness; for they say, the Lord hath forsaken the earth, and the Lord seeth not."

We proceed to a critical examination of the American Constitution, in its relations to slavery.

In ARTICLE 1, Section 9, it is declared — "The migration or importation of such persons as any of the States now existing shall think proper to admit, shall not be prohibited by the Congress, prior to the year one thousand eight hundred and eight; but a tax or duty may be imposed on such importation, not exceeding ten dollars for each person."

In this Section, it will be perceived, the phraseology is so guarded as not to imply, *ex necessitate*, any criminal intent or inhuman arrangement; and yet no one has ever had the hardihood or folly to deny, that it was clearly understood by the contracting parties, to mean that there should be no interference with the African slave trade, on the part of the general government, until the year 1808. For twenty years after the adoption of the Constitution, the citizens of the United States were to be encouraged and protected in the prosecution of that infernal traffic — in sacking and burning the hamlets of Africa — in slaughtering multitudes of the inoffensive natives on the soil, kidnapping and enslaving a still greater proportion, crowding them to suffocation in the holds of the slave ships, populating the Atlantic with their dead bodies, and subjecting the wretched survivors to all the horrors of unmitigated bondage! This awful covenant was strictly fulfilled; and though, since its termination, Congress has declared the foreign slave traffic to be piracy, yet all Christendom knows that the American flag, instead of being the terror of the African slavers, has given them the most ample protection.

The manner in which the 9th Section was agreed to, by the national convention that formed the constitution, is thus frankly avowed by the Hon. Luther Martin,* who was a prominent member of that body:

"The Eastern States, notwithstanding their aversion of 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 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."

Behold the iniquity of this agreement! how sordid were the motives which led to it! what a profligate disregard of justice and humanity, on the part of those who had solemnly declared the inalienable right of all men to be free and equal, to be a self-evident truth!

It is due to the national convention to say, that this section was not adopted "without considerable opposition." Alluding to it, Mr. Martin observes—

"It was said we had just assumed a place among the independent nations in consequence of our opposition to the attempts of Great Britain to *enslave*

* Speech before the Legislature of Maryland in 1787.

us; that this opposition was grounded upon the preservation of those rights to which God and nature has 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 of putting out of its power to restrain and prevent the slave trade, even encouraging that most infamous traffic, by giving the States the 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 insult to, that God whose protection we had thus 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 that national crimes can only be, and frequently are, punished in this world by *national punishments*, and that the continuance of the slave trade, and thus giving it a national character, sanction, and encouragement, ought to be considered as justly exposing us to the displeasure and vengeance of him who is equally the Lord of all, and who views with equal eye the poor *African slave* and his *American master!* (1)

“It was urged that, by this system, we were giving the general government full and absolute power to regulate commerce, under which general power it would have a right to restrain, or totally prohibit, the slave trade: it must, therefore, appear to the world absurd and disgraceful to the last degree that we should except from the exercise of that power the only branch of commerce which is unjustifiable in its nature, and contrary to the rights of mankind. That, on the contrary, we ought to prohibit expressly, in our Constitution, the further importation of slaves, and to authorize the general government, from time to time, to make such regulations as should be thought most advantageous for the gradual abolition of slavery, and the emancipation of the slaves already in the States. That slavery is inconsistent with the genius of republicanism, and has a tendency to destroy those principles on which it is supported, as it lessens the sense of the equal rights of mankind, and habituates to tyranny and oppression. It was further urged that, by this system of government, every State is to be protected both from foreign invasion and from domestic insurrections; and, from this consideration, it was of the utmost importance it should have the power to restrain the importation of slaves, since in proportion as the number of slaves increased in any State, in the same proportion is the State weakened and exposed to foreign invasion and domestic insurrection; and by so much less will it be able to protect itself against either, and therefore by so much, want aid from, and be a burden to, the Union.

“It was further said, that, in this system, as we were giving the general government power, under the idea of national character, or national interest, to regulate even our weights and measures, and have prohibited all possibility of emitting paper money, and passing insolvent laws, &c., it must appear still more extraordinary that we prohibited the government from interfering with the slave trade, than which nothing could more effect our national honor and interest.

“These reasons influenced me, both in the committee and in the convention, most decidedly to oppose and vote against the clause, as it now makes part of the system.”*

(1) How terribly and justly has this guilty nation been scourged, since these words were spoken, on account of slavery and the slave trade!

* Secret Proceedings, p. 64.

Happy had it been for this nation, had these solemn considerations been heeded by the framers of the Constitution! But for the sake of securing some local advantages, they choose to do evil that good may come, and to make the end sanctify the means. They were willing to enslave others, that they might secure their own freedom. They did this deed deliberately, with their eyes open, with all the facts and consequences arising therefrom before them, in violation of all their heaven-attested declarations, and in atheistical distrust of the overruling power of God. "The Eastern States were very willing to *indulge* the Southern States" in the unrestricted prosecution of their piratical traffic, provided in return they could be *gratified* by no restriction being laid on navigation acts!!—Had there been no other provision of the Constitution justly liable to objection, this one alone rendered the support of that instrument incompatible with the duties which men owe to their Creator, and to each other. It was the poisonous infusion in the cup, which, though constituting but a very slight portion of its contents, perilled the life of every one who partook of it.

If it be asked to what purpose are these animadversions, since the clause alluded to has long since expired by its own limitation — we answer, that, if at any time the foreign slave trade could be *constitutionally* prosecuted, it may yet be renewed, under the Constitution, at the pleasure of Congress, whose prohibitory statute is liable to be reversed at any moment, in the frenzy of Southern opposition to emancipation. It is ignorantly supposed that the bargain was, that the traffic *should cease* in 1808; but the only thing secured by it was, the *right* of Congress (not any obligation) to prohibit it at that period. If, therefore, Congress had not chosen to exercise that right, *the traffic might have been prolonged indefinitely, under the Constitution.* The right to destroy any particular branch of commerce, implies the right to re-establish it. True, there is no probability that the African slave trade will ever again be legalized by the national government; but no credit is due the framers of the Constitution on this ground; for, while they threw around it all the sanction and protection of the national character and power for twenty years, *they set no bounds to its continuance by any positive constitutional prohibition.*

Again, the adoption of such a clause, and the faithful execution of it, prove what was meant by the words of the preamble — "to form a more perfect union, establish justice, insure domestic tranquillity, provide for the common defence, promote the general welfare, and secure the blessings of liberty to ourselves and our posterity" — namely, that the parties to the Constitution regarded only their own rights and interests, and never intended that its language should be so interpreted as to interfere with slavery, or to make it unlawful for one portion of the people to enslave another, *without an express alteration in that instrument, in the manner therein set forth.* While, therefore, the Constitution remains as it was originally adopted, they who swear to support it are bound to comply with all its provisions, as

matter of allegiance. For it avails nothing to say, that some of those provisions are at war with the law of God and the rights of man, and therefore are not obligatory. Whatever may be their character, they are *constitutionally* obligatory; and whoever feels that he cannot execute them, or swear to execute them, without committing sin, has no other choice left than to withdraw from the government, or to violate his conscience by taking on his lips an impious promise. The object of the Constitution is not to define *what is the law of God*, but **WHAT IS THE WILL OF THE PEOPLE** — which will is not to be frustrated by an ingenious moral interpretation, by those whom they have elected to serve them.

ARTICLE 1, Sect. 2, provides — “Representatives and direct taxes shall be apportioned among the several States, which may be included within this Union, according to their respective numbers, which shall be determined by adding to the whole number of free persons, including those bound to service for a term of years, and excluding Indians not taxed, *three-fifths of all other persons.*”

Here, as in the clause we have already examined, veiled beneath a form of words as deceitful as it is unmeaning in a truly democratic government, is a provision for the safety, perpetuity and augmentation of the slaveholding power — a provision scarcely less atrocious than that which related to the African slave trade, and almost as afflictive in its operation — a provision still in force, with no possibility of its alteration, so long as a majority of the slave States choose to maintain their slave system — a provision which, at the present time, enables the South to have twenty-five additional representatives in Congress on the score of *property*, while the North is not allowed to have one — a provision which concedes to the oppressed three-fifths of the political power which is granted to all others, and then puts this power into the hands of their oppressors, to be wielded by them for the more perfect security of their tyrannous authority, and the complete subjugation of the non-slaveholding States.

Referring to this atrocious bargain, ALEXANDER HAMILTON remarked in the New York Convention —

“The first thing objected to, is that clause which allows a representation for three-fifths of the negroes. Much has been said of the impropriety of representing men who have no will of their own: whether this is *reasoning*, or *declamation*, (!!) I will not presume to say. It is the *unfortunate* situation of the Southern States to have a great part of their population, as well as *property*, in blacks. The regulation complained of was one result of the *spirit of accommodation* which governed the Convention; and without this *indulgence*, NO UNION COULD POSSIBLY HAVE BEEN FORMED. But, sir, considering some *peculiar advantages* which we derive from them, it is entirely JUST that they should be *gratified*. — The Southern States possess certain staples, — tobacco, rice, indigo, &c. — which must be *capital* objects in treaties of commerce with foreign nations; and the advantage which they necessarily procure in these treaties will be felt throughout the United States.”

If such was the patriotism, such the love of liberty, such the morality of ALEXANDER HAMILTON, what can be said of the character

of those who were far less conspicuous than himself in securing American independence, and in framing the American Constitution?

Listen, now, to the opinions of JOHN QUINCY ADAMS, respecting the constitutional clause now under consideration:—

“‘In outward show, it is a representation of persons in bondage; in fact, it is a representation of their masters,— the oppressor representing the oppressed.’—‘Is it in the compass of human imagination to devise a more perfect exemplification of the art of committing the lamb to the tender custody of the wolf?’—‘The representative is thus constituted, not the friend, agent and trustee of the person whom he represents, but the most inveterate of his foes.’—‘It was *one* of the curses from that Pandora’s box, adjusted at the time, as usual, by a *compromise*, the whole advantage of which inured to the benefit of the South, and to aggravate the burdens of the North.’—‘If there be a parallel to it in human history, it can only be that of the Roman Emperors, who, from the days when Julius Cæsar substituted a military despotism in the place of a republic, among the offices which they always concentrated upon themselves, was that of tribune of the people. A Roman Emperor tribune of the people, is an exact parallel to that feature in the Constitution of the United States which makes the master the representative of his slave.’—‘The Constitution of the United States expressly prescribes that no title of nobility shall be granted by the United States. The spirit of this interdiction is not a rooted antipathy to the grant of mere powerless empty *titles*, but to titles of *nobility*; to the institution of privileged orders of men. But what order of men under the most absolute of monarchies, or the most aristocratic of republics, was ever invested with such an odious and unjust privilege as that of the separate and exclusive representation of less than half a million owners of slaves, in the Hall of this House, in the Chair of the Senate, and in the Presidential mansion?’—‘This investment of power in the owners of one species of property concentrated in the highest authorities of the nation, and disseminated through thirteen of the twenty-six States of the Union, constitutes a privileged order of men in the community, more adverse to the rights of all, and more pernicious to the interests of the whole, than any order of nobility ever known. To call government thus constituted a democracy, is to insult the understanding of mankind. To call it an aristocracy, is to do injustice to that form of government. Aristocracy is the government of *the best*. Its standard qualification for accession to power is *merit*, ascertained by popular election recurring at short intervals of time. If even that government is prone to degenerate into tyranny, what must be the character of that form of polity in which the standard qualification for access to power is wealth in the possession of slaves? It is doubly tainted with the infection of riches and of slavery. *There is no name in the language of national jurisprudence that can define it*—no model in the records of ancient history, or in the political theories of Aristotle, with which it can be likened. It was introduced into the Constitution of the United States by an equivocation— a representation of property under the name of persons. Little did the members of the Convention from the free States foresee what a sacrifice to Moloch was hidden under the mask of this concession.’—‘The House of Representatives of the United States consists of 223 members— all, by the *letter* of the Constitution, representatives only of *persons*, as 135 of them really are; but the other 88, equally representing the *persons* of their constituents, by whom they are elected, also represent, under the name of *other persons*, upwards of two and a half millions of *slaves*, held as the *property* of less than half a million of the white constituents, and valued at twelve hundred millions of dollars. Each of these 88 members represents in fact the whole of that mass of associated wealth, and the persons and exclusive interests of its owners; all thus knit together, like the members of a

moneyed corporation, with a capital not of thirty-five or forty or fifty, but of twelve hundred millions of dollars, exhibiting the most extraordinary exemplification of the anti-republican tendencies of associated wealth that the world ever saw.'—'Here is one class of men, consisting of not more than one fortieth part of the whole people, not more than one-thirtieth part of the free population, exclusively devoted to their personal interests identified with their own as slaveholders of the same associated wealth, and wielding by their votes, upon every question of government or of public policy, two-fifths of the whole power of the House. In the Senate of the Union, the proportion of the slaveholding power is yet greater. By the influence of slavery, in the States where the institution is tolerated, over their elections, no other than a slaveholder can rise to the distinction of obtaining a seat in the Senate; and thus, of the 52 members of the federal Senate, 26 are owners of slaves, and as effectively representatives of that interest as the 88 members elected by them to the House.'—'By this process it is that all political power in the States is absorbed and engrossed by the owners of *slaves*, and the overruling policy of the States is shaped to strengthen and consolidate their domination. The legislative, executive, and judicial authorities are all in their hands — the preservation, propagation, and perpetuation of the black code of slavery — every law of the legislature becomes a link in the chain of the slave; every executive act a rivet to his hapless fate; every judicial decision a perversion of the human intellect to the justification of *wrong*.'—'Its reciprocal operation upon the government of the nation is, to establish an artificial majority in the slave representation over that of the free people, in the American Congress, and thereby to make the PRESERVATION, PROPAGATION, AND PERPETUATION OF SLAVERY THE VITAL AND ANIMATING SPIRIT OF THE NATIONAL GOVERNMENT.'—'The result is seen in the fact that, at this day, the President of the United States, the President of the Senate, the Speaker of the House of Representatives, and five out of nine of the Judges of the Supreme Judicial Courts of the United States, are not only citizens of slaveholding States, but individual slaveholders themselves. So are, and constantly have been, with scarcely an exception, all the members of both Houses of Congress from the slaveholding States; and so are, in immensely disproportionate numbers, the commanding officers of the army and navy; the officers of the customs; the registers and receivers of the land offices, and the post-masters throughout the slaveholding States.— The Biennial Register indicates the birth-place of all the officers employed in the government of the Union. If it were required to designate the owners of this species of property among them, it would be little more than a catalogue of slaveholders.'"

It is confessed by Mr. Adams, alluding to the national convention that framed the Constitution, that "the delegation from the free States, in their extreme anxiety to conciliate the ascendancy of the Southern slaveholder, did listen to a *compromise between right and wrong — between freedom and slavery*; of the ultimate fruits of which they had no conception, but which already even now is urging the Union to its inevitable ruin and dissolution, by a civil, servile, foreign, and Indian war, all combined in one; a war, the essential issue of which will be between freedom and slavery, and in which the unhallowed standard of slavery will be the desecrated banner of the North American Union — that banner, first unfurled to the breeze, inscribed with the self-evident truths of the Declaration of Independence."

Hence, to swear to support the Constitution of the United States, *as it is*, is to make "a compromise between right and wrong," and to wage war against human liberty. It is to recognize and honor as republican legislators, *incorrigible men-stealers*, MERCILESS TYRANTS, BLOOD THIRSTY ASSASSINS, who legislate with deadly weapons about their persons, such as pistols, daggers, and bowie-knives, with which they threaten to murder any Northern senator or representative who shall dare to stain their *honor*, or interfere with their *rights*! They constitute a banditti more fierce and cruel than any whose atrocities are recorded on the pages of history or romance. To mix with them on terms of social or religious fellowship, is to indicate a low state of virtue; but to think of administering a free government by their co-operation, is nothing short of insanity.

Article IV., Section 2, declares,—"No person held to service or labor in one State, *under the laws thereof*, escaping into another, shall, in consequence of any law or regulation therein, be discharged from such service or labor; but shall be delivered up on claim of the party to whom such service or labor may be due."

Here is a third clause, which, like the other two, makes no mention of slavery or slaves, in express terms; and yet, like them, was intelligently framed and mutually understood by the parties to the ratification, and intended both to protect the slave system and to restore runaway slaves. It alone makes slavery a national institution, a national crime, and all the people who are not enslaved, the body-guard over those whose liberties have been cloven down. This agreement, too, has been fulfilled to the letter by the North.

Under the Mosaic dispensation it was imperatively commanded,— "Thou shalt not deliver unto his master the servant which is escaped from his master unto thee: he shall dwell with thee, even among you, in that place which he shall choose in one of thy gates, where it liketh him best: thou shalt not oppress him." The warning which the prophet Isaiah gave to oppressing Moab was of a similar kind: "Take counsel, execute judgment; make thy shadow as the night in the midst of the noon-day; hide the outcasts; bewray not him that wandereth. Let mine outcasts dwell with thee, Moab; be thou a covert to them from the face of the spoiler." The prophet Obadiah brings the following charge against treacherous Edom, which is precisely applicable to this guilty nation:—"For thy violence against thy brother Jacob, shame shall come over thee, and thou shalt be cut off for ever. In the day that thou stoodest on the other side, in the day that the strangers carried away captive his forces, and foreigners entered into his gates, and cast lots upon Jerusalem, *even thou wast as one of them*. But thou shouldst not have looked on the day of thy brother, in the day that he became a stranger; neither shouldst thou have rejoiced over the children of Judah, in the day of their destruction; neither shouldst thou have spoken proudly in the day of distress; neither shouldst thou have *stood in the cross-way, to cut off those of his that did escape*; neither shouldst thou have *delivered up those of his that did remain*, in the day of distress."

How exactly descriptive of this boasted republic is the impeachment of Edom by the same prophet! "The pride of thy heart hath deceived thee, thou whose habitation is high; that saith in thy heart, Who shall bring me down to the ground? Though thou exalt thyself as the eagle, and though thou set thy nest among the stars, thence will I bring thee down, saith the Lord." The emblem of American pride and power is the *eagle*, and on her banner she has mingled *stars* with its *stripes*. Her vanity, her treachery, her oppression, her self-exaltation, and her defiance of the Almighty, far surpass the madness and wickedness of Edom. What shall be her punishment? Truly, it may be affirmed of the American people, (who live not under the Levitical but Christian code, and whose guilt, therefore, is the more awful, and their condemnation the greater,) in the language of another prophet — "They all lie in wait for blood; they hunt every man his brother with a net. That they may do evil with both hands earnestly, the prince asketh, and the judge asketh for a reward; and the great man, he uttereth his mischievous desire: *so they wrap it up.*" Likewise of the colored inhabitants of this land it may be said, — "This is a people robbed and spoiled; they are all of them snared in holes, and they are hid in prison-houses; they are for a prey, and none delivereth; for a spoil, and none saith, Restore."

By this stipulation, the Northern States are made the hunting ground of slave-catchers, who may pursue their victims with blood-hounds, and capture them with impunity wherever they can lay their robber hands upon them. At least twelve or fifteen thousand runaway slaves are now in Canada, exiled from their native land, because they could not find, throughout its vast extent, a single road on which they could dwell in safety, *in consequence of this provision of the Constitution?* How is it possible, then, for the advocates of liberty to support a government which gives over to destruction one-sixth part of the whole population?

It is denied by some at the present day, that the clause which has been cited, was intended to apply to runaway slaves. This indicates either ignorance, or folly, or something worse. JAMES MADISON, as one of the framers of the Constitution, is of some authority on this point. Alluding to that instrument, in the Virginia convention, he said:—

"Another clause *secures us that property which we now possess.* At present, if any slave elopes to those States where slaves are free, *he becomes emancipated by their laws;* for the laws of the States are *uncharitable (!)* to one another in this respect; but in this constitution, 'No person held to service or labor in one State, under the laws thereof, shall, in consequence of any law or regulation therein, be discharged from such service or labor, but shall be delivered up on claim of the party to whom such service or labor may be due. THIS CLAUSE WAS EXPRESSLY INSERTED TO ENABLE THE OWNERS OF SLAVES TO RECLAIM THEM. *This is a better security than any that now exists.* No power is given to the general government to interfere with respect to the property in slaves now held by the States."

In the same convention, alluding to the same clause, Gov. RANDOLPH said :—

“Every one knows that slaves are held to service or labor. And, when authority is given to owners of slaves *to vindicate their property*, can it be supposed they can be deprived of it? If a citizen of this State, in consequence of this clause, can take his runaway slave in Maryland, can it be seriously thought that, after taking him and bringing him home, he could be made free?”

It is objected, that slaves are held as property, and therefore, as the clause refers to persons, it cannot mean slaves. But this is criticism against fact. Slaves are recognized not merely as property, but also as persons — as having a mixed character — as combining the human with the brutal. This is paradoxical, we admit; but slavery is a paradox — the American Constitution is a paradox — the American Union is a paradox — the American Government is a paradox; and if any one of these is to be repudiated on that ground, they all are. That it is the duty of the friends of freedom to deny the binding authority of them all, and to secede from them all, we distinctly affirm. After the independence of this country had been achieved, the voice of God exhorted the people, saying, “Execute true judgment, and show mercy and compassion, every man to his brother: and oppress not the widow, nor the fatherless, the stranger, nor the poor; and let none of you imagine evil against his brother in your heart. But they refused to hearken, and pulled away the shoulder, and stopped their ears, that they should not hear; yea, they made their hearts as an adamant stone.” “Shall I not visit for these things? saith the Lord. Shall not my soul be avenged on such a nation as this?”

Whatever doubt may have rested on any honest mind, respecting the meaning of the clause in relation to persons held to service or labor, must have been removed by the unanimous decision of the Supreme Court of the United States, in the case of *Prigg versus The State of Pennsylvania*. By that decision, any Southern slave-catcher is empowered to seize and convey to the South, without hindrance or molestation on the part of the State, and without any legal process duly obtained and served, any person or persons, irrespective of caste or complexion, whom he may choose to claim as runaway slaves; and if, when thus surprised and attacked, or on their arrival South, they cannot prove by legal witnesses, that they are freemen, their doom is sealed! Hence the free colored population of the North are specially liable to become the victims of this terrible power, and all the other inhabitants are at the mercy of prowling kidnappers, because there are multitudes of white as well as black slaves on Southern plantations, and slavery is no longer fastidious with regard to the color of its prey.

As soon as that appalling decision of the Supreme Court was enunciated, in the name of the Constitution, the people of the North should have risen *en masse*, if for no other cause, and declared the

Union at an end; and they would have done so, if they had not lost their manhood, and their reverence for justice and liberty.

In the 4th Sect. of Art. IV., the United States guarantee to protect every State in the Union "against *domestic violence*." By the 8th Section of Article I., congress is empowered "to provide for calling forth the militia to execute the laws of the Union, *suppress insurrections*, and repel *invasions*." These provisions, however strictly they may apply to cases of disturbance among the white population, were adopted with special reference to the slave population, for the purpose of keeping them in their chains by the combined military force of the country; and were these repealed, and the South left to manage her slaves as best she could, a servile insurrection would ere long be the consequence, as general as it would unquestionably be successful. Says Mr. Madison, respecting these clauses:—

"On application of the legislature or executive, as the case may be, the militia of the other States are to be called to suppress domestic insurrections. Does this bar the States from calling forth their own militia? No; but it gives them a *supplementary security* to suppress insurrections and domestic violence."

The answer to Patrick Henry's objection, as urged against the constitution in the Virginia convention, that there was no power left to the *States* to quell an insurrection of slaves, as it was wholly vested in congress, George Nicholas asked:—

"Have they it now? If they have, does the constitution take it away? If it does, it must be in one of those clauses which have been mentioned by the worthy member. The first part gives the general government power to call them out when necessary. Does this take it away from the States? No! but *it gives an additional security*; for, beside the power in the State government to use their own militia, it will be *the duty of the general government* to aid them WITH THE STRENGTH OF THE UNION, when called for."

This solemn guaranty of security to the slave system, caps the climax of national barbarity, and stains with human blood the garments of all the people. In consequence of it, that system has multiplied its victims from five hundred thousand to nearly three millions — a vast amount of territory has been purchased, in order to give it extension and perpetuity — several new slave States have been admitted into the Union — the slave trade has been made one of the great branches of American commerce — the slave population, though over-worked, starved, lacerated, branded, maimed, and subjected to every form of deprivation and every species of torture, have been overawed and crushed, — or, whenever they have attempted to gain their liberty by revolt, they have been shot down and quelled by the strong arm of the national government; as, for example, in the case of Nat Turner's insurrection in Virginia, when the naval and military forces of the government were called into active service. Cuban bloodhounds have been purchased with the money of the people, and imported and used to hunt slave fugitives among the everglades

of Florida. A merciless warfare has been waged for the extermination or expulsion of the Florida Indians, because they gave succor to those poor hunted fugitives — a warfare which has cost the nation several thousand lives, and forty millions of dollars. But the catalogue of enormities is too long to be recapitulated in the present address.

We have thus demonstrated that the compact between the North and the South embraces every variety of wrong and outrage, — is at war with God and man, cannot be innocently supported, and deserves to be immediately annulled. In behalf of the Society which we represent, we call upon all our fellow-citizens, who believe it is right to obey God rather than man, to declare themselves peaceful revolutionists, and to unite with us under the stainless banner of Liberty, having for its motto — “**EQUAL RIGHTS FOR ALL — NO UNION WITH SLAVEHOLDERS!**”

It is pleaded that the Constitution provides for its own amendment; and we ought to use the elective franchise to effect this object. True, there is such a proviso; but, until the amendment be made, that instrument is binding as it stands. Is it not to violate every moral instinct, and to sacrifice principle to expediency, to argue that we may swear to steal, oppress and murder by wholesale, because it may be necessary to do so only for the time being, and because there is some remote probability that the instrument which requires that we should be robbers, oppressors and murderers, may at some future day be amended in these particulars? Let us not palter with our consciences in this manner — let us not deny that the compact was conceived in sin and brought forth in iniquity — let us not be so dishonest, even to promote a good object, as to interpret the Constitution in a manner utterly at variance with the intentions and arrangements of the contracting parties; but, confessing the guilt of the nation, acknowledging the dreadful specifications in the bond, washing our hands in the waters of repentance from all further participation in this criminal alliance, and resolving that we will sustain none other than a free and righteous government, let us glory in the name of revolutionists, unfurl the banner of disunion, and consecrate our talents and means to the overthrow of all that is tyrannical in the land, — to the establishment of all that is free, just, true and holy, — to the triumph of universal love and peace.

If, in utter disregard of the historical facts which have been cited, it is still asserted, that the Constitution needs no amendment to make it a free instrument, adapted to all the exigencies of a free people, and was never intended to give any strength or countenance to the slave system — the indignant spirit of insulted Liberty replies: — “What though the assertion be true? Of what avail is a mere piece of parchment? In itself, though it be written all over with words of truth and freedom — though its provisions be as impartial and just as words can express, or the imagination paint — though it be as pure as the gospel, and breathe only the spirit of Heaven — it is power-

less ; it has no executive vitality ; it is a lifeless corpse, even though beautiful in death. I am famishing for lack of bread ! How is my appetite relieved by holding up to my gaze a painted loaf ? I am manacled, wounded, bleeding, dying ! What consolation is it to know, that they who are seeking to destroy my life, profess in words to be my friends ? ” If the liberties of the people have been betrayed — if judgment is turned away backward, and justice standeth afar off, and truth has fallen in the streets, and equality cannot enter — if the princes of the land are roaring lions, the judges evening wolves, the people light and treacherous persons, the priests covered with pollution — if we are living under a frightful despotism, which scoffs at all constitutional restraints, and wields the resources of the nation to promote its own bloody purposes — tell us not that the forms of freedom are still left to us ! “ Would such tameness and submission have freighted the May-Flower for Plymouth Rock ? Would it have resisted the Stamp Act, the Tea Tax, or any of those entering wedges of tyranny with which the British government sought to rive the liberties of America ? The wheel of the Revolution would have rusted on its axle, if a spirit so weak had been the only power to give it motion. Did our fathers say, when their rights and liberties were infringed — “ *Why, what is done cannot be undone.* That is the first thought.” No, it was the last thing they thought of : or, rather, it never entered their minds at all. They sprang to the conclusion at once — “ *What is done SHALL be undone.* That is our FIRST and ONLY thought.”

“ Is water running in our veins ? Do we remember still
Old Plymouth Rock, and Lexington, and famous Bunker Hill ?
The debt we owe our fathers’ graves ? and to the yet unborn,
Whose heritage ourselves must make a thing of pride or scorn ?

Gray Plymouth Rock hath yet a tongue, and Concord is not dumb ;
And voices from our fathers’ graves and from the future come :
They call on us to stand our ground — they charge us still to be
Not only free from chains ourselves, but foremost to make free ! ”

It is of little consequence who is on the throne, if there be behind it a power mightier than the throne. It matters not what is the theory of the government, if the practice of the government be unjust and tyrannical. We rise in rebellion against a despotism incomparably more dreadful than that which induced the colonists to take up arms against the mother country ; not on account of a three-penny tax on tea, but because fetters of living iron are fastened on the limbs of millions of our countrymen, and our most sacred rights are trampled in the dust. As citizens of the State, we appeal to the State in vain for protection and redress. As citizens of the United States, we are treated as outlaws in one half of the country, and the national government consents to our destruction. We are denied the right of locomotion, freedom of speech, the right of petition, the liberty of

the press, the right peaceably to assemble together to protest against oppression and plead for liberty — at least in thirteen States of the Union. If we venture, as avowed and unflinching abolitionists, to travel South of Mason and Dixon's line, we do so at the peril of our lives. If we would escape torture and death, on visiting any of the slave States, we must stifle our conscientious convictions, bear no testimony against cruelty and tyranny, suppress the struggling emotions of humanity, divest ourselves of all letters and papers of an anti-slavery character, and do homage to the slaveholding power — or run the risk of a cruel martyrdom! These are appalling and undeniable facts.

Three millions of the American people are crushed under the American Union! They are held as slaves — trafficked as merchandise — registered as goods and chattels! The government gives them no protection — the government is their enemy — the government keeps them in chains! There they lie bleeding — we are prostrate by their side — in their sorrows and sufferings we participate — their stripes are inflicted on our bodies, their shackles are fastened on our limbs, their cause is ours! The Union which grinds them to the dust rests upon us, and with them we will struggle to overthrow it! The Constitution, which subjects them to hopeless bondage, is one that we cannot swear to support! Our motto is, "NO UNION WITH SLAVEHOLDERS," either religious or political. They are the fiercest enemies of mankind, and the bitterest foes of God! We separate from them not in anger, not in malice, not for a selfish purpose, not to do them an injury, not to cease warning, exhorting, reproving them for their crimes, not to leave the perishing bondman to his fate — O no! But to clear our skirts of innocent blood — to give the oppressor no countenance — to signify our abhorrence of injustice and cruelty — to testify against an ungodly compact — to cease striking hands with thieves and consenting with adulterers — to make no compromise with tyranny — to walk worthily of our high profession — to increase our moral power over the nation — to obey God and vindicate the gospel of his Son — to hasten the downfall of slavery in America, and throughout the world!

We are not acting under a blind impulse. We have carefully counted the cost of this warfare, and are prepared to meet its consequences. It will subject us to reproach, persecution, infamy — it will prove a fiery ordeal to all who shall pass through it — it may cost us our lives. We shall be ridiculed as fools, scorned as visionaries, branded as disorganizers, reviled as madmen, threatened and perhaps punished as traitors. But we shall bide our time. Whether safety or peril, whether victory or defeat, whether life or death be ours, believing that our feet are planted on an eternal foundation, that our position is sublime and glorious, that our faith in God is rational and steadfast, that we have exceeding great and precious promises on which to rely, THAT WE ARE IN THE RIGHT, we shall not

falter nor be dismayed, "though the earth be removed, and though the mountains be carried into the midst of the sea,"—though our ranks be thinned to the number of "three hundred men." Freemen! are you ready for the conflict? Come what may, will you sever the chain that binds you to a slaveholding government, and declare your independence? Up, then, with the banner of revolution! Not to shed blood—not to injure the person or estate of any oppressor—not by force and arms to resist any law—not to countenance a servile insurrection—not to wield any carnal weapons! No—ours must be a bloodless strife, excepting *our* blood be shed—for we aim, as did Christ our leader, not to destroy men's lives, but to save them—to overcome evil with good—to conquer through suffering for righteousness' sake—to set the captive free by the potency of truth!

Secede, then, from the government. Submit to its exactions, but pay it no allegiance, and give it no voluntary aid. Fill no offices under it. Send no senators or representatives to the national or State legislature; for what you cannot conscientiously perform yourself, you cannot ask another to perform as your agent. Circulate a declaration of **DISUNION FROM SLAVEHOLDERS**, throughout the country. Hold mass meetings—assemble in conventions—nail your banners to the mast!

Do you ask what can be done, if you abandon the ballot-box? What did the crucified Nazarene do without the elective franchise? What did the apostles do? What did the glorious army of martyrs and confessors do? What did Luther and his intrepid associates do? What can women and children do? What has Father Mathew done for teetotalism? What has Daniel O'Connell done for Irish repeal? "Stand, having your loins girt about with truth, and having on the breast-plate of righteousness," and arrayed in the whole armor of God!

The form of government that shall succeed the present government of the United States, let time determine. It would be a waste of time to argue that question, until the people are regenerated and turned from their iniquity. Ours is no anarchical movement, but one of order and obedience. In ceasing from oppression, we establish liberty. What is now fragmentary, shall in due time be crystalized, and shine like a gem set in the heavens, for a light to all coming ages.

Finally—we believe that the effect of this movement will be,—First, to create discussion and agitation throughout the North; and these will lead to a general perception of its grandeur and importance.

Secondly, to convulse the slumbering South like an earthquake, and convince her that her only alternative is, to abolish slavery, or be abandoned by that power on which she now relies for safety.

Thirdly, to attack the slave power in its most vulnerable point, and to carry the battle to the gate.

Fourthly, to exalt the moral sense, increase the moral power, and invigorate the moral constitution of all who heartily espouse it.

We reverently believe that, in withdrawing from the American Union, we have the God of justice with us. We know that we have our enslaved countrymen with us. We are confident that all free hearts will be with us. We are certain that tyrants and their abettors will be against us.

In behalf of the Executive Committee of the American Anti-Slavery Society,

WM. LLOYD GARRISON, *President.*

WENDELL PHILLIPS,
MARIA WESTON CHAPMAN, } *Secretaries.*

Boston, May 20, 1844.

LETTER FROM FRANCIS JACKSON.

BOSTON, 4th July, 1844.

To His Excellency George N. Briggs :

SIR—Many years since, I received from the Executive of the Commonwealth a commission as Justice of the Peace. I have held the office that it conferred upon me till the present time, and have found it a convenience to myself, and others. It might continue to be so, could I consent longer to hold it. But paramount considerations forbid, and I herewith transmit to you my commission, respectfully asking you to accept my resignation.

While I deem it a duty to myself to take this step, I feel called on to state the reasons that influence me.

In entering upon the duties of the office in question, I complied with the requirements of the law, by taking an oath "*to support the Constitution of the United States.*" I regret that I ever took that oath. Had I then as maturely considered its full import, and the obligations under which it is understood, and meant to lay those who take it, as I have done since, I certainly never would have taken it, seeing, as I now do, that the Constitution of the United States contains provisions calculated and intended to foster, cherish, uphold and perpetuate *slavery*. It pledges the country to guard and protect the slave system so long as the slaveholding States choose to retain it. It regards the slave code as lawful in the States which enact it. Still more, "it has done that, which, until its adoption, was never before done for African slavery. It took it out of its former category of municipal law and local life, adopted it as a national institution, spread around it the broad and sufficient shield of national law and

thus gave to slavery a national existence." Consequently, the oath to support the Constitution of the United States is a solemn promise to do that which is morally wrong; that which is a violation of the natural rights of man, and a sin in the sight of God.

I am not, in this matter, constituting myself a judge of others. I do not say that no honest man can take such an oath, and abide by it. I only say, that *I* would not now deliberately take it; and that, having inconsiderately taken it, I can no longer suffer it to lie upon my soul. I take back the oath, and ask you, sir, to take back the commission, which was the occasion of my taking it.

I am aware that my course in this matter is liable to be regarded as singular, if not censurable; and I must, therefore, be allowed to make a more specific statement of those *provisions of the Constitution* which support the enormous wrong, the heinous sin of slavery.

The very first Article of the Constitution takes slavery at once under its legislative protection, as a basis of representation in the popular branch of the National Legislature. It regards slaves under the description "of all other *persons*" — as of only three-fifths of the value of free persons; thus to appearance undervaluing them in comparison with freemen. But its dark and involved phraseology seems intended to blind us to the consideration, that those underrated slaves are merely a *basis*, not the *source* of representation; that by the laws of all the States where they live, they are regarded not as *persons*, but as *things*; that they are not the *constituency* of the representative, but his property; and that the necessary effect of this provision of the Constitution is, to take legislative power out of the hands of *men*, as such, and give it to the mere possessors of goods and chattels. Fixing upon thirty thousand persons, as the smallest number that shall send one member into the House of Representatives, it protects slavery by distributing legislative power in a free and in a slave State thus: To a congressional district in South Carolina, containing fifty thousand slaves, claimed as the property of five hundred whites, who hold, on an average, one hundred apiece, it gives one Representative in Congress; to a district in Massachusetts containing a population of thirty thousand five hundred, one Representative is assigned. But inasmuch as a slave is never permitted to vote, the fifty thousand persons in a district in Carolina form no part of "the constituency;" *that* is found only in the five hundred free persons. Five hundred freemen of Carolina could send one Representative to Congress, while it would take thirty thousand five hundred freemen of Massachusetts, to do the same thing: that is, one slaveholder in Carolina is clothed by the Constitution with the same political power and influence in the Representatives Hall at Washington, as sixty Massachusetts men like you and me, who "eat their bread in the sweat of their own brows."

According to the census of 1830, and the *ratio* of representation based upon that, slave property added twenty-five members to the House of Representatives. And as it has been estimated, (as an

approximation to the truth,) that the two and a half million slaves in the United States are held as property by about two hundred and fifty thousand persons — giving an average of ten slaves to each slaveholder, those twenty-five Representatives, each chosen, at most, by only ten thousand voters, and probably by less than three-fourths of that number, were the representatives, not only of the two hundred and fifty thousand persons who chose them; but of *property* which, five years ago, when slaves were lower in market, than at present, were estimated, by the man who is now the most prominent candidate for the Presidency, at twelve hundred millions of dollars — a sum, which, by the natural increase of five years, and the enhanced value resulting from a more prosperous state of the planting interest, cannot now be less than fifteen hundred millions of dollars. All this vast amount of property, as it is “peculiar,” is also identical in its character. In Congress, as we have seen, it is animated by one spirit, moves in one mass, and is wielded with one aim; and when we consider that tyranny is always timid, and despotism distrustful, we see that this vast money power would be false to itself, did it not direct all its eyes and hands, and put forth all its ingenuity and energy, to one end — self-protection and self-perpetuation. And this it has ever done. In all the vibrations of the political scale, whether in relation to a Bank or Sub-Treasury, Free Trade or a Tariff, this immense power has moved, and will continue to move, in one mass, for its own protection.

While the weight of the slave influence is thus felt in the House of Representatives, “in the Senate of the Union,” says John Quincy Adams, “the proportion of slaveholding power is still greater. By the influence of slavery in the States where the institution is tolerated, over their elections, no other than a slaveholder can rise to the distinction of obtaining a seat in the Senate; and thus, of the fifty-two members of the federal Senate, twenty-six are owners of slaves, and are as effectually representatives of that interest, as the eighty-eight members elected by them to the House.”

The dominant power which the Constitution gives to the slave interest, as thus seen and exercised in the *Legislative Halls* of our nation, is equally obvious and obtrusive in every other department of the National government.

In the *Electoral colleges*, the same cause produces the same effect — the same power is wielded for the same purpose, as in the Halls of Congress. Even the preliminary nominating conventions, before they dare name a candidate for the highest office in the gift of the people, must ask of the Genius of slavery, to what votary she will show herself propitious. This very year, we see both the great political parties doing homage to the slave power, by nominating each a slaveholder for the chair of State. The candidate of one party declares, “I should have opposed, and would continue to oppose, any scheme whatever of emancipation, either gradual or immediate;” and adds, “It is not true, and I rejoice that it is not true,

that either of the two great parties of this country has any design or aim at abolition. I should deeply lament it, if it were true." *

The other party nominates a man who says, "I have no hesitation in declaring that I am in favor of the immediate re-annexation of Texas to the territory and government of the United States."

Thus both the political parties, and the candidates of both, vie with each other, in offering allegiance to the slave power, as a condition precedent to any hope of success in the struggle for the executive chair; a seat that, for more than three-fourths of the existence of our constitutional government, has been occupied by a slaveholder.

The same stern despotism overshadows even the sanctuaries of justice. Of the nine Justices of the Supreme Court of the United States, five are slaveholders, and of course, must be faithless to their own interest, as well as recreant to the power that gives them place, or must, so far as *they* are concerned, give both to law and constitution such a construction as shall justify the language of John Quincy Adams, when he says — "The legislative, executive, and judicial authorities, are all in their hands — for the preservation, propagation, and perpetuation of the black code of slavery. Every law of the legislature becomes a link in the chain of the slave; every executive act a rivet to his hapless fate; every judicial decision a perversion of the human intellect to the justification of wrong."

Thus by merely adverting but briefly to the theory and the practical effect of this clause of the Constitution, that I have sworn to support, it is seen that it throws the political power of the nation into the hands of the slaveholders; a body of men, which, however it may be regarded by the Constitution as "persons," is in fact and practical effect, a vast moneyed corporation, bound together by an indissoluble unity of interest, by a common sense of a common danger; counselling at all times for its common protection; wielding the whole power, and controlling the destiny of the nation.

If we look into the legislative halls, slavery is seen in the chair of the presiding officer of each, and controlling the action of both. Slavery occupies, by prescriptive right, the Presidential chair. The paramount voice that comes from the temple of national justice, issues from the lips of slavery. The army is in the hands of slavery, and at her bidding, must encamp in the everglades of Florida, or march from the Missouri to the borders of Mexico, to look after her interests in Texas.

The navy, even that part that is cruising off the coast of Africa, to suppress the foreign slave trade, is in the hands of slavery.

Freemen of the North, who have even dared to lift up their voice against slavery, cannot travel through the slave States, but at the peril of their lives.

The representatives of freemen are forbidden, on the floor of Con-

* Henry Clay's speech in the United States Senate in 1839, and confirmed at Raleigh, N. C. 1844.

gress, to remonstrate against the encroachments of slavery, or to pray that she would let her poor victims go.

I renounce my allegiance to a Constitution that enthrones such a power, wielded for the purpose of depriving me of my rights, of robbing my countrymen of their liberties, and of securing its own protection, support and perpetuation.

Passing by that clause of the Constitution, which restricted Congress for twenty years, from passing any law against the African slave trade, and which gave authority to raise a revenue on the stolen sons of Africa, I come to that part of the fourth article, which guarantees protection against "*domestic violence*," and which pledges to the South the military force of the country, to protect the masters against their insurgent slaves: binds us, and our children, to shoot down our fellow-countrymen, who may rise, in emulation of our revolutionary fathers, to vindicate their inalienable "*right to life, liberty and the pursuit of happiness*,"—this clause of the Constitution, I say distinctly, I never will support.

That part of the Constitution which provides for the surrender of fugitive slaves, I never have supported and never will. I will join in no slave-hunt. My door shall stand open, as it has long stood, for the panting and trembling victim of the slave-hunter. When I shut it against him, may God shut the door of his mercy against me! Under this clause of the Constitution, and designed to carry it into effect, slavery has demanded that laws should be passed, and of such a character, as have left the free citizen of the North without protection for his own liberty. The question, whether a man seized in a free State as a slave, is a slave or not, the law of Congress does not allow a jury to determine: but refers it to the decision of a Judge of a United States' Court, or even of the humblest State magistrate, it may be, upon the testimony or affidavit of the party most deeply interested to support the claim. By virtue of this law, freemen have been seized and dragged into perpetual slavery — and should I be seized by a slave-hunter in any part of the country where I am not personally known, neither the Constitution nor laws of the United States would shield me from the same destiny.

These, sir, are the specific parts of the Constitution of the United States, which in my opinion are essentially vicious, hostile at once to the liberty and to the morals of the nation. And these are the principal reasons of my refusal any longer to acknowledge my allegiance to it, and of my determination to revoke my oath to support it. I cannot, in order to keep the law of man, break the law of God, or solemnly call him to witness my promise that I will break it.

It is true that the Constitution provides for its own amendment, and that by this process, all the guarantees of Slavery may be expunged. But it will be time enough to swear to support it when this is done. It cannot be right to do so, until these amendments are made.

It is also true that the framers of the Constitution did studiously

keep the words "Slave" and "Slavery" from its face. But to do our constitutional fathers justice, while they forebore — from very shame — to give the word "Slavery" a place in the Constitution, they did not forbear — again to do them justice — to give place in it to the *thing*. They were careful to wrap up the idea, and the substance of Slavery, in the clause for the surrender of the fugitive, though they sacrificed justice in doing so.

There is abundant evidence that this clause touching "persons held to service or labor," not only operates practically, under the judicial construction, for the protection of the slave interest; but that it was *intended* so to operate by the framers of the Constitution. The highest judicial authorities — Chief Justice Shaw, of the Supreme Court of Massachusetts, in the *Latimer* case, and Mr. Justice Story, in the Supreme Court of the United States, in the case of *Prigg vs. The State of Pennsylvania*,— tell us, I know not on what evidence, that without this "compromise," this security for Southern slaveholders, "the Union could not have been formed." And there is still higher evidence, not only that the framers of the Constitution meant by this clause to protect slavery, but that they did this, knowing that slavery was wrong. Mr. Madison* informs us that the clause in question, as it came out of the hands of Dr. Johnson, the chairman of the "committee on style," read thus: "No person legally held to service, or labor, in one State, escaping into another, shall," &c., and that the word "legally" was struck out, and the words "under the laws thereof" inserted after the word "State," in compliance with the wish of some, who thought the term *legal* equivocal, and favoring the idea that slavery was legal "in a moral view." A conclusive proof that, although future generations might apply that clause to other kinds of "service or labor," when slavery should have died out, or been killed off by the young spirit of liberty, which was *then* awake and at work in the land; still, slavery was what they were wrapping up in "equivocal" words; and wrapping it up for its protection and safe keeping: a conclusive proof that the framers of the Constitution were more careful to protect themselves in the judgment of coming generations, from the charge of ignorance, than of sin; a conclusive proof that they knew that slavery was *not* "legal in a moral view," that it was a violation of the moral law of God; and yet knowing and confessing its immorality, they dared to make this stipulation for its support and defence.

This language may sound harsh to the ears of those who think it a part of their duty, as citizens, to maintain that whatever the patriots of the Revolution did, was right; and who hold that we are bound to *do* all the iniquity that they covenanted for us that we *should do*. But the claims of truth and right are paramount to all other claims.

With all our veneration for our constitutional fathers, we must admit,—for they have left on record their own confession of it,—that in this part of their work they *intended* to hold the shield of their pro-

* Madison Papers, p. 1569.

tection over a wrong, knowing that it was a wrong. They made a "compromise" which they had no right to make — a compromise of moral principle for the sake of what they probably regarded as "political expediency." I am sure they did not know — no man could know, or can now measure, the extent, or the consequences of the wrong that they were doing. In the strong language of John Quincy Adams,* in relation to the article fixing the basis of representation, "Little did the members of the Convention, from the free States, imagine or foresee what a sacrifice to Moloch was hidden under the mask of this concession."

I verily believe that, giving all due consideration to the benefits conferred upon this nation by the Constitution, its national unity, its swelling masses of wealth, its power, and the external prosperity of its multiplying millions; yet the *moral* injury that has been done, by the countenance shown to slavery by holding over that tremendous sin the shield of the Constitution, and thus breaking down in the eyes of the nation the barrier between right and wrong; by so tenderly cherishing slavery as, in less than the life of man, to multiply her children from half a million to nearly three millions; by exacting oaths from those who occupy prominent stations in society, that they will violate at once the rights of man and the law of God; by substituting itself as a rule of right, in place of the moral laws of the universe; — thus in effect, dethroning the Almighty in the hearts of this people and setting up another sovereign in his stead — more than outweighs it all. A melancholy and monitory lesson this, to all time-serving and temporising statesmen! A striking illustration of the *impolicy* of sacrificing *right* to any considerations of expediency! Yet, what better than the evil effects that we have seen, could the authors of the Constitution have reasonably expected, from the sacrifice of right, in the concessions they made to slavery? Was it reasonable in them to expect that after they had introduced a vicious element into the very Constitution of the body politic which they were calling into life, it would not exert its vicious energies? Was it reasonable in them to expect that, after slavery had been corrupting the public morals for a whole generation, their children would have too much virtue to *use* for the defence of slavery, a power which they themselves had not too much virtue to *give*? It is dangerous for the sovereign power of a State to license immorality; to hold the shield of its protection over any thing that is not "legal in a moral view." Bring into your house a benumbed viper, and lay it down upon your warm hearth, and soon it will not ask you into which room it may crawl. Let Slavery once lean upon the supporting arm, and bask in the fostering smile of the State, and you will soon see, as we now see, both her minions and her victims multiply apace till the politics, the morals, the liberties, even the religion of the nation, are brought completely under her control.

* See his Report on the Massachusetts Resolutions.

To me, it appears that the virus of slavery, introduced into the Constitution of our body politic, by a few slight punctures, has now so pervaded and poisoned the whole system of our National Government, that literally there is no health in it. The only remedy that I can see for the disease, is to be found in the *dissolution of the patient*.

The Constitution of the United States, both in theory and practice, is so utterly broken down by the influence and effects of slavery, so imbecile for the highest good of the nation, and so powerful for evil, that I can give no voluntary assistance in holding it up any longer.

Henceforth it is dead to me, and I to it. I withdraw all profession of allegiance to it, and all my voluntary efforts to sustain it. The burdens that it lays upon me, while it is held up by others, I shall endeavor to bear patiently, yet acting with reference to a higher law, and distinctly declaring, that while I retain my own liberty, I will be a party to no compact, which helps to rob any other man of his.

Very respectfully, your friend,

FRANCIS JACKSON.

FROM

MR. WEBSTER'S SPEECH

AT NIBLO'S GARDENS.

"We have slavery, already, amongst us. The Constitution found it among us; it recognized it and gave it SOLEMN GUARANTIES. To the full extent of these guaranties we are all bound, in honor, in justice, and by the Constitution. All the stipulations, contained in the Constitution, *in favor of the slaveholding States* which are already in the Union, ought to be fulfilled, and so far as depends on me, shall be fulfilled, in the fulness of their spirit, and to the exactness of their letter." !!!

EXTRACTS FROM

JOHN Q. ADAMS'S ADDRESS

AT NORTH BRIDGEWATER, NOV. 6, 1844.

The benefits of the Constitution of the United States, were the restoration of credit and reputation, to the country—the revival of commerce, navigation, and ship-building—the acquisition of the means of discharging the debts of the Revolution, and the protection and encouragement of the infant and drooping manufactures of the country. All this, however, as is now well ascertained, was insuffi-

cient to propitiate the rulers of the Southern States to the adoption of the Constitution. What they specially wanted was *protection*. — Protection from the powerful and savage tribes of Indians within their borders, and who were harrassing them with the most terrible of wars — and protection from their own negroes — protection from their insurrections — protection from their escape — protection even to the trade by which they were brought into the country — protection, shall I not blush to say, protection to the very bondage by which they were held. Yes! it cannot be denied — the slaveholding lords of the South prescribed, as a condition of their assent to the Constitution, three special provisions to secure the perpetuity of their dominion over their slaves. The first was the immunity for twenty years of preserving the African slave-trade; the second was the stipulation to surrender fugitive slaves — an engagement positively prohibited by the laws of God, delivered from Sinai; and thirdly, the exaction fatal to the principles of popular representation, of a representation for slaves — for articles of merchandise, under the name of persons.

The reluctance with which the freemen of the North submitted to the dictation of these conditions, is attested by the awkward and ambiguous language in which they are expressed. The word slave is most cautiously and fastidiously excluded from the whole instrument. A stranger, who should come from a foreign land, and read the Constitution of the United States, would not believe that slavery or a slave existed within the borders of our country. There is not a word in the Constitution *apparently* bearing upon the condition of slavery, nor is there a provision but would be susceptible of practical execution, if there were not a slave in the land.

The delegates from South Carolina and Georgia distinctly avowed that, without this guarantee of protection to their property in slaves, they would not yield their assent to the Constitution; and the freemen of the North, reduced to the alternative of departing from the vital principle of their liberty, or of forfeiting the Union itself, averted their faces, and with trembling hand subscribed the bond.

Twenty years passed away — the slave markets of the South were saturated with the blood of African bondage, and from midnight of the 31-st of December, 1807, not a slave from Africa was suffered ever more to be introduced upon our soil. But the internal traffic was still lawful, and the *breeding* States soon reconciled themselves to a prohibition which gave them the monopoly of the interdicted trade, and they joined the full chorus of reprobation, to punish with death the slave-trader from Africa, while they cherished and shielded and enjoyed the precious profits of the American slave-trade exclusively to themselves.

Perhaps this unhappy result of their concession had not altogether escaped the foresight of the freemen of the North; but their intense anxiety for the preservation of the whole Union, and the habit already formed of yielding to the somewhat peremptory and overbearing

tone which the relation of master and slave welds into the nature of the lord, prevailed with them to overlook this consideration, the internal slave-trade having scarcely existed while that with Africa had been allowed. But of one consequence which has followed from the slave representation, pervading the whole organic structure of the Constitution, they certainly were not present; for if they had been, never — no, never would they have consented to it.

The representation, ostensibly of slaves, under the name of persons, was in its operation an exclusive grant of power to one class of proprietors, owners of one species of property, to the detriment of all the rest of the community. This species of property was odious in its nature, held in direct violation of the natural and inalienable rights of man, and of the vital principles of Christianity; it was all accumulated in one geographical section of the country, and was all held by wealthy men, comparatively small in numbers, not amounting to a tenth part of the free white population of the States in which it was concentrated.

In some of the ancient, and in some modern republics, extraordinary political power and privileges have been invested in the owners of horses; but then these privileges and these powers have been granted for the equivalent of extraordinary duties and services to the community, required of the favored class. The Roman knights constituted the cavalry of their armies, and the bushels of rings gathered by Hannibal from their dead bodies, after the battle of Cannæ, amply prove that the special powers conferred upon them were no gratuitous grants. But in the Constitution of the United States, the political power invested in the owners of slaves is entirely gratuitous. No extraordinary service is required of them; they are, on the contrary, themselves grievous burdens upon the community, always threatened with the danger of insurrections, to be smothered in the blood of both parties, master and slave, and always depressing the condition of the poor free laborer, by competition with the labor of the slave. The property in horses was the gift of God to man, at the creation of the world; the property in slaves is property acquired and held by crimes, differing in no moral aspect from the pillage of a freebooter, and to which no lapse of time can give a prescriptive right. You are told that this is no concern of yours, and that the question of freedom and slavery is exclusively reserved to the consideration of the separate States. But if it be so, as to the mere question of right between master and slave, it is of tremendous concern to you that this little cluster of slave-owners should possess, besides their own share in the representative hall of the nation, the exclusive privilege of appointing two-fifths of the whole number of the representatives of the people. This is now your condition, under that delusive ambiguity of language and of principle, which begins by declaring the representation in the popular branch of the legislature a representation of persons, and then provides that one class of persons shall have neither part nor lot in the choice of their representa-

tives; but their elective franchise shall be transferred to their masters, and the oppressors shall represent the oppressed. The same perversion of the representative principle pollutes the composition of the colleges of electors of President and Vice President of the United States, and every department of the government of the Union is thus tainted at its source by the gangrene of slavery.

Fellow-citizens, — with a body of men thus composed, for legislators and executors of the laws, what will, what must be, what has been your legislation? The numbers of freemen constituting your nation are much greater than those of the slaveholding States, bond and free. You have at least three-fifths of the whole population of the Union. Your influence on the legislation and the administration of the government ought to be in the proportion of three to two. — But how stands the fact? Besides the legitimate portion of influence exercised by the slaveholding States by the measure of their numbers, here is an intrusive influence in every department, by a representation nominally of persons, but really of property, ostensibly of slaves, but effectively of their masters, overbalancing your superiority of numbers, adding two-fifths of supplementary power to the two-fifths fairly secured to them by the compact, **CONTROLLING AND OVERRULING THE WHOLE ACTION OF YOUR GOVERNMENT AT HOME AND ABROAD**, and warping it to the sordid private interest and oppressive policy of 300,000 owners of slaves.

From the time of the adoption of the Constitution of the United States, the institution of domestic slavery has been becoming more and more the abhorrence of the civilized world. But in proportion as it has been growing odious to all the rest of mankind, it has been sinking deeper and deeper into the affections of the holders of slaves themselves. The cultivation of cotton and of sugar, unknown in the Union at the establishment of the Constitution, has added largely to the pecuniary value of the slave. And the suppression of the African slave-trade as piracy upon pain of death, by securing the benefit of a monopoly to the virtuous slaveholders of the ancient dominion, has turned her heroic tyrannicides into a community of slave-breeders for sale, and converted the land of George Washington, Patrick Henry, Richard Henry Lee, and Thomas Jefferson, into a great barracoon — a cattle-show of human beings, an emporium, of which the staple articles of merchandize are the flesh and blood, the bones and sinews of immortal man.

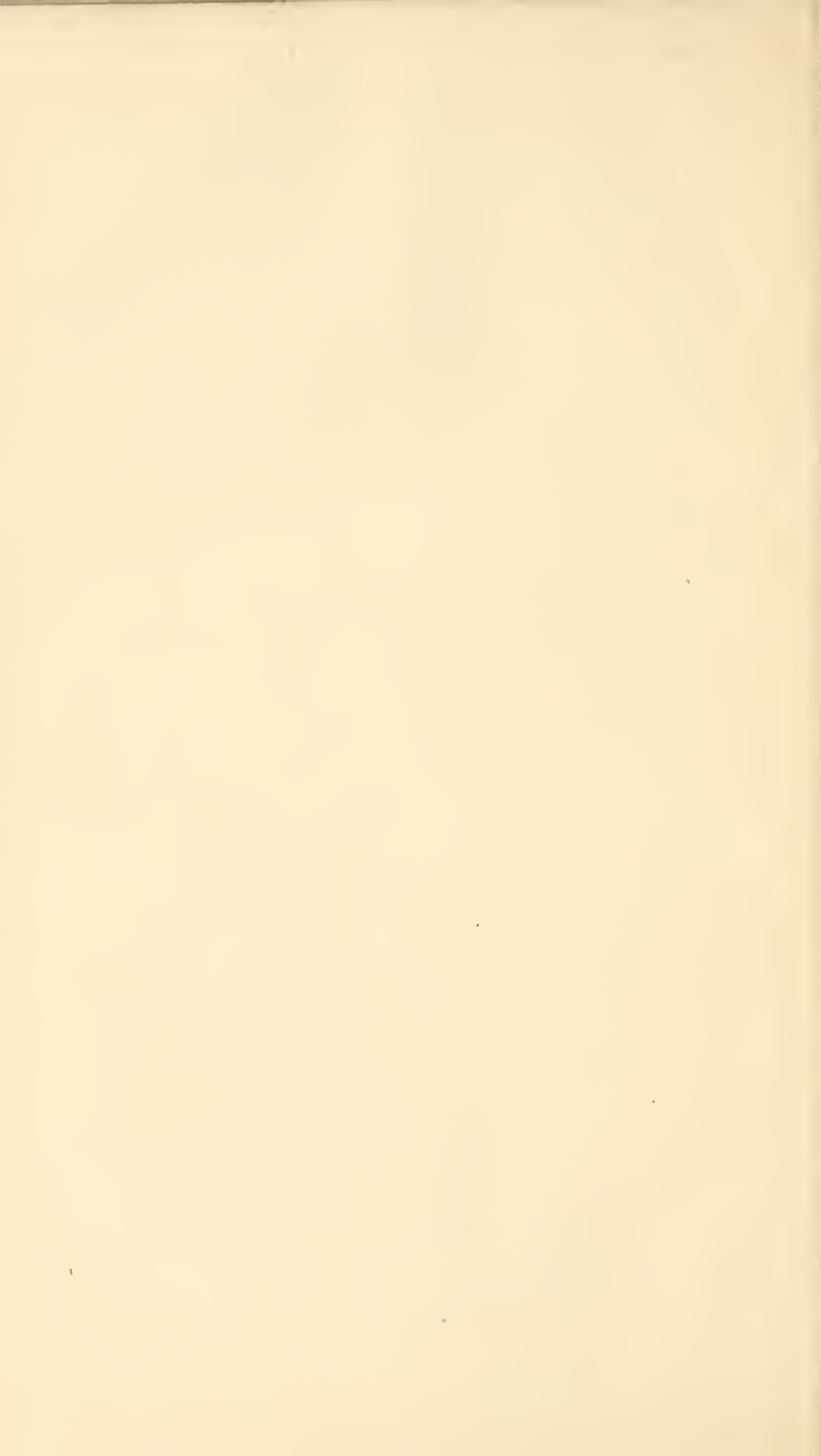
Of the increasing abomination of slavery in the unbought hearts of men at the time when the Constitution of the United States was formed, what clearer proof could be desired, than that the very same year in which that charter of the land was issued, the Congress of the Confederation, with not a tithe of the powers given by the people to the Congress of the new compact, actually abolished slavery for ever throughout the whole Northwestern territory, without a remonstrance or a murmur. But in the articles of confederation, there was

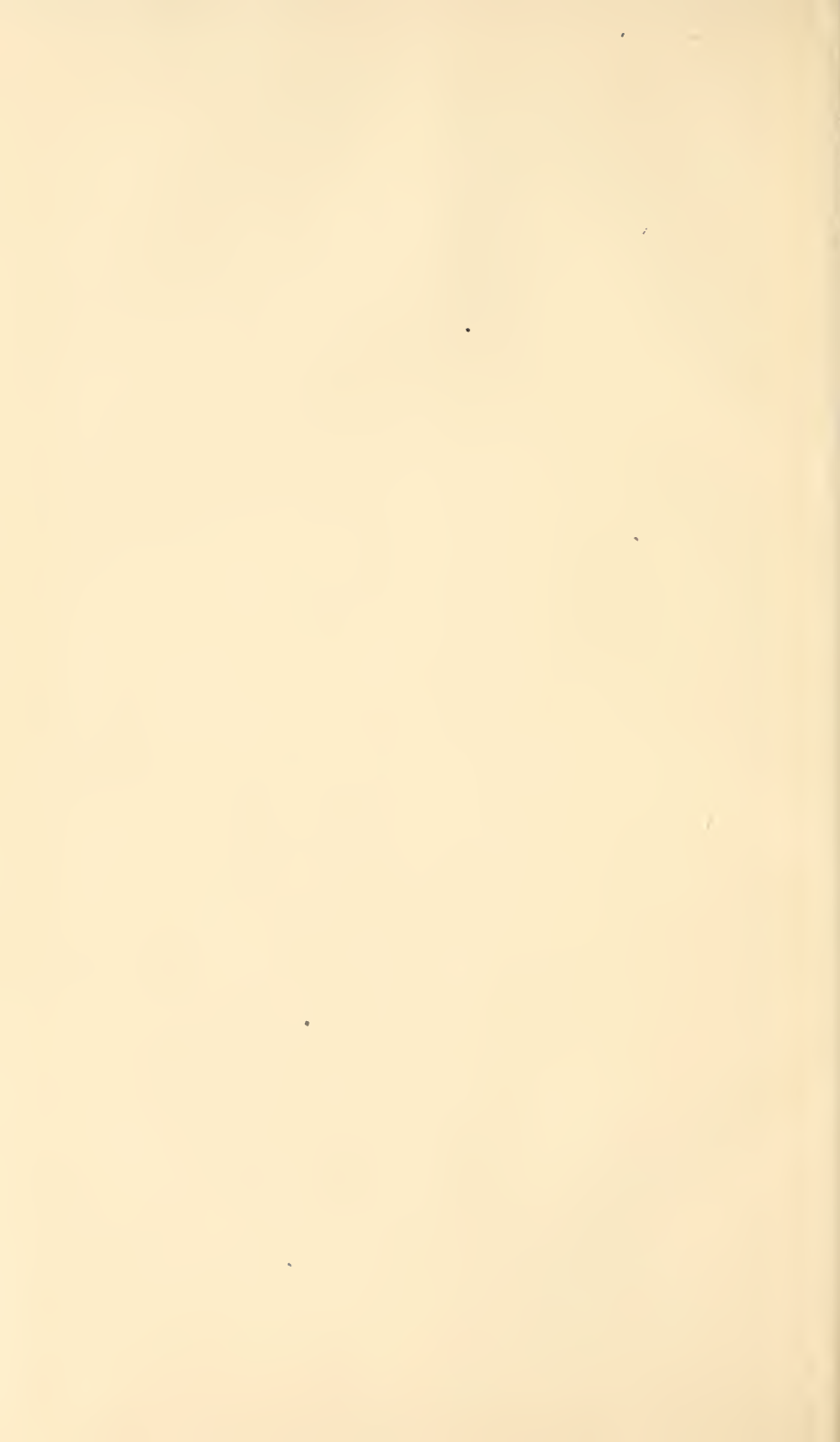
no guaranty for the property of the slaveholder — no double representation of him in the Federal councils — no power of taxation — no stipulation for the recovery of fugitive slaves. But when the powers of *government* came to be delegated to the Union, the South — that is, South Carolina and Georgia — refused their subscription to the parchment, till it should be saturated with the infection of slavery, which no fumigation could purify, no quarantine could extinguish. The freemen of the North gave way, and the deadly venom of slavery was infused into the Constitution of freedom. Its first consequence has been to invert the first principle of Democracy, that the will of the majority of numbers shall rule the land. By means of the double representation, the minority command the whole, and a **KNOT OF SLAVEHOLDERS GIVE THE LAW AND PRESCRIBE THE POLICY OF THE COUNTRY.** To acquire this superiority of a large majority of freemen, a persevering system of engrossing nearly all the seats of power and place, is constantly for a long series of years pursued, and you have seen, in a period of fifty-six years, the Chief-magistracy of the Union held, during forty-four of them, by the owners of slaves. The Executive departments, the Army and Navy, the Supreme Judicial Court and diplomatic missions abroad, all present the same spectacle; — an immense majority of power in the hands of a very small minority of the people — millions made for a fraction of a few thousands.

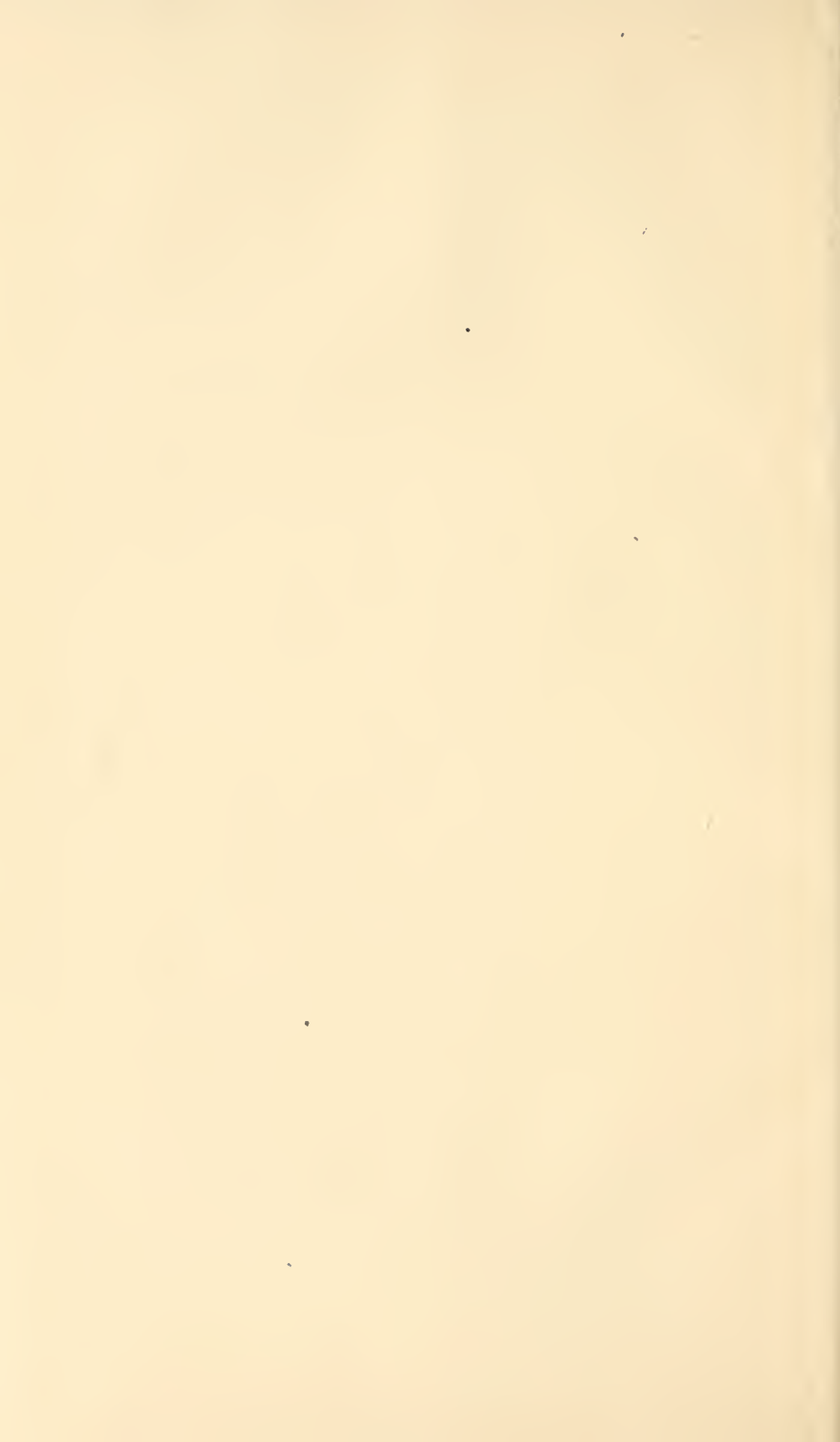
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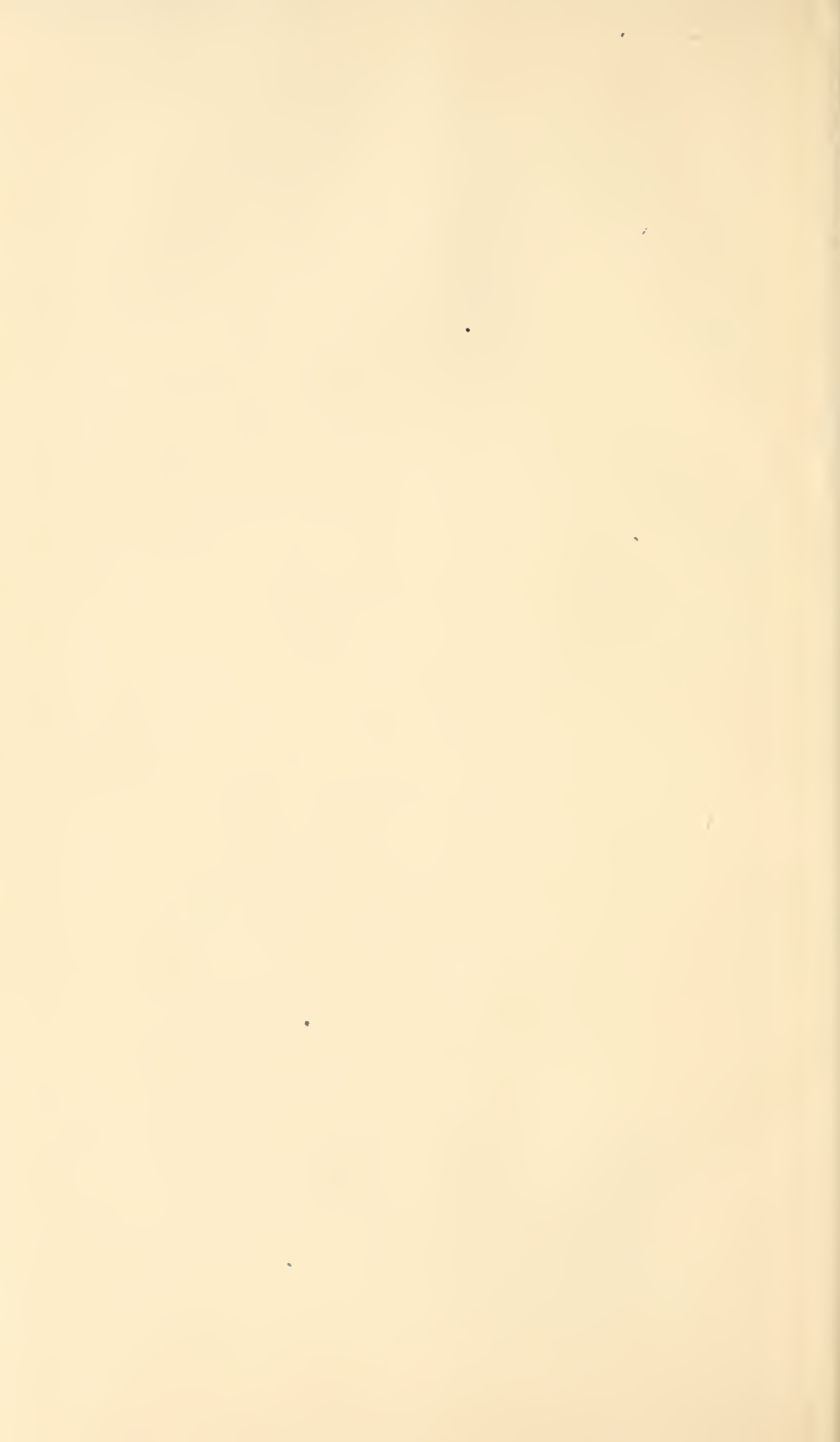
From that day (1830,) **SLAVERY, SLAVEHOLDING, SLAVE-BREEDING AND SLAVE-TRADING, HAVE FORMED THE WHOLE FOUNDATION OF THE POLICY OF THE FEDERAL GOVERNMENT,** and of the slaveholding States, at home and abroad; and at the very time when a new census has exhibited a large increase upon the superior numbers of the free States, it has presented the portentous evidence of increased influence and ascendancy of the slaveholding power.

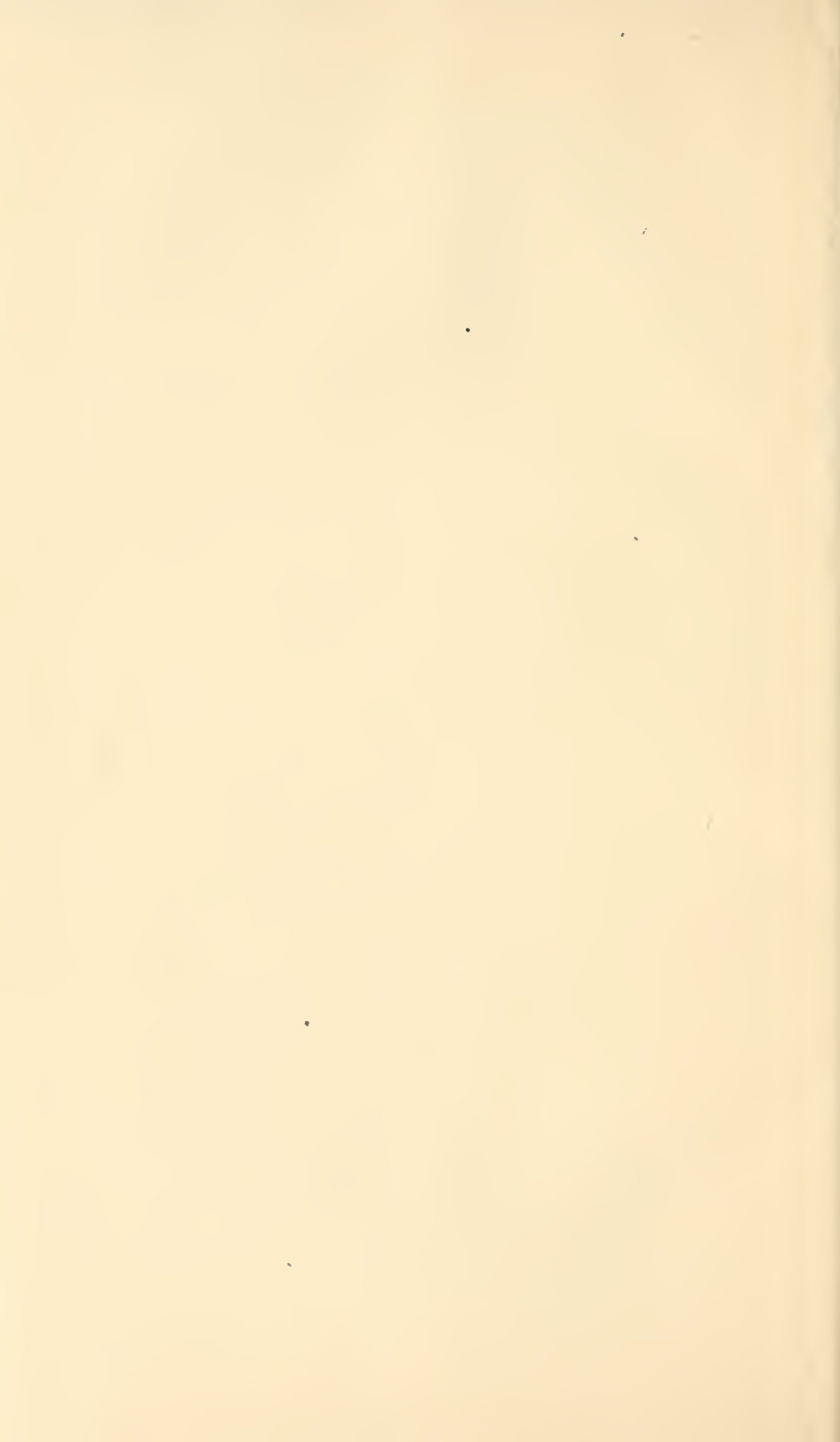
Of the prevalence of that power, you have had continual and conclusive evidence in the suppression for the space of ten years of the right of petition, guarantied, if there could be a guarantee against slavery, by the first article amendatory of the Constitution.

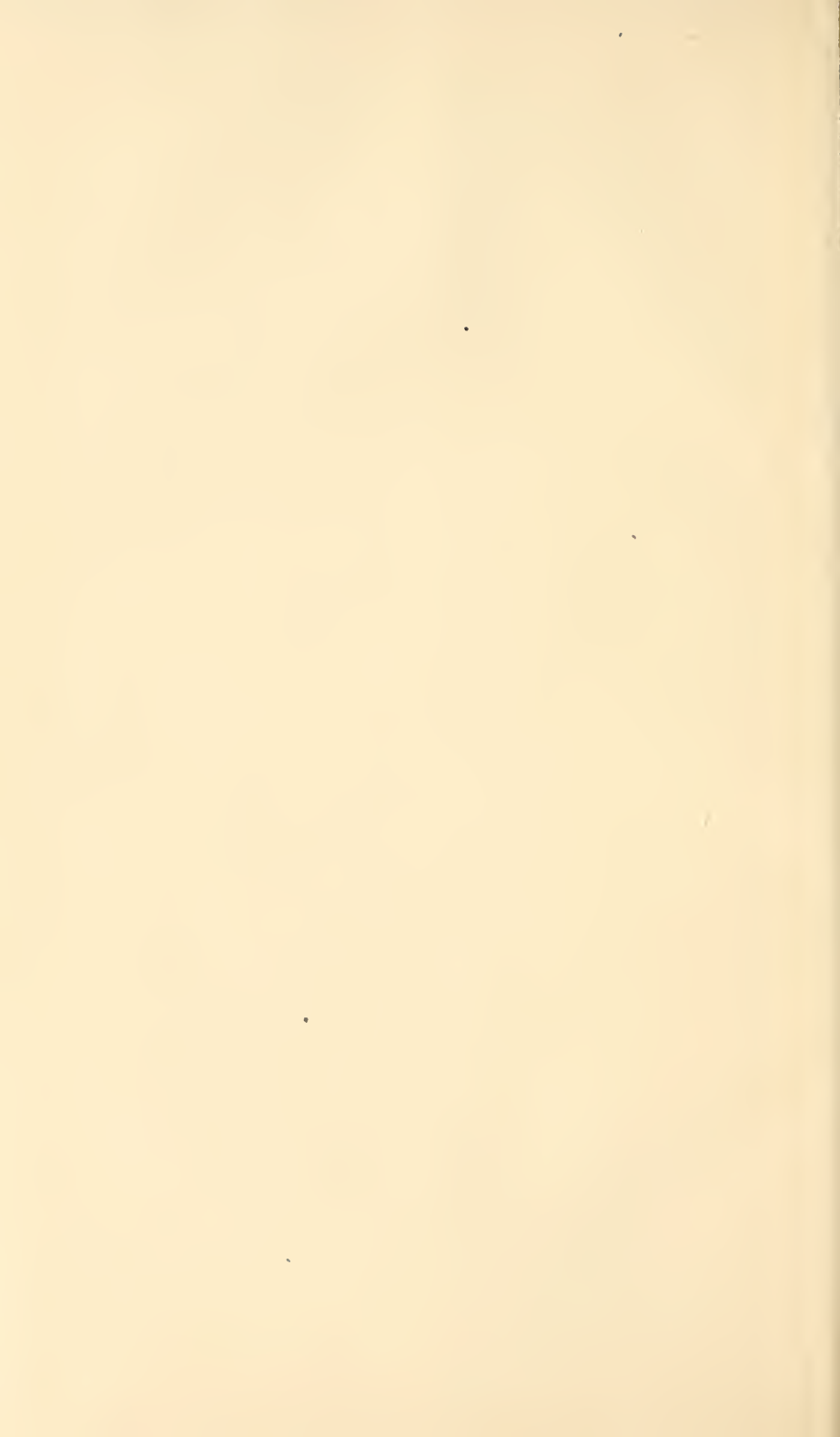












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