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ART. I.—*Rational Psychology; or the Subjective Idea and Objective Law of All Intelligence.* By LAURENS P. HICKOK, D. D., Union College. A new and revised edition. New York: Ivison, Phinney & Co. 1861.

A System of Moral Science. By the same. Third edition. Same publishers.

Empirical Psychology; or the Human Mind as given in Consciousness. By the same. Third edition. Same publishers.

Rational Cosmology; or the Eternal Principles and the Necessary Laws of the Universe. By the same. A new edition, with revisions and Notes. New York: D. Appleton & Co. 1859.

[The object of the following article is to present a brief outline of Dr. Hickok's philosophy. It has been prepared by one of his personal friends, who is a decided advocate of his system. To this its value, to the readers of this journal, is largely due. They must be glad to receive, from an able and accomplished writer, a view of this philosophy which is not liable to the charge either of misapprehension or perversion. The article, therefore, is not to be regarded as presenting the estimate of the *Princeton Review* of Dr. Hickok's system, but the light in which it is viewed by its adherents.]

Louis Napoleon was lawfully elected emperor of the French. These are all political questions, to be decided, not by the law of God, but by historical facts and human laws. Of course, questions of duty which depend on the solution of these political questions, are all without the sphere of the church's authority. The church could not discipline a Jacobite who conscientiously believed that the Pretender had a right to the throne of England; nor can we excommunicate such a man as Leighton Wilson, who believes that his first duty as a citizen is to the state of South Carolina. As in these times of agitation, we are in so much danger of forsaking the only sure and infallible rule of faith and practice, and of giving ourselves up to the control of passion, instead of principle, it becomes us to be the more thoughtful, humble, and prayerful.

ART. VI.—*Slavery and the Slave Trade.*

IN May, 1607, the first permanent English settlement in the western hemisphere was made at Jamestown, in Virginia. At the end of twelve years, the population numbered but six hundred souls, mostly males. It was then strengthened by the addition, in one year, (1619,) of twelve hundred and sixty-one colonists, including ninety unmarried females, "young and uncorrupt," who were selected and sent over, to supply wives for the fathers of "the Old Dominion."

The next year witnessed an accession of a different kind to the strength and population of the rising colony. A Dutch vessel, from the African coast, appeared in the river, and sold to the colonists twenty "Guinea negroes," the pioneers of those millions of that race, which have aided to swell the population of the United States, and to subdue its wilds. They were landed in August, 1620; and it is a coincidence worthy of notice, that the first cotton grown on the continent was planted on James river the next year, and constituted a part of the earliest crop cultivated in America by their labour.

Thus early introduced, the institution of slavery soon struck its roots firmly into the soil, and, gradually following in the path of colonization, became domesticated throughout the continent.

The manner of the entrance of slavery, thus, in the earliest forming period of the colonial history, accounts for the fact that its introduction was, with slight exceptions, accomplished silently and almost unobserved, alike unsanctioned and unchallenged by legal authority. "There is not," says Bancroft, "in all the colonial legislation of America, one single law which recognises the rightfulness of slavery in the abstract."* There is not one that assumes to authorize, or establish and give legal validity to the enslaving of the negroes. In a few instances, their introduction and bondage was met, at the outset, with warm and active opposition in the colonies. But, generally, the subject seems at first to have been passed in silence, and wherever any measure was adopted by the colonial authorities having a tendency to impede or prohibit the trade in negroes, it was promptly set aside by the royal veto, which was employed with the most watchful jealousy in defence of this cherished institution. And it was not until entrance had thus been secured, and domicil acquired by the system—until after it had gained some degree of maturity and strength in the colonies—that the statutes begin to take cognizance of, and make regulations respecting it, as already existing. Nor was it until the colonies had passed the first stage of early helplessness—until they had acquired such a measure of maturity and growth as developed a distinctive colonial sentiment, and gave birth among them to views of policy independent of those which were cherished in England, and patronized by the crown,—that a course of legislation began to be pursued having systematic reference to the purpose of restraining the slave-trade, and excluding the institution of slavery from their territories.

During a century and a half, from the first settlement of the American colonies until their independence, the African slave trade constituted by far the most important branch of British commerce, the nursery of her maritime power, and foundation

* History of the United States, vol. iii., p. 409.

of that gigantic system of empire which has since been reared by her sons.

The pioneer of English enterprise in this direction was Sir Thomas Wyndham, who visited the African coast in 1551 and 1552, and returned with one hundred and fifty pounds' weight of gold-dust. An expedition was thereupon fitted out by a London company, consisting of two ships, and one hundred and forty men, under the command of Wyndham, with whom was associated Pinteado, a Portuguese, well acquainted with the trade, which had been carried on by the Portuguese for nearly a century and a half. But the imperious and headstrong course of Wyndham resulted in the sickness and death of himself, Pinteado, and one hundred of the crew. The forty survivors were compelled to abandon and sink one of the ships, and return to England. The company immediately organized a yet larger expedition of three ships, under the charge of Captain John Lok. After a prosperous voyage, he returned to England, freighted with thirty-six butts of Guinea pepper, two hundred and fifty elephants' teeth, four hundred pounds of gold-dust, and "certain black slaves"—the first brought into England by British vessels. These latter, however, do not seem to have been recognised as included in the proper objects of the voyage, but as incidental to the more legitimate commerce which supplied the principal part of the cargo.

To Sir John Hawkins belongs the infamous distinction of having fitted out the first English vessel for the trade in slaves. Having learned that negroes were in demand in Hispaniola, he sailed, in 1562, with three ships for the African coast, secured three hundred slaves, and conveyed them to Hispaniola. The Spanish regulations for the colonies were designed to confer the monopoly of slave supply upon the kindred Portuguese. But Sir John managed to evade all obstacles, and to smuggle his cargo into a profitable market. "The rich returns of sugar, ginger, and pearls, attracted the notice of Queen Elizabeth; and when a new expedition was prepared, she was induced, not only to protect, but to share in the traffic. In the accounts which Hawkins himself gives of one of his expeditions, he relates that he set fire to a city of which the huts were covered with dry palm leaves, and, out of eight thousand inhabitants,

succeeded in seizing two hundred and fifty."* Such were the exploits which were honoured with knighthood at the fair hand of the virgin Queen, and with commission as treasurer of the British navy. On his second expedition, Hawkins sailed in a Queen's ship, the *Jesus*, (!) accompanied by three other vessels.

The atrocious trade thus originated, with the patronage and coöperation of royalty, soon acquired a national importance, and became a central pillar of British commercial prosperity and greatness. In 1631, Charles I. chartered a company, the first organized for the slave trade. In 1672, this company was merged in another, erected upon a charter granted by James II. under the name of The Royal African Company.

The British slave trade was at first restricted to a clandestine supply of Spanish America. But no sooner were British colonies planted in the new world, than they were recognised as presenting the prospect of a secure and permanent market for the African traders; and hence every attempt by the colonies to impose any restrictions upon the traffic was regarded with corresponding jealousy, and met by the frowns of the home government. In 1655, the acquisition of Jamaica secured to Britain the monopoly of that market for slaves, and in 1713, by the Assiento with Spain, Queen Anne acquired an exclusive right to supply the Spanish dominions with negroes. The title, and one or two short extracts, will exhibit the nature of this transaction.

“The Assiento [or Compact] adjusted between their Britannick and Catholic Majesties, for the English Company's obliging itself to supply the Spanish West Indies with black slaves, for the term of thirty years, to commence on the first of May, of this present year, 1713, and to end on the like day in the year 1743.

The King.

“Whereas, the Assiento agreed on with the Royal Guinea Company settled in France, for the introducing of negro slaves into the Indies is determined, and the queen of Great Britain

* Bancroft's History, vol. i., p. 173.

being desirous of coming into this commerce, and, in her name, the English Company," &c.

"Her Britannick Majesty does offer and undertake, for persons whom she shall appoint, that they shall charge and oblige themselves with bringing into the West Indies of America belonging to his Catholic Majesty, in the space of the said thirty years, one hundred and forty-four thousand negroes, of both sexes and all ages, at the rate of four thousand eight hundred negroes in each of the said thirty years."*

So runs the treaty. Four thousand per annum of these negroes were subject to a duty of thirty-three dollars and thirty-three cents each, payable into the Spanish treasury. The remaining eight hundred were admitted free, and upon any negroes imported above the number required by these terms, a duty of sixteen dollars and sixty-six cents was agreed upon.

Thus it became the boast of Queen Anne to her assembled parliament, that from the reluctant weakness and fears of Spain, she had obtained the privilege of being her sole slave factor. At this time the crown of Portugal was possessed by the king of Spain, who had fallen heir to all the possessions of that monarchy, in Europe, Africa, and America. So that by the *Assiento*, England, besides her own possessions, became the exclusive slave merchant for the West Indies and Mexico, for Caraccas and Brazil, for Chili and Peru—in short, for all Spanish and Portuguese America. In the Atlantic, the Pacific, and the Gulf of Mexico, no ship but those of England might engage in the merchandize of men. Such were the profits anticipated from this traffic, that Queen Anne reserved a quarter of the stock for herself, and Philip V. of Spain, took a like share; whilst the remaining half was given to the South Sea Company, which had recently been organized for clandestine trade with Spanish America. The energies of this company were now united with those of the Royal African Company, to pour a supply of slaves into the Spanish, Portuguese, and English colonies.

In addition to the enormous stake thus vested by Great

* Almon's Collection of Treaties. London, 1772. Vol. i., p. 83.

Britain in the slave trade, there were other considerations which assisted to determine that government to stock her colonial possessions to the full with Africans. They would constitute an element of weakness, tending to hold the colonies the more easily subject to the authority of Britain. Their presence would tend to discourage manufactures, and thus secure a monopoly of that class of productions to the English people. "Were it possible," says a British political pamphleteer, in 1745, "for white men to answer the end of negroes in planting, our colonies would interfere with the manufactures of these kingdoms. In such case, indeed, we might have just reason to dread the prosperity of our colonies; but while we can supply them abundantly with negroes, we need be under no such apprehensions." "Negro labour will keep our British colonies in a due subserviency to the interest of their mother country; for, while our plantations depend only on planting by negroes, our colonies can never prove injurious to British manufactures, never become independent of their kingdom."* This consideration was as well appreciated in America; and was recognized as an argument against the trade, and a reason for becoming independent of a government thus avowedly hostile to the welfare of America, and to the development of her resources and power.

When the attention of the colonies first began to turn toward the moral character of the African slave trade, and its influence upon American growth and prosperity, the subject was embarrassed by its relation to the condition of two other classes of bondmen, who had existed in most of the colonies from the earliest period of their history. From the first settlement of Jamestown, there were among the colonists persons who had been sent over at the expense of the Virginia Company, or conveyed by the ship-captains, upon condition that they should reimburse the expense of their passage by a term of service. The servants of the Company were allowed one month per annum of their time, three acres of land for cultivation, and

* "The African Slave Trade, the great Pillar and Support of the British Plantation Trade in America;" in Bancroft, vol. iii., p. 415.

two bushels of corn from the public store. The remaining eleven months belonged to the Company. The number of these bondmen was never large, and they soon entirely disappeared. Those who were sold by the shipmasters, in payment of passage-money, were more numerous, and were longer an element of the colonial system. The demand was great, and created in England a regular system for supply. Men who were nicknamed "spirits"—that is, kidnappers—made it a business to delude idlers into embarkation for America, as a land of spontaneous abundance and luxurious idleness. Their victims they sold to the shipmasters, by whom, upon arrival in America, they were resold, singly or in lots, to the highest bidder. "In 1672, the average price in the colonies, where five years of service was due, was about ten pounds, while a negro was worth twenty or twenty-five pounds."* But little regard, however, was paid to the demands of justice, or the terms of sale, as favouring the unhappy "redemptioner." Men, the expense of whose transportation did not exceed eight or ten pounds, were sometimes sold for forty, fifty, and sixty pounds, and required to render a proportionate service, which was equivalent to perpetual bondage. Ultimately, a class of men arose in America, who were popularly known as "soul-drivers." By them, the redemptioners were purchased from the emigrant ships, in lots of fifty or more, and driven about the country, in coffles, for sale. In Pennsylvania, "the last of the ignominious set disappeared about the year 1785."† This class of bondmen was swollen by royal contributions of prisoners taken in the civil wars, and victims of religious persecution. Thus Cromwell rid himself of the encumbrance of royalist prisoners taken at Dunbar, Worcester, and in Penruddoc's conspiracy. So Charles II. and James II. disposed of many of the Covenanters of Scotland, and the followers of Monmouth, who escaped Jeffries's bloody assizes. The profits of their sale were the subject of scramble among the needy courtiers and royal favourites. The malice of James dictated a letter to the governor of Virginia, directing him to recommend the passage of a law by the Assem-

* Bancroft, vol. i., p. 175.

† Day's Pennsylvania Historical Collections, p. 209.

bly, for preventing these prisoners from redeeming themselves, by money or otherwise, until the expiration of ten years at least. The Assembly, however, refused to be thus made the instrument of royal vengeance.

The other class of bondmen in America consisted of Indian prisoners of war. Recognizing the law of Moses, as in its civil and municipal provisions still binding on the people of God; or, at least, as a perfectly safe and suitable model of government, the Puritan settlers of New England supposed themselves to find in it abundant warrant for reducing to slavery the "heathen round about them," when forced into hostilities with them. Many of the captive warriors were sold to the West Indies; whilst numbers, especially of the women and children, were retained in slavery at home, and were ultimately absorbed into the negro population.

The first American slave-trader was fitted out in Boston in 1645, by Thomas Keyser and James Smith, the latter a member of the church in Boston. They returned from Africa with a cargo of slaves, some of whom were disposed of to the colonists of Massachusetts. But the public indignation was aroused against the authors of this enterprise. The broad distinction between the enslaving of domestic enemies—with respect to whom, in many instances, that was the alternative to their otherwise necessary destruction—and the gratuitous capture and enslaving of a foreign people, by whom nothing had been done to justify the violence, was clearly seen and recognized. Keyser and Smith were arrested and imprisoned. The negroes who had been sold were reclaimed, and the entire cargo re-shipped for Africa, and conveyed to their homes at the public expense; the representatives in General Court, after conference with the elders of the church, and with their sanction, setting forth an earnest testimony against the crime of man-stealing as a heinous offence, "expressly contrary to the law of God and the law of the country."*

About the same time, a law was enacted by the General Court of Massachusetts, which prohibited the buying and selling of slaves, except those taken in lawful war, or reduced

* Winthrop, vol. ii. pp. 243-5, 379-80.

to servitude for their crimes, by a judicial sentence; and these were declared to be entitled to all the privileges allowed by the law of Moses.*

Soon after, the Assembly of Rhode Island passed the following act:

“At a General Court held at Warwick, the 18th of May, 1652.

“Whereas, there is a common course practised among Englishmen to buy negroes to that end they may have them for service or slaves for ever—for the preventing of such practices among us, *Let it be ordained*, That no black mankind or white being shall be forced by covenant, bond, or otherwise, to serve any man or his assignees longer than ten years, or until they come to be twenty-four years of age, if they be taken in under fourteen—from the time of their coming within the liberties of this colony; at the end or term of ten years to set them free, as the manner is with the English servants. And that man that will not let them go free, or shall sell them away elsewhere, to that end they may be enslaved to others a longer time, he or they shall forfeit to the colony forty pounds.”

Whilst Massachusetts thus arrayed herself against the African trade, and Rhode Island denounced slavery itself, the Old Dominion identified herself with the same cause. A duty of five per cent. was early imposed on the importation of slaves. To avoid the jealousy of the African interest in Great Britain, this duty was made payable by the buyer. In this form, it with difficulty gained the assent of the crown. Royal requisitions for aids from the colonial treasury, furnished pretexts for increasing this impost from time to time, until it amounted to twenty per cent. The sequel is told by Brougham. “In Virginia, a duty on the importation of negroes had been imposed, amounting to a prohibition. The Assembly, induced by a temporary peculiarity of circumstances, repealed this law, by a bill which received the immediate sanction of the crown. But never afterwards could the royal assent be obtained to a renewal of the duty.”† In 1662, an act was passed, which was so shaped

* Belknap's New Hampshire.

† Brougham's Colonial Policy, Book ii.

as to evade the watchfulness of the African traders, and yet put some restriction on the growth of slavery. It provided that "no Englishman, trader, or other," who should bring any Indians as servants, and assign them over to any other, should sell them as slaves, nor for any other time than English of like age could serve by act of Assembly."

In 1703, the opposition of Massachusetts to the increasing trade was indicated by an act, imposing a duty of four pounds sterling on every negro brought into the colony. On the 7th of June, 1712—the very year of the Assiento treaty—Pennsylvania adopted "an act to prevent the importation of negroes and Indians into this province," embodying similar provisions. These restrictions, however, were immediately set aside by the royal authority.

The British policy on the subject was now mature, and the slave trade interest stood paramount in the councils of the nation. In 1695, it was declared by act of Parliament, that "the trade is highly beneficial and advantageous to the kingdom and colonies." In 1708, it was asserted, by a committee of the House of Commons, that "the trade is important, and ought to be free." Again, in 1711, report was made to the House that the trade should be increased, in order to supply the plantations with negroes "at reasonable rates." In 1712, Queen Anne, in the speech from the throne, congratulated Parliament upon the monopoly of the trade secured by the Assiento. In 1729, an appropriation was made by Parliament, at the recommendation of George II., for putting in order the African forts for protection of the trade. The Royal African Company having become bankrupt, and surrendered its charter, in 1749, a new company was organized, and a charter granted, but with none of the exclusive privileges previously enjoyed. Every obstacle to private enterprise in this direction was removed, and the trade thrown open to the freest competition of British subjects, to the exclusion of all others; because, says the statute, "the slave trade is very advantageous to Great Britain." "The British senate," writes Horace Walpole, in February, 1750, "have this fortnight been pondering methods to make more effectual that horrid traffic of selling negroes. It

has appeared to us that six-and-forty thousand of these wretches are sold every year to our plantations alone.”*

Equally unequivocal and decided was the policy of the royal government as exercised in the American colonies. “The eighteenth century was, as it were, ushered in by the royal instruction of Queen Anne (1702) to the governor of New York and New Jersey, ‘to give due encouragement to merchants, and in particular to the Royal African Company of England.’ That a similar instruction was given generally, is evident from the apology of Spotswood for the small importations of slaves into Virginia. In that commonwealth the planters beheld with dismay the increase of negroes. A tax checks their importation; and, in 1726, Hugh Drysdale, the deputy-governor, announces to the House, that ‘the interfering interest of the African Company has obtained the repeal of that law.’”†

Georgia was planted, in 1733, by Oglethorpe and his associates, as an asylum for the impoverished of England and the persecuted Protestants of the continent, and a barrier on the frontier between the adjacent colonies and the hostile Spaniards and Indians. For all these reasons, and because of the moral character of slavery, the Trustees determined to exclude it. But the resistance of a feeble corporation, against the interests of the slavers, and the settled policy of the British government, was in vain. The history is given by Oglethorpe in a few words:—“My friends and I settled the colony of Georgia, and by charter were established Trustees to make laws. We determined not to suffer slavery there. But the slave merchants and their adherents occasioned not only much trouble, but at last got the government to favour them. We would not suffer slavery, which is against the gospel, as well as the fundamental law of England, to be authorized under our authority. We refused, as Trustees, to make a law permitting such a horrid crime. The government, finding the Trustees resolved firmly not to concur with what they believed unjust, took away the charter.”

Duties were imposed upon the importation of slaves by New

* See Bancroft, vol. iii., p. 414.

† Ibid. p. 415.

York, in 1753; by Pennsylvania, in 1762; and by New Jersey, in 1769. The result may be inferred from the instructions communicated to Governor Wentworth, of New Hampshire, June 30, 1761—instructions which indicate, at once, the royal recognition of the anti-slavery sentiments which prevailed in the colonial legislation, and the deliberate and determined opposition of the crown to any restriction of the trade. “You are not to give your assent to, or pass any law”—so reads the paper—“imposing duties on negroes imported into New Hampshire.”* The Assembly of South Carolina, in 1760, passed an act forbidding the importation of slaves. The act was immediately annulled by the royal veto; the governor reprimanded for having sanctioned such a bill; the other colonial governors warned, by a circular letter, against similar offences; and the trade so effectually plied as to drive out or subdue all opposition in that colony; so that, when independence was achieved, South Carolina was found ready to demand the continuance of the traffic, which formerly she had so earnestly deprecated.

In 1772—that year so memorable for the Somerset decision in England—the Virginia Assembly petitioned the king on the subject of the trade. “We are encouraged,” say they, “to look up to the throne and implore your majesty’s paternal assistance in averting a calamity of a most alarming nature. The importation of slaves into the colonies from the coast of Africa, hath long been considered as a trade of great inhumanity, and under its present encouragement, we have too much reason to fear, will endanger the very existence of your majesty’s American dominions. We are sensible that some of your majesty’s subjects in Great Britain may reap emolument from this sort of traffic; but when we consider that it greatly retards the settlement of the colonies with useful inhabitants, and may in time have the most destructive influence, we presume to hope that the interest of a few will be disregarded when placed in competition with the security and happiness of such numbers of your majesty’s dutiful and loyal subjects.

“Deeply impressed with these sentiments, we most hum-

* Gordon’s American Revolution, vol. i., letter 2.

bly beseech your majesty to remove all those restraints on your majesty's governors of this colony which inhibit their assenting to such laws as might check so very pernicious a commerce."

Neither the force of this appeal, nor the influence of English philanthropists whose services were enlisted, was of any avail. "I myself," says Granville Sharpe, "was desired, by a letter from America, to inquire for an answer to this extraordinary Virginia petition. I waited on the Secretary of State, and was informed by himself that the petition was received; but that he apprehended no answer would be given."*

Finally, amid the agitation of the dawning revolution, the Assembly of Massachusetts, in 1774, passed a bill entitled, "An act to prevent the importation of negroes and others as slaves into this province." It imposed a duty on such importations. Governor Hutchinson immediately rejected the bill, and prorogued the Assembly. He afterwards stated to a deputation of blacks, that his course was dictated by the royal instructions. A similar statement was made by his successor, General Gage.

Whilst the colonial legislatures were thus restrained by the royal authority, the courts of Massachusetts erected their testimony to the principles of liberty and humanity. The royal charter declared all persons born or residing in that province to be free as the king's subjects residing in Great Britain. Several negro slaves, taking advantage of this declaration, sued for freedom and wages, on the ground that, by the laws of England, no man may be deprived of liberty, but by the judgment of his peers; that the provincial laws on slavery merely treated it as an existing evil, which they aimed to mitigate, but did not authorize or sanction; and that even though the parents were supposed to have been lawfully enslaved, no such condition should descend to their offspring. The first trial took place in 1770, two years before the Somerset case in England. The cause was decided in favour of the negroes. Other suits were entered with similar issues. Soon, however,

* Tucker's Blackstone.

the results of the war swept away the authority of the British crown, and with it the occasion of such judicial proceedings.

Thus, from the very dawn of their existence, until their separation from Great Britain, did the American colonies maintain an unwearied, though unavailing struggle with the crown, on the question of slavery. Thus, through all the years of British supremacy in America, was the power of king and parliament exercised, and the wealth of the nation employed, to rob Africa of her sons, and force the institution of slavery on the colonies. Not even when, by the Somerset decision, she had assumed the proud boast, that English soil could not bear the tread of a slave, nor for thirty-six years thereafter, did Britain relax her exertions to that effect, or abandon the policy on which they were based. Nor in all this was she inconsistent with herself, or untrue to the principles which rule her to this day. Slavery, as she and the colonies alike understood, is detrimental to manufactures. And hence, on the one hand, by filling the colonies with negroes, she guarded her own manufactures from competition there; whilst, on the other, by the prohibition of slavery in England, she protected them at home from the contact of its withering influence. Nor did she depart from this policy when she abandoned the slave trade, and decreed the emancipation of her colonial slaves. Having filled her colonies with negroes, of whose competition in manufactures she could have no fear, by the abandonment of the trade, and West India emancipation, she sought, as her statesmen avowed, and her philanthropists complained, to open, among her freed men, a market for her manufactures, which slaves could never supply, and to create a similar market in Africa, which the slave trade must utterly preclude.

It is estimated by Bandinel, a competent authority, that the Royal African Company alone, between the years 1713 and 1733, transported some fifteen thousand negroes annually, or three hundred thousand in all, of whom, about one-half were distributed to the Spanish, and the rest to the English colonies. He estimates the average number exported annually, between

the years 1733 and 1753, at twenty thousand, making four hundred thousand more.* Bancroft makes an estimate of the whole number taken by the Companies and by private traders. "From 1680 to 1700, the English took from Africa about three hundred thousand negroes; or, about fifteen thousand a year. The number, during the continuance of the Assiento, may have averaged not far from thirty thousand."† The Assiento was terminated by war, in 1739, after a continuance of twenty-six years; so that, according to this calculation, the number of negroes taken from Africa, and distributed to the American islands and continent, during its operation, was about seven hundred and eighty thousand! Raynal estimates the aggregate number of slaves taken from Africa, by all Europe, prior to the American war, at nine millions! Others have set it down at much higher figures. The estimate given by Bancroft is the lowest made by any competent investigator. He asserts England to have transported at least half of the entire number, and states her share in the traffic to have amounted to nearly three millions, besides more than a quarter of a million thrown into the Atlantic on the voyage from Africa! As the result of all, when the American colonies separated from the mother country, they found themselves the involuntary guardians of half a million African slaves. Such were the results of a century and a half of British dominion in this land; such the chief legacy, the only important product of the power and resources of England, as applied to the affairs of the colonies—a legacy of five hundred thousand ignorant and vicious barbarians, thrust into the bosom of a Christian republic, there to exert a corresponding influence—a heritage of slavery, intruded to mar the fair proportions of the institutions of the free—a fountain of dissension, anarchy, and disunion—a blight and a curse.

The commencement of the war of Independence was the introduction of a new era on the subject of slavery. In 1774, Congress adopted—among its first measures, as an article of

* Western Africa, by Rev. J. L. Wilson, D. D., late missionary in Africa—p. 63.

† Bancroft, vol. iii., p. 411.

the non-importation agreement—a mutual pledge to abstain from and discountenance the slave trade, and all those who should continue to pursue it. When the original draft of the Declaration of Independence was laid before Congress, it employed the following language in relation to the royal patronage of that traffic. “He has waged war against human nature itself; violating its most sacred rights of life and liberty, in the persons of a distant people who never offended him; captivating and carrying them into slavery, in another hemisphere, or, to incur a miserable death in their transportation thither. This piratical warfare, the opprobrium of infidel powers, is the warfare of the Christian king of Great Britain. Determined to keep open a market where *men* should be bought and sold, he has prostituted his negative for suppressing every legislative attempt to prohibit or restrain this execrable commerce.” This paragraph was erased, not because it deviated from historic truth, or failed to express the sentiments of the great majority of Congress, and the vast proportion of the American people; but for the purpose of securing perfect unanimity in support of the propriety, as well as the truth, of every utterance contained in a document of such peculiar character and importance.

The decree of independence was a signal for the inception of an anti-slavery policy in a majority of the states. The district of Vermont had been under the jurisdiction of New York, and with it subject to the pro-slavery policy of Great Britain, although there were but a few individual slaves in the territory. On the second of July, 1777, a convention met to frame a state constitution. In this document, the doctrine of liberty was emphatically enunciated. At a shortly subsequent period it was declared by the legislature, that “by the constitution of this state, all the subjects of this commonwealth, of whatever colour, are equally entitled to the inestimable blessings of freedom, unless they have forfeited the same by the commission of some crime; and the idea of slavery is expressly and totally exploded from our free government.” And it was enacted, that if any person should attempt to seize or hold “any subject of this state” as a slave, he shall, upon convic-

tion, forfeit and pay to such subject one hundred pounds, and pay the costs of suit.*

An act of gradual emancipation was adopted by the Assembly of Pennsylvania on the first of March, 1780, in the preamble to which it is stated, that "we esteem it a peculiar blessing granted to us, that we are enabled this day to add one more step to universal civilization, by removing, as much as possible, the sorrows of those who have lived in undeserved bondage, and from which, by the assumed authority of the kings of Great Britain, no effectual relief could be obtained." The act provides that "all servitude for life, or slavery of children, in consequence of the slavery of their mothers, in the case of all children born within this state, from and after the passing of this act as aforesaid, shall be, and hereby is, utterly taken away, extinguished, and for ever abolished."

One day later, Massachusetts adopted a constitution and bill of rights which soon effected the extinction of slavery. "It was fully abolished in this commonwealth, in the year 1783, by decisions of the courts of justice, and by the interpretation placed on the declaration of equality in the bill of rights."† Connecticut, Rhode Island, and New Hampshire, adopted abolition enactments in 1784, New York in 1799, and New Jersey in 1804. In Massachusetts the emancipation was immediate and entire. The act of Connecticut provided, that, of those born after its passage, none should be held in servitude "longer than until they arrive at the age of twenty-five." The Rhode Island law was similar to that of Pennsylvania. That of New York, as passed in 1799, emancipated all born subsequent to the passage thereof, the males at twenty-eight years of age and the females at twenty-five. In 1817, a new law was adopted, declaring all born thereafter free at twenty-one, and those born before July 4, 1799, free after July 4, 1827. The law of New Jersey declared all those born subsequent to July 4, 1804, free, the males at twenty-five and the females at twenty-one.

The results of these measures will be seen at a glance in the

* Twenty-sixth Ann. Rep. Vermont Col. Soc., in *African Repository*, 1846, pp. 105, 106.

† Mr. Everett, in Message to Massachusetts Legislature, January 5, 1836.

following table of the number of slaves reported in the successive decades of the census.

	1790.	1800.	1810.	1820.	1830.	1840.	1850.	1860.
Pennsylvania	3,727	1,706	795	211	*386	64		
Vermont	17							
Connecticut	2,759	951	310	97	17	5		
New Hampshire	158	8						
Rhode Island	962	381	103	48	25	17		
New York	21,324	20,343	15,017	10,088	75	4		
New Jersey	11,423	12,422	10,851	7,657	2,254	674	236	
Total	40,370	35,811	27,076	18,101	2,757	764	236	

Our space will not permit, nor is it necessary here to trace the history of the ordinance of 1787, by which the Northwest was declared exempt from the entrance of slavery.

The constitutional provision that "the migration or importation of such persons as any of the states now existing shall think proper to admit, shall not be prohibited by the Congress, prior to the year one thousand eight hundred and eight," did not preclude, but implied, the right of the states severally to prohibit the importation of slaves. It did not forbid the confirming of such state prohibition by additional penalties imposed by Congress; nor did it deprive that body of the right to exclude the traffic from the territories. In each of these modes, therefore, was the seal of reprobation set upon the trade. By Virginia, it was, in 1778, prohibited, under penalty of death; and by the northern states, generally, that part of the non-importation agreement of 1774, which for ever prohibited the slave trade, was observed and enforced by enactments of various degrees of severity. In Congress, a law was adopted, in 1794, (approved March 22,) imposing heavy penalties upon citizens who should engage in the trade for the supply of foreign countries. In 1798, the importation of slaves from abroad into the Mississippi territory was prohibited, (April 7,) under penalty of three hundred dollars for each imported slave, and their emancipation. A like provision, adopted March 26,

* Upon an investigation by the Senate of Pennsylvania, it was found that this enumeration included the freeborn minor children of slaves. Hence an apparent increase within the preceding decennial period.

1804, excluded from the newly purchased Louisiana territory, all slaves from whatever quarter, which had been imported into the United States, subsequent to May 1, 1798, and prohibited the bringing of any slaves whatever into the territory, for sale. In 1803, February 28, an act was passed, requiring the custom-house officers to conform strictly to any state regulations for the exclusion of negroes; and imposing penalties on masters of vessels and others violating such laws. On the second of March, 1807, it was enacted, that from and after January 1, 1808—the earliest day at which, under the Constitution, the prohibition could take effect—“it shall not be lawful to import or bring into the United States, or the territories thereof, from any foreign kingdom, place, or country, any negro, mulatto, or person of colour, with intent to hold, sell, or dispose of said negro, mulatto, or person of colour, as a slave, or to be held to service or labour,” under pain of confiscation of the vessel; a fine of twenty thousand dollars each, against the parties engaged, their aiders and abettors; and other penalties.

On the 25th of the same month, a similar law was enacted by the British parliament, prohibiting the importation of slaves into the British colonies after the first of March, 1808.

In perfect harmony with the preceding, has been the entire subsequent action of the government of the United States. In the treaty of Ghent, the tenth article initiated negotiations on the subject with the foreign powers. It provides that, “whereas, the traffic in slaves is irreconcilable with the principles of humanity and justice; and whereas, both his majesty and the United States are desirous of continuing their efforts to promote its entire abolition, it is hereby agreed that both the contracting parties shall use their best endeavours to accomplish so desirable an object.”

The moral sentiment of the American people, sustained by the severity of the laws, had now put a total stop to the importation of slaves into this country. There were still, however, those found, to whom the profits of the foreign trade were paramount to the authority of the laws. It was, therefore, enacted, on the 15th of May, 1820, that all who continued in that trade be held guilty of piracy, and punished with death.

To give full effect to this enactment, the House of Representatives, on the 28th of February, 1823, by a vote of one hundred and thirty-one to nine, "*Resolved*, That the President of the United States be requested to enter upon, and prosecute, from time to time, such negotiations with the several maritime powers of Europe and America, as he may deem expedient for the effectual abolition of the African slave trade, and its ultimate denunciation as piracy, under the law of nations, by the consent of the civilized world."

The British ministry had already, in 1818, proposed to the government of the United States the grant of a mutual right of search, as the only effectual means of suppression. But, after the experience already had of the significance of such a right, and having just terminated a war waged against the aggressions which were committed under pretence of it, but one answer could be returned. The proposal was declined. It was now renewed by the British minister at Washington, Mr. Canning. In again declining to acquiesce in the proposed plan, Mr. Adams stated in a letter to Mr. Canning, June 24, 1823, three principles involved, "to neither of which the government of the United States felt itself at liberty to accede. The *first* was the mutual concession of the right of search and capture, in time of peace, over merchant vessels, on the coast of Africa. The *second* was the exercise of that right even over vessels under convoy of the public officers of their own nation; and the *third* was the trial of the captured vessels by mixed commissions in colonial settlements, under no subordination to the ordinary judicial tribunals of the country to which the party brought before them for trial should belong."

He states that he is directed by the President to propose the adoption by Great Britain of the principle of the act of May 15, 1820, declaring the slave trade to be piracy, "and to offer a mutual stipulation to annex the penalties of piracy to the offence of participating in the slave trade, by the citizens or subjects of the respective parties." "To this measure, none of the objections which have been urged against the extension of the right of search appear to be applicable. Piracy being an offence against the human race, has its well-known incidents of capture and punishment by death, by the people and tribunals

of every country. By making this trade piratical, it is the nature of the crime which draws after it the necessary consequences of capture and punishment.”*

In a communication of the same date, June 24, 1823, addressed to Mr. Rush, United States minister to the court of St. James, the negotiation was transferred to him, with a project of a treaty, of which Mr. Adams says: “The draft of a convention is herewith enclosed, which—if the British government should agree to treat upon this subject, on the basis of a legislative prohibition of the slave trade by both parties, under the penalties of piracy—you are authorized to propose and conclude. These articles, however, are not offered to the exclusion of others which may be proposed on the part of the British government; nor is any one of them, excepting the first, to be insisted on as indispensable, if others equally adapted to answer their purposes, should be proposed. It is only from the consideration of the crime in the character of piracy, that we can admit the visitation of our merchant vessels, by foreign officers, for any purpose whatever; and, in that case, only under the effective responsibility of the officer for the act of visitation itself, and for everything done under it.”†

The first article of the project declared, that “the two high contracting powers having each, separately, by its own laws, subjected their subjects and citizens, who may be convicted of carrying on the illicit traffic in slaves on the coast of Africa, to the penalties of piracy, do hereby agree to use their influence, respectively, with the other maritime and civilized nations of the world, to the end that the said African slave trade may be recognised, and declared to be piracy, under the law of nations.”

As the result of these negotiations, the British government agreed to declare the trade piratical; and, on that basis, a convention was entered into, by the plenipotentiaries, for its suppression, by making the law of piracy, as applied to that traffic, under the statutes of the two governments, reciprocally operative on the vessels and subjects or citizens of each other.

* Adams's letters of March 31 and June 24, 1823, communicated March 19, 1824, in answer to a call of the House of Representatives.

† *Ibid.*

For the purpose specified, the right was conceded to commissioned officers of the respective navies, who should be furnished with instructions for executing the laws against the slave trade, of "visiting, capturing, and delivering over for trial, the merchant vessels of the other, engaged in the traffic of slaves."

This convention was ratified by the Senate, with an amendment restricting its provisions to "commanders and commissioned officers duly authorized, under the regulations and instructions of their respective governments, to cruise on the coasts of Africa and of the West Indies; for the suppression of the slave trade." The coast of America was excepted from the concessions of the treaty. "The exception of the coast of America from the seas upon which the mutual power of capturing the vessels under the flag of either party may be exercised, had reference, in the views of the Senate, doubtless, to the coast of the United States. On no part of that coast, unless in the Gulf of Mexico, is there any probability that slave-trading vessels will ever be found."* The United States had too recently experienced the aggressions of the British navy, exercised under pretence of the right of search, to expose herself, by treaty, to the unrestricted exercise of that right on the line of her coast, under the pretext of suppressing the trade where a slaver was never seen. Another consideration may have had weight with the Senate. By the local and restricted application of the provisions of the treaty, it was rendered impossible that the concessions therein made should ever be drawn to support a general claim of the right of search under the law of nations.

That the caution of the Senate was well-founded, we have recent demonstration. It is but four years since, the vexations and obstructions to American commerce in the Gulf of Mexico, arising from the assumption of the right of search by British cruisers, upon professed suspicion of slave-trading, seriously threatened the peace of the two countries, and led to a peremptory correspondence, in which the English government was at length brought formally to renounce any claim to visit or

* Adams's despatch to Mr. Rush, in Appendix to Gales and Seaton's Register of Debates; eighteenth Congress, second session, p. 23.

the whole superior to that of any other negro population in the world, that of Liberia only excepted.

The proper attitude of the general government is not, and in practice it has never been, that of a mere passive indifference on the subject of slavery. It is bound, indeed, not only to avoid all encroachments on the prerogatives of the states with reference to the subject, but to respect the delicacy and difficulty of the questions to them, which are connected with it. But, in perfect consistency with these obligations, its position, normally, historically, and in the Constitution itself, is in moral opposition to slavery, and to every attempt to increase it, and in sympathy with every movement which originates in enlarged wisdom and justice, and tends to the enfranchisement of the slave.