

“Our Own Honor Demands”: Congressional Motivation for the Emancipation of Slaves in the
District of Columbia

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Abstract

The emancipation of slaves in the District of Columbia was a surprising and unprecedented event. Passed by Congress nine months before the Emancipation Proclamation, it was the only occurrence of compensated emancipation in the Nation's history. Yet, scholars have largely ignored it. This thesis examines why the bill was passed, looking closely at the motivations of Congress as well as outside influences. Locally, whites in the District hated the bill, and President Lincoln had problems with it as well. However, it was passed and signed by the President on April 16, 1862. Was this a moral decision? Was it done for military purposes? Did it serve as a trial run for national Emancipation? Drawing from a wealth of primary sources, including speeches in Congress, local newspapers, personal narratives, and government records, the project provides a clearer understanding of the reasons for and process behind this overlooked historical event.

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“Why should we do it now? Is there anything particularly auspicious to the measure at this time? Is there any particular advantage to be derived from it at this particular moment, that now, at this time, we should adopt the rejected of all the past? What are the particular considerations and motives that induce it?”¹ These were the questions Representative John Crittenden, a Unionist² from Kentucky asked, when he stood to oppose bill S.108, “An Act for the Release of Certain Persons Held to Service of Labor in the District of Columbia.”

Crittenden’s questions were very reasonable. The emancipation of slaves in D.C. was unprecedented and almost unexplainable. Yet, something motivated the 37th Congress to pass this legislation. Unfortunately, because historians have paid little attention to this landmark event, Crittenden’s questions have gone unanswered. There is no research that explains why Congress introduced and passed this legislation. To make sense of this historical event, historians need to look closely at the motivations of the men who passed this legislation.

On December 16, 1861, during the second session of the 37th Congress, Republican Henry Wilson from Massachusetts introduced Bill S.108 to the Senate, titled; “An Act for the Release of Certain Persons Held to Service of Labor in the District of Columbia.” This was in

¹ Congressional Globe, 37 Cong., 2 Sess., 1634 (April 11, 1862).

² Kenneth C. Martis, *The Historical Atlas of Political Parties in the United States Congress, 1789-1989* (New York: Prentice Hall College Division, 1989). Political parties were difficult to determine during this era. Kenneth C. Martis identified Crittenden as a Unionist but acknowledges that there were problems and discrepancies in the major sources of political party identification.

the midst of the Civil War and though there was a small Democratic minority in Congress, radical Republicans controlled both the House and Senate.³ However, even with the large majority, passage of the bill was not simple. Four long months went by, from the day the bill was introduced, to the day it was signed into law by President Lincoln on April 16, 1862. Congress had a heated and lengthy debated about the bill.⁴ It edited and amended the bill multiple times, but eventually victory was achieved. Almost 3,000 slaves received freedom, nine months before the Lincoln's Emancipation Proclamation went into effect.

The District of Columbia Emancipation Act was unique in many ways because it was a reflection of both liberal ideals and practical wartime strategy. . It was the only occurrence of compensated emancipation in the Nation's history. In the Bill, Congress provided a budget of one million dollars to compensate owners for the value of their slaves. Before they were freed, each slave needed to be evaluated by a commission who would determine his or her value. As it was during wartime, each slave owner had to swear and prove loyalty to the Union in order to receive his or her compensation. In addition to compensation, the Bill also allocated money for colonization. Newly freed slaves could receive up to \$100 to leave the country and emigrate to Liberia or Haiti. Unlike other occurrence of emancipation in the North, D.C. emancipation was not gradual nor did it pass with voter consent. Residents of the District had no say in the matter,

³ Jean H. Baker, "A Loyal Opposition: Northern Democrats in the Thirty-Seventh Congress," *Civil War History* 25, no. 2 (1979): 139.

⁴ Page Milburn, "The Emancipation of Slaves in the District of Columbia," *Records of the Columbia Historical Society, Washington D.C.* 16 (1913): 100.

as they did not even elect representatives to Congress, who passed the Act. Both the public and historians have underappreciated this uniqueness to their detriment.

Emancipation in the District of Columbia has been so overshadowed that most people are unaware it even occurred. The public and early historians initially ignored it for three reasons. First, and the most obvious, was the Civil War. News sources had plenty of material to report about the War raging on in many people's backyards. The *New York Times* only published two very small articles on the entire event. Secondly, it affected a very small population. There were only approximately 3,000 slaves in the District and even fewer slave owners. Few people paid attention to it because it simply did not affect them. Third, the wide-reaching Emancipation Proclamation overshadowed it. Issued nine months later, the Emancipation Proclamation garnered attention as the document to free most of the slaves.⁵ The initial lack of attention began a trend of lack of scholarship on the topic and that pattern has continued to the present day. There are few historians who focus solely on D.C. emancipation and as a result there has been little academic dialogue on the topic and therefore little evolution of ideas over time. As a result, most studies on the emancipation of slaves in Washington D.C. are situated as part of a larger context.

The limited historical research on emancipation in Washington D.C. usually has been part of a larger studies. For example, often historians touch upon D.C. emancipation in the

⁵ Mary Mitchell, "I Held George Washington's Horse: Compensated Emancipation in the District of Columbia," *Records of the Columbia Historical Society, Washington D.C.* 63, no. 65 (1963): 222.

context of Abraham Lincoln. Lincoln is known publically and academically as the Great Emancipator; historians often touched upon the emancipation of slaves in the District as one small part in the larger Lincoln story. In her 2009 article, "Some Satisfactory Way," Edna Greene Medford argues that historians always look at Lincoln's views on slavery through the Emancipation Proclamation, but that examining D.C. emancipation can provide insight as well. She concludes that "a review of [Lincoln's] ideas for abolition in the District reveals a more complex emancipator who struggled with the challenges presented as natural rights clashed with what many perceived as the right to property and which slaveholders claimed as their legal entitlement."⁶ Medford's article presents a compelling argument that Lincoln's views on slavery are easier to perceive within the narrower context of D.C. Emancipation. Medford's article is helpful in viewing D.C. emancipation through the perspective of Abraham Lincoln, but the flaw arises in the fact that Lincoln simply had no hand in the actual 1862 emancipation, except to sign the bill. Medford's study therefore excludes a lot of the process and motivations of passing the bill.

Another context for D.C. emancipation is Congressional. Historians concerned with analyzing Civil War legislation and Congressional behavior generally write these articles. In this context, historians have focused on the way Congress interacts with the District of Columbia and how it used the District as an area to pass "practice" legislation before applying it to the nation. But though these studies of Congressional legislations at the time often provide more details and in depth study on D.C. emancipation than the context of Abraham Lincoln, they often focus on

⁶ Edna Greene Medford, "Some Satisfactory Way," *Washington History* 21 (2009): 6.

long periods of legislation, rather than a specific event like the emancipation of slaves. Herman Belz, in his 1976 article, "Protection of personal Liberty in Republican Emancipation Legislation of 1862," attempts to discover whether Congress was morally or militarily motivated to pass various emancipation legislation. The problem with Belz's argument is that, like others, he focuses on a wide-range of legislation, from conscription laws to the thirteenth amendment. Because of the wide breadth of his study, Belz makes generalizations that do not apply to all the legislation. He argues that the various laws were largely done for military strategy, but by arguing this Belz has to play down D.C. emancipation, because it had very little military standing. He dismisses it writing, "The concern for an emancipation procedure in the District of Columbia notwithstanding, in their principle antislavery undertaking of 1862...Republicans were interested in mainly military and political considerations."⁷

Robert Harrison and Kate Masur both study how Congress applies legislation specifically to the District of Columbia; in particular they both look at legislation that concerns blacks. Published in 2007, Robert Harrison's article, "An Experimental Station for Lawmaking: Congress and the District of Columbia, 1862-1878" follows Congress and its emancipation legislation in D.C. from emancipation to voting. Because he covers so much time, the article does not examine the emancipation of slaves in D.C. in much detail. Rather, it is one part in Harrison's larger argument about how Congress tested reforms, particularly those that affect blacks, in D.C. before the rest of the country. Contrary to Belz's belief that Congress treated emancipation as a military issue, Harrison believed strongly that it was driven by moral

⁷ Herman Belz, "Protection of Personal Liberty in Republican Emancipation Legislation of 1862," *Journal of Southern History* 42, no. 3 (1976): 391.

concerns. He wrote, “Wherever Congress had the power legally to weaken the institution, it had a duty to do so.”⁸ Kate Masur continues Harrison’s argument in her book, *An Example for all the Land*, published in 2010. Masur argues that D.C. was not just a legislative model, but a community model as well. She argued, “Washington became an example for all the land not only because Congress experimented with policy there, but also because local residents saw slavery’s end as an opportunity to transform the city.”⁹ Masur adds a previously ignored element to her book, local voices, especially the black community’s perspective. Those these four authors vary in their opinions and execution, they all use the context of Congress as a way to touch upon emancipation in the District of Columbia.

Within these various contexts, few details emerge about how emancipation in the District was actually implemented. Yet works that provide those details do exist in the form of local histories. The Columbia Historical Society (renamed the Historical Society of Washington D.C. in 1988) was the largest organization for the District of Columbia History and they published many articles and speeches that provide great detail. One of these articles is “I Held George Washington’s Horse: Compensated Emancipation in the District of Columbia” written by Mary Mitchell. This article provides some of the most detailed information on the actual implication of the Act, including many anecdotes. According to Mitchell, old slaves tried to appear older than they were because age gained respect, and one slave claimed he was so old that he had held

⁸ Robert Harrison, "An Experimental Station for LAWmaking: Congress and the District of Columbia, 1862-1878," *Civil War History* 53, no. 1 (20017): 32.

⁹ Kate Masur, *An Example for All the Land: Emancipation and the Struggle over Equality in Washington D.C.* (Chapel Hill: University of North Carolina Press, 2010): 7.

George Washington's horse.¹⁰ The problem with articles like Mitchell's and others is that they are usually not meant for an academic audience. Most were written for speeches at historical meetings and therefore contain few citations and references. This does not mean that they should be dismissed as inaccurate, especially when sources as detailed as this are rare, but when looking at these sources, facts must be verified.

The little regard D.C. emancipation received early on clearly affected how people, especially historians, valued it. This must be remedied. This topic is important to study for three reasons. One, historical events do not occur in a vacuum. Even though emancipation in D.C. has not received the public or scholarly attention it deserves, it still affected other events and to ignore its influence is a disservice. Second, the uniqueness of the event is startling. It was not just emancipation; it was an unprecedented execution of emancipation. The compensation and even colonization included in the Act need to be both understood and appreciated. Third, it was an event that had an incredible amount of significance for local D.C. residents at the time, whether they were black or white, free or slave. Even today, as Emancipation Day was still celebrated every April 16 as a public holiday in the city. The emancipation of slaves in D.C. deserves more attention than it has previously received. The Act needs to be both understood and appreciated in order to more clearly understand the whole history of slavery in the United States and the thoughts and minds of the men who struggled to resolve the issue.

Compared to other studies, this thesis will examine emancipation in the District of Columbia through a very narrow lens. This narrow focus of looking exclusively at D.C.

¹⁰ Mitchell, "I Held George Washington's Horse," 225-226.

emancipation makes this study unique. This study attempts to continue in Belz's footsteps by better understanding Congressional motivation, but by narrowing the topic to focus exclusively on D.C. emancipation, perhaps clearer, more specific picture can emerge. The motivation behind the men who passed this groundbreaking resolution becomes clear. This study will also explore and expand on Robert Harrison's argument for moral motivations. By looking first at the history of slavery and emancipation in the District, and then studying both the words and actions of the Congressmen who passed this legislation, the true motivations behind this piece of legislation will become clear.

The emancipation of slaves in Washington D.C. was a complicated event. To understand the motivations, one must first understand the context. The Anglo-American nation was divided on the issue of slavery and as the capital or "heart" of the nation, many people looked closely at slavery in D.C. Congressional motivation is tricky to determine as the Congressmen who supported emancipation in D.C. used a variety of reasons to support their position. These reasons included military, outside influences and morals. To clearly recognize their motivations one must look at the actions behind their words. In that examination, it becomes clear that morals played a large role in motivating Congressmen to pass this bill. Their speeches, actions, and personal beliefs paint a picture that puts morals as the driving force behind the bill.

Slavery was rarely a subject of specific legislation in the early Congresses, but it was always a divisive issue looming over the legislative process. Slavery was a major institution in the United States; by 1840, there were 2.5 million slaves in the country and they composed 15%

of the population.¹¹ The sheer magnitude of slavery made it impossible for Congress to ignore. Legislators could not talk about taxes, foreign policy or expansion of the U.S. territory without considering the impact on slavery. It was expansion that brought slavery to the forefront of American politics. As new territories and states joined the union, the question arose, would these new states be admitted as free or slave? Unfortunately, there was no clear answer to this question, because when it came to slavery, the Constitution sent mixed messages. It was ambiguous to many, included Congressmen, what power Congress actually had to support or oppose the institution of slavery.

In writing the Constitution, the Founding Fathers had tried to side-step the issue of slavery. Even then it was a sensitive topic and in uniting the country, compromises needed to be made. What resulted was a document that was ambiguous on the issue of slavery. While there was no doubt that the Constitution recognized slavery, the 3/5 Compromise is the most well known example of this fact, it remained unclear who would have the power to regulate slavery. Therefore, both those who supported and those who opposed slavery were able to use the Constitution to support their argument. Even today, historians debate the intentions of the Founding Fathers in regards to slavery.¹² Proponents of slavery argued that the Constitution, in supporting property rights, states' rights and limiting federal authority, maintained the institution of slavery, whereas opponents disagreed, claiming the framers of the Constitution wished to see

¹¹ Robin L. Einhorn, "The Early Impact of Slavery," in *The American Congress: The Building of Democracy*, ed. Julian E. Zelizer, 77-90 (New York: Houghton Mifflin Company, 2004).

¹² George William Van Cleve, "Founding a Slaveholders' Union, 1770-1797," in *Contesting Slavery: The Politics of Bondage and Freedom in the New American Nation*, ed. John Craig Hammond and Matthew Mason, 117-137 (Charlottesville: University of Virginia Press), 117.

slavery end. The murky intentions of this document made it possible for both sides to argue and neither to find a solution. The real issue was that no one knew what power Congress had over regulating slavery, if they even had any at all.

Whether Congress had the power to or not, many citizens were determined to pressure the institution to abolish slavery. They tried to accomplish this through the use of petitions. The first petition calling for the end of slavery was sent to the First Congress from a group of Philadelphia Quakers.¹³ Petitions continued to be received sporadically by early Congresses, however as the slavery debated heated up with the addition of new territories, the amount of petitions received increased. In his book, *Arguing About Slavery*, Historian William Lee Miller explains that Congress had a very specific procedure to deal with petitions that had to do with slavery:

The usual practice with petitions on this touchy subject (and often with petitions on other matters as well) had been respectfully to receive them, respectfully to print them, respectfully to assign them to an appropriate committee, and respectfully to allow them to slide thereafter unnoticed into oblivion.¹⁴

However, as the issue became more heated, polite patience wore off. Congress began to pass new rules to prevent debate on this topic.

Starting in the spring of 1836 both the House and Senate adopted procedural rules, popularly known as “gag rules,” by which petitions were formally received and then automatically tabled or spurned. Southern Congressmen pushed for these rules and votes on

¹³ William Lee Miller, *Arguing About Slavery: The Great Battle in the United States Congress* (New York: Alfred A. Knopf, 1996), 28.

¹⁴ *Ibid.*, 29.

these measures were increasingly sectional.¹⁵ Congressmen introduced various gag rules continuously through the first half of the nineteenth century. One of the most famous was the “Atherton Gag,” named after the Representative who introduced it, Charles G. Atherton. This very specific gag denounced the petitions, which had been presented for the abolition of slavery in the District of Columbia, declared that Congress could not interfere with slavery, and that all petitions on the subject should be laid on the table without being debated.¹⁶ Gags were supposed to prevent debate and argument over the slavery issue, but they just let the issue simmer until it could no longer be contained.

Many gag rules, like the Atherton Gag, specifically referred to abolition in Washington D.C. because many of the petitions received were specifically in reference to D.C. emancipation. Often petitions focused on abolition in Washington D.C., because opponents of slavery considered it the Achilles’ heel of slavery.¹⁷ Opponents of slavery believed D.C. slavery was important to abolish because it would weaken national slavery. They believed it would be easier to abolish it in D.C. because traditional arguments against abolition did not hold water. For example, in arguing against abolition in D.C. proponents of slavery could not use the traditional arguments of state’s rights or the original constitution agreements as D.C. was not a state nor did it exist when the Constitution was written. Abolitionists focused on D.C. because the traditional arguments did not work, so they believed it would be easier to win emancipation for the slaves

¹⁵ Michael F. Holt, "The Slavery Issue," in *The American Congress: The Building of Democracy*, ed. Julian E. Zelizer, 189-201 (New York: Houghton Mifflin Company, 2004), 190.

¹⁶ Joseph West Moore, *The American Congress: A History of National Legislation and Political Events 1774-1895* (New York: Harper & Brothers Publishers, 1895), 336.

¹⁷ Miller, *Arguing About Slavery*, 28.

there. They hoped that with an end to slavery in the capital, the rest of the country would follow suit.

Abolitionists believed the District would be the ideal place to strike the first blow against southern slavery. A well-known abolitionist newspaper, *The Philanthropist*, wrote, “If the chain of slavery can be broken which connects Maryland and Virginia...we may cherish hope that it will soon be abolished on this side of the Potomac...and that this foul and unnatural crime of holding men in bondage will finally be rooted out from our land.”¹⁸ The uniqueness of slavery in Washington D.C. also made it a target for emancipationists.

Slavery in Washington D.C. was a very different practice than that found on the plantations of the South. Most slave work in the District was domestic or labor associated with an urban-based economy as opposed to agriculture. Slavery also existed on a much smaller scale; only two percent of white District residents owned slaves, and the total slave population in the city was fewer than 3,000.¹⁹ The few slaves that were in D.C. lived very different lives than those in the rural south. Historian Edna Greene Medford best summarized this difference, writing, “a degree of relative independence distinguished District slavery from the more restrictive and controlling environment endured by enslaved people in neighboring rural counties.”²⁰ This independence resulted from a practice called “hiring out.” In this system, slave owners would lease their slaves to the government, businesses or individuals, who would then pay the owners for the work the slaves did. In this system many slaves hardly saw their owners

¹⁸ *The Philanthropist*, 1817, 98.

¹⁹ Mitchell, “I Held George Washington's Horse,” 222.

²⁰ Medford, ““Some Satisfactory Way,” 6-7.

and had a small amount of autonomy, some were even allowed to keep part of their wages.²¹ The freedom slaves had in D.C. made abolitionist think it would be a smooth transition from slavery to freedom and an example for future emancipations.

The freedom slaves had in D.C. was unheard of in the rural south. One slave once boasted to an 1860 census worker, “We live like free.”²² However, living like they were free and being free were very different. Despite the fact that District slavery tended to be less restrictive and controlling than surrounding rural areas, most slaves still longed for emancipation. However, it seemed no one could figure out who had the power to grant slaves their freedom in the District.

For a long time it was not clear if Congress had the power to emancipate the slaves in Washington D.C. When the District became the seat of the federal government in 1801, the issue arose of how to govern it. Congress finally resolved that it should have all authority in matters of government, but the laws of Maryland should remain in force in the north and the laws of Virginia in the south.²³ The carelessness and little effort put into this law to govern D.C. set the tone for the position Congress would take toward the area in the future. This hodgepodge of laws made it very difficult to govern the District, as many of the laws conflict with one and other. One D.C. Judge William Cranch wrote to Congress in 1818 to complain that the laws were ill adapted

²¹ Ibid.

²² Mitchell, “I Held George Washington's Horse,” 222.

²³ Mary Tremain, *Slavery in the District of Columbia: The Policy of Congress and the Struggle for Abolition* (New York: Negro Universities Press, 1892), 11.

to the present need of the people.²⁴ The ambiguity found in the governance of Washington D.C. appealed to abolitionists because there was no clear argument against emancipation as neither side was quite clear on the distribution of power. However, as the nation added new territories to the ever-expanding country, abolitionists turned their focus away from D.C.

In the early 1800s abolition in the District was a heated topic, but as the territory question emerged, abolitionists and Congress pushed D.C. emancipation to the side. Congress still received petitions for abolition in D.C., but the amount decreased because of gag rules and increased interest in slavery and to expansion.²⁵ Petitions that focused on slavery in the territories flooded into Congress. The territory debate grew more heated. Ironically it was actually proponents of slavery who helped establish the Congressional power over emancipation in D.C. As they fervently argued that Congress had no right to interfere with slavery in the states, they were inadvertently implying that Congress could control slavery in the district. The Constitution gave Congress the power, “to exercise exclusive legislation in all cases whatsoever over such district.”²⁶ Some representatives were even more obvious in stating the Congressional power over emancipation in D.C. During the Missouri Crisis, Senator Richard M. Johnson a Democrat-Republican from Kentucky questioned Congressional interest in slavery in Missouri when Congress had done nothing about slavery in the D.C.:

I am at a loss to conceive why gentlemen should arouse all their sympathies upon this occasion, when they permit them to lie dormant upon their same subject in relation to other sections of the country where their power would not be questioned. Congress has the express power, stipulated by the constitution, to exercise exclusive legislation over

²⁴ Annals of Congress., 1818-1819, 300.

²⁵ Tremain, *Slavery in the District of Columbia*, 85.

²⁶ U.S. Constitution, art. 1, sec. 8.

this District of ten square miles. Here slavery is sanctioned by law; and though we have ocular demonstration of it continually, the slave in this place finds no advocate.²⁷

Johnson and many others were forced to admit that if Congress did not have power over the slave question in other states, it did have complete control over the issue in Washington D.C.

During the Compromise of 1850, that Congressional power was finally demonstrated. One of the seven measures of the Compromise stated, “Abstaining from abolishing slavery; but under a heavy penalty, prohibiting the slave-trade in the District of Columbia.”²⁸ Though Congress did not abolish slavery, they did end the slave trade in D.C., which had long been a scar on the Nation’s Capital. The fact that it was included in the Compromise of 1850, a measure that Congressmen hotly debated, speaks to the fact that both opponents and proponents of slavery recognized that Congress did or at least might have this power of the Capital.

Though some still questioned its constitutionality, most legislators now accepted that Congress had the power to emancipate the slaves in the District. The Compromise of 1850 had demonstrated Congressional power of Washington D.C. but it had also established that Congress could not limit slavery in any of the states. Even during debates on the D.C. emancipation bill, opponents were forced to concede that Congress either did the power to abolish slavery in the District.²⁹ However, this power was not exercised because of the demographics of Congress.

²⁷ *Annals of Cong.*, 1819-1820, 351.

²⁸ Resolution introduced by Senator Henry Clay in relation to the adjustment of all existing questions of controversy between the states arising out of the institution of slavery (the resolution later became known as the Compromise of 1850), January, 29, 1850; Senate Simple Resolutions, Motions, and Orders of the 31st Congress, ca. 03/1849-ca. 03/1851; Record Group 46; Records of the United States Senate, 1789-1990; National Archives.

²⁹ Cong. Globe, 37 Cong., 2 Sess., (April 11, 1862), 1634.

The demographics of Congress slowly began to shift as the slavery issue became more prominent. For the early half of the nineteenth century two parties, the Whigs and the Democrats, dominated. However, the Whig party began its decline in 1845 and within ten years the party was almost extinct.³⁰ One of the major factors that led to its demise was the emergence of the Republican Party. The Republican Party emerged as a direct result of the slavery argument. According to historian George Washington Mitchell, “in 1860 the Republicans elected all their candidates because the opponents of slavery had at last found an organization through which they could effectively act.”³¹ The formation of the Republican Party was a game changer for Congressional demographics. At the same time Republicans rose in power, Democrats became divided by sectionalism. The divide between northern and southern Democrats helped Republicans gain seat in the 1858 elections. However the dramatic change in demographics would occur with the election of President Lincoln and the secession of the southern states.

With secession came a different Congress than that seen before. Southern states began secession on December 20, 1860, starting with South Carolina. By the time Tennessee, the last southern state to secede from the Union, left on June 8, 1861, Congress looked very different. Both the Senate and the House had large Republican majorities, who earned the nickname the “War or Union Party,” because they supported all measures supported the war or preservation of

³⁰ George Washington Mitchell, *The Question Before Congress: A Consideration of the Debates and Final Action by Congress upon Various Phases of the Race Question in the United States* (New York: Negro University Press, 1918), 79.

³¹ *Ibid.*, 92.

the Union.³² At the start of the second session of the 37th Congress, it was clear conservatives had lost ground. There were 106 Republicans, 42 Democrats, and 28 Unionists in Congress.³³ But just because they finally had the numbers to pass anti-slavery measures did not mean Congress had to do so. There was still no obvious factor pushing them to pass any abolition laws. One of the reasons D.C. emancipation is so interesting is because of the apparent lack of external motivations.

Even though they now had enough Republicans in Congress to emancipate the slaves in the District, Congressmen still had to justify their actions and explain their motives. The best way to examine Congressional motivation for the passage of this bill is through careful interpretation of the words of the Congressmen themselves. Discussion of the bill was lengthy, confrontational and in depth. Speeches, as well as debates, provide insight into the reasons for this legislation. Through these sources, reoccurring themes appear as the driving forces behind the bill: military strategy, outside influences and morals. Congressmen used these three themes to justify their support of the bill, but their true motivations can be determined by the actions they took in passing and implementing the bill.

It is important to look not only at those who supported the bill, but also at those who opposed it. As historian Jean Baker argued in his 1979 article, “Loyal Opposition: Northern Democrats in the Thirty-Seventh Congress,” it is impossible to understand why the Republicans

³² Moore, *The American Congress*, 386.

³³ Silvana R. Siddali, *From Property to Person: Slavery and the Confiscation Acts, 1861-1862* (Baton Rouge: Louisiana State University, 2005), 121.

were doing what they were doing unless you know what their opponents were doing.³⁴ In examining the arguments of those who oppose the bill, one can better understand what the motivations for passing the bill were. As Baker points out, it is important when researching this topic, to look at the dialogue of debate; this helps put in to perspective the arguments both sides were making.

In examining the 37th Congress's motivation to pass the bill, military arguments often appear in debates and speeches. This is not surprising as it was wartime, so Congress had to look at military strategy in everything they did. However, military motivation is particularly interesting, because both those who supported the bill and those who opposed it used it to defend their position. Supporters of the bill thought D.C. emancipation would be militarily beneficial for multiple reasons. First, it was a symbolic gesture that defined what the Union stood for and was fight for. Second, many in the Union thought it would be blow to southern morale. And third, Congress believed that eliminating slavery in the District, could create a more loyal population. Opponents of the bill however, felt that it would incite the rebels to fight harder.

The South had long been tied to slavery, but when war broke out, slavery became irrevocably linked to the rebel cause. Many Congressmen agreed with Edward Rollins, a Representative from New Hampshire, who said, "Slavery is the cause of this mad and monstrous rebellion...it is slavery that has whetted every sword that drips with patriot blood."³⁵ Even President Lincoln, who was usually more moderate than the radical Republicans in Congress,

³⁴ Baker, "A Loyal Opposition," 141.

³⁵ Congressman Edward H. Rollins, *Speech of Hon. E. H. Rollins, of New Hampshire, In the House of Representatives, April 11, 1862, on the Bill for the Release of Certain Persons Held to Service of Labor in the District of Columbia*, 37th Cong., 2d sess., 1862, S. 108, 4.

attributed the war to slavery. President Lincoln, in his Second Inaugural Address said, "One eighth of the whole population were colored slaves, not distributed generally over the Union, but localized in the Southern part of it. These slaves constituted a peculiar and powerful interest. All knew that this interest was, somehow, the cause of the war."³⁶ Because of this, many in the Union came to view the war as a battle between slavery and freedom. Some Congressmen went further in personifying slavery as the enemy. In a speech supporting the bill, Representative John Bingham said, "One year ago this day, slavery opened its batteries of treason upon your garrison in Fort Sumter at Charleston."³⁷ If the South stood for slavery, then the Union had to stand for freedom.

Though some slave states did remain in the Union, it was very important for many in the Union, especially Congressmen to highlight the connection of the Union and freedom. Many felt that the Confederate cause was strong. Southerners were willing to fight hard to defend their way of life. The Union needed to instill passion in their fight and leaders believed the defense of freedom could inspire that passion. Many Congressmen who supported the emancipation of slaves in D.C. felt that it was very important for military moral that the Capital of the Union represented this freedom. When discussing the phrase "All men are created equal," John Bingham a Representative from Ohio said, "Pass this bill in recognition of that great truth, in obedience to the requirements of your Constitution to protect the rights of all under the law, and give witness by the significance of the act, that the world moves, and that those who are in unjust

³⁶ Roy P. Basler, editor, *The Collected Works of Abraham Lincoln*, Volume VIII, p. 332-333 (March 4, 1865).

³⁷ Cong. Globe, 37 Cong., 2 Sess., 1640 (April 11, 1862).

bonds are not forgotten.”³⁸ Bingham also said, “I would pass this bill for the purpose of giving a new assurance that the Republic still lives.”³⁹ Speeches like Bingham’s showed the desire to incite passion within the Union for the purpose of military motivation.

Congressmen saw the bill as both good for military morale, and as a protective measure to keep the Capital in Union hands. At the beginning of the Civil War, Washington D.C. was in a precarious position. Neighboring border states like Maryland and Virginia, it was vulnerable. When Virginia seceded, the danger of Confederates taking the Capital seemed even more eminent. If Lincoln had not sent the militia into Maryland to stop pro-Confederate officials, the Capital could have been complete cut off from the rest of the Union. Even though Maryland remained in the Union, D.C. was still threatened as the Confederates made no secret of their desire to have their Capital in Washington D.C.⁴⁰ If the Union lost the Capital it would be a huge military and moral loss and could lead to Union defeat. Therefore a major military strategy of the Union had to be protecting the District.

Many members of Congress felt that it was imperative that D.C. have a population loyal to the Union and that loyalty could not be guaranteed by slaveholders. Representative Rollins, when supporting this bill, stated, “The Capital should be inhabited by a loyal people, ready to defend it in case of rebellion, and not by a community any considerable portion of which are ready to take up arms to destroy it. Slavery makes people disloyal, and therefore had no claims to consideration or favor from loyal hearts anywhere; and our own self-defense requires that it

³⁸ Ibid., 1639.

³⁹ Ibid., 1640.

⁴⁰ Rollins, *Speech of Hon. E. H. Rollins*, 3.

should be abolished wherever Congress has the power.”⁴¹ John Bingham also argued that slavery kept the Capital unsafe, “If this great wrong is to go on, if the Republic is to be disgraced for an indefinite period by this traffic here, under the very shadow of your flag, within the very walls of your capitol, what man can assure himself that the Republic can stand?”⁴² The argument that D.C. required a loyal population to assure its safety was a strong one and in emancipating the slaves, Congress attempted to assure a loyal population. In order to receive compensation, all slaveholders were required to swear loyalty to the Union and supply witnesses to testify to their faithfulness. This is one of the times when Congress went beyond words, and used their actions to support their beliefs.

Congressmen made some interesting arguments when using military strategy to support the bill, but it is their actions that give away their intentions. Requiring slaveholders to swear and prove loyalty before receiving compensation was the only action taken during D.C. emancipation that was militarily beneficial. Unlike other military arguments about morals or freedom, which were not supported by actions, this shows that a loyal population in the Capital was very important to the Union and a strong motivator for the emancipation of slaves in Washington D.C. So while some of the military defenses for the bill might have been simply talk that sounded good, Congress was strongly motivated to protect the Capital by ensuring a loyal population.

Those who supported the bill had strong arguments as to why it was militarily beneficial, but those who opposed it argued that it would hurt the Union militarily. The vote in both

⁴¹ Ibid., 5.

⁴² Cong. Globe, 37 Cong., 2 Sess., 1640 (April 11, 1862).

chambers to pass the D.C. Emancipation bill was split almost exactly down party lines.⁴³ This was not uncommon. The Democrats who opposed the bill raised concerns that rather than help the Union's Army passage of this bill would hurt them. Crittenden, a Unionist, spoke in harsh opposition to the bill, in the days proceeding and up till the House vote. Crittenden's main argument, and the argument of most who opposed the bill was that it would ignite the rebel cause. He argued, "The weary rebels, who are now fainting under the defeats which our brave army has inflicted on them, will feel a new desperation with every new assurance that peace is to bring the spoliation of his property at all descriptions."⁴⁴ Most agreed that slavery greatly motivated the rebels and that to emancipate the slaves in D.C. would strengthen their resolve to fight.

The discussions of military advantages and disadvantages during debates over the D.C. emancipation bill were very interesting. It was certainly a strong argument to point to military benefits, as this was wartime. No one wanted to be seen as opposing the war effort, especially Democrats, who Republicans already suspected of disloyalty. Yet, those who opposed the bill did argue against the military advantages. Crittenden pointed out that it might ignite the rebel cause. This was a smart argument, because again, it was difficult to argue against military advantage. Most historians conclude that the emancipation of slaves in D.C. was not militarily beneficial. Though it did not hurt the military strategy, it also did not provide any advantage. In fact it was more likely to be harmful because of the tense relationship with the border states. But

⁴⁴ Ibid., 1635.

as one historian points out, “because [Republicans] were not responsible for running the war they did not have to consider the immediate political repercussions of their acts, such as the secession of the border states.”⁴⁵ The military arguments used to support the bill were practical in terms of garnering support, but they were not very strong.

Congressmen often cited outside influences as motivators to support the bill. Many people outside of D.C. were interested in D.C. emancipation. Congress was constantly receiving petitions from other states in favor of freeing the slaves in D.C. Pressure from their home states gave many Congressmen the desire to support the bill and in some speeches they reference ties to their home states as motivators. There were influences from within the city itself. Opposition to the bill within D.C. was fierce. Many residents of D.C. appeared not to have any influence on Congress because the bill was passed anyway. It is important to look at external pressures on Congress, because it affected their choices.

The issue of petitions is particularly interesting, because although Congress received a great deal of them, it does not appear to have much effect on the actions of Congress. As discussed above, Congress was bombarded with petitions abolish slavery in the Capital, but even those who supported abolition seemed to find petitions more harmful than helpful, because they delayed procedures.⁴⁶ Petitions were coming in for decades before a serious action was taken to even attempt to abolish slavery in D.C. This shows that they had very little sway on

⁴⁵ Thomas G. Mitchell, *Antislavery Politics in Antebellum and Civil War America* (Westport, Connecticut, Connecticut: Praeger, 2007), 188.

⁴⁶ Edward B. Rugemer, "Caribbean Slave Revolts and the Origins of the Gag Rule: A Contest between Abolitionism and Deomocracy, 1797-1835," in *Contesting Slavery: The Politics of Bondage and Freedom in the New American Nation*, ed. John Craig Hammond and Matthew Mason, 94-113 (Charlottesville: University of Virginia Press, 2011), 97.

Congressmen's actions. In their speeches supporting the bill few Congressmen even bother to mention petitions or support from abolitionists. Though they did not lead to any action, petitions did succeed in increasing tensions between both groups and starting heated debates.

Congressmen were also influenced by their home states; after all they were elected to represent the interest of those people. Some people cited their constituents as motivators to support the bill. In his speech supporting the bill, Representative Edward Rollins pointed out that in 1849, the New Hampshire Legislature passed a series of resolution condemning slavery. One of those resolutions stated, "Resolved, that in our opinion Congress has the constitutional power to abolish the slave trade and slavery in the District of Columbia, and that our Senators be instructed and our Representatives requested to take all constitutional measures to accomplish these measures." Rollins concluded that the people of New Hampshire stood on that platform of abolition and that it was his duty as their representative to support this bill.⁴⁷

Those who opposed the bill also referred to their constituents. Senator Joseph Wright, a Unionist from Indiana, claimed that the people of Indiana, who he represented, belonged to no section of the country, neither the north nor the south. He argued that Indiana was a state that was both loyal to the Union and conservative. Senator Wright claimed he could not support this bill because his conservative constituents would not be favorable to it.⁴⁸ This was a strong argument in opposition to the bill.

It was valid for Congressmen to say they supported the bill because they were representing the wishes of their constituents. They were elected by the people of their home

⁴⁷ Rollins, *Speech of Hon. E. H. Rollins*, 6.

⁴⁸ Cong. Globe, 37 Cong., 2 Sess., 1467 (April 1, 1862).

states and should represent their interests. Representative Rollins' argument that his constituents in New Hampshire would support the bill was not false. Most people in New Hampshire were in favor of abolition. But it is interesting that Rollins pointed to the resolutions adopted by the New Hampshire state legislature as motivators. Those resolutions were adopted in 1849, but Rollins did not make a stand for abolition in D.C. until this bill in 1862. The resolutions of his state could not have been strong motivators, if it took so long to support this legislation. Though the legislation could not have been a motivator, it was a justification of Rollins' position. Even though outside influences were not the driving force behind Rollins' opinion, they did help Rollins support his position.

The residents of Washington D.C. were another external, more complicated factor as there were conflicting reports to how the general population of D.C. felt about the bill. Some Congressmen cited the citizens of Washington D.C. as motivators for passing the bill.

Representative James M. Ashley, a Republican from Ohio, in his speech supporting the bill claimed to have support from the residents in the District and argued that it was in their best interest.⁴⁹ However local newspaper presented a different view. The local Washington paper, *The Evening Star*, reported on April 4, 1862 that the concern of the residents of the District that the abolition of slavery hurt the city as tensions between the races would increase. The paper went as far as to argue that for newly freed slaves, "their future conditions here far worse than their present conditions with slavery existing among us."⁵⁰ Many D.C. residents seemed worried

⁴⁹ Appendix to the Congressional Globe, 37 Cong., 2 Sess., 101 (April 11, 1862).

⁵⁰ Editorial, "Emancipation in the District of Columbia," *The Evening Star*, April 4, 1862.

that emancipation would cause a large influx of African Americans into the city. The D.C. Board of Aldermen passed a resolution, which urged Congress “to provide safeguards against converting this city—into an asylum for free negroes, a population undesirable in every American community.”⁵¹ D.C. already had an unusually high number of free blacks, with around 10,000 in the City in 1861. Many whites in the District spoke of fear that D.C. would receive a huge influx of runaway slaves hoping for freedom.

It appears the talk of D.C. citizens, as a motivator to support the bill was another case of all talk and no action. Congress had a long history of ignoring the requests of the residents in Washington D.C. in regards to slavery. The most blatant demonstration of this idea was in 1827 speech by Representative George McDuffie a Democrat from South Carolina. In a discussion on abolition in D.C. McDuffie stated, “If the people of the District of Columbia wish to abolish slavery, and will present a petition to the House to that effect, no man in the House will be more ready that I will to grant the people any measure which they may deem necessary to free themselves from this deplorable evil.”⁵² However, when a few anti-slavery residents of D.C. did submit a petition for abolition in the next session, McDuffie did not express readiness to grant them any measure.⁵³ McDuffie and others ignored the opinions of the residents of D.C. It was not until they were ready to pass a bill to emancipate the slaves in D.C. for other reasons that

⁵¹ Ernest McKay, *Henry Willson: Practical Radical, A Portrait of a Politician* (Port Washington, New York: National University Publications: Kennikat Press, 1971), 176.

⁵² United States, and Thomas Hart Benton. *Abridgment of the Debates of Congress, from 1789 to 1856.: From Gales and Seatons' Annals of Congress; from Their Register of Debates; and from the Official Reported Debates, by John C. Rives*. New York: D. Appleton, 1860, 415.

⁵³ Tremain, *Slavery in the District of Columbia*, 62.

they used the opinions of the citizens of D.C. as a justification, whether it was true that residents supported it or not.

Though their speeches gave credit to outside influences as motivators, Congressmen's actions failed to demonstrate that influence. Most members of Congress blatantly ignored petitions. Even those who attempted to speak out against gag rules were often condoning them based on an argument of free speech, rather than a pro-abolition argument. Some Congressmen used the argument that they were representing their home states successfully, like Senator Wright. But others, like Senator Rollins seem to just be using it as another easy justification and not a real motivator. It is also clear that the opinions of the citizens of the District had no real influence. Residents of D.C. were ignored whether they favored or disliked the bill. Without any representation, they had no one to advocate for their needs, and they had a verity of needs.

Morals were the final theme cited by Congressmen in support of the bill and the moral argument appears to be the strongest. This was the most frequently cited reason and it went beyond words. Morals dominated the argument of the man who first introduced the bill to abolish slavery in D.C., Senator Henry Wilson. In his book, *History of the Anti-Slavery Measures of the thirty-seventh and thirty-eighth United-States Congresses, 1861-64*, Wilson discusses at length the emancipation of slaves in the District of Columbia. Though he refers to himself in third person, Wilson does give an insight into his motivations for introducing the bill when he writes, "For half a century the slave-trade was carried on, to the lasting dishonor of the nation; and for two generations the public men of the country were surrounded by an atmosphere tainted by the breath of the slaves, and by the blinding and perverting influences of the social life

of slaveholding society.”⁵⁴ These words demonstrate Wilson’s deep belief that slavery was a morally wrong and a stain on the Capital.

Many other Congressmen shared Wilson’s opinion that slavery tainted the Capital. That moral rhetoric can be found in many of the other speeches given supporting the bill. The Senate chose Senator Lot Morrill (R-ME) to present a report to accompany the bill, because his colleagues recognized him as a thorough and uncompromising opponent of slavery in every form.⁵⁵ In his report, he declared that, “it is unbecoming the freest government on earth longer allow the practice of [slavery] here.”⁵⁶ His words were echoed by Representative Edward Rollins (R-NH) when he said, “Let this place be purged; let this spot on the earth be cleansed as with fire and flood, till no trace or vestige of this abomination remain.”⁵⁷

Many Congressmen did not shy away from declaring slavery an abomination or despicable practice. This strong biblical language was not uncommon in speeches. It appears many Congressmen were morally opposed due to religious beliefs. Senator Charles Sumner said, “if it be a Christian duty, sustained by constitutional examples, to ransom slaves, then your swift desires cannot hesitate to adopt the present bill.”⁵⁸ Sumner’s colleague, Henry Wilson, described slavery as a monstrous doctrine, abhorrent to every manly impulse of the heart and to every

⁵⁴ Henry Wilson, *History of the Anti-Slavery Measures of the thirty-seventh and thirty-eighth United-States Congresses, 1861-64* (Boston: Walker, Wise and Co., 1864), 39.

⁵⁵ *Ibid.*, 40.

⁵⁶ Senator Justin Morrill, *Report of Accompany bill No. 108*, 37th Cong., 2d sess., 1862, S. 108, 1.

⁵⁷ Rollins, *Speech of Hon. E. H. Rollins*, 4.

⁵⁸ Congressman Charles Sumner, *Speech of Hon. Charles Sumner, of Massachusetts, In the Senate, March 31, 1862, on the Bill for Abolition of Slavery in the District of Columbia*, 37th Cong., 2d sess., 1862, S. 108, 13.

Christian sentiment of the soul.⁵⁹ Many Congressmen viewed morals and religion together. The appeal to the moral evil of slavery was very popular as even speeches that focus on other aspects of the bill make sure to mention to wickedness of slavery.

Not only did many Congressmen think slavery was morally wrong, they also felt they had a moral duty to stop it. Senator David Wilmot (R-PA) was an avid abolitionist. In 1847, he authored the Wilmot Proviso which if passed would have banned slavery in all land acquired from Mexico. When speaking in favor to D.C. emancipation, Wilmot told his colleagues, “We should be the most derelict in our duty of any body that ever sat in the seats of power, if we adjourn this Congress without the abolition of Slavery in the District of Columbia.”⁶⁰ To Wilmot, the passage of this bill was a responsibility that Congress could not ignore. Likewise, Representative Rollins argued, “The abolition of slavery in the District of Columbia is, to the few slaves therein, a deed of justice and mercy that this people cannot omit to perform at this golden opportunity.”⁶¹ Wilmot, Rollins and others not only believed that slavery in the District was morally wrong but also that they had an obligation to correct that wrong.

Many Congressmen saw slavery not only as morally wrong, but also as stain. The idea that slavery in D.C., in particular, was a stain seemed to be common among those who supported the bill. Slavery in the Capital seemed more reprehensible to the Congressmen, because they saw the Capital as the heart of the nation and believed it should therefore represent the values of the nation. Representative Rollins described the Capital as, “the eye of the country through which

⁵⁹ Cong. Globe, 37 Cong., 2 Sess., 1350 (March 25, 1862).

⁶⁰ Wilson, *History of the Anti-Slavery Measures*, 41.

⁶¹ Rollins, *Speech of Hon. E. H. Rollins*, 1.

men look to read the soul within.”⁶² The idea slavery does not reflect the Nation’s values was argued by Senator Charles Sumner (R-MA), in his speech supported the bill, he said, “The bare existence of such a barbarous injustice in the metropolis of the Republic, which has gloriously declared, ‘all men are entitled to life, liberty, and the pursuit of happiness,’ is a mockery.”⁶³ Many Congressmen like, John Bingham (R-OH) believed the bill to emancipate the slaves in D.C. would by law forever remove, “From the American people the danger and shame and disgrace of allowing the spirit and letter of their Constitution to be violated, at the very heart of the Republic, under the very eyes of its lawgivers.”⁶⁴ It seemed to be understood that, as the Capital of the nation, the District should truly represent what the nation stands for.

Many Congressmen seemed to believe that the stain of slavery was holding D.C. back from its full potential. Before the Civil War, D.C. was a not booming metropolis. Washington in 1860 was far inferior to many of the state Capitals in beauty, size, reputation and the comforts of life, historian Kenneth Bowling described it as, “a hideous burlesque on the ambitions but abortive dreams of its illustrious founders.”⁶⁵ Congressman Rollins thought slavery had stopped D.C. from reaching its full potential. He said, “It is slavery that has hung over this city like an incubus, and kept out trade and enterprise, genius and skills in mechanic arts, thrift and Capital of commerce, that seek abiding places only where the light of freedom shows a theater of

⁶² Ibid.

⁶³ Sumner, *Speech of Hon. Charles Sumner, of Massachusetts*, 5.

⁶⁴ Cong. Globe, 37 Cong., 2 Sess., 1640 (April 11, 1862).

⁶⁵ Kenneth R. Bowling, "From 'Federal Town' to 'National Capital': Ulysses S. Grant and the Reconstruction of Washington, D.C.," *Washington History* 14, no. 1 (2002): 13.

action.”⁶⁶ Many Americans, like Rollins, believed that free wage labor was more effective and efficient. The emancipation of slaves in D.C. would require more free labor in the District, which some believed would help the District to become a thriving city.⁶⁷

Unsurprisingly, the men who got up to speak out against this bill tended to steer away from morals. The Democrats who were left in Congress at this point were moderates; their more radical colleagues had left to join the Confederacy. And though some were from slaves states, none of their speeches question the immorality of slavery. Representative Albert Riddle (R-OH) a staunch supporter of the bill declared, “There is not a man living that dares arise here and say that he does not know slavery is utterly all wrong.”⁶⁸ He was right in his assumption, because no one did try questioning it. In fact many who opposed the bill felt the need to explain that just because they were in opposition, did not mean they were for slavery. Representative Crittenden, a vocal opponent of the bill, made a point in his speech of saying, “I do not wish to be understood here as arguing this question as a lover of slavery; not at all.”⁶⁹ Most Democrats were already under suspicion and Republicans loved to challenge the loyalty of their minority counterparts.⁷⁰ Many conservatives like Crittenden must have felt that though they were dissenting, they had to make sure not to be too opposed.

⁶⁶ Rollins, *Speech of Hon. E. H. Rollins*, 2.

⁶⁷ Eric Foner, *The Fiery Trial : Abraham Lincoln and American Slavery*, New York: W. W. Norton & Co., 2010.

⁶⁸ Cong. Globe, 37 Cong., 2 Sess., 1642 (April 11, 1862).

⁶⁹ Ibid., 1635.

⁷⁰ Baker, "A Loyal Opposition: Northern Democrats in the Thirty-Seventh Congress," 139.

There is a difference between peppering speeches with strong language about the immorality of slavery and morals being the driving factor behind passing this legislation. Historian Herman Belz studied Republican Congressional legislation using primarily Congressional primary sources to discover if Congress was morally or militarily motivated to liberate the slaves. If when formulating emancipation measures, Republicans tried to secure liberty for slaves separate from military strategy, Belz believed that emancipation of that time would have been based on moral principles.⁷¹ Most of his study focused on the contraband theory, which was theory adopted by many soldiers during the Civil War. The idea behind the contraband theory was that slaves used for insurrectionary purposes were contraband of war, and their services could be appropriated and turned to help the Union. By examining whether Congress secured liberty for emancipated slaves in D.C., Belz's method can easily be applied to emancipation the District.

When Congress emancipated the slaves in D.C. they made sure to include provisions to assure liberty for newly freed slaves. The original bill, introduced by Senator Wilson, freed the slaves, but provided not specific procedure for emancipation. In a speech, Senator Jacob Collamer (R-VT) questioned this policy. He remarked, "A gentleman asked me how that duty of the masters to make this record is to be enforced"⁷² Senator Collamer was concerned that slaves would be freed in D.C. but without proof, they could walk into Maryland and be enslaved again. As a result, the Senate amended the original bill, by adding a definite procedure for carrying out emancipation and securing personal liberty. The bill was amended to provide each newly freed

⁷¹ Belz, "Protection of Personal Liberty in Republican Emancipation Legislation of 1862," 386.

⁷² Cong. Globe, 37 Cong., 2 Sess., 1522 (April 10, 1862).

slave with a certificate of freedom, granted they would have to pay ten cents for the certificate, but they would now have proof of their freedom. This evidence points to moral motives because it shows that Congress cared about securing freedom for the slaves beyond simple emancipation. Members of Congress wanted to make sure that they were not just symbolically emancipating D.C. slaves, but that the new slaves would be free and able to keep that freedom.

Another actions that demonstrated Congress' dedication to the moral cause was the colonization and relocation debate. Once it became obvious that the bill was going to pass, many opponents tried to insert amendments that would forcibly remove the newly freed slaves from D.C. Congress fiercely debated these mandatory colonization bills. Senator Willard Saulsbury, a Democrat from Delaware, introduced one of the more extreme colonization amendments. Senator Saulsbury made a motion to amend the D.C. emancipation bill so that all slaves emancipated under this law would within thirty days be removed, at the expense of the federal government, into northern states, and distributed evenly by population. This amendment was unanimously voted down, it appears even Senator Saulsbury did not vote for his own amendment.⁷³ Colonization debates like this one, highlighted congressional interest in the slaves. Many Congressmen believed that once freed the slaves had a right to stay in country and that the races would adapt to coexist. While the final bill did include a provision for colonization (newly freed slaves could receive up to \$100 if the relocated to Haiti or Liberia) they were not pressure or forced. As a result only one freed slave accepted this offer.

⁷³ Journal of the Senate, 37th Cong. 2nd Sess., March 27, 1862, 342

Personally, many of the bill's most vocal supporters were avid abolitionists. The three most vocal supporters in the Senate were Henry Wilson, Charles Sumner, and William Fessenden both had abolitionist backgrounds. In the House Representatives Owen Lovejoy, James Ashley, and Edward Rollins all supported the bill and were strongly opposed to slavery. The fact that the men who pushed for the passage of this legislation, were privately or publically against slavery, points to internal motives.

Henry Wilson the Senator who introduced the bill was a staunch abolitionist. Wilson believed slavery was the only cause for the Civil War. Wilson had military concerns, but he also wanted slaves to gain their freedom quickly.⁷⁴ When Wilson defended the bill to the Senate on March 25, 1862, he spent much of his time discussing the harsh conditions that D.C. slavery existed in. Wilson wanted to appeal to Congressmen's emotional side when he describes the life of a slave saying, "he was imprisoned as a runaway four hundred and five days. In this time vermin, disease, and misery had deprived him of the use of his limb. He was rendered a cripple for life, and finally discharged as no one would buy him."⁷⁵ Wilson also mentions throughout his speech the cruel and brutal laws for the treatment of slaves.⁷⁶ Wilson led the charge for the emancipation of slaves in D.C. based on moral ideas. Wilson was supported by colleagues in the Senate.

⁷⁴ McKay, *Henry Willson*, 174.

⁷⁵ Cong. Globe, 37 Cong., 2 Sess., 1350 (March 25, 1862).

⁷⁶ *Ibid.*, 1352.

Charles Sumner is the other Senator who wholeheartedly defended this bill. Sumner was famous for his support of abolition and very outspoken. One historian wrote that, “Senator Charles Sumner was the most publically vocal in his calls for emancipation of any of the radicals in 1861 and 1862.”⁷⁷ Sumner’s words could often get him in trouble, like when Preston Brooks beat him for his speech denouncing the Kansas-Nebraska Act. But Sumner held firm to his beliefs and support Wilson and the bill.⁷⁸ Though Sumner had deep anti-slavery beliefs he recognized the importance of presenting emancipation as militarily essential. On November 10, 1861, Sumner wrote John Jay, discussing:

It has seemed to me that the issue has been fairly presented and the opportunity given to speak out, And I do not think that you or I ought to miss the opportunity. The cause needs all possible influences from talent, character, position, statement, everything. It is to be presented strictly as a measure of military necessity, and the argument is to be thus supported rather than on the grounds of philanthropy. At the same time I do not hesitate in declaring also that thus you will do an act of justice.⁷⁹

Sumner, wanted to take advantage of the opportunity the Civil War presented for emancipation, but as he wrote Jay, he knew that any abolition measures he would needed to support with military benefits. Sumner is the perfect explanations for why Congressmen provide so many justifications. Though they fundamentally supported abolition, they felt the need to justify it with reasons beyond justice.

William Fessenden was a Republican Senator from Maine. Like Senators Wilson and Sumner, Fessenden supported the emancipation bill and was personally an abolitionist. Having always disliked slavery, Senator Fessenden was ready to use federal power to take a stand

⁷⁷ Mitchell, *Antislavery Politics in Antebellum*, 197.

⁷⁸ McKay, *Henry Willson*, 177.

⁷⁹ Charles Sumner, Letter to John Jay, November 10, 1861. *National Archives*.

against it.⁸⁰ As one of the staunchest supporters of the bill to emancipate the D.C. slaves, Fessenden argued passionately to explain his position.⁸¹ Fessenden's argument rested on morals. In a speech defending the bill, Fessenden explains that Republicans would rejoice if this measure is passed because they feel it is a blot on the country and unjust, he adds that this has always been his personal opinion.⁸² Fessenden was just another support of the bill, who although he pointed to various motivations for the legislation, his argument boils down to morals.

It was not just the Senate that incited passionate support of emancipation in Washington D.C., the House of Representatives had them as well. One of the vanguards of the Republican party, Owen Lovejoy was an arch-radical. His colleagues considered him, "the most aggressive and fully equipped of the anti-slavery orators."⁸³ Lovejoy's interest in freeing the slaves was clear. In 1858, Lovejoy entitled, "Human Beings, Not Property," which advocated for abolition. When the House proposed yet another amendment to the bill that would favor slaveholders, Lovejoy objected saying, "I oppose the amendment. I am tired of this miserable twaddle about due process of law for the master when everybody knows that every slave in the District of Columbia and in the United States has been robbed of his freedom without process of law."⁸⁴

⁸⁰ Robert J. Cook, *Civil War Senator: William Pitt Fessenden and the Fight to Save the American Republic* (Baton Rouge: Louisiana State University Press, 2011), 144.

⁸¹ Charles A. Jellison, *Fessenden of Maine: Civil War Senator* (Binghamton, New York: Syracuse University Press, 1962), 145.

⁸² Cong. Globe, 37 Cong., 2 Sess., 1472 (April 1, 1862).

⁸³ Hans L. Trefousse, *The Radical Republicans: Lincoln's Vanguard for Racial Justice* (New York: Alfred A. Knopf, 1969), 14.

⁸⁴ Cong. Globe, 37 Cong., 2 Sess., 1645 (April 11, 1862).

Representative James Ashley was an active radical long before the war.⁸⁵ Not only was Ashley an abolitionist, he also believed in equality of the races, which was very uncommon for his time. As early as 1856 Ashley was quoted as saying, “It will be our duty to amend our national constitution and all our state constitutions, so as to secure to every living human soul within our gates, their right to life, liberty, and property.”⁸⁶ In his speech supporting the bill, Ashley kept it brief, telling Congress, “I have no excuse to offer here, or elsewhere, for doing an act which even-handed justice demands. From the first I have been earnest and persistent in pressing this question of emancipation.”⁸⁷ Representative Ashley admitted that he was always an abolitionist and he refused to provide any other explanation or justification of his vote in support of the bill. Ashley demonstrates what many Congressmen believed which was that slavery was morally wrong and that is a good enough motivation to end it.

D.C. emancipation was an unprecedented, revolutionary act. It was the first time in the nation’s history that the federal government used its power to abolish slavery.⁸⁸ Those who pushed for the passage of the bill had clear motives. When they gained control over Congress, after the secession of the southern states, Congressmen finally had the opportunity to take a stand against slavery. Many of them, like Wilson and Sumner, were morally opposed to slavery. They believed that slavery was wrong and that as a Congress they had a moral duty to end it wherever they could. In the words of Senator Fessenden:

⁸⁵ Trefousse, *The Radical Republicans*, 13.

⁸⁶ *Ibid.*, 28.

⁸⁷ J. M. Ashley, *Appendix to the Congressional Globe*, 101, April 11, 1862.

⁸⁸ James Oakes, *The Radical Republican: Frederick Douglass, Abraham Lincoln, and the Triumph of Antislavery Politics* (New York: W. W. Norton & Company, 2001), 183.

That so far as the people of this country have the power, under the constitution, to weaken the institution of slavery; to deprive it of its force; to subject it, and an institution to the laws of the land; to take away the political influence which it has wielded in this country, and to render it, so far as they can, a nullity, they have the right to do so, and it is their solemn duty to exercise it.⁸⁹

Unfortunately, their power was limited. Precedent had established that Congress had no power to end slavery in the states. In fact no branch seemed to have the power to do that, President Lincoln would eventually emancipate the slaves using the special powers given to him during wartime. But it had been established that Congress could emancipate the slaves in Washington D.C. So to make a stand against slavery Congress freed the slaves in Washington D.C. because it was the only place it could.

To justify their decision Congressmen who both supported and opposed the bill present a verity of reasons. But many of the reasons were simply words for justification. They did not demonstrate the true motivations of the Congressmen. Justifications are reasons thrown in to gain support for a bill, whereas motivations are the true reasons that drive Congressmen to introduce, support and vote for this bill. In exploring their actions beyond their words, Congress' true motivation can be discovered. Looking at their motivations show that morals were the driving factor. The main supporters of the bill in both the House and Senate were staunch abolitionist and were morally opposed to slavery. It is also evident that this bill was not just an empty gesture. Congress did not just want to say that the slaves were emancipated; they wanted to carry out the emancipation. The emancipation process in D.C. was so detailed and thorough

⁸⁹ Cong. Globe, 37 Cong., 2 Sess., 1472 (April 1, 1862).

because Congress wanted it to succeed. The including of the freedom certificate is another example of a case when Congress wanted insure that the slaves would remain free.

It seems strange that such a liberal body with so many anti-slavery activists, who truly supported full emancipation, would pass a bill that includes compensation and colonization, two of the more conservative abolition ideas. But, it cannot be forgotten, that Congress emancipated the slaves during wartime. Though they were liberal, they were also cautious. Congress knew that D.C. was in a precarious position and the value of loyal citizens could not be underestimated. Congressmen made these conservative concessions to assure that loyalty. Congress was attempting to emancipate the slaves, without alienating the city's Union slaveholders.

The emancipation of slaves in Washington D.C. was not a random act. The 37th Congress that passed this landmark bill was a liberal body. Many of the Congressmen were emancipationist. They believed slavery was morally wrong. And like Fessenden stated, many believed they had an obligation to correct the wrong. So the Congressmen that supported and passed this bill were motivated by their morals. They did have other justification for why other should support the bill. But the motivators truly urged the passage of this bill were moral. As many Congressmen personally disagreed with slavery, they made their intentions known when they took actions to assure the freedom of the newly freed slaves in Washington D.C.

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