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THE ATTITUDE OF VIRGINIA LEADERS TOWARD SLAVERY AND SECESSION

PART I

HISTORY has not dealt fairly with Virginia. This fact is due in part to Virginians themselves. They have been careless in recording historical facts and careless in preserving historical records.

From 1861 until now, Virginia has not been allowed her day in court. Much that has been written about her has been set down in malice, and much more has been set down in ignorance. Some of her novelists and historians, either for sentimental reasons or to meet the extreme criticisms, have painted her leaders and her life as almost godlike.

In discussing this theme I am not doing it with any intention of stirring up animosities; my only motive is to try to set forth truthfully and in proper perspective the facts as I see them. I think it is due the young men and young women of Virginia and other states that they should know some of the truths touching my theme. Please bear in mind that West Virginia was a part of Virginia until after 1861.

The almost universal belief among the younger generation is that Virginia went to war in 1861 in behalf of slavery, and that she was so much in favor of a continuance of slavery that she was willing to secede in order to preserve that institution. I do not find one man in five in the North and West who knows that Virginia was opposed to secession and seceded under protest.

About two years ago, in a weekly publication called *New York*, a prominent writer, who should have known better, had this to say with reference to General Robert E. Lee:

"His slaves remained loyal to him throughout the war. Like other Southern leaders, he was profoundly religious, profoundly Christian, and was able to effect a reconciliation, of a fashion, between Christianity and slavery, Christianity and the profession of arms. . . . He was a member of the planter class . . . who maintained, at terrible cost to the whole South, the peculiar institution of slavery."

This I take to be a fair sample of the misinformation that exists, a misinformation which was founded years ago upon persistent and deliberate misrepresentation.

It is impossible in an address of this nature to do more than touch the high spots of this subject. Permit me to attempt it:

African slaves were brought by a Dutch vessel to Virginia in 1619, but it was not until 1661 that the institution of slavery was recognized in Virginia by statute law. For a long time very few slaves were imported. In 1715, nearly one hundred years after the first introduction, there were only about twenty-five hundred slaves in the Colony. In the next sixty years they were brought over in increasing numbers, and the colonists began to realize their danger. As early as 1736, Col. William Byrd, in a letter to Lord Egmont, expressed the wish that slavery should be prohibited in the Colony, and added, "I am sensible of the many bad consequences of multiplying the Ethiopians among us. . . . The further importation of them into our Colony should be prohibited."¹

Numerous acts were passed by the Colonial Legislature which were designed to lessen, or to stop, further importations.

This address was delivered before the student body of the State Teachers College at Harrisonburg on May 20, 1932.

¹*Virginia's Attitude Toward Slavery and Secession*, Munford, p. 17.

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George W. Williams, in his *History of the Negro Race in America*,² says, "It is due to the Virginia Colony to say that the slaves were forced upon them." George Bancroft, in his *History of the United States*,³ says:

"Again and again they had passed laws restraining the importation of negroes from Africa, but their laws were disallowed. . . . On the 10th of December, 1770, the King issued an instruction under his own hand commanding the Governor 'upon pain of the highest displeasure, to assent to no laws by which the importation of slaves should be in any respect prohibited or obstructed.'"

Edmund Burke, in his speech on Conciliation, when it was suggested in Parliament that the slaves in Virginia be freed by act of Parliament, in order to use them against the Colony, said:

"Dull as all men are from slavery, must they not a little suspect the offer of freedom from the very nation which had sold them to their present masters—from that nation, one of whose causes of quarrel with those masters is their refusal to deal any more in that inhuman traffic."⁴

In 1772 the Virginia House of Burgesses presented a petition to the King, which says in part:

"We 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."⁵

To this petition the King and his Ministers turned deaf ears; and Beverley B. Munford, in his incomparable book, *Virginia's Attitude Toward Slavery and Secession*, says that "Chief among the causes which aroused the opposition of the Virginia colonists and placed them in the forefront of the Revolution was the course of

the King with respect to this momentous subject."⁶

Mr. Jefferson, in his Declaration of Independence, penned this terrible arraignment:

"George the Third has waged cruel war against humanity 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. . . . Determined to keep open the market where men should be bought and sold, he has prostituted his negative by suppressing every legislative attempt to prohibit, or to restrain, this execrable commerce. And that this assemblage of horrors might want no fact of distinguished dye, he is now exciting these very people to rise in arms among us and to purchase that liberty of which he has deprived them by murdering the people on whom he obtruded them."⁷

Mr. Bancroft says that "These words express precisely what had happened in Virginia."⁸ It is true that this portion of the Declaration was stricken out by Congress before it was published to the world; but it cannot be questioned that Mr. Jefferson expressed the declared sentiments of the leading citizens of Virginia. Mr. Munford has deep implications in his statement that "it was ominous of her future experience with respect to this baneful subject, that the voice of Virginia was then silenced (in Congress) in deference to the States of the far South and certain of their Northern sisters."⁹

Mr. Jefferson said that the clause was stricken from the Declaration,

"in compliance with South Carolina and Georgia, who . . . still wished to continue it (slavery). Our Northern brethren also, I believe, felt a little tender under these censures, for though their people had very few slaves, yet they had been pretty considerable carriers of them to others."¹⁰

And here is what Nicolay and Hay, the biographers of Abraham Lincoln, have said:

⁶*Virginia's Attitude*, p. 19.

⁷*Virginia's Attitude*, pp. 19-20.

⁸Bancroft, *History of the United States*, Vol. IV, p. 445.

⁹*Virginia's Attitude*, p. 20.

¹⁰*Writings of Thomas Jefferson*, Ford, p. 28.

²Vol I, p. 119.

³Vol. III, p. 410.

⁴Burke's *Works*, Little, Brown and Co., Vol. II, p. 135.

⁵*Journal of House of Burgesses*, p. 131, and Tucker's *Blackstone*, Appendix, note H, Vol. II, p. 351.

"The objections of South Carolina and Georgia sufficed to cause the erasure and suppression of the obnoxious paragraph. Nor were the Northern States guiltless; Newport was yet a great slave mart, and the commerce of New England drew more advantages from the traffic than did the agriculture of the South."¹¹

Nicolay and Hay cannot be classed as writing from a Southern standpoint.

The protests in Virginia against the slave trade were not isolated. Many of the counties adopted resolutions as early as 1774. In August of that year the Virginia Colonial Convention passed strong resolutions:

"We will neither ourselves import, nor purchase any slave or slaves imported by any other person, after the first day of November, next, either from Africa, the West Indies, or any other place."¹²

On September 5, 1774, when the Continental Congress assembled for the first time, the Virginia delegates submitted a memorial, from which I quote the following:

"The abolition of domestic slavery is the great object of desire in those colonies where it was, unhappily, introduced in their infant state. But, previous to the enfranchisement of the slaves that we have, it is necessary to exclude all further importations from Africa. Yet, our repeated requests to effect this by prohibitions, and by imposing duties which might amount to a prohibition, have been hitherto defeated by His Majesty's negative; thus preferring the immediate advantage of a few British Corsairs to the lasting interests of the American States, and to the rights of human nature deeply wounded by this infamous practice."¹³

Mr. DuBois says that "Virginia gave the slave trade a special prominence and was in reality the leading spirit to force her views (that is, against slavery) on the Continental Congress."¹⁴

Before the Proclamation of the Declaration of Independence, Virginia adopted a written constitution and Bill of Rights. In the preamble to the constitution the King is

¹¹Abraham Lincoln, *A History*, Nicolay and Hay, Vol. I, p. 314.

¹²Quoted by DuBois, *Suppression of the Slave Trade*, p. 43.

¹³*Idem*, p. 43.

¹⁴*Idem*, p. 45.

condemned for "prompting our negroes to rise in arms among us—those very negroes whom, by an inhuman use of his negative, he has refused us permission to exclude by law."¹⁵

And yet today the Virginia people are laughed at because her Bill of Rights declares "that all men are by nature equally free and independent, and have certain inherent rights, of which when they enter into a state of society, they cannot, by any contract deprive or divest their posterity; namely, the enjoyment of life and liberty, with the means of acquiring and possessing property, and pursuing and obtaining happiness and safety."¹⁶ In the face of this laughter is the outstanding fact that against the protest of the majority of the Virginia people, as expressed through their official representatives, the King of England and his Ministers, Northern Colonists who were making money out of the inhuman traffic, and Colonies farther south, joined hands to break down this opposition and to fasten this system upon our people.

Mr. Bancroft declares that "Virginia moved from charters and customs to primal principles. . . . She summoned the eternal laws of man's being to protest against all tyranny. . . . At the bar of humanity Virginia gave the name and fame of her sons as hostages that her public life should show a likeness to the highest ideals of right and freedom among men."¹⁷

Here then, very inadequately, is the recital of Virginia's attitude as a Colony. For more than 150 years, against her protests and appeals and statutes, the slave traffic had continued, until, upon the assumption of statehood by Virginia in 1776, out of a population of 600,000, more than two-fifths were Negro slaves.

¹⁵Hening's *Statutes*, Vol. IX, pp. 112-113.

¹⁶Hening's *Statutes*, Vol. IX, p. 109.

¹⁷*History of the United States*, Bancroft, Vol. IV, p. 119.

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In 1778 the General Assembly of Virginia provided by law "that from and after the passing of this act no slaves can hereafter be imported into this Commonwealth by sea or land, nor shall any slave so imported be sold or bought by any person whatsoever"; and it was further provided that if a slave were brought into the state, he "shall upon such importation become free."¹⁸ Ballagh says, "Virginia thus had the honor of being the first political community in the civilized modern world to prohibit the pernicious traffic."¹⁹

The next thing that occurred in the unfolding of the great drama—shall we say, the unfolding of the great Tragedy?—was the donation by Virginia of the Northwest Territory, an imperial domain from which were created the States of Ohio, Indiana, Illinois, Michigan, and Wisconsin—a domain which had been conquered by Virginia soldiers, under the leadership of the great Virginian, George Rogers Clark, acting under a commission given him by Governor Patrick Henry and the Virginia State Council. John Fiske, the New England historian, says, "It was Virginia that had actually conquered the disputed territory . . . Virginia gave up a magnificent and princely territory of which she was actually in possession."²⁰

On the very day that Virginia deeded this enormous territory to the United States (March 1, 1784), Mr. Jefferson reported the Ordinance of 1784. It declared that after the year 1800, slavery should never exist in any portion of the vast domain west of a line drawn north and south between Lake Erie and the Spanish dominions of Florida. If this clause had been adopted, slavery would have been excluded not only from Ohio, Indiana, Illinois, Michigan, and

Wisconsin, but also from the country south of it, from which were afterwards formed the States of Kentucky, Tennessee, Alabama, and Mississippi. Six states voted for it—one less than the necessary majority. In 1787 the present Ordinance, forbidding slavery, was enacted into law, and Mr. Fiske says that "No one was more active in bringing about this result than William Grayson, of Virginia, who was earnestly supported by Lee."²¹

Munford is right in declaring that "The supreme opportunity for suppressing the importation of slaves and thus hastening the day of emancipation came with the adoption of the Federal Constitution. . . . With every increase in the number of slaves the difficulties and dangers of emancipation were multiplied. The hope of emancipation rested in stopping their further importation and dispersing throughout the land those who had already found a home in our midst."²² Despite Virginia's protests and appeals, the slave trade was legalized by the Federal Constitution for an additional period of twenty years; and as Munford well says, "The nation knew not the day of its visitation—with blinded eyes and reckless hand it sowed the dragon's teeth."²³ This action is declared by John Fiske of New England to have been "A bargain between New England and the far South. . . . New Hampshire, Massachusetts, and Connecticut," he says, "consented to the prolonging of the foreign slave trade until 1808; and in return South Carolina and Georgia consented to the clause empowering Congress to pass Navigation Acts and otherwise regulate commerce by a simple majority of votes."²⁴

That bargain between these three New

²¹*Critical Period of American History*, Fiske, p. 205.

²²*Virginia's Attitude*, p. 29.

²³*Idem*, p. 29.

²⁴*Critical Period of American History*, Fiske, p. 264.

¹⁸Hening's *Statutes*, Vol. IX, p. 471.

¹⁹*History of Slavery in Virginia*, Ballagh, p. 23.

²⁰*Critical Period of American History*, Fiske pp. 191, 195.

England states and the two Southern states had in it the dynamite which later sent hundreds of thousands of men to bloody graves on fields of battle; and the bargain was a cold-blooded one for the sole purpose of enriching pocketbooks at the expense of traffic in human flesh.

I wish I had time to quote the great speech of George Mason of Virginia, in which he uttered a prophecy and warned of a coming judgment if Virginia's protest was unheeded. John Fiske says, "These prophetic words of George Mason were powerless against the combination of New England and the far South."²⁵ The action of the National Government, says Munford, "was deplorable because it placed the imprimatur of its supreme law upon the morality as well as legality of the slave trade. . . . New England and the North were not menaced. . . . Beneath the hot skies of the South was the land to which with unerring instinct the Trader piloted his craft freighted with ignorance and woe."²⁶

This act of extension was condemned in unmeasured terms by Governor Randolph and Mr. Madison of Virginia.

In his message to Congress 1806-07, President Jefferson brought to the attention of that body that the time was now at hand when the slave trade could be abolished, and an act was accordingly passed prohibiting the trade; but it had flourished for so long a time that it was now extremely difficult by simple statutory enactment to put an end to it. Slaves were being poured into the West Indies and Brazil, and slave traders began at once to "bootleg" them into the United States; New England ships, owned and manned by citizens of New England, sending ship-loads of rum to Africa and trading this for slaves. I am not implying that New England had the monopoly

in this matter. Doubtless there were ships owned by Southern slave traders also, and certainly if there were slave sellers, there were slave buyers. I will refer to this phase of the matter later.

Even as late as 1861, this inhuman traffic was going on, despite the laws against it, and the United States Government was trying to suppress it. I have on file a letter from a kinsman of mine, Captain Jack Eggleston, of Mississippi, who at the outbreak of the War of 1861 was a lieutenant in the United States Navy. In this letter he describes the capture, by a United States warship on which he was an officer, of a slave ship owned and manned by citizens of Maine. The capture was made off the coast of Cuba, and the ship was filled with captives from Africa.

In 1810 President James Madison of Virginia called attention to the fact that slaves were being illegally imported, and he urged Congress to pass laws to stop the evil. In 1816 he again called attention to it, and it was in 1819 that Congress, under the leadership of two Virginians, Charles F. Mercer and John Floyd, passed a bill requiring the President of the United States to use armed cruisers off the coasts of Africa and America to suppress the trade. Hugh Nelson of Virginia, in the U. S. House of Representatives, attempted to get a law passed fixing death as the punishment for violating the law in reference to slave importation. In 1841 President Tyler of Virginia called for further enactments against the suppression of the traffic, and spoke of "the abandoned and profligate of other nations" being also engaged in it.

Henry A. Wise, of Virginia, Consul at Rio de Janeiro, made frequent reports to the Department of State in reference to the violation of the law in Brazil, where importation of slaves had been prohibited in 1831; and in a letter written February 18,

²⁵*Critical Period of American History*, Fiske, p. 264.

²⁶Munford, *Virginia's Attitude*, p. 32.

1845, he said to the Secretary of State at Washington:

"I implore the President of the United States to take a decided stand on this subject. You have no conception of the bold effrontery and the flagrant outrages of the African slave trade. . . . Every patriot in our land would blush for our country, did he know and see as I do how our citizens sail and sell our Flag to the uses and abuses of that accursed practice."²⁷

I have said something about Virginia statutes against slavery. Bear in mind that up to 1776, under the British rule, slaveholders were forbidden to free their slaves except with the permission of the King's Council. Numerous acts were passed by the General Assembly of Virginia from 1782 to 1803, strengthening the laws against slavery. Under these laws the manumission of slaves began to appear. At the close of the Revolution there were about 3,000 free Negroes in Virginia. In the next ten years there were 13,000; and in 1810 there were 30,570. But this raised a new problem: The presence in a state controlled by white men, of a growing body of Negroes not possessing the privileges of the whites and not amenable to the restrictions imposed upon the slaves. The problem was a very serious one, and in 1806 acts were passed providing that no slave thereafter freed should remain in Virginia. This was amended in 1819 by an act authorizing the County Courts to permit such freedmen as were "sober, peaceful, orderly, and industrious to remain in the State."²⁸

These statutes embarrassed the work of emancipation, but they stimulated the sentiment for the colonization of the freedmen. Despite the great difficulties, slaveholders continued to emancipate.

The records show beyond question that up to 1830-31 there was a steadily growing body of public opinion in Virginia, and indeed throughout most of the South, that

slavery was an economic, moral, and social evil. It is not claimed that all the Virginia leaders were in favor of emancipation, but the school of thought in favor of it was becoming steadily more powerful. The records show that serious attempts were made to find a way for emancipation which would not do great evil both to the Negro and to the white.

With this steady growth of public opinion, matters came to a crisis in 1832, when a committee of the Virginia legislature brought in a report which stated "that it is inexpedient for the present legislature to make any legislative enactment for the abolition of slavery." I believe it can be maintained beyond a question that this committee of the legislature would not have brought in this report, if there had not occurred the Southampton County insurrection in August 1831, and if it had not been known that this insurrection of the slaves was initiated and encouraged by incendiary literature sent in from the North through secret channels. The leader, Nat Turner, a Negro preacher, had been accorded the privilege of education, and one of his lieutenants was a free Negro. The result of this massacre was that 57 whites, mostly women and children, were butchered.

Imagine the feelings of the people of Virginia when they saw these preliminary effects, and saw that their efforts for peaceful emancipation were being subverted by enemies in the North who were trying to incite the Negroes to insurrection and massacre! It can readily be seen that these occurrences put a weapon in the hands of those who preferred for selfish ends to maintain slavery, and that they handicapped the friends of emancipation. In December, 1831, four months after this massacre, numerous petitions were presented to the Virginia General Assembly, praying for the removal from the state of all free Negroes, and those in favor of emancipation

²⁷*American Slave Trade*, Spear, p. 81.

²⁸*History of Slavery in Virginia*, Ballagh, p. 125.

prayed for the immediate enactment of laws looking thereto. It is a significant fact that the discussions in that Assembly were, as Munford well says, "more notable for the fierce arraignment of the institution than for the presentation of practical plans for its abolition."²⁹ The problem bristled with difficulties.

In 1831, William Lloyd Garrison, a New England Abolitionist, established his paper, *The Liberator*, and began his violent crusade, in which he advocated the immediate emancipation of all slaves without compensation to the owners, despite the different example recently shown by Great Britain in the West Indies.³⁰

What background was there to the body of public opinion that was given utterance in the Assembly of 1831-32? This has been touched upon briefly; but let me mention some of the Virginians who had consistently stood for emancipation: George Washington, Richard Henry Lee, George Mason, Edmund Randolph, James Madison, Thomas Jefferson, John Marshall, James Monroe, Patrick Henry, John Tyler, Sr., St. George Tucker, John Randolph of Roanoke, Benjamin Watkins Leigh, F. W. Gilmer, William Wirt. These are a few of the distinguished names; but where could a stronger background be found?

And in this Virginia Assembly of 1831-32 were such leaders as Thomas Jefferson Randolph, grandson of Thomas Jefferson; Thomas Marshall, son of Chief Justice Marshall; James McDowell, afterwards congressman and governor of Virginia; Charles J. Faulkner, later congressman and Minister to France; William Ballard Preston, afterwards congressman and Secretary of the Navy; and others whom I will mention later. When the committee of the Virginia Assembly of 1831-32 brought in a report stating that it was inexpedient for that

legislature to make any enactments for the abolition of slavery—a report directly influenced by the lawlessness of Northern abolitionists—William Ballard Preston moved that the word "expedient" be substituted for the word "inexpedient" in the report of the committee, and Mr. Bryce moved as a substitute for both that the Commonwealth provide for the immediate removal of the Negroes now free and those who may hereafter become free, believing that this will absorb all our present means. Mr. Bryce's substitute was adopted by a vote of 65 to 58. And the House then passed a bill which provided for the deportation and colonization of the free Negroes and of such as might become free thereafter. And the measure carried an appropriation of \$35,000 for 1832, and of \$90,000 for 1833, and this was adopted by a vote of 79 to 41.³¹

In urging its passage, William H. Broadnax stated that many slave owners "would manumit their slaves if means for their removal were furnished by the State, but who could not if the additional burden of removal were placed upon them."³² Munford says that "This bill, so fraught with far-reaching consequences, was subsequently defeated in the Senate by one vote."³³ My impression is that it was defeated in the Senate committee by one vote. Ballagh says, "The will was not wanting, but method unhappily was."³⁴

So depressing and discouraging was this failure to pass the Bryce measures, that many of those in favor of emancipation despaired of relief, and many reluctantly accepted the institution as permanent.

(TO BE CONTINUED)

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³¹*Journal of House of Delegates*, 1832, pp. 109, 110, 158.

³²*Virginian History of African Colonization*, Slaughter, p. 48.

³³*Virginia's Attitude*, p. 47.

³⁴*History of Slavery in Virginia*, Ballagh, p. 138.

²⁹*Virginia's Attitude*, p. 46.

³⁰*Robert E. Lee*, Bruce, p. 70.

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