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"Some Satisfactory Way": Lincoln and Black Freedom in the District of Columbia

Edna Greene Medford

Howard University, emedford@howard.edu

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Rec 16. 4p.

Public 50.

Thirty-seventh Congress of the United States of America;

At the -second- Session,

Began and held at the city of Washington, on Monday, the -second- day of December, one thousand eight hundred and six^{ty}-one

AN ACT

For the release of certain persons held to service or labor in the District of Columbia.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all persons held to service or labor within the District of Columbia, by reason of African descent, are hereby discharged and freed of and from all claim to such service or labor, and from and after the passage of this act neither slavery nor involuntary servitude, except for crime whereof the party shall be duly convicted, shall hereafter exist in said District. Sec. 2. And be it further enacted, That all persons loyal to the United States holding claims to service or labor against persons discharged therefrom by this act may, within ninety days from the passage thereof, but not thereafter present to the Commissioners hereinafter mentioned their respective statements or petitions in writing, verified by oath or affirmation, setting forth the names, ages, and personal description of such persons, the manner in which said petitioners acquired such claim, and any facts touching the revocation of such petitioners' allegiance to the government of the United States; and that he has not borne arms against the United States during the present rebellion, nor in any way given aid or comfort thereto: Provided, that the oath of the party to the petition shall not be evidence of the facts therein stated. Sec. 3. And be it further enacted, That the President of the United States, with the advice and consent of the Senate, shall appoint three commissioners, residents of the District of Columbia, any two of whom shall have power to act, who shall receive the petitions above mentioned, and who shall investigate and determine the validity and value of the claims therein presented, as aforesaid, and appraise and appportion, under the proviso hereto assumed, the value in money of the several claims by them found to be valid: Provided however, that the entire sum so appraised and appportioned shall not exceed in the aggregate an amount equal to five hundred dollars for each person shown to have been so held by lawful claim.

“Some Satisfactory Way”

Lincoln and Black Freedom in the District of Columbia

by Edna Greene Medford

On April 16, 1862, sixty-one-year-old Nicholas became a free man. Prior to his emancipation, Nicholas had lived and labored as a slave in the nation’s capital, where free men professed to honor the principles espoused in the Declaration of Independence. It would take congressional action and the president’s concurrence to elevate Nicholas and his fellow African Americans from chattel to humankind. Even then, his worth and that of the more than 3,000 other men, women, and children who gained their freedom by the statute was measured in strictly economic terms. Nicholas’s owner, Maryland resident Clement Hill, had claimed a value

of \$800 for the “excellent carpenter and fair blacksmith.”¹ But the three-man commission charged with reviewing such claims offered a painfully modest assessment of Nicholas’s worth; Hill received a mere \$21.90 for the loss of his slave.² Yet that was far more than Nicholas himself received as compensation for a lifetime of labor. As emancipated “property,” he was entitled to nothing but a certificate of freedom—which he was required to purchase for 25 cents.

The bill that brought about Nicholas’s extraordinary legal transformation reached President Abraham Lincoln three days after it was passed by Congress. It then sat lifeless on the president’s desk for nearly two additional days.³ Orville Browning, Illinois senator and long-time Lincoln friend, suggested a motive for the president’s delay. “He . . . told me that he would not sign the bill before Wednesday,” Browning wrote in his diary on Monday, April 14:

that old Gov Wickliffe [at the time a congressman from Kentucky] had two family servants with him who were sickly, and who would not be benefited by

President Lincoln signed the District of Columbia Emancipation Act into law on April 16, 1862, thereby freeing more than 3,000 enslaved people in the nation’s capital. National Archives.

Edna Greene Medford is Associate Professor of History at Howard University. Professor Medford specializes in the history of the nineteenth-century South, Civil War and Reconstruction. She is a co-author of The Emancipation Proclamation: Three Views.

freedom, and wanted time to remove them, but would not get them out of the City until Wednesday, and that the Gov had come frankly to him and asked for time. He added to me that this was told in the strictest confidence.⁴

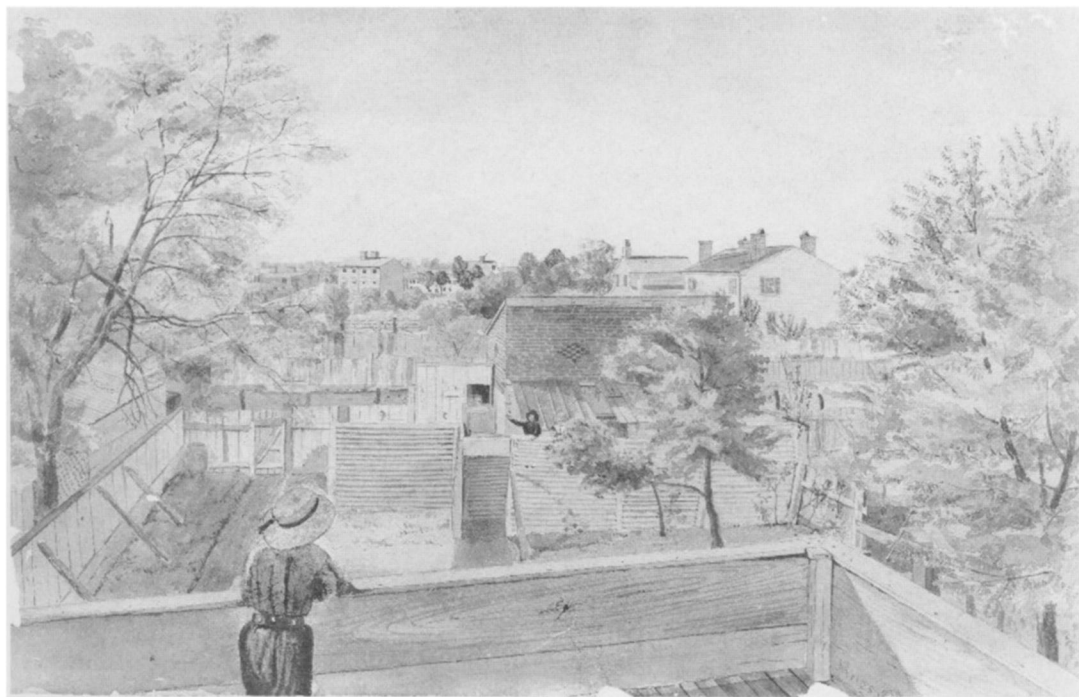
While Lincoln delayed, anxious supporters and opponents lobbied the president. Characteristically, he kept his own counsel, refusing to reveal his decision to either group. When he signed the bill into law on the morning of April 16, he simultaneously submitted a letter in which he expressed certain unrealized preferences but remained steadfast in his commitment to ending slavery in the city. "I have not doubted the Constitutional authority of Congress to abolish slavery in this District," he began, "and I have ever desired to see the national Capital freed from the institution in some satisfactory way."⁵

In the last few years, Lincoln's position on slavery and abolition has been thoroughly researched, but his boldness in issuing the Emancipation Proclamation of 1863 has understandably received the most attention. From Lerone Bennett's observation that Lincoln was a white supremacist committed to a continuation of black bondage to Allen Guelzo's assertion that a prudent and cautious Lincoln secured the freedom of the slaves, historians have generated spirited debate.⁶ Scholars have directed far less attention to Lincoln's earlier, more conservative, plan of emancipation, especially as reflected in his support for freedom in the nation's capital. A review of his 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.

As his letter accompanying the signed District Emancipation Bill revealed, slavery in the federal enclave had engaged Lincoln's thinking for a good while, despite his claim as presi-

dent-elect that "Upon my word I have not given the subject a thought."⁷ He had been familiar with bondage in the nation's capital early on in his political career and had observed it firsthand as a one-term congressman from Illinois in the late 1840s. District slavery during Lincoln's congressional years was characterized primarily by domestic work and the usual labor associated with an urban-based economy. Enslaved African Americans labored in some of the most prominent homes of Washington City and Georgetown, as housekeepers, chambermaids, seamstresses, body servants, cooks, and launderers. Various businesses held them to service as skilled and semi-skilled laborers: as blacksmiths, bricklayers, carpenters, upholsterers, draymen, teamsters, waiters, and porters. The outlying areas of the District—Washington County—supported farms, where slaves worked in a manner consistent with the utilization of unfree labor on moderate tracts of land in the rest of the South.⁸

Another key feature of District slavery (and one that characterized the institution in most urban areas) was the practice of hiring out. Under this system, an owner leased his slave to the government, to a business, or to a private individual. District residents and slaveholders from neighboring counties in Maryland and Virginia engaged in this practice, which scattered the black population and often separated families. Nevertheless, hiring out could afford some slaves a certain degree of independence and the opportunity to earn a little money. Slaves who were permitted to hire their own time selected where and for whom they would work and often secured lodging for themselves, frequently with free black households. Many were allowed to retain a small portion of their earnings as an incentive for "good behavior."⁹ Over the course of years, they might accumulate sufficient funds to purchase their own freedom, if the owner consented. A degree of relative independence distinguished District slavery from the more restrictive and controlling



Washington, 1850. By mid-century, the majority of African Americans in the District of Columbia were free. A few operated their own businesses. Watercolor by Montgomery C. Meigs. Library of Congress.

environment endured by enslaved people in neighboring rural counties.

Despite these seeming advantages, enslaved people in the District of Columbia longed for freedom, and when the desire overcame them they took leave of their place of bondage. Such was the case with twenty-four-year-old George, who stole away from his owner in 1857, and, like so many of his fellow bondsmen and women, made his way to Canada. A “convert to the doctrine that he had a right to himself,” the young man had tried to purchase his freedom on five separate occasions, but his owner had refused his offers.¹⁰ Similarly, thirty-one-year-old Randolph, anguished by his bondage, resolved to no longer serve an owner “without privileges.” His master did not use him harshly, Randolph admitted; his failure was that where slaves were concerned, he “didn’t believe in freedom.” For his part, William, who considered his owner “a tolerable

fair man,” believed that he had the capacity for taking care of himself, “and “decided to let [his owner] have the same chance.”¹¹

Fear of being sold away from family and friends prompted others to flee the District. Abolition of the transatlantic trade made enslaved people in the Upper South especially valuable, given the market for labor in the expanding Cotton Kingdom. Susan Stewart, who had been “held to labor” by a series of owners, decided to run away upon learning that she was about to be sold again. Her current owner, a man of moderate means, “followed droving.” His need for money increased her chance of being added to a slave coffle destined for the Deep South.¹² George’s motivation for flight had been the death of his owner. He feared that in settling the estate his young mistress would sell him, as she had his brothers and a cousin the year before.¹³

This domestic slave trade had always been

SLAVE MARKET OF AMERICA.

THE WORD OF GOD.

"ALL THINGS WHATSOEVER YE WOULD THAT MEN SHOULD DO TO YOU, AS YE WOULD DO TO THEM, FOR THIS IS THE LAW AND THE PROPHETS" AND THEY SEARCHED BY KEILING OF THE MOUNTAIN, AND THEY CRYED, AND THEIR EYES WERE OPEN BY REASON OF THE MOUNTAIN, AND NOW HEARD THEIR GROOMING."

"TRUTH BATH THE LORD EXECUTE JUDGMENT IN THE MORNING, AND DELIVER HIM THAT IS BROUGHT OUT OF THE HANDS OF THE OPPRESSED, LEFT BY FURY TO GO OUT LIKE FIRE, AND BURN THAT NONE CAN QUENCH IT, BECAUSE OF THE TYLE OF THE MOUNTAIN."

THE DECLARATION OF AMERICAN INDEPENDENCE.

"WE HOLD THESE TRUTHS TO BE SELF EVIDENT - THAT ALL MEN ARE CREATED EQUAL, THAT THEY ARE ENDOUED BY THEIR CREATOR WITH CERTAIN UNALIENABLE RIGHTS, THAT AMONG THESE ARE LIFE, LIBERTY, AND THE PURSUIT OF HAPPINESS."

THE CONSTITUTION OF THE UNITED STATES.

"WE HEREBY CERTIFY THAT THESE ARTICLES SHALL BE VALID AND EFFECTIVE FROM THE DATE OF THEIR RATIFICATION BY THE LEGISLATURES OF THE SEVERAL STATES, AND THE PEOPLE OF CALIFORNIA."

"WHICH ARTICLES SHALL BE VALID AND EFFECTIVE FROM THE DATE OF THEIR RATIFICATION BY THE LEGISLATURES OF THE SEVERAL STATES, AND THE PEOPLE OF CALIFORNIA."

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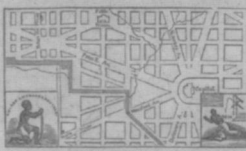
DISTRICT OF COLUMBIA.

THE RESIDENCE OF 7000 SLAVES.

"THE LAND OF THE FREE"



SEASONS OF THE COLLECTIVE OF PROGRESS.



VIEW OF WASHINGTON CITY.

"THE HOME OF THE OPPRESSED"



VIEW OF THE UNITED STATES "THE HOME"

RIGHT TO INTERFERE.

Text discussing the right to interfere with the slave trade and the responsibilities of citizens.

PUBLIC PRISONS IN THE DISTRICT.

Text discussing the conditions of public prisons and the treatment of inmates.



VIEW OF THE INTERIOR OF THE JAIL IN WASHINGTON - JUNE 1850.

FACTS.

Text providing statistical facts and information related to the slave trade and the population of the District of Columbia.

FACTS.

Text providing statistical facts and information related to the slave trade and the population of the District of Columbia.

PRIVATE PRISONS IN THE DISTRICT, LICENSED AS SOURCES OF REVENUE.

Text discussing the operation of private prisons and their role as a source of revenue for the government.

FACTS.

Text providing statistical facts and information related to the slave trade and the population of the District of Columbia.



VIEW OF THE INTERIOR OF A PRIVATE PRISON IN WASHINGTON - JUNE 1850.



VIEW OF THE INTERIOR OF A PRIVATE PRISON IN WASHINGTON - JUNE 1850.



VIEW OF THE INTERIOR OF A PRIVATE PRISON IN WASHINGTON - JUNE 1850.

Text providing additional facts and information related to the slave trade and the population of the District of Columbia.

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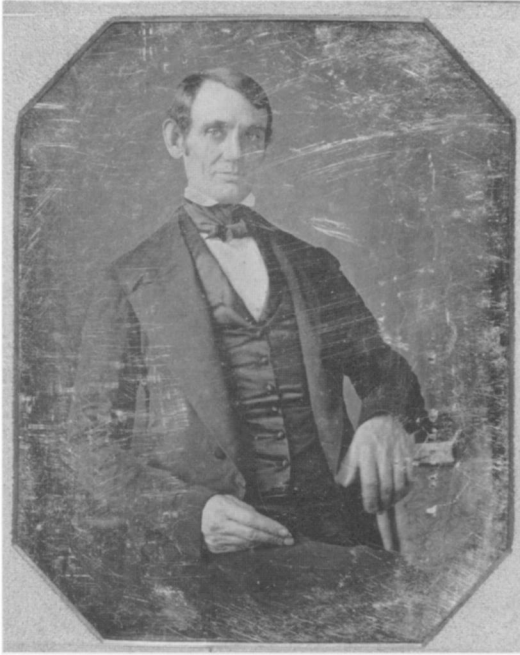
Text providing additional facts and information related to the slave trade and the population of the District of Columbia.

a topic of considerable interest and a source of great consternation. Slave markets operated openly and notoriously within blocks of the Capitol, embarrassing those who recognized the hypocrisy of trafficking in human beings within sight of America's symbol of liberty.¹⁴ Throughout the antebellum period, attempts had been made to abolish slavery or, at the very least, halt the trade that made the District "one of the greatest and most cruel slave markets in the world," but proslavery forces always thwarted such attempts.¹⁵ Lincoln himself observed that "in full view from the windows of the capitol, a sort of negro livery stable, where droves of negroes were collected, temporarily kept, and finally taken to southern markets, precisely like droves of horses, had been openly maintained for fifty years."¹⁶

The controversy over slavery and the slave trade intensified during Lincoln's term in Congress, primarily as a consequence of the *Pearl* incident, so named for the ill-fated schooner that served as a would-be escape vessel for 77 mostly enslaved men, women, and children who attempted to flee the city in April 1848.¹⁷ The escapees included a free black man who sought to avert the sale of his enslaved wife and their eight children. Also on board were six members of the Edmonson family—sisters Mary and Emily and four of their brothers. Their parents, a free man and his enslaved wife, resided in Maryland and doubtless fretted over the circumscribed lives of their bond children.¹⁸ Apprehended after becalmed winds stayed the ship's sails, the "freedom seekers" were returned to the District where they awaited transport to the Deep South.

Slave Market of America, 1836. Visitors to and residents of the District of Columbia were accustomed to seeing visible evidence of slavery and the slave trade, including auctions and prisons where human "property" was kept while awaiting sale. This broadside was issued by moderate abolitionists in a petition campaign aimed at abolishing slavery in the nation's capital. Library of Congress.

The *Pearl* incident further polarized a community already divided over the issue of black freedom. The flight of enslaved people, presumably with the encouragement and assistance of abolitionists, enraged proslavery forces in the city. The plight of the *Pearl's* passengers helped to spawn a movement to prohibit the slave trade in the District.¹⁹ In December, New York congressman Daniel Gott introduced a resolution that declared the slave trade in the District of Columbia "contrary to natural justice and the fundamental principles of our political system . . . and a serious hinderance to the progress of republican liberty among the nations of the earth."²⁰ A bill to end the trade was introduced in the House of Representatives in January 1849 but died amid intense opposition by proslavery congressmen.²¹ As Congress debated the bill's merits and constitutionality, Lincoln chose a different path. Instead of supporting Gott's resolution or the slave trade measure, he offered a resolution of his own in which he encouraged the Committee on the District of Columbia to submit a bill to end not just the District's slave trade, but slavery itself in the jurisdiction. The proposal was intended as a compromise to win support from both the pro- and antislavery factions. It forbade the enslavement of any person "not now within the District of Columbia, nor now owned by any person or persons now resident within it, nor hereafter born within it." Similarly, it stipulated that anyone currently within the District, hereafter born within it or owned by someone in residence there, could not be transported and held as a slave outside of its boundaries. Exception was made to accommodate those on "public business" from the slaveholding states. Slaves currently residing in the jurisdiction or owned by District residents would be freed "at the will of their respective owners, their heirs and legal representatives" upon receipt from the federal government of payment for their full value. Lincoln's proposal further provided for apprenticeship of all children born to women still enslaved "on or



Congressman-elect Abraham Lincoln of Illinois, in 1846. Near the end of his single term in the House, Lincoln proposed a resolution to end slavery in the District of Columbia. This is the only known daguerreotype of Lincoln. Library of Congress.

after the 1st day of January, 1850." Children would be born free but required to labor for the mother's owner until they reached an age yet to be determined. In return, owners would be obliged to ensure that the apprentices were "reasonably supported and educated." Lest slaves from the neighboring counties in Maryland and Virginia seek freedom in the nation's capital, Lincoln called for the municipal authorities of Washington and Georgetown to arrest fugitives and return them to their owners. Finally, District residents would be given the opportunity to voice their approval or rejection of any emancipation bill.²²

Lincoln's proposal was never adopted; he later complained that support he had been promised was withdrawn. (A year later the Compromise of 1850 abolished the slave trade, but not slavery, in the District.) Yet Lincoln's

1849 resolution offered an indication of what would come later. It postulated three of the four elements that would shape his thinking on emancipation as it developed during the first two years of the Civil War—that slaveholders should be compensated, that emancipation should be gradual, and that it must reflect the will of the electorate.

Lincoln's position on slavery and its eradication was based on his assessment of certain guarantees and constraints either stated or implied in the Constitution. Although he considered slavery morally wrong, he acknowledged its importance to the slaveholding states and accepted the notion of slaves as legally held property that was lawfully protected like any other. So, not only would owners have to be economically motivated to give up their property, they were also *entitled* to compensation for their losses. In effect, he proposed that the federal government serve as purchaser of human property before it was released from bondage, and he saw gradual emancipation as a compromise between perpetual slavery and immediate freedom. He claimed that gradualism would benefit not just slaveholders but slaves themselves, by saving them "from the vagrant destitution which must largely attend immediate emancipation in localities where their numbers are very great."²³

Finally, even though Congress had jurisdiction over the affairs of the District of Columbia, Lincoln believed that its residents—the white men, that is—should be given the opportunity to exercise their political voice on the issue of emancipation within their borders. In March 1837, while serving his second term in the Illinois legislature, Lincoln had expressed support for the right of District residents to decide what was to become of slavery there. He and fellow legislator, Daniel Stone, had felt compelled to stake out a moderate position on the issue of slavery as other legislators supported proslavery resolutions. Lincoln and Stone argued that Congress had no constitutional authority to interfere with slavery



Lincoln's first inaugural ceremony, March 4, 1861. The new president signaled his intention not to interfere with the South's "peculiar institution" by pledging to enforce all laws, including the Fugitive Slave Act. Library of Congress.

in the states, and even though it did have the legal right to abolish the institution in the District of Columbia, "that power ought not to be exercised unless at the request of the people of said District."²⁴ Lincoln would not retreat from that position until disunion compelled him to drop his insistence on public acceptance of emancipation.

Lincoln spent only one term in Congress; his return to the capital would be as the nation's president in its most challenging time. In the interim, he had honed his views on slavery and had become a key figure in the debate over its extension. After the Kansas-Nebraska Act polarized and destroyed the Whig Party as a political entity and helped to

launch the Republican Party, Lincoln became a passionate critic of attempts to expand the institution where it did not currently exist. In his 1854 address in Peoria, Illinois, given in response to the Kansas-Nebraska Act's repeal of the Missouri Compromise, he declared the legislation "wrong in its direct effect, letting slavery into Kansas and Nebraska — and wrong in its prospective principle, allowing it to spread to every other part of the wide world, where men can be found inclined to take it."²⁵ Lincoln argued that the fathers of the republic intended to contain slavery, that they "hedged and hemmed it in" by refusing to mention the institution or its victims by name in the Constitution, by prohibiting the international slave trade after 1808, and by passing other measures that proved hostile to it. He urged his audience to return to the spirit of 1776. "Our republican robe is soiled, and trailed in the dust," he declared. "Let us turn and wash it white in the spirit . . . of the Revolution."²⁶

Acknowledging that southern slaveholders had Constitutional rights to their human property, he wondered what he would do, had he the power. "My first impulse would be to free all the slaves, and send them to Liberia — to their own native land," he declared. But he rejected this, noting that "If they were all landed there in a day, they would all perish in the next ten days." Freeing the slaves and keeping them in America was equally problematic, he felt, since they could not be made equal, and having them remain dependent was not satisfactory.²⁷

In the next few years, Lincoln continued the refrain of slavery's containment, sharpening his argument, especially in his 1858 debates with Illinois senatorial incumbent Stephen A. Douglas. In those exchanges, he also reiterated his position on District emancipation. At Freeport, he declared that he "should be exceedingly glad to see slavery abolished in the District of Columbia . . . I believe that

Congress possesses the constitutional power to abolish it." Yet, he continued,

as a member of Congress, I should not, with my present views, be in favor of endeavoring to abolish slavery in the District of Columbia, unless it would be upon these conditions. *First*, that the abolition should be gradual; *second*, that it should be on a vote of the majority of qualified voters in the District; and *third*, that compensation should be made to unwilling owners.²⁸

Borrowing the language of Henry Clay, Lincoln expressed his desire to "sweep from our capital that 'foul blot' upon our nation."²⁹

Although he lost the 1858 Illinois senatorial race to his Democratic opponent, he went on to become the Republican standard bearer in the presidential election two years later. His victory so angered and alarmed the slaveholding states that eleven of them seceded from the Union rather than trust his pledge of non-interference with slavery.

Lincoln's second period of residence in the District would be largely consumed by the exigencies of civil war: how to prosecute it without alienating the loyal border states, how to preserve the Union without trampling civil liberties, and how to manage the problem posed by enslaved people who were availing themselves of the opportunity created by the chaos around them to secure their freedom. Attracted to the District because it was the capital of the nation and the center of the Union, they placed a burden on limited resources and elicited a response from authorities that was not always humane.

When Lincoln took the oath of office as the sixteenth president of the United States in March 1861, the population of the District of Columbia numbered approximately 75,000, just over 14,000 of them people of African descent. Interestingly, the vast majority of blacks—more than 11,000—were free.³⁰

The lopsided demographic reflected the District's tendency to attract free blacks from the surrounding slaveholding jurisdictions, where an entrenched system of slavery challenged the ability of the free to sustain their status and provide for themselves and their families. Although they still suffered under the weight of black codes adopted from Maryland and Virginia, they enjoyed opportunities unavailable in the rural communities of those two states.

Despite these advantages, the overall black population did not change significantly between 1850 and 1860. But during the war more than 40,000 fugitives sought asylum in the capital.³¹ The inability or disinclination of District officials to ascertain the legal status of blacks sometimes resulted in the illegal detaining of free men and women and the incarceration of slaves who had run away from rebel masters (not to mention runaways from loyal Unionists). In fact, in an effort to appease southern slaveholders and to restore the Union quickly, Lincoln himself encouraged the return of runaways to their Virginia owners in the first summer of the war.³² But the president's hands-off policy did nothing to deter enslaved people. They continued to pour into the District, where some were incarcerated in the "Blue Jug," the notorious city jail. Others suffered from squalor and overcrowding in one of the several contraband camps that dotted the District after Congress enacted a law that confiscated the slaves of Confederates who used their property to wage war against the Union.³³

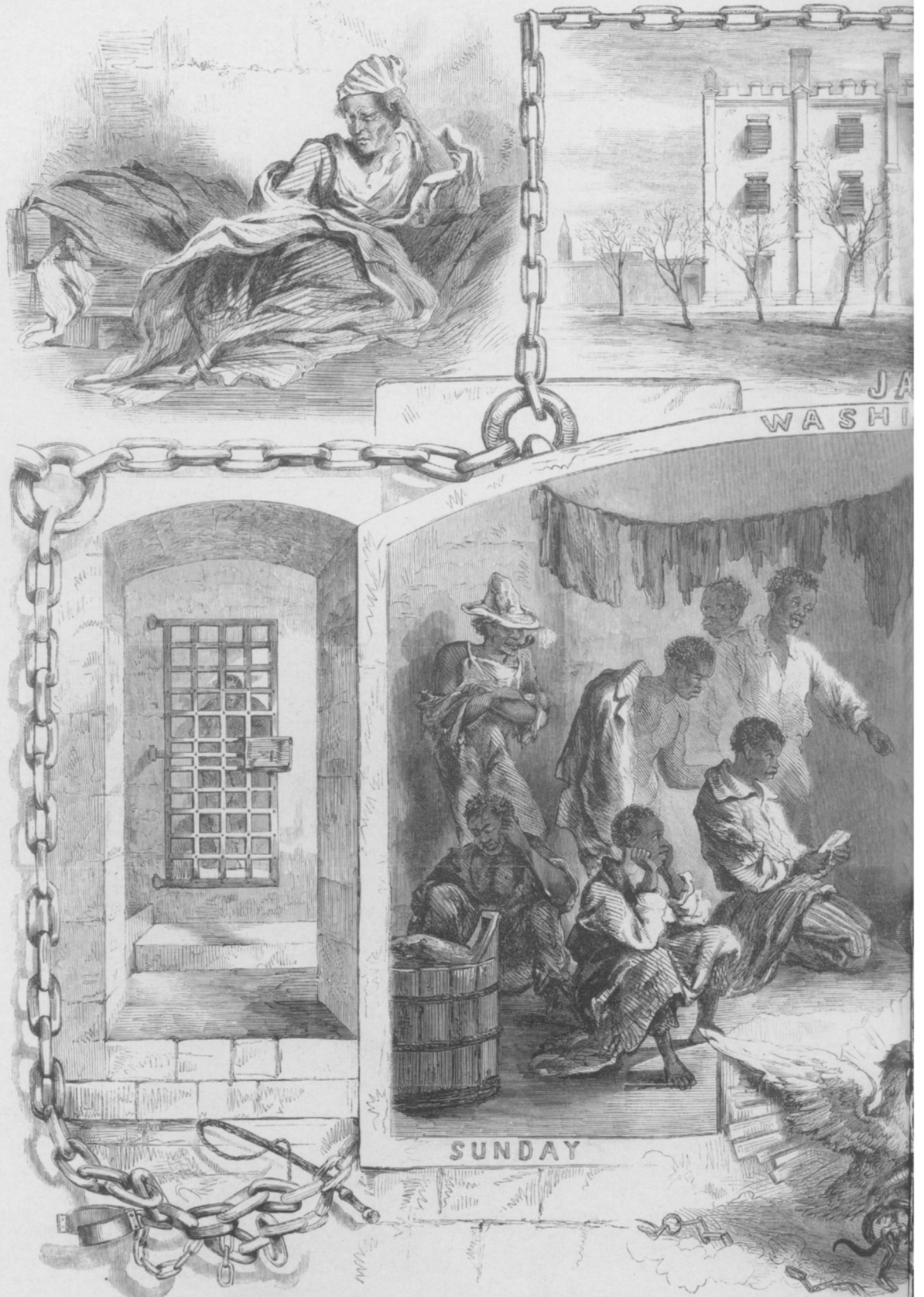
Despite his contention that the sole aim of the war was preservation of the Union, Lincoln recognized that slavery was the cause of the conflict. Although he did not sign the First Confiscation Act with any great enthusiasm, he believed that if slaveholders who had remained in the Union took the lead in abolishing slavery, the resolve of the Confederacy might begin to weaken. Rather than pressing for emancipation in the District of Columbia, he sought a solution through action by one of

the border states. In November 1861 he proposed two plans of abolition for Delaware, a state with even fewer slaves than the District. Consistent with his earlier stance, both called for gradual, compensated emancipation. One plan would have ended slavery by 1867, while the other could have extended it for another generation. Despite this conservative approach to abolition, Lincoln's proposals never reached the Delaware legislature, as slaveholding interests rejected both.³⁴

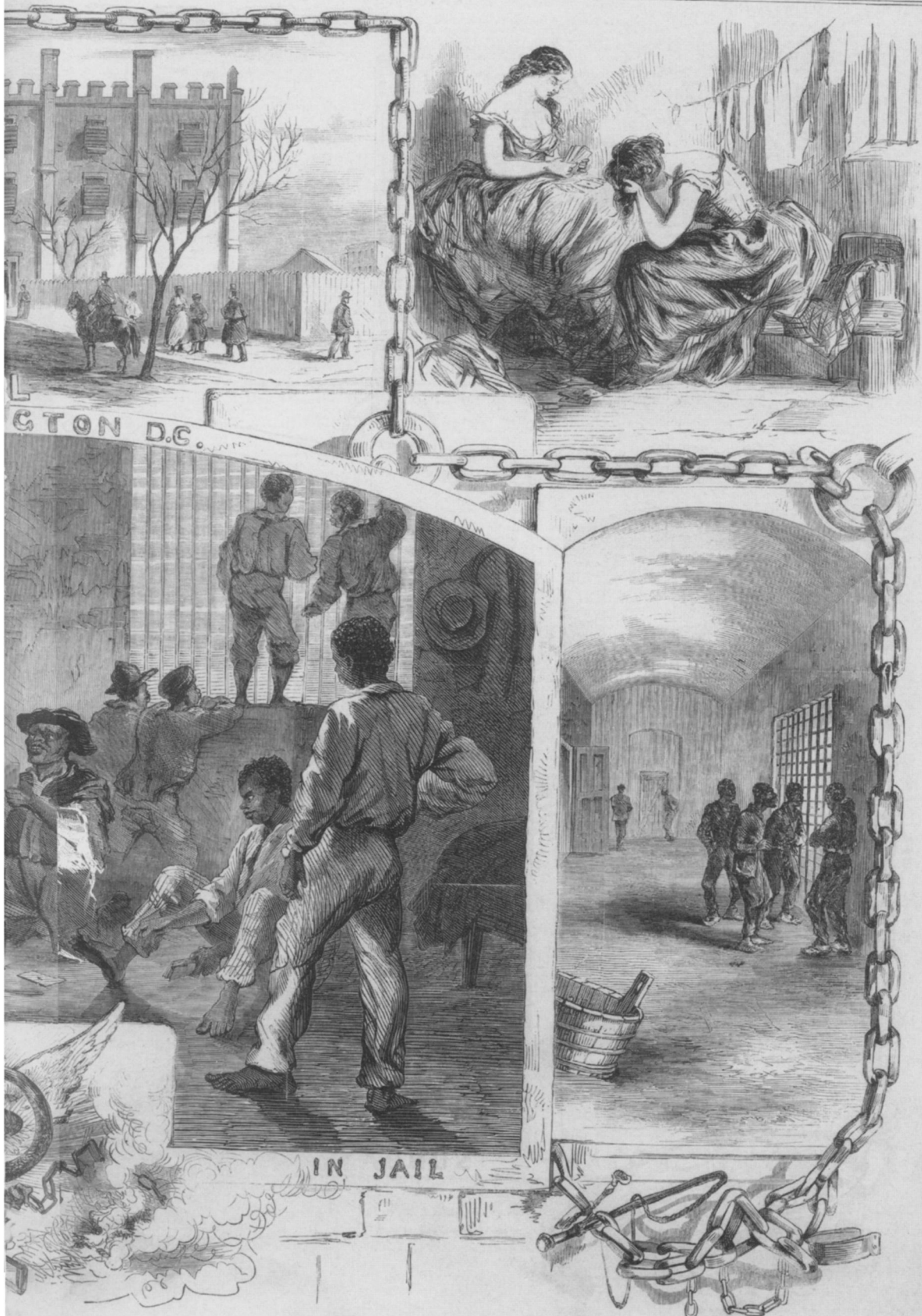
While Lincoln sought to convince Delaware politicians of the wisdom of emancipation, Congress seized the moment. Members of the Committee for the District of Columbia had become involved in investigating the abuses at the city jail, which Lincoln's close friend, Ward Hill Lamon, controlled as District marshal. Lincoln had appointed Lamon to the position, but his old friend came under attack for failure to properly supervise personnel at the jail. When Congress attempted to investigate the charges leveled against him and the jailors, Lamon tried to block their access to the facility by requiring visitors to secure special permits.³⁵ Despite such tactics, the committee vigorously pursued the investigation. Its findings confirmed widespread physical abuse of inmates, some of whom were fugitives from rebel owners. The committee also found evidence that persons were being held as fugitives after it had been determined that they were actually free. The intense scrutiny convinced Lamon to tender his resignation, but Lincoln refused to accept it.³⁶

In the midst of the Lamon affair, Congress pressed forward in its campaign against slavery in the District. In December 1861, Massachusetts senator Henry Wilson, a stalwart advocate of freedom, introduced a bill "for the

Overleaf: From Secrets of the Prison-House, 1861. The city jail, known locally as the "blue jug," was the scene of much suffering and abuse of enslaved people who had run away from their owners. Library of Congress.



Senator Morton's Washerwoman,
Gateway of Corridor.



INGTON D.C.

IN JAIL

The Witness and Criminal, Corridor of Jail.

SKETCHES MADE ON THE SPOT BY OUR SPECIAL ARTIST, MR. A. LEMLEY.—SEE PAGE 85.



Illinois senator and long-time friend and confidant of the president Orville Browning recalled Lincoln's disappointment that the District Emancipation Bill did not provide for gradual emancipation. Library of Congress.

Release of certain Persons held to Service or Labor in the District of Columbia." The final bill, after modification, stipulated,

That all persons held to service or labor within the District of Columbia by reason of African descent are hereby discharged and freed of and from all claim to such service or labor; and from and after the passage of this act neither slavery nor involuntary servitude, except for crime, whereof the party shall be duly convicted, shall hereafter exist in said District.³⁷

The emancipated person would receive a certificate of freedom upon payment of a small fee.

Slaveholders had ninety days to submit applications for compensation for loss of their

property. In order to receive such compensation, they had to provide an oath of loyalty to the Union and descriptive information concerning each slave they held. The act charged the president with appointing three commissioners who "shall investigate and determine the validity and value of the claims therein presented . . . and appraise and apportion" the amount of compensation. The commissioners were authorized to award, on average, no more than \$300 for each slave emancipated. Those owners found to be disloyal to the government would have their claims denied.³⁸ Congress allocated one million dollars for its emancipation plan and another hundred thousand for the voluntary colonization of the freed people outside of the United States. Finally, the District Emancipation Bill repealed those laws that had supported the institution of slavery.³⁹

Opposition to this perceived radical legislation had been fierce. Although the absence of representatives from the Confederate states facilitated its passage, anti-abolition elements still remained to shape congressional debate. Border state representatives were especially vociferous in their objections, but certain northern congressmen, even more moderate members of the Republican Party, questioned the merit of freeing District slaves. Their concerns were manifold. Some challenged the idea that Congress had any constitutional right to abolish slavery anywhere in the country, even the District or the western territories. Border state representatives imagined (correctly, it turned out) that abolition in the District would signal the death knell of slavery in their own states. Maryland's proximity to the nation's capital led its representatives to believe (also correctly) that a free District of Columbia would prove to be an irresistible draw to the state's own slaves. Northern Democrats and Republicans alike were concerned that abolition would lead to greater emigration to their states, a possibility that even some proponents of emancipation anticipated with a degree of trepidation.⁴⁰

The concerns of congressional representa-

tives matched the worries voiced by the local population. Despite slavery's steady decline over the years, white District residents generally could not be counted among the abolitionist ranks. Since they had no political voice in Congress, they protested through their newspapers and town council representatives. They were especially troubled by the effort to "deprive them of their property without a fair equivalent," since they viewed the \$300 average compensation as a paltry amount. District residents also objected to being burdened with the support of freed people who, they believed, would become indigent and incapable of caring for themselves. They argued that the resulting tensions would lead to a worsening of race relations in the District.⁴¹

Opposition to the bill was strong enough to garner considerable support for an amendment compelling those freed by it to consent to colonization outside of the United States. The proposed amendment was introduced by Kentucky senator Garrett Davis, who sought to defeat the bill by presenting its advocates with an unsupportable stipulation. The ploy was defeated, but only after Vice President Hannibal Hamlin broke a nineteen-to-nineteen tie.⁴²

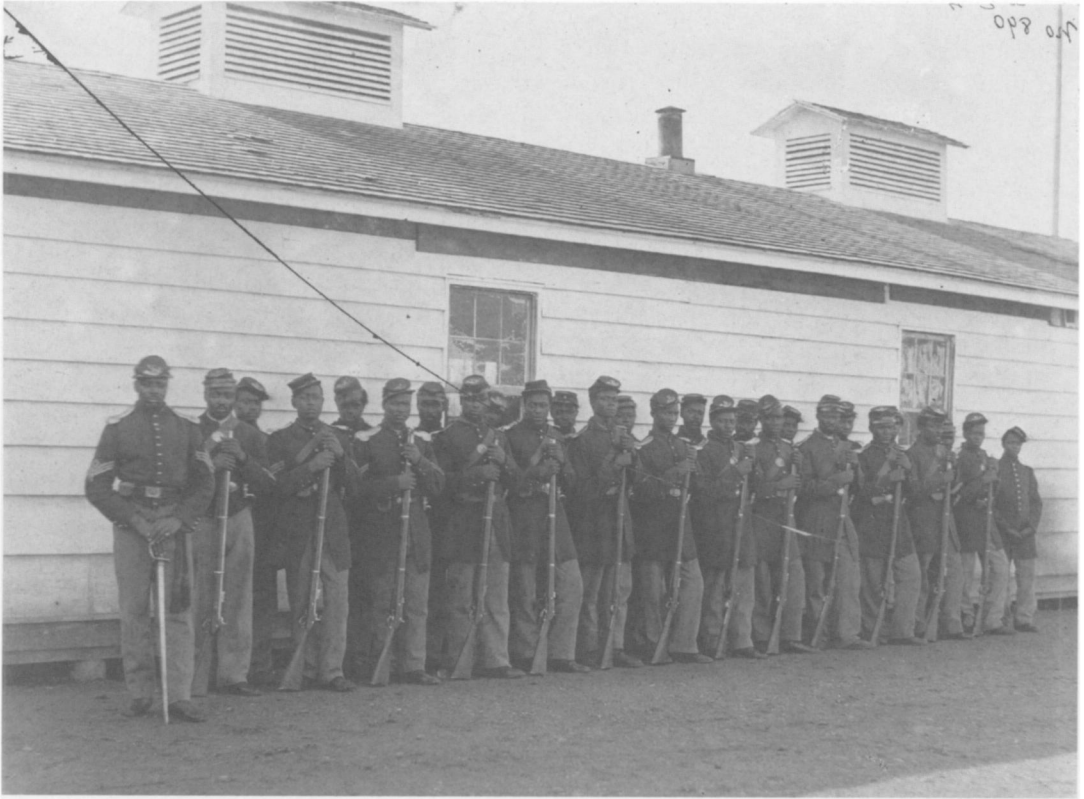
The bill Lincoln signed on April 16 was not the emancipating document for which he had hoped. There were "matters within and above this act," he wrote, "which might have taken a course or shape, more satisfactory to my judgment."⁴³ Although he declined to outline his objections in his letter to Congress, he shared his concerns with Orville Browning in the two-day period that the unsigned bill lay on his desk. According to Browning, Lincoln said that he "regretted the bill had been passed in its present form—that it should have been for gradual emancipation—that now families would at once be deprived of cooks, stable boys, &c and they of their protectors without any provision for them."⁴⁴

Doubtless, Lincoln chafed at the idea that District residents were denied the opportunity to vote the idea up or down. Although he

acknowledged Congress's authority in matters pertaining to the nation's capital, his fierce devotion to constitutional guarantees would not permit him to fully accept congressional action without the consent of the local population.

Yet Lincoln could take pleasure in certain measures outlined in the bill.⁴⁵ It provided for compensation, even if slaveholders considered the amount unsatisfactory, and its provision for voluntary colonization was consistent with the president's long-held opinion that whites and blacks both would be better off if the latter found homes elsewhere. Successful implementation of such a plan by Congress would strengthen his ongoing effort to get the border states to emancipate. He believed that if he could assure them that they could solve any potential racial problems attending emancipation by simply encouraging black people to start over in a society that accepted them, or one that they could shape and control themselves, the border states might be more amenable to striking a blow against slavery. To that end, Lincoln urged use of the appropriation for black removal that Congress had approved in the District Emancipation Bill. The money was to defray the cost of "settlement of such free persons of African descent now residing in said District . . . as may desire to emigrate to the Republics of Hayti or Liberia, or such other country beyond the limits of the United States as the President may determine."⁴⁶

By this time Lincoln was already working on the question of emancipation in the Confederate states. In August, Lincoln met with a committee of five black men, all but one of whom was newly emancipated. They had come to the White House to listen to the president's argument for colonization. Lincoln deemed the two races incompatible and blamed "the institution of Slavery and the colored race as a basis" for the war.⁴⁷ Moreover, he sought to persuade the men that there was no future for them in America. "Even when you cease to be slaves, you are yet far removed from being placed on an equality with the white race," he



After the Emancipation Proclamation authorized the use of black men as soldiers, units such as the 4th U.S. Colored Infantry helped win the war for the Union and secure black freedom. Library of Congress.

argued. “Not a single man of your race is made the equal of a single man of ours.”⁴⁸

Some have argued that Lincoln’s encouragement of blacks to accept colonization was nothing more than an attempt to prepare white Americans for broader, more revolutionary action. Indeed, while the main thrust was to issue an ultimatum to the Confederate states—return to the Union or face loss of slave property—his preliminary proclamation, unveiled to the public on September 22, 1862, stated his intention to recommend that Congress provide aid to any state wishing to adopt either immediate or gradual emancipation. Colonization was a feature of his plan as well.

By the time Lincoln issued his final Emancipation Proclamation a hundred days later, the undeniable realities attending war and dis-

union had compelled him to modify the acceptable “conditions” under which black people would be freed. “Military necessity” dictated that he abandon gradual abolition. Gone, too, was the insistence on local support of emancipation. Confederate owners, whose slaves the president now freed through the War Powers clause of the Constitution (which grant the president as commander-in-chief in time of rebellion the authority to seize and or destroy the property of enemy or friend when such action helped the cause), had by their own hands simultaneously empowered Lincoln to take action and abrogated their right to be heard. Loyal border state owners, whose property he could not touch legally, had refused his overtures. Lincoln had dropped the idea of “voluntary deportation” as well. Most African Ameri-



African Americans in the city celebrate their freedom in Franklin Square four years after the District of Columbia Emancipation Act ended slavery in the nation's capital. Library of Congress.

cans would have none of it. Black support of the Union in the form of service rendered by nearly 200,000 men in uniform strengthened the belief among the former slaves and the free-born that African Americans had earned the indisputable right to remain in the country of their birth.

Although it fell short of his definition of “some satisfactory way,” emancipation in the

District of Columbia encouraged Lincoln to move forward with a bolder plan for the Confederacy. The Emancipation Proclamation, in turn, provided the momentum that ultimately secured black freedom throughout the South. By the end of the war, nearly four million joined Nicholas as human beings entitled to take their place among free men and women across the land.

 NOTES

1. Dorothy S. Provine, *Compensated Emancipation in the District of Columbia, Petitions Under the Act of April 16, 1862* (Westminster, Md.: Heritage Books, 2005), 112.
2. *Ibid.*
3. See Allen C. Guelzo, *Lincoln's Emancipation Proclamation: The End of Slavery in America* (New York: Simon and Schuster, 2004), 282, n53.
4. Orville Hickman Browning, *The Diary of Orville Hickman Browning*, edited with introduction and notes by Theodore Calvin Pease and James G. Randall, 2 vols., Volume 1, 1850–1864 (Springfield: The Trustees of the Illinois State Historical Library, 1925–33), 541. Microfiche.
5. "Letter to the Senate and House of Representatives, April 16, 1862," in Roy P. Basler, ed., *Abraham Lincoln: His Speeches and Writings* (New York: Da Capo Press, 1990), 640.
6. For a discussion of recent studies on Lincoln and emancipation, see Lerone Bennett, *Forced into Glory: Abraham Lincoln's White Dream* (Chicago: Johnson, 2000); Guelzo, *Lincoln's Emancipation Proclamation*; Harold Holzer, Edna Greene Medford and Frank Williams, *The Emancipation Proclamation: Three Views* (Baton Rouge: Louisiana State University Press, 2006); and Burrus Carnahan, *Act of Justice: Lincoln's Emancipation Proclamation and the Law of War* (Lexington: University Press of Kentucky, 2007).
7. *Recollected Words of Abraham Lincoln*, compiled by Don E. and Virginia Fehrenbacher (Palo Alto: Stanford University Press, 1996), 7.
8. Provine, *Compensated Emancipation*, 3.
9. *Ibid.*, 3–4.
10. William Still, *The Underground Railroad: A Record of Facts, Authentic Narratives, Letters, Etc.* (Philadelphia: Porter and Coates, 1872), 391.
11. *Ibid.*, 391–92.
12. *Ibid.*, 509.
13. *Ibid.*, 413.
14. Ernest B. Furgurson, *Freedom Rising: Washington in the Civil War* (New York: Alfred A. Knopf, 2004), 100.
15. *Ibid.*, quoting a broadside titled "Slavery and the Slave Trade in the District of Columbia."
16. "The Repeal of the Missouri Compromise and the Propriety of Its Restoration: Speech at Peoria, Illinois, in Reply to Senator Douglas, October 16, 1854," in *Abraham Lincoln: His Speeches and Writings*, 289.
17. Washington became the focus of abolitionist agitation because it was the nation's capital—the seat of freedom and democracy—and because Congress had authority over the city; hence, it could abolish slavery there if it so chose.
18. Stanley Harrold, *Subversives: Antislavery Community in Washington, D.C., 1828–1865* (Baton Rouge: Louisiana State University Press, 2003), 118–21.
19. Mary Kay Ricks, *Escape of the Pearl: The Heroic Bid for Freedom on the Underground Railroad* (New York: William Morrow, 2007), 201.
20. Quoted in David Herbert Donald, *Lincoln* (New York: Simon and Schuster, 1995), 135.
21. *Ibid.*, 135–36.
22. "Remarks and Resolution Introduced in the United States House of Representatives Concerning Abolition of Slavery in the District of Columbia," January 10, 1849, in Roy P. Basler, ed., *The Collected Works of Abraham Lincoln*, 8 vols. (New Brunswick, N.J.: Rutgers University Press, 1953), 2:20.
23. "Remarks to Border-State Representatives Asking Approval of Compensated Emancipation, July 12, 1862," in *The Words of Abraham Lincoln: Speeches, Letters, Proclamations, and Papers of Our Most Eloquent President*, ed. Marin Lubin (New York: Leventhal Publishers, Inc., 2005), 340–42. See also, "Second Annual Message to Congress, December 1, 1862," 380–81.

24. *Collected Works*, 1:74–75.
25. *Abraham Lincoln: His Speeches and Writings*, 291.
26. *Ibid.* 315.
27. *Ibid.* 292.
28. Rodney O. Davis and Douglas L. Wilson, eds., *The Lincoln-Douglas Debates* (Urbana: University of Illinois Press, 2008), 48.
29. *Ibid.*
30. Edna Greene Medford, “Abraham Lincoln and Black Wartime Washington,” *Annual Lincoln Colloquium: Papers from the Thirteenth and Fourteenth Annual Lincoln Colloquia* (Springfield, Ill.: Lincoln Home Historic Site, 2000), 119. See also, Melvin R. Williams, “A Blueprint for Change: The Black Community in Washington, D.C., 1860–1870,” *Records of the Columbia Historical Society* 48 (1972): 370–71.
31. Margaret Leech, *Reveille in Washington: 1860–1865* (Westport, Conn.: Greenwood Press, 1941), 249.
32. Lieutenant Colonel Schuyler Hamilton to Brigadier General Irvin McDowell, Washington, July 16, 1861, in *The War of the Rebellion: A Compilation of the Official Records of the Union and Confederate Armies*, Series II, Vol. 1 (Washington: Government Printing Office, 1894), 760.
33. Medford, “Abraham Lincoln and Black Wartime Washington,” 120–21.
34. See Holzer, Medford, and Williams, *The Emancipation Proclamation*, 14.
35. House Committee for the District of Columbia, *Visitors to the Jail in the District of Columbia*, 37th Cong., 2d sess., 1862, H. Rep. 11.
36. Ward Hill Lamon, *Recollections of Abraham Lincoln, 1847–1865* (Chicago: A. C. McClurg, 1895), 252.
37. “The District of Columbia Emancipation Act,” National Archives and Records Administration, http://www.archives.gov/exhibits/featured_documents/dc_emancipation_act, Section 1.
38. *Ibid.*, Section 2 and 3.
39. *Ibid.*, Section 12.
40. Guelzo, *Lincoln’s Emancipation Proclamation*, 85–86. See also Page Milburn, “The Emancipation of the Slaves in the District of Columbia,” *Records of the Columbia Historical Society* 16 (1913): 103–5.
41. *Ibid.*
42. Guelzo, *Lincoln’s Emancipation Proclamation*, 85.
43. “Letter to the Senate and the House of Representatives,” April 16, 1862, *Abraham Lincoln: His Speeches and Writings*, 640.
44. Orville H. Browning, *Diary*, 541.
45. Letter to the Senate and the House of Representatives,” April 16, 1862, *Abraham Lincoln; His Speeches and Writings*, 640.
46. “The District of Columbia Emancipation Act,” Section 11, April 16, 1862.
47. “Address on Colonization to a Deputation of Negroes,” August 14, 1862, *Collected Works*, 5: 371–72.
48. *Ibid.*, 5:372.