

**Chapter 10 (11-01-11)**  
**Indiana's Emancipation Proclamation**

What was Davis Floyd's most significant contribution  
to the history of Clark County, Indiana

As previously noted several laws were enacted by the Indiana Territorial General Assembly between 1805 and 1807. These laws included (1) an Act concerning the introduction of Negroes and Mulattoes into the Territory enacted on August 26, 1805, (2) an Act concerning Servants enacted on September 17, 1807, and (3) an Act concerning the introduction of Negroes and Mulattoes into the Territory enacted on September 17, 1807. It is disputed whether any of these laws were adopted by a majority vote of both houses of the General Assembly.

Abraham Lincoln's Emancipation Proclamation consisted of two executive orders in 1862 and 1863, respectively, that purported to free the slaves in the slave states. There were two great documents in the Indiana Territory that came fifty-five years earlier in the years 1807 and 1808 that ended the legal battle for slavery in the Territory. They emanated from the actions of an 1807 Clark County Anti-slavery Committee and from the 1808 actions of a committee in the Indiana Territorial House of Representatives to whom petitions on the slavery question had been referred.

**1807 Clark County Anti-slavery Counter-Petition**

The 1807 anti-slavery counter-petition is probably the greatest document issued by the Citizens of Clark County, Indiana, in its entire history. The document read as follows:

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**At numerous meeting[s] of the citizens of Clark county in Springville,  
(agreeably to notice previously given,) on Saturday, the 10<sup>th</sup> day of**

October, 1807, for the purpose of taking into consideration the resolutions passed at the last session of the Legislature of the Indiana Territory, praying the Congress of the United States to suspend for a certain time the sixth article of compact, contained in the ordinance, Mr. John Beggs was chosen chairman, and Davis Floyd, secretary. On motion,

*Ordered*, That a committee of five suitable persons be appointed to draught and report to this meeting, a memorial to Congress, in opposition to the resolutions of the Legislature of the Indiana Territory on the subject of slavery in this Territory, by the suspension of the sixth article of compact contained in the ordinance.

And the said committee was appointed of Messrs. Abraham Little, John Owens, Charles Beggs, Robert Robertson, and James Beggs.

Mr. Little from the aforesaid committee reported a memorial, pursuant to the aforesaid order, in the words and figures following, viz:

To the Senate and House of Representatives of the United States in Congress assembled:

The memorial of the citizens of Clark county, humbly showeth that great anxiety has been, and still is, evinced by some of the citizens of this Territory, on the subject of the introduction of slavery into the same; but in no case has the voice of the citizens been unanimous. In the year 1802, at a special convention of delegates from the respective counties, a petition was forwarded to Congress to repeal the sixth article of compact contained in the ordinance; but the representation of all that part of the Territory east of Vincennes were present, and were decidedly opposed to that part of the petition. [Bold words added for emphasis.]

In the year 1805, the subject was again taken up and discussed in the General Assembly, and a majority of the House of Representatives voted against said memorial on the aforesaid subject, and, consequently the memorial was rejected, as the journals of that house doth sufficiently evince; but a number of citizens thought proper to sign the same, and amongst the rest, the Speaker of the House of Representatives and the President of the Council (though the President of the Council denies ever having signed the same;) and, by some legislative legerdemain it found its way into the Congress of the United States, as the legislative act of the Territory. In the present year of 1807, the subject was again taken up by the Legislature of this Territory, and a majority of both Houses of passed certain resolutions

(in the proportion of two to one) for the purpose of suspending the sixth article of compact contained in the ordinance, which we presume are before your honorable body. But let it be understood that in the Legislative Council there were only three members present, who, for certain reasons, positively refused to sign the said resolutions; and they were reduced to the last subterfuge of prevailing on the president to leave his seat, and one of the other members to take it as president *pro tem.*, for the purpose of signing the said resolutions. Whether this be right or wrong, judge ye. And although it is contended by some, that, at this day, there is a great majority in favor of slavery, whilst the opposite opinion is held by others, the fact is certainly doubtful. But when we take into consideration the vast emigration into this Territory, and of citizens too, decidedly opposed to the measure, we feel satisfied that, at all events, Congress will suspend any legislative act on the subject, until we shall, by the constitution be admitted into the Union, and have a right to adopt such a constitution, in this respect, as may comport with the wishes of the majority of the citizens. [Bold words added for emphasis.]

As to the propriety of holding those in slavery whom it hath pleased the Divine Creator to create free, seems to us to be repugnant to the inestimable principles of a republican Government. Although some of the States have, and do hold slaves, yet it seems to be the general opinion, even in those States, that they are an evil from which they cannot extricate themselves. As to the interest of the Territory, a variety of opinions exist [sic]; but suffer your memorialists to state that is a fact that a great number of citizens, in various parts of the United States, are preparing and many have actually emigrated to this Territory, to get free from a government which does tolerate slavery. The toleration of slavery is either right or wrong; and it is inconsistent with the principles upon which our future constitution is to be formed, your memorials will rest satisfied that at least this subject will not be by them taken up until the constitutional number of the citizens of this Territory shall assume that right. It is considered useless for your memorialists to recapitulate the many reasons and objections which might be advanced, relying that this subject is fully and fairly understood by your honorable body as it relates to the natural right, policy and prosperity of a free and independent nation. On motion,

*Resolved*, That the chairman be requested to forward duplicate copies of these proceedings, (signed by the said chairman, and countersigned by the secretary,) one to the Vice President of the United States or President of the Senate *pro tem.*, and one to the Speaker of the House of Representatives in the Congress of the United States.

**By order of the meeting,  
John Beggs, Chairman**

**Attest: Davis Floyd, Secretary**

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Dunn, "Slavery Petitions and Papers," *Indiana Historical Society Publications* Volume 2, pp. 518-520.

The counter-petition was signed by John Beggs, Chairman, and countersigned by Davis Floyd, Secretary. It is unknown who wrote the counter-petition. But it is known that Beggs as a member of the House of Representatives in 1807 and Floyd as a member of the House in 1805 and 1806 and Clerk of the House in 1807 would have personal knowledge of the allegations cited in the counter-petition.

The first allegation was that the petition adopted in 1802 by the convention called by Governor Harrison in that year was opposed by all of the delegates east of Vincennes. As previously mentioned it is likely that the citizens of Clark County filed a counter-petition with Congress in February 1803 opposing the aforementioned pro-slavery petition. On March 2, 1803 a strong adverse report was issued by John Randolph, a Virginian and the Republican leader in the U. S. House of Representatives. Randolph said "that the growth of [the State of] Ohio clearly showed that slave labor was not necessary for the settlement of that region, and that to grant the prayer would be highly inexpedient and dangerous." Congress took no action on the petition.

Gov. Harrison and the two judges who administrated the Territory during the grade one period passed a law in 1803 legalizing voluntary servitude although voluntary servitude was not outlawed by the Ordinance of 1787. The law was copied from a Virginia law. The counter-petition did not mention this law probably because it was passed during the grade one period of the Territory and the Governor and the two judges had acted legally in adopting it especially since it was an attempt to treat slaves as voluntary servants.

The second allegation was that a majority of the House of Representatives voted against the 1805 proslavery petition, that the journals of the House showed its rejection, and that the President of the Council denied that he had even signed the petition. The third allegation was that while a majority of both houses passed the 1807 proslavery resolution, only three members of the Legislative Council were present and they refused to sign it and the president of the Legislative Council stepped down so that Gwathmey could sign it. The Clark County Anti-slavery Committee was saying that the 1805 resolutions favoring slavery never passed and the 1807 resolutions also favoring slavery were adopted by some "subterfuge" or deception. The Clark County Anti-slavery Committee did not attack the 1805 law and the two 1807 laws possibly because they did not know in October 1807 that they had been submitted or approved.

### **1807 U. S. Congressional Committee Report Disfavoring Slavery**

Apparently the Clark County Anti-Slavery Committee report had its intended effect on Congress because on November 13, 1807, the Senate committee to whom this issue was submitted made its judgment. It read as follows:

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**Mr. Franklin, from the committee to whom was referred the representation and resolution of the Legislative Council and House of Representatives of the Indiana Territory, bearing date the 13<sup>th</sup> of July, 1807; and, also, the remonstrance of the citizens of Clark county, of the Territory aforesaid, reported:**

**The Legislative Council and House of Representatives, in their resolutions, express their sense of the propriety of introducing slavery into their Territory, and solicit the Congress of the United States to suspend, for a given number of years, the sixth article of compact, in the ordinance for the government of the Territory, northwest of the river Ohio, passed the 13<sup>th</sup> day of July, 1787. That article declares: "There shall be neither slavery nor involuntary servitude in the said Territory."**

**The citizens of Clark county, in their remonstrance, express their sense of the impropriety of the measure, and solicit the Congress of the United States not to act on the subject so as to permit the**

**introduction of slaves into the Territory; at least until their population shall entitle them to form a constitution and State Government.**

**Your committee, after duly considering the matter, respectfully submit [sic] the following resolution:**

***Resolved, That it is not expedient at this time to suspend the sixth article of compact, for the government of the Territory of the United States northwest of the river Ohio.***

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See American State Papers, Miscellaneous, Volume 1, 1789-1809, No. 229 at p. 484.

Jesse Franklin was a Democratic-Republican Southerner in the U. S. Senate at the time of this committee report. He represented the State of North Carolina.

At this point in time two Congressional committees had opposed any alteration of Article 6 and three favored a change. The citizens of Clark County got results each time they filed a counter-petition with Congress (1803 and 1807). However, Congress took no action on any of the committee reports. Of course, no action represented the continuation of the status quo which meant that Article 6 remained the law of the Indiana Territory. Up to this time who were the men who led the battle against slavery in the Territory? It is likely that Charles Beggs and John H. Wood led the battle against slavery in the 1802 convention as Clark County's representatives to that convention; Floyd may have been there also. It is known that the Beggs brothers (John, Charles, and James) and Floyd were the prime movers of the 1807 counter-petition against slavery, or remonstrance as it is referred to in the committee report. It is known that other Clark County men including Abraham Little, John Owens, and Robert Robertson were members of the anti-slavery committee who sent the 1807 counter- petition to the U. S. Senate and House of Representatives.

### **1808 Illinois Country Anti-Slavery Counter-Petition**

An anti-slavery counter-petition was forthcoming from the people of the Illinois and was referred to the U. S. Senate and House of Representatives on April 6, 1808. It recited in part as follows:

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**Fourthly, That knowing all involuntary servitude to be forbidden in the Territory by the solemn Ordinance of 1787 he [Governor Harrison] has sanctioned a Law permitting the Master of a slave who may be brought into the said Territory to apply to the Clerk of the Court and get said slave indented as a servant for any term of years he pleased, and providing that in case the slave should refuse to enter into indenture for the time required the master might take him back and dispose of him as he chose;--a Law which may properly be entitled "A Law for the Establishment of disguised slavery in opposition to the National Will"--**

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Carter, *The Territorial Papers of the United States*, Volume VII, p. 547.

### **Gov. Harrison's Letter to Pres. Jefferson**

On July 16<sup>th</sup>, 1808 Gov. Harrison sent a letter to Pres. Jefferson regarding Floyd in part. That part recited:

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**Until a few months ago I have believed that Davis Floyd was no farther engaged in Burrs Conspiracy than he acknowledged to have been in the Statement he made after his return & which was forwarded by me to the Secretary of State in the Spring of 1807. I have lately however discovered that besides the circumstances mentioned by Mr. Poindexter in his Testimony on Burrs Trial--He knew that there was a Connection between the latter & the British Government. He now acknowledges that Burr told him that he was to receive a large sum of money from the British Minister.**

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Esarey, *Messages and Letters of William Henry Harrison*, Vol. I, Indiana Historical Commission, Indianapolis 1922, pp. 297-298.

### **Badollet Predicts Changes**

On August 8, 1808, Badollet made the following statement in a letter to Gallatin:

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**It is Ewing and I have made a stand against the deception practiced upon the public in relation to Slavery, this business will wear another appearance before long. His most excellent Excellency [Harrison] does not thank us for our opposition and having found out that the real, though not the ostensible object of the leaders in the scheme of the second grade of Government was the introduction of Slaves.**

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Thornbrough, *The Correspondence of John Badollet and Albert Gallatin 1804-1836*, p. 103.

Nathaniel Ewing was a friend of Badollet and was the receiver in Badollet's Vincennes Land Office.

### **1808 Bill to Repeal 1805 Law concerning the Introduction of Negroes and Mulattoes in the Indiana Territory**

On October 19, 1808, a bill to repeal the 1805 law concerning the Introduction of Negroes and Mulattoes in the Indiana Territory was read three times in the House of Representatives and passed. However, when the bill came before the Legislative Council five days later it failed to pass the first reading. The 1805 law remained on the books until 1810 when James Beggs who was president of the Legislative Council cast the deciding vote repealing the 1805 law. The latter information is based on a story handed down in Begg's family. Apparently, the *Journals* for that year failed to survive. No apparent action was ever taken on the 1807 laws maybe because everyone assumed they were never legally adopted.

### **General Washington Johnston and His 1808 Antislavery Committee Report**

The person of General Washington Johnston has been previously mentioned as an anti-slavery man. Johnston was not a military general; his given name was "General Washington." He was born in Culpepper County, Virginia, in 1776, near where General George Washington lived. Johnston had come to Vincennes in 1793. He was its first lawyer, its first postmaster in 1800, and was elected to the Territorial House of Representatives for the 1807 and 1808 sessions. Most



important his sister had been married to Floyd since 1794. Although nothing is known about Johnston's ant-slavery sentiments prior to December 17, 1808, there is no doubt that he and Floyd discussed the issue many times. On December 17, 1808, Johnston published in the *Vincennes Sun* an antislavery report in his capacity as the chairman of a House Committee to whom petitions on the slavery question had been referred. The report read as follows:

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**The Report of General W. Johnston**  
**Chairman of the Committee to Which the Petitions**  
**on the Slavery Question Had Been Referred**

**After a struggle of seven years in the inhabitants of this portion of the British Empire in America found themselves in possession of independence as a nation and in this institution they adopted they secured the enjoyment of a degree of personal liberty utterly unknown to any other government; but an unfortunate circumstance darkened the cheering prospect. In every state, but especially in the Southern section of the Union, an oppressed race of man supplied by a most inhuman trade, portended the most serious evils to the American nation. Sensible that slavery, in a country where liberty was deservedly so dear and had been purchased at so high a price, presented a feature of deformity not to be justified, every state hastened to put an end to the horrid traffic; those states which could do it without danger abolished slavery altogether; and those which from the great number of their negroes could not with a due regard to their safety follow at once the dictates of justice and humanity, enacted laws for the protection of that class of men and their gradual emancipation. When the North Western Territory was ceded by Virginia to the United States, Congress obeyed the impulse of justice and benevolence, endeavored to prevent the propagation of an evil which they could not totally eradicate, by enacting in the ordinance which forms our constitution that there shall be neither slavery nor involuntary servitude in the Territory, otherwise than etc.**

**The law of the Territory entitled an act concerning the introduction of negroes and mulattoes into the Territory, makes it lawful for an holder of slaves to bring them into the Territory and to keep them therein during sixty days, during which period the negroe is offered the alternative of either signing an indenture by which he binds himself for a number of years, or of being sent to a slave state or**

Territory there to be sold. The natural inference from this statement forces itself upon the mind that the slave thus circumstanced is held in involuntary servitude, and that the law permitting such proceedings is contrary both to the spirit and letter of the ordinance and that therefore it is unconstitutional--your committee might add that the most flagitious abuse is made of that law; that negroes brought here are commonly forced to bind themselves for a number of years reaching or extending the natural term of their lived, so that the condition of those unfortunate persons is not only involuntary servitude but downright slavery--it is perhaps unnecessary to advert to the novel circumstances of a person under extreme duress of a slave becoming a party to a contract, parting with himself and receiving nothing.

1st. That slavery though in itself unjust might nevertheless be tolerated from reasons of expediency is a point which your committee do not feel themselves at liberty to concede. They are firmly fixed in the persuasion that what is morally wrong can never by expediency be made right--such a pliable doctrine if generally admitted would soon line our highways with banditti, our streets with foot pads, and fill our exchange alleys with swindlers; but policy itself forbids the measure. With respect to population, the great and more compact population of the Middle and Eastern States, compared to that of the Southern States, justifies the expectation that emigration will proceed more from the first than the last. This observation will be rendered conclusive by this fact, that the State of Virginia, older and larger than Pennsylvania, contains a body of militia of sixty odd thousand men, while Pennsylvania actually musters ninety odd thousand men.

2nd. With respect to the spirit of enterprise and internal improvements, your committee cannot trespass upon the time of the House by entering minutely into the elucidation of this important subject, on which very erroneous opinions have been entertained. They will only observe that a general view of the different states of the Union, and of their respective means of prosperity and importance will soon convince the impartial enquirer that the hand of freedom can best lay the foundation to raise the fabric of public prosperity. The old states north of Maryland, without one single precious commodity, exporting nothing but bulky articles, present every where the spectacle of industry and animation. The style of their agriculture is superior; their mills, bridges, roads, canals, their manufactures, are in point of number without a parallel in the Southern states, and they, besides other parts of the world, export to those states manufactured commodities to a large amount annually. On the subject of public improvements we will beg leave to refer the House to a document laid before Congress on the subject of roads and canals. The state of Ohio

furnishes us with a case in point which aptly illustrates the tow foregoing observations. In the short space of a few years our eyes witness growing into importance, where but a little while before Indian hordes and savage beasts roamed without control, farms, villages, towns, multiplying with a rapidity unprecedented in the history of new settlements; the same cause will produce the same effects. The exertions of the free man who labors for himself and family must be more effectual than the faint efforts of a meek and dispirited slave whose condition is never to be bettered by his incessant toils. The industrious will flock where industry is honorable and honored, and the man of an independent spirit where equity reigns, and where no proud nabob can cast on him a look of contempt.

3d. With respect to the influence which the practice of slavery may have upon morals and manners; when men are invested with an uncontrolled power over a number of friendless human beings held to incessant labor; when they can daily see the whip hurrying promiscuously the young, the aged, the infirm, the pregnant woman, and the mother with her suckling infant to their daily toil; when they can see them unmoved shivering with cold and pinched with hunger; when they can barter a human being with the same unfeeling indifference that they barter a horse; part the wife from her husband, and unmindful of their mutual cries tear the child from its mother; when they can in the unbridled gust of stormy passions inflict cruel punishments which no law can avert or mitigate; when such things can take place, can it be expected that the mild of human kindness will ever moisten the eyes of men in the daily practice of such enormities, and that they will respect the moral obligations or the laws of justice which they are constantly outraging with the wretched negro. Their passions, never controlled, will break out in frequent quarrels, which will be decided with savage cruelty, and their manners will receive a tinge of repelling fierceness, which will be too often discernible where a proper education has not softened and expanded the heart and corrected the understanding. At the very moment that the progress of reason and general benevolence is consigning slavery to its merited destination, that England, sordid England, is blushing at the practice, that all good men of the Southern states repeat in one common response "*I tremble for my country when I reflect that God is just,*" must the Territory of Indiana take a retrograde step into barbarism and assimilate itself with Algiers and Morocco?

4<sup>th</sup>. With respect to its political effects, it may be worthy of enquiry how long the political institutions of a people admitting slavery may be expected to remain uninjured, how proper a school for the acquirement of republican virtues is a state of things wherein

usurpation is sanctioned by law, wherein the command of justice are trampled under foot, wherein those claiming the right of free men are themselves the most execrable of tyrants, and where is consecrated the dangerous maxim "that power is right." Your committee will here only observe that the habit of unlimited dominion in the slave-holder will beget in him a spirit of haughtiness and pride productive of a proportional habit of servility and despondence in those who possess no negroes, both equally inimical to our institutions. The lord of three or four hundred negroes will not easily forgive, and the mechanic and laboring man will seldom venture a vote contrary to the will of such an influential being. This question your committee have hitherto only considered in relation to the internal prosperity and happiness of the Territory, they cannot yet dismiss the subject without offering to this House two observations tending to prove that in relation to the United States the admission of slavery into this Territory is a measure which neither justice nor policy can justify. The negro holders can emigrate with their slaves into the extensive Mississippi Territory, the Territory of New Orleans, and the more extensive Louisiana. By opening to them the Territory of Indiana, a kind of monopoly of the United States land is granted to them, and the Middle and Eastern States as well as enemies of slavery from the South are effectually precluded from forming settlements in any of the Territories of the United States. Your committee respectfully conceive that the National Legislature can not with justice make such an unequal distribution (if they may be allowed the expression) of the lands with the disposal of which they are entrusted for the benefit of all, but especially of those states whose overflowing populations renders emigration necessary.

If we take a general survey of the geographical extent of the United States, we'll see with concern the system of slavery extending from the line of Pennsylvania and the Ohio river to the Floridas, and from the Atlantic to the Mississippi. By the purchase of Louisiana where it was found existing, it may spread to our indefinite extent North and West, so that it may be said to have received the most serious fears. By admitting it to Indiana, that is to say opening to it the vast tract of country lying between the state of Ohio, the river of that name, the Lakes, and the Mississippi, the comparative importance of the Middle and Eastern states, the real strength of the Union, is greatly reduced, and the dangers threatening the internal tranquility of the United States proportionably

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From the above reasons, and many others which might be adduced, your committee are of opinion that slavery cannot and ought not to be admitted into this Territory; that it is inexpedient to petition Congress for a modification of that part of the ordinance relative to slavery; and that the act of the Legislature of Indiana for the introduction of

negroes and mulattoes into the said Territory ought to be repealed, for which purpose they have herewith reported a bill.

Your committee are further of opinion that a copy of this report and a copy of one of the petitions upon which the same is predicated be immediately made out, signed by the Speaker of this House and attested by the Clerk, and forwarded by the ensuing mail to the Speaker of the House of Representatives of the United States, with a request that he will lay the same before Congress.”

Genl. W. Johnston.  
Chairman of Committee.”

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Philbrick, Frances S., *The Laws of Indiana Territory--1801-1809*, Illinois State Historical Library, Springfield, Illinois, 1931, Historical Bureau of the Indiana Library and Historical Department, Indianapolis, Indiana, pp. 522-527.

### **Badolett's 1809 Letter to Gallatin**

In a letter written to Gallatin on March 7, 1809, Badollet wrote the following paragraph to his friend:

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Vincennes March 7, 1809

I never shall be forgiven by some here for being an honest man, for having with Ewing and a few others began a plan of opposition to the introduction of Slavery, which a few men in high stations would fain have persuaded the public, was the wish of the majority. All deception and intrigues! I drew the Petition against Slavery & hastily the report of the Committee of the House of Rep. on the same. His excellency [Harrison] had the imprudence to attack Ewing & me on the subject with the rage of a despot, we repelled the attack with becoming decency & firmness, and are hated therefor! &c &c &c.

This is confidential--Fare you well Yours for ever

John Badollet

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Thornbrough, *The Correspondence of John Badollet and Albert Gallatin 1804-1836*, pp. 104-105.

What documents are Badollet writing about when he says “I drew the Petition against Slavery & hastily the report of the Committee of the House of

Representatives.” The footnote in Editor Thornbrough’s book refers to a Petition to the General Assembly enclosed in Badollet’s letter to Gallatin dated November 13, 1809. According to a footnote this petition was introduced and referred to the General Assembly on October 8, 1808. The petition reads as follows:

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**To The Council and House of Representatives of the Territory of Indiana in General Assembly Met--The Petition of sundry inhabitants of the Territory North West of Ohio most respectfully sheweth**

**That Congress guided by the enlightened, humane and consistent policy embracing not only the present but future interests of this portion of the Union, have in the Ordinance providing for the organization of the Territory North West of Ohio, enacted, that Slavery or involuntary servitude never should be admitted into said Territory.**

**That in evasion if not in manifest violation of said Ordinance a law has been passed introducing here a qualified Species of Slavery and such a law has received the sanction of the Executive the appointed guardian of that same Ordinance.**

**That repeated Petitions have been transmitted to the national Legislature expressing the wishes of the minority of the inhabitants on Indiana for a modification of the Ordinance so far as to admit Slavery into this Territory.**

**Your Petitioners have not been inattentive to these proceedings and though hitherto silent have not remained indifferent to their banefull tendency.**

**The poverty of the arguments adduced in support of the measure, was not calculated to create very serious allarms, but a continuance in a State of inaction on the part of your Petitioners would induce a belief abroad, that the sentiments avowed in the Petitions before mentioned are universally approved and would eventually deprive this fertile country of the active and interesting population of the middle and eastern States, who wish to fly from a system, which a melancholy experience of its innumerable evils, has taught them to detest. Your Petitioners deem it now incumbent upon him to undeceive the public and correct a general error.**

**Your Petitioners therefore prompted by a sense of sacred duty, beg leave to express in the most unequivocal manner, their disapprobation of and their determination to resist hence forward by**

every lawfull means, every attempt to introduce into this infant country a system attended with the most calamitous consequences-- A system outraging at once the laws of natural justice, the principles of our institutions, the maxims of sound policy, and the holy religion we profess. A system which has the most deleterious influence on the manners and morals of Society, which it intends to corrupt and brutalise, which debasing every kind of usefull industry drives the husbandman and mechanic to more congenial climes, and throws into the hands of the negroe-holder the wage of daily labour, only means of subsistence left to the poor-- A system which keeps every country afflicted with it in a permanent State of debility and fear; which makes our fields resound, not with voices animated by liberty and hope, but with the groans of the oppressed wretchedness, which converts power into right [?], familiarizes the mind with the idea of usurpation, which resting upon injustice begets daily new acts of injustice to uphold its hideous fabric, gives birth to the most iniquitous laws and sets principles and practice in constant opposition-- A system the consequences of which are deprecated by every benevolent mind, which is reprobated by every Statesman of the age & which all the enlightened patriots of the southern States never cease to deplore-- A system in fine which is advocated by none, but those who are either incapable, or whom contracted views of imaginary and present interest, render unwilling, to take a comprehensive and correct view of the subject.

Such being the sentiments of your Petitioners and their solicitude to avert that momentous evil, they respectfully approach your honourable body, with an earnest prayer, that the law before mentioned may be repealed, that no further step may be taken, to obtain from Congress the admission of the iniquitous system alluded to; and that no person may be delegated to the federal Legislature, but such as shall have given the most unequivocal assurance of his determination to oppose it.

Your Petitioners do not address you as supplicants, to call your attention to objects of a local, circumscribed, or subordinate nature; to the fleeting interests of a moment, theirs is of a far greater importance; the permanent prosperity, the happiness of this rising country. They feel a conscious pride, that their motives are contaminated by no alloy, their judgment perverted by no sordid views. They are aware of your constitutional powers, that to your honourable body appertains the right of decision, but they are also sensible, that on a question involving interest of such magnitude, your wisdom will not permit you to decide without duly weighing their reasons, their views and their motives.

**And your Petitioners as in duty bound will ever pray, &c.**

**A Copy Teste  
Wm Jones Clk. House of Representatives**

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Thornbrough, *The Correspondence of John Badollet and Albert Gallatin 1804-1836*, pp. 333-335; Carter, *The Territorial Papers of the United States*, Volume VII, pp. 603-605.

This petition in all probability is the petition against slavery drafted by Badollet. It was included in one of Badollet's letters to Gallatin. He also wrote that he hastily drafted the report of the Committee of the House of Representatives. Is the latter report the purported report of General Washington Johnston? There is no doubt that Badollet wrote this report for Johnston, to whom credit for the report has been almost universally given? This letter validates the authorship of the resolutions and report and perhaps diminishes Johnston's position as an anti-slavery hero.

### **1809 Harrison County Antislavery Petition**

Sometime in 1809 the citizens of Harrison County signed a petition which read:

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*To the Honourable Senate and House of Representatives of the United States in Congress Assembled*

**We your Petitioners Citizens of Harrison County Humbly beg leave to acquaint your Honourable Body that his Excellency William Henry Harrison has been recommended by six members of the House of Representatives and three of the Legislative Council of this Territory to be reappointed in his office. This we trust will not be considered as the voice of the People so far from it that we hope his Excellency may not be appointed and we give to your Honourable Body the following Reasons why he should not be appointed To Wit: on the 17<sup>th</sup> of September 1807 He approved a law for the Introduction of Negroes into this Territory: Which we firmly Believe to be a complete violation of the ordinance of Congress Passed on 13<sup>th</sup> of July 1787: And he still approves of; and advises the Introduction of Slaves**

**Not only this: He has been governor nine years, and as a rotation in office is considered the Basis of a Republican government, And that the governor of every State and Territory ought to Possess the**



**Confidence of the People. which cannot be expected unless the governor is of the same Sentiment of the People.**

**And it is well known that the Citizens have braved the dangers the great and many difficulties of settling this Territory. Being in principal opposed to Slavery having the most unbounded Confidenc in our government that Slavery in this land Shall never exist (unless for the punishment of crimes) We Humbly pray that a governor may be appointed who in Sentiment is opposed to Slavery. If this should be the Case; we will have peace and Harmony in our land. otherwise a Continual Conflict between the present governor and the People. Also we dread the future Consequences that the Citizens of this Territory who dearly loves the soil we cultivate) may be weaned from the government that we highly Respect. And we your Petitioners as in duty Bound do ever Pray &c &c**

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Clarence Edwin Carter, *The Territorial Papers of the United States*, Volume VII, The Territory of Indiana, 1800-1810, United States Printing Office Washington, D. C., 1939, pp. 703-704.

There is no evidence that either the U.S. House or the U.S. Senate received or acted upon this petition.

### **U.S. Congressional Committee Report for Dividing Indiana Territory**

Finding the sixth Congressional report referred to in author Dunn's final paragraphs in his book recited at the beginning of Chapter Five of this book is difficult because that report does not refer specifically to the slavery issue. But it has the antislavery issue written all over it. (See *American State Papers*, Miscellaneous, 1789-1809, Volume 1, No. 261 at p. 945). From Dunn's book, *Indiana A Redemption from Slavery*, the author says:

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**On December 2, [1808] a petition from the grand jury of St. Clair for the division of the [Indiana] Territory was presented; and on the 13<sup>th</sup> all these were referred to a committee composed of [Jesse B.] Thomas of Indiana.... On the 15<sup>th</sup> were received statistics and depositions as to the number of inhabitants of the Illinois country, and on the 16<sup>th</sup> a petition from Knox County against division. These were referred to the same committee. The pro-slavery people, divided in factions, stunned by the action of the legislature [Johnston's report], and certain that , if the consent of Congress to the introduction of slavery**

**could not be obtained by Parke [of Indiana] it would not be obtained by Thomas, sent in no petition....**

**An act for the division of the Territory was passed through both houses without difficulty, and approved on February 3, 1809.**

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*Dunn, Indiana A Redemption from Slavery, p.376.*

Jesse B. Thomas was a member of the Territorial House of Representatives from July 29, 1805, to October 24, 1808, and served as the Speaker of the House for all four sessions. He was from Dearborn County in the eastern-most part of the Territory. He was elected to the U.S. House of Representatives on October 24, 1808 and served in that capacity until the Illinois country became a separate Territory on March 1, 1809.

### **Development in the Indiana Territory during the Second Part of the Second Grade of Government (1807-1809)**

Between the end of the First Session of the Second General Assembly (1807) and the separation of the Illinois country from the Indiana Territory (1809), the anti-slavery forces literally won the battle against the suspension of Article 6 of the Northwest Ordinance of 1787. The sentiments expressed in the Clark County Anti-slavery Counter-petition and the report of Johnston's Committee of the House of Representatives on the slavery issue pervaded the young Territory and halted the legal spread of the evil institution in the Indiana Territory.

### **Books and references relied upon other than those cited in this chapter:**

None.

### **Images:**

None.