

Chapter 11 (11-01-11)

"Well Intentioned Men" John Badollet 1758-1837

Who were Indiana's "well intentioned men?"

The slavery issue was dead in Indiana in 1809. That did not mean that slave holders did not own and hold slaves in Indiana. It did mean an end to the attempts to nullify Article 6 of the Northwest Ordinance of 1787. Six times the issue of slavery was before Congress: 1803 when Virginian John Randolph's Congressional committee voted against amending the anti-slavery article of the 1787 Ordinance; 1804 when Delawarean Caesar A. Rodney's Congressional committee voted to amend this article; in 1806 when Virginian James Mercer Garnett's Congressional committee voted to amend the article; in 1807 when Indianan Benjamin Parke's Congressional committee voted to amend the article; in 1807 when North Carolinian Jesse Franklin's Congressional Committee voted against amending the article; and in 1808 when Indianan Jesse B. Thomas' Congressional committee impliedly voted against bringing slavery into the Indiana Territory. The only committee report that Congress acted on was the last recommendation that proposed to separate the Illinois country from the Indiana Territory, thus removing Indiana from the sphere of slavery advocates in the Illinois country.

The slavery law adopted by Gov. Harrison and his two judges in 1803 (law concerning servants), and the subsequent slavery laws adopted by the Indiana Territory General Assembly in 1805 (law for introduction of negros and mulattoes into Territory), and 1807 (laws for introduction of negros and mulattoes into Territory and concerning servants), certainly had the effect of valid laws and condoned slavery in the Indiana Territory. No Congressional actions were ever taken to nullify these laws nor were they ever tested in the Territorial courts.

Floyd's Whereabouts from 1808 to 1811

Davis Floyd's whereabouts from the end of his term of office as Clerk of the Territorial House of Representatives at the beginning of 1808 and his involvement in the Battle of Tippecanoe on November 7, 1811, remains somewhat of a mystery. However, it is known that Davis Floyd was one of the electors (voters) in Jeffersonville for the Delegate to Congress and for one member of the General Assembly on May 22, 1809 and that he and Gwathmey were the poll keepers for that election. There may be a clue to Floyd's whereabouts in a November 13, 1809 letter written by Badollet to Gallatin. Part of that letter recited:

But the election [November 13, 1809] business was going on, the member of the Assembly who had reported against slavery was made adjutant, although he [probably General Washington Johnston] knows as much about military affairs as I do about Pope's bulls [Papal edicts] & made to draw a handsome pay. The consequence was that he shifted side and from the reviler became the panegyrist [praiser] of his Excellency [Gov. Harrison]. The Major [maybe Floyd], for those two companies had a major, a man conscientiously opposed to slavery was rendered mute & made to vote against Jennings. A decent young man [maybe Charles Beggs] zealous in our cause was made Quartermaster and lost his speech. Parke the hypocritical Parke volunteering in this holy crusade was seen in the ranks with a knapsack on his back in the real though not avowed character of the missionary of propaganda....

Thornbrough, *The Correspondence of John Badollet and Albert Gallatin 1804-1836*, p. 128.

Badollet, who had been a theological student at Clairac, a Protestant center in France, might have been ignorant of Papal edicts, or with tongue in cheek, he was claiming such ignorance. There is no doubt that Badollet was referring to Johnston who was named the adjutant by Gov. Harrison without any prior military experience. Johnston's 1808 anti-slavery report bore his name although it was written by Badollet. Johnston must have received good pay for his soldiering work. The Major to whom Badollet referred in his letter may be Floyd

although the evidence is scant. The two companies of militia were stationed four miles from Vincennes at Ft. Knox. The "decent young man" may have been Charles Beggs who was 38 years old, well educated, a Methodist, and violently anti-slavery. He was nominated to the Legislative Council in 1808 but Pres. Jefferson appointed somebody else. All four of these men including Parke would fight together two years later in the Battle of Tippecanoe. In that battle Johnston would serve as quartermaster, Floyd as adjutant of one of the dragoon units, and Beggs as a captain and commander of another of the dragoon units. Johnston, Floyd, and Beggs were literally bribed into softening their anti-slavery passions. Times were hard for these men and they had to seize whatever opportunities came their way. In 1808 Gov. Harrison had revoked Floyd's license as a pilot at the Falls of the Ohio in Clarksville and his commission as a major in the Indiana militia. The restoration of this commission would have allowed Floyd and his family to survive. The election referred to at the beginning part of Badollet's letter was the election in which Floyd voted and served as a poll keeper, a convenient position for someone who was not going to vote his conscience. Or did he vote his conscience and merely reported the opposite? Gwathmey's presence there may have circumvented such an attempt.

It may be inconsistent that Harrison revoked both Floyd's license as a Falls' pilot and his commission as a major in the militia in 1808 and then restored his militia commission in 1809.

Floyd's Conversion to an Anti-Slavery Man

What caused Floyd's conversion from a Kentucky slave owner to an anti-slavery man in the Indiana Territory in the first place? One can only speculate on the reasons. As Sheriff, Floyd would have returned escaped slaves to Kentucky. He may have talked to these men and women in the Clark County jail as they awaited transfer to Kentucky. As a Falls of the Ohio river pilot, he probably saw

slaves being taken downriver in chains or chained together. Abraham Lincoln wrote about a similar experience years later that affected his sympathy for the slaves. Floyd was active in the Methodist Church as a class leader and later as a lay preacher, and the founder of Methodism, John Wesley, opposed the institution of slavery. It is reported that some men in early Indiana opposed slavery because they did not want any Negroes in Indiana. There is no evidence to support that Floyd was one of these men.

Burr's Influence on the Slavery Question

It is documented that Floyd first met Aaron Burr in Jeffersonville, Indiana in 1805 in connection with the proposed Indiana canal around the Falls of the Ohio at Clarksville. Burr was an anti-slavery man. Did he and Floyd have any conversations about the subject? In her wonderful book entitled *Fallen Founder The Life of Aaron Burr*, author Nancy Isenberg said:

Slave cases were also a part of Burr's diverse legal trade. By 1790, New York City had over 2,000 slaves as well as a considerable free black population.... In 1784, one of Burr's clients brought suit against a man for luring away his female slave and, presumably, having sex with her. The damages sought, then, were for both her labor and sexual favors. Burr showed no qualms when he took on this case--and others--that treated slaves as property.

Yet Burr's views on slavery were not simple. He represented two manumitted slaves before the New York Court of Chancery in what must have been considered a controversial case: The freemen were suing for the rightful portion of an estate bequeathed to them by their white slaveholder father. During his short term in the {New York} state assembly in the 1780's, Burr went so far as to propose a radical revision of a bill to abolish slavery, calling for the immediate emancipation of all slaves. He opposed three different amendments that restricted the right of free blacks to vote, to serve on juries, or to testify against whites--and he sought a statute that penalized a black 100 [pounds] for marrying a white. His position seems all the more improbable because Burr himself was a slaveowner.

There were gradations of support for or protests against slavery at this early date, and so Burr's view on slavery are hard to put into a single

category. One telling vignette involves Burr's own slave Carlos, a young boy and his body servant. In a letter to Theodosia [Burr's wife], Burr expressed his disappointment with a friend who mocked the idea that Carlos might learn to play the violin. The "insult," as he termed it, shocked him. He found it hard to believe that someone he knew so well could be so insensitive and so unenlightened. Burr made sure that his slaves were well educated. He insisted that Tom, another house slave, apply himself diligently to his reading and writing lessons.

How unusual was this? Not very, among the enlightened thinkers of New York's ruling elite. He appears to have viewed slavery as a temporary condition of servitude rather than a status based on racial inferiority. Many prominent New York Manumission Society owned slaves. Slaveholding was not a partisan issue either: future Republican George Clinton and staunch Federalists John Jay and Alexander Hamilton were both slaveholding members of the society. Nor is any of this surprising if we recall that Burr was deeply influenced by the philosophy of Jean-Jacques Rousseau, whose revolutionary theories assumed that children everywhere had the ability to learn. In Burr's eyes, teaching Carlos the violin was no more daring an experiment than encouraging his own daughter to master the Greek and Roman classics (which, for many men, would have seemed no less radical).

Nancy Isenberg, *Fallen Founder The Life of Aaron Burr*, Viking Penguin, USA, pp. 90-91.

It is unknown whether Burr and Floyd had any conversations on the issue of slavery. Floyd would spend some time with Burr in 1805 in connection with the canal project and he would spend even more time with him in 1806-07 in connection with the activities surrounding the Burr conspiracy. There would have been many opportunities for these two men to socialize in Kentucky and Southern Indiana. Unfortunately, author Isenberg fails to mention Floyd in her book. This is a significant omission especially since Floyd was the only person convicted in relation therewith. Floyd may not have been an "enlightened thinker" as Burr and his friends were described. However, he traveled to Washington city on many occasions and probably rubbed elbows with affluent Washingtonians. As a young man who grew up on the frontier but was educated by a caring family, probably his mother, he would have recognized that these men's concerns went beyond those he was accustomed to on Bear Grass Creek near Louisville. Some of Floyd's letters are preserved in the Burr archives

but those letters dealt with frontier issues like money that Burr owed him. When he was in the Florida Territory he asked Burr for some law books for his own use.

Floyd's significance was the continuity in governmental activity which he provided to the Territory upon his arrival in 1800 until his departure in 1823. There was never a moment when he was not involved. He injected himself into each situation often without serious reflection on the long term consequences. He was never the governor, the general, the speaker of the House, the president of the Senate, the Delegate to Congress, etc. He was often an administrative officer, such as the register of deeds, the sheriff, the quartermaster for Burr's trip down the Ohio and Mississippi Rivers, the clerk of the House of Representatives, secretary of the Clark County Anti-Slavery Committee, the major of a dragoon unit and later, the adjutant of such a unit, the personal secretary to a Territorial governor, and the Territorial auditor and then treasurer, all during the Territorial period, and as secretary of the Freemasonry Convention and then as its deputy grand commander after statehood. He also served as a legislative officer in the Territorial House of Representatives, in the Indiana Constitutional Convention of 1816, and in the First General Assembly when Indiana became a state. He then moved into the judicial arena serving as Circuit Judge of the Second Judicial Circuit of Indiana, and then as a Federal Land Commissioner in the newly acquired Florida Territory. And then he moved back to the administrative field as the Florida territorial treasure. Floyd's skills in reading, writing, arithmetic, book keeping, record keeping, business, organizing, advocating, persuading, et al served him well. Floyd's body and spirit must have also served him well. He was married twice, had children, and there is no record of any physical or mental impairments. It is now known that his brother, Sgt. Charles Floyd, died in 1804 of a ruptured appendix for which no physician at that time could provide any treatment. Floyd was compulsive--he was always getting into or trying something new; he was not satisfied with the status quo.

It is possible that Floyd was influenced by Aaron Burr on his slavery position.

The New York Manumission Society was an early American organization of New York citizens founded in 1785 who promoted the abolition of slavery and battled against the slave trade. Some of its prominent members were slave holders for which the Society received criticism.

Early Methodism's Influence on Slavery Question:

Floyd was a Methodist early in his Indiana career. Herbert L. Heller in his book entitled, *Indiana Conference of the Methodist Church 1832-1956*, says:

The records of the earliest Quarterly Meetings held on Silver Creek Circuit do not exist but the record book beginning with the quarterly Conference of August 5-8, 1808, remains. At this meeting were...Davis Floyd..., class leader....

Herbert L. Heller, *Indiana Conference of the Methodist Church 1832-1956*, Historical Society of the Indiana Conference, 1957(?), p. 13.

This shows that Davis Floyd was active in the Methodist Church as early as 1808. "Class leaders" served as lay preachers who assisted pastors in spiritual matters. The Silver Creek Circuit would have included the greater part of Clark County. Rev. F. C. Holliday wrote in his book entitled *Indiana Methodism: being an account of the Introduction, Progress, and Present Position of Methodism in the State* :

The first entire pastoral charge in the territory of Indiana was Silver-creek Circuit, in Clark's Grant, now Clark County, under the ministry of Rev. Moses Ashworth.

The first Methodist meeting-house in the territory was built in what was then, and is still, known as the Robertson neighborhood, near Charlestown. Mr. Ashworth was an enterprising, energetic man. Three meetings-houses were built on this circuit during the first year

of its history, and, although they were necessarily cheap log-houses, they evidenced the piety and liberality of the people. They made provision for public worship of God, as good as they were able to make for the comfort of their own families.

Rev. F. C. Holliday, D.D., *Indiana Methodism: being an account of the Introduction, Progress, and Present Position of Methodism in the State and also a History of the Literary Institutions under the care of the Church with Sketches of the Principal Educators in the State down to 1872*, Hitchcock and Walden, Cincinnati, Ohio, 1873, p. 26.

The Methodist Evangelical Church was founded in the United States in 1784 and was officially opposed to slavery. The English founder of the Methodist Church, John Wesley, was opposed to slavery. One of his biographers wrote the following about him:

It is his [John Wesley's] especial praise, that he took an early part in denouncing the iniquities of the African slave trade, and in arousing the conscience of the nation on the subject. In Bristol, at that time a dark den of slave traders, he courageously preached openly against it, defying the rage of the slave-merchants and the mob; and his spirited and ably reasoned tract on slavery continues to be admired and quoted to the present time. It may be added, that one of the last letters he ever wrote was to Mr. [William] Wilberforce, exhorting him to perseverance in a work, of which he was one of the leading instruments,—the effecting the abolition of the traffic in the nerves and blood of man.

Richard Watson, *The Life of John Wesley, A. M.*, S. Hoyt & Co. 1831, p. 326.

John Wesley said in his tract on slavery:

Notwithstanding ten thousand laws, right is right, and wrong is wrong still. There must remain an essential difference between justice and injustice, cruelty and mercy. So that I still ask, Who can reconcile this treatment of Negroes, first and last, with either mercy or justice? ...I absolutely deny all slave-holding to be consistent with any degree of natural justice.

John Wesley, *Thoughts upon Slavery*, IV. 2., 3., 1774.

It is likely that Floyd was influenced by the Methodist Church's stand against slavery.

Freemasonry's Influence on the Slavery Question:

It is known that Floyd and General Washington Johnston were members of the Louisville lodge of Freemasonry. Floyd had married Johnston's sister in Louisville in 1794. Johnston would later become "the moving force that brought Masonry into Indiana" at Vincennes on August 27, 1807. It is likely that Floyd moved his membership there in that year. As soon as Indiana became a state in 1816 a convention of representatives from several lodges in Indiana met in Corydon on December 3, 1817 for the purpose of taking the preliminary steps for the formation of a Grand Lodge in Indiana. Floyd represented the Corydon lodge and Johnston the Vincennes lodge at that Convention. Floyd was unanimously elected the secretary of the Convention, a position he frequently held in various organizations. In 1818 he was elected Deputy Grand Commander and probably served in that position until 1823 when he removed to the Florida Territory.

Freemasonry probably did not have a great impact on the slavery issue in Indiana. In Daniel McDonald's book entitled, *A History of Freemasonry in Indiana from 1808 to 1898*, he wrote a short biographical section regarding Floyd:

In 1807 the slavery question became one of the leading issues in the prospective formation of the Territory into the Union as a State. The anti-slavery people became thoroughly aroused, and determined to make a vigorous resistance in Congress. In Clark county (see Dunn's "Indiana," page 358) a mass meeting was called for October 10th at Springville, then the county-seat, to take action in regard to the matter. There was a large attendance and a general harmony of sentiment. John Beggs was elected chairman and Davis Floyd, secretary. The memorial and resolutions adopted promulgated for the first time the doctrine of "squatter sovereignty," made famous by Stephen A. Douglas in the Kansas and Nebraska territorial imbroglio. They resolved against slavery, and asked Congress to suspend any legislative act on the subject "until," they said, "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 a majority of the citizens. The toleration of slavery is either right or

wrong, and if Congress should think, with us, that it is wrong, that it is inconsistent with the principles upon which the future Constitution is to be formed, your memorialists will rest satisfied that at least this subject will not be by them taken up until the constitutional number of citizens of this Territory shall assume that right.

Daniel McDonald, *A History of Freemasonry in Indiana from 1806 to 1898*, The Grand Lodge, Indianapolis, Indiana 1898, p. 392.

Floyd was recognized as a Mason in the early Territorial days who opposed slavery and is impliedly honored in the book for that work. The very next paragraph in the book deals with Floyd's involvement in the Aaron Burr conspiracy and he is impliedly dishonored for the part he played in that matter. "Squatter sovereignty" was a premise which suggested that the inhabitants of any state or territory had the right to regulate their domestic institutions as they might see fit, particularly the institution of slavery. Actually this became the slogan of the proslavery movement in the 1850's and was probably an inappropriate comparison for the anti-slavery movement in the Indiana Territory in the first decade of the 1800's.

Esarey's Misstatement on Slavery in Indiana

In 1924 Author Esarey wrote in the February *Indiana History Bulletin*:

Slavery never existed in Indiana. The term is not used in American history except in the legal sense. It is sharply defined from all phases of indenture. The latter condition was generally in use in the states in 1800 and recognized by the codes of most of the states. The Ordinance of 1787 is older than Indiana either as territory or state. It is an unfortunate mistake to represent even in a title [Dunn's *Indiana: a Redemption from Slavery*] that Indiana was redeemed from what never existed. The only way to open Indiana either as territory or state to slavery was by a law of congress, by constitutional provision or by judicial decision. None of these was ever done. Colored persons remained with masters in both territory and state of Indiana, some for the love of their masters, some for fear of kidnapping and others because it was the safest way to procure a living. Colored persons had few if any legal rights in Indiana which they could enforce.

Esarey, *Indiana History Bulletin*, February 1924, p. 57.

No one could agree with Author Esarey's conclusion that "Slavery never existed in Indiana" if they have read the petitions, memorials, letters, Congressional reports, and enacted laws recited verbatim in this and prior chapters. Davis Floyd, John Badollet, the Beggs brothers, and General Washington Johnston would not have agreed with this conclusion either. The following letters serve as evidence that slavery did exist both in law and in fact in the Indiana Territory:

Hard Evidence on the Existence of Slavery in the Indiana Territory

As early as January 21, 1804 John Rice Jones had written a letter to Judge Davis which said in part:

By letter from Mr Park at Washington we learn that the Committee to whom the memorial of the Convention was referred, were ready to report in toto in our favor--he also mentions that the prospect of establishing Slavery among us brightens daily; that he has no doubts of its passing the H of R and that the president is decidedly in favor of the article in our ordinance agt Slavery[,] being repealed --

Carter, The Territorial Papers of the United States, Volume VII, p. 169.

On June 18, 1805, Governor Harrison wrote a letter to President Jefferson that said in part:

Dear Sir I have the honor to enclose herewith a list containing the names of the five persons whom I have selected for the Legislative Council of this Territory agreeably to the directions contained in your letter of the 28th of April-- In making this selection I have conformed as far as possible to the restrictions laid down in your letter-- Four of the five are I believe Staunch Republicans but both of the persons nominated from this County (Knox) were Federalist & as it is the largest in the Territory it was necessary to take one of them--I have chosen the one that was best informed Y who appeared to be the choice of the Republicans of the County.--Local policy was altogether the cause of the Nomination of two persons whose politics as to the affairs of the Union were so essentially varient from those of nine tenths of the people--in all our elections the Contest lay between those

who were in favor of the second grade of Government & the admission of Negroes & those who were opposed to these measures--

Carter, *The Territorial Papers of the United States*, Volume VII, p. 293-294.

Gov. Harrison was not happy with the demise of slavery in Indiana. He wrote a letter to Badollet's friend, Albert Gallatin, U.S. Secretary of Treasury, condemning Badollet. The letter dated August 29, 1809 said in part as follows:

Private

Vincennes 29th August 1809

Dear Sir When you did me the honor to recommend Your friend Mr Badollett to me in a very particular manner I felt extremely gratified at the Confidence which you seemed to have in my disposition to shew my respect for you when ever an occasion should offer. A very slight acquaintance with B. was sufficient to shew that the partiality of the friend had not exaggerated the Virtues of the Man & that he was really entitled to the encomiums you bestowed upon him-- An intimacy and Confidence which knew no bounds as I believe on either part was the consequence & continued uninterrupted (for I cannot deem an interruption, a trifling misunderstanding which took place at the board of Trustees of the Vincennes University) Until I discovered that Mr B. was the Author of a Petition to the Territorial Legislature which was circulated through the Counties for signatures against the law for the introduction of Negroes in which there was a severe stricture upon me for having Signed it. I immediately went to Mr Badollett & remonstrated with him upon the impropriety of attacking me in that way, reminded him of the intimacy which subsisted between us when the law was passed & for several years after. In all which time he never had hinted to me that my conduct was improper. I knew indeed the strength of his feelings upon the subject of slavery & always treated them with peculiar delicacy. I demanded of him only as the price upon which my confidence and friendship would be restored an avowal that it was not his intention to condemn the *Motives* under which I had acted in signing the law-- This avowal was however not given & a distant & cold politeness succeeded to our former intimacy--.... In the course of this spring a series of publications appeared in the paper of this place the joint production of McIntosh a Scotch tory & Mr Badolletts brother in law E McName the avowed object of which was to establish a New criterion for distinguishing Federalist from Republicans Viz their being for or against the admission of negroes into the Territory-- No republican it

was asserted could possibly wish to admit them-- These were followed by several essays by Mr Badollett himself in which were several violent anathemas against the people of the Southern States, amongst others, very exceptionable was an idea something like the following that the people of the Southern States might find it convenient to follow the laws of morality towards each other but that if it were not so the man who could keep a negroe in Slavery would not hesitate to steal a horse. Mr Ths Randolph a first cousin of Mr Jeffersons & for Six years a member of the Virginia Legislature was a candidate to Represent the Territory in Congress--He had declared himself in favor of the admission of negroes & against him was the fury of McName & McIntosh particularly directed-- It was very evident that the opinions of the people had undergone a great change in respect to the admission of negroes--three fourths were certainly against the admission-- in this County only [Knox County] there was a small Majority in favor of admitting them the other three counties almost unanimously against it-- The third from Clark opposed to them-- The result of the Election was in favor of the latter who had a plurality of the votes & a small Majority over Mr Randolph. In this County every exertion was made to get the French votes for Jennings the candidate from Clark-- I am told that Mr. Badollett was present when McIntosh addressed them & advised them to vote no one that had any confidence in me that I was their tyrant....

Thornbrough, *The Correspondence of John Badollet and Albert Gallatin 1804-1836*, pp. 107-110.

Between 1805 and 1810 thirty-two indentures involving thirty-six persons under the 1805 law were recorded in Clark County and between 1805 and 1808 forty-six indentures for fifty persons were recorded in Knox County. One such entry in Knox County obligated a sixteen year old slave to ninety years of "voluntary" indentured service. Slavery was real in the Indiana Territory for these indentured servants.

Badollet's Petition and Essays

The petition referred to in the foregoing letter is previously cited in this chapter. The essays to which he refers are reported as follows:

A. Essay in the *Western Sun* published March 4, 1809:

In order to understand these essays written by Badollet, it is necessary to identify some of the people to which he was referring. He signs the letter as "A

Farmer." Badollet was a farmer in Pennsylvania where he lived for eighteen years. "Slim Simon" was definitely Benjamin Parke. Parke was appointed judge of the General Court of Indiana in 1808, replacing Thomas Davis who had died, and continued in that position until 1816. In the *Journals of the General Assembly* at page 1000, Parke is identified as "a Harrison man. He supported the advance into the second grade, and while in Congress [as the delegate from the Indiana Territory] supported memorials from the Territory praying suspension of the sixth article of the Ordinance (the article prohibiting slavery) for ten years, and opposing a division of the Territory advocated by citizens of the counties of St. Clair and Randolph" (the Illinois country). Parke was no friend of Badollet. In 1804 Parke applied for the job of receiver of the land office at Vincennes; instead it went to Badollet's Pennsylvanian friend, Nathaniel Ewing. Shortly thereafter William McIntosh accused Parke in the *Indiana Gazette* as being Harrison's political "knight errant" in Washington City. Apparently, McIntosh was right because shortly thereafter Gov. Harrison appointed Parke as attorney general for the Territory. Someone identified as the "Citizen of Vincennes" had requested in Vincennes newspaper in the election of 1809 for candidates in the General Assembly to declare "their opinions respecting slavery." In response to this request Parke via Slim Simon reported it would be a good policy to open the Indiana Territory to slaves from the Southern states because of the danger they cause in those states while in the Territory, they would be spread out thus diluting their dangerous propensities. Badollet then responds to this assertion.

Mr. Editor,

When in the discussion of political subjects an author descends to scurrility and personal abuse, we may fairly conclude, that his cause is a bad one, that he fears the investigation of its merit, and that the perpetuation of error, is his object. For no man in his right senses will, if placed on strong and defensible ground, substitute insults for arguments, and use threats, when he can convince. Such stratagems have often succeeded here; by a violent attack on a writer, you draw

off his guard, force him to a personal defence, and make him loose sight of the real object he had in view, the public attention is diverted to another point, and the main question is forgotten in the disgusting tumult of personal squable.

I was led into these reflections by the perusal of some publications over the signature of Slim Simon, to which piece called the Citizen of Vincennes, seems to have given rise. To me, equally unacquainted with both, it is a matter of perfect indifference whether the last is a bad man, or, his antagonist immaculate: the only thing wherein I feel myself concerned, is, whether their principles and opinions are correct, every thing else is perfectly irrelevant.

My object in these numbers is to try the solidity of whatever has the semblance of argument in Slim Simon's productions. In my endeavours to perform that task, I shall address the understanding, and not the passions of my readers, and shall at least claim the merit, rare in this place, of having treated them with becoming respect.

But before I enter into this investigation it becomes unavoidable to say a few words on the piece which has created so much irritation.

The obvious object of the Citizens of Vincennes, was to obtain from the candidates for the general assembly, a public declaration of their opinions respecting slavery, a subject which with hundreds of others, he justly considers as of vast importance. The voters have an unquestionable right to know the political sentiments of the candidates for the legislature, that they may make a rational choice, and give their votes to such as will represent them in reality, and not in name only. That is no electioneering trick with a view of carrying a particular person, it is the open and avowed purpose of electing only such, as will oppose every measure tending to the introduction of slavery. A request of that effect is certainly proper, and cannot offend the honest candidates, be their opinions what they may, and no man of honor will decline avowing the principles under the guidance of which he proposes himself to act.

That the Citizen has used expressions of severity, and some others malignity will see personal allusions, will be readily admitted; but those defects will find their excuse in the warmth of an honest heart, indignant at the vices which infest society, and are but too apparent here. With the same readiness I'll confess that he has materially erred in the following instance,--he divides the people of this country into two description of persons federalists and republicans; the first, friends of, and the second opposed to slavery....

I will now proceed to Slim Simon, and first discard that enormous mass of extraneous matter, which overloads his pages. His arguments will then appear to be in substance as follows:

“The existence of slavery in the Southern States, threatening those states with danger, it is consistent with good policy to open a new outlet for slaves in this territory, and by scattering them to render them less dangerous.”

We many feed our fancies with delusive dreams, but the unchangeable laws of nature never will cease to operate, moral and natural causes never will cease to produce their wonted effects, and except you exterminate the means of propagation, the negroes like every other species of men, when, by what causes soever their condition is rendered more happy, or less deplorable, will proportionately multiply. By no other principle can the rapid population of these states be rationally explained, and it is absurd to suppose that the population of negroes would remain stationary, either in the territory receiving, or the state furnishing the supply, when their condition, would, by the proposed plan, have been in some degree meliorated. Besides, it is a well known fact among commercial men, that the productiveness of a commodity will always meet the demand, and since, to our shame, the negro is an article of traffic, it will follow that opening a new market for blacks to the southern states, will have the infallible effect of keeping up their numbers there.

This reasoning a priori will, I trust satisfy every reasonable mind, that the argument so much relied on, and so ostentatiously repeated, is destitute of all kind of solidity. But I am not content to suffer the question to rest upon analogical deductions, and I will proceed to prove *by fact* the fallacy of Slim Simon’s reasoning’s, and that the exportation of negroes from one of the southern states, has not diminished their numbers there.

By calculations made by Mr. Jefferson, in his notes on Virginia, the correctness of which has never been questioned, it appears that in the year 1782, the number of negroes amounted to in Virginia, to nearly 270762, and by the census taken in the year 1800, to 345798 (Kentucky at the former period being as it were lately discovered, and in a weak and incipient state, cannot affect the correctness of our conclusions). Thus we see, that during a space of 18 years, notwithstanding the vast exportations of negroes to Kentucky, Tennessee, and other parts, their number has not only suffered no diminution, but has actually considerably increased; and it is but fair to presume that the reception of slaves in the Mississippi territory,

New Orleans and Louisiana, has not sensibly lessened their numbers in the other slave states.

I will now ask the candid reader whether I am not justifiable in inferring from the facts above stated, that the admission of slavery in Indiana could not much vary the result, and, as it is not likely that the middle and eastern states could be made converts to that strange doctrine, that the only fruit we should reap from the improvident measure, would be, to see ourselves placed by our own choice exactly in the same perilous situation, whereinto the southern states have been forced, and which excited so much sympathy for them amongst us.

A Farmer

Thornbrough, *The Correspondence of John Badollet and Albert Gallatin 1804-1836*, pp. 335-338.

(B) Essay in the *Western Sun* published March 18, 1809

In this essay Badollet addresses Parke second and third contentions that humanity desires such measures because slaves coming to Indiana would be "*better fed and better cloathed and placed in a state of comparably happiness,*" and perhaps most preposterous, "*slavery is no political evil.*"

Mr. Editor,

There is nothing more tempting, when we have a favourite object to accomplish, than to deceive others, and nothing more common than to deceive ourselves as to the real motives by which we are actuated. This observation is fully exemplified in the following argument of Slim Simon and his associates in favour of the admission of slavery.

Humanity militates in favor of the measure, because negroes imported here would be better fed and better cloathed and placed in a state of comparably happiness.

How humanity can be enlisted on the side of slavery, is not easy to conceive, except it is that kind of humanity which impells the British merchants to keep Africa in a constant state of dissolation and war, to obtain supplies of that unfortunate race, to pack up and fasten those victims of avarice, on shelves in the hold of their ships, where cruelty,

unwholesome food, and diseases, where the more destructive mental anguish and black despair terminate the existence of numbers, who are daily thrown over board in the passage, and to vomit the wretched remnants on the shores of the West Indies where another portion perishes in the seasoning, and the rest reduced with their posterity to the condition of beasts, remain living monuments of the cool blooded barbarity of the whites. (Such a plea has really been urged on the floor on the Parliament of Great Britain to justify the slave trade.) Where is the friend of slavery who, laying his hand upon his heart can assert, where is the man in possession of his understanding who can for an instant believe that humanity has nay thing to do in the business? Pride and avarice are at the bottom of all this. Who is accustomed to the servile obedience of humble negroes, cannot bear the erect attitude of men proud of their independence, and who can command a multitude of blacks, for no other consideration, than the obligation which his interest imposes, of keeping them alive, will not readily pay the price which a free man sets upon the exertions of his industry.

Where the clamorous friends of that measure well supplied with slaves to feed their cupidity, or minister to their vanity with submission and without reward, it is not likely that the dangers threatening the southern states or the sufferings of the Virginia or Carolina negroes would much disturb their night slumbers.

That the negroes would for a time, be better fed and better clothed, may by way of accommodation be granted, we will concede that a generous supply of rags or coarse garments would be allow'd them, that for a few years we would not behold numbers of them in a state of perfect nudity, that the allowance of a peck of corn a week, or of cotton seed for their support, would not be immediately resorted to. But how long would that state of *bliss* last? Just as long as the causes which produce it, as long as the native fertility of the soil would remain unimpaired and make their maintenance easy, as long as the smallness of their number would render them more precious, as long as the cultivation of some valuable commodity for exportation would not force the planter to contract the ground allowed for their support. Any change in those circumstances, would more and more assimilate their fate to that of the same class of men in the southern states.

Besides, food and raimant are not the only ingredients of happiness, and the negroe, however well provided for as to those objects, may still suffer misery under an hideous variety of shapes. The immigrating master will bring with him his passions and his habits, and the negroe will as certainly feel here the effects of his inhumanity as on the banks of the Roanoke [River in Virginia]. He will be sold

like a beast, his family will be bartered away, and his back lacerated with as much composure on the Wabash [River in Indiana], as in Georgia. Kentucky has been emphatically called the Paradise of negroes (just God what Paradise?) and every traveller may bear ample testimony to the inhuman punishments daily inflicted at the nod of every little despot. The writer of these numbers has himself witnessed there such horrid acts of deliberate cruelty, that did no other objection exist, he would ever oppose the introduction of a system which can convert civilized man into a barbarian.

It will not be preposterous here to add, that, our ideas of happiness or misery are most commonly relative. Before the negroes are numerous enough to be disposed of in quarters, they will be more mixed and live in greater connection with the whites, a ray of knowledge will penetrate their minds, they will be enabled to take a view of their situation, they will learn that those rights, which we deservedly hold so dear, are, as far as it related to them, laughed at, and outrageously violated; those reflections will add poignancy to their other sufferings, and the sum of their afflictions will be proportionable increased.

Of those whining (one is almost tempted to say hypocritical) arguments, every one is able to estimate the solidity, it would be superfluous to spend more time in their further refutation.

But Slim Simon takes a bolder flight, and setting his own opinion in opposition to the most eminent statesmen, he pronounces that *slavery is no political evil*.

When the population of a country is composed of two classes of men, one oppressing, the other oppressed, is that state of things no political evil? Is that opposition of interests, that state of continual alarm on one side, that deep rooted sense of mighty and aggravated wrongs on the other, that inextinguishable hatred in both, no political evil? Is that action and re-action between the slaves forming, and their tyrants counteracting plans of vengeance no political evil? And are the scenes of dissolation and horror, which, sooner or later will take place, no political evil? The political happiness of a state results from the perfect harmony of all its parts, from an unity of efforts towards the general good, but when such jarring elements, as are to be seen in the slave states compose the body politic, elements which have no affinity together, but constantly effervesce and threaten explosion, we are warranted in asserting, that such a state of things is political evil of the first magnitude.

In considering slavery in this point of view, another consideration claims our most serious attention. We acknowledge certain primary

and immutable principles, on which all our political institutions rest, and the permanence of these, depends in a great measure on the former being held as sacred and in no instance violated. The existence of slavery must inspire doubts on their excellence and solidity, it goes to establish the doctrine, that there may exist cases wherein those principles find no application and may be entirely disregarded. The liberties of a nation cannot indeed be that secure on such tottering base, and it is not probable that the dangerous projects of criminal ambition can be checked by the influence of principles to which such a great portion of our fellow creature have appealed in vain. In a few years we may perhaps become a state, our first objects in forming our constitution, will certainly be to recognize the sacredness and immutability of those same principles, and, if slavery were admitted, we would present to the world the scandalous spectacle of a people asserting in one page, what they deny in the next, declaring in almost the same breath, that all men are born free, and yet that a number of men are born *slaves*.

A Farmer

This essay touches on many important issues but only two will be mentioned at this point. Badollet says the he "has himself witnessed...[in his travels] such horrid acts of deliberate cruelty, that did no other objection exist, he would ever oppose the introduction of a system which can convert civilized man into a barbarian." There is no doubt that the other anti-slavery men in the Indiana Territory were affected by seeing slaves being mistreated in their travels. Many years later it would affect Abraham Lincoln the same way.

Badollet also touches on another important issue and that had to do with the looming constitutional battle over slavery when Indiana reached the third grade of government, statehood. He said

In a few years we may perhaps become a state, our first object in forming our constitution, will certainly be to recognize the sacredness and immutability of those same principles, and, if slavery were admitted, we would present to the world the scandalous spectacle of a people asserting in one page, what they deny in the next, declaring in almost the same breath, that *all* men are born free, and yet that a number of men are born *slaves*.

Slavery was probably dead in Indiana but Badollet was leaving nothing to chance. Maybe God was leaving nothing to chance because Badollet and Floyd would be members of the Constitutional Convention in 1816.

(C) Essay in the *Western Sun* published April 7, 1809

Again, Badollet addresses Parke's (Slim Simon's) contention that "*Slavery in not a moral issue.*" Next, he takes on his contention that "*Slavery is not inconsistent with republicanism, inasmuch as the southern states are all republican.*" And still next, he takes on Parke's contention that "religion is not opposed to slavery inasmuch as we find the [Old Testament] Patriarchs had slaves."

Mr. Editor,

The permanence of political institutions, and the internal peace of a people depend less upon the coercive power of the laws, than upon happiness being so generally, and we may say so evenly diffused, that every member of the state feels the strongest attachment for the present order of things, and dreads nothing more than changes, by which he can be made to lose, but never to gain. If such a sense of present happiness is not generally felt, if discontent circulates through any part of the body politic, revolutions are at hand.

If those premises are true, and I trust no body will contest their correctness, what shall we think of the political situation of a country, the population of which is partly composed of a description of persons, whose condition can by no possible events be made worse. What has not such a country to fear from foreign attack, which contains an enemy within its own bosom. In him an inveterate or crafty foe will find a faithful ally. Power may for a long time stifle their murmurs and palsy their arms, but a change of circumstances, commotions within, or storms from without, may, in one instant transform the abject slaves into the intrepid avengers of the wrongs of their own race, and the patient negroes into ferocious beasts, panting for vengeance, slaughter and destruction. The heart is in distress, the mind is convulsed with agony, at the reflection, that such is the awful situation of more than one half of the United States. Let those of my readers whose hearts are honest, whose minds are open to conviction,

ponder upon the probable consequences, of the British landing, at such moment as this, by the assistance of their new friends the Spaniards (for whom our deep politicians of the day express such sympathy) an Army in Florida; and after having with their gold divided the north, arming the negroes in the south; let them ponder on the complication of horrors which, if we had slaves in Indiana, the united cruelty of the Indians and negroes would in case of war inevitably produce, & let them, if they can, refrain a burst of indignation at those, who, to gratify selfish views, and for reasons destitute of solidity, would deliberately introduce in Indiana a policy so criminal, and attended with so disastrous consequences. I will ask again whether slavery is, or is not a political evil?

But, says Slim Simon, *Slavery is not a moral evil*, and the southern states are by no means inferior in point of morality to their northern brethren.

That the white inhabitants of the southern states observe, with regard to one another, moral rules cannot be denied; their own preservation, if no other reason existed, would compel them to it; But strange ideas indeed, must men entertain of moral obligations, who can, when in the way of their interest, cancel them all. Is there no danger of those moral ties being considered as mere matter of convenience, which, as soon as opportunity offers may be broken asunder? What evidence have we that the laws of justice and humanity, which are utterly disregarded in relation to the negro, will be better submitted to in relation to the whites, when interest or passions point out the benefit to be derived from their violation? The man who can calmly tear, for a few dollars the child from its mother's arms, will not feel the great qualms of conscience at taking his neighbour's horse, is the right of one more sacred than the other? It is in vain to attribute to the perversity of human nature the vices which disgrace society, the folly and even perversity of some of our institutions, are their prolific source. Of that number is slavery. We may renew the laws of Draco, and as our deep legislature have done, write them with blood, but except you cleanse and purify the fountain, the streams issuing from it will remain impure and corrupt. This truth I would wish to inculcate. I would wish to shew its great importance, but I must confine myself at present to my subject.

Is a practice which sears the heart and renders it callous to other woes, no moral evil? Is the spirit of wild dissipation produced in youth by a state of inactivity and idleness incident to, and inseparable from the existence of slavery, no moral evil? Is common decency not outraged, is female modesty not insulted or destroyed by the frequent exposure of men and women in a state of complete nakedness to

public view? And is that no moral evil? The existence of so many thousand mulattoes evinces a general dissoluteness of manners where slavery obtains, and the practice of selling and dooming to eternal slavery those unfortunate fruits of unbridled and savage lust followed by their parents themselves, has no parallel, except amongst the most savage nations of the earth. Will any of our wiseacres dare to assert that such enormities are no moral evil?

But slavery is not inconsistent with republicanism, inasmuch as the southern states are all republican.

Shall we not mistrust our own senses at hearing that slavery and republicanism can walk hand in hand together! But from this fact I would form a very different conclusion. I would infer, that since the southern states are so attached to republican principles and institutions, in a manner which does them honor, the thinking and influential part of those states, the real statesmen must abhor (which is really the case) a system productive of, and threatening the most calamitous evils. As to those who love slavery for slavery's sake, who like our wise politicians of Indiana, carry their views no further than the present moment, are unused to reflect and to calculate effects from given causes, their opinions cannot contribute to stamp a character on those states, their being republican because the best informed part is so, cannot affect the present question, made to be led they would be federalist in Connecticut.

But those states found slavery existing among them at the breaking out of the revolution, they would not decline joining their brethren and forego its advantages, they joined in the grand contest, proclaimed the same fundamental principles of freedom, abolished slave trade, which under the king they had never been able to effect, and trusted to the slow but sure progress of reason, for the total eradication of an evil of which they then lamented, and to this day lament the existence. The hitherto insuperable obstacles which have since prevented the attainment of that desirable event, hold out to Indiana an awful lesson not wilfully and rashly to plunge into a labyrinth of difficulties and dangers, which may be foreseen, but it will be too late to avoid. Were the southern states unincumbered with slaves, it is almost a sacrilege to assert, that among the patriots of those states a single one could be found to advocate their introduction in the country; and it belongs exclusively to a few sapient men of Indiana, to hail in the nineteenth century the adoption of a system which owes its existence to the most baneful passions of the heart, sloth, cruelty, pride and sordid avarice, and is a source of eternal regrets to every sincere lover of his country.

Religion is not opposed to slavery inasmuch as we find the Patriarchs had slaves.

It is unfortunately not the first time, that religion, that gift of Heaven, that bond which (as its name imports) was destined to unite by its ties of gratitude man to his Creator, and to excite him in imitation of that Heavenly father to deeds of justice and benevolence, it is not the first time that its sacred name has been used for the perpetration of the blackest crimes; and the propagation of the most dangerous doctrines; and the imprudence of Slim Simon, cannot but excite an indignant surprise at the renewal of such profanation. If that is the way to lull asleep the conscience of the religions, the undertaking is worthy of a demon.

But who can read without amazement that the period when the science of government is reduced to simple and certain principles, that the United States, profiting by the errors of preceding ages, have adopted a policy best calculated to ensure general happiness, the territory of Indiana is seriously advised to recurr to the infancy of society for institutions proper for her to adopt; As well they might offer to our imitation the indiscriminate massacres of age and sex committed on the Cananites by the children of Israel, whom God, in the inscrutable ways of his providence had chosen to execute his judgments upon those devoted nations. Besides, we are Christian and not Jews, and the new dispensation has abolished the laws and prophets. The divine and benevolent founder of the Christian system has incessantly endeavoured to inculcate a spirit of charity and brotherly love. Love all men, and even your enemies, was his constant theme, he taught men to consider themselves as brothers, and as children of the same Heavenly parents. From the tenor of his life, and the general bearing of his precepts, an active philanthropy appears to have filled his breast, and no where can we infer from the writing of his apostles, that he did countenance or permit the reducing of our fellow creatures to the condition of beasts, that we may wear down a poor black, goad and starve him, without offending that God who gave his life and liberty to all, without provoking his often tardy, but always sure and unavoidable vengeance.

A Farmer

At one point in opposition to Parke's contention that slavery was not a moral evil, Badollet said that the adoption of the proslavery laws by the General Assembly in 1805 and 1807, amounted to a renewal of the laws promulgated under the leadership of Draco in Athens, Greece in 610 B.C. Draco advocated

that all crimes, big or small, deserved death. He thought that the penalty for any crime would be so clear to everyone and that there would never be any confusion about what penalty to apply. "Draconian" means a rule of law unflinchingly severe and Badollet was saying that the Indiana Territory slave laws were unflinchingly severe.

(D) Essay in the *Western Sun* published April 15, 1809

In his last essay Badollet attacks Parke for his contentions that since Jefferson, Giles, and "other eminent patriots of Virginia" hold slaves, that they approve the system and therefore, are "friends of slavery."

Mr. Editor,

Slim Simon in his inconsiderate zeal for slavery, hesitates not to bring forward revered names, insidiously to induce a belief, that because Jefferson, Giles and other eminent patriots of Virginia, *hold* negroes, they therefore approve the system of slavery. That attempt to mislead those who not consulting their understandings, rely upon the conveniency of precedents to stifle the murmurs of their consciences, cannot be too severely reprobated. It tends to the destruction of the native independence of man's mind, and to introduce an unreflecting spirit of servile imitation, more likely to propagate the errors of eminent men, than to inspire the virtues by which they are counterbalanced.

But it is not true that to *hold* slaves is to be a friend of slavery; in a country where no other laboring hands are to be found, imperious necessity compels the best of men to use negroes on their farms, or abandon cultivation. They cannot, they ought not, indiscriminately to be set free, to the nation alone, and not individuals, belongs the difficult and almost desperate task of totally extirpating the evil.

With a view to make amends to the readers for the imperfections of these sketches, I will now offer to their reflexions the sentiments of one of those worthies of Virginia on this subject. Speaking of the manners of that state mr. Jefferson expresses himself thus.

There must doubtless be an unhappy influence on the manners of our people, reduced by the

existence of slavery amongst us. The whole commerce between master and slave, is a perpetual exercise of the most boisterous passions, the most unremitting despotism on the one part, and degrading submission on the other. Our children see this and learn to imitate it, for man is an imitative animal. This quality is the germ of all education in him. From his cradle to his grave, he is learning to do what he sees others do. If a parent could find no motive either in his philanthropy or his self love, for restraining the intemperance of passion towards his slave, it should always be a sufficient one that his child is present. But generally it is not sufficient. The parent storms, the child looks on, catches the lineaments of wrath, puts on the same airs in the circle of smaller slaves, gives a loos to his words of passion, and thus nursed, educated, and daily exercised in tyranny cannot but be stamped by it with odious peculiarities. The man must be a prodigy who can retain his manners and morals undepraved by such circumstances. And with what execration should the statesman be loaded, who permitting one half the citizens thus to trample on the rights of others, transforms those into despots, and these into enemies, destroys the morals of the one part, and the amor patriae of the other. For if a slave can have a country in this world, it must be any other in preference to that in which he is born to live and labour for another; in which he must lockup the faculties of his nature, contribute as far as it depends on his individual endeavours to the evanishment of the human race, or entail his own miserable condition on the endless generations proceeding from him. With the morals of the people, their industry also in destroyed. For in a warm climate, no man will labour for himself who can make another labour for him. This is so true, that of the proprietors of slaves a very small proportion indeed is ever seen to labour. And can the liberties of a nation be thought secure when we have removed their only firm basis, a conviction in the minds of the people that these liberties are a gift from God. That they are not to be violated but with his wrath? Indeed I tremble

for my country when I reflect that God is Just: that his justice cannot sleep for ever: that considering numbers, nature and natural means only, a revolution of the wheel of fortune, an exchange of situation is among possible events: that it may become probable by supernatural interference! The Almighty has no attribute which can take side with us in such a contest--But it is impossible to be temperate and to pursue this subject through the various considerations of policy, of morals, of history natural and civil. We must be contented to hope they will force their way into every ones mind. I think a change already perceptible, since the origin of the present resolution. The spirit of the master is abating, that of the slave rising from the dust, his condition mollifying, the way I hope preparing, under the auspices of heaven, for a total emancipation, and that this is disposed in the order of events, to be with the consent of the masters, rather than by their extirpation.

From the perusal of Slim Simon's productions we feel ourselves compelled to lament that talents which might have been devoted to the destruction of error, and the dissemination of correct principles, should have been unfortunately misapplied to the thickening of the veil which selfish passions throw upon the most sacred truths and the accomplishments of the most nefarious purpose. I say *nefarious* because however grating that expression may be to some, it is correct and true.

After what has been written by the first statesman of our country and has been read above, it would be presumption to add any thing more on this momentous question, I therefore will terminate here the task which I had imposed upon myself, in the performance of which, I have not, I trust, violated any rule of decorum. I have as far as it lay in my power, endeavoured to recal the taste for chaste and temperate discussion, to which we have been so long strangers. My abilities were not, I feel, equal to the importance of the undertaking, and much remains to be said upon so prolific a subject, but if I have contributed to induce eminent men their privilege of thinking, if I have wakened them to a sense of their independence, if I have succeeded in persuading that in matters of opinion, but especially on questions which involve the happiness of ourselves and posterity, no other authority ought to be submitted to, than that of eternal reason and truth, then my feeble efforts shall not have been exerted in vain.

Truth having been my guide and the public weal my aim, I feel a conscious pride that I have contributed my mite towards the public good, and now resign the pen to those who actuated by the same honest motives, are now able to use it.

A Farmer

These essays and the report of General Washington Johnston all written by Badollet probably constitute the greatest collection of anti-slavery sentiments ever expressed in Indiana. Apparently, Parke specifically eluded to Thomas Jefferson and William Giles, a U. S. Senator from Virginia at the time, to bolster his claim that these eminent men held slaves and therefore approved of the system. Obviously, he had not read Jefferson's *Notes on Virginia* but Badollet had.

As hard as the proslavery men and the antislavery men fought against each other on the slavery issue from the creation of the Indiana Territory in 1800 until 1809, these same men would gather together for another occasion in 1811, and fight together just as hard to win a battle against another foe, the Shawnee Indians near Tippecanoe River.

Admonishment Regarding Selection of Constitutional Convention Men

In a letter to Colonel John Paul of Madison, Indiana, Dennis Pennington wrote in part as follows:

Corydon November 3rd 1815

Dear Sir.

....let us be on our gard when our convention men is Chosen that thay may be men opposed to slavery, I ad no more at present. I am in the highest consideration you friend and Humble Servent

John Pennington

David Thomas Diary Entry for July 9, 1816

On July 9, 1816 David Thomas made a journey through the Wabash Region of the New Purchase. He was probably referring to land ceded to the United States in a series of Treaties made by Gov. Harrison before his service in the War of 1812. His reference to the New Purchase was accurate at the time but it did not mean the New Purchase of land in central Indiana in 1818. Mr. Thomas was a pomologist, florist, and writer on agricultural subjects. He was born in Pennsylvania in 1776. He later became the chief engineer on the Erie Canal for the district west of Rochester, New York. His diary was published in 1817. He made the following comment on Vincennes:

In Vincennes, N. Ewing and J. Badollet of the Land Office, for whom I had introductory letters, received me with frankness. The former is a native of Lancaster county, Pennsylvania; and the latter of Geneva, in Europe. The friendship of their old neighbour, the celebrated A. Gallatin, procured them these appointments about nine years ago; and the high rank which they deservedly hold in public estimation, proves the wisdom of his choice.

Lindley, Harlow, *Indiana As Seen By Early Travelers*, Indiana Historical Commission, Indianapolis, Indiana, 1916, pp. 83-84; from Thomas, David, *Travels through the western country in the summer of 1816*, 1819, pp. 1101-187, 189-206, 207-233 and 240-241.

On July 10, 1816, Mr. Thomas added the following entry to his diary:

Through the ordinance [of 1787] of Congress, under which all the governments north west of the Ohio were organized, expressly declares that no persons, except in punishment for crimes, shall be held in bondage; and though that ordinance has remains unrepealed; yet *slaves* were considered to be so convenient, that the territorial legislature authorized their introduction. For this purpose, indentures were employed. The negro was directed to sign an article, binding himself to serve his master for some specified term of years; refusal could avail nothing, and compliance was termed *voluntary servitude*. I learn, however, from various sources, that it is now generally

understood that these *articles* must be declared nugatory whenever a legal investigation shall be made.

In this affair originated a powerful opposition; and for several years past, the territory has been divided into two active parties. Those who were opposed to this innovation, however, soon became the majority; and the members of the late Convention [Constitutional Convention of 1816], acting agreeably to the directions of Congress, put the question at rest forever, by excluding the principle of slavery from the state constitution.

Lindley, *Indiana As Seen By Early Travelers*, pp. 85-86.

Badollet's Disclaimer of Abolishing Slavery in the Indiana Territory

From his letters, documents, and essays it is known that Badollet was an ardent anti-slavery man. However, in a letter from Vincennes dated February 27, 1830, to his friend, Gallatin, Badollet said:

Vincennes Feb'y 27, 1830

My Dear Friend

The little biographical account of my individual contained in the no. of the Geneva journal enclosed in the packet, might please the vanity of some under similar circumstances, but is not to my taste, as containing an assertion that is resting on no foundation. I have no other share in keeping slavery out of this state, than that of other well intentioned men in efforts to resist the great influence of the Governor & his Prime Minister Parke over the population of this part of the Territory. It is true that I availed myself of the weight which at that time my office, more than my personal merit gave me, to encourage the despondent, and embolden the timid: that I wrote, was active and persevering in opposition, & wherever & whenever the opportunity offered, I seized it to refute his Excellency's sophistries....

Thornbrough, *The Correspondence of John Badollet and Albert Gallatin 1804-1836*, pp. 299-300.

Why did Badollet not give credit to the "other well intentioned men" in Indiana who fought the battle against slavery so hard by naming them? He would have known them intimately. He had certainly discredited by name the men who fought on the other side. His letters were sent to Gallatin who may have shared some of them with Jefferson. Badollet went out of his way not to identify these

men; he knew who they were. Perhaps, it was none of Gallatin's business. On the other hand he was sensitive to the attacks that the opposition had made on these "well intentioned men" for other supposed transgressions. Floyd had suffered publicly and politically for his involvement with Aaron Burr. Badollet was happy with the results, he did not want the credit, and he was going to protect his friends as much as he could. In sum, no one aided the anti-slavery battle more than Badollet; he was consistent in his opposition from his arrival in the Indiana Territory in 1804 through his diverse newspaper articles, his participation as a member of the Constitutional Convention in 1816, and until his death in 1836. Floyd was probably equally consistent in his opposition to the evil institution.

The "biographical account" referred to in Badollet's February 27 1830 letter of Gallatin probably referred to the following article which appeared in the *Geneva [Switzerland] Journal* probably sometime near the end of the 1820's:

Mr. Badolet emigrated to the U. S. of North America, about 52 years ago, & lived there a long time with out any determined occupation; his good conduct & acknowledged loyalty having attracted the attention , & gained the confidence of the American Government, obtained for him the appointment of Superintendent for the Sale of public lands in one of the Western Districts. That important function which he has filled for a period of over 25 years, with as much integrity as delicacy, has acquired enough consideration, to enable him, to render very important service to the State; also to prevent, by his influence, the establishment of Slavery, in that part of the country, where he lived. That worthy act has made him altogether recommendable & is the only distinguished official who retained him position, during the different commotions which agitated that beautiful country.

His resources, which at first were scarcely sufficient to raise a numerous family, having increased since the last 3 years; his first use of that new wealth was, to refund to one of his friends in Geneva, an advance of money which he had received from that friend, before his departure; but now, since he is old & infirm, his principal thought,

which troubles his mind, is, to be forgotten by his country & his friends.

May our paper reach this respectable old man! It will be the interpreter of our fellow citizens who knew him, & who are yet alive, it will assure him, that he is not forgotten by them, & that they still love him, & and that his fatherland takes a deep interest in his welfare, applauding him for the noble action, which has won for himself the esteem of his fellow Country men. To abolish Slavery in a part of the new world, was an act worthy of a Swiss; it shows the brilliancy of a virtue, which he, no doubt, gained from the rudiments of his first education.

Thornbrough, *The Correspondence of John Badollet and Albert Gallatin 1804-1836*, Footnote, p. 298.

This article answered a lot of the questions about Badollet involvement in the slavery issue. His letter contends that his part in the clash over slavery was no different than the part played by "other well intentioned men" in Indiana. Badollet was in the best position to make this evaluation because of his longevity in Vincennes. Author Dunn said at the end of his book, "We do not go beyond the bounds of our State to give praise for the final solution of our local slavery question, for Congress put the solution upon the men of Indiana and they worked it out on Indiana soil." (p. 444). His longevity gives credence to his noble and virtuous character. It is likely that Gallatin authored this article for the *Geneva Journal*. This article also answered to some extent where Badollet got his dislike for the institution of slavery-- "it shows the brilliancy of a virtue, which he, no doubt, gained from the rudiments of his first education." Who would be in a better position to make this assessment than Gallatin who went to school with his friend.

Floyd in Action on the Slavery Issue

Davis Floyd remained committed to his anti-slavery position. We will see later his actions as the President Judge of the Second Judicial Circuit from 1817 until 1823 especially in Floyd County. Several letters and documents written by Floyd appear in *The John Tipton Papers*. On December 10. 1816 Floyd wrote a letter

to Col. John Tipton, Harrison County's Sheriff in Corydon, Indiana. At the time Floyd was a member of Indiana's House of Representatives representing Harrison County in that body. The letter recites the following:

Dear Col. You may think me a little officious intermeddling in matters which do not immediately concern me, tis true Sir that I am not immediately concerned but a number of the members of the [Indiana] Legislature have heard of the matter and they have requested me to see the matter properly Settled. I am sure that no one can attach any blame to you--But clearly the Court have done wrong in directing you to collect the money--Judge Lane I have no doubt [Lane] would give directions to release the property but he has resigned--If you will release the property and charge the amount to me out of what is due me from the County you will please do so and the man will if the Court or Commissioners Should think proper reimburse the money at their first meeting or if you Should think proper to do so you may release the property and the Commissioners will give you credit for the amount--I hope Sir that you will reflect that the man is a negroe and from Such we are not to expect that politeness which ought to be observed by persons in that Station of life.

The John Tipton Papers, Volume I, 1809-1827, Indiana Historical Collections, pp. 124-125.

One of the publisher's footnotes to this letter on p. 124 says that "Daniel C. Lane resigned as associate judge of Harrison County November 28, 1816...." Another footnote to the letter states:

Floyd probably refers to the case of Perry, a negro, who claimed he had been set free in 1813, but whose former master, William Stith was trying to bring him back into slavery. Judge Waller Taylor of the General Court had given Stith a certificate for the removal of Perry to Kentucky, but the latter had escaped and returned to Harrison County. The final disposition of the case has not been found....

The John Tipton Papers, p. 125.

Here is Sheriff Tipton's prompt reply to Floyd's letter.

Susan escaped in Indiana about 1815 or 1816 and instituted suit against Stephens, claiming her freedom on the ground of former residence in the free state of Pennsylvania.

On October 16, 1816, Judge James Scott of the General Court issued a writ for the appearance of Stephens to answer to the charge of unlawfully confining and restraining Susan of her liberty; Stephens answered that the bill of sale for Susan warranted her to be a slave for life. The case came before the Indiana Supreme Court in May, 1817, and was sent to the Harrison Circuit Court for trial. There the case was continued from term to term until August, 1818, when the jury returned a verdict in favor of Stephens. The request of Susan's attorney, Charles Dewey, for a new trial was granted. Two years later, in August, 1820, the case was dismissed without further action by the court.

Susan was apparently kidnapped several times. The Corydon *Indiana Gazette* of January 23, 1819, reported one escape from a boat descending the Ohio River.

Robert Stephens was indicted for manstealing by the grand jury of Harrison County; this case was likewise continued during several terms until June, 1823, when it was dismissed.

The John Tipton Papers, p. 146.

In Vol. II at page 213 of the History of *The Ohio Falls Cities and their Counties* published in 1882 by L. A. Williams & Co. of Cleveland, Ohio, the following incident was reported:

In the spring of 1821 a negro named Moses was arrested here by a party of Kentuckians, who were about taking him across the river as a runaway slave. The negro protested that he was a free man, born in the adjoining county of Clarke, but his protestations were of no avail, and he was taken to the river bank to await the arrival of the ferry-boat. It happened that Judge Seth Woodruff had been across the river and was returning on the same boat that was to convey the prisoner across. Immediately on landing the prisoner sought Mr. Woodruff's protection. The judge was something of an abolitionist, and a man with a keen sense of justice and of great physical strength. He immediately informed the Kentuckians that the man could not be taken across the river in that way; he must have a hearing--a fair trial before he could be given up. He was not opposed to men claiming

their own property, but the question as to whether the negro was their property must be thoroughly investigated. Woodruff was backed by a few friends, and the Kentuckians, not being strong enough to resort to force, were compelled to return with their captive and stand trial. The trial was at Woodruff's tavern before Squire Bassett, and the negro was able to prove very conclusively that he was born in Clarke county, and had never been a slave. He was declared by Squire Bassett to be a free man. Meanwhile, other Kentuckians had armed, and all were well armed and determined to take the negro right or wrong, so when the decision was rendered a general and desperate fight took place for his possession, but the excitement had been considerable, and the New Albanians had gathered in considerable numbers to see that Squire Bassett's court was not overawed. The Kentuckians were beaten and compelled to retreat without their man. Quite a number were hurt in the melee, but fortunately nobody killed.

The Ohio Falls Cities, p. 213.

Was Abraham Lincoln influenced by the antislavery men who kept the Indiana Territory a free territory and Indiana a free state? William E. Bartelt has written a wonderful little book "*There I grew up*" *Remembering Abraham Lincoln's Indiana Youth* published by the Indiana Historical Press in Indianapolis in 2008. This book documents several things that happened in Lincoln's early life. Lincoln, his parents, Thomas and Nancy Hanks Lincoln, and his sister, Sarah, moved from Kentucky to the Indiana Territory in 1816, the year that Indiana became a state. Lincoln wrote a statement about his life in June 1860 at the solicitation of John Locke Scripps of the *Chicago Press and Tribune*. The third-person statement reads in part:

At this time his father resided on Knob-creek, on the road from Bardstown Ky. to Nashville Tenn. at a point three, or three and a half miles South or South-West of Atherton's ferry on the Rolling Fork. From this place he removed to what is now Spencer county Indiana, in the autumn of 1816, A. then being in his eighth year. This removal was partly on account of slavery; but chiefly on account of the difficulty in land titles in Ky.

Bartelt, *There I grew up*, p. 9.

Author Bartelt points out "In 1864 Lincoln wrote, 'I am naturally anti-slavery. If slavery is not wrong nothing is wrong. I cannot remember when I did not so think and feel.'" (Bartelt, *There I grew up*, p. 11). His footnote cites Basler et al., eds., *Collected Works of Abraham Lincoln*, 7:281. Lincoln remained in Indiana until 1830 as evidenced by Scripps' article "March 1st. 1830--A. having just completed his 21st year, his father and family, with the families of the two daughters and sons-in-law, of his step mother, left the old homestead in Indiana, and came to Illinois. Their mode of conveyance was waggons drawn by ox-teams, or A. drove one of the team." (Bartelt, *There I grew up*, p. 11). Lincoln's mother died of milk sickness in 1818 and his beloved sister, Sarah, died in childbirth in 1828.

Author Bartelt goes on further to say that "Thomas Lincoln traveled to the Vincennes Land Office to file his 160 acres on October 15, 1817. He made a second payment on the land on December 26, 1817, and received receipt number 9205. The name is spelled the way it was pronounced [Linkorn or Linkern]. He received a Land Patent from the United States on 80 acres of the land in 1827." (Bartelt, *There I grew up*, p. 25). The question is how many trips did he make to the land office in Vincennes and did Abraham ever accompany him? Author Bartelt includes a copy of the receipt in his book and the receiver's signature is on it. It is difficult to read the signature unless one knows who the receiver was in the Vincennes land office. It was Nathaniel Ewing, a friend of Badollet's from Pennsylvania and an ardent antislavery man. Query? Did Lincoln ever accompany his father to Vincennes? Query? Did Lincoln ever speak with Badollet or Ewing in Vincennes? Query? Could he have been influenced by either man on his antislavery position?

Author Bartelt contends that "the families left Indiana by crossing the Wabash River at Vincennes." (Bartelt, *There I grew up*, p. 41). He next says "One final

Indiana Lincoln story should be mentioned. Vincennes, the oldest city in Indiana, has a fascinating history. One event of that history involves George Rogers Clark's capture of the town for the Americans during the Revolutionary War. Certainly Lincoln would have wanted to learn all he could about that episode, but, perhaps of more interest to the young man was the *Vincennes Western Sun* newspaper office. The *Western Sun* was one of the papers Lincoln read while living in Spencer County, and he naturally would want to know about newspaper printing. Therefore, it is not surprising that a Hanks family member related that Abraham told him that, while in Vincennes, 'he saw a printing press for the first time.'" (Bartelt, *There I grew up*, pp. 41-42). Author Bartelt cites for his authority on this statement "Ida Tarbell, *The Early Life of Abraham Lincoln* (South Brunswick, NJ: A. S. Barnes, 1974), 87. The reference occurs in a caption on the page in this reprint."

It is possible that Thomas or Abraham Lincoln knew something about Badollet and Ewing's reputation as anti-slavery men and that one or both of them spoke with Badollet and Ewing on one or more occasions when they were in Vincennes for business or just passing through as in 1830. The reason that Thomas moved his family to Indiana "was partly on account of slavery."

Gov. Harrison would suffer politically because of his position on slavery. He continued in the office of the Territorial governor until 1811. Chances are that if he had not supported slavery, he would have remained governor until statehood and would have probably been the first governor of the State of Indiana rather than Jonathan Jennings. Parke survived better. He was somewhat insulated from politics since he served as a Territorial judge from 1808 until 1816, then as a member of the Constitutional Convention in 1816, then as a Circuit Judge in 1816 and 1817, and then as a federal district judge in Indiana from 1817 until his death in 1835. When Harrison was ousted from the political scene and Parke figured out that slavery was dead in Indiana, he probably dropped the issue and

never mentioned it again. Slavery was probably the key issue in the Constitutional Convention but it was quickly put to rest. One woman is quoted as saying that Indiana “came in free.” The truth was it was already free!

Perchance, the proslavery men were themselves victims to what Thomas Paine, born in Thetford, England in 1737, wrote in his introduction to *Common Sense*; - *addressed to the -Inhabitants-of-America* in 1776:

Introduction

a long habit of not thinking a thing wrong, gives it a superficial appearance of being right, and raises at first a formidable outcry in defense of custom. But the tumult soon subsides.-- Time makes more converts than reason.

Common Sense: -addressed to the-Inhabitants-of-America.... Introduction, The Sixth Edition, Philadelphia, Printed, Providence, Re-printed and Sold by John Carter at Shakespeare’s Head near the Court-House M,DCC,LXXVI. [Courtesy of the Remnant Trust, Jeffersonville, Indiana, translated into modern English by the author].

Political spin is no different today than it was when Gen. Harrison ran for President of the United States the first time in 1836. His campaign manager was a Kentuckian by the name of Charles S. Todd. Todd published several essays promoting Harrison for President. In one he said:

General Harrison...will be the next President of the United States. The people of all parties are rallying under his standard. He lives in a non slave holding state [Ohio], and will therefore suit the North better than [presidential candidate Hugh] White, and being a native Virginian, he will secure the favor of the South better than [presidential candidate Daniel] Webster, and if our government shall be unhappily involved in a war with France, he will suit even the New Yorkers better than General [Martin] Van Buren.... [Harrison is the] only hope of rescuing the Constitution and Laws from a Despotism proposed to be perpetuated under a modern Machiavel [maybe Andrew Jackson, probably Van Buren, Jackson’s handpicked choice for president].

Jelsma, Sherry K., “A Dose of Slangwhang and Hard Cider,” *Ohio Valley History*,” Vol. 8, No. 2, Summer 2008, p. 7.

The last four chapters of this book demonstrated the monstrous steps which Harrison took to impale slavery into the laws of the Indiana Territory and the minds of its inhabitants. In 1836 his avowed spin artist was glorifying Harrison's residence in Ohio, a non-slave holding state, as an impetus for the voters in the Northern states to cast their ballots for him. It did not work because he lost the election, but he did win in Ohio and Indiana, so maybe it worked there. Four years later he would win the country and become President.

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

None.

Images:

None.