

## Abraham Lincoln papers

Abraham Lincoln, *A Bill for Abolishing Slavery in the District of Columbia* [Draft]<sup>1</sup>, [January 1849]

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<sup>1</sup> As early as 1837, Lincoln had asserted that he considered slavery to be founded on "injustice and bad policy," and that though Congress had a right to abolish slavery in the District of Columbia, it should not exercise that right without the assent of the District's citizens (see *Collected Works*, I, 74-76). Later, when a member of Congress he voted several times in favor of the Wilmot Proviso, which would prevent the extension of slavery into the territory acquired from Mexico. Like many members of the Congress and visitors, he considered the overt conduct of the slave trade in Washington D. C. to be a national embarrassment. At this point Lincoln's anti-slavery stance was apparent, but not emphatic. However, issues which would lead to the crisis of 1850 arising from the status of slavery in the Mexican cession were already becoming heated during the second session of Lincoln's term in the House, and they were dividing Whigs, just before the inauguration of Zachary Taylor. With the encouragement of abolitionist Congressman Joshua Giddings, who boarded with Lincoln at Mrs. Sprigg's, Lincoln proposed this measure as a compromise which might at least unite Whigs. It was first offered as a substitute for an earlier resolution that the House Committee on the District of Columbia report a bill simply calling for the abolition of slavery in the District without mention of a referendum. Three days later Lincoln gave notice of his intention to introduce such a bill as is drafted here, by himself. (See the account in the *Congressional Globe*, reprinted in *Collected Works*, II, 20-22.) But Lincoln did not introduce the bill. He told James Q. Howard in 1860 that he had called on the mayor of Washington and "and others whom I thought best acquainted with the sentiments of the people" and gained assurances that his plan would be well received and supported. "Being informed that it would meet with their hearty approbation I gave notice in congress that I should introduce a Bill. Subsequently I learned that many leading southern members of Congress, had been to see the Mayor, and the others who favored my Bill, and had drawn them over to their way of thinking. Finding that I was abandoned by my former backers and having little personal influence, I dropped the matter knowing that it was useless to prosecute the business at that time." See James Q. Howard, *Biographical Notes*, June 1860.

A bill for an act to abolish slavery in the District of Columbia, by the consent of the free white people of said District, and with compensation to owners—

Section 1 Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled: That no person not now within the District of Columbia, nor now owned

by any person or persons now resident within it, nor hereafter born within it, shall ever be held in slavery within said District—

Section 2. That no person now within said District, or now owned by any person, or persons now resident within the same, or hereafter born within it, shall ever be held in slavery without the limits of said District: Provided, that officers of the government of the United States, being citizens of the slave-holding states, coming into said District on public business, and remaining only so long as may be reasonably necessary for that object, may be attended into, and out of, said District, and while there, by the necessary servants of themselves and their families, without their right to hold such servants in service, being thereby impaired—

Section 3. That all children born of slave mothers within said District on, or after the first day of January in the year of our Lord one thousand, eight hundred and fifty shall be free; but shall be reasonably supported and educated, by the respective owners of their mothers or by their heirs or representatives, and shall owe reasonable service, as apprentices, to such owners, heirs and representatives until they respectively arrive at the age of years when they shall be entirely free; and the municipal authorities of Washington and Georgetown, within their respective jurisdictional limits, are hereby empowered and required to make all suitable and necessary provisions for enforcing obedience to this section, on the part of both masters and apprentices—

Section 4. That all persons now within said District lawfully held as slaves, or now owned by any person or persons now resident within said District, shall remain such, at the will of their respective owners, their heirs and legal representatives: Provided that any such owner, or his legal representative, may at any time receive from the treasury of the United States the full value of his or her slave, of the class in this section mentioned, upon which such slave shall be forthwith and forever free: and provided further that the President of the United States, the Secretary of State, and the Secretary of the Treasury shall be a board for determining the value of such slaves as their owners may desire to emancipate under this section; and whose duty it shall be to hold a session for the the purpose, on the first monday of each calender month; to receive all applications; and, on satisfactory evidence in each case, that the person presented for valuation, is a slave, and of the class in this section mentioned, and is owned by the applicant, shall value such slave at his or her full cash value, and give to the applicant an order on the treasury for the amount; and also to such slave a certificate of freedom—

Section 5 That the municipal authorities of Washington and Georgetown, within their respective jurisdictional limits, are hereby empowered and required to provide active and efficient means to arrest, and deliver up to their owners, all fugitive slaves escaping into said District—

Section 6 That the election officers of within said District of Columbia, are hereby empowered and required to open polls at all the usual places of holding elections, on the first monday of April next, and receive the vote of every free white male citizen above the age of twentyone years, having resided within said District for the period of one year or more next preceding the time of such voting, for, or against this act; to proceed, in taking said votes, in all respects not herein specified, as at elections under the municipal laws; and, with as little delay as possible, to transmit corect statements of the votes so cast to the President of the United States. And it shall be the duty of the President to canvass said votes immediately, and, if a majority of them be found to be for this act, to forthwith issue his proclamation giving notice of the fact; and this act shall only be in full force and effect on, and after the day of such proclamation—

Section 7. That involuntary servitude for the punishment of crime, whereof the party shall have been duly convicted shall in no wise be prohibited by this act—

Section 8. That for all the purposes of this act the jurisdictional limits of Washington are extended to all parts of the District of Columbia not now included within the present limits of Georgetown—

[The following two fragments are apparently Lincoln's experimentation with language with which to introduce his substitute resolution:]

Strike out all before and after the word “Resolved” and insert the following, towit: That the Committee on the District of Columbia be instructed to report a bill in substance as follows, towit:

Strike out all after the enacting clause, and insert the following, towit: