

**Fragment of an original letter on the slavery of the negroes; written in the year 1776,
by Thomas Day, Esq ... Philadelphia**

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THOMAS DAY, Esq.

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ADVERTISEMENT.

THE following letter was written in the year 1776, at the request of an American gentleman, who desired to know my sentiments upon the slavery of the Negroes, and possessed an intention of restoring all his own to liberty, could he be convinced that duty required the sacrifice. I therefore sent him the following essay, the imperfections of which may perhaps be something extenuated by the with which it was written. It has lain by me many years in obscurity; nor did I choose to produce it during the progress of the American contest. Since the happy termination of that disastrous war, I have shewn it to some of my particular friends, who have honored me so far as to desire copies, and to suggest that its publication might not be unattended with utility. After reflecting upon the subject, I have chosen to comply with their wishes, and present this fragment to the public; because, whatever discredit it brings upon my head, it may contribute to establish the sincerity of my heart: And if a single human being should by my means be restored to happiness, it is an ample recompence for all the dangers I may incur as an author. Should this essay ever reach America, it may perhaps displease those who have not learned to discern friends from flatterers, and to distinguish between the language of truth and calumny. Those, on the contrary, who are enlightened by a more extensive knowledge of human nature, may perhaps respect an Englishman, who, after daring to assert their cause through all the varied events of the late revolution, dares now with equal intrepidity assert the cause of truth and justice, and of that part of the human species whose wrongs are yet unredressed, and almost unpitied. Should it be asked why I rather publish a fragment than a complete essay, I can only answer, that I respect truth so much, that I am not inclined to violate it even as an author; and that this letter having been read, written in the year 1776, and being in the possession of the gentleman to whom it was sent, I do not choose to piece it with additions in the year 1784.

SIR,

I Was extremely surprised at receiving a letter, in an unknown hand, which desired me to give my sentiments relative to the slavery of the Negroes; till reading to the end, I recollected the name of a gentleman, whom I had the pleasure of seeing with Mr. Laurens^{*}. Much as I am flattered by finding my opinion of any consequence with a gentleman of whom I have heard to advantageous a character, I am still more surprised, that he can ask it on such a question; a question which I am

sure his own humanity and good sense will be sufficient to decide, if he attends, for a moment, to their dictates. I respect you, sir, too much to doubt the sincerity of the declaration you make, when you profess to be guided by reason and morality upon this question; for this is the only arbitration which any man can have to consult upon a subject like this: Where they are silent, the voice of the whole world ought to be disregarded, and where they approve, the dissent of all mankind can have no influence upon a mind like yours.—But as you expressly desire to know my sentiments, I must waive both preface and ceremony, and address you with the modest freedom that becomes one man when he is speaking to another upon the most important question in the universe. As a member of that society which has now made a solemn appeal to Heaven, and taken up arms against the nation to which it owes its establishment, you must admit that there are such things as right and justice, to which the whole human species have an indefeasible claim. Indeed, unless there be such a thing as justice, it is in vain we enquire about its precepts, or refer to its arbitration. He that admits no right but force, no justice but superior violence, arms every man against himself, and justifies all excesses. If it be lawful to injure because we can; if we may seize the property of another, insult his person, or force him to labour for our luxury or caprice, merely because he is weaker; this principle will be equally fatal to ourselves, when fortune shall strip us of that power which is our only prerogative, and shift the plea of superiority. You are to remember that, upon this supposition, your slaves, the infant they shall become the strongest, will have a right to the services of yourself and every other gentleman of the southern colonies; will have a right to force you to labour naked in the sun to the music of whips and chains; to you of every thing which is now dear to your indolence, or necessary to your pleasures; to goad you to every species of servile drudgery, and punish you for their amusement and caprice; will have a right to exhaust your youth in servitude, and to abandon your age to wretchedness and diseases: In one word, sir, they will have a right to use *you*, as you do *them*. Let us, therefore, leave principles which can be maintained by no one but a professed enemy to mankind; who would at one stroke extirpate every thing which alleviates the evils of life, life, and arm every man in an eternal war against his fellow creatures, to enquire what are the real dictates of that justice, whose existence, I am persuaded, we both allow. You, therefore, admit there are certain claims, which, for want of a better name, we call rights, to which the human species has an indisputable title. To express myself in other words, “There is a method of pursuing our own happiness in such a manner, that we may promote the general good at the same time; or, at least, not interfere with it.” This, our reason assures us, is the privilege of every created being; and while he confines himself within these bounds, we feel the most cordial approbation of his conduct. We love, and esteem, and sympathize with him, from the very constitution of our nature. On the contrary, whenever any one disturbs or injures a being acting in this manner, or prevents him from attaining the good to which he is impelled, we feel our hatred and indignation most forcibly excited against the aggressor. We consider such a character at armed against the welfare of the world, and as one who is endeavouring to make the common good subservient to his own selfishness. I appeal

to the generosity of your own nature, for the existence of these principles. Have they not, a thousand times, animated you to acts of virtue and humanity, as well as inspired you with an involuntary reverence for all who acted from their impulse? Have they not often pleaded the cause of the wretch that lay trembling and defenceless at your feet, and, in spite of the prejudices of your country and education, whispered to your mind that one human being ought not to hold his existence by the tenure of another's will? Do not these principles now inspire you, and frequently impel you beyond the bounds of prudence and safety, while what you call your country's cause animates you to exertion? But this cause is only the united cause and interest of every particular man; those rights which the Great Creator taught him to discover when he gave him season, which he urges him to defend by passion, and which a mind like yours prizes beyond all the gratifications of sense, and dares to grasp at even while it is perishing. This appears to me to be a plain and concise deduction of morality, which means nothing more than that method or rule of conduct by which the whole human species may attain the greatest possible degree of happiness. And I rather choose to express myself so, because I thus comprehend all facts and opinions. The religious man allows that the happiness of the species is the great end of the Deity, which he promotes by the rewards and punishments of a future state: The disciple of Shaftsbury, understands this, when he talks of the beauty of virtue and the love of order; and even the gloomy pupil of Hobbes, who resolves every thing into self interest, must allow the existence of moral distinctions, so far as they influence the welfare of the species. This universal morality appears to me to be the only rational and legal foundation of all human government; which ought to be nothing more than the application of this general rule to particular societies, and the enforcing it by civil establishments. If, therefore, it be granted, that the rights of a nation are nothing more than the rights of every man in it, and that all just and legal authority supposes a delegated power entrusted solely for the purpose of promoting the general good; it will appear evident that every individual in the universe possesses certain rights, which no man can divest him of without injustice, unless he be guilty of some crime against society which exposes him to its vengeance. Hence it follows, that whenever any nation attacks the rights and happiness of another nation, it deserves to find its own destruction in the attempt; and whenever any individual presumes to exercise this species of authority over his fellow creatures, he must be a tyrant and an oppressor whom it is permitted to destroy by every possible method. Whoever would deny this, must either deny the existence of right and justice entirely, and then it is in vain to argue; or must shew some natural distinction by which one part of the species is entitled to privileges from which the other is excluded. The first supposition I have already considered, and the second is altogether absurd; for all alterations and distinctions among mankind solely arise from civil government, which has no other just foundation than natural right; and natural right, for that reason, must be a principle of higher authority than civil government. Whenever, therefore, civil government tends to destroy and confound the rights of nature, it ceases to have any claim to our obedience; it becomes

tyranny, corruption, and despotism, a pest instead of a blessing, and subversive of every purpose for which it was instituted, or ought to be continued.

* Colonel John Laurens, son of Henry Laurens, esq. formerly president of the Congress. This young gentleman was sent over to England for his education, where he endeared himself to all who knew him, by his abilities and affectionate temper. In the beginning of the year 1777, he joined the American army, and from that time was foremost in every danger. He was present and distinguished himself in every action of the army under general Washington, and was among the foremost that entered the British lines at York-Town. He fell August 27, 1782, one of the last victims to this disastrous war, in an obscure skirmish with a foraging party. For several days preceding the action, he had been confined to his bed by a raging fever, but left it at the call of duty, and met his death.

Those who were intimately acquainted with the young man, will rank his martial qualities, by which he was chiefly known, as lowest in the catalogic of his virtues. They will lament the untimely loss of a clear discerning mind that united the solid powers of the understanding with inflexible integrity. In him, his country has lost one of its noblest and most useful citizens; his father the kindest and most affectionate friend; and all the wretched a generous and disinterested patron—O my unfortunate country! must I add, that when I consider all the leaders of thy factions, all thy hereditary magistrates, all that are defined to engross thy dignities of share thy spoils, I sack in vain a colonel John Laurens?

I am extremely fearful of expressing myself obscurely upon so abstract a subject, and must, therefore, though with the hazard of prolixity, attempt to place it in a different light.—If you imagine any number of the human species assembled in some particular part of the globe, without any form of government established among them; it is evident, that these individuals may either live together in such a manner as to produce mutual comfort and assistance, or may be the cause of continual misery to each other. No proposition in the mathematics can be investigated with more precision than the methods of conduct which have these contrary tendencies. Every disposition which inclines one man to assist another, or to avoid giving him offence and doing him injury, must necessarily contribute to the common welfare; which would be perfect, were these dispositions cultivated in the greatest possible degree. On the contrary, every disposition, which, either by fraud or violence, tends to interrupt the personal security of individuals, or to deprive them of those things which they have acquired by their industry, is detrimental to the sum of happiness, and would, if carried to the greatest possible degree, entirely destroy that part of the species.—In this view of things, morality arises from necessity, and comprehends “certain rules of conduct founded upon the relations which beings endowed with particular faculties bear to each other; which rules, when properly observed,

produce happiness to society; but when violated or neglected, as necessarily occasion misery as fire or pointed substances excite pain, when they act too forcibly upon the nerves."

I hardly think that the greatest sceptic will deny these distinctions, founded upon facts as certain as the impression of any material substance upon our senses. If we, now, proceed a little farther, we shall find that the dispositions which produce these different kinds of conduct are by the moralists expressed by different names, and enforced by different motives, according to their several systems; while natural religion adds its sanctions, and inclines us to believe that the Deity himself, who has displayed so great an attention to the happiness and preservation of his creatures here, may extend his benevolence to another stage of existence, and compensate the evils sometimes unmeritedly suffered below. But if we admit the evidence of revealed religion, the scheme of human things is perfect as it is august; the clouds which overshadowed our horizon are dissipated, and the gradual progress of triumphant virtue, through dangers and difficulties, to eternal happiness, is displayed and ascertained.

Having laid down these principles, it is easy to apply them to the particular case in question. Slavery is the absolute dependence of one man upon another; and is, therefore, as inconsistent with all ideas of justice as despotism is with the rights of nature. It is a crime so monstrous against the human species, that all those who practise it deserve to be extirpated from the earth. It is no little, indirect attack upon the safety and happiness of our fellow creatures, but one that boldly strikes at the foundations of all humanity and justice. Robbers invade the property, and murderers the life of human beings; but he that holds another man in bondage, subjects the whole sum of his existence to oppression, bereaves him of every hope, and is, therefore, more detestable than robber and assassin combined. But if no one who has common feeling will commit the outrage, no one who has common sense will attempt to justify it by argument; since it would involve him in the grossest and most inextricable contradictions. He must allow that every man has, by nature, a right to life, yet that every other man has a right to rob him of it; that every man has an equal right to subsistence, yet that every other may deprive him of all the means; and that while every individual is justified by nature and the Deity in pursuing his own happiness by all innocent methods, every other individual is equally justified in making him miserable. In short, it is reducing every thing to the state before described, a state of contest and desolation from which right and justice are equally excluded.

Of you, sir, who say you have several slaves, I beg leave to ask what are the rights you claim over them? Have you a right to torture them when they are guilty of no faults? Have you a right to kill them for your diversion? Is your power circumscribed by no bounds, and are there particular beings who bring into the world all the rights which you yourself can pretend to, but have so entirely lost

them by being transported into another country, as to be beyond the protection both of nature and of nature's God?

Surely, sir, unless I am deceived in you, you are a man both of honor and humanity. You start at the idea of wanton and unprovoked barbarity. You would not murder a slave to shew your dexterity, nor maim him to prove your strength; you would not dash an infant upon the ground to feed your dogs, even tho' he was black; nor would you rip up the belly of his mother while she was suckling him, to improve your skill in anatomy. You neither would, nor *dare* you commit actions like these; you feel that you have no right to do them; or, if you have, that every other man has an equal and superior right to destroy you like a beast of prey. What then are your rights? I anticipate your answer: You will feed and cloath your Negroes, you will treat them with humanity and tenderness, and then you have a right to moderate advantage from their labors. All this, sir, is well; and could I conceive you ever had acted in another manner, I should never have troubled you with this tedious letter. While your Negroes choose to stay with you upon these terms, this is a fair and equitable compact. But what if they should choose to leave you, will you let them go? If you do, you are a man of honor, sense, and humanity; but I fear no West Indian.

Are there no whips, no gibbets, no punishments more dreadful than death itself for contumacious slaves? And what is this but claiming the detestable power I have mentioned above, that of making other beings miserable, for your interest or amusement? Who, sir, gave you a title to their labours, or a right to confine them to loathsome drudgery? And if you have no right to this, what are the punishments you pretend to inflict but so many additional outrages? Has a robber a claim upon your life because you withhold your property; or a ravisher a right to a woman's blood because she defends her chastity? Either then prove your right to their labours, or acknowledge that the punishments inflicted upon fugitive slaves are a flagitious insult upon justice, humanity and common sense.

Permit me, here, to examine for a moment the nature of the title by which you claim an irredeemable property in the labours of your fellow creatures.—A wretch, devoid of compassion and understanding, who calls himself a king of some part of Africa which suffers the calamity of being frequented by the Europeans, seizes his innocent subjects, or engages in an unnecessary war to furnish himself with prisoners; these are loaded with chains, torn from all their comforts and connections, and driven (like beasts to the slaughter house) down to the sea shore, where the mild subjects of a Christian government and a religious king are waiting to agree for the purchase, and to transport them to America. They are then thrust by hundreds into the infectious hold of a ship, in which the greatest part frequently perishes by disease, while the rest are reserved to experience the candor and humanity of American patriots—If you have never yet considered it,

pause here for a moment, and endeavor to impress upon your mind the feelings of a being full as sensible, and perhaps more innocent than you or I, which is thus torn in an instant from every thing that makes life agreeable; from country, friends and parents; from the intercourse of mutual affection with mistress, lover, or child; which, possesser of feelings more exquisite than European hearts can conceive, is separated for ever from all it loves; that, reduced to a depth of misery, which, even in the midst of freedom and affluence, would be sufficient to overwhelm the most hardened disposition, instead of friends and comforters, and obsequious attendants, sees itself surrounded with unrelenting persecutors and un pitying enemies; wretches who, by long intercourse with misery, are grown callous to its agonies; who answer tears with taunts, and complaints with torture! I shudder at the horrors which I describe, and blush to be a human creature! Yet these are not the colours of description, but a recital of facts less strong than the reality. Can any man reflect upon these things, without unutterable remorse? Can he know that, perhaps, while he is wallowing in luxury and sensuality, there are beings whose existence he has embittered, mothers shrieking for their children, and children perishing for want of their mothers care; wretches who are frantic with rage, shame and desperation, or pining in all the agonies of slow and painful death, who might have been at peace if he had never existed? Can any man know this and hope for mercy, either from his fellow creatures or his God?—After the arrival of the surviving wretches in America, you well know in what manner they are transferred to their conscientious masters—how they are brought to the market, naked, weeping, and in chains—how one man dares to examine his fellow creatures as he would do beasts, and bargain for their persons—how all the most sacred duties, affections, and feelings of the human heart, are violated and insulted; and thus you dare to call yourselves the masters of wretches whom you have acquired by fraud, and retain by violence!—While I am tracing this practice, which you and every man who has been in the islands or the southern colonies of America, knows to be true, my astonishment exceeds even my horror, to find it possible that any one should seriously doubt whether an equitable title to hold human beings in bondage can be thus acquired.

With what face, sir, can he who has never respected the rights of nature in another, pretend to claim them in his own favour? How dare the inhabitants of the southern colonies speak of privileges and justice? Is money of so much more importance than life? Or have the Americans shared the dispensing power of St. Peter's successors, to excuse their own observance of those rules which they impose on others? If there be an object truly ridiculous in nature, it is an American patriot, signing resolutions of independency with the one hand, and with the other brandishing a whip over his affrighted slaves.

If men would be consistent, they must admit all the consequences of their own principles; and you and your countrymen are reduced to the dilemma of either acknowledging the rights of your

Negroes, or of surrendering your own.—If there be certain natural and universal rights, as the declarations of your Congress so repeatedly affirm, I wonder how the unfortunate Africans have incurred their forfeiture.—Is it the antiquity, or the virtues, or the great qualities of the English Americans, which constitutes the difference, and entitles them to rights from which they totally exclude more than a fourth part of the species?—Or do you choose to make use of that argument, which the great Montesquieu has thrown out as the severest ridicule, that they are black and you white; that you have lank, long hair, while theirs is short and woolly?

The more attentively you consider this subject, the more clearly you will perceive, that every plea, which can be advanced upon it, is the plea of interest and tyranny combating humanity and truth. You cannot hide from yourself, that every title you can alledge must be a title founded upon fraud or violence, and supported by open and avowed injustice. Can any thing be clearer, than that a man who is born free can never forfeit his inheritance by suffering oppression; and that it is a contradiction to urge a purchase of what no one has a right to sell? Nor does it make any difference, whether the unfortunate victim pass from one to another, or from one to a thousand masters, any more than whether a nation be enslaved by a first, or by an hundredth tyrant. There can be no prescription pleaded against truth and justice; and the continuance of the evil is so far from justifying, that it is an exaggeration of the crime. What would you say to a man, in private life, who should pretend to be no thief, because he only bought stolen goods; or that he was no villain, because he did not forge a deed himself, but only paid another to do it, and enjoyed the estate by that honorable security? Yet this is literally the title which the Americans plead to the unfortunate inhabitants of Africa. You do not go to Africa to buy or steal your Negroes; perhaps, because you are too lazy and luxurious: but you encourage an infamous, pitiless race of men to do it for you, and conscientiously receive the fruits of their crimes. You do not, merciful men, reduce your fellow creatures to servitude! No, men of your independent spirits, that have taken up arms against the government that had protected and established them, rather than pay a tax of three pence; that have laid the axe to the root of all human authority, and instead of drinking the bitter waters of civil abuses and prescriptive obedience, have ascended to the living fountains of truth, justice and nature, would never make flagitious attempts upon the liberties and happiness of their brethren! Yes, gentlemen, men of liberal minds like yours, acknowledge all mankind to be their equals. Leave hereditary tyrants and their flatterers to make distinctions unknown to nature, and to degrade one part of the species to brutes, while they equal the other with gods!—You know that this is the greatest of all corruptions, and as such you detest it.—What! are not all men naturally equal? And are not all civil distinctions, when legitimate the permission of the people, and consequently subordinate to their power and controul? Did you not carry the rights of men into the uncultivated desert and the howling wilderness? Not of Frenchmen, nor of Germans, nor of Englishmen, but of men;—men, the

first and supreme distinction, who, created for freedom and happiness, transport to every soil the inherent prerogatives of their nature.

"?ome n'est plus dans Rome, elle est par tout où je sais."

Yes, gentlemen, as you are no longer Englishmen, I hope you will please to be men; and, as such, admit the whole human species to a participation of your unalienable rights. You will not, therefore, drag a trembling wretch from his cottage and his family; you will not tear the child from the arms of his frantic mother, that they may drag on a loathsome existence in misery and chains; you will not make depredations upon your unoffending neighbours, and, after having spread desolation over a fertile country, reduce the innocent inhabitants to servitude. To do this, you must be monsters, worse, I fear, than the majority of the House of Commons and the English Ministry^{*}. But you are men tremblingly alive to all the rights and feelings of the kind, and I believe some of you at least are Christians. Your worst actions, therefore, the greatest crimes which even your enemies can object, are only that you are the voluntary causes of all these mischiefs?—You, you encourage the English pirate to violate the laws of faith and hospitality, and stimulate him to new excesses by purchasing the fruits of his rapine. Your avarice is the torch of treachery and civil war, which desolates the shores of Africa, and shakes destruction on half the majestic species of man!

* Should this doubt appear absurd, the reader is desired to remember it was written in the year 1776.

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