

Douglass' Reply to A. C. C. Thompson's
'Letter from Frederick Douglass,' as
Reprinted in *The Anti-Slavery Bugle*:
A Critical Edition of Both Letters,
with a Summary of Maryland's
Fugitive Slave Laws

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Introduction

Frederick Douglass' *Narrative of the Life of Frederick Douglass, An American Slave* was originally published in 1845 as a testament to his time in captivity and the eventual struggle to attain liberty within a country that resisted the surrendering of such autonomy. It is the first in a string of autobiographies, followed by *My Bondage and My Freedom* (1855) and *The Life and*



Nineteenth-Century Ohio Literature pairs forgotten readings with new essays that explain them. In this installment, Kayla Hardy-Butler presents a famous letter by Frederick Douglass, as it was published in Ohio, with the letter that prompted it. This edition also includes a summary of Maryland slave statutes from the time to better explain the day-to-day experience of slavery debated in this correspondence. *Nineteenth-Century Ohio Literature* is edited by Jon Miller at The University of Akron. For more information, visit ideaexchange.uakron.edu/nineteenthcenturyohioliterature.

Times of Frederick Douglass (1881). The later accounts expand to encompass Douglass' steadily changing public persona as an escaped slave to abolitionist and celebrated orator. His autobiographical writings circulated in a prevalent canon of slavery accounts—and fictitious tales—that includes Harriet Jacobs's *Incidents in the Life of a Slave Girl* (1861) and Harriet Beecher Stowe's *Uncle Tom's Cabin* (1852). These writings, however, function as much more than as a retelling of bondage; upon closer reading, they also function as historical documents concerned with the sensitive political nature of liberty.

The Encyclopedia of African American History: 1619-1895 notes that slave statutes were enforced to restrict a variety of rights of African Americans: "Laws passed between 1800 and 1860 restricted African American access to the courts, took away their vote, punished vagrancy with forced labor, barred them from occupations coveted by whites, and restricted their travel" (Finkelman). Passed by U.S congress in 1793, the Fugitive Slave Act stipulated that slave owners and those that they employed could return by force or arrest runaway slaves from any territory or state if sufficient proof was provided to governing magistrates that the arrested blacks in question were in fact, fugitive slaves. It should also be noted that anyone who aided or hindered the arrest of a fugitive slave—usually by providing asylum or haven—were also liable for arrest. In his antebellum summary of slave statutes, *The American Slave Code In Theory And Practice: Its Distinctive Features Shown By Its Statues, Judicial Decisions, And Illustrative Facts*, William Goodell paraphrases one Maryland statute that permits law enforcement to

celebrating freedom quite like Douglass. As activist, artist, and thinker, Douglass exemplifies the best and the worst in the American spirit, of slavery and freedom in a land of promise and contradiction. (Finkelman)

By the conclusion of Douglass' final, most complete autobiography, *The Life and Times of Frederick Douglass*, he states that his life has included a multitude of experiences: "First, the life of slavery; secondly, the life of a fugitive from slavery; thirdly, the life of comparative freedom; fourthly, the life of conflict and battle; and fifthly, the life of victory, if not complete, at least assured." If *The Life and Times* is a contemplative reflection of the vast experiences of Douglass' life and a final account in which he closes the door to the record of his experiences as a freeman, then the *Narrative*, as his first account, is a first, fiery step through the doorway to liberty. Concluding with his first speaking experience at an anti-slavery convention in Nantucket in 1841, the closing scenes of the *Narrative* invite readers to share in Douglass' first tentative taste of not only the power of oration, but of autonomy among likeminded individuals.

Douglass' narrative, however, was not always taken to be true. In 1845 A. C. C. Thompson, an associate of the Aulds—the slave owning family Douglass describes in his narrative—attempted to invalidate Douglass' account in his letter "Refuge of Oppression." In 1846, from the green moors of Scotland, Douglass issued his reply to Thompson, a reply that cites the Maryland slave statutes. In addition to the full text of Thompson's letter and Douglass's reply, this edition presents a summary of these slave statutes, so that readers today can bet-

ter understand the legal context that so charges this famous exchange.

This edition seeks to more thoroughly illuminate the autonomous rhetoric of Douglass' *Narrative* by presenting a context of its reception through the presentation of both Douglass's and Thompson's letters. The racial disparity—and by extension the disproportion of authority—present between both men brings into question the influence of racial hierarchy and its relation to providing textual validity. By reading the letters in tandem, one is better able to see the paradox of Thompson's letter wielding the power to both disrepute and validate Douglass' autobiographical account, a fact Douglass both scorns and embraces.

Note on the Texts

The following is a selection of texts regarding the authenticity of Frederick Douglass' first account of slavery found within his autobiography, *Narrative of the Life of Frederick Douglass, An American Slave*. The first of the texts is Frederick Douglass' reply to Mr. A. C. C. Thompson's attempt to discredit the validity of his narrative in which Douglass does not withhold his (well-earned) satisfaction concerning Thompson's ill-fated attempt to invalidate his narrative. Douglass' letter was reprinted and circulated widely; the source for this *Nineteenth-Century Ohio Literature* edition is *The Anti-Slavery Bugle* of New Lisbon, Ohio. Although Thompson did, quite ignorantly, believe that his public refutation of Douglass' account would serve to discredit Douglass, it only validated many of the events described within his narrative. The second text is Thompson's original letter to the *Delaware Republic* which

was later reprinted in the *Liberator*. The original spelling and punctuation have been retained to preserve authenticity and all texts have been collected from their original sources.

Letter from Frederick Douglass: Reply to Mr. C. C. Thompson.

To the Editor of the *Liberator*:

Dear Friend:—For the sake of our righteous cause, I was delighted to see by an extract copied into the *Liberator* of 12th Dec., 1845, from the Delaware Republican, that Mr. A. C. C. Thompson, No. 101, Market street, Wilmington, has undertaken to invalidate my testimony against the slaveholders, whose names I have made prominent in the narrative of my experience while in slavery.

Slaveholders and slave-traders never betray greater indiscretion, than when they venture to defend themselves, or their system of plunder, in any other community than a slaveholding one. Slavery has its own standard of morality, humanity, justice, and Christianity. Tried by that standard, it is a system of the greatest kindness to a slave—sanctioned by the purest morality—in perfect agreement with justice—and, of course, not inconsistent with Christianity. But, tried by any other, it is doomed to condemnation. The naked relation of master and slave is one of those monsters of darkness, to whom the light of truth is death! The wise ones among the slaveholders know this, and they studiously avoid doing anything, which, in their judgment, tends to elicit truth. They seem fully to understand, that their safety is in their silence. They may have learned this

wisdom from Junius, who counselled his opponent, Sir William Draper, when defending Lord Granby, never to attract attention to a character, which would only pass without condemnation, when it passed without observation.¹

I am now almost too far away to answer this attempted refutation by Mr. Thompson. I fear his article will be forgotten, before you get my reply. I, however, think the whole thing worth reviving, as it is seldom we have so good a case for dissection. In any country but the United States, I might hope to get a hearing through the paper in which I was attacked. But this would be inconsistent with American usage and magnanimity. It would be folly to expect such a hearing. They might possibly advertise me as a runaway slave, and share the reward of my apprehension; but on no other condition would they allow my reply a place in their columns.

In this, however, I may judge the "Republican" harshly. It may be that, having admitted Mr. Thompson's article, the editor will think it but fair—negro though I am—to allow my reply an insertion.

In replying to Mr. Thompson, I shall proceed as I usually do in preaching the slaveholder's sermon,—dividing the subject under two general heads, as follows:—

1st. The statement of Mr. Thompson, in confirmation of the truth of my narrative.

1. Junius was the pseudonym of a writer who contributed a series of letters to the *Public Advertiser* from 21 January 1769 to 21 January 1772. Sir William Draper, who Douglass alludes to as well, attempted to defend—and rather poorly too—John Manners, Marquess of Granby, the commander in chief of the Forces, thus "giving" Junius, his public opponent, a victory in their ongoing conflict. It is likely that Douglass alludes to these figures to draw a parallel between his "victory" over Thompson's unsuccessful testament and Junius' "victory" over John Manners' weak argument.

2ndly. His denials of its truthfulness.

Under the first, I beg Mr. Thompson to accept my thanks for his full, free and unsolicited testimony, in regard to my identity.—There now need be no doubt on that point, however much there might have been before. Your testimony, Mr. Thompson, has settled the question forever. I give you the fullest credit for the deed, saying nothing of the motive. But for you, sir, the pro-slavery people in the North might have persisted, with some show of reason, in representing me as an imposter—a free negro who had never been south of Mason & Dixon’s line—one whom the abolitionists, acting on the jesuitical principle², that the end justifies the means, had educated and sent forth to attract attention to their faltering cause. I am greatly indebted to you, sir, for silencing those truly prejudicial insinuations. I wish I could make you understand the amount of service you have done. You have completely tripped up the heels of your pro-slavery friends, and laid them flat at my feet. You have done a piece of anti-slavery work, which no anti-slavery man could do. Our cautious and truth-loving people of New England would never have believed this testimony, in proof of my identity, had it been borne by an abolitionist. Not that they really think an abolitionist

2. The “jesuitical principle” may be a reference to what Douglass believes is the Jesuits’ reasoning for owning slaves. Thomas Murphy describes the Jesuits reasoning to be related to their ideological struggle with English rule: “...Jesuits found the owning of chattel to be indispensable to the Catholic struggle for civil liberty under English rule” (xxii). Thus, Douglas’ words of “the ends justifies the means” is most likely a reference to the Jesuits’ moral and theological dilemma of owning slaves while aspiring to treat them as “...equal in dignity to all other baptized Catholics...” (34). For further information see: Murphy, Thomas. *Jesuit Slaveholding in Maryland, 1717-1838*. Psychology Press, 2001.

capable of bearing false witness intentionally, but such persons are thought fanatical, and to look at everything through a distorted medium. They believe you—they will believe a slaveholder. They have, some how or other, imbibed (and I confess strangely enough) the idea that persons such as yourself are dispassionate, impartial and disinterested, and therefore capable of giving a fair representation of things connected with slavery. Now, under these circumstances, your testimony is of the utmost importance. It will serve to give effect to my exposures of slavery, both at home and abroad. I hope I shall not administer to your vanity when I tell you that you seem to have been raised up for this purpose! I came to this land with the highest testimonials from some of the most intelligent and distinguished abolitionists in the United States; yet some here have entertained and expressed doubt as to whether I have ever been a slave. You may easily imagine the perplexing and embarrassing nature of my situation, and how anxious I must have been to be relieved from it. You, sir, have relieved me. I now stand before both the American and British public, endorsed by you as being just what I have ever represented myself to be—to wit, an *American slave*.

You say, 'I knew this recreant slave by the name of Frederick Baily' (instead of Douglass.) Yes, that was my name; and, leaving out the term recreant, which savors a little of bitterness, your testimony is direct and perfect—just what I have long wanted. But you are not yet satisfied. You seem determined to bear the most ample testimony in my favor. You say you knew me when I lived with Mr. Covey. "And with most of the persons" mentioned in my narrative, "you are intimately ac-

quainted." This is excellent. Then Mr. Edward Covey is not a creature of my imagination, but really did and may yet exist.

You thus brush away the miserable insinuation of my northern pro-slavery enemies, that I have used fictitious not real names.—You say—"Col. Lloyd was a wealthy planter. Mr. Gore was once an overseer for Col. Lloyd, but is now living near St. Michael's, is respected, and [you] believe he is a member of the Methodist Episcopal Church. Mr. Thomas Auld is an honorable and worthy member of the Methodist Episcopal Church, and all that can be said of him is, that he is a good Christian," &., &., Do allow me, once more, to thank you for this triumphant vindication of the truth of my statements; and to show you how highly I value your testimony, I will inform you that I am now publishing a second edition of my narrative in this country, having already disposed of the first. I will insert your article with my reply as an appendix, to the edition now in progress. If you find any fault with my frequent thanks, you may find some excuse for me in the fact, that I have serious fears that you will be but poorly thanked by those whose characters you have felt it your duty to defend. I am almost certain they will regard you as running before you were sent, and as having spoken when you should have been silent. Under these trying circumstances, it is evidently the duty of those interested in your welfare to extend to you such words of consolation as may ease, if not remove, the pain of your sad disappointment! But enough of this.

Now, then, to the second part—or your denials. You are confident I did not write the book; and the reason of your confidence is, that when you knew me, I was an

unlearned and rather an ordinary negro. Well, I have to admit I was rather an ordinary negro when you knew me, and I do not claim to be a very extraordinary one now. But you knew me under very unfavorable circumstances. It was when I lived with Mr. Covey, the negro-breaker, and *member of the Methodist Church*. I had just been living with Master Thomas Auld, where I had been reduced by hunger³. Master Thomas did not allow me enough to eat. Well, when I lived with Mr. Covey, I was driven so hard, and whipt so often, that my soul was crushed and my spirits broken. I was a mere wreck. The degradation to which I was then subjected, as I now look back to it, seems more like a dream than a horrible reality. I can scarcely realize how I ever passed through it, without quite losing all my moral and intellectual energies. I can easily understand that you sincerely doubt if I wrote the narrative; for if any one had told me, seven years ago, I should ever be able to write such an one, I should have doubted as strongly as you now do. You must not judge me now by what I then was—a change of circumstances has made a surprising change in me. Frederick Douglass, the *freeman*, is a very different person from Fredrick Bailey,⁴ the *slave*. I feel myself almost a new man—freedom has given me new life. I fancy you would scarcely know me. I think I have altered very much in my general appearance, and

3. Douglass' arrival to the Auld household is described in Chapter IX of his *Narrative*. Douglass describes Thomas Auld's tendency to not feed his slaves sufficiently as being particularly cruel: "I have said Master Thomas was a mean man. He was so. Not to give a slave enough to eat, is regarded as the most aggravated development of meanness even among slaveholders" (Douglass 39). See: *Narrative of the Life of Frederick Douglass, An American Slave*, ed. William L. Andrews and William S. McFeely, Norton, 1997.

4. My former name. [Douglass's note.]

know I have in my manners. You remember when I used to meet you on the road to St. Michael's, or near Mr. Covey's lane gate, I hardly dared to lift my head, and look up at you. If I should meet you now, amid the free hills of old Scotland, where the ancient "black Douglass"⁵ once met his foes, I presume I might summon sufficient fortitude to look you full in the face; and were you to attempt to make a slave of me, it is possible you might find me almost as disagreeable a subject, as was the Douglass to whom I have just referred. Of one thing, I am certain—you would see a *great change* in me!

I trust I have now explained away your reason for thinking I did not write the narrative in question.

You next deny the existence of such cruelty in Maryland as I reveal my narrative; and ask, with true marvelous simplicity, "could it be possible that charitable, feeling men could murder human beings with as little remorse as the narrative of this infamous libeler would make us believe; and that the laws of Maryland, which operate alike upon black and white, bond and free, could permit such foul murders to pass unnoticed?"—"No," you say "it is impossible." I am not to determine what charitable, feeling men can do; but, to show what Maryland slaveholders actually do, their charitable feeling is to be determined by their deeds, and not their deeds by their charitable feelings. The

5. The "ancient black Douglas" that Douglass refers to is most likely the ancient clan of the Scottish Lowlands during the Late Middle Ages, particularly James Douglas also referred to as "Sir James"; he gained the moniker Black Douglas from his dark deeds, although some have speculated the "dark" refers to his complexion or coloring. For further information see Brown, Michael. *The Black Douglasses: War and Lordship in Late Medieval Scotland, 1300-1455*. John Donald, 2007.

cow-skin makes as deep a gash in my flesh, when wielded by a professed saint, as it does when wielded by an open sinner. The deadly musket does as fatal execution when its trigger is pulled by Austin Gore, the Christian, as when the same is done by Beal Bondly, the infidel. The best way to ascertain what those charitable, feeling men can do, will be to point you to the laws made by them, and which you say operate alike upon the white and the black, the bond and the free. By consulting the statute laws of Maryland, you will find the following: ☞ “Any slave for rambling in the night, or riding horses in the day time without leave, or running away, may be punished by whipping, cropping, branding in the cheek, or otherwise—not rendering him unfit for labor.”—p. 337. ☞

Then another:— ☞ “Any slave convicted of petty treason, murder, or wilful burning of dwelling-houses, may be sentenced to have the right hand cut off, to be hanged in the usual way—his head severed from his body—the body divided into four quarters, and the head and quarters set up in the most public place where such act was committed.”—Page 190. ☞

Now, Mr. Thompson, when you consider with what ease a slave may be convicted of any one or all of these crimes, how bloody and atrocious do those laws appear! Yet, sir, they are but the breath of those pious and charitable, feeling men, whom you would defend. I am sure I have recorded in my narrative, nothing so revoltingly cruel, murderous, infernal, as may be found in your statute book.

You say that the laws of Maryland operate alike upon the white and black, the bond and free. If you mean by this, that the parties named are equally protected by

law, you perpetrate a falsehood as big as that told by President Polk, in his inaugural address⁶. It is a notorious fact, even on this side of the Atlantic, that a black man cannot testify against a white man in any Court in Maryland, or any other slave State. If you do not know this, you are more than ordinarily ignorant, and are to be pitied rather than censured. I will not say “that the detection of this falsehood proves all you have said to be false” for I wish to avail myself of your testimony, in regard to my identity,—but I will say, you have made yourself very liable to suspicion.

I will close these remarks by saying your positive opposition to slavery is fully explained, and will be well understood by anti-slavery men, when you say the evil of the system does not fall upon the slave but the slaveholder. This is like saying that the evil of being burnt is not felt by the person burnt, but by him who kindles up the fire about him.

Frederick Douglass.

Perth, (Scotland,) 27th Jan. 1846.

6. Douglass's dispute of Thompson's claim that the “law acts alike upon the white and the black” is clearly supported by slave statutes. One such Maryland statute notes that intermarriages with whites are punished by enslavement—a punishment only lawful when enacted towards blacks not whites: (Maryland, Act of 1717, chap. 13, sect. 5.) “If any free negro or mulatto intermarry with any white woman ; or if any white man shall intermarry with any negro or mulatto woman, such negro or mulatto shall become a slave during life, except mulattoes born of white women...who shall become servants for seven years” (Goodell 278).

To the Public. Falsehood Refuted.

From the Delaware Republican.

It is with considerable regret that I find myself measurably compelled to appear before the public; but my attention has lately been arrested by a pamphlet which has been freely circulated in Wilmington and elsewhere, with the following superscription:—*Extract from a Narrative of Frederick Douglass, an American Slave, written by himself.*

And although I am aware that no sensible, unprejudiced person will credit such a ridiculous publication, which bears the glaring impress of falsehood on every page, yet I deem it expedient that I should give the public some information respecting the validity of this narrative, because I was for many years a citizen of the section of country where the scenes of the above mentioned narrative are laid; and am intimately acquainted with most of the gentlemen whose characters are so shamefully traduced, and I am also aware, that the Narrative was not written by the professed author; but from statements of this runaway slave, some evil designed person or persons have composed this catalogue of lies to excite the indignation of the public opinion against the slaveholders of the South; and have even attempted to plunge their venomous fangs in the vitals of the church.

I shall, therefore, briefly notice some of the most glaring falsehoods contained in the aforesaid Narrative, and give a true representation of the character of those gentlemen, who have been censured in such an

uncharitable manner, as murderers, hypocrites, and everything else that is vile.

I indulge no animosity against the fabricators and circulators of the Narrative, neither do I know them; but I positively declare the whole to be a budget of falsehoods, from beginning to end.

1st. The identity of the author. About eight years ago, I knew this recreant slave by the name of Frederick Bailey, (instead of Douglass.) He then lived with Mr. Edward Covy, and was an unlearned, and rather an ordinary negro, and am confident he was not capable of writing the Narrative alluded to; for none but an educated man, and one who had some knowledge of the rules of grammar, could write so correctly. Although, to make the imposition at all creditable, the composer has labored to write it in as plain a style as possible: consequently, the detection of this first falsehood proves the whole production to be notoriously untrue.

Again. 'It is a common custom in the part of Maryland from which I ran away, to separate children from their mothers at a very early age.'

This also I know to be false. There is no such custom prevalent in that section of the country; but, on the contrary, the children are raised with their mothers, and generally live with them in the same house, except in some few instances where the mother is hired out as a cook or laborer in some other family.

The gentlemen whose names are so prominently set forth in the said Narrative are Col. Edward Lloyd, Capt. Anthony, Austin Gore, Thomas Lamdin, (not Lanman,) Giles Hicks, Thomas Auld, and Edward Covy. Most of these persons I am intimately acquainted with, and shall give a brief sketch of their characters as follows:

Col. Edward Lloyd was one of the most wealthy and respectable planters in the State of Maryland. He was at one time the Governor of the State, and for several years, a member of the Legislature. He owned several thousand acres of land, and between 4 and 500 slaves. He died before I had much knowledge of him; but I know that he was a kind and charitable man, and in every respect an honorable and worthy citizen.

Most of the same slaves are now owned by his three sons, and they manage their servants in the same manner as did their father; and I know there are no such barbarities committed on their plantations.

Could it be possible that charitable feeling men could murder human beings, with as little remorse of conscience, as the narrative of this infamous libel wishes to make us believe; and that the laws of Maryland, which operate *alike upon black and white*, bond or free, could permit such foul murders to pass unnoticed?⁷ No! it is impossible; and every sensible man knows that these false accusations are the ebullition of an unchristian prejudice.

Captain Anthony and Giles Hicks, I know but little of. The accused murderer, Mr. Gore, is a respectable citizen, living near St. Michaels, and I believe a worthy member of the Methodist Episcopal Church: he was formerly an overseer for Col. Lloyd, and at this time, all who know him, think him anything but a murderer.

7. Although Thompson's claim that the law "acts alike upon black and white" is an overarching claim, one such statute did exist that mandated consequences for both blacks and whites: "White as well as colored persons are forbidden, under heavy penalties, to entice, transport, or secretly carry away slaves. (Laws of Maryland of 1715, chap. 19, sect. 4. Snethen's Dist. Col., p. 12.)" (Goodell 23).

Thomas Lamdin, who, it is said, (in the Narrative,) boasted so frequently of his murders, is at this time an honest school teacher in the District where I formerly lived; and all the harm that can be said of him is, that he is too good-natured and harmless to injure any person but himself.

Capt. Thomas Auld, whose hypocritical meanness is so strongly depicted in the aforesaid Narrative, was for many years a respectable merchant in the town of St Michaels, and an honorable and worthy member of the Methodist E. Church, and only notable for his integrity and irreproachable Christian character. He is now retired from the turmoil of a mercantile life, and engaged in the worthy occupation of tilling the soil, little dreaming of the foul accusations that are circulated against him.

Edward Covy, the renowned 'negro breaker,' is also a plain, honest farmer, and a tried and faithful member of the Methodist E. Church. Mr. Covy lived for several years on a farm adjoining my father's, at which time this runaway negro lived with him, and I am well aware that no such bloody tragedy as is recorded in that lying Narrative ever occurred on Mr. Covy's farm. All that can be said of Mr. Covy is that he is a good Christian, and a hard working man, and makes every one around him work and treats them well. By his honest industry, he has purchased a fine farm, and is now reaping the reward of his labor.

Such are the characters of the men whom the imposters of this dirty Narrative have so uncharitably introduced, and by blending these false accusations with the

Methodist religion of the South, they wish to lacerate her already bleeding wounds.

I was raised among slaves, and have also owned them, and am well aware that the slaves live better and fare better in many respects than the free blacks.

Yet, I am positively opposed to slavery, for I know it is a great evil; but *the evil falls not upon the slave*, but on the owner.

Intrigue and false accusations will never liberate the slave of the South; but, on the contrary, every such attempt will only forge for them new and stronger fetters.

Let the tender-hearted philanthropists of the North speak truth and love towards their southern brethren, and make a liberal application of their gold for the removing the blacks from the country, and their chance of success will be more flattering:

I have given a true representation of the persons connected with the aforesaid Narrative, and I respectfully submit the facts to the judgment of an impartial public.

A. C. C. THOMPSON.

No. 101 Market-st. Wilmington, Del.

☞ This attempt to invalidate the Narrative of Frederick Douglass, only confirms its correctness, as Mr. Thompson admits every thing but the cruelty described by Douglass—and on that point the latter speaks from experience and knowledge.

A Summary of the Maryland Slave Statutes, as Cited in William Goodell's *The American Slave Code in Theory and Practice: Its Distinctive Features Shown By Its Statutes, Judicial Decisions, and Illustrative Facts* (1853)

Abolitionist and known supporter of Douglass, William Goodell wrote the 1853 text, *The American Slave Code in Theory and Practice: Its Distinctive Features Shown by its Statutes, Judicial Decisions, and Illustrative Facts* as a means of gathering known U.S. slave statutes and to criticize their use and practice. In his book, Goodell explains the following detrimental conditions of slavery: slave ownership; slave traffick- ing; the seizure of slaves; the inheritance of slaves; various uses of slaves for “profit” and “pleasure”; mar- riage or the lack thereof between slaves, free blacks, and whites; the disallowance of the family unit; the unlimited power of slaveholders; labor; shelter; lack of compensation and wages; murder and killing; power of overseers; protection of property against slave tamper- ing; fugitive slaves; lack of legal recourse; inheritance of freedom and slavery; lack of access to possession and education; general lack of civil rights; and the dis- enfranchisement of all “persons of color.” What follows is a collection of the slave laws of the state of Maryland, the setting for Douglass’s youth and experience.

Although the slave statutes of Maryland sought to lessen the amount of so called “fugitive slaves,” the stat- utes often referred to “all persons” or “any persons,” as

many of these laws also applied, often with explicitly less force, to poor white children and teenagers fleeing apprenticeships, indentures, and abusive homes. For example:

An Act of Maryland, (1715,) chap. 44, sect. 6, “for the better discovery of runaways, &c., requires that “*any person or persons whatsoever,*” traveling beyond the limits of the county wherein they reside, shall have “*a pass under the seal of said county;*” otherwise, “if apprehended, not being sufficiently known, nor able to give a good account of themselves,” the magistrate, at his discretion, may deal with them as with runaways (226-227).

Such a distinction in language meant, in theory, that this specific statute could have applied to “persons” who were either white or black (or both), or Native American—to anyone. As Goodell notes, this law was “particularly remarkable as being without distinction of color, and so applicable to the class of low whites” (227). Of course requirement of a “*pass under the seal of said county*” could be easily met only by those with access to both literacy and official (or official-looking) stationery. And statute is also prejudiced against those who are less able to make a “good account of themselves” in the eyes of law enforcement. Finally, as Goodell also notes, this statute limited the time a magistrate could detain a *white* runaway to six months. The statute did not limit the amount of time that “negroes and mulattoes” could be detained.

The following statute is written in much of the same vein as the prior. It applies equally to runaway slaves and to slaves who ventured away from their quarters in the evening, perhaps to visit relatives on another plan-

tation: "By the law of Maryland, for 'rambling, riding, or going abroad in the night, or riding horses in the day-time without leave, a slave may be *whipt, cropped, or branded* on the cheek with the letter R, or otherwise punished, not extending to life, *or so as to unfit him for labor*" (229). In essence, if slaves were to travel without authorization, or at certain times of day that might increase chances of escape, they risk subjecting themselves to the punishment of torture, or social embarrassment by way of branding, like that done to cattle.

Maryland slave statutes also permitted slave owners to lawfully punish slaves that did not belong to them, so long as the slave in question remained on their respective land: "If any slave shall presume to come upon the plantation without leave *in writing* from his master, employer, &c. not being *sent* on lawful business, the owner of the plantation may inflict ten lashes for every such offense" (230). This statute was written, perhaps, to dissuade slaves from encouraging other slaves to flee; to lessen aid in fleeing; and to reduce communication between slaves on the whole.

The statutes also sought to make lawful the punishment of slaves who destroyed plantation property, as Goodell describes:

In Maryland and District of Columbia, 'If any negro or other slaves, absenting themselves from their master's service, running out into the woods and there remaining, killing and destroying hogs and cattle belonging to the people of this province, shall refuse to surrender themselves, and make resistance against such persons as pursue to apprehend and take them up, being thereunto legally empowered, it shall be lawful for such pursuers,

when such resistance is made, to shoot, kill, and destroy such negroes or other slaves" (231).

What is interesting to note here is not only does this statute exemplify how slaves were terrorized not only by their owners and masters, but by the common people. And to that end, the language "kill" and "destroy" does nothing short of inspiring total violence in those seeking to administer it.

Maryland statutes permitted compensation to those slaveholders whose slaves were lawfully killed. "The 'owner' of slaves sentenced to death," Goodell explains, "is probably remunerated out of the public treasury. This is the law of Maryland" (232). That the slave "owner" could be "remunerated," or lawfully compensated by the state, only furthers the notion that the local governments collected taxes to enforce and support the institution of slavery. "Crimes" against slavery often warranted drastic, if not overly torturous punishment: "In Maryland, thirty-nine stripes is the penalty for harboring *one hour*" (232). What is significant about this particular statute is that it does not specify race. And to that end, whites or blacks could be punished with "thirty-nine stripes" if found to be sheltering a fugitive slave for just one hour.

Similarly, other Maryland statutes did not fail to punish whites as well. This suggests that upholding the institution of slavery was more important to lawmakers than merely discriminating against people of color. "White as well as colored persons are forbidden, under heavy penalties, to entice, transport, or secretly carry away slaves" (233). While Goodell does make clear that the act of covertly transporting slaves by both whites and blacks is punishable under "heavy penalties," he

does not expand upon the nature of these possible punishments.

Goodell highlights the particular importance of documentation or “certificates of freedom” in that, if they are misused or mishandled by free blacks, the punishment is particularly dire:

Giving passes to slaves is prohibited in Maryland by Act of 1796, chap. 67, sect. 20. (Snethen, p. 29.) And ‘free negroes or mulattoes’ who may sell or give away their ‘certificates of freedom,’ may be fined \$300, which, if not paid, may be raised by the *sale of such free persons into slavery!* (234)

The verbiage makes clear, and grossly so, that the possibility of slavery remained for all blacks; freedom, once established, was something that could be, under certain laws, taken away.

Goodell explains how many people were born or carried into slavery, with no prospect of manumission:

In Maryland, ‘All negroes and other slaves, already imported or hereafter to be imported into this province, and *all children, now born or hereafter to be born of such negroes and slaves, shall be slaves during their natural lives.* (248)

In antebellum Maryland, a person could marry themselves into slavery, too. As Goodell explains:

Intermarriages with whites are punished by enslavement. . . . If any *free* negro or mulatto *intermarry* with any *white* woman; or if any *white* man shall intermarry with any negro or mulatto woman, such negro or mulatto shall become *a slave during life*, except mulattoes born of white women . . . who shall become servants for seven years (278).

It is worth noting that the only parties punished here, unsurprisingly, were the blacks or slaves. It is also curious that “mulattoes born of white women” were subject to only seven years’ labor. Also, the antebellum Maryland statutes forbade the marriage of white men and black women, but it did not forbid sexual relations between the same. As Goodell notes, for a white man “to live in adulterous concubinage with his slave woman, incurs no penalty at all” (278).

Goodell explains that the Maryland slave statutes exonerated those who, in attempting to apprehend slaves, killed them:

In Maryland, ‘If any slave shall *happen* to be slain for refusing to surrender him or herself, contrary to law, or in unlawful resisting any officer, or *other person* who shall endeavor to apprehend such slave or slaves, &c., such officer or *other person so killing such slave, as aforesaid*, making resistance, shall be and is by this Act *indemnified* from any prosecution for such killing aforesaid,’ &c.

What is less clear, is the motive of such apprehending persons or even the nature of such an occurrence. One can only speculate this law exonerated not only those looking to “innocently,” if such a thing existed, return escaped slaves to bondage, but to those looking to egregiously torture, hurt, or rape. Similarly, Goodell explains that the Maryland statutes often punished slaves that “struck” or hurt a white man, no matter if the action was done in self-defense: “For striking a white man, in Maryland, no matter for what cause, a Justice may ‘direct the offender’s ears to be cropped, though he be a free black’” (357). In this aspect, the punishment, what-

ever the cause, bears resemblance to the treatment of livestock.

Goodell explains that the Maryland slave statutes often required certain travel practices for blacks that were not slaves. Here he cites William Jay's 1825 *Inquiry into the Character and Tendency of the American Colonization, and American Anti-Slavery Societies*:

Should a colored citizen of Maryland cross its boundary, on business never so urgent to himself and his family, on returning home, more than a month after, he is liable to be seized and SOLD, unless, previous to his departure, he had complied with certain vexatious legal formalities, and which, from ignorance, he would be extremely likely to neglect, or perform imperfectly (360).

One might assume, that from the overly tedious, if not unclear and unspecific language, that the requirements were fashioned so as to make lawful the seizing and enslaving of free blacks.

Works Cited

- Brown, Michael. *The Black Douglasses: War and Lordship in Late Medieval Scotland, 1300—1455*. John Donald, 2007.
- Davis, Reginald F. *Frederick Douglass: A Precursor of Liberation Theology*. Mercer University Press, 2005.
- Douglass, Frederick. *Frederick Douglass: Selected Speeches and Writings*. Ed. Philip S. Foner and Yuval Taylor. Chicago Review Press, 1999.
- "Letter From Frederick Douglass." *Anti-Slavery Bugle*, 1, 35, 20 March 1846: 1-4. *Chronicling Amer-*

- ica, Library of Congress, <http://chroniclingamerica.loc.gov/lccn/sn83035487/1846-03-20/ed-1/seq-1/>
- Narrative of the Life of Frederick Douglass, An American Slave*. Ed. William L. Andrews and William S. McFeely, Norton, 1997.
- Finkelman, Paul. *Encyclopedia of African American History, 1619—1895: From The Colonial Period To The Age of Frederick Douglass*. Oxford University Press, 2006.
- “Frederick Douglass’ Constitution: From Garrisonian Abolitionist to Lincoln Republican.” *Missouri Law Review*. (2016): 1-100. LexisNexis Academic.
- Goodell, William. *The American Slave Code in Theory and Practice: Its Distinctive Features Shown By Its Statutes, Judicial Decisions, and Illustrative Facts*. New York, American and Foreign Anti-Slavery Society, 1853. HathiTrust, <https://archive.org/details/americanslavecod00lgood>
- McFeely, William S. *Frederick Douglass*. Norton and Company, 1991.
- Murphy, Thomas. *Jesuit Slaveholding in Maryland, 1717—1838*. Psychology Press, 2001.
- Myers, Peter C. “Frederick Douglass on Revolution and Integration: A Problem in Moral Psychology.” *American Political Thought* 2.1 (2013): 118-146. JSTOR.
- Thompson, A. C. C. “Refuge of Oppression” *The Liberator* (1831—1865), 15, 1. December 1845: 1. *American Periodicals*.