

Module 03: A Revolution for Whom?

Evidence 5: Pennsylvania's Gradual Emancipation Act

A

Introduction

In 1780, Pennsylvania became the first state to pass a law abolishing slavery. Pennsylvania Quakers had long questioned the morality of slavery and played a crucial role in the passage of the law. The law did not, however, simply free slaves; in fact, it did not free a single slave living at the time it was passed.

Questions to Consider

- How did Pennsylvanians link the law to the American Revolution?
- What might explain the timing of emancipation under the law?
- Did the act address the evils of slavery identified by the law itself?

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An ACT for the GRADUAL ABOLITION of SLAVERY, 1780

When we contemplate our Abhorrence of that Condition to which the Arms and Tyranny of Great Britain were exerted to reduce us, when we look back on the Variety of Dangers to which we have been exposed, and how miraculously our Wants in many Instances have been supplied and our Deliverances wrought, when even Hope and human fortitude have become unequal to the Conflict; we are unavoidably led to a serious and grateful Sense of the manifold Blessings which we have undeservedly received from the hand of that Being from whom every good and perfect Gift cometh. Impressed with these Ideas we conceive that it is our duty, and we rejoice that it is in our Power, to extend a Portion of that freedom to others, which hath been extended to us; and a Release from that State of Thralldom, to which we ourselves were tyrannically doomed, and from which we have now every Prospect of being delivered. It is not for us to enquire, why, in the Creation of Mankind, the Inhabitants of the several parts of the Earth, were distinguished by a difference in Feature or Complexion. It is sufficient to know that all are the Work of an Almighty Hand, We find in the distribution of the human Species, that the most fertile, as well as the most

barren parts of the Earth are inhabited by Men of Complexions different from ours and from each other, from whence we may reasonably as well as religiously infer, that he, who placed them in their various Situations, hath extended equally his Care and Protection to all, and that it becometh not us to counteract his Mercies.

We esteem a peculiar Blessing granted to us, that we are enabled this Day to add one more Step to universal Civilization by removing as much as possible the Sorrows of those, who have lived in undeserved Bondage, and from which by the assumed Authority of the Kings of Britain, no effectual legal Relief could be obtained. Weaned by a long Course of Experience from those narrow Prejudices and Partialities we had imbibed, we find our Hearts enlarged with Kindness and Benevolence towards Men of all Conditions and Nations; and we conceive ourselves at this particular Period extraordinarily called upon by the Blessings which we have received, to manifest the Sincerity of our Profession and to give a substantial Proof of our Gratitude.

And whereas, the Condition of those Persons who have heretofore been denominated Negroe and Mulatto Slaves, has been attended with Circumstances which not only deprived them of the common Blessings that they were by Nature entitled to, but has cast them into the deepest Afflictions by an unnatural Separation and Sale of Husband and Wife from each other, and from their Children; an Injury the greatness of which can only be conceived, by supposing that we were in the same unhappy Case. In Justice therefore to Persons so unhappily circumstanced and who, having no Prospect before them whereon they may rest their Sorrows and their hopes have no reasonable Inducement to render that Service to Society, which they otherwise might; and also ingrateful Commemoration of our own happy Deliverance, from that State of unconditional Submission, to which we were doomed by the Tyranny of Britain.

Be it enacted and it is hereby enacted by the Representatives of the Freemen of the Commonwealth of Pennsylvania in General Assembly met and by the Authority of the same, That all Persons, as well Negroes, and Mulattos, as others, who shall be born within this State, from and after the Passing of this Act, shall not be deemed and considered as Servants for Life or Slaves; and that all Servitude for Life or Slavery of Children in Consequence of the Slavery of their Mothers, in the Case of all Children born within this State from and after the passing of this Act as aforesaid,

shall be, and hereby is, utterly taken away, extinguished and for ever abolished.

Provided always and be it further enacted by the Authority aforesaid, That every Negroe and Mulatto Child born within this State after the passing of this Act as aforesaid, who would in Case this Act had not been made, have been born a Servant for Years or life or a Slave, shall be deemed to be and shall be, by Virtue of this Act the Servant of such person or his or her Assigns, who would in such Case have been entitled to the Service of such Child until such Child shall attain unto the Age of twenty eight Years, in the manner and on the Conditions whereon Servants bound by Indenture for four Years are or may be retained and holden; and shall be liable to like Correction and punishment, and intitled to like Relief in case he or she be evilly treated by his or her master or Mistress; and to like Freedom dues and other Privileges as Servants bound by Indenture for Four Years are or may be intitled unless the Person to whom the Service of any such Child Shall belong, shall abandon his or her Claim to the same, in which Case the Overseers of the Poor of the City Township or District, respectively where such Child shall be so abandoned, shall by Indenture bind out every Child so abandoned as an Apprentice for a Time not exceeding the Age herein before limited for the Service of such Children. . . .

And be it further enacted by the Authority aforesaid, That the Offences and Crimes of Negroes and Mulattos as well as Slaves and Servants and Freemen, shall be enquired of, adjudged, corrected and punished in like manner as the Offences and Crimes of the other Inhabitants of this State are and shall be enquired of adjudged, corrected and punished, and not otherwise except that a Slave shall not be admitted to bear Witness against [sic] a Freeman.

And be it further enacted by the Authority aforesaid That in all Cases wherein Sentence of Death shall be pronounced against a Slave, the Jury before whom he or she shall be tried shall appraise and declare the Value of such Slave, and in Case Such Sentence be executed, the Court shall make an Order on the State Treasurer payable to the Owner for the same and for the Costs of Prosecution, but in Case of a Remission or Mitigation for the Costs only. . . .

Provided always and be it further enacted by the Authority aforesaid, That

this Act nor any thing in it contained shall not give any Relief or Shelter to any absconding or Runaway Negroe or Mulatto Slave or Servant, who has absented himself or shall absent himself from his or her Owner, Master or Mistress, residing in any other State or Country, but such Owner, Master or Mistress, shall have like Right and Aid to demand, claim and take away his Slave or Servant, as he might have had in Case this Act had not been made. . . .

John Bayard, Speaker

Enacted into a Law at Philadelphia on Wednesday the first day of March,
Anno Domini One thousand seven hundred Eighty

Thomas Paine, Clerk of the General Assembly

Source:

Slavery in the North. <http://www.slavenorth.com/index.html>.