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James Viles

JAMES LEMEN, SENIOR AND JUNIOR,
AND THE EARLY SLAVERY CONTROVERSY IN ILLINOIS

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PREFACE

This study is the result of a desire on the part of the author to trace the anti-slavery movement in early Illinois leading toward the formation and retention of a free state constitution. The subject is of particular interest to her because of the active part taken in that movement by her great-great-great grandfather, James Lemen, Sr., who was a vigorous anti-slavery leader.

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CHAPTER I

THE SLAVERY CONTROVERSY IN THE ILLINOIS COUNTRY, 1721-1814

The first exploration of the Illinois Country by Europeans was that of the French who, after their preliminary explorations extending from about 1673 to 1700, made permanent settlements which had their origin in the missions of the Jesuits and the bartering posts of the French traders. Chief of these were Kaskaskia, established near the mouth of the Kaskaskia River; Cahokia, a little below the mouth of the Missouri River; and Fort Chartres, on the Mississippi between Cahokia and Kaskaskia, founded in 1720 to be a link in a chain of fortifications intended to extend from the St. Lawrence to the Gulf of Mexico. Here for almost a hundred years these villages endured unchanged amidst the creeks and ponds of the bottom, while the dominion over the Northwest was passing from France to England¹ and England to the United States.

1. Alvord, Clarence Walworth, ed., Cahokia Records, 1778-1790, p. xiii.

Into this country, in 1720, came Philippe Francois Renault, the man who was to play the leading part in the field of mining for many years, and who was responsible for the introduction of the institution of slavery to the Illinois French. Formerly a banker in Paris, Renault had been appointed director-general of mines for the Company of the West;² and in this capacity he began his activity in the Illinois. He brought with him miners and negroes, and twenty-five of the latter were to be sent him each year.³ The census reports disprove the oft-repeated tradition that Renault imported five hundred negro slaves. The census of 1732 places their number at 165 and distributes them as follows: Kaskaskia, 102; Chartres Village, 37; St. Philippe (founded by Renault a few miles north of Fort Chartres), 22; Cahokia, 4.⁴ The number of negro slaves under the French regime was never large, for the royal

2. The "Company of the West", commonly called the "Mississippi Company", was granted a commercial charter to Louisiana in August, 1717 to be valid for twenty-five years, beginning January 1, 1718. On September 27, 1717 the charter was supplemented by an ordinance which formally incorporated the Illinois Country into Louisiana. Alvord, Clarence Walworth, The Illinois Country, 1673-1818, pp. 150f.

3. Ibid., p. 154.

4. Ibid., p. 202.

government, after a few years of experiment, concluded⁵ that they were not economically profitable.

When Louisiana was transferred to Great Britain by the Treaty of Paris, 1763, that government, by proclamation of General Gage, declared that the late subjects of France should enjoy the same rights and privileges, "the same security for their persons and effects", as the⁶ old subjects of the king. As slavery was at that time recognized in her colonies, Great Britain did not interfere with the holding of slave property by the French of⁷ Illinois. Negroes continued in servitude as before.

At the close of the Revolution, Illinois became a county of the State of Virginia, and slavery existed there just as it did in the parent state. In 1784 Virginia ceded her claims on the Illinois Country to the federal government. The act by which this cession was accomplished contained one clause of great importance for the future of the people of Illinois. This provided "that the French and Canadian inhabitants, and other

5. Alvord, The Illinois Country, 1673-1818, p. 202.

6. "Proclamation of Gage to the Inhabitants of Illinois", Alvord, Clarence Walworth and Carter, Clarence Edwin, ed., The Critical Period, 1763-1765, p. 396.

7. Moses, John, Illinois, Historical and Statistical, Vol. I, p. 311.

settlers of the Kaskaskies, Saint Vincents, and the neighboring villages, who have professed themselves citizens of Virginia, shall have their possessions and titles confirmed to them, and be protected in the enjoyment of their rights and liberties".⁸ This clause was understood and interpreted at the time to mean that the right of property in slaves should be recognized and protected.

The necessity of providing the people of the Northwest Territory with the means of governmental protection now became apparent and urgent. Accordingly, March 1, 1784, a congressional committee, of which Thomas Jefferson was chairman, was appointed to prepare a temporary form of government for the new territory. The report of this committee, in addition to providing the structure of government, proposed "that after the year 1800 there shall be neither slavery nor involuntary servitude in any of the said states, otherwise than in the punishment of crimes whereof the party shall have been duly convicted". The anti-slavery clause, failing to secure a majority of states for its retention, was stricken out.⁹ The report was then adopted, April 23,

8. Thorpe, Francis N., American Charters, Constitutions, and Organic Laws, Vol. II, p. 956.

9. Alvord, The Illinois Country, 1673-1818, p. 388.

in the form of a resolution. Provision was made for the organization of states by the people, but it was left to Congress to provide measures for keeping of peace and order. No such action, however, was taken by Congress,¹⁰ and the resolution was inoperative.

The resolution of 1784, having failed to serve any practical purpose, the inhabitants of Kaskaskia in August, 1786, petitioned Congress to provide some means¹¹ whereby they could form a better government. In the meantime, Nathan Dane, an Essex county man representing Massachusetts in Congress had opened the way for a committee, of which James Monroe was made the chairman, to report an ordinance for the government of the North-¹²west. On July 13, 1787, when the Northwest Ordinance became a law, it contained as its sixth article the following provision: "There shall be neither slavery nor involuntary servitude in the said territory, otherwise than in the punishment of crime, whereof the party shall have been duly convicted; provided always, that any person escaping into the same from whom labor or service is lawfully claimed in any one of the original

10. Alvord, The Illinois Country, 1673-1818, p. 388.

11. Moses, Illinois, Historical and Statistical, Vol. I, p. 184.

12. Winsor, Justin, The Westward Movement, pp. 281ff.

states, such fugitive may be lawfully reclaimed and conveyed to the person claiming his or her labor or service."¹³

The residents of the Illinois Country were disturbed by this anti-slavery clause. The French inhabitants were favorable to the existence of slavery as it was established by the French laws of Louisiana and by the laws of the English colonies to which the country east of the Mississippi River became attached by cession of France in 1763. Did the ordinance provide for the extinction of slavery and without compensation to the owners of slaves? An exodus to the Spanish side of the Mississippi resulted, and St. Louis profited by what the older villages of Illinois lost. In addition to a justifiable feeling of uncertainty as to whether they would be allowed to retain their slaves, the French had their fears wrought upon by persons interested in the sale of Spanish lands. These persons took pains to convince the credulous French that all slaves would be released upon American occupancy.¹⁴

Many of the settlers of English descent in

13. Coles, Edward, "History of the Ordinance of 1787", in Washburne, Elihu Benjamin, Sketch of Edward Coles, Second Governor of Illinois, and of the Slavery Struggle of 1823-4, Appendix, p. 385.

14. Boggess, Arthur Clinton, The Settlement of Illinois, 1778-1830, p. 55.

Illinois in 1787 had settled there on lands granted to Virginia citizens who had served in wars carried on against the Indians. It was to be expected that the provision for the prohibition of slavery would not be
¹⁵
 very popular with many of them.

The slavery problems of both of these groups were solved for them by Arthur St. Clair upon becoming Governor of the Northwest Territory. He interpreted the disputed clause as intended only to prevent the introduction of slaves and not as aiming at the emancipation
¹⁶
 of those already there. He hoped, he said, that in doing this he had not misunderstood the intentions of Congress, as by his interpretation he had "quieted the apprehension of the people" and prevented their flying
¹⁷
 beyond the Mississippi. The view of the Governor was universally accepted, and the belief that Article VI in no way affected the existing relations between masters
¹⁸
 and servants became a settled conviction.

No reference was made to the subject of slavery in the first three General Assemblies of the

15. Coles, "History of the Ordinance of 1787", p. 386.

16. Alvord, The Illinois Country, 1673-1818, p. 422.

17. Winsor, The Westward Movement, p. 288.

18. Harris, Norman Dwight, History of Negro Slavery in Illinois and of the Slavery Agitation in that State, p. 6.

Northwest Territory, other than the levying of taxes on
¹⁹
all negroes over twenty-one years of age. As early as
1796 the question was raised of repealing or superceding
the prohibitory clause of the Ordinance, and a petition
was sent from Kaskaskia to Congress, praying that the
anti-slavery article in the Ordinance of 1787 might be
either repealed or so altered that it would permit the
introduction of slaves from the original states or else-
where into the country of Illinois, that a law might be
enacted permitting the introduction of such slaves as
servants for life, and that it might be declared for what
period the children of such servants should serve the
²⁰
masters of their parents. The reasons given for dis-
approving Article VI of the Ordinance were that it was
contrary to the interest and almost to the existence of
the country they inhabited "where laborers can not be
procured to assist in cultivating the grounds under one
dollar per day, tradesmen are paid from a dollar and a
half to two dollars per day; neither is there, at these
exorbitant prices, a sufficiency of hands to be got for
the exigencies of the inhabitants, who, attached to their
native soil, have rather chose to encounter these and

19. Harris, History of Negro Slavery in Illinois, p. 7.

20. Boggess, The Settlement of Illinois, 1778-1830,
p. 177.

many other difficulties than, by avoiding them, remove to the Spanish dominions, where slavery is permitted, and consequently, the price of labor much lower²¹". They made it very clear that they did not wish to increase the number of slaves already in the United States, but favored only the introduction of such persons as were slaves in the original states.²² This petition was signed by four men, including some of the largest land-owners in Illinois. Because the petition concerned the entire Northwest Territory, and as there was no indication that the four petitioners represented Illinois sentiment, the prayer of the petition was denied.²³

October 1, 1800, a petition was sent by the "Inhabitants of Randolph and St. Clair Counties", bearing two hundred sixty-eight names, praying Congress to repeal the anti-slavery provisions of the Ordinance, stating that many of the inhabitants were crossing the Mississippi with their slaves. The signers professed themselves to be opposed to an unconditional state of slavery and to venerate the philanthropy which caused the prohi-

21. Dunn, Jacob Piatt, ed., Slavery Petitions and Papers, p. 6. (This is Vol. II, No. 12 of the Publications of the Indiana Historical Society.)

22. Ibid., p. 6.

23. Ibid., pp. 6-7.

bition of it, "yet they cannot but entertain the hope that a mode adopted as well to ameliorate the condition of the unfortunate people concerned as to establish a gradual abolition of slavery will meet with your appro-²⁴bation".²⁵ The petition was not considered by Congress.

The pro-slavery feeling had become so widespread by 1802 that General Harrison, Governor of the Territory, was induced to call a convention which assembled at Vincennes, December 20, to consider the question. On December 28, the petition was adopted which memorialized Congress not to repeal, but to suspend Article VI for a term of ten years and then again to enforce it, "but that the slaves brought into the Territory during the continuance of this suspension and their progeny may be considered and continued in the same state of servitude as if they had remained in those parts of the United States where slavery is permitted and from whence they may have been removed".²⁶ This document was transmitted to Congress and referred to a committee of which John Randolph was chairman.²⁷ In March, 1803, he submitted a report in which he said, "that the labor of

24. Boggess, The Settlement of Illinois, 1778-1830, p. 178.

25. Dunn, Slavery Petitions and Papers, p. 14.

26. Ibid., p. 19.

27. Ibid., pp. 20-21.

slaves is not necessary to promote the growth and settlement of colonies in that region that the committee deem it highly dangerous and inexpedient to impair a provision wisely calculated to promote the happiness and prosperity of the Northwestern Country, and to give strength and security to that extensive frontier...."²⁸

A second committee report was in favor of suspending the anti-slavery article for ten years, the male descendants of immigrating slaves to be free at the age of twenty-five years, and the females at twenty-one. Again no action was taken, and this effort to fasten slavery on²⁹ Illinois was unsuccessful.

December 18, 1805 a majority of the members of the respective houses of the Indiana Territorial Legislature petitioned for the repeal of the anti-slavery³⁰ article, and this petition was closely followed by a memorial from Illinois submitted by a convention of citizens from several townships of St. Clair and Randolph Counties. The minutes of the Convention which were submitted with the memorial condemned the statute of 1805

28. Dunn, Slavery Petitions and Papers, p. 29; U. S. Congress, American State Papers, Public Lands, Vol. I (March 4, 1789 to June 15, 1834), p. 146.

29. Dunn, Slavery Petitions and Papers, pp. 31-34; American State Papers, Miscellaneous, Vol. I (March 3, 1789 to March 3, 1809), p. 387.

30. Dunn, Slavery Petitions and Papers, pp. 34-40.

by which the Territorial Legislature authorized slave immigration "and involuntary servitude for a term of ten years", a violation of the Ordinance to which they declared they would never consent, notwithstanding they were persuaded that it would stimulate the settlement of the Territory. However, the memorial to Congress pronounced slavery a necessity and prayed its legalization. It is possible that these inconsistencies were due to a desire to secure the joinder of certain anti-slavery leaders, one of whom was James Lemen, the subject of this study.³¹ A committee report on the petition and memorial recommended that permission to import slaves into Indiana (then including Illinois) for ten years be granted, in order that the evil effects of slavery might be mitigated by its dispersion, but no legislation resulted from the report.³²

In 1807 the Indiana Legislature sent another resolution to Congress praying the division of the Territory and the legalization of slavery.³³ At the same time

31. Philbrick, Francis Samuel, ed., The Laws of Indiana Territory, 1801-1809 (Introduction), p. xxxix.

32. Boggess, The Settlement of Illinois, 1778-1830, p. 178; Dunn, Slavery Petitions and Papers, p. 54; American State Papers, Miscellaneous, Vol. I, p. 450.

33. Dunn, Slavery Petitions and Papers, pp. 65-68; American State Papers, Miscellaneous, Vol. I, p. 467.

another petition was sent from Randolph and St. Clair Counties asking for division and a government based on that proposed for Michigan Territory.³⁴

Also on February 20, the counter petition of Randolph County was sent to Congress. It spoke of "sham conventions" as those of 1805 and 1807, asked that no division take place, but was silent on the subject of slavery. This petition bears one hundred two signatures, but nearly all the names are French and forty are signed with a mark.³⁵ Six days after receiving these petitions, the committee reported to the House a resolution declaring the expediency of dividing the Territory. The resolution was adopted, but no further action followed.³⁶ Thus terminated the efforts in the Northwest Territory to change the article of the Ordinance prohibiting slavery.

By 1803 the Territorial Legislature found it necessary to provide for the legal status of negroes living as slaves in the Territory. In that year the Governing Council of Indiana drew up a slave code based on the codes of Virginia and Kentucky. This set of laws,

34. Dunn, Slavery Petitions and Papers, pp. 68-69.

35. Ibid., pp. 70-73.

36. Ibid., p. 75.

sponsored by the advocates of slavery who had been unsuccessful in their appeals to Congress, was reenacted in the main by the Indiana Territorial Assemblies of 1805³⁷ and 1807.

Under the provisions of this code, any slaveholder might bring his chattels over fifteen years of age into the Territory and have them indentured and registered with the county clerk within thirty days after his arrival. All male negroes, under fifteen, either owned or acquired, were required to serve until the age of thirty-five; the women until thirty-two. Children born during the period of service could also be bound out, the boys for thirty years and the girls for twenty-eight. Transfers from one master to another were permitted,³⁸ provided the slave gave his (or her) consent.

Other provisions of the code concerned the duties of masters to their servants. Wholesome food, sufficient clothing, and lodging were to be provided for each slave. Lazy or indifferent servants might, on order³⁹ from a justice of the county, be punished by whipping. Negroes who refused to work or who tried to run away

37. Philbrick, The Laws of Indiana Territory, 1801-1809, pp. 136-139, 463-467.

38. Ibid., pp. 463-464, 139.

39. Ibid., p. 463.

must serve two days extra time for every idle or absent day. Any person harboring run-away slaves must pay the master one dollar for each day that he concealed the negro. No person was allowed to deal or trade with a servant without the consent of the master.⁴⁰

County courts were to punish masters proved guilty of mistreating their slaves. In such cases, negroes were not allowed to serve as witnesses. Masters who allowed any sick or lame negro to become a county charge were to be fined thirty dollars.⁴¹ Negroes were not allowed to serve in the militia, to have bail when arrested, to engage in unlawful assemblies, nor to absent themselves from the plantations of their owners without a special pass or token.⁴² Finally, if any negro should refuse to serve his master when brought into Illinois, the owner might move into a slave state within sixty days.⁴³

Although public sentiment against slavery was such that the friends of freedom were able to repeal the obnoxious Indenture Law in the Indiana Territory in 1810,

40. Philbrick, The Laws of Indiana Territory, 1801-1809, pp. 465-466.

41. Ibid., p. 464.

42. Idem.

43. Philbrick, The Laws of Indiana Territory, 1801-1809, p. 136.

it was among the first acts adopted by Governor Edwards and the judges of the newly created Illinois Territory, and was also reenacted by the first Territorial Legislature of Illinois in 1812.⁴⁴ In 1814 an act was passed legalizing the hiring of slaves owned by one person to another provided the slave gave his or her consent for a period of twelve months.⁴⁵

Under these laws there was a notable increase in the number of slaves. In 1800 there were but 135 reported in the Territory of Indiana, which then included Illinois. Ten years later there were 168 in Illinois alone, and in 1820 the number had risen to 917, the percentages of total population for the two census years being 1.3 and 1.8 respectively.⁴⁶ At the same time the number of free colored persons declined from 613 to 457. Illinois was the only state north of Mason's and Dixon's line having an increase in the number of slaves during the decade.⁴⁷

The greater proportion of these negroes came

44. Moses, Illinois, Historical and Statistical, Vol. I, p. 313.

45. Laws of Illinois Territory, p. 49.

46. Ninth Census of the United States, Population (1870), pp. 5, 7.

47. Boggess, The Settlement of Illinois, 1778-1830, p. 180.

from Kentucky and Tennessee, although numbers were brought from Virginia, the Carolinas, Maryland, and even Louisiana. A considerable number were registered to serve until the age fixed by law was reached, which meant⁴⁸ from ten to twenty years in most cases. Transfers of colored servants were frequent, but the formality of obtaining the servants' consent was frequently overlooked. Notices of desirable negroes "for sale" and "wanted" often appeared in the Kaskaskia, Edwardsville, and St. Louis⁴⁹ papers.

Even at this early date kidnapping of "servants" had begun. Negroes whose terms of service were about to expire were seized, carried off to New Orleans and the South and sold into a servitude more wretched than before. The Legislature fixed a fine of \$1000 for the abduction of a slave, but the practice⁵⁰ continued.

If men had no use for their servants themselves they rented them out by the year to their neighbors. The most common employment for negroes was

48. Moses, Illinois, Historical and Statistical, Vol. I, p. 314.

49. Harris, History of Negro Slavery in Illinois, p.13.

50. Ibid., p. 14.

tilling the soil of plantations of Southern Illinois. They were also used as household servants, waiters in taverns, dairymen, shoe-makers, cooks, and toilers in the salt mines.⁵¹

At the end of the territorial period of Illinois, slavery existed, not only in the settlements and towns along the Ohio and Mississippi Rivers, but all over the southern portion as far north as Sangamon County, which was then just beginning to be settled.⁵²

This Territory, made free by act of Congress, but upon which slavery had gradually fastened itself, was the scene of the labors of James Lemen, a pioneer committed to the ideals of freedom and equality who came to the Illinois country in 1785 determined to lend his efforts toward the formation of a free state.

51. Harris, History of Negro Slavery in Illinois, p.15.

52. Ibid., p. 15; "Abstract of the Census of 1818", in Buck, Solon Justus, Illinois in 1818, p. 318.

CHAPTER II

THE LEMEN FAMILY IN ILLINOIS

At the time of the passage of the Ordinance of 1787, the great American Bottom of the Mississippi was gradually being settled. Commencing at the mouth of the Kaskaskia River, it extended five miles below the town of Kaskaskia and northwardly along the Mississippi to the bluffs at the present site of Alton. Its average width was five miles, and it contained approximately four hundred fifty square miles or two hundred eighty-eight thousand acres.¹ In a few instances the waters of the Mississippi at its annual rise broke out of banks and inundated the low lands.² The soil of this region was rich to the average depth of twenty-five feet.³ Little wonder that this small strip of territory has become

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1. Peck, John Mason, A Guide for Emigrants, Containing Sketches of Illinois, Missouri, and the Adjacent Parts, p. 95.
 2. Ibid., p. 96.
 3. Ibid., p. 97.

the most historic in the whole state. Along its narrow plain were scattered the first permanent villages of the white men. Here was written the romance of early Illinois; on this small area were enacted scenes that marked the passing of empires.⁴ It was in the American Bottom that the Illinois struggle over slavery centered.

Among the new arrivals from Virginia in 1785 was Captain Joseph Ogle who had served in the Revolution, rendering distinguished service in the seige of Fort Henry in 1777.⁵ He chose as his place of settlement New Design, about four miles south of Bellefontaine in the present county of Monroe. This location had been established as early as 1782. Captain Ogle found here a beautiful country, elevated and commanding a view of both the Mississippi and Kaskaskia River.⁶ His selection of this site was due to its fertility and its location on the high road between St. Louis and Kaskaskia.⁷ Captain Ogle's family was with him except his oldest daughter, Catharine, who three years before had married James Lemen. The next season, 1786, Lemen and his family

4. Alvord, The Illinois Country, 1673-1818, p. 133.

5. Hayne, Coe Smith, The Vanguard of the Caravans; a Life-Story of John Mason Peck, p. 77.

6. Reynolds, John, The Pioneer History of Illinois, p. 116.

7. Brand, Edward P., Illinois Baptists, p. 18.

8

followed to the new land.

The name of James Lemen stands today as that of a pioneer in the organization of the Baptist Church in Illinois and as one of the Fathers of the Free State Constitution. He was born in Frederick County, now Jefferson County, West Virginia, on November 20, 1760, the youngest son of Nicholas and Christian Lemen. More than two centuries ago, in 1708, three brothers by the name of Lemen had emigrated from Scotland to Virginia where they founded the family from which James was descended.⁹

James Lemen acquired a common school education¹⁰ and also a practical knowledge of farming. On March 3, 1778, he enlisted in Captain George Wall's company of the Fourth Virginia Regiment, commanded at various times by Major Isaac Beall and Colonels James Wood and John Neville¹¹ in the Revolutionary War. He served two years and was in the battle of White Plains and other engage-

8. Brand, Illinois Baptists, p. 18.

9. Ibid., p. 19.

10. Lemen, Frank B., History of the Lemen Family, p. 20.

11. Letter from F. C. Ainsworth, Adjutant-General, United States War Department, Washington, February 13, 1908. In MacNaul, Willard Carey, The Jefferson-Lemen Compact, p. 52.

¹²
ments. His enlistment had expired previous to the seige
at Yorktown, but with the view of re-enlisting, he joined
his old comrades and was in the ranks at Yorktown when
¹³
Lord Cornwallis surrendered.

In 1782 James Lemen married Catharine Ogle,
daughter of Captain Joseph Ogle, and with his wife and
first two children, Robert and Joseph, came to join his
father-in-law at New Design in 1786.¹⁴ On the voyage from
Ohio to Illinois, which was made on the Ohio River in a
flatboat, the boat was partially submerged, the family
lost nearly all their goods, and Robert, their eldest
son, was only saved from drowning by the heroic efforts
of his father.¹⁵ Upon reaching Illinois, the Lemen family
¹⁶
lived for some time in Fort Piggott, not far from the
bluff in the American Bottom, west of the present town of
Columbia in Monroe County.¹⁷ It was while at Fort Piggott,
a refuge from Indian attacks, that James Lemen, with an
ax and hunting knife made a box, 20 by 12 by 7 inches, in

12. Lemen, History of the Lemen Family, p. 20.

13. Idem.

14. Lemen, History of the Lemen Family, p. 23.

15. Ibid., p. 24.

16. Hayne, The Vanguard of the Caravans, p. 81.

17. Reynolds, John, My Own Times, p. 36.

which to keep his personal papers. In 1913 this box was given by the family to the Illinois Baptist Historical Collection at Shurtleff College, Alton, Illinois, where¹⁸ it remains to the present time.

James Lemen, in the course of time, became justice of the peace, judge of the court of common pleas, and a Baptist minister whose principal aim was the establishment of churches opposed to the institution of¹⁹ slavery. He was a man of enterprise and sterling integrity.²⁰ Governor Reynolds says of him, "James Lemen was a rigidly honest, humane, kind-hearted, and benevolent man; independent in judgment, very firm and conscientious in what he believed right, and exhibited much decision of character..... His house was the half-way stopping place between St. Louis and Kaskaskia for many years, and none were turned away. Generous and hospit-

18. The box bears on its lid the following notation:
"Box made by Rev. James Lemen Sr. in 1787 with ax and hunting knife in Fort Piggott, Monroe County, Illinois. His son, Rev. James Lemen Jr., a warm friend of Abraham Lincoln, had the little box at Springfield in 1859 with some of his papers in it, and the latter by reason of his profound memory for its maker, removed them and for a week placed it on his table in his office and kept his letters in it. (Signed) Joseph B. Lemen, January, 1913."

19. Lemen, History of the Lemen Family, p. 24.

20. Bateman and Selby, Historical Encyclopaedia of Illinois, p. 332.

able, he would divide corn with the destitute, observed the Sabbath strictly, kept perfect order in his family, and yet was never harsh and severe with his children. He was acting justice of the peace for many years under the territorial government, and for a time one of the judges of the county court. An opponent to slavery both in principle and policy, he had come to the territory to²¹ live in a free country".

Of his acquaintance with Mr. Lemen in 1818, John Mason Peck relates the following experience: "An hour before sunset found me at the hospitable residence of James Lemen Sr. It was a sort of half-way house between St. Louis and Kaskaskia, a common stopping-place or house of private entertainment to all travelers. I had previously formed an interesting acquaintance with Rev. James Lemen Jr. who was in Kaskaskia in the convention. The old people, who had emigrated from western Virginia in 1786 and were among the first converts ever baptized in this remote wilderness, did not seem to be burdened by age. They were hale and vigorous persons, perhaps a little over fifty years, and exhibited the marks of health and constitutional vigor. Two or three stalwart men, with large bones and muscle, six feet high,

21. Reynolds, The Pioneer History of Illinois, pp. 271f.

stood around. I learned they were two of the youngest sons, and one a son-in-law. Our conversation was chiefly religious. Elder Lemen was frank, open, very decided in his way, but kind, benevolent, and conscientious. He preached nearly every Sabbath, and often rode thirty or forty miles to visit destitute settlements. He and family and many others who lived in this settlement had their membership in Cantine (now Bethel) Church in the north part of St. Clair County. The distance was thirty-six miles which they rode on horseback.... Old Mr. Lemen was a man of remarkable punctuality. Family prayer was attended regularly, evening and morning. During his absence on his preaching excursions, or at any other time, his wife performed this duty²²".

The story is often told of the visit of Colonel Dent, the father-in-law of General Ulysses S. Grant, to the home of James Lemen. On the way to St. Louis with a large amount of silver to invest in a business at that place, Colonel Dent stopped to spend the night at this "half-way place". Mr. Lemen and several of his stalwart sons arrived in the evening from a hunt with a liberal supply of venison blood on their deer-skin hunting suits and their great hunting knives in

22. Babcock, Rufus, ed., Forty Years of Pioneer Life. Memoirs of John M. Peck, p. 96f.

their belts. At sight of them, Colonel Dent felt that he would probably soon become the victim of assassination and robbery. When the family had gathered in and closed the door, Mr. Lemen walked toward the mantel which was well-loaded with hunting knives and other deadly weapons, and Colonel Dent thought the awful crisis had arrived. He was debating whether to attempt escape or quietly surrender and plead for his life, when Mr. Lemen took down the old family Bible, read a chapter and made an earnest prayer for divine blessing and guidance for the 'stranger who was with them'. In later years Colonel Dent and James Lemen had many a hearty laugh over this incident.²³

That a man such as Lemen would have widespread influence in strengthening the principle to which he had been confirmed since early manhood can scarcely be questioned. That principle was the abolition of slavery in his adopted Illinois.

During and even before the Revolution, young Lemen is reputed to have been the protege of Thomas Jefferson, through whose influence he came to Illinois

23. Lemen, History of the Lemen Family, pp. 26f.

as a secret anti-slavery agent.²⁴ Unfortunately, the original Jefferson-Lemen papers and James Lemen's diary have been lost, so the only records that are available are some copies made by Rev. James Lemen, Jr., the elder Lemen's son, which are now in the possession of members²⁵ of the family in Alton, Illinois.

According to these "Lemen Family Papers", a warm personal friendship sprang up between Jefferson and young Lemen, who was seventeen years his junior.²⁶ In a sketch of the relations of the two men by Rev. John M. Peck, we are told that "after Jefferson became President of the United States, he retained all of his early affection for Mr. Lemen"; and upon the occasion of a visit of a mutual friend to the President in 1808, "he inquired after him with all the fondness of a father."²⁷

Before the cession of Virginia's claims to the Northwest Territory, it appears that Jefferson had entered into negotiations with Lemen with a view to in-

24. "Diary of Rev. James Lemen, Sr." in MacNaul, The Jefferson-Lemen Compact, pp. 27-28.

25. These papers were published by Willard C. MacNaul in The Jefferson-Lemen Compact, a paper read before the Chicago Historical Society, February 16, 1915.

26. "Diary of Rev. James Lemen, Sr." in MacNaul, The Jefferson-Lemen Compact, p. 28.

27. "Peck's History of the Jefferson-Lemen Compact" in MacNaul, The Jefferson-Lemen Compact, p. 33.

ducing him to locate in the "Illinois Country" as his
 agent in order to cooperate with him in excluding slavery
 from the Northwest.²⁸ It will be recalled that Jefferson's
 clause excluding slavery from the western lands, both
 north and south of the Ohio, was struck out on April 19,
 1784, and it was on May 2, two weeks later, that he made
 his final agreement with Lemen to go west and fight
 slavery on the ground.²⁹ Jefferson never gave up a fight
 if there was a chance to win by a change of tactics.³⁰
 Prevented by illness from accompanying his father-in-law,
 Captain Ogle, to Illinois in 1785, it was not until the
 next year that the Lemen family left their Virginia home
 for their service in the West. On December 28, 1785,
 prior to their departure, Mr. Lemen's diary tells us that
 Jefferson's confidential agent gave him one hundred
 dollars to use for his family if he needed it; if not to
 go to good causes.³¹ The reason given by John M. Peck
 for the secrecy surrounding these relations of Lemen and
 Jefferson is that Jefferson wished to prevent giving the

28. "Diary of Rev. James Lemen, Sr." in MacNaul, The Jefferson-Lemen Compact, p. 28.

29. Dunn, Jacob Piatt, Indiana and Indianans, a History of Aboriginal and Territorial Indiana and the Century of Statehood, Vol. I, p. 251.

30. Ibid., p. 252.

31. "Diary of Rev. James Lemen, Sr." in MacNaul, The Jefferson-Lemen Compact, p. 28.

impression that he was seeking his own interests in the Territory, and to avoid rousing the opposition of his Southern friends who desired the extension of slavery.³²

It does not appear that Mr. Lemen took any active measures against the St. Clair construction of the anti-slavery ordinance at the time. He was himself a petitioner on the "Congress lands" and signed B. Tardiveau's land contract with American land claimants in August, 1787.³³ Conditions were so insecure in St. Clair County prior to 1790, and inasmuch as Jefferson was not in the country at the time, evidently Lemen did not feel that it was then wise to strike at slavery.³⁴

Mr. Lemen's efforts in behalf of the anti-slavery cause are closely allied with his religious work. In 1787 James Smith, a Baptist from Lincoln County, Kentucky, visited the New Design settlement. Among the pioneers who professed conversion during the meetings were Shadrach Bond, Sr., Captain Joseph Ogle, and James Lemen, Sr.³⁵ When it was considered safe to live outside

32. "Peck's History of the Jefferson-Lemen Compact" in MacNaul, The Jefferson-Lemen Compact, p. 34.

33. Alvord, Kaskaskia Records, 1778-1790, p. 445.

34. MacNaul, Willard Carey, The Jefferson-Lemen Compact, (Introduction) p. 13.

35. Hayne, Vanguard of the Caravans, p. 81.

of the forts, the settlers gathered in each others cabins for worship and had for their leaders men like Judge Bond, James Piggott, James Lemen, Sr., and Captain Ogle.³⁶

In 1794 the settlement was visited by Josiah Dodge, a Baptist preacher from Nelson County, Kentucky. On February 26 a hole was cut in the ice in Fountain Creek, and James and Catharine Lemen and several others were baptized by the Rev. Dodge.³⁷ They were the first persons in the Illinois country to receive the ordinance by immersion.³⁸ On May 28, 1796, the population of New Design having increased considerably, James Lemen and his neighbors met at his home and were constituted into a Baptist church by Rev. David Badgley and Joseph Chance.³⁹ From 1796 to 1809 James Lemen was active in the promotion of Baptist churches and a Baptist association. He endeavored to get these organizations to adopt his anti-slavery principles, and in this he was largely successful.⁴⁰

On December 7, 1802, an election was held at

36. Hayne, Vanguard of the Caravans, p. 82.

37. "Diary of Rev. James Lemen, Sr." in MacNaul, The Jefferson-Lemen Compact, p. 29.

38. Hayne, Vanguard of the Caravans, p. 84.

39. Ibid., p. 86.

40. MacNaul, The Jefferson-Lemen Compact, (Introduction) p. 17.

Cahokia to choose three representatives to go to Vincennes and meet with the convention called by Governor-General Harrison for the purpose of "sending to Congress our grievances". Knowing that there would be an attempt to draw up a pro-slavery petition, James Lemen ran for⁴¹ delegate, but was defeated.

May 3, 1803, after the Vincennes pro-slavery petition had been sent to Congress, Mr. Lemen records the following in his diary: "As Thomas Jefferson predicted they would do, the extreme southern slave advocates are making their influence felt in the new territory for the introduction of slavery, and they are pressing Governor William Henry Harrison to use his power and influence for that end. Steps must soon be taken to⁴² prevent that curse from being fastened on our people". Prior to the forming of the next legislative petition, Mr. Lemen states that Governor Harrison approached him with a request that he cast his influence for the introduction of slavery, but that he "informed him that the evil attempt would encounter my most active opposition in every possible and honorable manner that my mind could

41. History of St. Clair County, Illinois, p. 71.

42. "Diary of Rev. James Lemen, Sr." in MacNaul, The Jefferson-Lemen Compact, p. 29.

suggest or my means accomplish".⁴³

By this time the struggle in Illinois between the pro-slavery and anti-slavery forces must have become a serious one, for on November 25, 1805 we find James Lemen a member of a Committee of Citizens from Randolph and St. Clair Counties which prepared and presented to Congress the most baffling and inconsistent of all the slavery petitions.⁴⁴ The minutes of the Convention which accompanied the memorial declared that "Whereas the Ordinance of 1787 for the Government of this Territory, is Respected by the people as the Constitution of this country, this committee entertains a hope that the General Government, after guaranteeing to the people the privileges in the Ordinance contained, will not pass unnoticed the Violation thereof By the late act of the Legislature of this Territory Authorizing the importation of Slaves, and involuntary servitude for a term of years. And altho' this Committee entertain no doubt but that the Act in Question will render service, by adding a Spring to the Growth of this Country, They express the disapprobation of a people who never will consent to a

43. "Diary of Rev. James Lemen, Sr." in MacNaul, The Jefferson-Lemen Compact, p. 29.

44. Dunn, Slavery Petitions and Papers, p. 62.

Violation of that ordinance, for this privilege of slavery. When Congress shall deem a Change of this Ordinance expedient, they will cheerfully agree to the measure".⁴⁵ Although these minutes condemned the statute of 1805, the memorial itself prayed the legalization of slavery in the Territory. Its signers said, "The principle of domestic servitude we do not advocate, yet domestic servitude has found its way into the United States. It is immovably established there. When an evil becomes irremedial is it not wisdom to convert it, if possible, to some use? However unnecessary this state of servitude may be thought in the eastern part of this territory, no man has doubted its importance here where among whites health and labour are almost incompatible. Here, too, a country to which it would probably bring back the principal settlers of Upper Louisiana since they have been driven from home by the fear of losing their servants".⁴⁶

James Lemen's name is signed to this memorial along with nineteen others.⁴⁷ The signature appears to be a genuine one, though there was much forgery and often

45. Dunn, Slavery Petitions and Papers, p. 62.

46. Ibid., p. 59.

47. Philbrick, Laws of the Indiana Territory, (Introduction) p. xxxix.

48

friend signed for friend. It is possible that the inconsistencies noted between the minutes of the convention and the memorial were due to a desire to secure the signature of Lemen. The pro-slavery forces were gaining such strength and the prospect of realizing his anti-slavery ideal was so dark, that we can imagine James Lemen preferring a compromise which would contain a protest against slave immigration, but a prayer for its legalization as it existed, to a complete loss of his fight. On the other hand, it is possible that he may have been shrewd enough to know that such evident inconsistencies would be sufficient to convince Congress that this was not a reliable expression of public opinion.

Whatever may have been James Lemen's reasons for signing the memorial of 1806, three days after the meeting of the convention he made the following entry in his diary: "As Governor William Henry Harrison and his legislative council have had their petitions before Congress at several sessions asking for slavery here, I sent a messenger to Indiana to ask the churches and people there to get up and sign a counter petition to Congress to uphold freedom in the territory, and I have

48. Philbrick, Laws of the Indiana Territory, (Introduction) p. xxxix.

circulated one here and we will send it on to that body⁴⁹
or as soon as the work is done".

There is no record of an anti-slavery petition at this time from the Illinois, but the opponents of slavery in Indiana soon became active. The first Baptist church in Indiana had been constituted on November 22, 1798 near Owens Creek in Clark County. This church had taken no action against slavery, but there were other Baptists in Clark County and numerous settlers who were⁵⁰ opposed to slavery. However, nothing definite was done until another slavery petition was under way in the Indiana Legislature. A meeting was called for October 10, 1807 at Springville, a mile or two southwest of Charleston in Clark County. The meeting was organized by electing John Beggs, who was a Baptist and an anti-slavery man, chairman, and Davis Floyd, secretary.⁵¹ They stated that "great anxiety has been, and still is evinced by some of the citizens of this Territory, on the subject of the introduction of slavery into the same; but in no case has the voice of the citizens been unanimous....When we take into consideration the vast emigration into this

49. "Diary of Rev. James Lemen, Sr." in MacNaul, The Jefferson-Lemen Compact, p. 30.

50. Dunn, Indiana and Indianans, Vol. I, p. 253.

51. Ibid., p. 254.

Territory, and of citizens too, decidedly opposed to the measure, we feel satisfied that, at all events, Congress will suspend any legislative act on this subject, until 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.⁵²" This counter-petition accompanied the legislative petition of 1807 and apparently was successful in forestalling any action by Congress as the report of November 13, 1807 in the Senate contained the following: "Resolved, That it is not expedient at this time to suspend the sixth article of compact, for the government of the Territory of the United States Northwest of the river Ohio."⁵³

The next stage in the anti-slavery struggle centered about the growing influence of the Baptist church in Illinois. Between 1796 and 1809 James Lemen was instrumental in creating seven Baptist churches in the Territory, namely New Design, 1796; Bottom Baptist Church, 1798; Richland, 1804; Silver Creek, 1806; Wood River, 1807; Richland Creek, 1807; and Looking Glass Prairie,⁵⁴ 1809. On September 12, 1807, James Lemen and his wife,

52. Dunn, Slavery Petitions and Papers, pp. 76-78.

53. Ibid., p. 79.

54. Brand, Illinois Baptists, pp. 27, 31, 36, 39, 42, 47.

having withdrawn from the New Design Church, became constituent members of Richland Creek. They were drawn there undoubtedly because of the warmer anti-slavery sentiments in the new church.⁵⁵ One year later, this church gave James Lemen, Sr., Joseph Lemen, Benjamin Ogle, and Isaac Enochs "liberty to exercise their gifts as far as the Lord gives them liberty". On September 13, 1808, the church took a decided stand against the belief and practice of slavery, and the acts of these early Baptists as they gathered in regular church sessions had a real bearing upon a later contest for freedom in Illinois. The "Rules" as recorded by Isaac Enochs, clerk, made provision for the admission of slaveholders "to membership into a Church of Christ" under very strict conditions:

- "1. In case of a person holding young slaves and recording a deed of their emancipation at such an age as the church to which they offer may agree to.
2. In the case of persons who have purchased in their ignorance and are willing that the church shall say when the slave or slaves shall be free.
3. In the case of women whose husbands are opposed to emancipation.
4. In the case of a widow who has it not in their power to liberate them.

55. Minute Book of the Cantine Creek Baptist Church of Christ, Friends to Humanity, 1807, p. 9.

5. In the case of idiots, old age, or any debility of body that prevents such slaves from procuring a sufficient support and some other causes which we would wish the churches to be at their liberty to judge of agreeably to the principles of humanity".⁵⁶

The privilege was granted members to purchase slaves only with "a view to Ransom them From Perpetual Slavery in such a way as the Church may approve of".⁵⁷

These rules were known as "Tarrant's Rules Against Slavery". Their author, Reverend James Tarrant of Virginia, later of Kentucky, one of the "emancipating preachers", eventually organized a group of Baptist churches in Kentucky into the "Friends of Humanity".⁵⁸ In fact these ministers and churches were generally known in Kentucky by the name of "Emancipators". Benedict, who wrote his General History of the Baptists in 1813 in the thick of the fight and at the time of greatest influence of the "Friends to Humanity" says, "They have taken a decided stand against slavery, in every branch of it, both in principle and in practice as being a sinful and abominable system fraught with peculiar evils. Their desires and endeavors are to effect.....the general and complete emancipation of this numerous race of en-

56. Minutes of Cantine Creek Church, p. 10.

57. Idem.

58. MacNaul, The Jefferson-Lemen Compact (Introduction), p. 17.

slaved, ignorant, and degraded beings".⁵⁹

Less than a year after the adoption of Tarrant's Rules, James Lemen, Sr. preached an anti-slavery sermon in which he said that he "disfellowship'd slaveholders and those that fellowship'd them".⁶⁰ On August 12, 1809, a "distress" was brought against Lemen by Brother Larken Rutherford because of this statement.⁶¹ A rift in the church resulted, and in regular meeting on December 9, 1809, with James Lemen, Jr. in the chair as moderator, it was voted that "as many as felt willing to become a new Constitution and be called friends to humanity make it known by holding up your hands".⁶² James and Catharine Lemen, Robert Lemen, Hetty Lemen, and Joseph Lemen held up their hands.⁶³ This was the first act in the formation of the historic old Bethel Church which is still active near Collinsville, St. Clair County, Illinois.

The new church soon adopted a constitution which read: "We whose names are hereunder subscribed agree to unite and be constituted on the Bible of the

59. Benedict, David, A General History of the Baptist Denomination in America, pp. 244-245.

60. Minutes of Cantine Creek Church, p. 20.

61. Idem.

62. Minutes of Cantine Creek Church, p. 23.

63. Idem.

Old and New Testaments and to be known by the name of the Baptised Church of Christ, Friends to Humanity, Denying Union and Communion with all persons holding the⁶⁴ Doctrine of Perpetual, In-Voluntary, Hereditary Slavery".

This constitution was signed by James Lemen, Seign., Catharine Lemen, Robert Lemen, Hetty Lemen, Joseph Lemen,⁶⁵ Polly K. Lemen, and Benjamin Ogle. Robert Lemen, the

church clerk, further records, "On the tenth day of December, 1809, this church was constituted by Elders

James Lemen Jun. and John Baugh; after constitution opened a door for Reception of Members, and Received⁶⁶

Brother James Lemen Jun".⁶⁶ February 3, 1810, at the regular monthly meeting the members agreed to unite and correspond with the "Baptised Churches, Friends to

Humanity in the State of Kentucky";⁶⁷ and on March 10 they decided to call their new organization Cantine Creek

Church.⁶⁸ "Cantine" is a corruption of Quentin, a city in the north of France after which the creek was named⁶⁹

by the French settlers. Long afterwards, in 1828, when

64. Minutes of Cantine Creek Church, p. 23.

65. Ibid., p. 24.

66. Idem.

67. Minutes of Cantine Creek Church, p. 27.

68. Ibid., p. 28.

69. Brand, Illinois Baptists, p. 55.

the Friends to Humanity were flourishing, James Lemen, Jr. made the following comment concerning their name: "We add Friends to Humanity because we believe it to be our duty to extend our friendship (that is justice and mercy) to human nature, let it appear in whatever dress or complexion God may see fit to order, whether white, yellow, or black, and not when it appears in white only".⁷⁰

That the Friends to Humanity were in fact an anti-slavery church, and that they practiced the principles of their constitution is evident from the entries in their minute book. The first record of excommunication for "fellowshipping" with slaveholders was the case of Sister Briscoe and Sister Polly Little, from whom church membership was officially taken on February 1, 1812.⁷¹ The sixth of June of the same year, Judith Canterbury was excommunicated for the same offense.⁷² The most definite slavery case in the records came before the church on April 20, 1814, when William Whitesides was brought under discussion for allowing his son under age to purchase a negro man indentured for forty years and bring him to his home.⁷³ Robert Lemen, the clerk, re-

70. Brand, Illinois Baptists, p. 55.

71. Minutes of Cantine Creek Church, p. 37.

72. Ibid., p. 38.

73. Ibid., p. 46.

corded the following decision as made by the church:
 "finding that he has acted contrary as we believe to the principles we profess to hold in permitting his son under age to purchase a slave and bring him to his house indentured for forty years and receiving his labor, and as the church has for two meetings past taken great pains in order to convince him of his error and as he has failed to attend us or to make any satisfaction to the church, we excommunicate him from us believing that he has acted contrary to the principles of humanity which we profess to hold".⁷⁴

A unique feature of Cantine Creek Church was the fact that it admitted negroes to membership. During this early period, on June 20, 1813, a black woman whose name is not given was received into the church.⁷⁵ On July 3, a black man named Dick became a member,⁷⁶ and on September 3 Jesse, another negro was received.⁷⁷ That this practice was not without its trials is evidenced by the fact that on November 5, 1814 "the church agreed unanimously to excommunicate a black man called Dick on

74. Minutes of Cantine Creek Church, p. 47.

75. Ibid., p. 43.

76. Idem.

77. Idem.

78
account of stealing".

As the settlement around New Design grew, Cantine Creek Church gained many new members, and it was felt that there should be some more definite anti-slavery pledge than the church constitution. Accordingly, on March 2, 1816, the church agreed to the following resolution: "Any person offering their membership to this church shall be asked the following question: Do you denounce the principles of perpetual, involuntary, hereditary slavery? Who without answering in the affirmative cannot be received".
79

For two years Cantine Creek Church, Friends to Humanity, stood alone, though its membership was constantly increasing. Then in 1811 the anti-slavery portion of the Silver Creek Church withdrew and were constituted
80
a separate church. In June, 1817, a letter was sent to the Cantine Creek Church from Howard County, Missouri, two hundred miles up the Missouri River where a small group of Baptists were not as yet constituted a church because there was none in their vicinity holding their sentiments in regard to slavery. They expressed them-

78. Minutes of Cantine Creek Church, p. 49.

79. Ibid., p. 54.

80. Brand, Illinois Baptists, p. 78.

selves as differing in nothing from regular Baptists,
 "but that we believe that perpetual, hereditary, involun-⁸¹
 tary, unmerited slavery is contrary to the word of God".
 They therefore requested some of the Cantine Creek
 preachers to come over and assist them in being organized⁸²
 into a church. The request was promptly granted, and
 James Lemen, Sr. and Benjamin Ogle made the long journey
 by ferry and horseback to "John Harrises living in the
 big bottom above Cowper's fort on the south side of Mis-
 souri", where they organized a church of twenty-nine
 members, which took the name Providence, and ordained a⁸³
 preacher by the name of Phineas Clark. Within ten
 years there were six such Baptist churches in Missouri,⁸⁴
 and in 1828 they formed a separate association.

On the first Saturday in April, 1821, Daniel
 Hilton, gathered a company of Baptists in the New Design
 neighborhood, and they were organized as the Fontaine⁸⁵
 Creek, Baptized Church, Friends to Humanity. That
 summer there was a great revival in the Cantine Creek

81. Minutes of Cantine Creek Church, p. 60.

82. Idem.

83. Idem.

84. Brand, Illinois Baptists, p. 78.

85. Idem.

and by fall this anti-slavery church had become the
⁸⁶
 largest Baptist church in the state.

During the period of the Illinois Territory, 1809-1818, James Lemen continued his campaign of opposition to slavery by preaching and the application of
⁸⁷
 Tarrant's Rules to his congregation. His sons, James and Joseph, were ordained during this period, and with his brother-in-law, Benjamin Ogle, assisted him in this
⁸⁸
 work. The Rev. John M. Peck in his "History of the Jefferson-Lemen Compact" says that "the church properly speaking never entered politics, but presently, when it became strong, the members all formed what they called 'The Illinois Anti-Slavery League', and it was this body
⁸⁹
 that conducted the anti-slavery contest". One of its most vigorous members, James Lemen, Jr., was a member of the second Territorial Legislature, 1814-15, and of the
⁹⁰
 Constitutional Convention in 1818, so, although this

86. Brand, Illinois Baptists, p. 79; Minutes of Cantine Creek Church, p. 74.

87. Brand, Illinois Baptists, p. 79.

88. MacNaul, The Jefferson-Lemen Compact (Introduction), p. 19.

89. "Peck's History of the Jefferson-Lemen Compact", in MacNaul, The Jefferson-Lemen Compact, p. 36.

90. Reynolds, Pioneer History, p. 412.

historic Cantine Creek Church, Friends to Humanity, as such did not enter the political field, through its influence and that of its founder, James Lemen, Sr., a new generation had been raised up which was to carry the principles upon which it was based into the legislative halls of Illinois from which they were not to be excluded until the State was won to the cause of freedom.

CHAPTER III

SLAVERY AND THE CONSTITUTION OF 1818

The slavery question came into prominence as a political issue as early as December, 1817.¹ A month or two before the inauguration of the movement for statehood in Illinois, petitions asking for admission to the Union began to be circulated in Missouri.² If Missouri should come in as a slave state, and there was every indication that it would, the legalization of slavery there would be a strong argument for allowing it in Illinois also. Therefore, the anti-slavery men felt that Illinois should become a state with a free constitution, as provided by the Ordinance, before the constitution of Missouri should come up as a subject for discussion in Congress.³ They wanted to go still further and frame a constitution which would make impossible a continuation of the indenture

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1. Harris, History of Negro Slavery in Illinois, pp. 19-20.
 2. Buck, Illinois in 1818, p. 215.
 3. Idem.

system as it had existed since 1803. This is the explanation of the introduction in the Illinois House of Representatives, on December 10, the day before the Council passed the memorial asking for statehood, of a bill calling for a repeal of the law establishing the indenture system.⁴ The preamble also declared that law to be in contravention to the paramount law of the land.⁵ This bill passed both the House of Representatives and the Legislative Council, was vetoed and returned to the House by Governor Edwards with his objections directed primarily to the preamble, and a long argument intended to prove that the indenture law was not a violation of the Ordinance.⁶ The failure of the Legislature to take any further action after the veto indicates that it was the preamble, the very part to which the governor⁷ objected, that the anti-slavery men most desired. The importance of this anti-slavery movement and of its failure was the establishment of slavery as the dominant issue in the forthcoming campaign for delegates to the

4. The Western Intelligencer (Kaskaskia, Illinois), December 18, 1817.

5. Idem.; Buck, Illinois in 1818, p. 216.

6. The Western Intelligencer, January 1, 1818.

7. Buck, Illinois in 1818, p. 218.

Constitutional Convention.

On April 18, 1818 the enabling act for the people of Illinois Territory, having passed both houses⁹ of Congress, received the signature of the President. However, the convention campaign had begun at least two months earlier, for the Western Intelligencer of March 11 had carried an editorial concerning the election of convention members as follows: "Let us reason with you, fellow-citizens, let us urge you in the language of sincerity to drop your prejudices, to draw a mantle over your resentments, and coolly select those men whose talents and whose virtues entitle them to the distinguished honor of framing a constitution; not only for you and themselves, but for you and their posterity". In the same paper, on April 1, appeared a letter signed "A Republican" which indicated that slavery was to be the prime issue of the contest for delegates, and that the anti-slavery forces were awake to their responsibilities, for it argued that slavery would not increase the tide of immigration, inasmuch as emigration from Northern and Eastern states had been greater than from the Southern, and that freedom would bring the greatest

8. Buck, Illinois in 1818, p. 218.

9. Western Intelligencer, May 20, 1818.

happiness to all, ending with the plea to "unite in trying to obtain the best constitution we can, and put the question of slavery to rest". The issue of April 29 informed the readers that the enabling act had passed the House and that the elections for members of the convention would take place on the first Monday of July and the two following days, while the convention was to meet on the first Monday in August.

After June 17 there was scarcely an edition that did not contain one or more communications on the subject of slavery and the new constitution.¹⁰ The main arguments in favor of slavery were that it would increase the tide of emigration from the Southern states toward Illinois; that slave labor was needed for the opening up of the new lands; that the liability of slave insurrections was less when slaves were distributed over the nation; and that it would be a blessing to the negro to view the possibility of a transfer from the servitude of the South to the lighter indenture system of Illinois.¹¹

The election for convention members took place on July 6, 7, and 8, 1818. The only polls in each county were at the county seat, and voting was done viva

10. Harris, History of Negro Slavery in Illinois, p. 18.

11. Ibid., p. 19.

12
 voce. News of the result of the election was slow coming in. On July 15 the Intelligencer printed the names of the successful candidates in Randolph, Monroe, St. Clair, Madison, and Jackson counties. Of the three delegates from St. Clair County, one was James Lemen, Jr. of proven anti-slavery sentiments. The time had come for James Lemen and his Baptist brethren to enter the fight in earnest. That they lost no time is shown by the following address which appeared in the Western Intelligencer on August 5, 1818, the very day on which the convention assembled:

"The undersigned happening to meet at the St. Clair Circuit Court have united in submitting the following address to the Friends of Freedom in the state of Illinois.

"Feeling it a duty in those who are sincere in their opposition to the toleration of slavery in this territory, to use all fair and laudable means to effect that subject, we, therefore, beg leave to present to our fellow-citizens at large, the sentiments which prevail in this section of our country on that subject. In the counties of Madison and St. Clair, the most populous counties in the territory, a sentiment approaching that of unanimity against it seems to prevail. In the counties of Bond, Washington, and Monroe, a similar sentiment also prevails. We are informed that strong exertions will be made in the Convention to give sanction to that deplorable evil in our state; and least such should be the result at too late a period for anything like concert to take place among the friends of freedom in trying to defeat it; we therefore, earnestly solicit all true friends to freedom in every section of the territory to unite

in opposing it, both by the election of a Delegate to Congress who will oppose it, and by forming meetings and preparing remonstrances to Congress against it. Indeed, so important is this question considered, that no exertion of a fair character should be omitted to defeat the plan of those who either wish a temporary or unlimited slavery. Let us also select men to the Legislature who will unite in remonstrating to the general government against ratifying such a constitution. At a crisis like this, thinking will not do, acting is necessary.

"From St. Clair County. Risdon Moore, Benjamin Watts, Jacob Ogle, Joshua Oglesby, William Scott, sen'r., William Biggs, George Blair, Charles R. Matheny, James Garretson, and William Kinney. From Madison. William B. Whiteside. From Monroe. James Lemen, sen'r. From Washington. William H. Bradsby."

Of these signers James Lemen, Sr., William Whitesides, and James Garretson were members of Cantine Creek Church, Friends to Humanity. Jacob Ogle and Charles R. Matheny were Methodists and brothers-in-law of James Lemen, Sr., and William Kinney was a brother-in-law of Joseph Lemen (the second son of James Lemen, Sr.)¹³ and clerk of the Richland Creek Baptist Church. It is possible that these men may have constituted the "Illinois Anti-Slavery League" of which John M. Peck¹⁴ speaks in his "Jefferson-Lemen Compact".

Undoubtedly the Illinois ministers were active

13. Minutes of Cantine Creek Church, pp. 20, 43; Brand, Illinois Baptists, p. 59.

14. "Peck's History of the Jefferson-Lemen Compact" in MacNaul, The Jefferson-Lemen Compact, p. 36.

in anti-slavery work at this time as well as in the contest in 1824, for in the Western Intelligencer of August 12, 1818, a communication addressed to "The Members of the Illinois Convention now in session" stated: "I learn that the committee appointed to draft a constitution have embodied in it a provision to exempt ministers of the Gospel from the servile and arduous drudgery of legislation, and of electioneering to procure themselves seats in the legislature. This provision is extremely humane and is not without precedent in other constitutions. The flesh of many of these preachers is very willing but their spirit is truly weak. There did appear amongst them a spirit that would have enabled the people to have filled the convention with ministers, MINISTERS OF THE GOSPEL!!.....but I would humbly suggest that said provision is not sufficiently extensive to administer complete relief.....Why not disqualify preachers of the Gospel from holding any civil office?"

According to their stand on slavery, it is possible to distinguish three classes of men in the Convention of 1818. First, there were those who desired a definitely pro-slavery constitution; second, those who were opposed to slavery in any form; and third, a set of "compromisists" who favored the continuation of the indenture system, while at the same time giving the state

the appearance of a free constitution.¹⁵ The last were numerically the strongest, for they succeeded in having their policy adopted.¹⁶ However, all recognized that in order to secure the admission of Illinois into the Union, its constitution must at least nominally express itself against slavery.¹⁷

On the opening day of the Convention, August 5, 1818, Jesse B. Thomas of St. Clair County having been elected Speaker, a committee of fifteen, one from each county,¹⁸ was appointed to frame and report a constitution. James Lemen, Jr. was appointed to serve on this committee.¹⁹ To aid it in forming the clause concerning slavery, this committee had before it the slavery provisions of the Ohio and Indiana Constitutions.²⁰ Both of these states had been under the obligation of making their constitutions harmonize with the Ordinance of 1787. The Ohio Constitution had prohibited slavery, but had

15. Harris, History of Negro Slavery in Illinois, p. 21.

16. Idem.

17. Harris, History of Negro Slavery in Illinois, p. 18.

18. "Journal of the Illinois Constitutional Convention of 1818", in Journal of the Illinois State Historical Society, Vol. 6, No. 3, p. 359.

19. Idem.

20. Buck, Illinois in 1818, p. 278.

recognized indentures; that of Indiana had ignored the question of existing indentures and merely prohibited²¹ slavery. Both constitutions declared that no alteration should ever be made so as to introduce slavery or in-²²voluntary servitude.

On the 12th the committee reported its draft of the constitution to the Convention. Instead of inserting the part having to do with slavery in the bill of rights, it was presented in a separate article, number six, and was word for word like the provision in the Ohio Constitution, except that blanks were left to be filled in for the age limits for indentures. It read as follows: "Article VI. Section 1. There shall be neither slavery nor involuntary servitude in this state, otherwise than for the punishment of crimes, whereof the party shall have been duly convicted; nor shall any male person arrived at the age of ----- years, nor female person, arrived at the age of ----- years be held to serve any person as servant under pretence of indenture or otherwise, unless such person shall enter into such indenture while in a state of perfect freedom and on condition of a bona fide consideration, received or to

21. Thorpe, American Charters, Constitutions, and Organic Laws, Vol. V, p. 2909; Vol. II, p. 1070.

22. Idem.

be received for their service, except as before excepted. Nor shall any indenture of any negro or mulatto hereafter made and executed out of this state, or if made in the state where the term of service exceeds one year, be of the least validity, except those given in the case of apprenticeships²³". This article simply meant that indentures in the future were to be entered into only with the consent of the prospective servants and for a period of one year, and that they were to be legal only if registered in Illinois.

On August 14 the Convention voted to fill the first blank in this article with the words "twenty-one" and "eighteen"²⁴. On August 18 the following amendment was added to Article VI, seventeen members voting for it, fourteen against it: "Nor shall any person bound to labor in any other state be hired to labor in this state, except within the tract reserved for the salt works near Shawneetown, nor even at that place for a longer period than one year at a time; nor shall it be allowed there after the year ----. Any violation of this article shall effect the emancipation of such person from his obli-

23. "Journal of the Illinois Constitutional Convention of 1818", p. 380.

24. Ibid., p. 392.

gation to service"²⁵. James Lemen, Jr. voted against the amendment.²⁶ The issue of the Western Intelligencer for the 19th of August, which undoubtedly had gone to press before the amendment was proposed, contained a communication which declared: "It is thought the exclusion of slavery will annihilate a lucrative source of public revenue. I mean the United States' salines, as white men cannot be procured in sufficient numbers to convert these salines to any extensively valuable purposes". Sentiment of this kind was, no doubt, responsible for the amendment to Article VI of the proposed constitution.

The next day Leonard White of Gallatin offered the following as a new section to be section two of the sixth article: "Each and every person who has been bound to service by contract or indenture, in virtue of the laws of the Illinois Territory, heretofore existing, and in conformity with the provisions of the same, without fraud or collusion, shall be held to a specific performance of their contracts or indentures; and such negroes and mulattoes as have been registered in conformity with the aforesaid laws, shall serve out the time appointed by said laws:--Provided, however, that the

25. "Journal of the Illinois Constitutional Convention of 1818", p. 401.

26. Idem.

descendants of such persons, negroes and mulattoes, shall²⁷ become free at the age of twenty-five years". The vote on the adoption of this section was seventeen for and fourteen against, James Lemen, Jr. voting against it. Mr. Prickett moved for a reconsideration of the vote, but his²⁸ motion was determined in the negative. Thus the pro-slavery element in the Convention protected their property rights in "French slaves" and indentured servants.

On Thursday, August 20, Article VI came up for a third reading. The first section was accepted without protest. Mr. Gard moved to strike out the second section, permitting the hiring of slaves in the salines, but his²⁹ motion was denied by a vote of ten to twenty-one. James³⁰ Lemen, Jr. voted in the affirmative. The blank in section two was filled with the words "one thousand eight³¹ hundred and twenty five" and the section was passed. The conclusion of section three was amended to read:

27. "Journal of the Illinois Constitutional Convention of 1818", p. 407.

28. Idem.

29. "Journal of the Illinois Constitutional Convention of 1818", p. 411.

30. Idem.

31. Idem.

"Provided, however, that the children thereafter born of such persons, negroes and mulattoes, shall become free; the males at the age of twenty-one years, the females at the age of eighteen years. Each and every child born of indentured parents shall be entered with the clerk of the county in which they reside, by their owner, within six months after the birth of said child".³²

It would seem that the purpose of the Convention was to make Illinois ultimately a free state, but not to interfere with the existing property in slaves and indentured servants.³³ Indentures registered at the time of the adoption of the Constitution were to be enforced, negroes and mulattoes were to serve out the full term of years for which they had been bound by the Territorial laws, and the French slaves were to continue in servitude. However, the children of indentured servants were to become free at the ages of twenty-one and eighteen for the males and females respectively, and future indentures, to be entered into only with the consent of the negroes concerned, were limited to one year's service. Slaves bound in other states could be hired for service in Illinois until the year 1825, but only within the

32. "Journal of the Illinois Constitutional Convention of 1818", p. 411.

33. Buck, Illinois in 1818, p. 282.

district of the salt works at Shawneetown and for a period of one year.

The constitution is usually viewed as an anti-slavery victory, but it is seen that those who opposed slavery unconditionally were on the losing side in all three divisions. It would be more accurate to consider it a victory for those who occupied middle ground on the subject.³⁴ That James Lemen, Jr. was in the minority is plainly seen. Undoubtedly the constitution did not go as far as he desired in reducing slavery; yet this was the nearest approach to the ideal of the anti-slavery leaders since 1787. The work of the Convention was completed on August 26, 1818, and the act of admission³⁵ was signed by President Monroe on December 3.

The anti-slavery leaders now turned their attention to the election of members to Congress and the state legislature who were of like sympathies. Their most evident victories were in the election of Risdon Moore and William Kinney, both signers of the Address to the Friends of Freedom in 1818, to the House and Senate³⁶ respectively. Shadrach Bond was chosen governor and

34. Buck, Illinois in 1818, p. 282.

35. Ibid., p. 316.

36. Ibid., pp. 300-301.

Pierre Menard, lieutenant-governor. Both were men of
 37
 38
 strong slavery sympathies.

Notwithstanding the limiting of indentures to one year and making them apparently optional with the negro, the Constitution of 1818, did not transform slavery in Illinois into a pleasant form of public
 39
 service. It seems that it was easy to force the negroes annually into a renewal of their indentures, and the law passed the following March (1819) "respecting free Negroes, Mulattoes, Servants, and Slaves" is conclusive evidence that the most influential masters did not seriously consider giving up the old system of in-
 40
 dentures.

This law required any negro or mulatto coming into the State to file with the clerk of the court a certificate of freedom. Slaves were not to be brought into Illinois for the purpose of emancipation. Resident negroes, other than slaves and indentured servants, were required to file certificates of freedom. The slaves were to be whipped instead of fined for laziness,

37. Buck, Illinois in 1818, p. 316.

38. Washburne, Sketch of Edward Coles, p. 138.

39. Harris, History of Negro Slavery in Illinois, p. 23.

40. Idem.

disorderly conduct, or disobedience. Contracts with slaves were void. Not more than two slaves were allowed to meet together without the consent of their masters. They were required to present passes from their masters when traveling. Masters, in turn, who emancipated their slaves were made to give bond of \$1000 per head that such emancipated slaves should not become public charges, failure to give such bond being punishable by a fine of \$200 per head.⁴¹

The passage of this act may have kept some free negroes from coming into the State upon their own initiative.⁴² With the presence of free blacks in the State, the kidnapping of them into slavery in the South was all too common. The act of 1819 had penalized this crime by a fine of \$5000, but violations of the law continued. Exactly what financial transactions were made in indenturing servants is hard to determine. Sometimes a cash consideration as high as \$500 is named, but probably in such cases the amount was paid to the former owner of the slave in or out of Illinois.⁴³ More often the consideration was a suit of clothes, a blanket or

41. Laws of Illinois, 1819, pp. 354-361.

42. Boggess, The Settlement of Illinois, 1778-1830, p. 180

43. Pease, Theodore Calvin, The Frontier State, 1818-1848, p. 49.

⁴⁴
something of the sort. After the admission of the State there was open trading in French slaves and in indentures with varying terms to run. Yet this system did not satisfy the pro-slavery advocates, and there was to be yet another great slavery contest in the history of the State. That the anti-slavery forces were still active is attested by the fact that James Lemen, Jr. was elected⁴⁵ to the State Senate in 1820.

44. Pease, The Frontier State, 1818-1848, p. 49.

45. Reynolds, Pioneer History of Illinois, p. 413.

CHAPTER IV

THE STRUGGLE FOR A CONVENTION

For the first six years of Illinois' existence as a State, the question of slavery hung like a threatening storm over her politics.¹ There had been widespread financial distress in Illinois since 1820. The act of 1820 abolishing credit sales and lowering the price of public lands to a dollar and a quarter had caused financial embarrassment and reduced the value of lands in private hands.² The slavery group, asserting that the admission of the institution would bring in planters with ready money who would spend it freely in buying up lands, thus found eager listeners. Moreover, Missouri had been admitted to the Union in 1821 as a slave state, and soon every great road was crowded with immigrants pouring into Missouri, through Illinois, from Virginia and Kentucky.³

1. Pease, The Frontier State, 1818-1848, p. 70.

2. Idem.

3. Ford, Thomas, History of Illinois, from its Commencement as a State in 1818 to 1847, p. 51.

These were prosperous and well educated people who had⁴ with them their long trains of teams and negroes. No wonder that many of the people of Illinois looked upon the good fortune of Missouri with envy!

In 1822 another governor was to be elected. This contest turned frankly on the question of slavery. On February 20, 1821, Joseph B. Phillips, whose approval⁵ of slavery was well-known, announced his candidacy. On October 30 appeared the announcement of Edward Coles. Coles was a Virginian of the planter class who had served as private secretary to President Madison, been sent on a special mission to Russia, and who had come to Illinois⁶ as Register of the Land Office at Edwardsville. In the spring of 1819, having determined to take up his residence permanently in a free state, he moved with all⁷ his negroes to Edwardsville, Illinois. As his boats were gliding down the Ohio below Pittsburgh, Coles announced to his negroes that he was giving them their freedom and wished that "they should so conduct themselves as to show by their example that the descendants

4. Ford, History of Illinois, p. 51.

5. Pease, The Frontier State, 1818-1848, p. 74.

6. Ibid., p. 75

7. Washburne, Sketch of Edward Coles, p. 40.

of Africa were competent to take care of and govern themselves, and enjoy all the blessings of liberty, and all the other birthrights of man and thus promote the universal emancipation of that unfortunate and outraged race of the human family".⁸ Of his relations to these liberated negroes, Coles wrote to President Madison, July 20, 1819, as follows: "On my farm I employ no white person, but leave the whole to my negroes, who I am grateful in saying behave themselves remarkably well since I have liberated them. As a reward for their past services and a stimulus to their future exertions, I have given to each one, male and female, who has reached the age of four and twenty, one hundred and sixty acres of land. And to the young ones, I have given books, promised to pay for teaching them, and premiums to those that learn to read and write".⁹

As the canvass advanced, Coles developed so much strength in the south-eastern part of the State, along the Wabash that the Phillips men brought out Thomas C. Browne, then an Associate Justice of the Supreme Court, to take away votes from him. Browne was also a

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- 8. Washburne, Sketch of Edward Coles, pp. 43-46.
 - 9. Letter of Edward Coles to President Madison. In Chicago Historical Society.
 - 10. Washburne, Sketch of Edward Coles, p. 51.

pro-slavery man. Afterwards there appeared a fourth candidate in the person of Major-General James B. Moore¹¹ of the State Militia. On August 22 Coles was elected by a plurality of only 167 votes over Phillips. Coles received 2854 votes; Phillips, 2687; Browne, 2433; and Moore, 622.¹² While Browne was brought out to help Phillips in the Wabash country, the result shows that his candidacy was at least partially responsible for the defeat of Phillips. Coles received thirty-three percent of the total vote, while Phillips and Browne together¹³ received fifty-nine percent.

At the same election the pro-slavery men elected their candidate for Lieutenant-Governor, Adolphus Frederick Hubbard, by a plurality of 144 over James Lemen, Jr.¹⁴ Hubbard received forty percent of the vote, Lemen thirty-nine percent, and the third candidate, John G. Lofton,¹⁵ nineteen percent. It is interesting to note that in Monroe and St. Clair Counties, where the Friends of Humanity were strongest, that Lemen received sixty

11. Washburne, Sketch of Edward Coles, p. 51.

12. Pease, Illinois Election Returns, 1818-1848, pp. 14-17.

13. Washburne, Sketch of Edward Coles, p. 51.

14. Pease, Illinois Election Returns, 1818-1848, pp. 14-17.

15. Idem.

percent and sixty-seven percent of the votes, respectively.¹⁶

The pro-slavery forces were also successful in electing a majority in both branches of the State Legislature, and one strongly opposed to Governor Coles. Here the influence of the "friends of freedom" was evident, however; for among the members of the House of Representatives were Risdon Moore and Jacob Ogle, both of whom had signed the "Address to the Friends of Freedom" in 1818.¹⁷ William Kinney, another signer, was a member of the Senate; but as will be seen, in the contest of 1823-24 Mr. Kinney deserted the principles for which he had stood in the convention year. Daniel P. Cook was re-elected to Congress by the anti-slavery forces over John McLean.¹⁸

As early as 1820 Hooper Warren, editor of the Edwardsville Spectator, and a staunch opponent of slavery, had emphasized his conviction that a determined effort would be made to force a slave constitution upon the people of Illinois within the next two or three

16. Pease, Illinois Election Returns, 1818-1848, p. 21.

17. Washburne, Sketch of Edward Coles, p. 53.

18. Harris, History of Negro Slavery in Illinois, p. 31.

19
 years. Throughout the campaign for the election of a Representative to Congress in 1820, the suspected scheme was warmly discussed, the criticism of the anti-slavery forces being directed largely at Mr. Elias K. Kane, who²⁰ was the successful candidate in that year. Two years later, preceding the election of members of the Legislature in 1822, the question was revived and the charge was made by Hooper Warren that a movement was on foot to call a constitutional convention to legalize slavery in²¹ Illinois. As soon as the Legislature of 1822 came into session, this object of the pro-slavery forces was evident.

On the fifth of December, 1822, Governor Coles delivered in person, before the houses of the Legislature what is called a "Speech on his Inauguration".²² The emphatic part of the message was that in relation to slavery. He declared that, notwithstanding the Ordinance of 1787, slavery still existed in Illinois and invoked the interposition of the Legislature in the cause of humanity. He recommended that the Legislature make

19. Edwardsville Spectator (Edwardsville, Illinois), July 11, 1820.

20. Ibid., July 11, 18, 25; August 1, 8, 29, 1820.

21. Ibid., May 22, November 6, 27, 1821.

22. Washburne, Sketch of Edward Coles, p. 54.

provision for the abrogation of slavery in the State and declared that "justice and humanity" demanded a revisal of the laws relating to negroes. He also recommended more effective laws to prevent the kidnapping of free blacks.²³ The gauntlet thus thrown down was readily taken up, and then for the first time it appeared that the charges of Hooper Warren were not unfounded and that a Legislature had been chosen to change the organic law²⁴ of the State in such a way as to legalize slavery.

Concerning his address, Governor Coles wrote to President Madison, "Although there was a greater crowd and more ceremony than I expected, I felt less embarrassment than I imagined I should have done in my inauguration into office. The remarks in my speech (a printed copy of which I have sent you) relative to the state of the circulating medium and the abrogation of negro slavery created some dissatisfaction, particularly the latter, with a party in the Legislature who had long been anxious to have the Constitution altered so as to admit the further introduction and toleration of slavery.... I feel a deep interest in this question, not only because I am opposed to it in principle and think

23. Washburne, Sketch of Edward Coles, p. 57.

24. Brown, William H., Early Movement in Illinois for the Legalization of Slavery, p. 16.

the further introduction of slavery would be highly injurious to the prosperity and happiness of this state, but that I am fearful it would disturb the harmony of the Union; as already the question is disputed with some warmth how far the Ordinance of 1787 is binding upon the state--whether Congress has the power to restrict a state²⁵ etc. etc. etc."

The first act of the legislature was to select a committee from each house to which the anti-slavery recommendations of the Governor were referred. The majority of the House Committee, Risdon Moore and John Emmett submitted a favorable report. Conrad Wills dissented. The Senate Committee returned an unfavorable report. Both of the unfavorable reports declared the abolition of slavery existing within the State to be beyond the power of the legislature and the Senate report argued that the Convention of 1818 had been hampered in dealing with slavery by the sixth article of the Ordinance of 1787, but that as a sovereign State, Illinois could deal with the whole question by means of a constitutional²⁶ convention.

At this session a United States Senator was to

25. Unpublished letter of Governor Coles to James Madison, April 25, 1823. In Chicago Historical Society.

26. Pease, The Frontier State, 1818-1848, p. 77.

be elected in place of Jesse B. Thomas whose term of office was about to expire. He was opposed by John Reynolds of Belleville.²⁷ There was also a contested election case from the district composed of the counties of Pike and Fulton, Nicholas Hansen having the certificate,²⁸ and John Shaw claiming the seat.²⁹ Hansen would vote for Thomas and Shaw for Reynolds. The matter was referred to the Committee on Elections, in which the majority were for Thomas, and the report as brought back³⁰ was in favor of Hansen. The election took place on January 11, 1823, and Judge Thomas was elected, Hansen voting for him.³¹ The question seems to have been decided entirely upon its merits, irrespective of party considerations.

The convention question now became paramount to all other business. The Senate Committee on the reforming of the "Black Laws" had proposed in December a resolution calling for a Constitutional Convention. This

27. Brown, Early Movement in Illinois for the Legalization of Slavery, p. 17.

28. Idem.

29. Idem.

30. Idem.

31. Harris, History of Negro Slavery in Illinois, p. 34.

was laid on the table in order to delay voting until the required two-thirds majority in favor of a convention could be secured.³² On February 10, the resolution was taken up from the table and passed by a vote of twelve to six, and the same day Thomas Lippincott, the Secretary³³ of the Senate, reported the passage to the House. In the meantime the House had been agitating the matter. Several test votes had been taken on the subject, and on January 27, the resolution failed of passage by only two votes.³⁴ The contest for these votes now became a serious one. Finally Mr. Ratton of Green County announced that his constituents had authorized him to vote for the convention, and Mr. McFatrige of Johnson County was won over to the convention by a promise that the county seat of his county would be removed from Vienna³⁵ to Bloomfield. On February 11, the resolution was taken up in the House and put to a vote. To the astonishment of those members who had been jubilant in their belief that convention sentiment had won, the returns showed twenty-three for and thirteen against the reso-

32. Harris, History of Negro Slavery in Illinois, p. 34.

33. Ibid., p. 35.

34. Ibid., p. 32.

35. Ibid., pp. 35-36.

lution; it had failed to pass by one vote, and that the
³⁶
 vote of Mr. Hansen of Pike. A member who had voted with
 the losing side moved to reconsider, but the Speaker of
 the House, William M. Alexander, decided that could not
 be done. An appeal from that decision was taken, and the
 Speaker was sustained by a vote of eighteen to sixteen,
³⁷
 two members not voting. The resolution was therefore
 defeated; but the convention men were still bent on its
 passage.

They soon proved themselves equal to the
 emergency which confronted them. This time their avenue
 of attack was through a revival of the old question of
 seating Hansen. Nine weeks after the House had declared
 him duly elected, Colonel Alexander P. Field rose and
 made an extraordinary motion--a motion to reconsider the
 Resolution of the House, adopted December 9, 1822,
³⁸
 declaring Nicholas Hansen to be elected to his seat.
 He accompanied this motion with a long speech in which
 he criticized the House for its election of Hansen, but
 in which he did not give "a single reason for the
 adoption of his motion which was worthy of a moment's

36. Harris, History of Negro Slavery in Illinois, p. 36.

37. Washburne, Sketch of Edward Coles, p. 74.

38. Ibid., p. 75.

consideration."³⁹ The night before, a public indignation meeting had been held at the State House, Hansen had been burned in effigy, and the conventionists had succeeded in raising a fervor of public opinion against the recalcitrant member.⁴⁰ On the other hand, the anti-conventionists were just as determined that Hansen should retain his seat, and his defense was ably conducted by Mr. Churchill and Mr. Mather.⁴¹

The conventionists, determined upon their course, were able to carry the resolution by a vote of twenty-one to fourteen, giving the contested seat to Mr. Shaw.⁴² A special messenger was dispatched to find Shaw at his home in Pike County, some one hundred thirty miles distant, and bring him to Vandalia as soon as possible.⁴³ After Shaw had taken his seat, the ruling of the Speaker that the motion for a reconsideration of the convention resolution was out of order was reversed, and the original motion favoring the convention was taken up and passed by a vote of twenty-four to twelve,

39. Washburne, Sketch of Edward Coles, p. 75.

40. Harris, History of Negro Slavery in Illinois, pp. 37-38.

41. Ibid., p. 39.

42. Idem.

43. Washburne, Sketch of Edward Coles, p. 77.

Shaw's vote making the requisite twenty-four.

That evening the victory was appropriately celebrated. Governor Ford says, "The night after the resolution passed, the convention party assembled to triumph in a great carousal. They formed themselves into a noisy, disorderly, and tumultuous procession, headed by Judge Phillips, Judge Smith, Judge Thomas Reynolds, later Governor of Missouri, and Lieutenant-Governor Kinney, followed by the majority of the Legislature, and the hangers-on and rabble about the seat of government; and they marched with the blowing of tin horns and the beating of drums and tin pans, to the residence of Governor Coles, and to the boarding houses of their principal opponents, towards whom they manifested their contempt and displeasure by a confused medley of groans, wailings, and lamentations. Their object was to intimidate and crush all opposition at once".⁴⁵

This, however, was not as easy a task as it might seem. On February 18, the Legislature adjourned, and the next day, at the invitation of Governor Coles, the Anti-Convention members met in the governor's room

44. Harris, History of Negro Slavery in Illinois, p. 39.

45. Ford, History of Illinois, p. 53.

at the State House to consult upon the course to be
⁴⁶ adopted. Here they determined to effect an organization
 and make a fight for freedom. Money was raised, committees were appointed, and the minority members of the
 Legislature issued an address to the people of Illinois.⁴⁷
 After dwelling upon the moral aspects of slavery and
 arguing against its introduction, this address closed
 with the following appeal: "In the names of unborn
 millions who will rise up after us, and call us blessed
 or accursed, according to our deeds--in the name of the
 injured sons of Africa whose claims to equal rights with
 their fellowmen will plead their own cause against their
 usurpers before the tribunal of eternal justice, we
 conjure you, fellow citizens, TO PONDER UPON THESE
⁴⁸ THINGS". Of the members of the Legislature who voted
 against the convention resolution, fifteen signed this
 appeal, among them Risdon Moore and Jacob Ogle who were
 closely associated with the Lemens in their anti-slavery
⁴⁹ work.

46. Washburne, Sketch of Edward Coles, p. 84.

47. Brown, Early Movement in Illinois for the Legalization of Slavery, p. 23.

48. Washburne, Sketch of Edward Coles, p. 86.

49. Idem.

During the turbulent course of this session of the Legislature, the anti-slavery cause lost one of its most valuable and able advocates in James Lemen, Sr. who died at his home near Waterloo in Monroe County on January 8, 1823, and was buried in the family cemetery⁵⁰ near by. His death occurred nineteen months too soon for him to see the fruition of his labors in the defeat of the convention proposal, but he left to carry on his work his son, the Rev. James Lemen, Jr., of whom Governor Reynolds says, "In all these situations in which the people placed him he has acted with ability and fidelity.⁵¹ The public awards to him an unblemished reputation".

After the adjournment of the Legislature, the struggle between the Convention and Anti-Convention forces was on in earnest. In the issue of the Illinois Intelligencer of February 15, 1823, one of the editors, W. H. Brown, made public the whole proceedings of the Legislature relative to the unseating of Hansen and the passage of the resolution. In addition, he asserted that the real object of the Conventionists was the introduction of slavery into the State. In the same issue, the other editor, William Berry, who was a Con-

50. Lemen, History of the Lemen Family, p. 31.

51. Reynolds, The Pioneer History of Illinois, pp. 412-413.

ventionist member of the House wrote: "The above 'extraordinary legislative proceedings' have been published by my partner without my approbation, and shall be answered next week". In the next issue, February 22, 1823, Mr. Berry's answer was as follows: "I think it (the election of Mr. Shaw) wholly unconnected with the subject of a convention, and has been lugged in by the minority as a bugbear, by which the people are to be deceived, and other principles more dangerous to be introduced". In the same paper William H. Brown stated: "This number closes my connection with this paper..... I have ever been a friend to our free institutions, and whenever I deemed it necessary wrote in its defense. The time has now come when their friends must be known--when a vigorous exertion must be made to check the advance of a party, the existence of which I have never doubted, whose object is to introduce into this State unlimited slavery. Having these views, it may appear strange to many that I should surrender that powerful engine to direct public opinion, the Press. My opponents may be assured that no exercise of theirs, neither their denunciations or threats have for a moment influenced my mind--I leave this establishment because I choose to do so". Of the four other newspapers then printed two were selected to advocate the cause of freedom. They

were the Edwardsville Spectator and the Illinois Gazette⁵² at Shawneetown. The Conventionists availed themselves of the Republican Advocate, also printed at Edwardsville, and the Illinois Republican, a paper established for the⁵³ occasion at Kaskaskia by Governor Bond and his party. In addition to newspapers, pamphlets and handbills in⁵⁴ great numbers were circulated dealing with the question.

William H. Brown in his Early Movement in Illinois for the Legalization of Slavery tells us that "the moral and religious bearings of the question of slavery were mainly committed to the clergymen of that day, as being peculiarly within their province. These were often presented and pressed upon the conscience with⁵⁵ great power and effect". That the Conventionists resented and feared the activity of these ministers is shown by an address of "A Friend of Liberty" published in the Edwardsville Spectator for April 12, 1823, in which he criticized the ministers for "holding forth to their congregations on questions of political expediency" and followed this criticism with "That political

52. Brown, Early Movement in Illinois for the Legalization of Slavery, p. 25.

53. Idem.

54. Brown, Early Movement in Illinois for the Legalization of Slavery, p. 26.

55. Idem.

sermons have already been preached, and that irreligious views have already been made by reverend gentlemen, many of the good citizens of St. Clair County can testify. The respect I feel for the professors of religion when combining therewith such unholy acts of its leaders, I must pronounce a disguise 'wherein the pregnant enemy does much'".

Two weeks later, April 26, "The Conventionists" answered "A Friend to Liberty" with the following advice: "We are astonished at your saying anything about the ministers of the Gospel. Although we dread their labors at the present crisis as much as the prayers of honest John Knox were once dreaded, yet we know there is a great number of preachers in our state, and some of them are very influential characters and can do our cause much injury if we should incur their displeasure. Therefore we think it the better way to be as friendly to them as our cause will admit, or at least to say nothing against them; and by so doing no doubt those who have been induced from lucrative views to enter the ministry, and are still governed by the same motives, will turn to our side of the question. Be this as it may, however, let them alone until we get a convention, and then we shall place them where we shall dread them no more". Obviously this communication was not intended for publi-

cation, but it touched directly the Friends of Humanity as the minutes of the annual meeting of the Association held at New Design, October 10, 1823, conclusively show. Benjamin Ogle, the clerk, writes as follows: "To our utter astonishment we have among us men who have exerted every nerve to introduce the God-provoking practice of unmerited slavery into our happy state, under the borrowed, not to say stolen, cloak of humanity..... Some tell us that it is a political evil and does not belong to our mission, therefore we ought to be silent. But is it not a transgression of the moral law of God? If so, it is our duty to cry out against it. The truth is, they dread the preachers, and did they have the power, they would soon place them where they would be no more troubled with their reproofs".⁵⁶

Governor Reynolds also attests to the activity of the ministers when he says, "The religious community coupled freedom and Christianity together which was one of the most powerful levers used in the contest".⁵⁷

On the 6th of March, 1823, there appears in the Spectator an invitation to the "friends of freedom to meet at the courthouse in Belleville on the second

56. Brand, Illinois Baptists, p. 82.

57. Reynolds, My Own Times, p. 154.

Saturday in March to form a society for the protection from kidnaping of free people of color, and of reclaiming those who have been kidnapped, and also for the freeing of those who have been illegally restrained of their liberty". This invitation was signed "A Friend to Legal Rights".

On the 12th of April the Edwardsville Spectator carried a notice of a meeting of "a number of citizens of St. Clair County held on the 22nd of March at Belleville in said county, to take into consideration the best means to prevent the extension of slavery in this state". John Messenger was appointed president; David Blackwell, vice-president; Charles Woodworth, secretary; Edmund P. Wilkinson, corresponding secretary; Edward Mitchell, treasurer; and James Lemen and Samuel Mitchell, managers. They adopted the following "Constitution of St. Clair Society for the Prevention of Slavery in the State of Illinois":

- "Article 1. The society shall be called the St. Clair Society to prevent the further extension of slavery in the state of Illinois.
- Article 2. The officers of this society shall be a President, Vice-President, Corresponding and Recording Secretaries, and a Treasurer, which with two other persons shall constitute a Board of Managers.
- Article 3. The principal means to be used to accomplish the objects of the society shall be, by disseminating light and knowledge on the subject of slavery, by

- cool and dispassionate reasoning, by circulating pamphlets, handbills, and other publications; or by such other means as the society or board of managers shall from time to time agree upon.
- Article 4. The funds necessary to effect the object of the society are to be raised by voluntary contributions from time to time, when the members are convened; and when any member makes a contribution his name and the sum thus contributed shall be entered on the journal.
- Article 5. Subjects not embraced in the foregoing articles shall be regulated by a code of by-laws to be established by the board of managers.
- Article 6. The election of officers, and annual meetings shall be on the fourth Saturday in March each year.
- Article 7. This constitution may be altered or amended by a majority of two-thirds of the members present at the annual meeting."

It was ordered by the society that the Board of Managers publish the proceedings of the meeting with an address to the public which appeared in the same issue of the paper. In this address the hand of James Lemen is clearly seen. It stated the object of the convention to be slavery, and argued that the people did not desire slavery. Their objections to slavery were that it was a moral and political evil, that it would retard population inasmuch as the climate was not suited to slave labor and the laboring classes of the North and East would thus be kept out, and that it would destroy the domestic peace, since the morals and manners of children would be affected by the blacks. Finally, it stated that "the

opponents in every county are respectfully solicited to rally round the banner of freedom, adopt similar measures, and make one firm dignified, and energetic stand against any encroachment upon our free government..... Let the rallying word be 'Convention and Slavery'--'No Convention and Freedom!'"

Although the name of John M. Peck does not appear in any contemporary material on the subject, both William H. Brown and Governor Reynolds have given him much credit for organizing the movement against the Convention. Governor Reynolds says, "As soon as the convention resolution was carried by the legislature, the Rev. Mr. Peck had a meeting called in St. Clair County and a constitution adopted to operate against the introduction of slavery in Illinois. Headquarters were established in St. Clair County, and fourteen other societies were organized in so many counties, all acting in unison with the main society in St. Clair County".⁵⁸

Of Peck's efforts, William H. Brown records, "His plan of organizing the counties by a central committee with branches in every neighborhood was carried out by his own exertions and personal supervision, and was greatly

58. Reynolds, My Own Times, p. 154.

instrumental in saving the state".⁵⁹ Upon coming into the state, Mr. Peck had not united with the Friends to Humanity believing their radical position on slavery to be unwise and their manner of preaching and social meetings too demonstrative. He said of them: "Too much stress on the grace equally given to all men, and the whole result on the improvement which they make of it. Too much disorder; too much singing and shaking of hands".⁶⁰ Now, at last, he found himself shoulder to shoulder with them, and the work which they had done in the anti-slavery cause in the past fourteen years could not fail to make of St. Clair County, the cradle of the Friends of Humanity in Illinois, the center from which his organizing genius spread their influence. James Lemen had sowed the seed; John M. Peck was to reap the harvest. Peck himself attested to this when he wrote: "With people familiar with all the circumstances there is no divergence of views but that the organization of Bethel Church and its masterly anti-slavery contest saved Illinois to freedom".⁶¹

59. Brown, Early Movement in Illinois for the Legalization of Slavery, p. 27.

60. Brand, Illinois Baptists, p. 79.

61. "Peck's History of the Jefferson-Lemen Compact" in MacNaul, The Jefferson-Lemen Compact, p. 36.

The contest between the Conventionists and Anti-Conventionists raged fiercely through the summer and autumn of 1823. At length two events occurred which turned the scale in favor of the anti-slavery forces. On December 9, 1823, the State House at Vandalia was set on fire by a mob which paraded the streets shouting "the State House and Death" and burned Governor Coles in⁶² effigy. The second event was the financial failure of the Illinois Intelligencer and its purchase by Governor Coles.⁶³ In the remaining months before the election it was used to great advantage by the anti-slavery partisans.

The day which had been set for the election was the 2nd of August, 1824. As it drew near the Anti-conventionists took great care to warn the people against misleading ballots. Nevertheless, the Conventionists printed ballots so worded that ignorant or careless people might easily be led to vote for the convention⁶⁴ when they had intended to vote against it. The long-awaited day came, and both parties were astonished at the result, for the opponents of a convention won by a

62. Harris, History of Negro Slavery in Illinois, p. 46.

63. Idem.

64. Idem.

majority of 1668 out of a vote of 11,612; nearly three-fifths of the people had voted against the calling of a⁶⁵ convention.

The results of this victory of the anti-slavery forces were very important to the people of Illinois. Immigration from the South was checked, because slave owners did not care to come to a country into which they could not bring their negroes in servitude. On the other hand, Northern and Eastern immigration increased. Economically the advantages of this momentous decision were equally significant. If slavery had been encouraged, slave labor would have driven out other labor, and the development of the country by independent, energetic farmers would have been retarded. Moreover, the State was saved a lengthy controversy with the United States Government over its right to change its practically free⁶⁶ Constitution in the face of the Ordinance of 1787. The attitude of many conventionists after the struggle was over was similar to that of Governor Reynolds who made this confession: "It was true wisdom, as it turned out, to have nothing in any shape or form to do with slavery. I voted for the Convention as a measure to advance the

65. Pease, Illinois Election Returns, 1818-1848, pp. 27-29.

66. Harris, History of Negro Slavery in Illinois, pp. 48-49.

best interest of the country, and that the introduction should be only for a limited period. After that, those in the State should be gradually emancipated, but we were all mistaken for supporting the Convention.⁶⁷"

On August 10, the Edwardsville Spectator carried the Anti-Conventionists' cry of victory, "'Tis done! The long agony is over! And Illinois still reposes in the arms of legitimate Freedom."

The task to which James Lemen and the Friends to Humanity had dedicated themselves was complete.

67. Reynolds, My Own Times, p. 153.

APPENDIX

The Jefferson-Lemen Compact

On February 15, 1915 Willard C. MacNaul read before the Chicago Historical Society a paper entitled The Jefferson-Lemen Compact. This work, which has since been published by the Society, consists of an introduction, in which Mr. MacNaul traces the relations of James Lemen and Thomas Jefferson in the exclusion of slavery from Illinois, and documentary materials relating to the subject. These documents consist of three sorts: a transcript of the Diary of James Lemen, Sr.; a manuscript history of the confidential relations of Lemen and Jefferson, prepared by the Reverend John M. Peck who was for many years pastor of Bethel Baptist Church; and a series of letters from various public men to the Reverend James Lemen, Jr.

The Diary is a transcript of the original, attested by the Reverend James Lemen, Jr. The history is a brief sketch, in two chapters, prepared from the original documents by Peck in June, 1851, and written at

his dictation by the hand of an assistant, as the document itself expressly states. The letters were published at various times by the late Joseph B. Lemen of Collinsville in the Belleville Advocate and include what are purported to be copies of communications to the Reverend James Lemen, Jr. from Stephen A. Douglas, the Reverend John M. Peck, Governor Ninian Edwards, Hon. Adam W. Snyder, Dr. Williamson F. Boyakin, and Abraham Lincoln.

The originals, according to the attestation of the Reverend James Lemen, Jr., were copied June 4, 1867 because they were fading out. Mr. Joseph B. Lemen, the son of the Reverend James Lemen, Jr., explains that some of these original papers were given to the Reverend John M. Peck, and that others, at the advice of Mr. Peck, were placed for safe-keeping in the vault of a friend in St. Louis. However, all trace has been lost of the originals, and all that remains of the "Lemen Family Notes" are the copies made by the Reverend James Lemen, Jr. which are now in the possession of members of the family in Alton.

Minutes of Cantine Creek Church

The early minutes of historic Bethel Church, the oldest Baptist church in Illinois, are still in existence and in a remarkable state of preservation. They are contained in two volumes which, until recently, were

in the possession of Oscar Lemen and Mrs. Lydia Lemen. They are now kept in the safety deposit box of the Reverend Percy Ray, pastor of the First Baptist Church of Collinsville, Illinois and of the Bethel Church.

These minutes begin with the organization of "Richland Arm" of the New Design Church in 1807 and contain the record of the division over slavery in 1809 which resulted in the organization of Cantine Creek Church, Friends to Humanity. They are in the writing of the various church clerks, a number of whom were members of the Lemen family.

In addition to the Minutes, Mr. Ray has an extensive collection of papers relating to the history of Bethel Church, including a number of letters and papers in the handwriting of the Reverend John M. Peck.

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DEPARTMENT OF SOCIOLOGY

July 19, 1935

Dr. W. J. Robbins,
Dean, Graduate School,
University of Missouri,

Dear Dean Robbins,

I have read the thesis submitted by Miss Martha Elizabeth Layman. I believe that the thesis meets the requirements for the Master's degree.

Yours truly,

C. Lermer Pihlblock

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