



Handout 1 - Introducing Terms

Border States: The states that separated the Union from the Confederacy: Maryland, Delaware, West Virginia, Kentucky and Missouri.

Chattel slavery: Socio-economic system that considers enslaved people property or commodity, in which the children of enslaved people inherit their parents' status.

Confiscate: To take or seize possession.

Contraband: Property that is illegal to own or transport. In the context of the Civil War, contraband refers to formerly enslaved people who were freed by military mandate or by taking refuge with the Union army after fleeing plantations in the Confederate states.

Freedpeople: Formerly enslaved people freed by financial redemption, military mandate or law; Freedman was commonly taken as a last name by formerly enslaved people.

Radical Republicans: Members of the Republican party who supported the abolition of slavery and in later years civil rights for African Americans; active 1854-1877.

Secession: The act of withdrawal from a political body to form an independent nation.



Document 2: South Carolina Declaration of Secession

In December 1860, South Carolina was the first state to secede from the Union—two months after the election of Abraham Lincoln as President of the United States. Each state that seceded to join the Confederacy thereafter submitted a similar document the format of which was based on this. Below is an excerpt of South Carolina’s Secession Declaration.

Declaration of the Immediate Causes Which Induce and Justify the Secession of South Carolina from the Federal Union.

...The Constitution of the United States, in its fourth Article, provides as follows: “No person held to service or labor in one State, under the laws thereof, escaping into another, shall, in consequence of any law or regulation therein, be discharged from such service or labor, but shall be delivered up, on claim of the party to whom such service or labor may be due.”

This stipulation was so material to the compact, that without it that compact would not have been made. The greater number of the contracting parties held slaves, and they had previously evinced their estimate of the value of such a stipulation by making it a condition in the Ordinance for the government of the territory ceded by Virginia, which now composes the States north of the Ohio River.

...the Government itself has been made destructive of them by the action of the non-slaveholding States. Those States have assume the right of deciding upon the propriety of our domestic institutions; and have denied the rights of property established in fifteen of the States and recognized by the Constitution; they have denounced as sinful the institution of slavery; they have permitted open establishment among them of societies, whose avowed object is to disturb the peace and to eloign the property of the citizens of other States. They have encouraged and assisted thousands of our slaves to leave their homes; and those who remain, have been incited by emissaries, books and pictures to servile insurrection.

... A geographical line has been drawn across the Union, and all the States north of that line have united in the election of a man to the high office of President of the United States, whose opinions and purposes are hostile to slavery. He is to be entrusted with the administration of the common Government, because he has declared that “Government cannot endure permanently half slave, half free,” and that the public mind must rest in the belief that slavery is in the course of ultimate extinction.

... On the 4th day of March next, this party will take possession of the Government. It has announced that the South shall be excluded from the common territory, that the judicial tribunals shall be made sectional, and that a war must be waged against slavery until it shall cease throughout the United States.



Document 2: South Carolina Declaration of Secession, cont.

The guaranties of the Constitution will then no longer exist; the equal rights of the States will be lost. The slaveholding States will no longer have the power of self-government, or self-protection, and the Federal Government will have become their enemy.

Sectional interest and animosity will deepen the irritation, and all hope of remedy is rendered vain, by the fact that public opinion at the North has invested a great political error with the sanction of more erroneous religious belief.

We, therefore, the People of South Carolina, by our delegates in Convention assembled, appealing to the Supreme Judge of the world for the rectitude of our intentions, have solemnly declared that the Union heretofore existing between this State and the other States of North America, is dissolved, and that the State of South Carolina has resumed her position among the nations of the world, as a separate and independent State; with full power to levy war, conclude peace, contract alliances, establish commerce, and to do all other acts and things which independent States may of right do.

Adopted December 24, 1860

Citation: Declaration of the Immediate Causes which Induce and Justify the Secession of South Carolina. Constitutional Convention (1860-1862). S 131055. South Carolina Department of Archives and History, Columbia, South Carolina.



Document 4: The First Confiscation Act

Enacted in 1861, the First Confiscation Act outlines the status of formerly enslaved persons who had been held as property in the Confederate states. Below is an excerpt of the Act.

CHAP. LX.—An Act to confiscate Property used for Insurrectionary Purposes. That if, during the present or any future insurrection against the Government of the United States... any person or persons, his, her, or their agent, attorney, or employé, shall purchase or acquire, sell or give, any property of whatsoever kind or description, with intent to use or employ the same, or suffer the same to be used or employed, in aiding, abetting, or promoting such insurrection or resistance to the laws, or any person or persons engaged therein; or if any person or persons, being the owner or owners of any such property, shall knowingly use or employ, or consent to the use or employment of the same as aforesaid, all such property is hereby declared to be lawful subject of prize and capture wherever found; and it shall be the duty of the President of the United States to cause the same to be seized, confiscated, and condemned.

APPROVED, August 6, 1861.



Document 5: The Second Confiscation Act

Enacted in 1862, The Second Confiscation Act granted the federal government the right to seize all property of the secessionists described as “individuals participating in or aiding the insurrection against the U.S. government.” Below is an excerpt of the Act.

CHAP. CXCV.—An Act to suppress Insurrection, to punish Treason and Rebellion, to seize and confiscate the Property of Rebels, and for other Purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That every person who shall hereafter commit the crime of treason against the United States, and shall be adjudged guilty thereof, shall suffer death, and all his slaves, if any, shall be declared and made free; or, at the discretion of the court, he shall be imprisoned for not less than five years and fined not less than ten thousand dollars, and all his slaves, if any, shall be declared and made free; said fine shall be levied and collected on any or all of the property, real and personal, excluding slaves, of which the said person so convicted was the owner at the time of committing the said crime, any sale or conveyance to the contrary notwithstanding.

SEC. 3. And be it further enacted, That every person guilty of either of the offences described in this act shall be forever incapable and disqualified to hold any office under the United States.

SEC. 9. And be it further enacted, That all slaves of persons who shall hereafter be engaged in rebellion against the government of the United States, or who shall in any way give aid or comfort thereto, escaping from such persons and taking refuge within the lines of the army; and all slaves captured from such persons or deserted by them and coming under the control of the government of the United States; and all slaves of such person found on [or] being within any place occupied by rebel forces and afterwards occupied by the forces of the United States, shall be deemed captives of war, and shall be forever free of their servitude, and not again held as slaves.

SEC. 10. And be it further enacted, That no slave escaping into any State, Territory, or the District of Columbia, from any other State, shall be delivered up, or in any way impeded or hindered of his liberty, except for crime, or some offence against the laws, unless the person claiming said fugitive shall first make oath that the person to whom the labor or service of such fugitive is alleged to be due is his lawful owner, and has not borne arms against the United States in the present rebellion, nor in any way given aid and comfort thereto; and no person engaged in the military or naval service of the United States shall, under any pretence whatever, assume to decide on the validity of the claim of any person to the service or labor of any other person, or surrender up any such person to the claimant, on pain of being dismissed from the service.

SEC. 11. And be it further enacted, That the President of the United States is authorized to employ as many persons of African descent as he may deem necessary and proper for the suppression of this rebellion, and for this purpose he may organize and use them in such manner as he may judge best for the public welfare.



Document 5: The Second Confiscation Act, cont.

SEC. 12. And be it further enacted, That the President of the United States is hereby authorized to make provision for the transportation, colonization, and settlement, in some tropical country beyond the limits of the United States, of such persons of the African race, made free by the provisions of this act, as may be willing to emigrate, having first obtained the consent of the government of said country to their protection and settlement within the same, with all the rights and privileges of freemen.

APPROVED, July 17, 1862.



Document 6: The Emancipation Proclamation

The Emancipation Proclamation declared that all enslaved persons in Confederate states free as of January 1, 1863. The Emancipation Proclamation did nothing to change the status of enslaved people in states outside the Confederacy in the border states and other territories.

January 1, 1863

A Transcription

By the President of the United States of America:

A Proclamation.

That on the first day of January, in the year of our Lord one thousand eight hundred and sixty-three, all persons held as slaves within any State or designated part of a State, the people whereof shall then be in rebellion against the United States, shall be then, thenceforward, and forever free; and the Executive Government of the United States, including the military and naval authority thereof, will recognize and maintain the freedom of such persons, and will do no act or acts to repress such persons, or any of them, in any efforts they may make for their actual freedom.

By the President: ABRAHAM LINCOLN

WILLIAM H. SEWARD, Secretary of State.



Document 7: Letter to Horace Greeley

In this letter to Horace Greeley, the founder and editor of the New York Tribune, President Abraham Lincoln makes clear that his main objective in the Civil War is the preservation of the Union and that changes to laws concerning slavery arose from that intent.

Executive Mansion,
Washington, August 22, 1862.
Hon. Horace Greeley:

Dear Sir,

I have just read yours of the 19th. addressed to myself through the New-York Tribune. If there be in it any statements, or assumptions of fact, which I may know to be erroneous, I do not, now and here, controvert them. If there be in it any inferences which I may believe to be falsely drawn, I do not now and here, argue against them. If there be perceptible in it an impatient and dictatorial tone, I waive it in deference to an old friend, whose heart I have always supposed to be right.

As to the policy I “seem to be pursuing” as you say, I have not meant to leave any one in doubt. I would save the Union. I would save it the shortest way under the Constitution. The sooner the national authority can be restored; the nearer the Union will be “the Union as it was.” If there be those who would not save the Union, unless they could at the same time save slavery, I do not agree with them. If there be those who would not save the Union unless they could at the same time destroy slavery, I do not agree with them. My paramount object in this struggle is to save the Union, and is not either to save or to destroy slavery. If I could save the Union without freeing any slave I would do it, and if I could save it by freeing all the slaves I would do it; and if I could save it by freeing some and leaving others alone I would also do that. What I do about slavery, and the colored race, I do because I believe it helps to save the Union; and what I forbear, I forbear because I do not believe it would help to save the Union. I shall do less whenever I shall believe what I am doing hurts the cause, and I shall do more whenever I shall believe doing more will help the cause. I shall try to correct errors when shown to be errors; and I shall adopt new views so fast as they shall appear to be true views.

I have here stated my purpose according to my view of official duty; and I intend no modification of my oft-expressed personal wish that all men every where could be free.

Yours,
A. Lincoln.



Document 8: Account of Sea Island Music by Charlotte Forten.

Charlotte Forten was an African American educator and abolitionist from Philadelphia, Pennsylvania. During the Civil War she traveled to the Sea Islands of South Carolina to teach freedpeople at the Penn School on the island of St. Helena. The Atlantic Monthly published entries from Forten's journals in two installments in 1864. In the following excerpt, Forten describes the musical life of residents of the Sea Islands.

In the evenings, the children frequently came in to sing and shout for us. These “shouts” are very strange, — in truth, almost indescribable. It is necessary to hear and see in order to have any clear idea of them. The children form a ring, and move around in a kind of shuffling dance, singing all the time. Four or five stand apart, and sing very energetically, clapping their hands, stamping their feet, and rocking their bodies to and fro. These are the musicians, to whose performance the shouters keep perfect time.