

Fall 1983

Slavery in Kentucky: A Civil War Casualty

Lowell H. Harrison

Western Kentucky University

Follow this and additional works at: <https://uknowledge.uky.edu/kentucky-review>



Part of the [United States History Commons](#)

[Right click to open a feedback form in a new tab to let us know how this document benefits you.](#)

Recommended Citation

Harrison, Lowell H. (1983) "Slavery in Kentucky: A Civil War Casualty," *The Kentucky Review*: Vol. 5: No. 1, Article 4.

Available at: <https://uknowledge.uky.edu/kentucky-review/vol5/iss1/4>

This Article is brought to you for free and open access by the University of Kentucky Libraries at UKnowledge. It has been accepted for inclusion in The Kentucky Review by an authorized editor of UKnowledge. For more information, please contact UKnowledge@lsv.uky.edu.

Slavery in Kentucky: A Civil War Casualty*

Lowell H. Harrison

Slavery existed in Kentucky from its first days of settlement, and the 1792 constitution recognized and protected the institution. The state's slave population increased more rapidly than the white population until 1830, when it reached 24 percent of the total. The percentage declined to 19.5 in 1860, although the 225,483 reported that year was the largest number in the state's history. While 28 percent of the white families owned slaves in 1850, only 5 of the 38,385 individual owners held as many as 100. The average owner held 5.4 slaves, the smallest number in the slave states except for Missouri.¹

Antislavery sentiment also existed in Kentucky from its early days of statehood, but the opponents of slavery were able to accomplish little. Slavery's future was discussed at length in the 1849 constitutional convention, but the final document declared that "the right of property is before and higher than any constitutional sanction, and the right of an owner of a slave to his property is the same and as inviolate as the right of an owner of any property whatsoever." As one defender of slavery put it, "We promised to fix the constitution so that a majority could not oppress a minority, and we have done so."²

When the Civil War began, Kentucky was one of the four slave states that remained in the Union. For several months she maintained a precarious neutrality, but by September 1861 the Bluegrass State was a participant in the conflict. Despite postwar legends, there is no doubt but that a majority of Kentuckians favored the Union. Yet if there was a typical Kentucky voter in 1861, he supported the Union, believed in states' rights, and condoned slavery.

Thus there was general outrage in the state when General John C. Frémont on 30 August 1861 issued an order to confiscate the property and free the slaves of disloyal Missourians. When

*This paper was originally presented at the Symposium in Honor of Dr. Thomas D. Clark, University of Kentucky, 10 November 1981.

President Lincoln directed its withdrawal, he explained that the policy would " . . . perhaps ruin our rather fair prospects for Kentucky."³ But Lincoln soon came under heavy pressure from antislavery advocates, and the existence of the peculiar institution in some loyal states embarrassed the president.

In a 3 December 1861 message to Congress Lincoln suggested that the general government might provide some compensation for states which freed their slaves. Emancipation might be followed by colonization "at some place or places in a climate congenial to them. . . ."⁴ His suggestion was ignored by Congress, but on 6 March 1862 Lincoln presented a more definite program. As he sought support for it, he added details. If a state set a definite date for the end of slavery—say, 1 January 1882—he would recommend a payment of \$400 per slave in U.S. 6 percent bonds. The 432,622 slaves in the loyal states could be freed for \$173,000,000, the approximate cost of 87 days of the war. Lincoln argued that his proposal would shorten the war, for the Confederacy would have to abandon any hope that the loyal slave states would join the C.S.A.⁵

The president had failed to get a vote on compensated emancipation in the Delaware legislature, but he placed his hopes on Kentucky. His native state had more slaves than the other three combined, and if she accepted the plan, surely the others would follow suit. But if he expected an enthusiastic response from Kentucky, the president was soon disappointed. Most Kentuckians believed that the federal government had no constitutional right to interfere with slavery in the states, and they were alarmed by and resentful of Lincoln's plan. They were fighting for the preservation of the Union, not the destruction of slavery. The *Covington Journal* spoke for the majority of Kentuckians when it denied that slavery was the cause of the war: "Upon the same reasoning the timber of a house is the cause of the fire, and not the incendiary who fired it."⁶ Kentuckians blamed both the abolitionists and the secessionists for the plight of the country, and they feared that Lincoln was being prodded into an antislavery position. "The extreme men of the Republican party are advancing step by step to the accomplishment of their long cherished purpose," a northern Kentucky editor warned. "The more moderate men of the party follow on, feebly protesting as they advance, but occupying today the ground that the radicals left yesterday."⁷

One irate citizen figured that the cost in Kentucky would be

\$100,000,000, a prohibitive sum. But that was beside the point, he insisted, for Kentuckians did not want emancipation and would oppose it. "Let them understand," he warned the abolitionists, "that whenever they attempt this outrage upon humanity, the Kentucky soldiery, who are now fighting in the Federal army, will lay down their arms, or use them in defense of all they hold dear on earth. . . ." ⁸

A particular fear was that emancipation would increase the number of free blacks in the state. Restrictive laws had held the total in 1860 to only 10,684—less than one percent of the population. In December 1861 when emancipation was suggested, a Louisville editor declared that if the slaves were freed 200,000 soldiers would be required "to retain Kentucky in the Union, and then the soldiers would be compelled to aid in exterminating the black race." If the slaves were freed, he asserted, "there is but one thing to be done with them; they must be wiped out—totally obliterated. It must be a merciless, savage extermination. . . . The two races . . . cannot exist in the same country, unless the black race is in slavery." ⁹

The protests at home were echoed by the Kentuckians' elected representatives. In Congress John J. Crittenden, the aged compromiser, asked that his state be left alone to determine her own policy: "We have given you all the assurances [of loyalty] that ought to be asked." He did not fault Lincoln's intentions ("I believe he means right. . . ."), but the president was wrong in his request. ¹⁰ A member of the Kentucky House was so incensed that he introduced a draconian measure requiring that "any person or persons who have or who may advocate the doctrine of the abolition or emancipation of slavery . . . either directly or indirectly, or who sympathizes with the same, be and are hereby, disfranchised for life." Such offenders also had to leave the state within ten days. Despite the measure's obvious unconstitutionality, it passed the House 48 to 29. ¹¹

Despite such negative responses, Lincoln returned to his proposal during the summer of 1862. By then Congress had abolished slavery in the District of Columbia and the territories, measures that aroused deep apprehension in Kentucky. On Saturday morning, 12 July, Lincoln met with the senators and representatives from the loyal slave states. Reading from a prepared statement, the president asserted that "I intend no reproach or complaint, when I assure you that, in my opinion, if

you all had voted for the resolution in the general emancipation of last March, the war would now be substantially ended. . . . " Their refusal to end slavery had encouraged the rebellious states to believe that they might still be joined by the loyal slave states. The lever of power in the South was slavery, Lincoln argued; break that lever and the rebellion would end. If the rebellion continued, he warned, "the institution in your States will be extinguished by mere friction and abrasion—by the mere incidents of the war. . . . How much better for you, and for your people, to take the step which, at once, shortens the war and secures substantial compensation for that which is sure to be wholly lost in any other event."¹²

In the ensuing discussion Lincoln stressed again that what he proposed was gradual, compensated emancipation followed by colonization, but he had to admit that Congress had not approved the plan or made financial provision for it. With Kentucky Representative Charles A. Wickliffe of Bardstown as chairman, the group replied on 14 July. They rejected the proposal, presented in "undue haste," that would drastically alter their social system. Slavery was a state matter, and their states did not choose to abandon it. They insisted that Lincoln's proposal would lengthen the war because it would unify the Southerners and spur them on to greater effort. While they pledged their support to winning the war, they requested that the president confine himself to his proper constitutional role.¹³

Representative Samuel L. Casey from the First District was the only Kentuckian to sign a minority report which called for Lincoln's proposal to be submitted to their states. Pointing out that the Confederates had considered ending slavery in return for foreign recognition, the minority asserted that "if they can give up slavery to *destroy* the Union, we can surely ask our people to consider the question of emancipation to *save* the Union."¹⁴

But the large majority of Kentuckians did not need to consider it. The president had declared in his inaugural address: "I have no purpose, directly or indirectly, to interfere with the institution of slavery in the States where it exists. I believe I have no lawful right to do so, and I have no inclination to do so." They continued to cling to that position after Lincoln abandoned it.

The compensated emancipation issue was soon overshadowed by the Emancipation Proclamation. Issued in preliminary form by President Lincoln on 22 September 1862, the proclamation was to

take effect on 1 January 1863. That it did not apply to Kentucky was of little matter; many Kentuckians saw it as portending the ultimate fate of slavery in their state. "It is a most abominable, infamous document," wrote a Kentucky soldier in the Union army. "We find ourselves in arms to maintain doctrines, which, if announced 12 months ago, would have driven us all . . . into the ranks of the Southern Army."¹⁵ The editor of the Frankfort *Commonwealth* was almost incoherent with rage. "The President's nigger proclamation ought to be crammed down his throat, if he will not withdraw it, as a flagrant violation of his official oath. . . ."¹⁶ A Louisville editor wrote that "if this rebellion is not put down, the fault will be at the door of a party that has abandoned the idea of doing that work, and gives its sole attention to abolishing slavery."¹⁷ In March 1863 the legislature passed a law that in effect enslaved any black entering the state who claimed freedom under the Emancipation Proclamation.

The Union army presented a more immediate threat to Kentucky slavery. Commanders used slaves for military projects, and some abolitionist officers used every possible means to interfere with the detested institution. Even loyal owners found their slaves impressed for construction work or as teamsters. Payment was often delayed or denied, and Confederate sympathizers rarely got a hearing. The reaction was so adverse that by December 1862 General H. B. Wright was convinced that at least two-thirds of the legislature favored secession and would proclaim it if given an opportunity to do so.¹⁸

The administration's decision to use black troops angered Kentuckians even more than the earlier measures, for it challenged the basic assumption that blacks were inherently inferior to whites. But with a substantial number of Kentuckians in Confederate service, the state had difficulty in meeting its manpower quotas. The pool of black males was the only practical means of making up the deficit. Lincoln tried to ease the initial shock by ordering that only free Negroes be enrolled and by explaining that enrollment did not mean immediate enlistment. Even so, the state protests were so violent that the order was suspended until February 1864.

But by then the need was so great that black males in Kentucky were ordered enrolled, slaves as well as freedmen. Few Kentuckians attempted to defend the policy; even devoted Unionists denounced it. Colonel Frank Wolford, commander of the



Camp Nelson, Kentucky, where black soldiers were mustered in and out of the Union Army, circa 1864

famed "Wild Riders" of the 1st Kentucky Cavalry, promised to use his troops to prevent black enlistments. Wolford was arrested but denied a trial for fear it would make him a public martyr. Instead, he was dishonorably discharged from the army that he had served so well. Governor T. E. Bramlette had given lukewarm support to the administration on the grounds that the sooner the war ended, the sooner the Lincoln government could be discarded. Now, the governor swore, "If the president does not, upon my demand, stop the negro enrollment, I will."¹⁹ But after a confusing series of mysterious conferences that included such staunch Unionists as the Rev. Robert J. Breckinridge and General Stephen G. Burbridge, the governor urged his people to limit their protests to lawful forms. A few days later Lincoln assured Bramlette and a small delegation that no blacks would be enlisted in any county that met its quota with whites and that enlisted blacks would be trained out of state.²⁰

Quotas were still not met, and on 15 April 1864 General Burbridge ordered the enlistment of black males, slave as well as free. Loyal owners were to be paid as much as \$300 per slave, a figure well below pre-war prices. When the initial rush of black volunteers subsided, recruitment officers struck a heavy blow at Kentucky slavery by actively seeking slaves for military service.

The 1864 presidential election gave Kentucky voters an opportunity to indicate their opinion of Lincoln and his policies. George B. McClellan got 64,546 votes to 27,797 for Lincoln. A few days later Frank Wolford, Lt. Governor R. T. Jacob, and Paul R. Shipman of the Louisville *Journal* were arrested for trying to obstruct black enlistments and ordered banished to the Confederacy. Faced with passionate protests, Lincoln pardoned them, but the state was so outraged that in December a War Department agent warned that "a large majority of Kentuckians are today undoubtedly disloyal."²¹

Removal of the detested Burbridge relieved the tension but did not alter the administration's determination to end slavery. General John M. Palmer was less obnoxious than his predecessor, but he was equally determined to secure black enlistments. An act of 3 March 1865 freed the wives and children of blacks who enlisted, and Palmer admitted, as the war drew to a close, that the army was more interested in enlisting blacks in order to free them than in obtaining soldiers. Some 20,000 Kentucky blacks were in uniform by the end of the war, and about 9,000 others were

enlisted later.²² Kentucky supplied nearly as many blacks to the Union army as it did whites to the Confederate forces. As a result of this policy, slaveholders saw the number of slaves decrease sharply and the value of the remainder decline like the price of Confederate bonds. Any realistic assessment of slavery had to conclude that its end was near.

The finish was, of course, provided by the Thirteenth Amendment, to which Lincoln had turned as the final solution to the slavery question. The proposal finally secured Congressional approval in January 1865 and was submitted to the states for ratification. George Prentice, editor of the *Louisville Journal*, was one of the few prominent Kentuckians who supported it. Governor Bramlette realized that the end of slavery was near, but he hoped to secure the compensated emancipation and colonization that Lincoln had suggested nearly three years earlier. When he transmitted the proposed amendment to the legislature on 8 February 1865, Bramlette declared flatly that "no intelligent man, whatever may be his desires upon the subject, can hope for the perpetuation of slavery in Kentucky. . . . the facts exist and cannot be changed by denying them or closing our eyes to their existence. Whether the proposed amendment be ratified by you or not, slavery has been fore-doomed by rebellion, and cannot be maintained." But then he marred his realism by recommending that ratification be made contingent upon the federal government paying Kentucky \$34,179,246, the 1864 assessed value of the slaves.²³ But the day was long gone when a Kentucky slaveholder might have secured compensation, and the governor's pipe dream was ignored. By votes of 56 to 28 and 21 to 12 the House and Senate rejected the amendment.

Later efforts to secure ratification also failed, and Kentucky retained slavery as the Thirteenth Amendment moved steadily toward ratification. Newspapers continued to carry notices of slave sales, but prices were only a fraction of what they had been a few years earlier. General Palmer issued travel passes lavishly, and thousands of blacks flocked into the state's cities or crossed the Ohio in search of greater opportunities. In July Palmer estimated that 100,863 persons had been freed through the military route and that half of the remaining 129,000 had been freed through other means.²⁴ The remaining 65,000 slaves were less than 30 percent of the 1860 total. Eager to end slavery for all time, Palmer declared the Thirteenth Amendment ratified and in force on 7 December

1865, eleven days before the secretary of state did so.

Even then the Kentucky legislature refused to change its stance. On 25 January 1866 the House rejected 30 to 57 a motion to ratify and declared that "the action of the past Legislature on this subject is final."²⁵ That gesture of defiance meant nothing, unless it satisfied some stubborn Kentuckians who insisted upon clinging to a discredited institution. Despite their determined efforts, slavery in Kentucky had come to an end. It was indeed a Civil War casualty.

NOTES

¹Ivan E. McDougale, *Slavery in Kentucky, 1792-1865* (Lancaster, Pa.: New Era Printing Co., 1918), 10-12.

²Frank R. Mathias, "Kentucky's Third Constitution: A Restriction of Majority Rule," *Register of the Kentucky Historical Society* 75 (January 1977): 10, 18-19.

³Lincoln to Frémont, 2 September 1861, in Roy P. Basler, ed., *The Collected Works of Abraham Lincoln*, 9 vols. (New Brunswick, N.J.: Rutgers University Press, 1953-55), 4:506. See also E. Merton Coulter, *The Civil War and Readjustment in Kentucky* (Chapel Hill: University of North Carolina Press, 1926), 111-12.

⁴Basler, *Works of Lincoln* 5:48-49. Lincoln's effort to secure passage of a compensated emancipation bill in Delaware, which had only 1,798 slaves in 1860, failed to come to a formal vote. H. Clay Reed, "Lincoln's Compensated Emancipation Plan and Its Relation to Delaware," *Delaware Notes*, 7th ser. (1931): 28-61; Carol E. Hoffecker, *Delaware: A Bicentennial History* (New York: Norton, 1977), 101-2.

⁵Basler, *Works of Lincoln* 5:144-46, 160, 153. The president met with border-state members of Congress on 10 March 1862 but failed to win their support. The resolution that passed Congress approved the idea but did not implement it. Stephen B. Oates, *With Malice toward None: The Life of Abraham Lincoln* (New York: Harper & Row, 1977), 267-70, 297-98.

⁶*Covington Journal*, 7 December 1861.

⁷*Covington Journal*, 15 March 1862.

⁸Letter in Frankfort *Weekly Yeoman*, 28 March 1862.

⁹*Louisville Daily Democrat*, quoted in *Daily Nashville Patriot*, 14 December 1861.

¹⁰*Congressional Globe*, 37th Cong., 2d sess., 10 March 1862, 1150; 11 March 1862, 1172-73.

¹¹*Louisville Daily Democrat*, 22 July 1862; *House Journal*, 12 March 1862, 813-14.

¹²Basler, *Works of Lincoln* 5:318; Oates, *With Malice toward None*, 307-8; *Louisville Daily Democrat*, 22 July 1862; Benjamin Quarles, *Lincoln and the Negro* (New York: Oxford University Press, 1962), 106-8.

¹³*Louisville Daily Express*, 23 July 1862; *Louisville Daily Democrat*, 22 July 1862.

¹⁴*Louisville Daily Express*, 23 July 1862. Casey was elected from the First District on 20 January 1862 to fill the vacancy left when Henry C. Burnett joined the Confederacy. Lewis and Richard H. Collins, *History of Kentucky*, 2 vols. (Covington, 1874), 1:99.

¹⁵B. F. Buckner to Helen Martin, 5 November 1862, Buckner Collection, Special Collections, University of Kentucky.

¹⁶*Frankfort Tri-Weekly Commonwealth*, 19 November 1862.

¹⁷*Louisville Daily Democrat*, 11 February 1864.

¹⁸*Official Records*, ser. 1, 20, pt. 2, 282, 287.

¹⁹Lowell H. Harrison, *The Antislavery Movement in Kentucky* (Lexington: University Press of Kentucky, 1978), 106.

²⁰Coulter, *Civil War and Readjustment*, 200-203.

²¹*Official Records*, ser. 1, 45, pt. 2, 93-94.

²²Coulter, *Civil War and Readjustment*, 210, 265; *Cincinnati Gazette*, 3 August 1865.

²³*House Journal*, 8 February 1865, 395-99.

²⁴*Cincinnati Gazette*, 3 August 1865.

²⁵*House Journal*, 25 February 1866, 324-27.