

American Legal History – Russell

SLAVERY IN THE UNITED STATES CONSTITUTION

U.S. Const. art. I, §§ 2, 9, art. IV, § 2, art. V.

Art. I, §2.

Representatives and direct Taxes shall be apportioned among the several States which may be included within this Union, according to their respective Numbers, which shall be determined by adding to the whole Number of free Persons, including those bound to Service for a Term of Years, and excluding Indians not taxed, three fifths of all other Persons.

Art. I, §9.

Section. 9. The Migration or Importation of such Persons as any of the States now existing shall think proper to admit, shall not be prohibited by the Congress prior to the Year one thousand eight hundred and eight, but a Tax or duty may be imposed on such Importation, not exceeding ten dollars for each Person.

Art. IV, §2.

No person held to Service or Labour 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 Labour, but shall be delivered up on Claim of the Party to whom such Service or Labour may be due.

Art. V.

The Congress, whenever two thirds of both Houses shall deem it necessary, shall propose Amendments to this Constitution, or, on the Application of the Legislatures of two thirds of the several States, shall call a Convention for proposing Amendments, which, in either Case, shall be valid to all Intents and Purposes, as Part of this Constitution, when ratified by the Legislatures of three fourths of the several States, or by Conventions in three fourths thereof, as the one or the other Mode of Ratification may be proposed by the

Congress; Provided that no Amendment which may be made prior to the Year One thousand eight hundred and eight shall in any Manner affect the first and fourth Clauses in the Ninth Section of the first Article; and that no State, without its Consent, shall be deprived of its equal Suffrage in the Senate.

See also:

Wheeler, A PRACTICAL TREATISE on the LAW OF SLAVERY (1837).

Fugitive Slave Act of 1850, (1850).

Bryan v. Walton, (GA, 1853).

REVISED CODE OF NORTH CAROLINA (1854).

George Fitzhugh, SOCIOLOGY FOR THE SOUTH (1854).

Dred Scott, Plaintiff in Error, v. John F. A. Sandford, (USSC, 1857).

CONSTITUTIONS OF THE UNITED STATES (1787) AND THE CONFEDERATE STATES OF AMERICA (1861).

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