

Orson Pratt, Orson Spencer, and Brigham Young, before the Territorial Legislature on slavery, January 27, 1852, CR 100 912, Church History Department Pitman Shorthand transcriptions, 2013-2021, Addresses and sermons, 1851-1874, Miscellaneous transcriptions, 1869, 1872, 1889, 1848, 1851-1854, 1859-1863, Utah Territorial Legislature, 1852 January-February, CHL.

2. Orson Pratt, Orson Spencer, and Brigham Young debate “An Act in Relation to Service,” January 27, 1852.¹

Document

An act in relation to service was read. Moved by Orson Pratt that the bill be rejected in-toto. The bill was read by sections. First section read. Second section read. Third section²

Pratt

I am opposed to that section and wish to make a motion in relation to it but previous to making it I beg leave to state my views in regard to slavery of the African race. It has been considered by almost every state and territory that slavery was a great evil. I presume that almost all the slave holders in [the] south look upon it as an evil and as a very great evil. Consequently it is not merely the [damned³] abolitionists of [the] north that consider this but it is the individual whose fathers entailed upon them this evil that⁴ considers it in such [a] point of view. Though they may [be] in possession of thousands [of] dollars of human flesh, they have [enough] conscience to know it is a great [evil]. How [to] get the curse of slavery [out, I myself am] not prepared to say. [But] slavery does not exist here. We are not under the necessity of legislating and designing plans to get rid of evil. But we stand in [the] same relation to [our]

¹ Orson Pratt, Orson Spencer, and Brigham Young, before the Territorial Legislature on slavery, January 27, 1852, CR 100 912, Church History Department Pitman Shorthand transcriptions, 2013-2021, Addresses and sermons, 1851-1874, Miscellaneous transcriptions, 1869, 1872, 1889, 1848, 1851-1854, 1859-1863, Utah Territorial Legislature, 1852 January-February, CHL.

² The sudden stop here may indicate that Pratt stood up while the third section was being read or immediately thereafter. Section three, as originally drafted read as follows (the words in bold were eventually removed from section three before the bill passed, a crucial deletion which in effect changed the bill from perpetual servitude to gradual emancipation). SEC. 3. That any person bringing a servant or servants, and his, her, or their children from any part of the United States, and shall place in the Office of the Probate Court the certificate of any court of Record under seal, properly attested that he, she, or they is or are entitled lawfully to the service of such servant or servants, and his, her, or their children, the Probate Justice shall record the same, and the Master or Mistress, or his, her, or their heirs shall be entitled to the services of the said servant or servants **and his, her, or their children, until the curse of servitude is taken from the descendants of Canaan** unless forfeited as hereinafter provided, if it shall appear that such servant or servants came into the Territory of their own free will or choice.

³ Watt recorded d, d. “Damned” is a possibility.

⁴ Word may be wiped out.

fore fathers that introduced slavery into the southern states. They [were] pirates that went to Africa, purchased Negros, and made them slaves in [the] United States. They introduced the evil and who is the most under condemnation? The children that have this evil riveted upon them and know nothing of the manner to get rid of it? Or the individuals that introduced [it⁵] into the country? Every body reflects upon the individual that introduced this abominable tyranny; [they] are the individuals most responsible before God. Shall we then assume the same position in this our young and flourishing territory that those pirates that trafficked in human blood and pulled the slave from his native land, tore him from his wife [and] children, and bound him out in [a] foreign country to serve there all the days of his life? Shall we introduce this evil in our midst? No! I hope [there is] wisdom, light, and intelligence enough within the bosoms of this honorable council to spurn the idea [with] indignation.

It has been argued that the curse [was] brought upon them by the Almighty. [I] admit it. [But] has there not been many curses pronounced upon certain nations and people by [the] Almighty? And when other people step in and inflict that curse upon [them], have they not been cursed for doing [so]? Yes. There may be [a] curse upon a people, and ~~that~~ when that ~~is~~ curse is pronounced by the authority of the priesthood [of the] Almighty, unless he designates the individuals to inflict it, they come into condemnation if [they] inflict it. [For] example, we will take one of the first individuals that committed crime. I will take Cain. The Lord cursed him with a mark. [He⁶] did not curse him to slavery but cursed him with a mark and no doubt he had forfeited his life for [disobeying the] laws of God, [the] same as now, by slaying his brother. But sir, were the brothers of Cain those that were then numerous upon the earth? Were they justified in stretching forth their hands to put Cain to death? [The] Lord [said] upon this subject, “whosoever slayeth Cain, [my] vengeance [shall be] seven fold.”⁷

Here then we perceive [that] a curse may be put upon a man and by the authority of Almighty, and if an individual undertakes to inflict that upon [the same man] without being commanded by the same

⁵ Watt recorded *in*; the intent is clearly *it*.

⁶ May also be an ink blot or crossed out word.

⁷ See Genesis 4:15.

individual that put the curse there, [he] exposes himself to vengeance. Some people carried out [a similar reasoning] then supposing that Noah, after having been intoxicating, [was discovered naked in his tent by Ham and as a result God cursed Ham's son Canaan] that they [Canaan] should serve Shem and Japheth.⁸ He did not [command] Shem to bind him down in servitude. They⁹ have taken that upon them, to do this thing to execute the curse of Almighty upon that race without being commanded to do it and they will have to be punished for rising up and inflicting this curse upon [the] descendants of Adam.

As one example, Israel, by their transgressions, subjected themselves to [a] curse as [a] nation. Their transgressions exposed them to some [of the most severe] curses¹⁰ ever upon the human family. What were they? Not [only] disease, sicknesses, and death, [but] dispersion [and] disasters [that] tongue cannot name. They were to be cursed by all the nations of [the] earth and [the nations of the earth would] buy them and sell them as bond men and bond women. Notwithstanding it was pronounced by the authority of [the] Almighty, [and] placed upon ~~them~~ by the everlasting priesthood, that does not justify [those] that lives [lived] to lay their hands upon Israel. Neither does [it justify others] to lay their hands upon [the] descendants of Canaan. Those very nations that inflicted this curse pronounced upon Israel have to be called to account and [the] vengeance taken upon the gentiles [will be] double. The Lord has to turn the[ir] iniquities upon their own head and we have numerous example[s] of this in the dealings of the Lord with different nations ~~by~~ because of [the] curse pronounced upon them. Look at Nebuchadnezzar that was called the golden emperor who stretched out his hands and brought them in subjection. The prophets told Israel that Nebuchadnezzar should come upon them and lead them away captive into Babylon. It came to pass. Was Nebuchadnezzar justified? No sir, he was not, [and] neither was his nation justified. But because they did it, because they executed the fierce wrath of Almighty upon Israel, notwithstanding they should be the very individuals, yet they did it without being commanded by the

⁸ See Genesis 9:20-27.

⁹ Slave masters.

¹⁰ Probable intent is: *some of the most severe curses*.

Almighty. Yet they did it [and God] destroyed them. [Look] up and thy visage of it [will] be seen. Why? Because they inflicted [a] curse upon that people. They done it without an authority.

Shall we assume the right without the voice of [the] Lord speaking to us and commanding us to [introduce] slavery into our territory? Shall we be guilty of taking our own flesh and blood, though there may be [a] curse upon them? Shall we introduce [slavery] into this young and flourishing territory? The states [will] look upon us as tyrants. [They know that] slavery is a great evil. We would that we were rid of this great evil, [they say]. And when they saw us voluntarily stretch forth [our] hands and introduce it into a territory where it does not exist, they would blush for shame. Even the slave holder would, when we have the privilege of keeping it out. I will admit we have the right to introduce it here. This is not to be disputed. [Rather, I dispute] the expediency of [the] thing.

[When] in [our] situation we are legislating in [the] capacity of people who desire to serve God, in [the] capacity [to] be the most benefit to [the] nations abroad, is it not known to this honorable council the light in which slavery is looked upon by almost every enlightened nation or heathen? They look upon it with disgust. There may be individuals in those countries that are starving to death in their midst. But they look upon binding a man for life to bondage and slavery, they look upon it in [a] different light from what many others look upon it. They consider it one of [the] worst of evils. Do not we wish to have influence among them for the sake of their salvation? We wish to find access to parts of Europe, to [the] learned men of Europe, and [to] be the means in the hands of Almighty to bring them to the knowledge of [the] truth we believe [in]. Is not this our desire and intention? Where in can [it] be expedient for us to suffer slavery to come into this territory when we can [avoid] it? [It] would not be a sin to keep it out. Why, it would give us a greater influence among the other nations of [the] earth and by that means save them. Shall we hedge up the way before us by introducing this abominable slavery? No! My voice shall be against it from this time until the bill shall pass if you are determined to pass it.

I look for the welfare of nations abroad ~~that have~~ who will never hear the gospel of Jesus Christ if we make a law upon this subject. I know their feelings upon this subject. I have conversed with ~~them~~ many nations upon the subject of slavery and I do know their hearts are bound against it. Paul ceased off

eating meat because he desired the salvation of his brethren.¹¹ Shall we not desire the salvation of [the] inhabitants of Great Britain and inhabitants of [the] world so much as to keep slavery out of our midst? [Whereas] no slaves come in our state or territory in a¹² I venture to say [that] all the Negroes [who] come here never have power in this territory to that degree. [We should] make our laws reach after them and feel after them and take hold upon [them] the same as every other citizen [who] come[s] ~~here~~ in[to] this territory. But [the] idea of making one man accountable for another by bonding him [for] 2000 dollar[s]? Some thing[s] I do not believe in and [they] should not [pass] a legislative assembly that make[s] the pretensions as we do as a people. If [a] black man comes into this territory and transgressing those laws we can make him smart for it, and we must be weak and poorly indeed if we cannot make the law to bear upon all that come in here. If we are commanded by the Higher Power, by the Almighty, to inflict the curse upon the poor outcasts of Cain [we are] justified in doing [so]. [Remember] Israel? The Lord had commanded them to destroy the Canaanites from the world. Certain nations came up from a far country with a lie in their mouths and their lives was forfeited. They had been commanded to destroy those nations, [for] a covenant was made by the higher authorities of Israel. [But when they] found they were ~~they~~ their neighbors [they] did not destroy them but placed them in slavery. For instance, we will take these Africans. It is not because of the sins [of the] present race of Africans they are damned to slavery. [It is because of the] sins of [their] fore fathers; the same as poverty and distress [that] is bequeathed to the generations of [a] drunkard. It comes upon them in that light.

Very well. Shall we take then the innocent African that has committed no sin and damn him to slavery and bondage without receiving any authority from heaven to do [so]? That they and their children shall be servants to us and our children? The idea is preposterous in my mind and I feel almost indignant when I think that we as a new territory, after we ourselves have been damned to slavery in [the] States but came out here to enjoy the religious [liberties]— For us to bind the African because he is different from

¹¹ See 1 Corinthians 8.

¹² Watt failed to capture a complete sentence.

us in color [is] enough to cause the angels in heaven to blush! Let me make my [conscience to] be clear from this Mr. President.

Orson Spencer.

He¹³ says slavery is an evil and [he] supposes that all men suppose it an evil. That [in the whole] civilization, where slavery prevails in its worst forms than in the southern regions, as they do say that slavery is an evil. Why do they [say that] slavery is an evil? They say so [as] far as I am able to understand because they have made it an evil when God has not made it so. It may be of [a] truth [that] they have run before they were sent and if that inference of [the] gentleman is correct, [then] we know why it is that slavery is an evil in [the] southern states. Because they have run before [they were] sent [and they] meddle with that [which] they were not commanded to do. I say that slavery as it exists there is serious and [is] evil. Why? Because they have violated almost every rule to wholesome order that the God of Heaven, that has decreed servitude to the race of Canaan, has established. They have violated every wholesome rule that the Father of spirits of all flesh established to regulate the conduct of servants to masters etc. They have denied [the] right which is due to servants. They have ground them down and riveted chains of darkness on their feet by legislative enactments and long abuses. This is one of the causes why slavery is an evil from which humanity recoils and shudders at the observation of it.

The slave is been took, [his] hands [have] been cut off after head began at the finger. They have escaped justice as [slave masters]. But sir, is that an evil which the Author and Father of all good has established? If it is, it is less evil than to have not done it [than] to inflict it. Is it an evil to have the Sons of Perdition chained in the respected place and distances ~~in~~ from bodies of lights and [peoples¹⁴] if it is a less evil to have them? I am for the decrees of Almighty to have men put where the . . . on this basis . . .

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¹³ Orson Pratt.

¹⁴ Watt recorded p, l, s.

¹⁵ Watt failed to record a complete sentence.

In support of this position, what was the attitude of servitude when the man that the Almighty anointed and commissioned to act as his seer . . .¹⁶ Was it servitude? Yes. [But] not southern slavery. Not slavery that has been debased by the sons of [Belial] [until] the relics of that which God instituted founded and that . . .¹⁷ With that kind of servitude his servants were trust worthy. They were beautiful. They were taught to fear and reverence the name of [the] Great I Am. To hold sacred the great and [honest¹⁸] anointed ones of [the] Lord [who] taught and privileged and inspired [them] to honor the master's law upon the earth as [they] honored the law of him in heavens. Who¹⁹ went in to perform the duties of ambush? It was²⁰ a bond man. Who went before him? It was an angel of [the] Most High that pioneered his path, led [him] into that distant land, and led him to make the inquiry whether his ambush [would] succeed or not. Was that an evil to Abraham, to find an accumulation of servants when he wanted to inflict chastening upon his enemies and arming those servants? It was bringing the spirit of loyalty just where it ought to be brought under the sanctified hands of [the] servants of [the] Most High who could command physical strength for the chastening of [the] wicked [and] for the over throwing of [the] despots of [the] earth.

~~Southern~~ Is the slavery of [the] south like this? Could he send them on [an] important ambush in foreign lands? No, [they would] never return. He would point his musket at his breast to him that would grind him down. [It is] not ~~they~~ that kind of slavery I am talking about here. [It] is to throw the cover of protection that will say to the master, if you have a mind to come here to my father's and remember your servants, we will show you the law of your father['s] [and the] obligations of servants and master. We will teach you. Can we do [so] abroad? No. It has been said that the nation or nations or individual that have stretched forth their hands to make bondmen [of] those who have undertaken to put the [rod²¹] of

¹⁶ Watt failed to record a complete sentence.

¹⁷ Watt failed to record a complete sentence.

¹⁸ Watt recorded n, s, t.

¹⁹ See Genesis 14.

²⁰ *Was* written over *is*.

²¹ *Rod* is possible but imprecise reading of Watt's shorthand.

[heaven²²] upon those that have been cursed and will be cursed unless there is a mandate from on high to inflict the curse²³ [anything/nothing²⁴] was against this . . . this is to suggest²⁵ And that is if God has planted a people [and] by his care established the beginning of [an] everlasting kingdom and watched over it, why [has he done so?] From this source, light, and authority, and commandment is to issue from those councils, guided and counseled by their head, to issue forth instructions for the healing of the nations.

And what is [the] gospel [for, if not to] get nations [to] go [and be healed]? [Is it for] every body but the blacks? No. [It is for] every nation, bond and free. ~~they~~ They are to be instructed [and] told what duties and obligations and relation[s] [are] placed to their masters. May they not come here and be taught? Throw open the door and let them come, if they will come on. Shall we put up the bar and say, bond men wait, none gospel for you? If it reach you, it must reach your southern tyranny [first]? No, sir. Furthermore, there is a strength of 3 or 4 millions of able bodied men in servitude. Who has [the] right to consecrate this strength to [Belial]? The fathers of this territory? Shall they [repulse²⁶] them [naturally²⁷] and extinguish the light burning in [the] slave [until it is] almost extinguished and gone out? Or shall they fashion that light and bring it forth luminous, attended by our Father in Heaven?

I have thought, how can the gospel be carried to Africa? We cannot give them the priesthood. How are they going to have it? Must we go and live there? Or is was it so to be brought about no matter by wicked hands or righteous hands? If [by] wicked hands [then] go and bring them from their homes and set them down at our doors. We know what is the law of the Lord touching [them]. Use their strength as did Abraham to [the] building up [of the] kingdom. How in Africa [do] chieftains make slaves of their own people? They are the most cruel that can be named or found in [the] history of slavery. [They are] the most despotic. They will take their own women and children and take them to the shore to the masters of

²² *Heaven* is a possible but imprecise reading of Watt's shorthand.

²³ Watt failed to record a complete sentence.

²⁴ Watt's shorthand could be read either way.

²⁵ Watt failed to record a complete sentence.

²⁶ Watt recorded r, p, l, s or r, p, r, s with no vowels.

²⁷ *Naturally* is a probable but imprecise reading of Watt's shorthand.

ships. How much worse are they off if they can be brought under the pale of righteous influence [where²⁸] they can be instructed and be saved? I do not feel as I have formerly felt. I have been enlightened [by] our President upon this subject. They look to me plausible and right in this light and bearing.

Well now, as ~~to the expediency that I have said is~~ [to] the right to use them and to consecrate their service I have no ambiguity, but expediency is [the] most weighty argument. [By the] argument he²⁹ produced, we shall lose fellowship with our brethren in foreign lands. I say [little, you will] [say] the [nations] may be rotten and gives way [to the expedient of slander]; [he] is [yet] our brother when [he has] been baptized [even if it be in silent] [water].³⁰ Let him take the first steps and we will bear with his weakness. While he does not and while the Christian nations [are] ready to lick up our hearts' blood, shall we query a great while whether it be best to please them? He³¹ may argue [that] we cannot get the gospel into those nations if we do introduce slavery. I will reply [that] the subject of African slavery, where all Christendom [has] been disgraced and we, the United States, we are a slaveholding country, and where the [skillet³²] is now upon the carpet and where the next mail may bring us intelligence that an important act [has passed Congress]. Thousands of millions may be at our door and want to know what position we take on this subject. Probably [the] time has come [to] let the law go forth upon this abominable traffic. Let them know [of] the scalding indignation [of the] Almighty because of [its] abuses. To make the abolitionists hear is ignorance that he has no more sense of the upright and eternal indignation against sin, but suppose that the Almighty will wink [at it]. It is their low esteem at the evil of sin [and] transgression, despising the anointing of the Lord, as [if] to say [that the] curse of slaves [is] to be too heavy and severe. ~~they do not follow~~ the law. To some it seems as though the time is near when the [light on] the evil [night] of transgression should be poured forth, that the nation be rescued from the pit. That [there be] none to receive them and fix upon them a curse worse than the Canaanites or African race. The Negro [is]

²⁸ Watt's shorthand could also be read as "here".

²⁹ Orson Pratt.

³⁰ This sentence is difficult to reconstruct based on Watt's shorthand. The words in brackets here are only possibilities based upon the letters Watt recorded and he apparently only recorded portions of the sentence.

³¹ Orson Pratt.

³² *Skillet* is a possible but imprecise reading of Watt's shorthand.

not so unhappy when placed in [a] position God would wish him [to be in]. He can be happy in [the] heavens of [the] Almighty. On this account I am glad that this act has come up before us for discussion and discussion in every particular. And [I] hope it will be discussed until the light has burned up all our traditions and the nations acknowledge that the truth has come from the mouth of the Lord's house. With these remarks I give way and thank the house for intelligence.

Young, 4th section.

I will say that I do not contemplate³³ I would like to say [something about] one section forbidding that when they offer their slaves [for sale] they forfeit them.³⁴ Let them live with them and serve out the time agreed on when they came here. But when the master forfeits the rights of their servants let them be free, [the] same as white people. If then they³⁵ do not conduct themselves judiciously, [they shall] come under their laws that will correct them. If ~~they are~~ they are loitering about, [they may be] taken up and [charged as] vagrants.³⁶

³³ Watt failed to record a complete sentence.

³⁴ Young here seems to refer to section 9 of the original bill, which became section 8 in the final version. That section prevented a master from "transferring a servant" or taking a servant out of the territory against the servant's consent. A master who violated this rule would "forfeit all claims to the services of the such servant or servants." The final version of the bill added a clause that made it clear that the penalty for violating the provisions of this section meant the servant would be freed.

³⁵ The freed servant.

³⁶ Young here seems to respond to a common fear expressed by even some anti-slavery advocates, that emancipation needed to take place gradually otherwise the nation would have millions of unemployed formerly enslaved people with no jobs or means of support living as vagrants. In advocating for freedom as the consequence of an enslaver violating her or his contract, Young attempts to address this longstanding fear by indicating that if freed people did not conduct themselves "judiciously," then vagrancy and other laws "will correct them."