

Slavery in Kentucky.

General John M. Palmer, commanding the Department of Kentucky, has addressed the following letter to President Johnson in answer to the charge that the provost-marshal of his department were in the habit of issuing "free papers" to colored persons, without regard to the legal right of those receiving them to freedom —

"HEADQUARTERS DEPARTMENT OF KENTUCKY,
 LOUISVILLE, Ky., July 27, 1865 }

"To His Excellency Andrew Johnson, President of the United States —

"Sir—I have already by telegram acknowledged your despatch of yesterday, containing copy of a despatch of Mr Price, which states that provost-marshal issue 'free papers' to negroes indiscriminately. I refer you to my despatch, in which I say no 'free papers' are issued by any officers of this department, which, though literally true, does not quite meet the facts as they are.

"I forward you my General Orders No. 32 and 49. Under these orders many passes have been issued by provost-marshal, &c., to negroes, who hold them, and I am told in many cases they regard and act upon them as 'free papers.'

The reasons for issuing Order No. 32 will be found on the face of the order, but the reasons which influenced the Mayor and his friends to apply to me do not. Large numbers of negroes were then in Louisville from the surrounding country, who had escaped from or repudiated the authority of their masters.

"The Mayor and others desired my approval of a plan they had arranged for the general enforcement of the laws against vagrancy, and the law which forbids slaves to go at large and hire themselves out as free persons. To have enforced these laws would have produced great misery and alarm amongst the blacks. To leave the negroes in the city would have alarmed the fears of the citizens, who were beforehand taught to think their presence would cause pestilence. They sought to make me responsible for either consequence.

"To avoid both, I issued Order No. 32. Under it, over 5000 negroes have crossed the Ohio River at this place alone.

"Before the 4th of July an impression got abroad amongst the negroes throughout the State that on that day they would all be made free. Inflamed by this belief, thousands of them left their masters' houses and came into our posts at different points in the State. Every nook and hiding place at such places as Camp Nelson, Lexington, Frankfort, Bowling Green, Munsfordville, &c., was filled with them. They were without work or means, and the greater the number and the more destitute they were, the more the people resisted employing them. I was compelled from these causes to issue General Orders No. 49, and the 'free papers' referred to in the telegram of Mr Price are merely the passes issued under that order.

"I have been greatly embarrassed in respect to the colored people by the acts and declarations of politicians and presses in the anti-administration interest. They have given the negroes extraordinary ideas of the purposes of the government by announcing in their speeches and columns that it was the intention of the government to free them all, furnish them with food and clothing, and put them on an equality with the whites. Invariably a conservative gathering in a neighborhood is followed by a stampede of negroes.

"I think and respectfully submit that it is impossible, under the existing state of facts here, to enforce the laws of the State in reference to slaves and slavery.

"At the beginning of the war Kentucky had about two hundred and thirty thousand slaves—

say	230,000
Our reports show number of negro enlistments	.. 28,818
Estimated number of women and children freed by resolution of Congress of March 3, 1865, 2½ for each man	72,045—100,863

Balance	129,137
One half this residue are presumed to have belonged to rebels, and are, therefore, free	64,568

"From this small number ought still to be taken a percentage for the thousands who have escaped from the State.

"For the sake of keeping the small number in subjection to masters, the whole race are most cruelly oppressed and outraged and a color of laws which render freedom to a negro in Kentucky impossible.

"I have felt it my duty to give protection to this large free population, as far as possible, but in doing so I have been, on occasions, compelled to do acts which, in effect, greatly impair the tenure of the small number of persons who are still technically masters of slaves. Indeed, it must be admitted that many slaves have left the State under Orders Nos. 32 and 49, which are enclosed, and every decision I make in favor of a negro seems to start a host of individual cases which come within the same principle.

"In short, slavery has no actual existence in Kentucky, and if the constitutional amendment is defeated at the election, the whole active colored population will fly, unless I employ the troops to prevent it, and you have not, and will not be likely to order that to be done.

"To illustrate the effect of any fair rule upon the status of slavery in Kentucky, I will advert to the effect of one rule which I am compelled to recognize and observe.

"By the laws of Kentucky—laws once, when all were slaves, just enough in their application—all negroes were presumed to be slaves. Now a large majority are certainly free. To presume slavery from color alone is contrary to justice, to presume freedom without regard to color, and give protection accordingly, is to end slavery. I am often called upon to afford protection where there is no proof at hand, and am compelled to presume one way or the other.

"I submit these difficulties to meet some of the complaints which will probably reach you from the loyal people of Kentucky.

"I have the honor to be very respectfully,
 J. M. PALMER,
 Major-General Commanding"

Slave Stampedes on the Southern Borderlands

National Park Service Network to Freedom / House Divided Project at Dickinson College