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The "exception clause” and its evolution from 1777 to 1865.
**A timeline**

**#1 1777 Constitution of the State of Vermont**

CHAPTER I. A DECLARATION OF THE RIGHTS OF THE INHABITANTS OF THE STATE OF VERMONT

Article 1st. All persons born free; their natural rights; slavery prohibited

That all persons are born equally free and independent, and have certain natural, inherent, and unalienable rights, amongst which are the enjoying and defending life and liberty, acquiring, possessing and protecting property, and pursuing and obtaining happiness and safety; therefore no person born in this country, or brought from over sea, ought to be holden by law, to serve any person as a servant, slave or apprentice, after arriving to the age of twenty-one years, unless bound by the person's own consent, after arriving to such age, or bound by law for the payment of debts, damages, fines, costs, or the like."

**#2 1787 Northwest Ordinance**

Art. 6. There shall be neither slavery nor involuntary servitude in the said territory, otherwise than in the punishment of crimes whereof the party shall have been duly convicted: Provided, always, That any person escaping into the same, from whom labor or service is lawfully claimed in any one of the original States, such fugitive may be lawfully reclaimed and conveyed to the person claiming his or her labor or service as aforesaid.

**#3 1806 Ohio State Constitution sec 2.**

There shall be neither slavery nor involuntary servitude in this State, otherwise than for the punishment of crimes, whereof the party shall have been duly convicted; nor shall any male person, arrived at the age of twenty-one years, or female person arrived at the age of eighteen years, be held to serve any person as a servant, under the pretense of indenture or otherwise, unless such person shall enter into such indenture while in a state of perfect freedom, and on a condition of a bona fide consideration, received or to be received, for their service, except as before excepted. Nor shall any indenture of any negro or mulatto, hereafter made and executed out of the State, or if made in the State, where the term of service exceeds one year, be of the least validity, except those given in the case of apprenticeships.

**#4 1843 Section 34 of the Oregon State Constitution**
"There shall be neither slavery nor involuntary servitude in the said territory otherwise than in the punishment of crimes whereof the party shall have been duly convicted.

**#5 1861, March 2. Corwin Amendment. Supported by Lincoln.**

No amendment shall be made to the Constitution which will authorize or give to Congress the power to abolish or interfere, within any State, with the domestic institutions thereof, including that of persons held to labor or service by the laws of said State.

**#6 1861 Alabama State Constitution SECTION 32**

Slavery prohibited; involuntary servitude. That no form of slavery shall exist in this state; and there shall not be any involuntary servitude, OTHERWISE than for the punishment of crime, of which the party shall have been duly convicted.”

**#7 1862 An Act for the Release of certain Persons held to Service or Labor in the District of Columbia**

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all persons held to service or labor within the District of Columbia by reason of African descent are hereby discharged and freed of and from all claim to such service or labor; and from and after the passage of this act neither slavery nor involuntary servitude, except for crime, whereof the party shall be duly convicted, shall hereafter exist in said District.

**#8 1864 Nevada state constitution. Article 1 Section 17**
Slavery and involuntary servitude prohibited.  Neither Slavery nor involuntary servitude unless for the punishment of crimes shall ever be tolerated in this State.

**#9 1865 Amendment XIII US Constitution**

Section 1.

Neither slavery nor involuntary servitude, except as a punishment for crime whereof the party shall have been duly convicted, shall exist within the United States, or any place subject to their jurisdiction.

Section 2.
Congress shall have power to enforce this article by appropriate legislation.

Over time and long after 1865, many states which were not slave states, still adopted pro slavery language into their constitutions. 25 states and Puerto Rico still have an exception to slavery in their constitutions.

You should wonder why.

Data compiled by Max Parthas 2018
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