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A Plea for Freedom:
Enslaved Independence Through Petitions for Freedom in Washington D.C. Between 1810 and 1830

by

Trevor J. Shalon

A THESIS

Presented to the Faculty of
The Graduate College at the University of Nebraska
In Partial Fulfillment of the Requirements
For the Degree of Master of Arts

Major: History

Under the Supervision of Professor William G. Thomas

Lincoln, Nebraska

August 2012

Abstract

A Plea for Freedom:
Enslaved Independence Through Petitions for Freedom in Washington D.C. Between 1810 and 1830

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University of Nebraska, 2012

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Between 1810 and 1830, over 190 petitions for freedom by African Americans went through the District Court of Washington D.C. The free African American community which had emerged following the American Revolution had been restricted in the beginning of the nineteenth century and the rights granted to free and enslaved African Americans were retracted. The methods by which enslaved African Americans had used to obtain their freedom were eliminated and more innovative methods would needed in order to continue the expansion of the free community.

As the nineteenth century progressed, as other methods were eliminated, the number of petitions issued through the District Court increased. The rate of petitions increased nearly two fold between the 1810 and 1820, as arguing within the Washington D.C. legal system became an increasingly viable option to obtain freedom. While the quantitative figures of these petitions become a unique statistic in the historiography of enslaved African American historiography, the impact of these petitions must be examined in a qualitative manner as well.

While the goals of the white majority and Chesapeake legislatures in the early nineteenth century had been to eliminate the connections between themselves and the African American population and to segregate the two communities. The restrictions were placed on African Americans in the hope to discourage the desire and drive to join the free community, actually led to the reverse. The increased number of petitions tightly wound the enslaved African Americans, their slave holders, and the white majority population. Petitions for freedom fostered a unique interaction between in a legal forum. This interaction adds to the influence of these petitions and the change they provided to the Chesapeake region. Slaves continuously petitioned in order to aggravate the white majority in the viable manner possible.

Petitions for freedom did more than provide an alternative method to pursue freedom, it aided in the continuously changing political, social and legal landscape of the Chesapeake and Washington D.C.

Acknowledgments

I want to thank my advisor Dr. William Thomas for initially introducing me to this topic and guiding me through the differing phases and challenges along the processes of my graduate work. I also want to express gratitude to Dr. Timothy Mahoney and Dr. Parks Coble for participating in my committee, aiding in the completion of this project, and granting me the opportunity to join them in academic discussions.

I want to thank the James Madison Fellowship for providing me the chance to achieve this goal, one which I thought would occur much farther down the road. The Fellowship has given me the opportunity to accomplish goals I would have never been able to do without receiving this award. I want to thank the University of Nebraska-Lincoln and Lincoln Public School for preparing me, while in different ways, for the ultimate goal of becoming a Social Studies educator.

I want to thank my parents, Marvin and Susan and my brother Heath, for continually supporting my decisions and passions. Though the completion of this thesis came during a time of worry and stress, the strength of a family conquered. I want to thank my ever extending family for welcoming me and supporting me when all they knew was hearsay.

Finally I want to thank my wife, Sara. You have kept me distracted and sidetracked during this process. But because of this my work and my life has been made all the better. You have encouraged me and pulled me out when it became too tough.

Dedicated

To those friends and family members who always wanted and anticipated the completion of my goals but are not with me when I made them proud

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Introduction

- The Method -
The Enslaved Petitions for Freedom

This thesis examines the differing forms of manumission and petitions to gain freedom in the aftermath of the American Revolution. Enslaved African Americans were sometimes transferred from owner to owner and were at times leveraged as collateral on large amounts of debt. The United States, and specifically the Southern states, rested on an enslaved force as the main employment force in the agricultural market. If not for those enslaved in the Chesapeake the productions of certain crops, including tobacco, wheat and cotton would not have been viable, at least according to many white planters. Enslaved African Americans, trapped by bondage, were left to advance their social status by working through the legal processes as best they could.[1]

Slaveholders in the United States had seen resistance from workers, while the legal system, at the time provided African Americans no viable option to gain their freedom. The white majority attempted to create a social hierarchy which kept African Americans in a lower class. This inferior social status, while for many African Americans became their assumed role in American society, created deep unrest. Some enslave people ran away or resisted their owners. Some were lucky to have owners who manumitted them either before their death or by their will. These became the most common means to gain freedom.

Petitioning for freedom allowed the enslaved to take an active approach to their independence. Submitting freedom suits, throughout the courts, did not prove as dangerous as escape, nor was it a method which rested solely on the will of the slaveholder. Freedom suits offered another framework to determining the rights, belonging, and citizenship of African Americans in the Atlantic region. Historians have argued that these petitions offer a method of freedom of liberal imagination and ingenuity as the enslaved used the legal system instead of

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[1] Luther P. Jackson , "Manumission in Certain Virginia Cities: *The Journal of Negro History,* 15 no. 3 (July 1930), 279.

becoming the victims of it.[2] This argument establishes a unique occurrence between the association of slavery, law, and freedom, one which not only affected the lives of the enslaved but also the general Chesapeake community. These suits submitted by enslaved African Americans created unique circumstances to gain independence while revealing the contradictions at the heart of the American culture of free will. Freedom petitions in the United States were largely the consequences of the escalating legal, legislative, and political disputes in a partially free Atlantic world.[3] This thesis examines the rising number of those enslaved individuals in the Chesapeake who petitioned for their freedom, the need for a legal method in which they pursued freedom, and the effect on the Chesapeake and legal system as a result of the increase in their use.

This thesis focuses specifically on Washington D.C., between 1800 and 1830. The period of the American Revolution became an age of Enlightenment as the colonies fought for the belief "every man is created equal"[4] as every person should be "fight[ing] not to enslave, but to set a country free, and to make room upon the earth for honest men to live in[5]." The enslaved, purposefully and unintentionally, blurred the line between freedom and slavery as the legal system supported their bondage as well as their plea for freedom. The enslaved were able to petition lawyers to summon slaveholders, exhibit evidence and call for the depositions of family members in order to prove their independence. This study of freedom petitions, in the same manner as Edlie Wong, examines how the process of emancipation changed because the line between freedom and slavery did not exist as clearly as once presented. Petitioning for freedom also known as "freedom suits" became a method in which the enslaved argued for their freedom through a legal method controlled by the white majority. This method, while understudied and overlooked, was an influential form of resistance, and became an important means for those

[2] Edlie L. Wong, *Neither Fugitive Nor Free: Atlantic Slavery, Freedom Suits, and the Legal Culture of Travel.* (New York: New York University Press, 2009) , 3-6.
[3] Edlie L. Wong, *Neither Fugitive Nor Free: Atlantic Slavery, Freedom Suits, and the Legal Culture of Travel.* (New York: New York University Press, 2009) , 6.
[4] Declaration of Independence (1776).
[5] Thomas Paine, "The Crisis," in Common Sense, Rights of Man, and Other Essential Writings of Thomas Paine, ed. Sidney Hook , Jack Fruchtman (New York: Penguin Group, 2003), 86.

enslaved who desired their freedom but lacked the opportunities to pursue other forms of manumission.

A freedom suit process whenever an enslaved African Americans petitioned the court, in effect stating that they were free or that their slaveholder illegally held them in bondage. The enslaved would need to find their own lawyer. Sometimes, a court mandated lawyer could have been appointed to their case. The petitioner's lawyer would introduce the case to court by presenting an preliminary document stating the name of the petitioner, why the petitioner was entitled to his or her freedom, and the "command" for the case to be "tried before the 'honors' and that [they] may be discharged from their servitude." This introduction would be validated by the courts which then forwarded summons to the slaveholding defendants. Both the petitioners and defendants were brought before the court to testify about the evidence which could free the petitioning enslaved African American. The court ruling was determined by a jury decision. The jury of peers was restricted to the white majority and eventually could not contain any individual associated as a member of an abolitionist society. Both the prosecution and defense had the opportunities to interrogate witnesses and the petitioner in order to establish credible evidence to establish or disprove freedom respectively. This legal process in the nineteenth century became one of the strongest methods of resistance by African American slaves. Increasingly more enslaved African Americans used this method to aggravate the system of slavery found in the Chesapeake. This legalistic route of slave resistance confronted slaveholders in the public forum of the court.

The entirety of the primary documentation in this thesis was found in the National Archives in Washington D.C. While these documents are nearly over two hundred years old many of the cases expose the legal culture in the Chesapeake as well as the relationships between slaveholders and their enslaved African Americans. The remaining records glimpses describing the events and procedures of the Circuit court room. While several of the case remnants include the interrogations of witnesses, defendants and petitioners, the reasoning behind the plea and the

history of the life and movements of the plaintiff, the majority of case files had relatively less. In the two centuries since these cases were adjudicated, the majority of the notes lefts on the cases are tattered, aged or nonexistent. By piecing together the different cases and the individuals and families who petitioned continuously for their freedom, a sense of the legal environment and strategies used by enslaved African Americans.

The general legal environment for enslaved African Americans turned hostile in the nineteenth century and as manumissions became less frequent, the number of freedom petitions increased in Washington D.C. As the percentage of individuals manumitted declined and the growth of the free African American population slowed, the number of "freedom suits" presented to the court system increased. The opportunity to petition became a more viable option as other methods slowly collapsed under the weight of prejudice and fears of an enslaved insurrection. Petitions accelerated at a greater rate through the court system. Slavery and the law were not merely intertwined in Anglo-American jurisprudence; the act of slavery depended on the law.[6] The survival of slavery required the authorization of law and, yet, the ability to petition out of bondage required the use of the law as well. In the Chesapeake enslaved African Americans had with their situations as many individuals and families built cases and established evidence in an attempt to prove their freedom. This balance between freedom and slavery, which relied on the legal system, became a striking contradiction in new United States, yet the desire by some enslaved to gain their independence never lost its motivation.

The time frame of this thesis examines a period in America when the enslaved were granted some rights and then restricted in the nineteenth century, as the worry of a larger, free African American population increased. The period directly following the American Revolution developed as an era of Enlightenment and global emergence. The United States had just earned a victory in the war with England and built a governmental foundation resting on the ideals of

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[6] Edlie L. Wong, *Neither Fugitive Nor Free: Atlantic Slavery, Freedom Suits, and the Legal Culture of Travel.* (New York: New York University Press, 2009) , 3.

human rights and equality. The aftermath of the American Revolution left many of the colonists, especially those in Virginia and Maryland, home to many of the "Founding Fathers," with a euphoric feeling that the ideals they had fought for were possible. This time period presents one not matched in American history, when the new country and government flourished under the Revolutionary principles still fresh in the minds of all the inhabitants of the new nation. This period molded the developments which would occur in America, as the young group of colonies emerged as a nation in the nineteenth century.[7]

The Chesapeake, during the eighteenth and nineteenth centuries, provides a unique geographical territory to examine, as the region exemplified a Revolutionary heartland, as well as an area structured around the labor of the enslaved. Maryland and Virginia were essential to the early colonial era in America, both in terms of their economic conditions, contribution to the Revolution and the creation of the government. The Revolutionary ideals were strong in the Atlantic territory and individuals throughout the Chesapeake fought to ensure these beliefs became established law. When examining the population, Maryland had a loyalist presence in the colony existing as small minority,[8] while Virginia had the lowest number of loyalists in any colony and was reported to be "the least loyal of all of the colonies."[9] Both of these colonies, at the time of the Revolution, had more free and enslaved African Americans combined in their population than they did of individuals who supported England. These states, which would eventually carve out the nation's capital, were two of the biggest supporters of equality during the Revolution and were the most ardent in fashioning these ideals into a purely original governmental system. Yet, both of these states up until the time before and for a short period after the War built agricultural systems which used an enslaved population as a labor force. The Chesapeake contained plantation districts reliant on the tobacco crop and eventually on wheat.

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[7] Letitia Wood Brown, *Free Negroes in the District of Columbia 1790-1846* (New York: Oxford University Press, 1972), 41.
[8] Janet Bassett Johnson, *Robert Alexander, Maryland Loyalist* (New Jersey: Gregg Press, 1972), 3.
[9] John Alonza George, "Virginia Loyalists," *Richmond College Historical Papers*, Volume 1 (Number 2, 1916), 174.

This transition from tobacco to wheat created an economic revival in the region, and marked a transition in the Chesapeake from a territory spotted with rural communities to a sprawling area of port cities. The Chesapeake experienced some of the most drastic changes after the American Revolution. The transformation of this region in a legal, economical, and political sense, drastically affected the enslaved and free African American community, creating unrest and uncertainty in a population who continued the desire the opportunity to control their freedom.

Washington D.C., a blend of both Maryland and Virginia law, produced a legal forum exceptional and unique in America. In order to legitimize the United States, as well as centralize the national governmental operation into one location, Congress authorized the creation of a capital city to be established; connecting both the Northern and Southern portions of the country. Washington D.C. as a share of both states of the Chesapeake absorbed their legal systems as well as the populations along with their culture, emotions and personal exchanges. As the only political subdivision in the United States where all powers of the government were vested in the federal government, the creation of Washington D.C. marked a striking and singular feature in the new nation.[10] The federal government became the exclusive source of authority as the United States Congress acted as the state legislature and city council, though at times it delegated authority to other powers of administration found with the city's boundaries. As stated by James Madison in Federalist Number 43, Washington D.C. needed to be created because "without it . . . the public authority might be insulted and its proceedings interrupted with impunity."[11] The city became a national symbol of the United States. Meant to connect the Northern and Southern portions of the country under one national banner, Washington D.C. became a hub for slave trade in the eighteenth and early nineteenth century. The District became a convenient location for

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[10] Letitia Wood Brown, *Free Negroes in the District of Columbia 1790-1846* (New York: Oxford University Press, 1972), 1.
[11] James Madison, "Federalist #43" in The Federalist Papers: Alexander Hamilton, James Madison, and John Jay's Essays on the United States Constitution, ed. Robert Micklus (New Orleans: Megalodon Entertainment, 2010).

slaveholders to move their enslaved across different regions of the country.[12] The creation of the permanent national capital and the eventual legal foundation in the territory made Washington D.C. a unique location in the nineteenth century, one which brought both the enslaved and freed to reside. The situation in Washington D.C. created a forum which allowed enslaved African Americans to gain a right of citizenship while being restricted in other areas of society. The District court room created a unique environment benefitting the discussion and evolution of the institution of slavery and the Chesapeake.

The first chapter of this thesis will examine the period following the American Revolution which opened up more opportunities for free and enslaved African Americans while allowing a free community to originate and flourish. The ideals and events of the Revolution, coupled with the actions of African Americans during the wartime period, altered the majority population's viewpoints of the enslaved individuals. Chesapeake legislatures relaxed the laws and promoted a culture which encouraged owners to free their enslaved. The transformation of American society, allowed the enslaved an opportunity they had never been given before in the United States. Not only did the percentage of free African Americans increase throughout the Chesapeake but also the number of slaveholders who manumitted their enslaved from bondage. The free African American population became the example for those enslaved of what could be. A period of growth in African American rights can be found in the United States following the American Revolution, as a greater comfort level with the free African American community existed in the Chesapeake. State legislature enacted laws which protected the rights of the enslaved and promoted their paths to freedom as they strengthened the foundations of a national government which promoted the ideas of equality and human rights. This time period becomes essential in understanding tightening which followed during the nineteenth century.

[12] Mary Beth Corrigan, "Imaginary Cruelties: A History of Slave Trade in Washington D.C." *Washington History* 13 no. 2 (2001/2), 7.

The second chapter surveys the early portion of the nineteenth century in which the progress made by many African Americans towards gaining independence and an independent community sharply declined as restrictive laws affected the freedom of those freed and enslaved in the Chesapeake. While the free African American community slowly emerged at the turn of the century, the white majority began to worry about the increased number of former slaves in the general population. The apprehension, agitated by the rebellions and revolts occurring from the plantations in the Caribbean, led the general population to assume the same type of insurrection could occur and destroy the governmental systems in America. As suspicion continued, a greater awareness concerning the possible slave revolts in American occurred and the actions by slaves came under extreme surveillance by the local and national governments. In order to suppress possible rebellions, governments, including those in Washington D.C. restricted the private and public rights of African Americans and eliminated or hindered the methods slaves used to gain their freedom, including eliminating the rights of slave owners to manumit. As paths to freedom decreased so did the employment opportunities for African Americans who were able to obtain their freedom. The law which had worked to free the enslaved now ensured that they remained in bondage. The reaction following the uneasiness concerning slave insurrections drastically decreased the percentage of enslaved arriving in the Chesapeake each year. This response spurred legal restrictions in the South which remained for decades, yet at the same time motivated slaves to petition for freedom in a manner which were legal and viable.

The final chapter will portray those African Americans who used the court system to petition for freedom in District court systems, which intertwined the personal and legal lives of both the white majority and those held in bondage. This account displays these slaves as legal actors and social interaction before the bar. While this final chapter shows the increase in "freedom suits" as other methods of freedom declined, it also shows the experience of slave who chose to use petitions for freedom as a final option. While the circumstances by which enslaved African Americans chose to petition for freedom differed, these individuals argued in the

Washington D.C. courts attempting to argue a case which proved their freedom. Few records remain available to the success rates of these petitions and these cases are a central portion to the enslaved African American historiography in order to examine these individuals using the court systems to their advantage when the legal system had turned its back on the free African American population. The actions of these slaves become an irreplaceable study in order to prove the determination of the population, even during a period of regression and devolution. This final chapter will demonstrate the necessity of the legal court to pursue freedom and examine the narrative of interaction between African Americans and white through slavery and the law. These cases themselves become a form of resistance including of subpoena, depositions, and legal summons. Slave owners needed the law to aid in the survival of slavery and the enslaved needed to law to break away from the bondage.

Slaves formed another system of resistance against the white majority even when not successfully gaining their freedom. Resistance came with freedom or bondage when slaves forced their masters into the court through petitions and a legal form of resistance. Petitions for freedom, though a portion of the cases did not successfully grant freedom to certain African Americans, became an important opportunity for slaves in a growing culture to create social interaction as well as challenge the legal system. The thesis portrays the emergence of the nation's capital in a Chesapeake culture during a transformative time period, while examining the role of the enslaved community and freedom. The study of these petitions leads to a better understanding of the resiliency of the enslaved community and opportunities for freedom under the legal structure of nineteenth century America. Those enslaved challenged the legality of slavery by petitioning against the system which had permitted their servitude. These petitions became important dramas revealing the complexity of the perceptions of enslaved and free African Americans following the American Revolution. Enslaved African Americans took on the role of citizen in the court room. As the legislatures closed or hindered the processes slaves used to gain freedom, "freedom suits" became an increasingly important path to independence. By petitioning for freedom, enslaved

African Americans, not only intentionally used the court system to obtain their freedom but forced particular forms of interaction between the enslaved and the slaveholders, as well between slavery and independence. These petitions against slaveholders in the Chesapeake became a consistent aggravation and annoyance to the white majority whose goal in the nineteenth century included white supremacy and security for slaveholder's property. The freedom petitions became an increasingly visible example of dissent against slaveholders.

Chapter 1

- The Community -

The Emergence of a Free African American Community after the American Revolution

In 1770 William and Mary Butler filed petitions for freedom in the Maryland court system with the hopes they would be able to prove a lineal descent from a white woman, convincing the judges to grant them freedom. Mary Butler argued she had descended from Eleanor or "Irish Nell" Butler, a white servant of Lord Baltimore when Baltimore first arrived in the "New World". Nell traveled with Lord Baltimore, employed as a land proprietor, in 1681. After arriving in the area which would eventually become Maryland, Nell married an enslaved African American. Under the Act of Concerning Negros in 1663, the marriage between Butler and the slave made her and her children slaves for life.[13] When Lord Baltimore heard of the law, he swiftly amended it, banning marriages between servants and slaves establishing a fine of ten thousand pounds of tobacco. It remains unknown if establishing the law was meant to draw racial lines or if it only meant to deter the intermarriage of the differing levels of workers in Maryland. Whatever the case may be, Lord Baltimore ultimately returned to England, leaving Nell Butler and her descendants as slaves and her marriage still valid under the 1681 law. William and Mary Butler argued amending the original law granted them freedom, establishing their ancestral ties to a free woman. The court ruled against the Butlers reasoning "many of the people, if turned loose, cannot mix with us and become members of society. What may be the effects cannot perhaps be fully pointed out."[14] Seventeen years later William and Mary's daughter, also named Mary, petitioned for her freedom in the same Maryland court system which had denied her parents their independence. While the defense argued the long descent of Butler ancestors held in slavery remained a proof of title, Mary's attorney sought a flat affirmation declaring clear descent from a white woman entitled one to freedom. The courts ruled in Mary's favor. No evidence existed

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[13] Maryland Law 1681 – Chapter 4

[14] Thomas Harris Jr. and John McHenry, "Maryland Reports: Being a series of the most important law cases in the general court and court of appeals of the state of Maryland" May, 1780 to May, 1790, Volume Two. (New York: C. Wiley, 1812), 232.

proving Nell Butler had ever married a slave. Mary Butler received her freedom in a world which starkly contrasted the one of her parents.[15] The Butler story remained an atypical story but shows a contrasting world which existed before and after the Revolutionary War. The rights granted to African Americans after the Revolution had been those restricted during the beginning of the eighteenth century. An environment benefitted those enslaved within the post-Revolutionary courts allowed paths to freedom through petition. After the war, judges and juries were more willing to, and often, did rule in favor of a slave's independence.

In the course of the seventeenth and eighteenth centuries, the American colonies imported about two hundred thousand enslaved individuals, a small percentage compared to the number imported into the Caribbean. The prosperity of the early English colonies and the wealth of mother country were built on the slave labor of individuals imported from Africa. By the eve of the American Revolution, there were 460,000 enslaved African Americans, about one-fifth of the total population in the territory.[16] The regions developed distinct systems of laws and customs. While the transportation of slaves across the Atlantic Ocean slowly declined; in portions of the country an enslaved population in America increased as owners held families and promoted natural increase. This method became increasingly widespread by 1770, and slaves passed on the cultural ideas and stories of their African homeland through oral traditions.[17] These traditions would eventually become the foundation for the free African American community which took root following the American Revolution. Many colonies remained unsure about the appropriate place for free Africans Americans in society. Many colonists believed, if left alone, African Americans would become a drain on the American economy and overall international perception and opinion of the United States.[18] Slowly this perception of African Americans changed following a period of transformation in America as the Revolution War coupled with its ideals

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[15] T. Stephen Whitman, *The Price of Freedom: Slavery and Manumission in Baltimore and Early National Maryland* (New York: Routledge Publishers, 1996), 63-64.
[16] Gordon Wood, *Empire of Liberty: A History of the Early Republic 1789-1815 (*New York: Oxford University Press, 2010), 508-509.
[17] Ira Berlin, *Slaves Without Masters: The Free Negro in the Antebellum South* (New York: New Press, 2007), 10.
[18] Ira Berlin, *Slaves Without Masters: The Free Negro in the Antebellum South* (New York: New Press, 2007) 8-9.

brought a greater sense of comfort and humanity towards the African American population. Freedom suits, were originally created to protect the property rights of *free* persons but the legal processes required legal fictions to make it accord with the property logic of slavery.[19] Enslaved African Americans began to utilize the court system as a tool for independence. The ownership of slaves, much like that of property, allowed their possession to be contended in court while challenging the proper extent of African American's rights. As the enslaved began to use petitions they added roles to their lives and were granted periods of citizenship along with the roles included under the guise of citizenship.

As the tension between the American colonies and Britain inched closer to war, the leaders and politicians who, aggressively pursued a split from the mother country, preached the Enlightenment ideals of equality and human rights. Many of the "Founding Fathers", while attempting to discover the proper method to respond to the tyranny of Britain, were inspired by many of the European Enlightenment philosophers and thinkers. The time period before the American Revolution offered an opportunity for the leading politicians of the time to create a government from the foundation up, using the concepts of the Enlightenment. The concepts and principles of the Enlightenment came from John Locke and Rene Descartes, both of whom were not only read in the Americas but also became the material influencing the many colonists to support a rebellion against Britain.[20] Locke believed every individual held "natural rights" including life, liberty and property; the ideals which provided founders a basis for the political framework for the nation.[21] The American Revolution has been seen as the event where Enlightenment ideals and a violent change of government occurred in direct combination.[22] Many of the Enlightenment principles, which inspired the founders to begin the revolutionary process, became the same concepts which animated the founding documents which fostered the growth of

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[19] Edlie L. Wong, *Neither Fugitive Nor Free: Atlantic Slavery, Freedom Suits, and the Legal Culture of Travel.* (New York: New York University Press, 2009) , 5.
[20] Gordon Wood, *The American Revolution* (Random House: Toronto, 2002) 57-60.
[21] Barbara McGraw, *Rediscovering America's Sacred Ground: Public Religion and Pursuit of the Good in a Pluralistic America* (New York: State University of New York Press, 2003), 61-62.
[22] Dorinda Outram, *The Enlightenment* (Cambridge: Cambridge University Press, 2005), 134.

the American Republic. Yet these same ideals the founders were promoting, remained contrary to the societal structure established in America. Enslaved and free African Americans were never granted the opportunity to equal rights, in a country where citizens were never meant to earn any rights but instead to have them guaranteed. With these principles now becoming the basis for the United States government, the country emerged as a deep legal and philosophical nation, as well as a natural contradiction, which guaranteed rights to some individuals but not all.

The American Revolution not only gave enslaved and free African Americans the opportunity to fight for their freedom it also created an opportunity to prove to the majority population the African American community could assimilate successfully with the white community. The War for Independence propelled African Americans from slavery to freedom. By 1810 the population of free African Americans increased from 59,627 to 186,446, an increase of over 100% in twenty years.[23] Both the colonies and Britain offered enslaved and free African Americans the opportunity to select a side and fight. The colonists promised freedom, hoping slaves would choose nationalism while the British guaranteed freedom as well hoping African Americans would rise up against those who enslaved them. The Virginia and Maryland state legislatures offered independence for African Americans who served in the American militia, overcoming the dilemma of whether an enslaved individual could fight for the independence of his master. Still, Lord Dunmore, the British governor in Virginia, declared any slave who fought for the Great Britain would be given their freedom as well, creating a controversial choice for many African Americans.[24] Though some enslaved African Americans took the promise of Lord Dunmore, a good majority fought on the side of the colonists during the American Revolution, hoping to gain the rights which had provoked the war in first place. Revolutionary slaveholders, who promised freedom for fighting, were generally surprised and gratified by their slaves'

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[23] Ira Berlin, *Slaves Without Masters: The Free Negro in the Antebellum South* (New York: New Press, 2007), 16.
[24] Duncan J. MacLeod, *Slavery, Race, and the American Revolution*, (Cambridge: Cambridge University Press, 1975), 30.

actions, even though only a minority could be said to have demonstrated true "loyalty".[25] The gratitude slave owners had towards African Americans for their actions in the Revolutionary War led many of the slave holders to keep their promises and manumit those slaves who had fought for the colonists. Some slaveholders who did not establish a promise of manumission granted freedom to slaves who joined the militias, did so following the same inspiration. The Revolution reinforced the idea of slavery as a contradiction between liberty and the continued existence of slavery, a visible dilemma since the seventeenth century. This problem became obvious to the founding leaders in America.

Encouraged by the ideals of the American Revolution slave owners wanted to follow the principles their country had established. The increase in the free African American population caused slaveholders to take a strong stance on their justifications for continuing slavery in order to ensure their enslaved population would not be lost. Many saw slavery as a detriment to the basic ideals of the new republic and which threatened the moral foundations of the nation. Manumissions surged in the years following the revolution.[26] Although both Maryland and Virginia began manumitting slaves shortly after the American Revolution, Maryland did so at a much greater pace, as the area became more urbanized territory.[27] While a single study does not create dramatic representation for a larger region, the number of manumissions found in Anne Arundel County in Maryland by will and deed increased for four decades following the American Revolution. The table below shows a continual increase both in the percentages and population after the American Revolution until the 1820's. [28] The decline in manumissions corresponded to the period of increase in the number of "freedom suits" in the 1820's in Washington D.C. In the same decade manumissions declined the number of petitions more than doubled.

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[25] Phillip D. Morgan, *Slave Counterpoint: Black Culture in the Eighteenth Century Chesapeake and Low Country* (Chapel Hill: University of North Carolina Press, 1998), 384.
[26] Allan Kulikoff, *Tobacco and Slaves: The Development of Southern Cultures in the Chesapeake 1680-1800* (Chapel Hill: The University of North Carolina Press, 1986), 432.
[27] Gordon Wood, *Empire of Liberty: A History of the Early Republic 1789-1815 (*New York: Oxford University Press, 2010), 526.
[28] John Joseph Condon, *Manumission, Slavery and Family in the Post-Revolutionary Rural Chesapeake: Anne Arundel County, Maryland, 1781-1831* (Minneapolis: University of Minnesota Press, 2001), 81.

Years	1780-89	1790-99	1800-09	1810-19	1820-29
Number of Manumissions	219	583	874	1195	870

Table 1.2 – Rates of Manumission in Anne Arundel County 1780-1820

The population of free African Americans increased in Maryland over the period following the American Revolution and the decades after. In Maryland the free African American population increased from 8,043 in 1790 to 19,586 by 1800, an increase in over 100% during a single decade. By 1800 fifteen percent of the African Americans in Maryland were free. During the same period of time in Virginia the free African American population increased from 12,766 in 1790 to 20,124 in 1800, an increase of over 50%. In the same decade, 5% of the African American population lived freely in the state. The number of free African Americans continually increased throughout the period following the American Revolution, partly because of the greater occurrence of manumissions. Many of the deeds of emancipation at this time spoke of freedom as the natural right of all men and declared no man has a right to enslave another, a sentiment broadly debated in the Chesapeake.[29] The increase in the free African Americans population as well as the rate of manumission suggests a changing Chesapeake political and societal environment in an era supported by Enlightened ideals and the inspiration by the wartime abilities of the free African Americans.

The Chesapeake, since the earliest settlers arrived in the Bay, depended on the tobacco plant in order to generate wealth. Tobacco had long been the region's staple crop, one which required intensive care and depleted the soil, yet as long as it continued to be readily marketable, tobacco remained the staple crop.[30] As the tobacco crop required more attention, the need for large numbers of slaves followed. In Virginia, the need to move westward in order to find fresh, usable land created instability in the region in the lives of both the enslaved and the masters. In

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[29] Luther P. Jackson , "Manumission in Certain Virginia Cities: *The Journal of Negro History,* 15 no. 3 (July 1930), 281.
[30] Ira Berlin, *Slaves Without Masters: The Free Negro in the Antebellum South* (New York: New Press, 2007), Page 87.

conjunction with the overuse of land and the growing population, occupying more land in the region, tobacco planters began growing corn and wheat. Population pressure and crop failure in Europe created a new demand and high prices for Chesapeake grain in the 1760's and 1770's.[31] As the Chesapeake became a grain based economy, the number of enslaved African Americans cropped. They were not needed to run the small plantations existing in the region. Enslaved African Americans, whose freedom came either by manumission or by the lack of labor required, sought new employment. The freed and enslaved African American population in the Chesapeake gained trades which many individuals in the South were unable to obtain because the majority of their time was spent in the fields. Free African Americans were able to gain skills either through independent employment or as apprentices in such trades as blacksmithing, caulking or rope making. As plantations in the Chesapeake were smaller, the enslaved were able to obtain many different trades. These skills also became influential, as the urban centers of the Chesapeake began to form. The need for a larger and greater number of ports drove the region to commercial success. Free African Americans were able to use the skills they had obtained to become productive, gain a foothold, and add to the overall expansion of the region. More so, the increased opportunities in urban settings allowed African Americans to earn small amounts of wages which could add up to enough to purchase the freedom of family members. When masters permitted their slaves to use the trade they learned on their off time, those enslaved could earn sometimes between 25-60 pounds to purchase their freedom. The declining tobacco market and general growth of paid labor opportunities for free African Americans also affected the enslaved community and opened new opportunities to gain freedom.

Although historians have debated whether the Revolutionary ideals or falling economy became the stronger force behind the increase of the free African American population, other factors combined with these including the feelings religious piety and guilt. This sense of guilt led

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[31] Allan Kulikoff, *Tobacco and Slaves: The Development of Southern Cultures in the Chesapeake 1680-1800* (Chapel Hill: The University of North Carolina Press, 1986), 120.

to the growing acceptance in American society of free African Americans. Historians have examined the lack of sentiment used in the wills to manumit slaves, and discovered no clear evidence of Enlightenment ideals as provoking the increase in freedom opportunities.[32] Other historians have examined the general change in the ideological environment which provided free African Americans an opportunity never been granted to them before.[33] The interactions between the enslaved and the free majority aided the growing acceptance towards the free African American population. As the American nation began to emerge after the Revolution, a Second Great Awakening allowed Americans to see another contradiction: between their actions in the fields and the word heard from the pulpit. Some of the most vocal groups who emerged out of the Revolution to argue against the institution of slavery were religious groups driven by both their desire to live by the word preached to them but also by the guilt they felt from their past actions.[34] The Quakers became the religious group most committed to manumitting slaves and promoting the continued opportunities for African Americans to gain equal rights in American society. Over 40% of the slaves manumitted were by individuals who could be linked to certain religious community with one-fifth of those slave holders being Quaker.[35] The Chesapeake became a religious center both for the Quaker and Methodist populations, both of which were active in the continued abolition of slavery. The combination of piety along with the transformation of the economic and ideological cultures of America created shaped the Chesapeake region and provided the best opportunity after the Revolution for slaves to gain their freedom.

The shift in the perception of slavery did not remain the only cultural change occurring in the Chesapeake as the transformation from a rural based economy to an urban setting, opened new opportunities for enslaved and free African Americans. As the United States began to

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[32] Eva Sheppard Wolf, *Race and Liberty in the New Nation: Emancipation in Virginia from the Revolution to Nat Turner's Rebellion* (Baton Rouge: Louisiana State University Press, 2006), 44.
[33] Ira Berlin, *Slaves Without Masters: The Free Negro in the Antebellum South* (New York: New Press, 2007), 2-5.
[34] Gordon Wood, *Empire of Liberty: A History of the Early Republic 1789-1815 (*New York: Oxford University Press, 2010), 517.
[35] William J. Switala, *The Underground Railroad in Pennsylvania* (Mechanicsburg: Stackpole Books, 2001), 141-143.

structure an economical system meant to benefit America and not Britain, the ports based along the Chesapeake, including Baltimore, increased the population as well as the opportunities for those still living and working in rural communities. The expansion of cities like Baltimore allowed enslaved African Americans to blend in with a greater free African American community and find those opportunities not granted to them in the rural communities. In the major cities of Baltimore, Alexandria, Richmond, Petersburg and Norfolk, the free African American populations increased over 200% during this time period while the white population increased approximately 100% during the same period.[36] These cities became the major harbors for free African American migrants who found better economic opportunities along with a richer social life. The urban free African American population grew at a quicker pace than the population in the rural areas of the Chesapeake, a combination of both an increase in the number of manumissions as well as the emigration of former enslaved individuals from the countryside.[37] Escape become another method of freedom which increased following the American Revolution, as urban centers provided African Americans with greater opportunities to flee from their masters and hide in the bustle of the cities. Runaway slaves could blend in with the free African American population who now crowded the streets. They could use the buildings, alleys and side-streets in order to elude their masters and hired capturers who were attempting to retrieve their property.

State legislatures promoted the manumission of African Americans. They promoted the actions of manumission by loosening the laws on the differing paths to freedom and widening the rights of African Americans. Virginia attempted to stop the slave trade as early as August 1774, which preceded the 1782 law authorizing the manumission of slaves by private initiative, establishing the idea freedom must be "the right of every rational creature." Between 1782 and 1806 in Virginia, the laws gave encouragement to manumission, and accelerated manumission

[36] Ira Berlin, *Slaves Without Masters: The Free Negro in the Antebellum South* (New York: New Press, 2007), 55.
[37] Ira Berlin, *Slaves Without Masters: The Free Negro in the Antebellum South* (New York: New Press, 2007), 174.

faster than at any other time in the state's history.[38] Not only were individuals manumitted but whole groups of African Americans, as well, were given independence under the new Virginia laws. For the first time since slaves had been brought to the colony even the surveillance of slavery was lessened. Regardless of age or condition, slaves in Maryland and Virginia could be privately manumitted, providing the master posted security the slave would not become a public charge.[39] In 1796 Maryland amended its 1752 law, which banned manumission by verbal order or last will and testament. One major law which remained on the books well into the creation of the District of Columbia was the one stating no slaveholders could enter the state, without the intention of settling for at least three years and the expectations that they would sell their enslaved. This law, created in 1797, became one of the major fighting points for the enslaved African Americans who petitioned for their freedom, claiming their masters had illegally brought them to the District of Columbia with the sole purpose of selling them.

As the new nation of America formed, the desire, to establish a national capital led to the creation of Washington D.C. In the Act of 1790 Congress stated the President of the United States could select the location of the national capital and engage the commissioners in the planning and building of the city.[40] Neither Alexandria nor Georgetown would be selected as the nation's capital, both having been thought to meet qualification because of the central location in the United States. The two cities though would be incorporated into the new district capital. A square plot, which contained the area between Georgetown and Alexandria, ten square miles altogether, became the national capital. The territory held whites, enslaved and free African American and remained largely undeveloped in terms of other areas of the Chesapeake. As the capital city, named after the first American president and developed by Pierre Charles L'Enfant, Washington D.C. rose up on the labor of the enslaved. Enslaved African Americans created the public

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[38] Letitia Wood Brown, *Free Negroes in the District of Columbia 1790-1846* (New York: Oxford University Press, 1972), 50-51.

[39] Benjamin Joseph Klebaner. "American Manumission Laws and the Responsibility for Supporting Slaves". *The Virginia Magazine of History and Biography*. 63, no. 4 (October 1955), 445.

[40] Letitia Wood Brown, *Free Negroes in the District of Columbia 1790-1846* (New York: Oxford University Press, 1972), 4.

buildings which housed the newly formed government. It was believed the government lots would help equalize the land purchases and development of the capital; yet, a process of movement did not occur very rapidly. In 1797, only three years before the government moved to Washington, many of the buildings were left incomplete and the capital slowly acquired a bad reputation for investment. Even when the federal government began its work in Washington, D.C. most of the politicians did not wish to live within the city boundaries, making boarder-house keeping the most profitable business at the time in the capital.[41] It took until 1810 to reach a population greater than 20,000, making the District smaller by population than every colony except Missouri. One-fourth of the residents in Washington D.C. were African American.[42] Washington D.C. became a unique area which offered the enslaved an opportunity to build a strong community at the heart of the government. Washington D.C. emerged as a place for the free African American culture to take root.

The free African American community in Washington D.C. strengthened following the American Revolution and used the environment of greater freedom to establish a revolutionary culture. Free African Americans molded a community of traditions from their oral narratives from Africa and combined those with the differing traditions they had grown accustomed to since arriving to North America. The two areas in which the free black community attempted to separate itself initially included education and religion. Finding opposition in the white and even mixed churches of the region, free African Americans began to create their own places of worship, mostly in the Baptist denomination. Independent African American churches sprang up all across the Upper South, as African American pastors were now able to preach to a congregation of the freed and enslaved.[43] These churches became the centers of most free African American communities as social events and public decisions were made among the same group

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[41] Letitia Wood Brown, *Free Negroes in the District of Columbia 1790-1846* (New York: Oxford University Press, 1972), 4-7.
[42] Ira Berlin, *Slaves Without Masters: The Free Negro in the Antebellum South* (New York: New Press, 2007), 397-399.
[43] Ira Berlin, *Slaves Without Masters: The Free Negro in the Antebellum South* (New York: New Press, 2007), 70.

who worshipped together on Sundays. Independent African American schools also increased in number throughout the Chesapeake, following the same reason used to establish churches. These schools, in an ideological sense, became much like those in the white community, as free African Americans saw education as the best opportunity to gain upward mobility. The enslaved desired the prospect of structuring independent churches and schools without the input or oppression of the white majority. At the same time African Americans attended many of the social events, including parades and local markets, which had emerged in the larger Chesapeake community.[44] The everyday interaction between the new free African American community and white population became a common occurrence in the Chesapeake. The new community of slave artisans and city dwellers belonged to a new African American class.[45] In the following century this interaction would be discouraged and eventually attempts would be made to eliminate it.

This time period, from 1770 to 1806 allowed African American communities in the Chesapeake to not only create a unique culture but to establish itself as a permanent fixture of society. A motivated community, driven by decades of submission and prejudice, had finally been given the opportunity granted to them under the ideals their masters had used to gain their freedom. The creation and rooting of the free African American community in the Chesapeake became an essential precursor to the narrative of slaves who petitioned for their freedom. In the nineteenth century as the freedom earned after the American Revolution slowly began to disappear, the emergence of the free African American caste and the eventual restriction of the community aided the motivation to petition. When the worry of an enslaved rebellion increased, the white residents in the Chesapeake turned on the new class of free African Americans. . The

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[44] Letitia W. Brown , "Residence Patterns of Negroes in the District of Columbia, 1800-1860". *Records of the Columbia Historical Society*. Volume 69/70 (Winter 1969/1970), 78.

[45] Luther P. Jackson , "Manumission in Certain Virginia Cities: *The Journal of Negro History,* 15 no. 3 (July 1930), 278.

South invested both time and effort in justifying the institution of slavery, clamping down the African American community.[46]

[46] Gordon Wood, *Empire of Liberty: A History of the Early Republic 1789-1815* (New York: Oxford University Press, 2010), 525-27.

Chapter 2

- The Devolution -

The Suppression and Elimination of Free African American Independence Rights and Methods

As the free African American population became more comfortable with their newly claimed position, the Chesapeake legislatures, now began to restrict the freedoms of African Americans. These retractions were based on the fears of a free African American population within the Chesapeake. Slaves had always rebelled in the American colonies as a natural reaction to their bondage and their desire to be free. Historians have argued manumission only became a manipulation tool to maintain slavery and only occurred because whites knew the majority of African Americans would remain in bondage. [47] The fact remains both legislators and artisans alike were promoting and supporting the free African American community. Yet the worry lingered the enslaved and free African Americans in the Chesapeake could combine their efforts to instigate a revolution of their own, overthrowing the federal government which had hardly reached adolescence. This uneasiness rested in the subconscious of many white Americans, as the free African American population enlarged and the community which had emerged following the American Revolution flourished. As the nineteenth century progressed, the concern amplified, as the population increased. While some legislatures were resistant to the mood of the general population, in the Chesapeake new slave laws were a direct response to the white paranoia and chronic fears of slave conspiracies.[48] Slowly the idealistic tide which had swept through American society, slowly slipped away. In both states surrounding the nation's capital, as well in Washington D.C., the legislation following the turn of the century became part of a sustained effort to limit the free African American population.[49] Slaveholders argued granting more slaves

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[47] Melvin P. Ely, *Israel on the Appomattox: A Southern Experiment in Black Freedom from the 1790's Through the Civil War,* (New York: Alfred A. Knopf Press, 2005), 2.
[48] Douglas R. Egerton. *Gabriel's Rebellion: The Virginia Slave Conspiracies of 1800 and 1802* (Chapel Hill: The University of North Carolina Press, 1993), 67.
[49] Letitia Wood Brown, *Free Negroes in the District of Columbia 1790-1846* (New York: Oxford University Press, 1972), 63.

their freedom would lead to a rebellion. Abolitionists countered that the drive for human rights would always occur and slaves would naturally rebel if continuously held in bondage.

The international events of the other enslaved populations in Haiti and St. Domingue increased white fears that a slave population, with even some granted freedoms, could lead to an eventual takeover of the budding American government. In 1790, a rebellion occurred on the French colony of Saint Domingue on the colony of Hispanola driven by seventy-thousand revolting slaves, free African Americans, planters, tradesmen and artisans. Toussaint L'Ouverture led the rebellion in the Caribbean, an event that had one of the largest impacts on slaves and abolitionists in the Chesapeake. Not until the insurrection in Hispanola and the eventual emigration of refugees to the Chesapeake did Americans realize the ideals of the French Revolution, also inspired the slaves of the Caribbean. Between 1791 and 1804 the American press carried news of the violence on the island occurring between slaves and their masters. By 1795 at least twelve thousand Dominguan slaves had entered the United States. These refugees carried with them the ideals and knowledge which had led to the rebellion. In one of the first legislative events proving the greater worry of the slave insurrection in the states, Virginia banned Dominguan slaves from entering the state. Yet many still migrated to the region for the same reasons other refugees did. They went especially to Richmond, enlarging the anxiety which had begun to fester in the region.[50] While Maryland in 1792 reversed itself and allowed slave holders to bring slaves into the state. The state then retracted the law in 1797, as fears grew that "French Negros" would foment a slave insurrection.[51] Surveillance of the free African American community increased as the fear of a similar rebellion swept through the white majority.

Revolts by African Americans in the Chesapeake, both real and rumored, also played a role in the tightening. While the odds remained very low a successful revolt would fully occur in

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[50] Gordon Wood, *Empire of Liberty: A History of the Early Republic 1789-1815 (*New York: Oxford University Press, 2010), 533-534.
[51] T. Stephen Whitman, *The Price of Freedom: Slavery and Manumission in Baltimore and Early National Maryland* (New York: Routledge Publishers, 1996),11.

the Chesapeake, well over 250 incidents of uprisings occurred in the South. The enslaved who were not granted manumission and could not afford to purchase their freedom attempted to gain their freedom by whatever means possible.[52] One of the incidents creating the greatest worry for the Chesapeake population was the failed rebellion of Gabriel Prosser, who had planned not only a revolt but a complete transformation of the Virginian artisan market. Though it failed because some slaves involved spread the word too far, the actual planning and near implementation of such a large insurrection made Gabriel's rebellion the incarnation of the fear of the white majority.[53] Individuals in the Chesapeake began to worry about the interaction between the enslaved amongst themselves and the enslaved with free African Americans. A high concentration of free African Americans in an area fostered the development of possible revolts and Washington D.C., surrounded by many counties in both Virginia and Maryland which had some of the largest populations for free African Americans, only stimulating the apprehension towards the free African American community in the city.[54] The increase in religious motivations to pursue abolition also left a profound mark on the possible insurrection by the enslaved. Without these activities it remains doubtful any slave resistance would have occurred.[55] After the era of ideological equality, the number of slave revolts increased, eroding whatever liberal feelings the Upper South had motivating them to end slavery. Soon after, state legislatures would endorse the attitudes of the general public. Governments would respond to the sentiments by comforting the general population with greater restrictions on the enslaved.

The state legislatures of the Maryland and Virginia, pushed by the growing resentment of the general population towards free African Americans, began to retract the laws to protect African Americans and create new legislation restricting the methods in which slaves could garner their freedom. Gabriel's Rebellion pinpointed the clear danger which could occur from

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[52] Joyce Tang. "Enslaved African Rebellions in Virginia". *Journal of Black Studies* 27, No 5 (May 1997): 598.
[53] Douglas R. Egerton. *Gabriel's Rebellion: The Virginia Slave Conspiracies of 1800 and 1802* (Chapel Hill: The University of North Carolina Press, 1993), 3-4.
[54] Ira Berlin. *Slavery and Freedom in the Age of the American Revolution* (United States Capitol Historical Society by the University of Illinois Press, 1986), 162.
[55] Joyce Tang. "Enslaved African Rebellions in Virginia". *Journal of Black Studies* 27, No 5 (May, 1997): 610.

freeing too many slaves and allowing the enslaved community to intermingle with free African Americans. Laws passed by state legislatures in Virginia and Maryland still sensitive to the "rights of man" were quickly revised after 1800.[56] The laws created during this time, which were meant to deter the freedom of slaves and slowly eliminate the rights given to free African Americans, had two major goals: to confine the movement of African Americans and to reduce their resistance to whites.[57] Education access was blocked. Religious restrictions were also placed on free blacks. In Virginia in 1805, the legislature introduced a law which prevented the free African Americans from practicing their own religion.. In 1806, Virginia passed a law, therefore becoming an ordinance in the nation's capital, establishing any slave manumitted must vacate the state within twelve months from his release into freedom or they would forfeit their rights of independence. In a similar fashion, Maryland followed suit and in 1807 decreed no slave could move into region and settle for more than two weeks. If a free African American neglected the law he or she would be subjected to a fine of $10 a week. If not paid, they could be sold by the local government in order to pay the penalties which had been charged on them.[58] One of the laws established, which eventually led to an increase in the number of slaves attempting to gain their freedom in Washington D.C. courts was a Virginia law in 1798 prohibiting abolitionist society members from becoming jurors in any slave's petitions for freedom. Jurors for certain petitions in the District court systems were, at times, excused because of their involvement in abolitionist societies. Every state, except Delaware, barred free African Americans from testifying against whites.[59] The enslaved still had the opportunity to bring freedom suits over their masters. The goal of the Maryland and Virginia legislatures, beginning in the years of 1806-1807, became to

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[56] Letitia Wood Brown, *Free Negroes in the District of Columbia 1790-1846* (New York: Oxford University Press, 1972), 49.
[57] Joyce Tang. "Enslaved African Rebellions in Virginia". *Journal of Black Studies* 27, No 5 (May, 1997): 601.
[58] Letitia Wood Brown, *Free Negroes in the District of Columbia 1790-1846* (New York: Oxford University Press, 1972), 62.
[59] Randy J. Sparks. *Paths to Freedom: Slavery and Manumission in the Atlantic.* (Chapel Hill: University of South Carolina Press. 2009), 366.

restrict the African American population, bringing to a close the period of giving a greater amount of rights given to free and enslaved African Americans after the American Revolution.

Many of the "Founding Fathers" assumed slavery was on its last run and ultimately would end naturally.[60] In the nineteenth century slavery must not be an acceptable piece of American society and was justified as a necessity for the economy and society. This led to a change in the overall treatment of slaves and the general practice of slavery after the beginning of the nineteenth century. Slave holders became more violent in the Chesapeake towards their slaves hoping African Americans would become completely suppressed by the increased atrocities and lack any motivation towards gaining their freedom.[61] Slaves were whipped more and the consequences for slaves who attempted to rebel and or run away became harsher and more vindictive. As masters used violence to ensure a sense of suppression, the legislation passed was not enforced regularly. Slave holders began to use "term slavery" also called delayed manumission as a means to slow the growth of population of free African Americans. Delayed manumissions consisted of masters negotiating with slaves to determine a number of years in which the enslaved would work before gaining freedom. After the allotted time passed, slaves would be given their independence. Many times the enslaved were cheated out of their freedom, as they were sold to other slave holders who were states away. The change in the definition and method of slavery only further added to the motivation of the enslaved who desired to gain their freedom.

Slowly, the number of free African Americans manumitted in the Chesapeake declined as the methods used to gain freedom were eliminated. The desire to manumit slaves subsided. The red tape created during this time, discouraged servant manumission. Many of the manumissions occurring in the nineteenth century had to be approved by the local governments and those given

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[60] Gordon Wood, *Empire of Liberty: A History of the Early Republic 1789-1815* (New York: Oxford University Press, 2010), 533-534.
[61] T. Stephen Whitman, *The Price of Freedom: Slavery and Manumission in Baltimore and Early National Maryland* (New York: Routledge Publishers, 1996), 50 .

their independence had to be assured of an "upright character" in order to gain their freedom.[62] A greater fear can also be found in African Americans, who attempted to run away, found conditions to be similar to those in bondage. Virginia and Maryland laws prohibited a slave from working at large or hiring themselves out during "off" hours, slaves could not earn money in which to purchase their own freedom, as slaves could now not live separately from their owner unless in one of the owner's houses.[63] A method of freedom marked by a chronicle of hard work, persistence, energy and determination now became an impossible format in which to gain independence. Manumission rates, including in Anne Arundel, increased and then in the 1820's, they declined. The number of slaves who ran away eventually declined as well as the harsher penalties and conditions in the Chesapeake deterred slaves from choosing to escape. The number of average ads placed for slaves who had run away increased in the early portion of the nineteen century, declined in the same decades as manumissions.

Hundreds of free African Americans in Virginia were kidnapped and sold back into slavery, as the laws once protecting free African Americans no longer existed.[64] One of the greatest limitations to enslaved and freed African Americans became the restrictions placed on their movement. Patrols were established in order to ensure the enslaved would communicate. Overseers had to compile monthly reports of the actions of free African Americans, especially of those in poverty.[65] While free African Americans could still own property, they could no longer join militias. Free African Americans had to register with local governments and paid higher taxes than most. In the era after the American Revolution, slaves were allowed to carry guns for

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[62] Melvin P. Ely, *Israel on the Appomattox: A Southern Experiment in Black Freedom from the 1790's Through the Civil War,* (New York: Alfred A. Knopf Press, 2005), 8.
[63] Letitia W. Brown , "Residence Patterns of Negroes in the District of Columbia, 1800-1860". *Records of the Columbia Historical Society* 69/70 (Winter 1969/1970): 71.
[64] Ira Berlin. *Slavery and Freedom in the Age of the American Revolution* (United States Capitol Historical Society by the University of Illinois Press, 1986), 97-100.
[65] Melvin P. Ely, *Israel on the Appomattox: A Southern Experiment in Black Freedom from the 1790's Through the Civil War,* (New York: Alfred A. Knopf Press, 2005), 241.

general protection of the plantation, but had their guns confiscated after 1806.[66] Black codes which had loosened after the American Revolution, now restricted the social life of free and enslaved African Americans which discouraged African Americans from revolting and created an independent lifestyle no longer conducive for former slaves. These "black codes" restricted the rights of free African Americans and threatened their paths to freedom. The free or enslaved African Americans who committed a crime against these "black codes," accepted by Congress as District law were sent to a Washington jail. Wardens were at times authorized to sell imprisoned African Americans in order to pay for their incarceration.[67] No longer could African Americans freely move through society, whether independent or not.

In Washington D.C., an urban area with more freedom for African Americans, the city began to create restrictions within its boundaries limiting the freedoms and the methods used for independence. In 1806 many of the free African Americans began to acquire property in various parts of the District, including in Georgetown in which free African Americans entered a new subdivision along with whites, spreading out from the venter along the waterfront.[68] In 1800 slaves outnumbered free African American by four to one, but by 1830, free African Americans slightly outnumbered slaves. While Washington D.C. offered many opportunities, many restrictions were still placed on African Americans. The restrictions placed in Maryland and Virginia did take effect in Washington D.C. As the District became more urbanized during the rebuilding of the city following the War of 1812, the importance of slavery diminished in the city.[69] The legal system in the nation's capital required slave owners to settle in the District for three years, one of the few restrictions placed on the slave system in the Washington. By 1827, the District implemented a sweeping registration system in response to a new authorization

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[66] Melvin P. Ely, *Israel on the Appomattox: A Southern Experiment in Black Freedom from the 1790's Through the Civil War,* (New York: Alfred A. Knopf Press, 2005), 215.
[67] Clayton E. Jewett, John O. Allen. *Slavery in the South: A State-by-State History* (Westport: Greenwood Press: 2004), 55-58.
[68] Letitia W. Brown , "Residence Patterns of Negroes in the District of Columbia, 1800-1860". *Records of the Columbia Historical Society* 69/70 (Winter 1969/1970): 74
[69] Mary Beth Corrigan. "Imaginary Cruelties: A History of Slave Trade in Washington D.C." *Washington History* 13, No. 2 (2001/2): 7

created by Congress, which prescribed terms on the residential patterns of free blacks. The annual registration required posting bond for good behavior and self-support. This bond remained the core of the "terms on which free Negroes were permitted to live" within the District.[70] Washington law did not place significant restrictions on the selling of slaves within the boundaries of the cities and the bifurcation of the legal system which confused many slave owners. Many slave owners settled on the opposite side of the Potomac, outside of city boundaries, in which to make the transactions of slave sales. The law, therefore, neither limited the full participation of District residents in the slave trade nor hindered the emergence of dealers who provided the critical nexus between the urban centers of the Upper and Lower South.[71] Not until 1850, did the greatest restrictions, which matched other states, occur in Washington D.C. despite these restrictions. Yet, an opportunity for independence still existed through the Washington D.C. court system.

The legal environment existing before and after the American Revolution allowed African Americans to petition for their freedom. As the nineteenth century progressed the desire increasingly grew for African Americans to petition for their freedom as other methods of freedom decreased. Much like the cases of William and Mary Butler and their daughter, which defined the distinguishing periods before and after the American Revolution, the Mima Queen case, in a similar manner, exemplified the environment of restriction between 1810 and 1830. For years slaves were able to use hearsay evidence to prove their freedom, and in many cases slaves were given their freedom based on evidence declared as hearsay. This evidence was defined as information received from individuals who were not true witnesses and the proof could not be adequately substantiated. Many times, due to the frequent movement of slaves from one area to another and the lack of ancestral records, the only evidence which existed was hearsay. Yet,

[70] Letitia W. Brown , "Residence Patterns of Negroes in the District of Columbia, 1800-1860". *Records of the Columbia Historical Society* 69/70 (Winter 1969/1970): 74
[71] Mary Beth Corrigan. "Imaginary Cruelties: A History of Slave Trade in Washington D.C." *Washington History* 13, No 2 (2001/2): 7

slaves gained their independence by the proof of hearsay evidence, a practice which occurred quite often in Maryland.[72] Mima Queen and her daughter Louisa, who had been held as slaves in Washington D.C. by John Hepburn, petitioned for her freedom, through the Washington courts and eventually to the Supreme Court. The petition argued Mima Queen had descended from Mary Queen, a free white woman. Presented to the courts by Francis Scott Key, a prolific pursuer of slave independence, the Mima Queen trial marks a beginning point for a visible occurrence the legal resistance of the enslaved. The evidence connecting Mary Queen to Mima Queen by lineage was based on an oral history, not "from the personal knowledge of the witness, but from the repetition of what . . . others had said".[73] Years before, Queen's case would have favored the plaintiff and the deposition of lineage would have been accepted by the courts, but in an era of greater restrictions, the Queen case now became a debatable subject. In the time period of Chesapeake concern towards the African American population, Mima Queen argued her case to the General Court of Maryland and to the High Court of Appeals, both approving her freedom and "admitted [the evidence] to prove a custom, pedigree, and the boundaries of land."[74] Hepburn's desire to keep Mima Queen as a slave, as evidenced by his appeals, continually argued her case. The case arrived to the U.S. Supreme Court in 1813. Marshall chose to render the majority opinion stating the use hearsay evidence as the reason Mima Queen should not be granted her freedom. Marshall stated "hearsay evidence is incompetent to establish any specific fact which is in its nature susceptible of being proved by witnesses who speak from their own knowledge and that claims to freedom in Maryland are not exempt from that general rule."[75] Marshall, abstaining from commenting slavery itself relied on the idea that "every claim to freedom ought to be supported by the same kind of evidence as is necessary to support other

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[72] Duncan J. MacLeod. *Slavery, Race, and the American Revolution* (Cambridge: Cambridge University Press, 1974), 118
[73] R. Kent Newmyer. *John Marshall and the Historic Age of the Supreme Court* (Baton Rouge: Louisiana State University Press, 2001), 426
[74] *Mima Queen and child v. John Hepburn*. 11 U.S. 290 (1813).
[75] *Mima Queen and child v. John Hepburn*. 11 U.S. 290 (1813).

claims."[76] One justice, Gabriel Duvall, who had been a circuit judge in Maryland and was well-versed in the customs of the state's legal system, ruled in favor of Mima Queen, and in doing so argued that such cases deserve some latitude in the interpretation to the law. Duvall contended that a living testimony may not exist and therefore hearsay must be used because without the opening "people of color, from their helpless condition under the uncontrolled authority of a master" would be unable to argue their freedom unless the event occurred on a recent date, which rarely transpired.[77] While Duvall's dissented, the majority ruled against Queen, placing her back into slavery.

The case reveals the openings granted to slaves through hearsay evidence previously and the opportunities stripped away from them, ensuring their continued bondage. Slaves proved ready to sue, and free African Americans proved ready to defend their independence. Petitions for freedom, a method of independence which required both slave initiative and ingenuity, became a major public venue in Washington D.C..[78]

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[76] *Mima Queen and child v. John Hepburn*. 11 U.S. 290 (1813).
[77] *Mima Queen and child v. John Hepburn*. 11 U.S. 290 (1813).
[78] Letitia Wood Brown, *Free Negroes in the District of Columbia 1790-1846* (New York: Oxford University Press, 1972), 63.

Chapter 3

- The Petition -
The Active Independence of Slaves in Washington D.C.

Argued by Francis Scott Key, the petitions of many other members of the Queen family were submitted through the District Courts of Washington D.C. Some historians have argued some slaves latched onto certain surnames, knowledgeably or unintentionally, in order to gain their independence on a path through the court system.[79] This most likely occurred in Washington D.C. as well. As the Mary Davis ruling favored the plaintiff, the surname "Davis" increased in the in the number of petitions. At least six enslaved African Americans petitioned for their freedom between 1810 and 1830 with the last name "Davis". Early before the Mima Queen case was appealed it to the Supreme Court, Priscilla Queen petitioned for her freedom in 1810 claiming she had descended from Mary Queen. Priscilla stated she had been brought to the county illegally and been held in slavery for at least seven years. While official documents do not state it as included in the argument, court records within Priscilla's case file include the certification of freedom of Simon Queen, "marked by a scar near his middle finger," who had gained his independence in 1796 in his own petition.[80] While Priscilla may have been related to Simon a direct link needed to be established between a female ancestor in order to grant Priscilla her freedom. Alexia Queen also petitioned against John Davis. Her lawyers argued who held her in bondage illegally and if the courts did not see her case in this term, Davis could remove her out of the District.[81] In a similar manner Hester Queen in 1813 petitioned for being held illegally by James Nevitt, who also threatened to carry her out of the District.[82] All three petitioners had their cases argued by Francis Scott Key. Key most likely argued a lineage to Mary Queen. The argument for independence was in each case based on lineage to a free white woman, especially in Maryland. This case provides specific examples of resistance, legal opportunities, and narratives which

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[79] Ira Berlin. *Slavery and Freedom in the Age of the American Revolution* (United States Capitol Historical Society by the University of Illinois Press, 1986), 97-100
[80] Priscilla Queen v. Francis Neale, Washington D.C. Circuit Court (June Term 1813).
[81] Alexia Queen v. John Davis, Washington D.C. Circuit Court (June Term 1810).
[82] Hester Queen v. James Nevitt, Washington D.C. Circuit Court (June Term 1810).

entwined slavery and the law. The Queen cases also exemplified the ability of slave to become legal actors.

The rate of increase in manumissions declined and then decreased as the number of slave advertisements deteriorated as well, marking a point in Washington D.C. and the Chesapeake, when the opportunities for African Americans to gain their freedom were either restricted or eliminated. The opportunity to petition to the courts had been in the Chesapeake court system for over a century. The practice allowed the enslaved to prove, for example, that their owners broke the law in handling or treating slaves. While a modest number of slaves had petitioned for their freedom in the history of the Chesapeake, an overall number cannot be ascertained. After 1810 and into the following decades, the methods slaves had grown to accept as viable options to obtain freedom no longer remained practical. While the court system remained a sustainable option because of the lower population of African Americans who used the method, the manipulation of petitions by the courts system did occur, in smaller amounts, in order to discourage the enslaved from using the system. By the 1820's the number of petitions had sharply increased. The decade of the 1820's saw more than double the number of petitions enter the Washington D.C. courtroom.

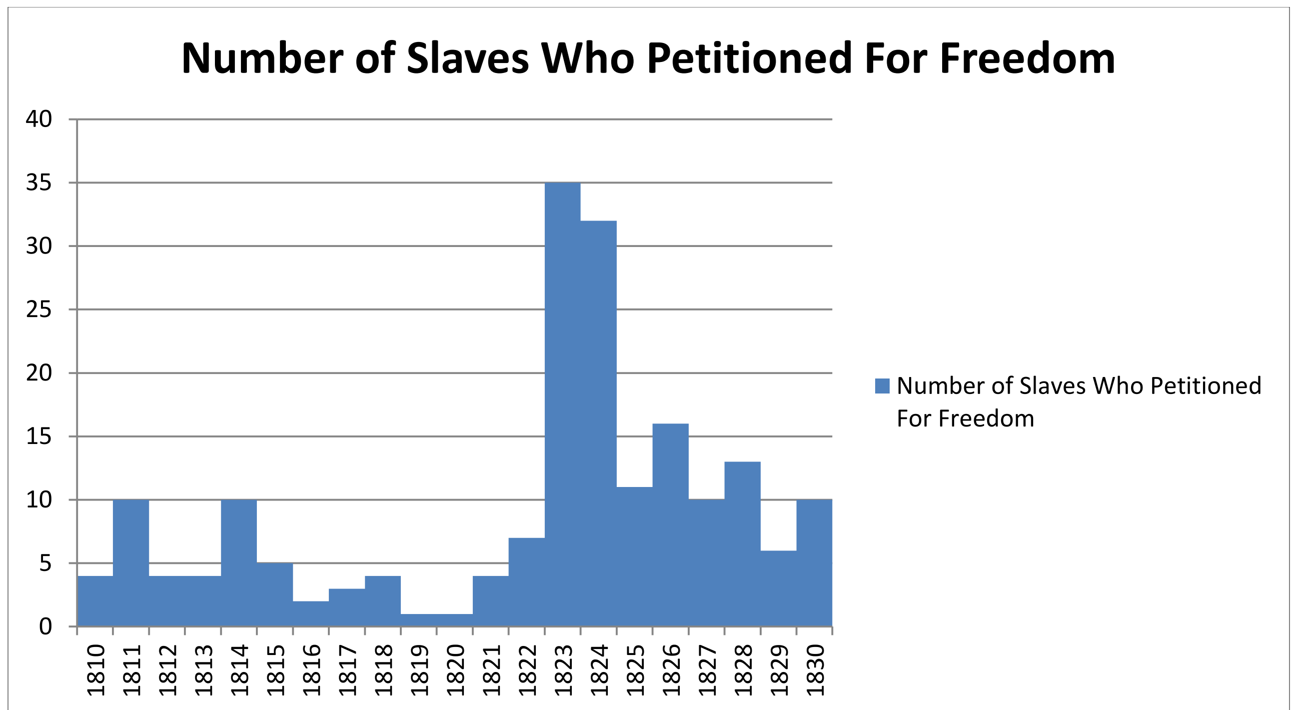

Table 3.1 – Number of Slaves Petitioning for Freedom in Washington D.C. by year from 1810-1830

191 cases went through the District Circuit Court between 1810 and 1830. Much of the documentation from these cases no longer exists and with some cases the only information remaining is the court summons. The narratives of these cases expose the role of African American as legal participants. The courts became one of the primary arenas for slaves to pursue their freedom. These petitions not only impacted the lived of the enslaved but also the white majority as well those involved the Chesapeake legal system. Many slave holders were quite resistant to their enslaved claiming their own freedom. There were several instances of slaves petitioning up to four times in order to gain their freedom and as many instances of multiple slaves who petitioned against the same master. Some slaves were illegally transported in Washington D.C. to be sold, while some claimed to have descended from free white women. Slaves were given greater opportunities to petition for freedom by prominent abolitionist societies, and prominent lawyers plead their cases, including Francis Scott Key.

Francis Scott Key's role during this time provides one of the most intriguing aspects of the Washington D.C. petitions. Though he argued for the independence of slaves in the court

system, he had been known to hold his own slaves as well, one of the many contradictions found early national period in Ameica. Key, like many slave owners during a time of greater restriction, rationalized slave holding because of the hostile world slaves would enter after manumission.[83] While looking back in 1833, Key wrote that he had freed seven slaves, six of whom were still alive and were quite successful. The enslaved he freed, he argued, were selected specifically because Key felt they "were far better fitted for the duties and trials of their new conditions than the general mass of slavery." Key still held older slaves who would have a difficult time finding work in the free market, so he paid for their room and board. The lawyer justified their continued because of the "inhumanity" of the event, believing the conditions free African Americans met would be prejudicial and destructive. Key, who had fought for state abolition, saw the environment of the Chesapeake as a place only selected slaves could be freed into. Key took the opportunity of Maryland laws allowing for petitions to aid in the freedom of slaves even though he stated "the freedom he so earnestly sought for them was their ruin."[84]

Many slave holders after the American Revolution, whether for moral or economic reasons, manumitted their slaves giving them independence. Slave holders who had multiple petitions against them, were some of the most resistant to freeing their slaves. Henry W. Ball had three of his slave's petition against him between 1810 and 1830. Sally Henry petitioned against Ball in order to gain her freedom; yet Sally had been hardly old enough to speak, let alone argue her case. At the time of the petition in 1814, Sally was aged three years old against Henry Ball, who also held her father William, in Washington D.C. Sally, after her birth, came to live in Virginia with her mother, who had been also been a slave of Ball's fiancé, Elizabeth Rankin, who lived with him in Fairfax County, Virginia, about nine miles from the District. Rankin had the obligation of "furnishing materials and clothing for the girl" for a year. No agreement had been made between Rankin and Ball about Sally, and she did not have the permission to move her, as

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[83] Dorothy Schneider and Carl J. Schneider. *Slavery in America* (New York: Infobase Publishing ,2006), 72-73.
[84] Dorothy Schneider and Carl J. Schneider. *Slavery in America* (New York: Infobase Publishing ,2006), 72-73.

Ball still remained the legal owner of the girl. Sometime in 1810 Rankin moved to Washington D.C. and carried Sally with her. Then Ball requested the girl and Rankin return to Virginia. The question became, did Ball or Rankin ever have the intention of settling in Washington for the required period time of three years or had they illegally transported Sally into the city. While Rankin stated that when she traveled to Washington it had only be for "a week to ten days" at a time and Ball still kept "most of his clothes in Virginia."[85] The consistent movement of Sally as a child between the rural parts of Virginia and the city of Washington made her case an opportunity for Francis Scott Key. As with most of the court documents, however the rulings do not exist and the outcome of Sally's case remains unknown.

Violet (a woman of color), as listed in court documents, pleaded for her freedom against Ball along with her infant daughter Chloe. Violet's husband also petitioned for his freedom separately. In typical fashion the enslaved would be moved with a white family to Washington D.C., usually the enslaved female and children, while male slave were typically assigned to remain on the plantation. The dynamic of the cases of Violet and Emanuel Gasbury portrays not only the gender relations in the slave community in the Chesapeake but increasingly hostile attitudes to the free African American community. Violet had been a native of Virginia as the slave of Henry Ball but as court documents stated, she had been moved to Washington D.C. "along with all of his other property," a contrast to the pleading in Sally's case. Sometime after Violet had been moved to the District, along with her children Winifred and Chloe returned to Ball's property in Northumberland County, in Virginia. Violet stated she returned to Virginia by order "to be sold in the neighborhood of where her husband Emanuel lived." For some time after 1811, Violet and her children were transferred to work on the plantation of Mount Sion under the supervision of William Gordon. Still, Henry Ball, who at the time resided in Fairfax, could not establish any paperwork attributing the sale of Violet and her children to William Gordon. This continual transfer of the enslaved within the Chesapeake and the informality of the selling of

[85] Sally Henry v. Henry W. Ball, Washington D.C. Circuit Court (June Term 1814).

slaves to resistant masters made it possible for petitioners to argue they were illegally transferred within the city of Washington.[86]. Emanuel, originally held by Captain John Straughan, had been transferred to Washington D.C. and required to return by New Year's Day of 1812. While in the city of Washington, during a meeting between Henry Ball and another stranger, Emanuel, sometimes using the alias of Emanuel Gasbury, "ran out of the house and jumped over the fence; the stranger, whose horse was in the witness's stable took his horse and rode away either on the day or the day after and the witness did not see him afterwards and but has [been] . . . frequently seen going about in the city". The hunt began for Emanuel, and in the dangerous environment for runaways in Washington D.C. by March he had been arrested and returned to the Captain. Most likely angry at Emmanuel's disobedience, Straughan quickly "exchanged him with Ball for a fellow of inferior value."[87] The transaction did not result in a sale, but it did call into question the law requiring a master to live in Washington D.C. for three years before they could sell their slaves. These unique circumstances could have allowed Emanuel to gain his freedom. His first method of choice, escaping, did not result in success, a common occurrence in the Washington at this time. All three of the cases against Ball were argued by Francis Scott Key.

Augustus Preuss, another slave holder in the Chesapeake, fought to ensure that his slaves did not gain their freedom. At least three of his slaves petitioned for their freedom in the District court systems. Not only do these court cases examine the conditions of several slaves who petitioned against the same master but also reveal the practice of term slavery. Term slavery had become a popular resort of slave holders to slow the trend of free slaves. The concept became another means to break promises of independence. The situations which arose from broken promises of term slavery led a small number of slaves to petition for freedom in Washington D.C. In 1826, in the decade when more petitions entered the court system, Johanna and her children John, Lizett and Janette Lee petitioned for their freedom arguing that Augustus Preuss had held

[86] Violet, a woman of color and her child Chloe v. Henry W. Ball, Washington D.C. Circuit Court (June Term 1814).
[87] Emanuel Gasbury v. Henry W. Ball, Washington D.C. Circuit Court (June Term 1814).

them past the term which had been established by a previous owner. In the will of Anthony Addison, the former master established the freedom of John, Lizett and Janette and the daughter of one of the sisters after serving until the ages of thirty and twenty-five. In 1809, Johanna and her children were given a deed of manumission by Walter Addison, a relative of Anthony who guaranteed the same service under the established term. Sometime between 1809 and 1826, most likely in the years 1820 or 1822, Walter Addison sold all of Lee's slaves to Augustus Preuss. After the sale, Preuss denied a deed of manumission ever existed in the sale of the slaves twenty years before. Preuss stated he held the right to keep all petitioners as "slaves of life" and if he chose he had the opportunity to "sell and dispose" the petitioners and "all children of the said Johanna."[88] As the documentation for John Baptist Lee shows, Preuss had every intention of attempting to sell the slaves, whether or not the idea of selling the family had been instigated by the petition of the Lee sisters remains unknown.[89] The Lee slaves had been promised their eventual freedom under a system which white slave holders intended to slow the rate of growth of the free African American population in the Chesapeake. The court system became the only hope for the Lee's. For at least Lizett, the court did find a deed of manumission for her, ruling in May of 1834 that she could obtain her freedom. The documentation does not exist to prove whether or not the other Lee gained their freedom but chances are if the evidence existed for Lizett it did for her relatives as well. The Lee case remains one of the few in what remains of the documentation of slaves petitioning for freedom a verdict exists and also provides yet another situation in which slaves needed the petitions after having their rights of independence withdrawn from them. As term slavery became a popular method of servitude in the Chesapeake, many slave holders denied a contract of obligation ever occurred and then were able to sell their slaves outside of the District, erasing any worry of a court summons calling them to court. Slaves did, however, find a means in which to gain those rights guaranteed to them under wills and deeds. This unique case

[88] Lizett and Janette Lee v. Augustus Preuss, Washington D.C. Circuit Court (December Term 1826).
[89] John Baptist Lee v. Augustus Preuss, Washington D.C. Circuit Court (December Term 1826).

again lends to the need for slaves to petition for their freedom. The District court system became a means in which to do this. The enslaved were able to argue their freedom in the courts as slavery and the law became more tightly wound.

William Offutt, along with some of his relatives was summoned to court several times to attest to as his property. George Hunter, one of the slaves who petitioned against William Offutt, petitioned multiple times. Those who did not obtain their freedom in their first attempt to petition the courts were not discouraged. George Hunter petitioned for his freedom three times to the court in the years 1824, 1825, and 1826. In his multiple attempts to pursue his freedom, Hunter's resiliency can be seen, as can Offutt's resistance to Hunter's freedom. Court documents state that the petitioner "was introduced into the State of Maryland from the State of Virginia several years by a certain William M. Offutt, then being a citizen of the State of Maryland."[90] Offutt may have lived in the Virginia portion of Washington D.C., brought Hunter illegally across the state line with the intent of selling him in Maryland and had been unsuccessful. Offutt might have been transporting Hunter to work on another plantation. Offutt moved George Hunter continuously across state boundaries and in doing so broke District law. George Hunter needed to have his case heard as soon as possible for fear William Offutt would transport him out of the District and away from the hope of successfully petition. Court documents state the ownership of Hunter had become a conspiracy between William Offutt and Zadock Offutt "who likewise claimed interest in your petitioner to defraud him of his rights, designed to transfer him out of State, and be cut off from all means of establishing his freedom then will be doomed to a hopeless slavery for life."[91] Many of the slaves who petitioned against Offutt and his relatives Zach and Thomas stated they were conspiring with Zadock to transfer them out of state.[92] Both George Hunter and Milly Bowie petitioned multiple times against Offutt for their freedom between 1824 and 1826. While many slave owners were quick to sell resistant slaves, the Zadock clan did not display much

[90] George Hunter v. William Offutt, Washington D.C. Circuit Court (December 1824, May 1825, December 1826).
[91] George Hunter v. William Offutt, Washington D.C. Circuit Court (December 1826).
[92] Millie Bowie v. William M. and Zadock Offutt, Washington D.C. Circuit Court (May Term 1826).

concern over removing the slaves from the area. The ability of owners to do this, with few or no restrictions, made it difficult for slaves to maintain a stable foundation to create a case against their owner before they were shipped to another state. Offutt threatened to ship many of slaves out of state in order to ensure they did not receive freedom.

Overall, twelve slave holders had slaves petition against them more than once or had multiple slaves summon them to court in order to argue their case of independence in the District court system. They did not succumb to ideological tides overtaking post-Revolutionary America and were resistant to the multiple claims of the freedom slaves used in the courts. These slave holders are the beginning in the explanation for why these petitions were needed and why they increased continually throughout the early nineteenth century. The final examples of this occurrence are the cases against Janet Lingan. Lingan had three slaves petition against her in the nineteenth century. Richard Luckett and Richard Johnson petitioned for their freedom four times against Lingan. The only existing documentation from both slaves in their first four petitions against their master are the summons slips demanding the presence of Janet Lingan to "answer the petitions" of her property. It is unclear whether these petitions reached the courts at all. Richard Luckett lived in the similar situation to George Hunter. Sometime in 1792 or 1793, Luckett had been held by Thomas Macuhbin in Montgomery County, in the State of Maryland, who then "moved to the state of Virginia and [Luckett] was removed and imported into the said State of Virginia your petitioner to reside."[93] During this time period, Macuhbin did not have the proper affidavit in which to transport his slave from Maryland to Virginia and as "Thomas neglected or omitted to make such affidavit whereby [the] petitioner acquired title to freedom." He then moved back to the state of Maryland, eight or nine years later not obtaining the proper paperwork. Luckett eventually became the property of Janet Lingan. This illegal transportation gave him a gateway to freedom. Richard Johnson petitioned the court in 1824 where he argued the same illegal situation as Luckett had stated. Both Johnson and Luckett argued similar cases,

[93] Richard Luckett v. Janet Lingan, Washington D.C. Circuit Court (October Term 1821).

perhaps Johnson being inspired by the actions of Luckett. While they ended up as property of Janet Lingan, through "pretended or alleged purchase," both stated that the illegal acts had occurred by a previous owner.[94] Jack Garretson also petitioned against Lingan one year earlier, and it is likely Johnson and Luckett had heard of his case. The enslaved petitions against Lingan are unique and portray yet another situation where slave's petitions were needed.

Of the 114 different defendant slave holders between 1810 and 1830 who were summoned to the Circuit Courts in Washington D.C., only thirteen of them were females. The statistics of defendant gender in the petitions of freedom closely match the statistics of the Chesapeake as a whole. The majority of slave owners in the Chesapeake were male. Women owned slave usually because of the death of the patriarch of the family. Enslaved African Americans were dispersed in wills to other family members or under the care of the matriarch of the family who were now forced to care for the property and finances of the household. In certain instances during the period after the American Revolution some slave owners willed their slaves to be freed, but many widows would not free them claiming economic necessity or hardship.[95] Figure 3.2 below shows there are staggering differences between the genders of defendants in the Washington petitions. Yet, even though female defendants are the minority in these petitions, their narratives must be studied to understand the slave and master dynamic in the Chesapeake. Some of the most resistant slaves are found in the cases defended by female slave holders.

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[94] Richard Johnson v. Janet Lingan, Washington D.C. Circuit Court (October Term 1821).

[95] Melvin P. Ely, *Israel on the Appomattox: A Southern Experiment in Black Freedom from the 1790's Through the Civil War,* (New York: Alfred A. Knopf Press, 2005), 33-35.

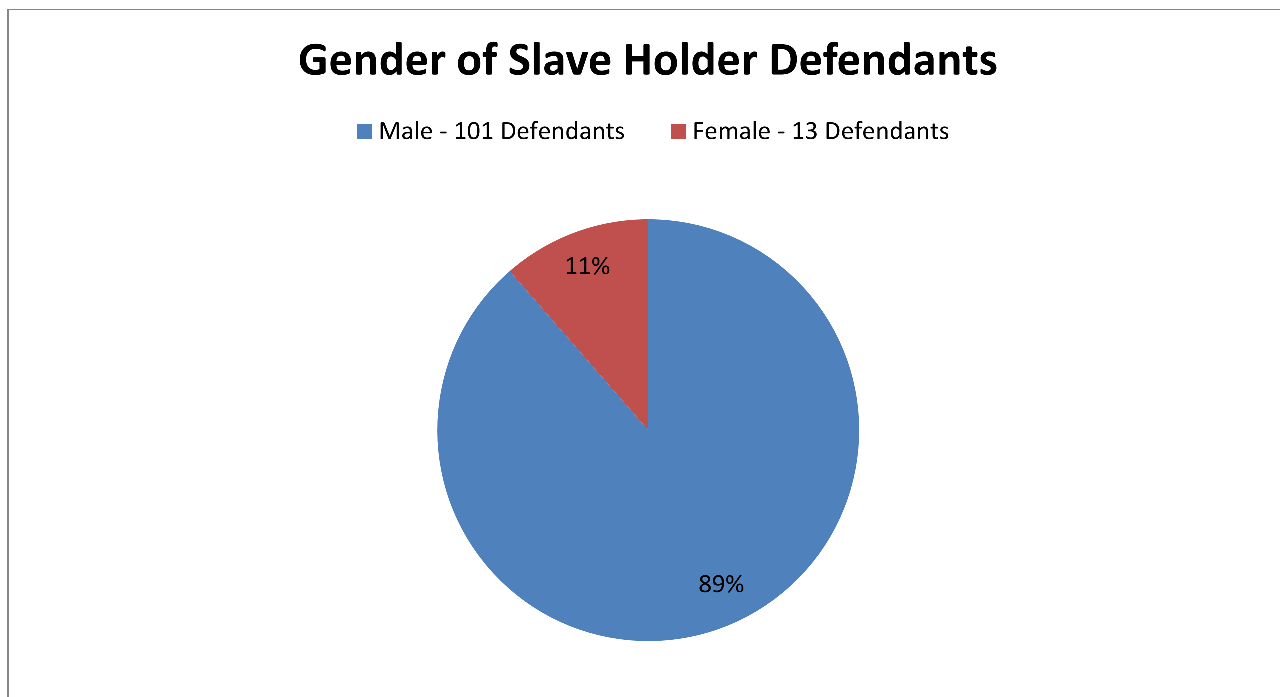

Figure 3.2 – Percentage of slaveholders based on gender

In 1812, Esther Bradley petitioned for her freedom against Elizabeth Wilson.. As the "administrator of the will of Alexander Wilson," Elizabeth had become the individual who had to take care of the property and finances. The case of Esther Bradley creates a connection between two significant events discussed previously in this paper, the illegal act of a previous owner and the widespread transportation and exchange of slaves in the Chesapeake. Bradley's lawyer argued the point "she is justly entitled to her freedom, inasmuch as she was brought by the said Alexander who was a residence of the state of Maryland and brought shortly after into the county of the District of Columbia then under the jurisdiction of Maryland contrary to law."[96] Because Alexander did not plan on settling in Washington for the dictated three years this lack of intent allowed Elizabeth to contest the case. Esther had been purchased by Alexander for fifty pounds and fifteen shillings in Virginia before she had been brought to Maryland. Again, the movement occurring between slaves and masters across the jurisdictions created an opportunity to claim freedom. One stipulation occurred in the case as a motion for a new trial was brought as "the

[96] Esther Bradley v. Elizabeth Wilson, Washington D.C. Circuit Court (June Term 1812).

verdict was given contrary to evidence which they did not hear or understand." For whatever reason after her case in 1812, Esther Bradley did not receive a new trial in the Washington District Court. As has been shown slaves could be quickly shipped from the region before a new trial could occur. Still these jails were noted for their terrible conditions as the transition from slavery to freedom remained a difficult and dangerous course for many slaves. [97]

Sylvia Lee petitioned for freedom twice against Elizabeth Smallwood, and Matilda Grey petitioned with Francis Scott Key as her lawyer against Mary Ann Pic. As a female defendant, she had to, like many female defendants, defend an illegal act which she had personally never committed and little knowledge. The majority of slaves who petitioned against female defendants were women. Richard Luckett and Richard Johnson petitioned against Janet Lingan as earlier discussed. George Davis petitioned against Mary Young stating he had been "illegally detained."[98] Joseph Burke argued against Rachel Hoskins that he "was a free man, having been unlawfully imported and brought into the District of Columbia to reside within this district of county of Washington from the state of Virginia and is unjustly detained in slavery by Rachel Hoskins of the County of Fairfax in Virginia."[99] He petitioned four times for his freedom unsuccessfully. Christopher Harris petitioned against Penelope Alexander stating he had been "illegally held in bondage" but not more than a court summons and summary exist for this case.[100] Penelope sold Christopher after his failed attempt. Unsuccessfully protesting against Alexander; Christopher Harris "a foreigner" would eventually bring Robert Rowley to court. Rowley bought Christopher.[101] Finally, Prince Gray petitioned unsuccessfully against Catharine Linn for his independence in 1825, only to argue his case again in the same term against a male defendant, Joel Gaskins, stating he had been held "illegally in slavery." No connection between these two cases can be made or what circumstance led Gray to petition twice in the same term

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[97] Mary Beth Corrigan, "Imaginary Cruelties: A History of Slave Trade in Washington D.C." *Washington History* 13 no. 2 (2001/2), 10.
[98] George Davis v. Mary Young, Washington D.C. Circuit Court (June Term 1811).
[99] Joseph Burke v. Rachel Hoskins, Washington D.C. Circuit Court (October Term 1823).
[100] Christopher Harris v. Penelope Alexander, Washington D.C. Circuit Court (December Term 1828).
[101] Christopher Harris v. Robert Rowley, Washington D.C. Circuit Court (May Term 1829).

against two separate people. Prince Gray, in 1826, petitioned against both defendants again. This case was the only occurrence of this event in the Washington D.C. between 1810 and 1830.

Female slaves petitioned against female defendants, and while this occurred less often, the event did create an unusual circumstance in the court system. Two slaves, Loeticia and Rachael Davis, petitioned against Rebecca Forest. Loeticia petitioned on behalf of Rachael and another slave by the name of Henry. In this case Loeticia and her lawyer attempt to use the earlier rulings of Susan Davis and Rosawood Bentley, the latter being the name and case many slaves attempted to use as evidence, both of whom "recovered their freedom." Even though the defendant was a "free Christian white [the defense] objected to the admission of the said free Negroes as witness." The Court, though, "overruled the objection."[102] Through these petitions, slaves were able to use their efforts in order to find whatever means of evidence they could in which to prove their freedom. Slaves used the law as a tool in which to gain their freedom. Earlier Susan Bordley "who was so remarkably black and smart" and "at least 36 years" petitioned for her freedom in the circuit court, hoping to prove she had been illegally transported across the colonial United States to what now had become the Maryland portion of Washington D.C. Susan became an important member for the Miller family. Her job many times "was to be sent by her Mistress to tell Mr. Miller and the young Gentlemen in his store to come to dinner."[103] Around the time of Miller's death which occurred either in "1774 or '75" Susan and the rest of the people enslaved by Miller had been shipped to work and live on the planation about four miles from Bladensburgh, Maryland. Susan and the rest of her family, including her parents "who spoke in a foreign dialect" and her siblings who did not, worked on the Miller's plantation together until either the year "'78 or '79" when Mrs. Miller hired Susan out to Miss Molley Tilley "near Bladensburgh where she continued to live several years. After Susan left Miss Molley Tilley," she lived near Bladensburgh till the last twelve of fifteen months or thereabout, she had been

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[102] Loeticia and Rachael Davis v. Rebecca Forrest, Washington D.C. Circuit Court (June Term 1811).
[103] Susan Bordley v. Anne Tilley, Washington D.C. Circuit Court (June Term 1811).

hired in the City of Washington." Susan argued, and a witness by the name of Bill Lonsonby reiterated her story that she had come with her family to Queen Anne in Pennsylvania where they were held by a Mrs. Pettigrew. Miller then married the daughter of Mrs. Pettigrew and transferred the ownership of the slaves to the newlyweds. Since Susan had originally lived in Pennsylvania and claimed herself as a "native" of the state, she argued that her freedom should be granted because the state legislature had previously accepted a plan to slowly abolish slavery. Pennsylvania passed the General Abolition of Slavery Act in 1780, and had always looked favorably on free African Americans. At the time of this trial, ninety-seven percent of their African Americans were living in freedom.[104] Susan petitioned for her freedom with her children, Rachael, Charlotte, Phillis (named after her grandmother) and James. Susan claimed if she originated from Pennsylvania and was free they should be as well.

Children were not excluded when it came to petitions for freedom. They were at times the only petitioner, yet in most cases they were included in cases in order to ensure their future would not include a life of bondage. Slaves who came through the circuit court with children in the case were often women. In 1810, Margaret Joes and her three children, Augusta, Clement, and Asia Anna, became the first case involving children to occur during the period of study as they petitioned for freedom against Fellow Henry. The family claimed "they were born free and pray the process may be awarded to compel the appearance of the said Fellow Henry to answer their complaint."[105] Ann Davis attempted to petition for her freedom in the circuit court system. Also attempting to use the past depositions of Rosawood Bentley, Ann Davis claimed descent from Mary Davis, petitioning against her owner Charles Minifee along with her children. Bentley "had descended from Mary Davis a free white woman," and the petitioners asked "the said record of which would be accepted in court".[106] Through the connection from Bentley to Mary Davis, Ann Davis hoped then to prove her freedom but the "Court refused the evidence . . . to which the

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[104] William J. Switala, *Underground Railroad in Pennsylvania.* (Mechanicsburg: Stackpole Books, 2001) 6-7
[105] Margaret Joes and her children v. Fellow Henry, Washington D.C. Circuit Court (June Term 1810).
[106] Ann Davis and her children v. Charles Minifee, Washington D.C. Circuit Court (June Term 1811).

refusals of the Court the Petitioner accepts." The attempts to prove a connection to a free white woman did not end there. Ann Davis argued a connection Susan Davis in her petition against Caleb Swann. Susan Davis, also argued back to the period during the arrival of Lord Baltimore to the area of the Chesapeake, much like the case of Mary Butler. The petitioner brought into evidence a book, published in 1808, attempting to prove when the arrival of Baltimore to the area actually occurred. Juries at this time in Washington D.C., as law stated, were all white and could not include any member of an abolitionist group. Jurors were excused during this time period for their involvement. Since jurors most likely were not going to hear the case of every member of the Davis family, petitioners and lawyers could tread the same line and use it multiple times in order to prove independence. Since the law was used as a tool for freedom by enslaved African Americans, it was just as strongly used by slaveholders to strangle those attempts at freedom.

In 1826 Sally Baker petitioned on the behalf of herself and her infant children Jeffery and Mary against George Hay. Petitions for freedom could break slave families apart. While families may have had the goal of buying other relatives left on the plantations after being freed, the opportunities would have been difficult. This opportunity never arrived for Sally Baker. After appearing for her first day in court, the following day ended when Sally "voluntarily agreed to withdraw her petition and she [was] thereupon delivered into the custody of the Defense."[107] Documents show Sally, at some point had been "at large" but whether or not it means she ran away for a period is not known. The final document of the case suggests to the idea. One of the documents begins by stating the case has been dismissed, with legal fines and jail time, where slaves were held for protection before court dates, being paid by George Hay. This commonly occurred during this time in order to discourage slave holders or lawyers, who were at time forced to pay the fines, from aiding slaves in their petitions, and the rates continually increased throughout the period in order to strengthen the punishment. It continues:

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[107] Sally Baker and her children v. Hay and Cayce, Washington D.C. Circuit Court (May Term 1826).

The petitioners agree to surrender themselves to George Hay and return with him peacefully and quietly to his home in Virginia. He on is part promises to forgive what is past and if Sally behaves herself will treat her with kindness. The petitioner Sally with having her rights and her situation fully explained and stated by her counsel and friends freely voluntarily and with any fear or compulsion in open Court waives her claim for freedom under the forgoing conditions.[108]

The conditions creating this situation will never be truly known, but the pressure put on Sally, knowing her children were involved, raises questions. Why would a slave have the resistant and desire for freedom, shown by the courageous desire to petition the courts, but end her opportunity at independence in the passive means of retreat? Daniel Jones, a slave who petitioned for his freedom against James Bosley argued he had been held illegally in Washington D.C. While his documentation looks similar to many of the other cases occurring during this time frame, one small slip of paper shows the obvious truth of slaver owner power. It reads "please withdraw the petition of Daniel Jones against James Bosley."[109]

A number of slaves who petitioned with their children did so hoping to prove their lineage to a free white woman, more so because the lineage made the possible opportunities for children to obtain their freedom as well. If a mother could prove her freedom by descent from a free white woman, the same descent could be then said about the children. Rachel Lyons petitioned against Richard Johnson and while the argument made still concerned the ancestral background of the petitioner, the reality of slave handlings and quick transactions between owners also emerges. Documentation shows Rachel and her children were held by Richard M. Johnson and were "informed they were sold by a certain Joseph White Claggett, who unlawfully retained them in slavery until the said sale."[110] Chances are Claggett knew of the possibilities Rachel and her children would eventually bring him to court and instead of taking the chance of being ruled against and paying fines and legal costs, he sold the family before they were able to plead the courts. Ironically years later a slave by the name of Phyllis Clagget petitioned for

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[108] Sally Baker and her children v. Hay and Cayce, Washington D.C. Circuit Court (May Term 1826).
[109] Daniel Jones v. James Bosley, Washington D.C. Circuit Court (December Term 1825).
[110] Rachel Lyons and her children v. Richard M. Johnson, Washington D.C. Circuit Court (June Term 1812).

freedom with her children against Ann Gibson and while little documentation still exists from the case the last name may not be coincidence. In 1822, right before the peak of the slave petitions and in the midst of the greatest number of these petitions, Kitty Shorter, on behalf of herself and her infant children William and Nancy, petitioned against Daniel Rapine. Kitty stated her and her children were "free persons descended in the female line direct from a free white woman and are unjustly held in slavery."[111] Just like many slaves before and after the Shorter family "prayed for a writ of subpoena" to be sent to Daniel Rapine so they could earn their opportunity in court. In fact, of the cases involving children on the docket none of the petitioners listed were men. All the children brought to court were accompanied by their mothers because of the direct lineage argument. Overall in Washington D.C., eighteen children were listed on the docket between 1810 and 1830. It became the quickest method in which to free children, as the mother's lineage also could be proven and accepted in a court of law. In fact, very few men and women were linked together on court cases.

The occurrence of a petition of independence which included both a male and female slave only occurred three times during the area of study in Washington D.C, yet the desire to stay together made it difficult to find independence together. Male and female slaves rarely, if ever under some owners, acted and worked in the same environment and therefore two separate narratives often were created. Male slaves were transported between plantations and across state lines in order to meet the immediate needs of the master or the master's family. The needs and wants of the enslaved were never taken into account when being shipped across the Maryland state line to a Virginia planation. The transportation of slaves in the Chesapeake stretched across the territory. Females slave were shipped to all areas of the Chesapeake to follow the wives and daughters of slave holders.

In 1811, a case arose involving a male and female on the same docket not involving marriage vows or a parental connection. John and Serena petitioned for their freedom against

[111] Kitty Shorter and her infant children v. Daniel Rapine, Washington D.C. Circuit Court (May Term 1824).

Henry Moscross as “two infant children under the age of 21” stating they were “illegally held in slavery by [him] contrary to law and against justice, equity, and good conscience.”[112] The petition documentation contains a dedication to the ideals of the Revolution in pleading the courts. John and Serena’s lawyer stated the children deserve by both “law and equity deserve their freedom.” Consistently stating throughout the beliefs of the Revolution, John and Serena’s lawyer fought to make the line clear between slavery and freedom, one which continued to muddle the legal waters. In this early case the emotions and recognizance of the free African American community which had only just emerged a decade before, the sentiments of Enlightenment ideals run thick through the legal jargon in this case. The case brought before the Court by John Stevens, the siblings “nearest friend,” demonstrated a rare case in which two petitions could be included on the same docket with seemingly the same story. While little exists to explain the narrative of John and Serena’s case, we know that is their first petition failed. They enter the court again in 1814. A lack of evidence did sometimes pose a problem for an entire family who pled for their innocence. Frank and Maria Jennifer were also placed on the same docket that they were illegally held and might be “carried off to a distance” outside of the district, but their fate also remains unknown.[113]

Francis Scott Key returned to the Washington D.C. circuit court in 1816 as he aided Joe and Nell Thompson, stating their freedom against John Thompson. Joe and Nell were granted their freedom under certain conditions in the will of John Thompson in the late eighteenth century. John Thompson structured a will which granted acres of his land to his wife and siblings while granting money ranging from upwards of one hundred dollars to his nieces and nephews. Thompson clearly states in his will after granting one-third of his land and property during his natural life to his wife “in case my Said wife should not be delivered of a child or children in the time aforesaid, then and in that case I give unto my following named slaves their freedom and

[112] John and Serena v. Henry Moscross, Washington D.C. Circuit Court (June Term 1814).
[113] Negroes Frank and Maria Jennifer v. Thomas Ewell, Washington D.C. Circuit Court (May Term 1827).

liberty after ten years servitude after my death to wit."[114] As the case involved the will of the John Thompson a majority of the paperwork which still exists examining the financial records of John and what debts he had left at the time of his death. As shown previously, slaves were sometimes sold in order to pay off debts a slave holder had accrued over a lifetime. Those not settled at the time of his death were covered by the transaction of slaves, even if granted manumission in the same will. The actions of John Thompson can be seen in two ways. Thompson could have used term slavery in order to prolong servitude. Or he could have built in a time frame for his wife to settle financial and property issues while holding onto a slave labor force. Term slavery became a "buffer zone" which allowed a period of ease from a period of higher levels of employment and labor to a life of having little or none of her previous life. After the ten years of term slavery ended, his widow Elizabeth was directedhave freed "Joe, Henry the blacksmith, Toby, Sarah, Joe the blacksmith and Nell his wife, also giv[ing] unto the whole of my other slaves who at my death are under the age of twenty-five years their liberty and freedom when they respectively reach the age of thirty-five".[115] Slaves over twenty-five had five years of servitude and those over the age of forty-five would remain in servitude "until their natural lives." Thompson stated he would support these slaves over forty-five as society in general felt the contributions free African Americans could make to society following this age were small and free African Americans might become welfare burdens. Either in order to accrue money during a period of financial strain or to purge the property Elizabeth could not handle, Joe and Nelly Thompson and their infant son were sold to Walter Clarke. More than likely as lawyers spent time creating massive amounts of evidence examining the debts owed by her husband she had or wanted to sell their enslaved African Americans in order to settle the debt. Elizabeth Thompson stated in court she "renounced and quit all claims to any bequest made by the last will and testament of my husband." Joe and Nelly's status became a question of numbers and the amount of debt their

[114] Joe and Nelly Thompson v. Walter Clarke, Washington D.C. Circuit Court (December Term 1817).
[115] Joe and Nelly Thompson v. Walter Clarke, Washington D.C. Circuit Court (December Term 1817).

owner had accrued. This case was the only case in which a whole family petitioned for freedom. Without petitions Joe and Nelly would have never had the opportunity to argue their freedom.

Figure 3.3 – Percentage of petitioners based on gender

As striking and dramatic as the case is between Joe and Nelly and their infant, the whole family rarely pled together. In fact, only three instances of a slave's petitioning together occurred during this time period. The majority of slave petitioning for freedom did so individually because their situations lent to the fact. While children were included on the docket in nineteen cases, these instances were the greatest occurrences of multiple petitioners on a single case. The separation in the District Courts was not built on a line of gender, instead on a decision of evidence. As has been stated in previous sections of this thesis male and female slave were dedicated with different responsibilities but the conditions in the Chesapeake led to an increase and movement of slaves in the region no matter gender. Because of this fact, the rate at which women and men petitioned for freedom is strikingly similar. No gender can be called the majority as both were placed in circumstances which broke Chesapeake laws and promoted freedom suits. Examining the divisions of gender also shows no gender felt a greater pressure to petition.

Examining both the role of females slaves and multiple petitioners is the case of Negroes Lucy and Matilda, who petitioned against George Mason, most likely not the "Founding Father". Many times slaves were given the surname of their masters but many slaves selected a surname of a slave who had been previously freed and were hoping to gain their own independence by ancestral means. George Mason passed away by the time Lucy and Matilda were able to petition and were sold to other individuals before H. Mitchell. Yet, under the ownership of the George Mason and other masters the slaves were transported all across the Chesapeake. It began in 1792 in Charles County, Maryland when they were moved out of the region to "Fairfax County in the State of Virginia" when the slaves were held by Doretor Crank. They were then removed to "Alexandria County in the State of Virginia" for about six years and then another "two years in Washington County."[116] Now both slaves were worried about the possible movement outside of the District and outside of the "jurisdiction of these courts." At some point during these transitions the slaves were sold and placed under the will and testament of another owner who if he passed away, split all of slave between his two daughters, and if they were sold they must "be sold for a term of years, they must be sold for life". Again the movement of slaves across the landscape of the Chesapeake and the continuing trade for slaves in the region aggravated the chance for slave owners to break the law. Lucy and Matilda had seen a life of slavery and earned little respect or independence, even as some masters ensured their independence would never be granted, but the court system gave them a medium for freedom.

Courts did have confusion with who the true defendant was and who should be summoned to court. The occurrence of quick sales and greater transportation of slaves led to a confusion amongst the courts, lawyers, and even the petitions. When Rebecca Wallace petitioned against two slave owners with the last names of Wallace and Dallerhide, she attempted to show she had been illegally held in slavery. While originally the case had been issued against Wallace, the case "was dismissed [for] this petition of freedom against W. Dallerhide, reclaiming it against

[116] Negroes Lucy & Matilda v. G. Mason and H. Mitchell, Washington D.C. Circuit Court (April Term 1823).

Wallace, who was the party claiming the petitioner."[117] In some circumstances, the name of the slave owner did become known fact under the petitions, showing the openness of the District courts to accept petitions with little information about the actual events. In 1815, Rosanna Brown, "a black women" petitioned she had been illegally held in confinement by a slave holder with the last name of Bennett. All court documents relating to the case left an area blank in front of the surname Bennett, anticipating at some point it would eventually be filled with a first name. The opportunity never came for Rosanna Brown, as the "said Bennett" never appeared in court and remained anonymous.[118] In the same manner when Cordelia Wilson petitioned for her freedom in 1815, with the aid of Francis Scott Key against George Miller originally, but also an individual with the last name of "Brown". Wilson argued she had been "illegally held in slavery by Brown, now under the house of George Miller" and Brown "was about to carry her away by force from the District and out of the jurisdiction of this honorable court."[119] The fate of Rosanna Brown probably matched the one of Cordelia Wilson as the mysterious "Brown" never was given a full name.

Sarah Davis, again using the popular surname used throughout the District Circuit Court, petitioned against James Clarkee. Davis claimed her independence derived from the fact "having been born to parents entitled to the same freedom."[120] Sarah likely attempted to use the same path to freedom as those slaves with the surname "Davis" before her. As Sarah petitioned for her freedom in the early 1810's, during the same time period as many of the other "Davis" family, the interconnections must be assumed, whether factual or created lineage did exist. In the case of Fanny Tarlton against Cartwright Tippet, the case was simple. In court records Fanny claimed Cartwright "had not actually settled himself as a permanent resident there but still remained their undecided, as to the duration of his residence."[121] While these cases present few complications

[117] Rebecca Rawlings v. W. Wallace and J. Dallerhide, Washington D.C. Circuit Court (December Term 1828).
[118] Rosanna Brown v. Bennett, Washington D.C. Circuit Court (December Term 1815).
[119] Cordelia Wilson v. Brown and George Miller, Washington D.C. Circuit Court (December Term 1815).
[120] Sarah Davis v. James Clerkee, Washington D.C. Circuit Court (December Term 1811).
[121] Fanny Tarlton against Cartwright Tippett, Washington D.C. Circuit Court (May Term 1824).

and difficulties, the story becomes no less important. Slaves who claimed slave holders breaking the law took their case to the courts, with no other evidence than their will for freedom and a case of broken laws. The female gender shows no differences or disparities in the male population and there in turn creates the unique situation in Washington D.C. The simplicity does not discourage the actions of the enslaved community in Washington D.C.

Male slaves were still held in jail before the case to ensure masters would not sell their slaves and were still held in jail afterwards until their owners were financially able to retrieve their "property". John Reid's slave David Randall, after petitioning his case, was "detained in [the Marshall's] custody until the said defendant shall enter into the annual recognizance according to law."[122] The ability of a master to pay this fee, which had increased from $500 in the time of greater African American independence, usually lent to whether or not a slave owner could claim his slave back for his ownership.[123] The Washington D.C. Circuit Court still became a haven for male slaves as well as they tried to break away from the years of bondage. In 1826, a slave registered in the court documents as Negro William "fled to this court for protection" and claiming his freedom the Marshall held him for protection and sent a subpoena for his master, John L. Alford. Whether William was confused of his direct ownership, the defendant states "he never had or claimed any right, little interest in the petitioner, and never had him in possession." This also occurred with John Coburn who stated he had never held the slave in possession. Court documents show William being owned by a Christopher Estes only through the fact he had administered the will of a Doctor Habell, with evidence showing William had been owned by the doctor. William claimed his mother had been freed by the Doctor but witnesses for the defense stated "she was held in slavery . . . never heard she was free of claimed freedom." No one had heard of William's independence "until since bring of this suit."[124] No evidence ever existed of

[122] David Randall v. John Reid, Washington D.C. Circuit Court (April Term 1823).
[123] John Joseph Condon, *Manumission, slavery and family in the post-revolutionary rural Chesapeake: Anne Arundel County, Maryland, 1781-1831*, (Minneapolis : University of Minnesota Press 2001) 33.
[124] Negro William v. George Milburn et. al, Washington D.C. Circuit Court (May Term 1826).

the ancestral freedom of Negro William, and because of this finding, his fate was left to be determined by the will of his owner and the administrator of the will.

Male slaves were still denied their freedom even after manumission had been granted to them by a benevolent slave holder. While the case brought against George Kirby seems typical of the Washington D.C. court system, having a similar structure to other petitioned cases, it does have a unique circumstance to the petition. George Kirby was summoned to court because those arguing against him were "entitled to their freedom under the last will and testament of their late master John Kirby." George, most likely the son of John, did not grant his father's wishes and held six slaves now petitioning against him. This was the highest number of slaves to petition at one time: Adam Wigle, Rachel Wigle, Harry Wigle, Nace Johnson, Nancy Johnson, and William Forrest.[125] Slave owners were still as resistant and sometimes deviant in their efforts to ensure their slaves did not earn the freedom they did not want to grant. Henry Ober, William Ober, Emily Ober, Francis Washington Ober, Thomas Ober, and David Ober in the case the includes six enslaved on the same petition, argued their freedom against Henry Talbot. Stating they all were "illegally held in bondage . . . contrary to law and [pray] to give petitioners just rights and are not threatening to be sold into slavery out of this District by some foreign purchasers." While Talbot may have been moving to sell his slaves out of the region, he did attempt to break the law to the collective his slave's attempt at independence. Not only did Talbot move the slaves to a third house before the court case occurred, after the subpoena had been issued he began "moving for the concealment of the said Talbot."[126] Henry Talbot did his best to ensure these slaves would not be granted their independence, including running from the law. Because of the freedom petitions submitted by enslaved African Americans, slaveholders had to amend their actions and alter their management practices.

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[125] Henry Wigle et. al v. George Kirby, Washington D.C. Circuit Court (May Term 1829).
[126] Henry Wigle et. al v. George Kirby, Washington D.C. Circuit Court (May Term 1829).

Situations still arose which marked the unique nature of the Chesapeake as well and the engrained nature of slavery into all sections of society. The desirous location of the capital and many other locations in Virginia and Maryland made the region an important area for the shipping trade but also the United States Navy. Following the War of 1812 with the British, a greater desire to have a naval presence in the Chesapeake Bay existed and with a greater military force existing, a greater need for an enslaved labor force also occurred. These ideas can be seen in the court case of James Hutton against William Belt. A slave presence existed on naval ships, most likely doing the same jobs as free African Americans described in previous chapters, but under the ownership of masters. Francis Scott Key argued the belief slaves could be brought onto United States Naval Ships, in this case the *Columbus*, as "an order of the Navy Department prohibit[ed] the taking into U.S. service on board the ships of war any other than free men".[127] The case of James Hutton centered on whether or not slaves could be placed on navy ships, working under the banner of the United States military. Moving through waters from America to Britain and back, the *Columbus* held James Hutton as one of its crew nearly a decade after the War of 1812, but its importance still existed. The argument was based around the idea slaves "are sometimes employed as servants to officer whom they belong, they are entered on the ship . . . as free persons."[128]

Male slaves were still transported across the Chesapeake with little thought taken to the illegalities of their actions or the consequences which could occur if a slave took their master to court. Dennis Wright petitioned during the peak of slave court appearances in the 1820's when he petitioned against his owners E. Robinson and R. Taylor. Under the Act of Assembly in Maryland in 1796, a slave could not be brought to the state to be sold, but in 1811 Thomas Tiplett died and while Dennis was supposed to stay in the ownership of the family at some point he ended up in the District with another slave holder. Wright had been brought to Washington by his slave holder

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[127] James Hutton v. William Belt, Washington D.C. Circuit Court (May Term 1825).
[128] James Hutton v. William Belt, Washington D.C. Circuit Court (May Term 1825).

without “any of the provisions, executions, under the said Act”.[129] The complications and criminalities against slaves continued across gender. Both men and women became legal actors in Washington D.C. courts, taking on roles which had been denied to them. The presence of the Washington D.C. courts allowed slaves to assume legal characters, a position they had been able to take. Petitions became a necessary method of independence for slaves, one which created situations of interaction and opportunity. Owners, who were willing to fight to keep their enslaved, were likely to ensure they separated themselves from the African American community. Petitions forced the connection between the enslaved and their slave holders.

It seems fitting to end the analysis of the resiliency of slaves in Washington D.C. during the 1820’s through freedom suits by closing with the narrative of the Humphrey family. No other family in the District petitioned more for their freedom collectively than the Humphrey’s. While there were many slaves with the surname “Davis” who petitioned in the courts, the Humphrey name continually appeared on the docket. All of the members of the Humphrey’s family: Esther, James, Wood, Nace and Nace Jr., petitioned for freedom more than once. Esther Humphrey petitioned for her freedom four times against John Lambert in the 1820’s. Esther petitioned for her freedom in at least one court term, each year between the years 1820-1824, much like the other petitioners in the Humphrey clan. In every single case Esther was denied her independence and the only court documents existing, or possibly ever written, are the summons slips unsuccessfully calling for John Lambert to appear in the Circuit Court.[130] James Humphrey petitioned the fewest times out of the group but his results were still the same. James petitioned against Henry Roberts three times, every time being denied his freedom.[131] Wood Humphrey used the same method Esther used when petitioning for her freedom, by arguing at least one term between the years 1820 and 1824.[132] William Berry was summoned to court four times by Wood

[129] David Wright v. E. Robinson and R. Taylor, Washington D.C. Circuit Court (December Term 1823).
[130] Esther Humphrey v. John Lambert, Washington D.C. Circuit Court (December Term 1824).
[131] James Humphrey v. Henry Roberts, Washington D.C. Circuit Court (December Term 1824).
[132] Wood Humphrey v. William Berry, Washington D.C. Circuit Court (December Term 1824).

in an effort to gain his freedom from the slave owner. With all of these cases the only evidence left is the court summons. Little evidence could be found connecting these three individuals to freedom, and therefore probably the courts never took the case to trial. While the may have been heard under evidence accepted in Maryland or Virginia courts in the past, like hearsay evidence, in this restrictive environment, more substantiated proof was needed. The courts could not allow a greater number of free African Americans into society without being absolutely sure they "belonged" there. Finally Nace Humphrey and his son Nace Humphries Jr., became the last slave to file a plea in the family. Nace and his son petitioned for freedom more than any slave in Washington D.C. during this time period. Nace Jr., like his other relatives petitioned four times, also against William Berry, while his father petitioned eight times against John B. Lambert, a familiar name, and John Boswell. While Nace Jr. suffered the same fate as previous members of the Humphrey family, Nace was the one member who has court documentation examining his case. Yet, even this record remains small, only stating Nace was "illegally held in bondage."[133] The Humphrey family exemplifies the use of slave petitions to agitate slaveholders in the Chesapeake. Even with a track record of failed petitions the Humphrey family still continued to sue and use the court system as a method of rebellion.

[133] Nace Humphrey v. John Boswell, Washington D.C. Circuit Court (December Term 1824).

Conclusion

- The Ruling -
Living With and Understanding the Nineteenth Century Verdict

The outcomes and rulings of these cases remain largely non-existent. The goal of this thesis was not to examine the success rate or the suppression of slaves who did petition for their freedom. This thesis examines the reasons and narratives behind the increase in the number of petitions in the Washington D.C. jurisdiction and the legal resistance from the enslaved. Had this means of independence not been granted to enslaved African Americans, freedom could have been a tougher arrangement to gain for many African Americans. The destruction of paths to freedom could have broken the will of African Americans and continued the discouragement of the general free black population. The Washington D.C. court system provided slaves a voice. While the act of petitioning the courts could be seen as another method of freedom controlled by the white majority of society, the actions were as unique as the consequences. This gives little credit to enslaved and freed African Americans in the Chesapeake and suppresses the narratives of courage occurring during this time frame in history. Adding to the historiography of slave manumission and freedom creates a fuller picture; one of which provides a fleshed narrative of opposition through a unique method. Slave petitioning through a system controlled by the majority does create a courageous method in an environment described by even those aiding in petitioning as hostile and perilous to free African Americans.

Placing the freedom petitions into context and amongst the historical and social events of the early national period in the Chesapeake explains the increase in the number of suits entering the court system. In an environment which welcomed slaves during a time of ideological equality and then gradually close off their freedom led to a consequence whites were not anticipating: a greater sense of disruption in the slave community. While many believed freeing more slaves would lead America down to a quicker path of slave rebellion but when examining petitions as a form of resistance, the confrontation only increased after slave suppression. The concept of slave

petitions more than likely increased the number of quick sales occurring in the Chesapeake, as cases have shown. Petitioners had to struggle in order to keep their movement and ownership correct because of the constant change. These petitions changed the landscape and viewpoint of slavery. More people were exposed to slavery and African American then would have, if freedom petition were eliminated as a viable option. While their impact may have not been felt by the entire population, the knowledge slaves could argue their freedom most. The constant use of freedom petitions be enslaved African Americans became a more viable option to not only obtain freedom in the Chesapeake, but also agitate the white majority and community of slaveholders. Slave petitions became a tool for rebellion by the enslaved to agitate and aggravate the individuals and communities which has restricted their rights and taken their freedoms.

Examining this bridge between slavery and freedom and the strengthening of this event as decades progressed in the nineteenth century allows the narratives and historiography of slaves to be strengthened. The will and desire of slaves to enter the free black community which emerged after the American Revolution can be seen in the petitions placed the circuit court in Washington D.C. As a proactive method, no matter the success rate, freedom petitions and those slaves who submitted those in to the court system prove an essence of resistance to the goals of the Chesapeake legislatures. The increase occurring in Washington D.C. must be seen as positive. These petitions are an examination of the determination and must be understood to continue the discovery of the modes of resistance found in the slave populations of the Chesapeake.

Appendix

These are the cases listed in the index of the Circuit Court of Washington D.C. between 1810 and 1830. The remnants of some of these cases are no longer existent and the list does not include the verdict of any of these cases.

June Term 1810

Mima Queen v. John Hepburn
Alexia Queen v. John Davis
Margaret Joes and children v. Fellow Hewes
Isaac and Edward Davis v. John Travis

December Term 1810

No cases listed

June Term 1811

Negro Ben v. Sabrett Scott
Susan Bordley and her children v. Anne Tilley
Michael and Anthony Oakley v. Notley Young
Loeticia and Rachael Davis v. Rebecca Forrest
Negress Patty et al. v. Thomas and Gerrard Greenfield
Ann Davis and her children v. Thomas Minifee
Negro Ann v. Elisha W. Williams
Davy Davis v. James Cassin
Sarah Davis v. James Clerkee
George Davis v. Mary Young

June Term 1812

Negro Joe v. George Chapman
John and Serena v. Henry Moscross
Esther Bradley v. Elizabeth Wilson
Rachel Lyons and her children v. Richard M. Johnson

June Term 1813

Priscilla Queen v. Francis Neale
Hester Queen v. J. Nevitt and R. Nally
Matilda Gray and her children v. Mary Ann Pic

December Term 1813

Negro Rachel and her child v. Jonathan Morris

June Term 1814

Negro John and Serena v. Henry Moscross
Negro Lucy and her children v. John and Nathan Somers

Negro Rachel and her children v. Henry Jarvis
Sally Henry v. Henry Ball
Emmanuel Gasbury v. Henry W. Ball
"Violet a woman of Colour and her children v. Henry W. Ball
John McCloud v. Esias Travers
John Bradley v. Pendleton Heronimus

December Term 1814

Priscilla Graham and her children v. Redmond Gracey

June Term 1815

Negro Lucy and her children v. Stephen Cooke

December Term 1815

Cordelia Wilson v. Brown
Rosanna Brown v. Bennett
John Parker v. Offutt
Negro Delia and her children v. Thomas Offutt

December Term 1816

Negro Morris v. George Miller
William Ethington v. William Crawford

June Term 1817

Negro Cato v. Thomas Offutt Jr.
Morris Peer v. J. Davis and J. Kincaid

December Term 1817

Joe and Nelly Thompson and Sarah their infant v. Walter Clarke

December Term 1818

Samuel Bias v. John Rose
Jenny Thompson v. Joseph Clarke
James Thompson v. Electius Spalding

December Term 1819

Luke Wormley v. Smith Cock

June Term 1820

Negro Arnold v. George N. Thomas

April Term 1821

Jack Garretson et. al. v. Janet Lingan
Rezin Wooten v. James Smith

October Term 1821

Richard Johnson v. Janet Lingan
Richard Luckett v. Janet Lingan

April term 1822

Negro Isaac v. Bennet Jarboe
Negro Daniel v. Ballard
Negro Chloe and children v. William Marbury

October Term 1822

Negro Leonna and child v. John Pumphrey
Negro Charlotte v. Tobiass Watkins
Robert Healy v. Samuel Miller
Negro Isaac v. Alexander Talbott

April Term 1823

Negro Charlotte v. John Pumphrey
Nace Humphreys Jr. v. William Berry
Wood Humphreys v. William Berry
Nace Humphreys v. John Boswell
Nace Humphreys v. Henry Roberts
Negro Milly v. Basil Warring
Susan Smith v. Thomas Johns
Richard Johnson v. Janet Lingan
Richard Lucket v. Janet Lingan
David Randall v. John B. Reid
Vincent Garner v. Thompson Simpson
Negro Patty v. Charles Ratcliffe
William Jordan v. Lemuel Sawyer
Negro Milly v. Thomas Massey
Esther Humphreys v. John B. Lambert
Negroes Lucy and Matilda v. G. Mason and J. Mitchell
Negro Milly v. Basil Warring and G. Grant

October Term 1823

Joseph Burke v. Rachel Hoskins
Basil Wells v. Ignatius Young
Nace Humphreys Jr. v. William Berry
Wood Humphreys v. William Berry
Nace Humphreys v. John B. Lambert
Nace Humphreys v. John Boswell
James Humphreys v. Henry Roberts

Susan Smith v. Thomas Johns
Richard Johnson v. Janet Lingan
Richard Luckett v. Janet Lingan
Negro Patty v. Charles Ratcliffe
Jane Sims v. Benjamin King
Esther Humphreys v. John B. Lambert
Negro Fanny and children v. Thomas Quantrill
Dennis Wright v. E. Robinson and R. Taylor
Negro Amelia v. E.B. Caldwell
William Berry v. James Symington
Negro Lucy and child v. Clement Smith

April Term 1824

Joseph Burke v. Rachel Hoskins
Nace Humphreys Jr. v. William Berry
Wood Humphreys v. William Berry
Nace Humphreys v. John B. Lambert
Nace Humphreys v. John Boswell
James Humphreys v. Henry Roberts
Susan Smith v. Thomas Johns
Richard Johnson v. Janet Lingan
Richard Luckett v. Janet Lingan
Negro Patty v. Charles Ratcliffe
Esther Humphreys v. John B. Lambert
Kitty Shorter and her infant child v. Daniel Rapine
William Jordan v. Lemuel Sawyer
Fanny Tarlton v. Cartwright Tippett

December Term 1824

John Bacchus Burvill v. William Melvin
George Hunter v. William M. and Zadock Offutt
Millie Bowie v. William M. and Zadock Offutt
Joseph Burke v. Rachel Hoskins
Nace Humphreys Jr. v. William Berry
Wood Humphreys v. William Berry
Nace Humphreys v. John B. Lambert
Nace Humphreys v. John Boswell
James Humphreys v. Henry Roberts
Susan Smith v. Thomas Johns
Richard Johnson v. Janet Lingan
Richard Luckett v. Janet Lingan
Negro Patty v. Charles Ratcliffe
Esther Humphreys v. John Lambert
Negro Rebecca and her children v. Lloyd Pumphrey
Gill Letchworth v. Zadock Wilson

Milford Foote v. John B. Armstead

May Term 1825

Negress Eliza v. William Hayman and John Wetzell
James Hutton v. William I. Belt
George Hunter v. William M. and Zadock Offutt
Millie Bowie v. William M. and Zadock Offutt
Negro Leanna and child v. Lloyd Pumphrey
Prince Gray v. Joel T. Haskins
Prince Gray v. Catharine Linn
Negro Rebecca and child v. Lloyd Pumphrey

December Term 1825

Daniel Jones v. James R. Bosley
George Hunter v. William M. and Zadock Offutt
Millie Bowie v. William M. and Zadock Offutt

May Term 1826

Negro George v. Gabriel Adams
George Hunter v. William M. and Zadock Offutt
Millie Bowie v. William M. and Zadock Offutt
Prince Gray v. Joel T. Gustine
David Africana v. John Strother
Sally Baker and children v. Hay and Cayce
Letty Brown and child v. John Lowe
Negro William v. George Milburn et. al.

December Term 1826

Negro William v. Alford
Negro George v. Gabrield Adams
Nace Humphreys v. John B. Lambert
Lizett Lee v. Augustus Preuss
Janette Lee v. Augustus Preuss
Nancy Lee v. Augustus Preuss
Prince Gray v. Catharine Linn
Travers Dixon v. William Herbert

May Term 1827

Negro David v. James Hutchinson

John Baptist Lee v. Augustus Preuss
Negro George v. Gabriel Adams
Lizett Lee v. Augustus Preuss
Janette Lee v. Augustus Preuss
Nancy Lee v. Augustus Preuss
Negro Betsy v. George McCandless
Sylvia Lee v. Elizabeth Smallwood
Negros Frank and Maria Jennifer v. Thomas Ewell

December Term 1827

Richard Hall v. Abraham Vanmetre

May Term 1828

Louisa Johnson v. Milo Mason
Abraham Smith v. John Lyons
Robert Loyal v. Benjamin Lewis
John Battle v. Thomas Miller
Negro James v. Ignatius Newton

December Term 1828

Christopher Harris v. Penelope B. Alexander
Henry Ober et. al. v. Henry Talbott
Negro George v. Gabriel Adams
Rebecca Rawlings v. W. Wallace and J. Dallerhide
Mason and Moore v. Matlida Derrick and children
Negro Ben v. James Moore
Phyllis Clagett and children v. Ann Gibson
Abraham Smith v John Lyons

May Term 1829

Henry Wigle et. al. v. George Kirby
John Lee v. William Dent
Negro Ann Williamson v. George Miller
Christopher Harris v. Robert Rowley

December Term 1829

Maria White v. Joseph M. White
Richard H. Williams

May Term 1830

Nancy Cox v. James Cox
Sylvia Lee v. Elizabeth Smallwood
James Smith v. Walter Newton
Negro Charlotte and children v. Henry Clay
William Green v. Elisha Jewel

December Term 1830

Susan Wilson v. William Addison
Sylvia Lee v. Elizabeth Smallwood
Negro Gerrard v. Zachariah Cox
Ann Williams and her children v. George Miller
Negro Mary and child v. Lewis Talburt

Bibliography

Primary Sources

Duvall, Gabriel. Supreme Court Dissent. *Mima Queen and child v. John Hepburn*. (1813)

Marshall, John. Supreme Court Opinion. *Mima Queen and child v. John Hepburn*. (1813)

Maryland Law 1681 – Chapter 4

Secondary Sources

Brown, Letitia Wood. *Free Negroes in the District of Columbia 1790-1846* (New York: Oxford University Press, 1972).

Brown , Letitia Wood., "Residence Patterns of Negroes in the District of Columbia, 1800-1860". *Records of the Columbia Historical Society*. Volume 69/70, Winter 1969/1970

Corrigan, Mary Beth. "Imaginary Cruelties: A History of Slave Trade in Washington D.C." *Washington History.* 13:2. (2001/2).

Egerton, Douglas R. *Gabriel's Rebellion: The Virginia Slave Conspiracies of 1800 and 1802* (Chapel Hill: The University of North Carolina Press, 1993).

Ely, Melvin Patrick. *Israel on the Appomattox: A Southern Experiment in Black Freedom from the 1790's Through the Civil War,* (New York: Alfred A. Knopf Press).

George, John Alonza. "Virginia Loyalists," *Richmond College Historical Papers*, Volume 1 (Number 2, 1916).

Harris Jr., Thomas. and McHenry, John. Maryland Reports: Being A Series of the Most Important Law Cases in the General Court and Court of Appeals of the State of Maryland from May, 1780 to May, 1790, Volume Two. (New York: C. Wiley, 1812), Mary Butler v. Adam Craig

Heimowitz, Carol and Michaele Weissman, *A History of Women in America,* (New York: Bantan Publishers, 1984).

Jewett, Clayton E. and John O. Allen. *Slavery in the South: A State-by-State History* (Westport: Greenwood Press: 2004).

Johnson, Janet Bassett (1972). *Robert Alexander, Maryland Loyalist* (New Jersey: Gregg Press, 1972).

Klebaner, Benjamin Joseph. "American Manumission Laws and the Responsibility for Supporting Slaves". *The Virginia Magazine of History and Biography*. Vol. 63, No. 4, October 1955.

Kulikoff, Allan. *Tobacco and Slaves: The Development of Southern Cultures in the Chesapeake 1680-1800*, (Chapel Hill: The University of North Carolina Press 1986).

MacLeod, Duncan J., *Slavery, Race, and the American Revolution*, (Cambridge: Cambridge University Press, 1975).

Madison, James. *The Federalist Papers.* Number 43

McGraw, Barbara, *Rediscovering America's Sacred Ground: Public Religion and Pursuit of the Good in a Pluralistic America* (New York: State University of New York Press, 2003).

Morgan, Phillip D., *Slave Counterpoint: Black Culture in the Eighteenth Century Chesapeake and Low Country,* (Chapel Hill: The University of North Carolina Press 1998).

Paine, Thomas (1777). The American Crisis, No. 4, September 11, 1777

Outram, Dorinda, *The Enlightenment* (Cambridge: Cambridge University Press, 2005).

Sparks, Randy J. *Paths to Freedom: Slavery and Manumission in the Atlantic.* (Chapel Hill: University of South Carolina Press. 2009).

Tang, Joyce. "Enslaved African Rebellions in Virginia". *Journal of Black Studies.* Volume 27, No 5. (May, 1997).

Whitman, Stephen T., *The Price of Freedom: Slavery and Manumission in Baltimore and Early National Maryland* (New York: Routledge Publishers, 1996).

Wilson, Carol. *Freedom at Risk: The Kidnapping of Free Slaves in America 1780-1865* (Lexington: University of Kentucky Press, 1994).

Wolf, Eva Sheppard. *Race and Liberty in the New Nation: Emancipation in Virginia from the Revolution to Nat Turner's Rebellion* (Baton Rouge: Louisiana State University Press, 2006).

Wong, Edlie L., *Neither Fugitive Nor Free: Atlantic Slavery, Freedom Suits, and the Legal Culture of Travel.* (New York: New York University Press, 2009).

Wood, Gordon. *Empire of Liberty: A History of the Early Republic 1789-1815,* Oxford University Press: New York, (2010).

Wood, Gordon. *The American Revolution* (Random House: Toronto, 2002).