

Emancipation and Manumission in Revolutionary America

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Contents:

1. African Americans' Petition to Massachusetts Legislature, Jan. 13, 1777
2. Declaration of Rights, Vermont Constitution, 1777
3. "An Act for the Gradual Abolition of Slavery, Pennsylvania, 1780.
4. The Quock Walker case: "Instructions to the Jury," 1783
5. Thomas Jefferson's autobiography, 1821, commenting on his work to revise the laws of Virginia beginning in 1777
6. "An act to authorize the manumission of slaves," May, 1782.
7. Overview of Manumission in Eight Virginia Counties
8. Some Examples of Manumission Documents, Virginia
9. Alabama Constitution excerpt, 1819

1) African Americans' Petition to Massachusetts Legislature, Jan. 13, 1777

"To the Honorable Counsel & House of Representatives for the State of Massachusetts Bay in General Court assembled, January 13, 1777:

The petition of A Great Number of Blackes detained in a State of slavery in the bowels of a free & Christian County Humbly sheweth that your Petitioners apprehend that they have in Common with all other men a Natural and Unalienable Right to that freedom which the Great Parent of the Universe that Bestowed equally on all mankind and which they have Never forfeited by any Compact or agreement whatever but that wher Unjustly Dragged by the hand of cruel Power and their Derest friends and sum of them Even torn from the Embraces of their tender Parents from A populous Pleasant and Plentiful country and in violation of Laws of Nature and of Nations and in Defiance of all the tender feelings of humanity Brough here Either to Be sold like Beast of burthen & Like them Condemned to Slavery for Life Among A People Professing the mild Religion of Jesus A people Not Insensible of the Secrets of Rational Being Nor without spirit to Resent the unjust endeavors of others to Reduce them to a state of Bondage and Subjugation your hononuer Need not to be informed that A Live of Slavery Like that of your petitioners Deprived of Every social privilege of Every thing Requisite and render Life Tolable is far worse that Nonexistence.

(In imitation) of the Lawdable Example of the Good People of these States your petitioners have Long and Patiently waited the Event of petition after petition. By them presented tot the Legislative Body of this state and cannot but with Grief Reflect that their Success hath been but too similar they Cannot but express their Astonishment that It have Never Bin Considered that Every Principle from which America has Acted in the Course of their unhappy Difficulties with Great Briton Pleads Stronger than A thousand arguments in favors of your petitioners they therfor humble Beseech your honours to give this petition its due weight and consideration & cause an act of the legislature to be past Wherby they may be Restored to the Enjoyments of that which is the Natural right of all men Dand their Children who wher Born in this Land of Liberty may not be held as Slaves after they arrive at the age of twenty one years so may the Inhabitance of this States No longer chargeable with the inconstancy of acting themselves that part which they condemn and oppose in others Be prospered in their present Glorious struggle for Liberty and have those Blessings to them, &c."

Courtesy of Massachusetts Archives, but I found this online at <http://www.pbs.org/wgbh/aia/part2/2h32t.html>

2) Vermont Constitution, 1777 (Vermont was admitted as a state, 1791)

[Preamble]

"CHAPTER I

A DECLARATION OF THE RIGHTS OF THE INHABITANTS OF THE STATE OF VERMONT

I. *THAT all men* are born equally free and independent, and have certain natural, inherent and unalienable rights, amongst which are the enjoying and defending life and liberty; acquiring, possessing and protecting property, and pursuing and obtaining happiness and safety. Therefore, no male person, born in this country, or brought from over sea, ought to be holden by law, to serve any person, as a servant, slave or apprentice, after he arrives to the age of twenty-one Years, nor female, in like manner, after she arrives to the age of eighteen years, unless they are bound by their own consent, after they arrive to such age, or bound by law, for the payment of debts, damages, fines, costs, or the like."

Copied from the Avalon Project website, http://avalon.law.yale.edu/18th_century/vt01.asp.

3) An Act for the Gradual Abolition of Slavery, Pennsylvania, 1780

“When we contemplate our Abhorrence of that Condition to which the Arms and Tyranny of Great Britain were exerted to reduce us, when we look back on the Variety of Dangers to which we have been exposed, and how miraculously our Wants in many Instances have been supplied and our Deliverances wrought, when even Hope and human fortitude have become unequal to the Conflict; we are unavoidably led to a serious and grateful Sense of the manifold Blessings which we have undeservedly received from the hand of that Being from whom every good and perfect Gift cometh. Impressed with these Ideas we conceive that it is our duty, and we rejoice that it is in our Power, to extend a Portion of that freedom to others, which hath been extended to us; and a Release from that State of Thralldom, to which we ourselves were tyrannically doomed, and from which we have now every Prospect of being delivered. It is not for us to enquire, why, in the Creation of Mankind, the Inhabitants of the several parts of the Earth, were distinguished by a difference in Feature or Complexion. It is sufficient to know that all are the Work of an Almighty Hand, We find in the distribution of the human Species, that the most fertile, as well as the most barren parts of the Earth are inhabited by Men of Complexions different from ours and from each other, from whence we may reasonably as well as religiously infer, that he, who placed them in their various Situations, hath extended equally his Care and Protection to all, and that it becometh not us to counteract his Mercies.

We esteem a peculiar Blessing granted to us, that we are enabled this Day to add one more Step to universal Civilization by removing as much as possible the Sorrows of those, who have lived in undeserved Bondage, and from which by the assumed Authority of the Kings of Britain, no effectual legal Relief could be obtained. Weaned by a long Course of Experience from those narrow Prejudices and Partialities we had imbibed, we find our Hearts enlarged with Kindness and Benevolence towards Men of all Conditions and Nations; and we conceive ourselves at this particular Period extraordinarily called upon by the Blessings which we have received, to manifest the Sincerity of our Profession and to give a substantial Proof of our Gratitude.

And whereas, the Condition of those Persons who have heretofore been denominated Negroe and Mulatto Slaves, has been attended with Circumstances which not only deprived them of the common Blessings that they were by Nature entitled to, but has cast them into the deepest Afflictions by an unnatural Separation and Sale of Husband and Wife from each other, and from their Children; an Injury the greatness of which can only be conceived, by supposing that we were in the same unhappy Case. In Justice therefore to Persons so unhappily circumstanced and who, having no Prospect before them whereon they may rest their Sorrows and their hopes have no reasonable Inducement to render that Service to Society, which they otherwise might; and also ingrateful Commemoration of our own happy Deliverance, from that State of unconditional Submission, to which we were doomed by the Tyranny of Britain.

Be it enacted and it is hereby enacted by the Representatives of the Freemen of the Commonwealth of Pennsylvania in General Assembly met and by the Authority of the same,

That all Persons, as well Negroes, and Mulattos, as others, who shall be born within this State, from and after the Passing of this Act, shall not be deemed and considered as Servants for Life or Slaves; and that all Servitude for Life or Slavery of Children in Consequence of the Slavery of their Mothers, in the Case of all Children born within this State from and after the passing of this Act as aforesaid, shall be, an hereby is, utterly taken away, extinguished and for ever abolished.

Provided always and be it further enacted by the Authority aforesaid, That every Negroe and Mulatto Child born within this State after the passing of this Act as aforesaid, who would in Case this Act had not been made, have been born a Servant for Years or life or a Slave, shall be deemed to be and shall be, by Virtue of this Act the Servant of such person or his or her Assigns, who would in such Case have been entitled to the Service of such Child until such Child shall attain unto the Age of twenty eight Years, in the manner and on the Conditions whereon Servants bound by Indenture for four Years are or may be retained and holden; and shall be liable to like Correction and punishment, and intitled to like Relief in case he or she be evilly treated by his or her master or Mistress; and to like Freedom dues and other Privileges as Servants bound by Indenture for Four Years are or may be intitled unless the Person to whom the Service of any such Child Shall belong, shall abandon his or her Claim to the same, in which Case the Overseers of the Poor of the City Township or District, respectively where such Child shall be so abandoned, shall by Indenture bind out every Child so abandoned as an Apprentice for a Time not exceeding the Age herein before limited for the Service of such Children."

Copied from: <http://slavenorth.com/penna.htm>

4) The Quock Walker case, Massachusetts: "Instructions to the Jury," 1783

Charge of Chief Justice Cushing

"As to the doctrine of slavery and the right of Christians to hold Africans in perpetual servitude, and sell and treat them as we do our horses and cattle, that (it is true) has been heretofore countenanced by the Province Laws formerly, but nowhere is it expressly enacted or established. It has been a usage--a usage which took its origin from the practice of some of the European nations, and the regulations of British government respecting the then Colonies, for the benefit of trade and wealth. But whatever sentiments have formerly prevailed in this particular or slid in upon us by the example of others, a different idea has taken place with the people of America, more favorable to the natural rights of mankind, and to that natural, innate desire of Liberty, with which Heaven (without regard to color, complexion, or shape of noses--features) has inspired all the human race. And upon this ground our Constitution of Government, by which the people of this Commonwealth have solemnly bound themselves, sets out with declaring that all men are born free and equal--and that every subject is entitled to liberty, and to have it guarded by the laws, as well as life and property--and in short is totally

repugnant to the idea of being born slaves. This being the case, I think the idea of slavery is inconsistent with our own conduct and Constitution; and there can be no such thing as perpetual servitude of a rational creature, unless his liberty is forfeited by some criminal conduct or given up by personal consent or contract “

Credit: *Civil Rights and the Black American: A Documentary History*, edited by Albert P Blaustein and Robert L. Zangrando, published by Washington Square Press, a Division of Simon & Schuster, Inc., 1968, but I found this online at <http://www.pbs.org/wgbh/aia/part2/2h38t.html>.

5) Thomas Jefferson’s autobiography, 1821, commenting on his work to revise the laws of Virginia beginning in 1777.

Jefferson recounted that he and fellow committee members Edmund Pendleton and George Wythe drafted a plan for the emancipation of slaves but did not include it in the bill they presented the Virginia legislature. Jefferson wrote, “The bill on the subject of slaves was a mere digest of the existing laws respecting them, without any intimation of a plan for a future & general emancipation. It was thought better that this should be kept back, and attempted only by way of amendment whenever the bill should be brought on. The principles of the amendment however were agreed on, that is to say, the freedom of all born after a certain day, and deportation at a proper age. But it was found that the public mind would not yet bear the proposition, nor will it bear it even at this day. Yet the day is not distant when it must bear and adopt it, or worse will follow. Nothing is more certainly written in the book of fate than that these people are to be free. Nor is it less certain that the two races, equally free, cannot live in the same government. Nature, habit, opinion has drawn indelible lines of distinction between them. It is still in our power to direct the process of emancipation and deportation peaceably and in such slow degree as that the evil will wear off insensibly, and their place be *pari passu* [at an equal place] filled up by free white laborers. If on the contrary it is left to force itself on, human nature must shudder at the prospect held up. We should in vain look for an example in the Spanish deportation or deletion of the Moors. This precedent would fall far short of our case.”

Copied from the Avalon Project website, http://avalon.law.yale.edu/19th_century/jeffauto.asp.

6) “An act to authorize the manumission of slaves,” May, 1782.

“I . . . That is shall hereafter be lawful for any person, by his or her last will and testament, or by any other instrument in writing . . . to emancipate and set free, his or her slaves, or any of

them, who shall thereupon be entirely and fully discharged from the performance of any contract entered into during servitude

II. . . . It shall be lawful for any justice of the peace to commit to the gaol [jail] of his county, any emancipated slave travelling out of the county of his or her residence without a copy of the instrument of his or her emancipation, there to remain till such copy is produced and the gaoler's fees paid.

III. *And be it further enacted*, That in case any slave so liberated shall neglect in any year to pay all taxes and levies imposed or to be imposed by law, the court of the county shall order the sheriff to hire out him or her for so long time as will raise the said taxes and levies. . . . *Saving nevertheless* to all an every person . . . other than the person or persons . . . emancipating their slaves, all such right and title as they or any of them could or might claim if this act had never been made."

From William Waller Hening, *The Statues at Large . . . of Virginia*, vol. XI (Richmond, 1823), 39-40.

7) Overview of Manumission in Eight Virginia Counties¹

County	Slaves, 1800	Free Blacks, 1800	Total County Population, 1800	Percent Slaves	Percent Free Blacks	Number of slaves freed, 1782-1806 (approx.)
<i>Tidewater:</i>						
Accomack	4,429	1,541	15,693	28.2 %	9.8 %	809
Charles City	3,013	398	5,365	56.2 %	7.4 %	90
Chesterfield	7,852	319	14,488	54.2 %	2.2 %	149
Lancaster	3,126	159	5,375	58.2 %	3.0 %	18
<i>Piedmont:</i>						
Fauquier	8,754	131	21,329	41.0 %	0.6%	53
Mecklenburg	8,676	553	17,008	51.0 %	3.3 %	76

¹ For the printed version, see Eva Sheppard Wolf, *Race and Liberty in the New Nation: Emancipation in Virginia from the Revolution to Nat Turner's Rebellion* (LSU Press, 2006), p. 43

Valley:

Botetourt	1,343	116	9825	13.7 %	1.2%	31
Trans-Allegheny						
Wythe	831	11	6,380	13.0 %	0.2 %	3
Total in the 8 counties	38,024	3,228	95,463	39.8%	3.4%	1229
Total in Virginia	346,968	20,507	886,149	39.2%	2.3 %	8,000-11,500

8) Examples of Manumission Documents, Virginia²

A Quaker, Charles Binns, emancipates Will: "being moved by the principle of humanity, and the dictates of my own conscience, and do think that all mankind in justice ought to enjoy that inestimable blessing freedom. I do by these present give and grant unto Will a negro man now my slave (aged about thirty five years) his perfect liberty and Freedom in as ample a manner as if the said Will had been born free. . . .[12/19/93]"

[Source: Charles City co., Deeds 4, 1789-1802 (microfilm), Library of Virginia]

Tom Jessup buys his freedom from Thomas Gaskins with the help of white friends: "in consideration of the sum of Fifty Pounds current money of Virginia, to me in hand paid by Tom Jessup (formerly the property of Thomas Pinckard decd of Lancaster County) which Fifty pounds the said Jessup raised by a subscription in consequence of having served his late master so faithfully) I do hereby sett the said Tom Jessup Free & oblige myself my heirs . . . never to claim the said Jessup, but suffer him always to remain at Liberty & go wherever he thinks proper . . . [4/17/1796]"

[Source: Lancaster Co., Free Negro and Slave Records, Emancipation Deeds, Library of Virginia]

Anna Maria Andrews emancipates Major, who has sued her: "in consequence of a Suit in the District Court now depending & instituted by major for his freedom against me. Have & by these presents do manumit and set free the sd negro Man, called Major, . . .[11/4/1800]"

[Source: Accomack Co., Deeds No. 10, 1800-1804, microfilm, LVA]

9) Alabama Constitution excerpt, 1819

"SLAVES.

SEC. 1. The General Assembly shall have no power to pass laws for the emancipation of slaves, without the consent of their owners, or without paying their owners, previous to such emancipation, a full equivalent in money for the slaves so emancipated. They shall have no power to prevent emigrants to this State from bringing with them such persons as are deemed slaves by the laws of any one of the United States, so long as any person of the same age or description shall be continued in slavery by the laws of this State: Provided, that such person or slave be the bona fide property of such emigrants; and provided, also, that laws may be passed to prohibit the introduction into this State of slaves, who have committed high crimes in other States or Territories. They shall have power to pass laws to permit the owners of slaves to

² For an account of manumission in Virginia from 1782-1806, see *ibid.*, chap. 2.

emancipate them, saving the rights of creditors, and preventing them from becoming a public charge. They shall have full power to prevent slaves from being brought into this State as merchandize, and also to oblige the owners of slaves to treat them with humanity, to provide for them necessary food and clothing, to abstain from all injuries to them extending to life or limb, and, in case of their neglect, or refusal to comply with the directions of such laws, to have such slave or slaves sold for the benefit of the owner or owners."

Copied from the Avalon Project website, http://avalon.law.yale.edu/19th_century/ala1819.asp.

Resources:

Books providing general or synthetic accounts:

- Arthur Zilversmit, *The First Emancipation: The Abolition of Slavery in the North* (Chicago, 1967).
The only overview of northern emancipation in the Revolutionary era.
- Ira Berlin, *Generations of Captivity: A History of African-American Slaves* (Belknap/Harvard, 2003). A good overview of American slavery, with an emphasis on slaves' experiences.
- Ira Berlin and Ronald Hoffman, eds., *Slavery and Freedom in the Age of the American Revolution* (Illinois, 1983). A collection of very useful articles, geared toward a scholarly audience.
- Douglas R. Egerton, *Death or Liberty: African Americans and Revolutionary America* (Oxford, 2009). A new synthesis of African Americans' experience during the Revolutionary period.

Books on particular states or regions:

- Joanne Pope Melish, *Disowning Slavery: Emancipation and "Race" in New England, 1780-1860* (Cornell, 1998).
- David N. Gellman, *Emancipating New York: The Politics of Slavery and Freedom, 1787-1827* (LSU, 2006).
- Shane White, *Somewhat More Independent: The End of Slavery in New York City, 1770-1810* (Georgia, 1991).
- Gary B. Nash and Jean R. Soderlund, *Freedom by Degrees: Emancipation in Pennsylvania and its Aftermath* (Oxford, 1991).
- T. Stephen Whitman, *The Price of Freedom: Slavery and Manumission in Baltimore and Early National Maryland* (Kentucky, 1997; Routledge, 2000).
- Eva Sheppard Wolf, *Race and Liberty in the New Nation: Emancipation in Virginia from the Revolution to Nat Turner's Rebellion* (LSU, 2006).

Websites on slavery:

The Atlantic Slave Trade and Life in the Americas: A Visual Record
<http://hitchcock.itc.virginia.edu/Slavery/index.php>

Africans in America companion website to the PBS video
<http://www.pbs.org/wgbh/aia/home.html>

Enslaved and free workers at Thomas Jefferson's Monticello
<http://www.monticello.org/plantation/lives.html>

North American Slave Narratives, Documenting the South website
<http://docsouth.unc.edu/neh/>

Slave Narratives, Federal Writers Project
At Library of Congress: <http://memory.loc.gov/ammem/snhtml/>
At UVA website: <http://xroads.virginia.edu/~hyper/WPA/wpahome.html>

Slavery in the North
<http://www.slavenorth.com/index.html>