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**"SHE APPEARED TO BE MISTRESS OF HER OWN  
ACTIONS, FREE FROM THE CONTROL OF ANYONE."  
PROPERTY-HOLDING FREE WOMEN OF COLOR IN  
NATCHEZ, MISSISSIPPI, 1779-1865**

presented by

**Nicole S. Ribianszky**

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**"SHE APPEARED TO BE MISTRESS OF HER OWN ACTIONS, FREE FROM THE  
CONTROL OF ANYONE:" PROPERTY HOLDING FREE WOMEN OF COLOR IN  
NATCHEZ, MISSISSIPPI, 1779-1865**

**BY**

**Nicole S. Ribianszky**

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## **ABSTRACT**

**“SHE APPEARED TO BE MISTRESS OF HER OWN ACTIONS, FREE FROM THE CONTROL OF ANYONE:” PROPERTY HOLDING FREE WOMEN OF COLOR IN NATCHEZ, MISSISSIPPI, 1779-1865**

**BY**

**Nicole S. Ribianszky**

This thesis is an examination of the lives of free women of color who held property in Natchez, Mississippi from the years 1779-1865. The analysis centers on the impact that community, race, age, marital status, slaveholding, and the method of property procurement had on their experiences. Most of these women were of mixed African and European ancestry and had relationships with white men, either as lovers, wives, or daughters. Due to their status as women, especially as women of African ancestry, they were susceptible to challenges to their property ownership, freedom, liberty, and even their lives. This is a discussion of their strength and ability to thrive and raise families in the face of adversity.

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2003

**This is dedicated to strong mothers of all colors.**

## ACKNOWLEDGMENTS

In so many ways, this thesis has been a “labor of love, labor of sorrow.” I was initially drawn into the narrative of free black women’s lives in 1995 when I took Dr. Wilma King’s class on African American women’s history. During the seminar, she constantly challenged us to expand our understanding of race, the processes of American history, and the place of black women within it. She encouraged me to pursue a preliminary examination of free black women in Nashville, TN, which involved many tanks of gas and hours with the microfilm readers at the State of Tennessee Archives. At the end of this paper, however, I was enraptured with the journey that these women endured that took them from slavery to a variant of freedom. This idea of a variant or shade of freedom was another question that Dr. King asked of us: what was the meaning of freedom? What was its reality for those of different races and in various time periods? During the course of researching free black women, I have honestly fallen in love with them: their struggles, pain, strength, weaknesses, mistakes, and the love they showed their families. I hope I have done justice to their memories in this small endeavor.

Dr. Richard Thomas has also put his mark upon this thesis. All of us graduate students who worked for him constantly remarked about how he wove his magic with his “inspirational speeches” at the beginning of undergraduate diversity dialogue courses. We also recognized how he influenced us as his graduate students. His energy, love, and vision for a cooperative multiracial community have inspired me in so many ways. When I initially began brainstorming for ideas to pursue in my thesis, the idea of

multiracial unity was never far from my mind. Although this story of free women of color is not exactly what Dr. Thomas had in mind, in some instances, it is a positive story of the creation of a new people, a vision of many-hued jewels or multi-colored flowers in a field.

Dr. Bailey has always been a supportive and creative mentor. He has consistently pushed his students to examine all potential sources to get at the truth. He was always a proponent of utilizing the material sphere to accomplish this, with the use of archaeology as a tool to flesh out the history about which the documents are silent or misleading. I only wish I could have utilized this tool in my analysis, but as Dr. Thomas has been saying for the past five years, “Just use what you’ve got, and get it done!”

This paper has been a labor of sorrow in that it has taken too long to complete. My research and coursework were finished in 1999, but life has a way sometimes of stepping in and taking over. I left Michigan with my family to accept an offer from the Mississippi Teacher Corps with the intent to write the thesis in the evenings after teaching, on weekends, and during holidays. My intentions were good, but follow through was challenging. I lost one wonderful advisor, Dr. Wilma King, to the University of Missouri and the passage of too much time, but I gained another, Dr. Daina Ramey-Berry.

Dr. Ramey-Berry has been an incredibly supportive and enthusiastic advisor and mentor throughout this process. I could not have completed this project without her guidance and advice. Had she not willingly agreed to step into Dr. King’s shoes as my advisor, I may never have finished this thesis. In spite of her many other pressing responsibilities, she cheerfully took on one more and in the process, gave me the

confidence to press on. Her vision helped shape its direction and “trim out some of the fat.” My other understanding and patient committee members, Dr. Richard Thomas and Dr. David Bailey, have continued to stand by me and help push me along.

I was fortunate enough at Michigan State University to receive support and inspiration from many sides. The Urban Affairs Department was like a family in so many ways. The monthly colloquiums enabled us as students to coalesce with faculty members, activists, and speakers and expand our thinking. Fran Fowler, the Department Secretary, acted like a mother to all incoming students and enveloped us with her warmth and humor. All of the people that I had the honor of working with for two years in the Multi-Racial Unity Project, Shannon Hefter, Njeri Chege, Ron Byard, Dr. Jeanne Gazel, and Dr. Richard Thomas were all motivated and committed to the idea of unity and cooperation.

Some other people have given support in other ways and for this, I am grateful. Dr. Larry McKee read most of it for me and gave me some advice and helpful criticism. My sweet friends Lori Lee and Beth Friar read sections of it and offered their encouragement. Ms. Mimi Miller of the Historical Natchez Foundation shared some of her vast knowledge of Natchez and its inhabitants with me. She pointed me into the right direction of where to look further and allowed me to rummage through court records. Thank you all.

My most sincere and loving thanks are due my family. My husband Jason has been an unceasing supporter and had to endure not only reading this countless times, but having it read aloud to him in its entirety and still managing to stay awake. He has given me solid and thoughtful criticism and encouragement. My daughter Mikaila has been

subjected to listening to some sections and even pretended to be interested in it, just to make Mom happy. All of my family, including my youngest daughter, has patiently allowed me to tie up the computer and clutter our home with mountains of books and papers for months to finish this. My parents also had to suffer through some of it and pushed me to completion. Thank you and love you all.

## PREFACE

Fanny Leiper remains veiled in the mists of time, a mystery. She does not appear in any of the census records. Nor does she materialize in the Natchez Police Board of Minutes records that were kept from 1832 to 1854. Nevertheless, Fanny Leiper lived as a free woman of color in Natchez, Mississippi and her story first emerges in the late 1840s. In 1847 Fanny brought suit against her next-door neighbor, Malvina Huffman, and Oliver Bemiss, Joseph Winscott, and Malvina's agent James Walsh for defrauding her of her property by false means. This ensued into a lengthy drama, played out in the courtroom of Mississippi's Southern District Chancery Court in Natchez for over three years. In the summer of 1851, the Court decided that Fanny was not entitled to any relief and ordered the case dismissed at her cost. Dissatisfied with this verdict, Fanny then appealed to The Mississippi High Court of Error and Appeals to settle the question of whether or not she was a free woman who "seemed to have the absolute Control of her own time and person, without being subject to the control of anyone else,"<sup>1</sup> and as such, permitted her to hold property. But who was Fanny Leiper? Witnesses testifying for and against her could not come to a clear consensus concerning many basic facts of her life. However, details disclosed during the course of the trial provide much essential information.

Fanny Leiper was born in Natchez, Mississippi around the year 1811 to an enslaved woman, Hannah Frey, and J.S. Miller, a white planter who lived outside of Natchez, near the small town of Washington. Mrs. Margaret Overaker, a white woman, and her husband, George, owned Fanny and Hannah. While Fanny was still a young girl,

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<sup>1</sup> Testimony of Eliza Evans, June 24, 1851, *Leiper vs. Huffman. et al*, Mississippi High Court of Error and Appeals case 6185, (1851).

her mother received manumission for “faithful service already performed”<sup>2</sup> and Hannah traveled to Cincinnati, Ohio to record her free papers. Her young daughter remained enslaved. In approximately 1831, at twenty or twenty-one years old, Fanny was “made free at the instance [sic] of a white man, her reputed father, who paid Mrs. Overaker \$300.”<sup>3</sup> At that time, Margaret Overaker “renounced all control over her...and she went at large and deported herself as a free woman.”<sup>4</sup> In 1834 or so, following the instructions of her white father, she was taken by boat up the Mississippi River to Cincinnati in the footsteps of her mother to “perfect her freedom.”<sup>5</sup>

In 1834, Fanny became a property owner. She paid \$100 to John R. Wells for a city lot located near the bluff, with the agreement that she would pay an additional installment of \$75. She next contracted with the firms of Neibert & Gemmel and then Bryant & Luke to construct a six-room wood frame house. She hired Daniel Lippencott to build the brick chimney and piers upon which the house was supported. The property additionally consisted of a kitchen, an outhouse, and enclosures which, including the house, cost Fanny \$1,562. It appears that she paid at least another \$100 for fruit and ornamental trees to adorn the yard. All in all, the property that Fanny paid taxes on and occupied from 1834 until 1845 cost her nearly \$2,000.<sup>6</sup>

Fanny’s relationships with men had a significant impact on her experience as a free, propertied woman. Apparently she was married to a free mixed-race man of color, which is where she received her surname. It appears that he died shortly thereafter. She

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<sup>2</sup> Testimony of Gabriel Tichenor, Nov. 19, 1850, *Leiper vs. Huffman*,

<sup>3</sup> Ibid.

<sup>4</sup> Testimony of Robert C. Evans, June 24, 1851, *Leiper vs. Huffman*.

<sup>5</sup> Ibid.

<sup>6</sup> Bill of Complaint by Fanny Leiper, December 2, 1847; Testimony of Jacob Byers, Dec. 20, 1850, *Leiper vs. Huffman*.

became involved with a man named Gustavas Howard who may have been white. It is unclear precisely when they began their relationship, but Fanny laundered his clothes and he lived with her “on and off.”<sup>7</sup> There was a rumor circulating in Natchez that they were married, and it is quite possible that when Fanny moved to Cincinnati, Ohio in 1847, Gustavus may have gone with her.

One relationship Fanny had with a man proved to be the one that would cause her considerable grief. Some time in the mid-1830s, Fanny began an association with Joseph Winscott, a white engineer on the steamboat, *Hail Columbia*. He periodically passed through Natchez for a day or two at a time on his way up the Mississippi River from New Orleans or on the return trip. Some Natchez residents claimed to see him staying at Fanny’s home quite comfortably when he was in town and it was understood that she was his mistress. For a number of possible reasons, his name and Fanny’s appear together on the deed of the property, and this issue became a central question concerning the ownership of the lot and the house that sat upon it.

In 1845, Fanny decided to move to Cincinnati, Ohio. She hired an agent, Samuel R. Hammet, to manage her property, rent it out, and collect the monthly rent of eight dollars for her. It was not long after her departure that Malvina Huffman, another free woman of color and Fanny’s next-door neighbor, recognized the opportunity to take advantage of Fanny’s absence in Natchez. In the latter part of 1846, after Fanny’s tenant, Maria Ann Cooper moved out and returned the keys to Hammett, Malvina’s white lover, Oliver Bemiss, disclosed to Hammet that he had purchased the property for Malvina from Joseph Winscott of New Orleans for \$100 or \$125. Later, Malvina sent a “colored girl,” possibly her slave, and requested Hammet send the key to her. At that time, Hammett, not

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<sup>7</sup> Testimony of Samuel R. Hammett, Nov. 22, 1848, *Leiper v. Huffman*.

realizing the transaction had occurred without Fanny's permission, surrendered the keys to Malvina, who subsequently took possession of the house.<sup>8</sup>

In the next year, 1847, Fanny filed a petition against Malvina and her three associates for fraudulently cheating Fanny of her property. Fanny charged that Malvina, with full knowledge of Winscott's name on the deed, falsely informed him that Fanny was in actuality a slave who could not hold property. She then convinced him that Fanny had fled Natchez and that the property was going to ruin. She maintained that since the property fully belonged to him and his name was on the deed, he could sell it to her. He did. Malvina and Bemiss moved together to New Orleans, and at that time, hired an agent, James Walsh, to manage the property.

When Fanny filed suit, the house was in a state of disrepair, with windows and fences damaged, and the shade and ornamental trees that Fanny had planted on the property had been destroyed. Fanny informed the court that all in all, she had paid more than \$1700 for the property and could have sold it for at least \$1000. Malvina refused to restore the house and lot to Fanny, and further, she questioned Fanny's legal freedom "which has formed a cloud and suspicion on the title and claim"<sup>9</sup> of her ownership. But who was telling the truth in this case? The Southern District Chancery Court did not uphold Fanny's right to relief. The Mississippi High Court of Error and Appeals had to settle this property dispute. The justices had to consider questions that went beyond the scope of property ownership. Was Fanny Leiper a free woman or was she a slave? And if she was free, by what means was she able to procure the property? How did skin color, demeanor, education, occupation, and connections impact her case?

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<sup>8</sup> Ibid.; Bill of Complaint by Fanny Leiper, December 2, 1847, *Leiper vs. Huffman*.

<sup>9</sup> Bill of Complaint by Fanny Leiper, *Leiper vs. Huffman*.

Fanny Leiper is part of a larger picture, one that is tinted with sepia by now due to the passage of over 150 years since she walked the streets of Natchez. Hers was not a portrait of a single woman because she did not exist in an isolated context, but was surrounded by other key subjects in the picture. This picture more closely resembled a landscape; full of nuances of shade and contrast, and the people in it were not merely black or white, but both. The city of Natchez had the largest community of people of African descent who were not slaves in the state of Mississippi. What was the meaning of freedom for these people? And specifically for a woman of color who held property? At what price did it come? And how easily could it be taken away? These are the questions that will be addressed in this thesis concerning the experiences of free women of color who owned property in Natchez from the late 18<sup>th</sup> century until the Civil War.

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## INTRODUCTION

As one historian so aptly phrased it, the free African American community that existed prior to the Civil War was one that dwelt in “a world of shadow.”<sup>1</sup> This marginal group of black people that was free from slavery, yet outside of the circle of the white world, did indeed exist on the periphery of society. If one did not think to look for them; one could easily miss them, as scarcely as they surface in the documents. There is a paucity of personal letters, journals, and other records to shed light on how these people lived day to day and pondered their experiences. But the scattered personal documentation that remains, coupled with police and court records, tax and census returns, newspaper clippings, entries mentioning them in whites’ journals and diaries, and the like, has aided historians to piece together the lives of these elusive men and women. There is still much scholarship that needs to be conducted in order to fully flesh out what it truly meant to be black, free, and female in a society that generally viewed African Americans as slaves, and women as second to men.

For many decades, scholars have scrutinized the historical record to interpret the African American experience in the United States, particularly during the time of slavery. The immense body of literature that has been generated has much advanced our understanding of the ‘peculiar institution’ and of the lives of African and African American men, women, and children who lived within its confines.

In the first quarter of the twentieth century, the southern proslavery historian U.B. Phillips gazed through racist lens and wrote a sympathetic interpretation of the slave South in *American Negro Slavery*. He essentially judged slavery to have been a positive

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<sup>1</sup> Wikramamayake, Marina, *A World of Shadow: The Free Blacks in Antebellum South Carolina* (Columbia: University of South Carolina Press, 1973).

and economically unprofitable system that had the end result of “rescuing” Africans from the “forests” of Africa and of civilizing them. He viewed the enslaved as essentially flawed, child-like, simple human beings who benefited from the work they performed and who required kindly, beneficent masters to attend to their needs.<sup>2</sup> Many historians since then have either completely dismissed this negatively biased interpretation or sought to revise it.

A flurry of scholarship on African Americans was generated during the period following Phillips in the 1920s and 1930s. In part, this can be explained by the efforts of activists like Marcus Garvey that were influencing black people to take pride in their African heritage. Writers during the period of the Harlem Renaissance kindled a deep interest in black literature and culture. Harlem developed into a nexus of literary and creative energy, and writers of the black experience found a supportive audience. Additionally, this was the time period that black Americans received a measure of attention and support from the New Deal programs and the government increased its focus on them. There were more African Americans that received their PhDs in the 1930s than in any preceding decade. The historian considered to be the “father of African American history,” Carter G. Woodson, published studies during this era that emphasized positive achievements and empowering experiences of African Americans.<sup>3</sup>

This was also the time period in which an interpretive struggle developed between historians of the black experience and the Herskovitz/Frazier debate ensued. E. Frazier

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<sup>2</sup> Ulrich Bonnell Phillips, *American Negro Slavery: A Survey of the Supply, Employment, and Control of Negro Labor as Determined by the Plantation Regime* (Baton Rouge: Louisiana State University Press, 1918).

<sup>3</sup> Carter G. Woodson, *The Mis-Education of the Negro* (The Associated Publishers, 1933); Woodson, *Free Negro Owners of Slaves in the United States in 1830; Together With Absentee Ownership of Slaves in the United States in 1830* (Association for the Study of Negro Life and History, 1924).

Franklin in *The Negro Family in the United States* maintained that African Americans, in response to the violent oppression of slave society, essentially forfeited their African culture and created a new, degraded culture marked by submission and assimilation of the majority white values. He postulated that while slaves who were African in nativity might have had some sense of a remembered African past, due to planter control and the harsh conditions of bondage, they were powerless to exercise any incorporation of this culture into the developing African American culture. And further, although this generation of newly arrived Africans had the capability of remembering this heritage; their children had no such mental context to revisit. Subsequently, they “soon forgot the few memories that had been passed on to them and developed motivations and modes of behavior in harmony with the New World.”<sup>4</sup> In Frazier’s view, the enslaved were unable to retain a sense of their African heritage and the creation of an African American culture birthed by slavery was inspired by European culture, albeit in an imperfect and dysfunctional manifestation.

Melville Herskovitz countered this in his study, *The Myth of the Negro Past* by providing evidence of African cultural retention and the creation of a creolized African American culture. He took issue with the idea that an African past was destroyed under oppression, but pointed out its transition into a new, American culture. He posited that slaves acculturated themselves in an American context and created a new culture for themselves in which they adopted some European cultural traits and altered them to fit within an African-oriented perspective.<sup>5</sup>

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<sup>4</sup> E. Franklin Frazier, *The Negro Family in the United States* (Chicago: University of Chicago Press, 1939), 15.

<sup>5</sup> Melville J. Herskovitz, *The Myth of the Negro Past* (Boston: Beacon Press, 1941).

In the late 1950s and early 1960s, this debate between historians on the nature of African American culture and the black response to slavery continued. In 1956, Kenneth Stampp wrote a seminal book, *The Peculiar Institution* in which he utilized a variety of primary sources, including plantation journals, slave narratives, newspapers, and court cases to examine the effect of slavery on African Americans. He was one of the first historians to use slave narratives in a serious effort to revise their histories.

Unfortunately, though, slaves were portrayed predominantly as victims within an oppressive system who did not have clear autonomy from planters. The overbearing yoke of slavery as Stampp interprets it was too much of an obstacle for them to overcome to exercise much agency in their lives.<sup>6</sup>

In 1959, Stanley Elkins published a study that was closely aligned to the earlier stance of U.B. Phillips. In *Slavery*, Elkins posited that due to the harsh oppression of slavery upon which Stampp had focused, African Americans, particularly males, suffered psychologically. In order to survive this hostile environment, much like concentration camp survivors, they developed dysfunctional and essentially, demoralized personality characteristics, and were utterly at the mercy of the planters. Elkins presented an interpretation of the black male as an emasculated “Sambo.”<sup>7</sup> Elkins’s interpretation, coupled with the civil rights struggles of African Americans in the 1950s and 1960s, set the stage for a whole new generation of revisionist historians. This era that witnessed such strife, persistence, and success on the part of African Americans, ultimately inspired

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<sup>6</sup> Kenneth M. Stampp, *The Peculiar Institution: Slavery in the Antebellum South* (New York: Vintage Books, 1956).

<sup>7</sup> Stanley Elkins, *Slavery: A Problem in American Institutional and Intellectual Life* (Chicago: The University of Chicago Press, 1959).

historians to revisit the period of slavery and focus on the creation of culture, the strength and resistance to oppression, and survival of African people in America.

Thus, in the late 1960s and 1970s, there was a move within African American history that shifted emphasis from the debilitating effects of oppression to the resistance to white dominance and superimposed culture by the enslaved. Historians during this period were reinterpreting many traditional sources and utilizing new ones like the WPA ex-slave narratives to demonstrate the agency that African Americans exercised in carving out a place in America for themselves. They published studies illustrating how African Americans defined familial relationships, work routines, community, and spirituality according to their own worldview.<sup>8</sup>

Many historians during the “golden age of slavery studies” sought to refute Elkins’s thesis of the damaged, black male existing within matriarchal families. John Blassingame was instrumental in putting forth a study that emphasized the richness and vitality of black culture. He placed the black male within this context as the head of the family who gained status in the black community, very unlike the powerless victim in *Slavery*. Unfortunately, by emphasizing this strong male role in the black family, many of these revisionists ignored the roles that black women played as well as the power that they wielded.<sup>9</sup>

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<sup>8</sup>See; and *Slave Testimony: Two Centuries of Letters, Speeches, Interviews, and Autobiographies* (Baton Rouge: University of Louisiana Press, 1977); Gerald W. Mullin, *Flight and Rebellion: Slave Resistance in the Eighteenth-Century Chesapeake and Lowcountry* (Chapel Hill: University of North Carolina Press, 1972); Peter H. Wood, *Black Majority: Negroes in Colonial South Carolina From 1670 Through the Stono Rebellion* (New York, 1974).

<sup>9</sup> John W. Blassingame, *The Slave Community* (1972 reprint, New York: Oxford University Press, 1979); Patricia Morton, ed. *Discovering the Women in Slavery: Emancipating Perspectives on the American Past* (Athens: University of Georgia Press, 1996), 3.

Eugene Genovese's *Roll, Jordan, Roll* demonstrated the agency that African Americans used to carve niches for themselves and their communities within the slave system. However, he placed them within a paternalist model that essentially depended upon an implicit agreement between the planter and the enslaved that required black people to be enfolded within the family of the slaveholder.<sup>10</sup>

Herbert Gutman's study of the black family, *The Black Family in Slavery and Freedom, 1750-1925*, was especially useful in demonstrating the tenacity with which slaves clung to their families during periods of extreme adversity and in defining their family identity by the choice of surnames. Further, he found that African American families many times did not conform to European notions of that which constituted a family. These were not based on a dysfunctional formula, as scholars like Frazier and Elkins posited, but retained African cultural values. Additionally, Gutman continued along the same lines as other historians during this period who emphasized the place of men in the family and virtually ignored black women.<sup>11</sup>

As a result of increased interest in women's history that grew out of the women's movement of the late 1960s and 1970s, scholars in the 1980s began to examine the role of African American women in black history. Pioneers of this recovery of women's experiences, Deborah Gray White, who wrote *Ar'n't I a Woman*, and Jacqueline Jones, *Labor of Love, Labor of Sorrow*, set the stage for ensuing work on African American women in slavery. These two books examined the roles of black women in their work, both in the domestic and economic spheres. White maintained that there were essentially

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<sup>10</sup> Eugene Genovese, *Roll, Jordan, Roll: The World the Slaves Made* (New York: Pantheon Books, 1974).

<sup>11</sup> Herbert Gutman, *The Black Family in Slavery and Freedom, 1750-1925* (New York: Vintage Books, 1976).

two systems of slavery, one for men and one for women, and that these were separate experiences for both. She took issue with the thesis of the male as head of the household and posited that enslaved families were matrifocal and male-female relations were egalitarian. Jacqueline Jones concurred with this thesis of a strong gender identity, but believed that women, rather than developing them wholly separately, were shaped by their experiences within the family and with the males in them. Both of these studies offered a balance to the male-dominated histories of slavery that were written in the 1970s.<sup>12</sup>

Other historians during the 1980s focused on relations between enslaved and white women. These studies have fleshed out the dynamics of work relationships between these two groups of women and the negotiation of power. Elizabeth Fox-Genovese in *Within the Plantation Household* argued that black women were not only separated by their gender from men, but they were unable to cross lines of race in forming positive relationships with their slaveholding mistresses due to the fact that white women enjoyed and did not wish to jeopardize their privileged positions within the slave system.<sup>13</sup>

Studies of slavery have been immeasurably useful in illuminating the experiences of the majority of African Americans in the South during colonial times up until the Civil War. However, one aspect of studying history is that it is impossible to generalize. Historians are forever discovering exceptions, or experiences that lie beyond the norm.

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<sup>12</sup> Deborah Gray White, *Aren't I a Woman? Female Slaves in the Plantation South* (New York: W.W. Norton & Company, 1985); Jacqueline Jones, *Labor of Love, Labor of Sorrow: Black Women, Work, and the Family, From Slavery to the Present* (New York: Basic Books, 1985); Morton, *Discovering the Women*.<sup>10</sup>

<sup>13</sup> Elizabeth Fox-Genovese, *Within the Plantation Household: Black and White Women of the Old South*. (Chapel Hill: The University of North Carolina Press, 1988).

The study of free people of African descent who lived, worked, prospered, raised families, negotiated space, and had relationships with whites that extended beyond toiling at the behest of an owner during the time of race-based slavery, is an example of this. Without studying these people, we do not have a cohesive picture of what reality was for African Americans living in the South. For, as one prominent historian of black history has observed,

The status and treatment whites accorded the free Negro are an especially revealing gauge of Southern society. For just as the status of any anomalous group—children, the insane, criminals, or even intellectuals—is a telling indicator of the larger society, so the status of the free Negro is a sensitive measure of Southern attitudes on race and class.<sup>14</sup>

There have been significant studies that have examined the sometimes obscure lives of free people of color. As with any particular period or sub-field of history, there have been more general, broad histories that have been published to encompass many different regions and times to interpret the experiences of free people of color. These ambitious studies have offered scholars the occasion to gain a wide-ranging understanding of people of color living outside the bonds of enslavement. Studies have concurred that free people of color across the South, regardless of region, occupied a sphere that was sandwiched in between slaves and whites. They were not slaves, yet they were not completely free. Their labor was not coerced, but they were not able to enjoy all the liberties of whites: the right to vote, to be elected to office, to testify in court

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<sup>14</sup> Berlin, Ira, *Slaves Without Masters: The Free Negro in the Antebellum South* (New York: Vintage Books, 1971), xv.

against whites, to live freely where one desired, among many other restrictions upon their freedom.<sup>15</sup>

In spite of restrictions on freedom in general, however, there were regional differences that existed to distinguish free blacks' prospects in one geographical area of the South from another. Local conditions did have a significant effect on the specific definition of black freedom. For example, much differentiated free blacks' lives in the Upper South from the Lower South in terms of racial background, reasons for manumission, connections to the white community, wealth, occupations, and status<sup>16</sup>.

In consideration of the impact that varying local conditions had on free black populations, historians have concentrated intensively on select metropolitan areas that supported relatively large populations of people of color. Some of these regions are Louisiana, with especial focus on New Orleans and Plaquemines Parish; Charleston, South Carolina; and Savannah, Georgia. These works have been critical in interpreting trends in particular contexts and in furnishing what anthropologist Clifford Geertz terms "thick descriptions." Also, it provides opportunity to scrutinize in-depth relationships among free blacks and area whites and places them within a particular socio-economic, religious, and political context.<sup>17</sup>

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<sup>15</sup> See Berlin, *Slaves Without Masters*; and Leonard Curry, *The Free Black in Urban America, 1800-1850* (Chicago: University of Chicago Press, 1981); John Hope Franklin, *The Free Negro in North Carolina, 1790-1860*. (Chapel Hill: University of North Carolina Press, 1943)..

<sup>16</sup> For more on this, see Loren Schweninger, "Prosperous Blacks in the South, 1790-1880," *American Historical Review* 95, no. 1 (1990), 31-56.

<sup>17</sup> See such authors as George Blackburn and Sherman L. Ricards, "The Mother-Headed Family Among Free Negroes in Charleston, South Carolina, 1850-1860," *Phylon* 42, no. 1(1981), 11-25; James Dormon, ed. *Creoles of Color of the Gulf South*, (Knoxville: The University of Tennessee Press, 1996); Donald Everett, "Free Persons of Color in Colonial Louisiana," *Louisiana History* 7, no. 1 (1966), 21-50; Laura Foner, "The Free People of Color in Louisiana and St. Domingue: A Comparative Portrait of Two Three-Caste Slave Societies," *Journal of Social History* 3, (1970) 407-430; Kimberly Hanger, "Patronage, Property and Persistence: The Emergence of a Free Black Elite in Spanish New Orleans," *Slavery and Abolition [Great Britain]* 17, no. 1 (1996), 44-64; Thomas Ingersoll, "Free Blacks in a Slave Society: New

There have been scholars who have explored certain themes within the worlds of free people of color. Loren Schweninger published a book and several articles that have focused exclusively on property-owning free African Americans. His findings indicate that there was a significant difference between the experiences of property holders in the Upper South as opposed to the Lower South. These differences are demonstrated in levels of literacy, occupation, color, intimacy with whites, and property values. He also published an article in 1990 that was exclusively centered on female property holders in both these regions. These works have given scholars a window into the lives of one class of free blacks, those that through a combination of hard work, connections, location, and time period, were fortunate enough to claim a physical stake in a region not known for extensive protection of African (or multiracial) people.<sup>18</sup>

Finally, there are those historians who have provided case studies of particular free women and men, which have given us relevant biographical information and even more heightened "thick description." These histories are extremely pertinent to the study of free people based upon the dearth of written memoirs and personal life accounts. Many of the census data, information from wills, deeds, newspapers, and the like is

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Orleans, 1718-1812," *William and Mary Quarterly*, Third Series 48, No. 2 (April, 1991), 173-200; Whittington B. Johnson, *Black Savannah 1788-1864* (Fayetteville: University of Arkansas Press, 1996); Michael P. Johnson, and James L. Roark, *Black Masters: A Free Family of Color in the Old South* (New York: W.W. Norton & Co., 1984); \_\_\_\_\_, *No Chariot Let Down: Charleston's Free People of Color On the Eve of the Civil War* (Chapel Hill: University of North Carolina Press, 1984); Larry Koger, *Black Slaveholders: Free Black Slave Masters in South Carolina, 1790-1860* (Jefferson, N.C.: McFarland and Company, 1985); Gary B. Mills, *The Forgotten People: Cane River's Creoles of Color* (Baton Rouge: Louisiana State University Press, 1977); Robert Olwell, "Becoming Free: Manumission and the Genesis of a Free Black Community in South Carolina, 1740-90," *Slavery and Abolition [Great Britain]* 17, no. 1 (1996), 1-19; Schweninger, "Antebellum Free Persons of Color in Postbellum Louisiana," *Louisiana History* 30, no. 4 (1989), 345-364; and H.E. Sterkx, *The Free Negro in Ante-Bellum Louisiana* (Cranbury: Associated University Presses, Inc, 1972).

<sup>18</sup> Loren Schweninger, *Black Property Owners in the South, 1790-1915* (Urbana: University of Illinois Press, 1990); and \_\_\_\_\_, "Property Owning Free African-American Women in the South, 1800-1870," *Journal of Women's History*, no. 1 (1990), 14-44.

present for historians to examine, but much of the personal aspect is missing, the intimate glimpse into a particular person's mind. These sorts of histories give insights into the experiences of people of color and transform them from a statistic, a nameless entry in the 1820 census, a rise in a bar graph, to a three dimensional, multifaceted person with all (and sometimes more) of the worries, trials, and daily struggles of life with which to contend. The particular case studies of these authors focus on primarily upper class, literate free blacks. Often, there are collections of letters—as in the cases of William Johnson, a wealthy, free black slaveholder in Natchez and the Ellison family, also wealthy slaveholding members of society in Charleston—that historians have been fortunate enough to get their hands on.<sup>19</sup>

Natchez's free black community has been given some small mention in the scholarship. In 1954, a book was published about "the free barber of Natchez," (William Johnson), which basically discussed Johnson's diary, a voluminous account of his life between the years 1834—1851. Strangely enough, however, the book is more concerned with which notable white men visited his barber shop and shared their activities, rather than focusing exclusively on a community of color<sup>20</sup>.

Recently, a study was published for the Natchez National Historic Park, which focused on the black experience in this area. Some treatment is given to the free black community, and Davis drew upon wills, census returns, and newspaper articles to discuss

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<sup>19</sup> Adele Logan Alexander, *Ambiguous Lives: Free Women of Color in Rural Georgia, 1789-1879* (Fayetteville: University of Arkansas Press, 1991); William Ransom Hogan and Edwin Adams Davis, *William Johnson's Natchez: The Ante-Bellum Diary of a Free Negro* (Baton Rouge: Louisiana State University Press, 1993); Michael P. Johnson and James L. Roark, *Black Masters: A Free Family of Color in the Old South* (New York: W.W. Norton & Co., 1984); and Kent Anderson Leslie, *Woman of Color, Daughter of Privilege: Amanda America Dickson* (Athens: University of Georgia Press, 1995).

<sup>20</sup> Edwin Adams Davis and William Ransom Hogan, *The Barber of Natchez* (Baton Rouge: Louisiana State University Press, 1954).

the tenuous position that most free blacks were in, constantly having to maintain positive relations with white people in order to protect their status. He discusses the occupations of women, based upon census returns, and there are some manumission documents and wills involving women, but very little analysis of their experiences as a whole<sup>21</sup>.

Unfortunately, southern free women of color did not leave the lengthy written records that free black men did. However, the Johnson women of Natchez authored a collection of letters that Virginia Meacham Gould published. The book provides a very useful introduction, which gives biographical information about these women and their families, but with the publishing of these letters, there is an opportunity for much more work to be done on the experiences of free women of color. She posits in her introduction to the collection that these black women gravitated towards one another in friendship due to the fact that they were a distinctive third class, separate from the enslaved, and not fully accepted into the white world.<sup>22</sup> Used in tandem with other sources available in this Mississippi town, they provide a peephole into the world of free, propertied women of color.

Recognizing a lack of personal primary sources, some historians have delved into the court records to gain vital information on women's socioeconomic activities, domestic disputes, litigation efforts, and the like. Hanger offers a challenge to the academic world that "great opportunities await the diligent scholar" because of the immense records that were recovered and virtually untapped in some Spanish-settled

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<sup>21</sup>Ronald L.F. Davis, *The Black Experience in Natchez, 1720-1880* (Denver: National Park Service, 1999).

<sup>22</sup>Virginia Meacham Gould, *Chained to the Rock of Adversity: To Be Free, Black, & Female in the Old South* (Athens: University of Georgia Press, 1998).

areas, like Gulf Port cities<sup>23</sup>. Similarly, in Natchez, many circuit court documents have recently come into the hands of historians to further aid in the investigation of free women of African descent. Free women of color's experiences have been tapped into in the historiography, but still there is much that can be squeezed out of the records. The issue of these women's societal marginality is critical in that by studying these women's experiences and lives, historians may gain a greater understanding of how race and class identity shaped 19<sup>th</sup> century free women of color. Further, it is an indicator of what choices were available to these women in defining themselves and carving out their own spaces according to society.

Adding to the investigation of free people of color, this study seeks to explore the experiences of free property-holding African American women in Natchez, Mississippi from the late 18<sup>th</sup> century up until the Civil War. This study will place them within the historical context of the free community of color as it existed in that time and place. Some of the questions that will be addressed are: what did the community of color look like in terms of numbers, occupations, gender, age, property ownership, and status? What options were open to them to live meaningful lives in a small town in the Deep South? What vulnerabilities were free women of color open to?

Free women of color were vulnerable in many numbers of ways. Some of these vulnerabilities involved their freedom, ability to own property, their roles as mothers, lovers and wives, their relationships with other women, and their status, among others. Their mechanisms of coping under these conditions and how their lives were affected will be considered. This study will attempt to tell the stories of these Natchez women,

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<sup>23</sup> Hanger, "The Fortunes of Women in America," 154.

whose voices, for the most part, have been muffled, silenced, and forgotten over the years.

## **CHAPTER ONE**

### **"OH, WHAT A COUNTRY WE LIVE IN:" NATCHEZ'S COMMUNITY OF FREE PEOPLE OF COLOR**

## **INTRODUCTION**

Natchez, Mississippi is a sleepy, quiet Southern town whispered to by balmy breezes off the Mississippi River. The days of the Old South are remembered by the many-pillared mansions, the horse-drawn carriages that traverse along the streets, and costumed “belles” parading around town and within the grand houses to spin tales to eager tourists. Conversations touch on such topics as period settees, the hardships of plantation life during “the War of Northern Aggression,” moonlit balls, and landscaped gardens of China trees, magnolias, and semi-tropical flowers.

In recent years, there has been an effort to present “The Black Experience” to the public, but as a separate entity from “The White Experience.” It seems a relatively easy process to some to bifurcate the two; but without one, the other would not have been possible. Without the labor of the more than 15,000 enslaved Africans working in and around Natchez on the eve of the Civil War, the wealth characterizing this community that supported more than a few millionaires would never have become a reality. And where do we place the free people of color who were neither wholly black nor white into this landscape? Over half of the state of Mississippi’s free people of color population called Natchez home. What conditions led to the creation of this community?

### **French Natchez 1712-1763**

The French first settled Natchez, beginning in 1712 when Antoine Crozat established a post to trade with the Natchez Indians. This is the earliest evidence of Africans in Mississippi. Extremely tenuous relations with indigenous people characterized the early years of the settlement, and violence frequently erupted. After the Natchez Indians looted the trading post, and in the process, murdered numerous traders

and captured several slaves, the King of France ordered the construction of a more substantial fort, Ft. Rosalie in 1716. This cleared the path for increased settlement of the area and the reliance on slave labor made it possible for exports such as tobacco, indigo, rice, and lumber to be shipped to the mother country. In 1723, there were 111 African slaves living in the settlement out of a total population of 303. Four years later, this number had more than doubled to 280.<sup>1</sup>

In 1724, the Black Code, or *Code Noir*, was enacted to define the relationship between master and slave, and essentially gave owners absolute control over their slaves. However, if a slave owner opted to manumit a slave, the slave “then assumed the status of a naturalized inhabitant, enjoying the same rights and privileges inherent to Frenchmen.”<sup>2</sup> Methods open to slave holders choosing manumission were by last will and testament or deed. Permission from the Superior Council was necessary to complete the process. Free black slaveholders were granted an additional option; they could marry their slave in the Church, and thereby automatically emancipate said slave and any children of the match.<sup>3</sup>

It was possible for enslaved men and women to be freed by legislative action for useful services performed for the colony, such as military duty. This doubtless was the case for a number of African slaves that fought to subdue the Natchez Indians that had killed or kidnapped hundreds of the French settlers and slaves at Fort Rosalie from 1729-

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<sup>1</sup> Richard Aubrey McLemore, *A History of Mississippi Volume I* (Hattiesburg: University & College Press of Mississippi, 1973), 124-8; Letha Wood Audhuy, “Natchez in French Louisiana and Chateaubriand’s Epic, *The Natchez*,” in *Natchez Before 1830*, ed. by Noel Polk, 29-42 (Jackson: University Press of Mississippi, 1989), 33; D. Clayton James, *Antebellum Natchez* (Baton Rouge: Louisiana State University Press, 1968), 8; Gwendolyn Midlo Hall, *Africans in Colonial Louisiana: The Development of Afro-Creole Culture in the Eighteenth Century* (Baton Rouge: Louisiana State University Press, 1992), 71.

<sup>2</sup> McLemore, *History of Mississippi*, 128.

<sup>3</sup> H.E. Sterkx, *The Free Negro in Ante-Bellum Louisiana* (Cranbury: Associated University Presses, Inc., 1972), 16-17.

30. A black man named Diocou petitioned for his freedom and that of his wife's for his participation in this military engagement. At least fifteen enslaved black men fought alongside the French and were recommended by the French Attorney General to be emancipated. Thus, there were a number of ways that slaves could win their freedom. Unfortunately, the historical record remains largely silent on the numbers of free black men and women that resided in French Natchez.<sup>4</sup>

The French cooled considerably in their eagerness to continue settlement of the Natchez area after they retaliated against the Natchez Indians by enslaving or forcing them to flee their homeland. The settlers and enslaved Africans had predominantly been killed during the battle, captured and sold to the British, or enslaved by the Natchez Indians. Those that did not meet one of these fates in all likelihood retired to one of the more stable Louisiana settlements, such as New Orleans. Although the fort was rebuilt in the years following, a mere skeleton crew was posted at the site. According to a traveling Frenchman in 1751, the bluff was essentially desolate, with the exception of a handful of soldiers. At the French's defeat in the French and Indian War in 1763, all of their land east of the Mississippi River, with the exception of New Orleans, passed to the British.<sup>5</sup>

### **British Natchez 1763-1779**

The British recognized the agricultural potential of the Natchez area and sought to develop it by granting generous parcels of land to settlers coming from the British seaboard colonies. These colonists brought their slaves with them, generally three to four per family. Since the Spanish controlled the mouth of the Mississippi, they did not favor the competition of British cash crops and foodstuffs with their own, so British exports

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<sup>4</sup> Sterkx, *Free Negro*, 25-27; Hall, *Africans*, 103.

<sup>5</sup> James, *Antebellum Natchez*, 10-12; Audhuy, "Natchez," 36.

from Natchez were not encouraged. Consequently, Natchez slaves busied themselves with wresting arable lands from the wilderness in this rough frontier. In 1776, a town consisting of “10 log houses and 2 frame houses, all situated under the bluff” was established.<sup>6</sup> A number of planters during this time period achieved a measure of success through illicit river trade of produce and furs. However, English rule of Natchez was short-lived and it was surrendered to the Spanish as a consequence of the hostilities between the British and Spanish in 1779.<sup>7</sup>

### **Spanish Natchez 1779-1795**

The development of the Natchez District under the Spanish charted its future course as a planter-dominated region. The Spanish government was exceedingly interested in attracting settlers to the area. In exchange for signing a loyalty oath to Spain, the former British settlers and Americans fresh out of the American Revolution found a fairly tolerant government that enabled them to secure lands to begin producing agricultural products for the market. They could privately exercise any non-Catholic faiths, import goods free of duty, travel freely on Spanish-constructed highways and roads, and enjoy some military protection. Production of tobacco and indigo continued and was greatly encouraged during Spanish rule. One change in agriculture took place at this time, which would distinguish Natchez in the coming years: the introduction of cotton cultivation.<sup>8</sup>

Spanish Natchez is a misnomer in one important way. There were actually very few Spaniards residing in Natchez. The bulk of the white inhabitants were either British or American, with a few French families dispersed throughout the District. Under the

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<sup>6</sup>James, *Antebellum Natchez*, 18.

<sup>7</sup>Davis, *Black Experience*, 8; James, *Antebellum Natchez*, 13-18

<sup>8</sup>McLemore, *History of Mississippi*, 158-67; James, *Antebellum Natchez*, 31-45.

Spanish, the African presence increased significantly. The number of African slaves in 1784 was 498. According to Spain's 1787 census, there were 22 mulattoes, 675 blacks, and 1,275 whites living in and around the old fort. It is very likely that the mulattoes listed in this census were free. By 1796, people of African descent composed 40 percent of the population.<sup>9</sup> How were the lives of Africans affected under the Dons?

The treatment that enslaved Africans experienced under French and Spanish law was very different from the laws that originated out of the British tradition. In addition to all of the aforementioned French methods of procuring a slave's liberty, the Spanish provided a number of additional means. Probably the most important of all these, and used most frequently was the practice of *coartacion*, or self-purchase. Based on an agreed upon price, African men and women could buy their freedom with money they amassed through self-hire or gifts. Disinclined owners under this system did not pose an obstacle, as the slave or an agent acting on his or her behalf could obtain a *carta de libertad* (certificate of manumission). Therefore, the population of free people of color greatly increased under the Spanish because of this opportunity under law that enabled enslaved people to purchase themselves.<sup>10</sup>

Other paths to freedom included living in a foreign country for twenty years as a free person, or ten years in the country where the owner lived, or by becoming a clergyman. A woman who was placed by her owner in a brothel had the uncontested right to her liberty. Needless to say, the free black population in Spanish-held areas increased. Under the Spanish, there were infinitely more possibilities for freedom than under British law, since colonists in the Atlantic Seaboard frowned upon manumission.

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<sup>9</sup> James, *Antebellum Natchez*, 45; Davis, *Black Experience*, 9.

<sup>10</sup> Hanger, "The Fortunes of Women," 157

When manumission occurred, by law, in many cases, the newly manumitted were obligated to leave the colony. In Virginia, private manumissions from early on were illegal in Virginia, for example, and only those that were approved “by the governor and Council for ‘meritorious services’” received their freedom. Varying laws existed in all of the English colonies, which eventually became the United States, but most made slavery a much more complicated morass to escape than did those of the Spanish. There was a flurry of manumissions during and after the American Revolution in the Upper South, due to the heady rhetoric of liberty and equality that permeated revolutionary America. This greatly increased the free black population of states like Maryland, Delaware, and Virginia. Manumission was at the owner’s discretion, however, and there was no protection built into the system to coerce the owner into giving up all claims, as in the Spanish system. Under English law, having the purchase money in hand was no guarantee of liberty.<sup>11</sup>

Notwithstanding all of these increased opportunities for emancipation under the Spanish, the majority of free black people were descendents of Africans and Europeans, a result of sexual relationships between African women and European men. Due to the minimal numbers of European women that immigrated to the area, it was common practice for French or Spanish men and African women to cohabit, often forming life-long relationships that produced children. One result of this was a high proportion of light-skinned, or in the language of the time period, mulatto people. Often, their fathers emancipated mother and children and would legally recognize these children. In other cases, the mothers were already free women themselves, and thus, given that children

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<sup>11</sup> Sterkx, *Free Negro*, 37-38; Winthrop Jordan, *White Over Black: American Attitudes Toward the Negro, 1550-1812* (Chapel Hill: The University of North Carolina Press, 1968), 123-24.

followed the legal status of their mothers, they would be born free. There are numerous instances of these women and their children inheriting property, money, and even slaves from white men. Eventually, these people formed a recognizable class that intermarried among themselves. Men, women, and children ranging in color from dark brown to white characterized the free communities of color in the Lower South, and specifically, Natchez.<sup>12</sup>

Once freed, according to some scholars, there was still a distinct difference in the treatment that was accorded Africans under Spanish and British law.<sup>13</sup> Historians have long maintained that British—and by extension, American—laws continued to discriminate against free blacks after emancipation, while “the Spanish government which had ‘accorded them rights in common with other subjects,’” did not. The Spanish sought to maintain this group of people as an intermediary between whites and slaves. They considered them as a class below creolized Spaniards and above slaves and Native Americans. They had the same property rights protected under the law as whites. They could use the legal system to uphold those rights, if threatened, as any white man or woman could. However, there were some ordinances passed under the Spanish that sustained a visible mark of difference between them and whites. For example, free women of color could not adorn themselves in feathers, mantillas, and other accoutrements that white women included in their wardrobes, and they were required to

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<sup>12</sup> See, for example, a range of authors on this phenomenon, including: Hall, 240-42; Thomas N. Ingersoll, *Mammon and Manon in Early New Orleans: The First Slave Society in the Deep South, 1718-1819* (Knoxville: University of Tennessee Press, 1999), 137-42; Kimberly Hanger, “‘The Fortunes of Women in America:’ Spanish New Orleans’ Free Women of African Descent and Their Relations,” in *Discovering the Women in Slavery: Emancipating Perspectives on the American Past*, ed. Patricia Morton, 153-176. (Athens: The University of Georgia Press, 1996), 156-9; Berlin, *Slaves Without Masters*, 108-110; Schweninger, *Black Property Owners*, 99-101.

<sup>13</sup> For a critique of the cultural model that has prevailed since the 1940s that Africans were less dehumanized under the French and Spanish laws than under English laws, see Ingersoll, *Mammon and Manon*, 120-1.

wear a handkerchief turban. There were also efforts to separate free people of color from white people in some public places, such as theaters.<sup>14</sup>

Four free women of color left behind evidence of their presence in Spanish court cases litigated in Natchez during the colonial period. Two women, Molly and Emma, appealed to the Court in separate cases regarding the promise of their freedom by their masters prior to their deaths. In Molly's case, several area residents testified on her behalf that it was Jacob Leaphart's desire that the seventy-year-old Molly be set free due to the care that she had taken in nursing him throughout a protracted illness as well as managing his plantation and affairs. He had purchased Molly seven years prior to his death in 1793, and during that time, she had overseen his financial affairs and reduced his substantial debt. Unforeseeably, however, he died before her freedom was actuated, and did not live to legalize that which he had only voiced to several people. Other witnesses vouched for her good character and pointed out that even after Leaphart's death, she settled accounts with his creditors for the estate. It is interesting that Leaphart purchased her at such an advanced age, since she was approximately sixty-three. It is also quite unusual that she was entrusted with such responsibilities as managing his finances, but apparently she had his trust, as well as that of his associates and creditors, enough so that they would recommend her liberty to the court.<sup>15</sup>

Another case involved a woman named Nelly Price, described as an "English mulatto woman" who had been in the country for twenty years in 1786.<sup>16</sup> This woman was involved in trading with local Native Americans as well as the settlers at Natchez.

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<sup>14</sup> Sterkx, *Free Negro*, 67-90.

<sup>15</sup> *The Natchez Court Records, 1767-1805, Abstracts of Early Records*—The May Wilson McBee Collection, Volume 2 (Ann Arbor: Edwards Brothers, Inc., 1953), 169-70.

<sup>16</sup> There is another case involving an "Eleanor Price" in 1782, and they appear to be the same woman.

She was in partnership with a Spaniard, Miguel Lopez, and lived with him for a number of years on a plantation where she “cultivates the ground.” In the earlier case, she sued a Mr. James Barfield for failing to repay her after she provisioned him and his wife while they were in prison. Nelly was awarded damages in this case and Mrs. Barfield paid her \$38 for these provisions. The later case was a property dispute between herself and her partner, Miguel Lopez, which will be discussed in greater detail in Chapter Two.

Both of these cases are very much in line with those that Kimberly Hanger found in her research of New Orleans’ free women of color during the Spanish period. As she notes, “many slave and free black women did not hesitate to use the legal system, along with kinship and patronage networks, to improve their status and material circumstances...women of color had the courage, will, and talent to take on the legal system.” It appears that Natchez’s free women of color similarly used the courts to protect their liberties.<sup>17</sup>

### **American Natchez 1795-1820**

After the United States obtained possession of the Natchez District and Natchez became the territorial capital of Mississippi in 1798, the Spanish system of *coartacion* was abolished.<sup>18</sup> In the years preceding the U.S. census of 1820 for Adams County, it is very difficult to gauge the numbers of free people of color residing in and around Natchez. From 1795 to 1819, in forty-two separate actions, at least seventy-six enslaved men, women, and children were manumitted by deed. Out of these forty-two cases, a

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<sup>17</sup> Hanger, “Fortunes of Women,” 172-3.

<sup>18</sup> Natchez was acquired by the United States in 1795 under the Pinckney Treaty, but the Spanish did not vacate the District until 1798. See James, *Antebellum Natchez*, 58-76.

minimum of five involved white men emancipating their children and/or mistresses, totaling twenty-five people in all, or one-third of the manumissions.<sup>19</sup>

The most notable of all of these was William Barland, who emancipated his “friend and companion,” Elizabeth, and their twelve children. What is especially interesting is that in the will that he wrote in 1811, Barland stated that he had purchased Elizabeth and three of their children from James Eiler in 1789, and on that same day, emancipated them. Tragically, though, his house burned down in 1797, and this documentation was lost. Barland later rewrote the will to include the subsequent nine children that followed the first three, Andrew, Elizabeth, Jr., and Margaret, and to again, emancipate them all. This case will be discussed much more fully in Chapter Four.<sup>20</sup>

Four of the cases were self-purchases, or at least in part. For example, in the case of Esther Moore, a 32 year old slave, she was freed for “exemplary services and \$100.00 paid to (Robert) Moore.” Another woman, Milly, paid \$1,000.00 for herself and her two children, Thomas and Preston. Interestingly, during this time period, there were no instances of free people of color manumitting their slaves, although in the ten years following 1819, there would be five occasions in which this occurred.<sup>21</sup>

### **Free People of Color in the 1820s**

In 1820, the first census to be conducted in Mississippi provided a tabulation of free black people living in Adams County and the city of Natchez. These numbers certainly help in estimating the population, but should not be taken as the final count. Doubtless, some managed to elude inclusion in the census. Similar to what Sterkx found

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<sup>19</sup> Terry L. Alford, “Some Manumissions Recorded in the Adams County Deed Books in Chancery Clerk’s Office, Natchez, MS 1795-1835,” *The Journal of Mississippi History* 33, no. 1 (Feb. 1971), 40-50.

<sup>20</sup> Alford, “Some Manumissions,” 41-46; Adams County Will Book 1, 132-38, 1811.

<sup>21</sup> Alford, “Some Manumissions,” 41-46.

in New Orleans, and even to what later took place at Natchez, some free people of color may have been included in the white population.<sup>22</sup>

Gender demographics indicate a balanced ratio between women and men. The census differentiates between the city proper and the surrounding county, however, and because of this dichotomy, it is possible to document that there was a predominance of females living within the city and acting as household heads<sup>23</sup>.

**TABLE 1.1**

| <b>1820 Free Black Inhabitants</b> |                     |                 |                   |               |                          |
|------------------------------------|---------------------|-----------------|-------------------|---------------|--------------------------|
|                                    | <b># of Females</b> | <b>% Female</b> | <b># of Males</b> | <b>% Male</b> | <b>Total Free Blacks</b> |
| <b>Natchez</b>                     | 42                  | 53%             | 37                | 47%           | 79                       |
| <b>Adams County</b>                | 16                  | 48%             | 17                | 52%           | 33                       |
| <b>Totals</b>                      | 58                  | 52%             | 54                | 48%           | 112                      |

Source: 1820 U.S. Census Returns for Adams County, MS

**TABLE 1.2**

| <b>1820 Heads of Households With Free Black Members</b> |                     |                |                   |              |                   |                |                         |
|---------------------------------------------------------|---------------------|----------------|-------------------|--------------|-------------------|----------------|-------------------------|
|                                                         | <b># of Females</b> | <b>%Female</b> | <b># of Males</b> | <b>%Male</b> | <b># of White</b> | <b>% White</b> | <b>Total Households</b> |
| <b>Natchez</b>                                          | 9                   | 25%            | 8                 | 22%          | 19                | 53%            | 36                      |
| <b>Adams County</b>                                     | 0                   | 0%             | 3                 | 20%          | 12                | 80%            | 15                      |
| <b>Total</b>                                            | 9                   | 18%            | 11                | 22%          | 31                | 61%            | 51                      |

Source: 1820 U.S. Census Returns for Adams County, MS

The trend of free women clustering within city limits is very typical of other historians' findings for urban areas in the South. There were more economic opportunities awaiting women in the cities, as opposed to the rural landscape. In several cities across the South, women were employed as caterers, seamstresses, laundresses, merchandisers, and the like. Not only did increased economic prospects in the city draw

<sup>22</sup> 1820 U.S. Census for Adams County.

<sup>23</sup> 1820 U.S. Census, Adams County, Mississippi.

free women into them, but there was also a greater likelihood that women who lived in the city as slaves would have a better chance of obtaining their freedom.<sup>24</sup>

Although there were an abundance of economic opportunities available to both men and women of color in the city of Natchez, financial independence was not assured. The predominance of free people of color residing within or attached to white households is not surprising during this time. Many of the free black people listed in the census had recently been emancipated. It took time to become economically secure. In more than a few cases, the newly freed people were family members of the whites to whose household they were attached, or favored servants who continued to serve the family, only on a paid basis. Some maintained these ties were kept for protection. Free people were required to have their certificates of freedom in their possession at all times. It had to be renewed every three years for a fee of one dollar. It was critical to safeguard this certificate because failure to produce it could result in a free person being jailed or possibly sold into slavery on the auction block. Therefore, maintaining positive relations with members of the white community was crucial to the safety of free people of color.<sup>25</sup>

Emancipation of slaves became more complicated during the first quarter of the 19<sup>th</sup> century. In 1822, Mississippi passed a law requiring a legislative act to emancipate a slave for "some meritorious act had been done by the slave for the owner or for the state."<sup>26</sup> This meant that slaveholders could not free a slave through a deed at leisure, but had to prove to the satisfaction of the state that the enslaved person was worthy of liberty

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<sup>24</sup> For discussion of urban free women of color, see Suzanne Lebsock, *The Free Women of Petersburg: Status and Culture in a Southern Town, 1784-1860* (New York: Norton, 1984), 99; Schweninger, "Property-Owning Free Women," 14-15; Johnson; "Free African-American Women in Savannah," 263-66; Gould, *Chained to the Rock*, xxii-xxiii.

<sup>25</sup> Sydnor, "Free Negro," 769-770.

<sup>26</sup> *Ibid.*, 773.

based on their performance. Between 1823 and 1831, there were twenty-eight such petitions that went before the legislature. Only three cases were successful, which speaks to the reluctance of the state to free slaves during this time period.<sup>27</sup>

This is not to say that all owners followed the exact letter of the law. Numerous owners personally escorted their slaves to travel to another state for emancipation, or hired an agent to do so. The newly freed man or woman then returned to Mississippi. Cincinnati, Ohio was a popular choice for many, as was Philadelphia, Pennsylvania, and the state of Louisiana. Being that the state made it illegal for these sorts of manumissions to take place in 1831, it was a risky business for both parties. For the slave, it meant freedom for a period of time and then, if detected and prosecuted, sale back into slavery. For white slave owners, oftentimes the parent of the slave, it was ideal to free the person and allow them to return to their hometown where they had other family members, connections, and sometimes property. There was a provision in this law that allowed whites who were willing to attest to the good reputations of free people of color so that they could remain in the state.<sup>28</sup> The case of the McCarys is a good example of the quandary that both parties faced. In 1813, white property owner, Robert McCary willed the freedom of some of his slaves, including a woman named Franky and her two children whom he fathered, Kitty and Bob. In addition to their freedom, he left them all of his property in Mississippi;

and I hearby charge and devise my Executor herein after named to use his utmost endeavor to have them the said Sally and the said Franky, and children of the said Franky, that is to say one called Bob and the other called Kitty manumitted as soon as possible agreeable to the laws of the Mississippi Territory in that case made and provided;--And in case their manumission cannot be legally and easily obtained in the Mississippi

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<sup>27</sup> Ibid., 775.

<sup>28</sup> Sydnor, "The Free Negro," 449; Gould, *Chained to the Rock*, xxvii, xxx.

Territory, it is my Will, and my said Executor is hereby charged to send or have the said Sally and the said Franky, and her children, Bob, and Kitty sent to Pennsylvania thereto be manumitted agreeable to the laws of that State<sup>29</sup>

If the manumission was not legal in Mississippi, then he gave specific instructions to emancipate them in Pennsylvania, but they had to return to Mississippi to claim their property, which left them in the precarious position of remaining illegally in the state as free people. The townspeople of Natchez by and large, may have been uninformed about the finer points of emancipation and therefore, not given Kitty and Bob much thought. Or they were willing to turn a blind eye to free people of color who they felt to be reputable and productive members of Natchez society. But there were those who were not always supported by the greater community, or those who fell out of favor over time, so it was a very precarious position in which to be.

### **Free People of Color in the 1830s**

There were many strictures that were placed on free people of color during this time period. After the 1831 Nat Turner Rebellion, many historians have documented the panic that many whites experienced over people of African descent mutinying against the white power structure. Although there was very little involvement of free people in most rebellions that occurred in American history, free black people were looked upon with suspicion and mistrust, and there was a concerted effort across the South to limit their freedom and restrict their activities.<sup>30</sup> Abolitionist activities in the North were becoming more fervent and slave owners responded to this defensively by tightening their efforts to minimize the free black population. In 1831, the state of Mississippi again underlined the

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<sup>29</sup> April 15, 1813, Adams County Will book, Vol.1, Office of Records, Natchez, Mississippi.

<sup>30</sup> Berlin, *Slaves Without Masters*, 188.

provision that manumissions could only occur with a legislative act. Any manumission that occurred in another state was legal only if the freed person left the state of Mississippi, never to return.<sup>31</sup>

**TABLE 1.3**

| <b>1830 Free Black Inhabitants</b> |                     |                 |                   |               |                          |
|------------------------------------|---------------------|-----------------|-------------------|---------------|--------------------------|
|                                    | <b># of Females</b> | <b>% Female</b> | <b># of Males</b> | <b>% Male</b> | <b>Total Free Blacks</b> |
| <b>Natchez</b>                     | 35                  | 45%             | 42                | 55%           | 77                       |
| <b>Adams County</b>                | 29                  | 48%             | 31                | 52%           | 60                       |
| <b>Totals</b>                      | 64                  | 47%             | 73                | 53%           | 137                      |

Source: 1830 U.S. Census Returns for Adams County, MS

**TABLE 1.4**

| <b>1830 Heads of Households With Free Black Members</b> |                     |                |                   |              |              |               |                         |
|---------------------------------------------------------|---------------------|----------------|-------------------|--------------|--------------|---------------|-------------------------|
|                                                         | <b># of Females</b> | <b>%Female</b> | <b># of Males</b> | <b>%Male</b> | <b>White</b> | <b>%White</b> | <b>Total Households</b> |
| <b>Natchez</b>                                          | 2                   | 6%             | 8                 | 24%          | 23           | 70%           | 33                      |
| <b>Adams County</b>                                     | 2                   | 9%             | 5                 | 23%          | 15           | 68%           | 22                      |
| <b>Totals</b>                                           | 4                   | 7%             | 13                | 24%          | 38           | 69%           | 55                      |

Source: 1830 U.S. Census Returns for Adams County, MS

### **Increasing Restriction in the 1840s**

Besides limiting the opportunity to become free, there were measures to restrict the exercise of freedom of Mississippi's free people of color in general. By the 1840s, there were certain economic avenues that were blocked to free black people. Some of the avenues included the inability to sell liquor or groceries, and not able to run houses of entertainment. They were not allowed to sell items other than in incorporated towns in the state. Death was proscribed to any free black who published pamphlets or newspapers designed to promote rebellion or dissension within the ranks of the enslaved, thus they were barred from the profession of printing literature.<sup>32</sup>

The personal and civic liberties of free people of color were also limited. In his work on Natchez, Davis found that "Free blacks could not vote, hold public office, testify

<sup>31</sup> Sydnor, "Free Negro," 776; James, *Antebellum Natchez*, 175.

<sup>32</sup> Sydnor, "Free Negro," 770-1; Davis, *The Black Experience*, 46.

against whites, serve on juries in litigation involving whites, move around without written and certified proof of their freedom on their persons...or carry and keep weapons without a license.”<sup>33</sup> Their travel accommodations were often curtailed and they were not allowed the same privileges as white passengers on public transportation. Mississippi legislation contained provisions that prohibited people of color from insulting white people; thus, from an early age, much like in the later period of the Jim Crow South, young African American children had to learn the bitter lesson of swallowing words that protested injustice and discrimination. Although technically free, even with papers attesting to this in hand, because of their racial heritage and living in a society in which “the laws...presume a Negro *prima facie* evidence to be a slave,” there was a vast difference between freedom for whites and people of African heritage.<sup>34</sup>

There were those who exercised the restricted freedom of people of color in Natchez, but did not hold the documentary proof of their liberty. As one letter to the Natchez newspaper, *Mississippi Free Trader*, related in 1841, there were “at least fifty Negroes and mulattoes now in Adams County, who affect to be free.”<sup>35</sup> In response to the difficulties involved in legally freeing slaves, many owners disregarded the law and set their slaves free informally by giving up all claims to them. These people were free to find employment and accumulate goods and property on their own. Historians Loren Schweninger and Ira Berlin who focus on these “quasi-slaves” in their work note that it is virtually impossible to give an accurate accounting of their numbers in any southern city. Berlin reported “the largest number of quasi-free Negroes resided in the Lower South, where the obstacles to manumission remained the highest. Illegally freed blacks may

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<sup>33</sup> Davis, *The Black Experience*, 46.

<sup>34</sup> Ibid., 46; Sydnor, “Free Negro,” 769-71; James, *Antebellum Natchez*, 179.

<sup>35</sup> Sydnor, “Free Negro,” 776.

have composed more than half the free Negro population in some parts of the Lower South.”<sup>36</sup> In many cases, it was simply too much trouble, too expensive, or next to impossible to navigate through the legal waters to manumit people. Some owners recorded their illegal manumissions by deed. Although Mississippi had required a legislative act to free slaves since the 1820s, in the decade between 1830 and 1840, close to 100 manumissions were recorded in the Adams County deed books. Owners who wanted, for whatever reasons, to free their slaves, found ways to do it.<sup>37</sup>

Fanny Leiper almost lost her property over the question of whether or not she was legally free during the time that she held it and paid taxes on it. Although she had bought it in 1836 and regularly paid her taxes on it until 1848, the Chancery Court of Adams County had to determine if she illegally held it as a slave during that time. All of the people who testified on her behalf believed her to be a free woman of color, but this legal technicality was unclear due to the fact that Fanny did not have the papers to prove this freedom.<sup>38</sup>

In 1841, William Johnson, a free barber of color described a situation that he termed the “Inquisition.” There was uproar among the white community about the impact of free blacks upon the enslaved population. In one *Mississippi Free Trader* article, people were encouraged “‘to strike a severe blow against the practices of the rogue, the incendiary, and the abolitionist,’ by regulating slave conduct and by ‘the immediate removal of every free Negro, who has intruded upon our society.’”<sup>39</sup> Johnson

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<sup>36</sup> Berlin, *Slaves Without Masters*, 148.

<sup>37</sup>For a discussion of the “quasi-slave” phenomenon, see Loren Schweninger, “The Free Slave Phenomenon: James P. Thomas and the Black Community in Ante-Bellum Nashville,” *Civil War History* 22, No. 4 (1976): 293-307; Berlin, *Slaves Without Masters*, 143-49.

<sup>38</sup> *Leiper v. Huffman*, 1851.

<sup>39</sup> Hogan and Davis, *Antebellum Diary*, 12-13.

chronicles the harried activities of free black people soliciting whites for their names on petitions that would enable them to stay in town. Some men, women, and children were unlucky in this pursuit and were deported from the state.

Some free people of color in Natchez did not have to solicit white patrons. Over the years, beginning with the publishing of William Johnson's diary in 1954, Natchez historians have acknowledged that there was a class of people within the larger caste of the free community of color who were well known and respected by several white citizens of Natchez. The Johnsons, the Barlands, the McCarys, the Fitzhughs, and the Smiths were among those families of free blacks whose standing in the community was not questioned. These families held slaves, had accumulated lucrative estates, deported themselves in non-controversial ways, and were generally in line in their actions, if not always with their thoughts, with the upper class white community. Indeed, members of a few of these families were so light-skinned because of their mixed racial backgrounds; they appeared to be white, and some of them chose to "pass" as white.<sup>40</sup>

These families were the exception, however, and not the rule. The majority of free Natchez people of color was poor, illiterate, and did not hold property. In Adams County, for the first time since the census was recorded, whites did not constitute the largest proportion of heads of households containing free blacks. Black females composed the bulk of this group at 36%. The percentage could be even larger, in

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<sup>40</sup> For example, in an 1824 petition to the Mississippi Assembly, Andrew Barland, the oldest son of Scotsman William Barland and his "colored wife, Lisey (Elizabeth)," petitioned to be extended all the privileges of a white man because "in almost every case & by every means, been treated and received as well as tho he had been a white man and of fair character." He goes on to prove his "whiteness" by noting that "his education, his habits, his principles and his society are all identified with your views, that he holds slaves and can know no other interest than that which is common to the white population." This is taken from Loren Schweninger, ed., *The Southern Debate Over Slavery: Volume I, Petitions to Southern Legislatures, 1778-1864* (Chicago: University of Illinois Press, 2001), 86. Further, in 1840, the census taker recorded some members of the Barland family as being white rather than mulatto.

consideration of the fact that there are eleven cases that are unclear whether a free black man or woman headed households, due to the fact that the census enumerator only recorded a first initial of the person's name in some cases, and there was a male and female of comparable age in those households. Regardless, women headed the majority of the households in the 1840s, and there is a trend of less attachment to white households. Free people of color during this time had been freed for a generation and longer, and financially secure enough to move elsewhere and were less dependent upon their former owners.<sup>41</sup>

**TABLE 1.5**

| <b>1840 Free Black Inhabitants</b> |                     |                 |                   |               |                          |
|------------------------------------|---------------------|-----------------|-------------------|---------------|--------------------------|
|                                    | <b># of Females</b> | <b>% Female</b> | <b># of Males</b> | <b>% Male</b> | <b>Total Free Blacks</b> |
| <b>Natchez</b>                     | 107                 | 52%             | 97                | 48%           | 204                      |
| <b>Adams County</b>                | 35                  | 49%             | 37                | 51%           | 72                       |
| <b>Totals</b>                      | 142                 | 51%             | 134               | 49%           | 276                      |

Source: 1840 U.S. Census Returns for Adams County, MS

**TABLE 1.6**

| <b>1840 Heads of Households With Free Black Members</b> |                    |                |                  |               |                     |                 |                   |                |                         |
|---------------------------------------------------------|--------------------|----------------|------------------|---------------|---------------------|-----------------|-------------------|----------------|-------------------------|
|                                                         | <b># of Female</b> | <b>%Female</b> | <b># of Male</b> | <b>% Male</b> | <b># of Unclear</b> | <b>%Unclear</b> | <b># of White</b> | <b>% White</b> | <b>Total Households</b> |
| <b>Natchez</b>                                          | 23                 | 36%            | 16               | 25%           | 7                   | 11%             | 18                | 28%            | 64                      |
| <b>Adams County</b>                                     | 2                  | 11%            | 9                | 47%           | 0                   | 0%              | 8                 | 42%            | 19                      |
| <b>Totals</b>                                           | 25                 | 30%            | 25               | 30%           | 7                   | 8%              | 26                | 31%            | 83                      |

Source: 1840 U.S. Census Returns for Adams County, MS

The population of free people of color was at its zenith in the census of 1840. After that date, due to the increasing restrictive measures directed against free blacks, the population declined. Females still composed the majority of this population, and their dominance as heads of households was still evident at 49% in Natchez, and 50% in the surrounding Adams County. These percentages include households containing free blacks with white household heads. When white heads of households are removed,

<sup>41</sup> 1830 and 1840 U.S. Census for Adams County, MS; Davis, *Black Experience*, 48-49.

however, the ratio of free black females to males is even more dramatic with women in Natchez constituting 58% of household heads. In the outlying areas of Adams County, free black households with women household heads was at 63%. This trend decreases in 1860 and women heads of household fall below their male counterparts at 41% compared to men's at 49%.<sup>42</sup>

### **Decreasing Population of Free People of Color in the 1850s and 1860s**

The censuses of 1850, and even more so of 1860, provide more pertinent insight into the free black community in Natchez and Adams County. First, they list all of the names and ages of everyone living within each household. Secondly, both document the race of every member, making a distinction between "black" and "mulatto." They also account the real estate and personal estate values that selected households controlled. And finally, the occupations of household members are reported. All in all, the later censuses paint a much more detailed portrait of the community.

**TABLE 1.7**

| <b>1850 Free Black Inhabitants</b> |                     |                 |                   |               |                          |
|------------------------------------|---------------------|-----------------|-------------------|---------------|--------------------------|
|                                    | <b># of Females</b> | <b>% Female</b> | <b># of Males</b> | <b>% Male</b> | <b>Total Free Blacks</b> |
| <b>Natchez</b>                     | 116                 | 54%             | 98                | 46%           | 214                      |
| <b>Adams County</b>                | 26                  | 63%             | 15                | 37%           | 41                       |
| <b>Totals</b>                      | 142                 | 56%             | 113               | 44%           | 255                      |

Source: 1850 U.S. Census Returns for Adams County, MS

**TABLE 1.8**

| 1850 Heads of Households With Free Black Members |             |          |           |        |            |         |                  |
|--------------------------------------------------|-------------|----------|-----------|--------|------------|---------|------------------|
|                                                  | # of Female | % Female | # of Male | % Male | # of White | % White | Total Households |
| Natchez                                          | 26          | 49%      | 19        | 36%    | 8          | 15%     | 53               |
| Adams County                                     | 5           | 50%      | 3         | 30%    | 2          | 20%     | 10               |
| Totals                                           | 31          | 49%      | 22        | 35%    | 10         | 16%     | 63               |

Source: 1850 U.S. Census Returns for Adams County, MS

<sup>42</sup> 1850 U.S. Census returns for Adams County, MS.

**TABLE 1.9****1860 Free Black Inhabitants**

|                     | <b># of Females</b> | <b>% Female</b> | <b># of Males</b> | <b>% Male</b> | <b>Total Free Blacks</b> |
|---------------------|---------------------|-----------------|-------------------|---------------|--------------------------|
| <b>Adams County</b> | 121                 | 54%             | 104               | 46%           | 225                      |
| <b>Totals</b>       | 121                 | 54%             | 104               | 46%           | 225                      |

Source: 1860 U.S. Census Returns for Adams County, MS

**TABLE 1.10****1860 Heads of Households With Free Black Members**

|                     | <b># of Female</b> | <b>% Female</b> | <b># of Male</b> | <b>% Male</b> | <b># of White</b> | <b>% White</b> | <b>Total Households</b> |
|---------------------|--------------------|-----------------|------------------|---------------|-------------------|----------------|-------------------------|
| <b>Adams County</b> | 17                 | 41%             | 20               | 49%           | 4                 | 10%            | 41                      |
| <b>Totals</b>       | 17                 | 41%             | 20               | 49%           | 4                 | 10%            | 41                      |

Source: 1860 U.S. Census Returns for Adams County, MS

One of the most revealing patterns that characterized the free black community during these two decades is that it was predominantly “mulatto.” Eighty-four percent of all free people of color in Natchez and Adams County were of mixed race. This fits in with Schweninger and Berlin’s findings that in the Lower South, most of the free blacks were biracial, and not a result of the large-scale emancipation of dark-skinned African Americans that took place after the American Revolution; but of the more selective manumissions that most times, had to do with interracial relationships. The predominance of mulattos over blacks still held true in 1860, and was even more evident at 88% of the population.<sup>43</sup>

<sup>43</sup> 1850 and 1860 U.S. Census Returns for Adams County, MS; Berlin, *Slaves Without Masters*, 48-49; Schweninger, “Property Owning Free African American Women,” 16 and 20.

**TABLE 1.11**

| <b>Racial Characterization of Free Blacks</b> |              |                |                    |                |
|-----------------------------------------------|--------------|----------------|--------------------|----------------|
| <b>1850 Census</b>                            |              |                | <b>1860 Census</b> |                |
|                                               | <b>Black</b> | <b>Mulatto</b> | <b>Black</b>       | <b>Mulatto</b> |
| <b>Females</b>                                | 18%          | 82%            | 13%                | 87%            |
| <b>Males</b>                                  | 13%          | 87%            | 12%                | 88%            |
| <b>Totals</b>                                 | 16%          | 84%            | 13%                | 88%            |

Source: 1850 and 1860 U.S. Census Returns for Adams County, MS

Free people of color in Natchez were involved in a variety of occupations, most of them service-oriented in nature. The 1850 census does not record females' occupations, and seems to be very selective in its reporting as only a bare minimum of male occupations appear on the list. The most common jobs for females during the 1860s included making, maintaining, and washing clothes. For males, carpentering represented the most frequent occupation, followed by barbering, serving in white households, and being draymen. This census reporting should not be viewed as the sum total of free black occupations during this time, because other people were involved in a variety of economic activities and had multiple occupations. For example, Ann Johnson, barber William Johnson's wife, baked goods and grew produce in her garden and peddled these items to the public through her slaves. Her husband not only barbered, but also owned a bathhouse and a cotton plantation in the swampy area down by St. Catherine's creek. The census neglects to record these activities.<sup>44</sup>

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<sup>44</sup> 1850 and 1860 U.S. Census Returns for Adams County, MS; Gould, *Chained to the Rock*, xxiv-xxvi, xli-xlii.

**TABLE 1.12**  
**Free Black Occupations**

|                  | 1850 | 1860 |
|------------------|------|------|
| <b>Females</b>   |      |      |
| Dressmaker       |      | 13   |
| Seamstress       |      | 8    |
| Washerwoman      |      | 8    |
| Servant          |      | 1    |
| <b>Males</b>     |      |      |
| Carpenter        |      | 12   |
| Barber           | 3    | 9    |
| Servant          | 1    | 8    |
| Drayman          | 3    | 7    |
| Laborer          |      | 6    |
| Blacksmith       | 1    | 2    |
| Bricklayer       |      | 1    |
| Gardener         |      | 1    |
| Dagariere artist |      | 1    |
| Baker            |      | 1    |
| Steward          | 1    | 1    |
| Hosler           |      | 1    |
| Seamstress       |      | 1    |
| Hackman          | 1    |      |

Source: 1850 and 1860 U.S. Census Returns  
for Adams County, MS

Although the bulk of Natchez free people of color were poor, illiterate, marginal people whose lives and the lives of their families hung in the swaying balance of public opinion, there were some individuals who did not exactly fit into this category. Compared to the larger community of free blacks, their numbers are incredibly minute. According to the census in 1850, there were only nine free black property holding households out of sixty-three. In 1860, this number had only increased to eleven property holding households out of a total of forty-one. The property values of real estate ranged from \$250 held by Nelly and Power Boes in 1850 to the \$17,000 held by Thomas Barland, a laborer who held an additional \$12,000 of personal estate in 1860. In all, in 1850, the value of property held was \$14,750. In 1860, total property value held by free people of

color had increased to \$73,300. What is especially significant is that of the twenty property-holding households, women headed thirteen of them. What was the nature of female property ownership in Natchez? Who were these women and what distinguished them from others? What did it mean to be a free, black, female property-holder in Natchez during the time period of 1779 until 1865? These questions are the focus of Chapter Two.<sup>45</sup>

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<sup>45</sup> 1850 and 1860 U.S. Census Returns for Adams County, MS.

## **CHAPTER TWO**

**“SHE HELD SAID LOT AND IMPROVEMENTS AS HER OWN EXCLUSIVE AND  
SEPARATE PROPERTY:” WOMEN OF COLOR, WOMEN OF PROPERTY**

## INTRODUCTION

The 1860 census lists Ann Johnson as the head of her family, which included five daughters, four sons, and her mother, and holding \$10,000 in real estate and \$6,000 in personal estate. The family's assets also consisted of a number of slaves; at the time of Ann's husband William's death in 1851, a total of fifteen enslaved men, women, and children were held by the family. Ann owned two brick residences, one their home, and the other, a rental property that she leased out to supplement the family income. In the decade prior to this census, Ann had made a profit by selling the family's plantation fittingly named "Hard Scrabble" because of its relative lack of agricultural success. During this period she also authorized the construction of a new brick building on the family's town lot to house the shop in which three of her sons maintained her deceased husband's barbering business. After Ann's death in 1866, all of this wealth that had accumulated in the family over the course of a generation was passed to her children<sup>1</sup>.

The fifty-nine property-holding women included in this study had varied experiences and their assets ranged from the Johnson women's sizable resources to a woman who held a single lot of land with a cabin sitting upon it. Property in this study is defined as any real estate, personal estate, and/or slaves. This figure of fifty-nine women is a compilation of all female property holders that I have been able to locate and spans the years 1781-1865. These women lived in different times, and not at any one given time did they all co-inhabit Natchez contemporaneously. Also, most likely, there were greater numbers of free, propertied women residing in Natchez. These women were located in census returns, court cases, deeds, wills, and diaries; unfortunately, due to issues of time, tax records were not utilized in this analysis which could have served to

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<sup>1</sup> Gould, *Chained to the Rock*, xlii; Hogan and Davis, *Diary*, 34 and 61.

identify more women of color. Also, not all of the Adams County will books were consulted, it was more a process of sampling various books. The Johnson family was one of the wealthiest, if not the wealthiest, free black households that inhabited Adams County. But how extraordinary was their experience in comparison to other local women? How did free women of color obtain their property and any possessions under their control? What roles did color, relationships with whites, marriage, occupational skills, and education play? Did the acquisition of land, slaves, and goods secure these women a solid foothold on the constantly eroding bluff on which free people of color stood? Answers to these questions will be the focus of this chapter.

## **A PORTRAIT OF NATCHEZ'S FREE PROPERTY-HOLDING WOMEN**

### **Community Size and Numbers**

The population of free people of color was a slight fraction of the people held in bondage in Natchez. On the eve of the Civil War, free black people were approximately 1.5% of the overall population of people of African descent. In 1860, there were 14,292 enslaved Africans, and 225 known free people of color. Therefore, their experiences are markedly different. The proportion of women who held property was infinitely smaller than the number of free people. For example, in 1860, according to the census, there were four female heads of households who held real estate, out of a collective 225 free blacks, which makes female property holding heads of households less than 2% of the population of people of color for that year. When compared to the rest of Natchez's free and enslaved African population in 1860, it is apparent that women property holders composed a vastly insignificant portion of the total at less than ½%.<sup>2</sup>

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<sup>2</sup> The number of females who held property in Natchez was slightly larger. Within Elizabeth Fitzgerald's households, there were actually four women who were sisters and sister-in-laws of an approximate age to

In the rest of the Lower South, property-holding free women of color listed as household heads composed a minuscule portion of the total population of free women of color. In 1850, there were only 561 such women out of 10,123 women, less than a mere 1%. The amount of property they controlled was \$1,671,400. In Natchez, according to the census, there were seven females and two males who held real estate. The two men were married; therefore, it cannot and should not be assumed that it was solely their money, nor was it created by their ingenuity alone. One of the men, William Johnson, benefited much from the contribution of his mother-in-law, Harriet Battles, upon whose lot he was able to build a brick building that he leased out as rental property to increase his estate. Johnson also reaped the rewards of his wife, Ann's, efforts by producing and selling goods at market. The other man, Nelson Fitzhugh, was married to Agnes, and it may be assumed that she too, had a hand in helping her husband maintain and create wealth. Together, these married couples held \$9,000 worth of real estate. The seven females who held \$5,750 in property in 1850 and were all single, with the exception of one married woman listed as a household head, Nelly Boes, who held a joint \$250 in real estate with her husband, Power.<sup>3</sup>

By 1860 in the Lower South, the population of the adult female property-holding free women of color population rose to 10,620, and propertied female heads of household increased to 694. Together, they held \$1,870,200 worth of property. In Natchez, there were four women listed in the census as household heads. Collectively, these women

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one another and they held \$10,000 of real and personal estate in common. But Elizabeth was the listed head of the household. Davis, *Black Experience*, 17; 1850 and 1860 U.S. Census Returns for Adams County, MS.

<sup>3</sup> Note that the Lower South included the states of Alabama, Arkansas, Florida, Georgia, Louisiana, Mississippi, South Carolina, and Texas. Schweninger, "Property-Holding Women," 19; 1850 U.S. Census Returns for Adams County, MS; Davis and Hogan, *Barber*, 41; Gould, *Chained to the Rock*, xxv.

held \$28,000 of real and personal estate. For that same year, there were five male heads of household who held property controlling \$45,300. Two of those men were married, Nelson Fitzhugh and Robert McCary, and it can be assumed that their wives contributed to their estates. If the aforementioned Fitzgerald/Barland women are factored in, along with these two wives, men did not control the larger share of wealth in Natchez.<sup>4</sup>

### **Married Status**

During the entire time period that this study encompasses from 1779-1865, there were more unmarried free propertied women of color in Natchez than married.<sup>5</sup> Thirty-six of the fifty-nine women were either heads of households, or living within households with no spouse present, composing 61% of the free propertied women of color. Historian Loren Schweninger posited that this reticence on the part of propertied women of color to marry stemmed from a few factors: lack of eligible free men of color; fear of property loss; the complications of marrying enslaved men; and the illegality of marrying white men.<sup>6</sup>

One reason for the difficulty women had in finding eligible partners among free men of color was that free eligible women of color outnumbered men. According to the census between 1820 and 1860, women above the age of eighteen years without fail outnumbered men.<sup>7</sup> Even in years when the gender balance was relatively equal, women

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<sup>4</sup> Schweninger, "Property-Holding Women," 19; 1860 U.S. Census Returns for Adams County, MS.

<sup>5</sup> The methodology I used to compile the categories of unmarried and married was to examine the following records: census, court records, newspapers, police records, and secondary sources; and determine, based on those, if there was a mention of a spouse. If there was, obviously, the woman would be counted as married. If there was not, I counted that woman as unmarried. Unfortunately, this is not to say that this methodology is completely accurate. For example, there may have been marriages between these women and enslaved men, which would not be recorded in the census. Incidentally, there is an example of one such marriage that I found through a careful read of William Johnson's diary.

<sup>6</sup> Schweninger, *Black Property Owners*, 85.

<sup>7</sup> It was a simple task to count the number of men and women over the age of eighteen for the census years of 1850 and 1860, when the exact ages of all household members was included. Unfortunately, the numbers

consistently composed the bulk of the marriageable free black population. For example, in the year 1840, when the gender balance tilted only slightly in favor of women at 51%, women comprised 60% of marriageable individuals. Berlin, in his work on free black people across the South, found this to be the case in both regions, Upper and Lower South. If women could not find a suitable husband within the free community of color in Natchez, it would be necessary to expand the pool of eligible men, and consider relationships with enslaved men and white men.<sup>8</sup>

### **Race**

This tiny class of propertied free women of color in Natchez was predominantly classified as “mulatto.” Of the fifty-nine women, the color of nine of them is unclear. But of the women whose race was known, 96% of them were mulatto, and one of the women listed as “black” in the table, Nelly Boes, may have actually been mulatto. The 1850 census listed her as a black woman, but she was termed a woman “of light complexion” in the Board of Police minutes. This is a reflection of how racial perception among different people skewed how people of African descent were characterized. If Nelly was actually of mixed race, then 98% of the known free women of color who held property in Natchez were mulatto.<sup>9</sup>

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prior to the 1850 census are skewed in that they do not list the exact ages. In 1830 and 1840, the closest value to the age of eighteen would be the category of ten to twenty-four. I hesitated to use this category, however, because I did not want to include children not of a marriageable age. In the census of 1820, the category containing eighteen year olds included fourteen to twenty-six years. So, for these three census years, I did not count the girls and women within these categories, and only selected the next category, which in 1820 was from twenty-six to forty-four, and in 1830 and 1840, was twenty-four to thirty-six, and those thereafter. Due to the fact that a large segment of marriageable young men and women were not counted, the ratio of young women to men could in fact be much higher.

<sup>8</sup> Berlin, *Slaves Without Masters*, 177

<sup>9</sup> Some have noted the inconsistencies of census takers in recording the racial characteristics of respondents and how, in some cases, a person could appear in one decade as “black,” “mulatto,” “Indian,” or “white,” and in the next, as one of the other races. Although that did happen in the case of Nelly Boes, many other supporting documents have corroborated that the propertied women are primarily mulatto. For an example of the problems historians have encountered with the census, see Berlin, *Slaves Without Masters*, 174-75.

**TABLE 2.1**

**Race of Property Holding Women**

| <b>Race</b> | <b>#</b> | <b>%</b> |
|-------------|----------|----------|
| Mulatto     | 48       | 82%      |
| Black       | 2        | 3%       |
| Unknown     | 9        | 15%      |
| Total       | 59       | 100%     |

Source: See Footnote 9

This is a significant percentage of multiracial women. Historians that have extensively examined people of color like Loren Schweninger and Ira Berlin found mulattoes to range from 60-80% of the total population of free black people in the Lower South, as opposed to those termed “black.” According to Schweninger in his work on property-holding women in the Lower South, mulatto women composed 75% of the propertied class, or “only one out of four was listed as ‘black.’” For Natchez’s community of propertied women, the number was more closely one out of fifty.<sup>10</sup>

### **Age**

The women listed in the 1850 and 1860 censuses were all older, ranging in age from thirty-eight to sixty. Schweninger cited this as a defining characteristic of women who owned property and stated that “as a group they were extremely old—an average of

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1820, 1830, 1840, 1850 and 1860 U.S. Census records for Adams County, MS; Adams County Will Book 1, 132-38, 1811; *The Natchez Court Records, 1767-1805, Abstracts of Early Records*—The May Wilson McBee Collection, Volume 2 (Ann Arbor: Edwards Brothers, Inc., 1953), 11, 177-78, 246; *Robert W. Wood (Admins.) of John Irby vs. Elizabeth Butcher*, Case #679 Mississippi High Court of Error and Appeals, 1841; Personal conversations with Ms. Mimi Miller of the Historic Natchez Foundation; *Leiper v. Huffman*, Case # 6185, Mississippi High Court of Error and Appeals, 1851; and Hogan and Davis, *Antebellum Diary*, 15, 16, 18, 19, 23, 33, 36, 70, 209, 462, 504, 597.

<sup>10</sup> Berlin, *Slaves Without Masters*, 178; Schweninger, *Black Property Owners*

fifty years.”<sup>11</sup> This is a noteworthy point to consider, but a rather deceptive one and should not be taken to be representative of property-holding free women of color in all time periods or in all regions.

That average was calculated according to the census of those middle decades of the nineteenth century, but it may not be reflective of women who owned property prior to those decades. There were numerous young women who held property prior to the 1850 and 1860 censuses. For example, Ann Johnson, who was listed as the wealthiest free black woman in the 1860 census, had been a wealthy woman for a few decades. So, too, were the Barland and Fitzgerald women who had inherited property from their white fathers in the early decades of the nineteenth century. While it is true that as the passage of time continued, propertied women increased their assets through shrewd business acumen, many women acquired their property when they were quite young. Fanny Leiper serves as a prime example. In 1836 when she was approximately twenty-five years old, she was paying taxes on her city lot and the six-room house with surrounding enclosures and outbuildings that she had constructed on it.<sup>12</sup>

There are several other instances of younger women holding property. In 1830, Harriet Battle, Ann Johnson’s mother, held a city lot of land and one slave. She was in her early thirties at this time, and less than a decade later, in 1838, she held this lot valued at \$4,500, a house built upon it, and slave women valued at \$4,750. The Winn sisters, Helen and Mary, were even more youthful. Their free father of color passed away before they reached the age of maturity and were qualified to hold the considerable amount of property and slaves that he bequeathed to them. They chafed under the guardianship of an

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<sup>11</sup> Schweninger, *Black Property Owners*, 86.

<sup>12</sup> Hogan and Davis, *Diary*, 221.

executor until they fully came into their inheritance. These women all serve as examples proving that the property-holding class of women of color was not limited to women over forty years of age. Due to the limitations of the census in providing data on property ownership during the earlier decades, however, it is difficult to state the average age of women who held real estate, personal property, or slaves prior to 1850 with any certainty.<sup>13</sup>

### **Slaveholding Among Women**

A large proportion of Natchez women of color who held property also were slaveholders. At least thirty of the fifty-nine women, over 50%, held at least one slave in their possession during this period. A few of them held up to fifteen enslaved men and women. The reasons for this were as diverse as the women themselves. Many women rescued family members from slavery to reclaim their loved ones out of a dehumanizing institution and to prevent the possible disintegration of a family by sale. They were not always able to emancipate them immediately. Due to the increased restrictions on manumissions after the 1820s, Mississippians often had to hold their family members for quite some time until the opportunity presented itself.

Some free mothers of color found it necessary to hold their own children in slavery. Milly Sterns purchased her three children, seven-year-old twins Nathaniel and Ann, and their younger brother Seaton from David Lawson in Natchez in 1823, but had to hold them in slavery until 1827 when she was able to emancipate them in Cincinnati. Nancy Giraeau was herself emancipated in 1830 “in consideration of the sum of eight hundred dollars to me in hand paid by Geo. W. Smyth of the said City and State.”<sup>14</sup>

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<sup>13</sup> Hogan and Davis, *Diary*, 56n, 70n, and 221.

<sup>14</sup> Adams County Deed book S, 25 Aug. 1830, 509.

She was thirty years old and her young daughter, Frances, who was emancipated in this same transaction, was six. It was not until 1833 that she had the means to purchase her other two daughters, Sophia and Rosella, from her former owner, Felicite Giraeau. She held them for almost two years and manumitted them in 1835. Many women had to work hard and save money for years to obtain the means to purchase their precious children. Once that action was completed, at least they had the security of the physical presence of their sons and daughters until they could affect their technical freedom.<sup>15</sup>

The practice of holding one's family members was not limited to parents and children. One woman, Hester Cummins, "Bought her sister Hanah and her child for \$1000." Had Johnson's diary not existed, historians may have merely read the 1840 census listing with Hester Cummins as the household head and two slaves, and assumed they were personal servants, rather than family members she bought and, doubtless at a later date, emancipated. It is interesting to note that when Johnson recorded that she purchased them in his diary, it was 1835. She still held them at the time the 1840 census was conducted. Given that the laws of Mississippi did not provide for emancipation without a special legislative act, it was an extremely complex process to free slaves, and without a doubt, Hester's action of holding her sister and niece was out of a sense of protection.<sup>16</sup>

In her study of one well-known free woman of color, Kent Anderson Leslie related how Amanda America Dickson was raised in the Georgia household of her father,

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<sup>15</sup> Alford, "Some Manumissions," 48.

<sup>16</sup> 1820, 1830, 1840, 1850, and 1860 U.S. Census returns for Adams County, MS; Adams County Will Book 1, 132-38, 1811; *Robert W. Wood (Admins.) of John Irby vs. Elizabeth Butcher*, Case #679 Mississippi High Court of Error and Appeals, 1841; Personal conversations with Ms. Mimi Miller of the Historic Natchez Foundation; *Leiper v. Huffman*, Case # 6185, Mississippi High Court of Error and Appeals, 1851; Schweninger, *Black Property Owners*, 104-108; Hogan and Davis, *Diary*, Dec. 5, 1835 entry.

white planter David Dickson. Although she was surrounded with all of the material possessions and familial devotion befitting a wealthy daughter of a successful slaveholder, her father held her as a slave. The manumission laws of Georgia were fully as stringent as Mississippi's during the 1850s when Amanda was living a pampered childhood. The Dickson family, perhaps even her enslaved mother, almost certainly felt that she would be safer under the protection of the people who knew and loved her, and indeed, who enslaved her. Rather than venture sending her to a different state and leaving her to the mercy of strangers without her family, David Dickson made the choice to raise his daughter as a young lady of privilege, but as a slave.<sup>17</sup>

Natchez free women of color also held enslaved Africans for economic reasons, and little distinguished them in this from white slave owners. As Frederick Law Olmsted traveled the South and interviewed local inhabitants about various subjects including slavery, one enslaved black man informed him that,

They were very bad masters, very hard and cruel—hadn't any feeling. 'You may think, master, dat dey would be good to dar own nation; but dey is not. I will tell you de truth, massa; I know I'se got to answer; and it's a fact, dey is very bad masters, sar. I'd rather be a servant to any man in de world... but I wouldn't be sold to a coloured master for anything.'<sup>18</sup>

Shortly thereafter, however, this same sojourner in the South chatting with different people learned of another free black slave owner who "was well known to be kind to his Negroes, and would always sell any of them who wished it."<sup>19</sup> The cruelty or relative humaneness of slave owners depended on each individual, free person of color or white.

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<sup>17</sup> Kent Anderson Leslie, *Woman of Color, Daughter of Privilege: Amanda America Dickson* (Athens: University of Georgia Press, 1995) 41-47.

<sup>18</sup> Frederick Law Olmsted, *The Cotton Kingdom: A Traveller's Observations on Cotton and Slavery in the American Slave States, 1853-1861* (New York: Mason Brothers, 1861; reprint, New York: De Capo Press, 1996), 262 (page citations are to the reprint edition).

<sup>19</sup> *Idib.*, 315.

Natchez slaveholders were no exception to this individualistic treatment of slaves. There are entries in William Johnson's diary of whippings that he administered to the slaves in his household. He also utilized the public whipping house to send recalcitrant slaves to when he deemed it necessary. There was an instance in which one of his slaves, Steven, was out at night without permission and caught by the local slave patrol and whipped. Apparently Johnson did not feel that this was adequate punishment and whipped him again the next morning. In another fit of temper with a female slave, "Old Mary," who had been caught stealing biscuits, he related that "the way I cursed her was the wright way and if Ever I can hear of her doing the Like again I will whip her untill I make her faint."<sup>20</sup> This no doubt was mere bluster on his part because during his almost two decades of owning slaves, he chose whipping very infrequently as a disciplinary punishment. He did view slaves, however, as economic tools to increase his wealth and to support the system that most closely aligned him with the white planter community.

There is evidence that he formed strong attachments to his slaves, not unlike some white owners. His slave Steven was a constant source of stress and grief. Steven's drinking problem constantly taxed William's patience and he often had to discipline him for it, once even placing him in a chain gang. After dealing with Steven's infractions for almost a decade, Johnson had to sell Steven. On December 31, 1843, with "many tears" in his eyes, he took Steven down to the docks to put him aboard a ship. They were too late, so "Steven got drunk in a few minutes and I took him Home & made him Sleep in the garret and Kept him Safe."<sup>21</sup> The next morning Johnson again escorted him to the boat dock on the Mississippi River and that was the last time he saw Steven. "I felt hurt

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<sup>20</sup> Hogan and Davis, *Diary*, 52, 68-9, 91, 134, and 182-83 as some examples of his disciplinary actions with his enslaved men and women.

<sup>21</sup> *Ibid.*, 470.

but Liquor is the Cause of his troubles; I would not have parted with Him if he had Only have Let Liquor alone but he Cannot do it I believe.”<sup>22</sup> Johnson’s mother, Amy Johnson, also held slaves as did his mother-in-law, Harriet Battles. Both of these women bought and sold slaves regularly for profit.

Slave ownership for economic reasons among well-to-do free people of color like the Johnsons was hardly unusual. Louisiana had the highest numbers of slaveholders among this class of people in the South. For instance, in 1830, there were 1,556 free black slave owners in the Lower South, 753 in New Orleans alone. Together, these black masters held 7,188 slaves. Schweninger says of this class of slave owners that, “most owners considered their blacks primarily as chattel property. They bought, sold, mortgaged, willed, traded, and transferred fellow Negroes, demanded long hours in workshops and fields, and severely disciplined recalcitrant blacks.”<sup>23</sup> In Natchez, the Johnsons and the Barlands were primarily the families that held over fifteen slaves at one time. This is a small number considering that in 1830 in the Colleton District of South Carolina, free people of color, Justus Angel and Mistress L. Horry each owned eighty-four slaves. In 1860, the largest slaveholders of color were Louisiana sugar planters Mrs. C. Richard and her son P.C. Richard who between the two of them owned 152 slaves. But doubtless, larger and smaller slaveholders in Natchez were of a similar mentality that justified slavery by its profit, and some free women of color were no exception.<sup>24</sup>

These trends characterized the community of women of color in Natchez who owned property. For the most part, they were unmarried, mixed race women who

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<sup>22</sup> Ibid., 91, 303, 470.

<sup>23</sup> Schweninger, *Black Property Owners*, 105-6.

<sup>24</sup> Michael P. Johnson and James L. Roark, *Black Masters: A Free Family of Color in the Old South* (New York: W.W. Norton & Co., 1984), 64 and 128.

worked hard to consolidate, protect, and increase their property. Most of them owned slaves, for personal, familial, and economic reasons. These women and their families held the bulk of the property among free blacks in Natchez. But how did they acquire their property?

### **METHODS OF PROCUREMENT OF PROPERTY**

Sometimes it is a simple process to trace the method by which women came into ownership of property by the careful examination of wills and deeds. In other cases, there is a mere mention in the census records of the dollar estimate of a woman's holdings, but no insight as to how it came into her hands. Witnesses testified beginning in 1847 in the property dispute between two free women of color, that Fanny Leiper held a city lot of land near the bluff upon which she contracted to have constructed a six-room house with outbuildings and ornamental fruit trees planted for shade and beauty. During the litigation in the Adams County Chancery Court, people questioned how she acquired this land: was it from her own efforts, her white father's, or was she merely a tenant "at sufferance" of her white lover? Disentangling the complicated threads of fact, rumor, and time is a lengthy and sometimes, incomplete process. The questions posed in Fanny Leiper's lawsuit are not unusual in comparison to the experiences of other women of color during this time in the South.

The methods of acquiring property were varied, and it is not entirely clear how it occurred for all fifty-nine of the women in the study. Most women inherited the property from white and African American former owners, friends, lovers, husbands, fathers, and mothers. Some women acquired their property through their own actions by diligently working and saving. For approximately twenty of the women, it was not clear in the

documents how they obtained their property. Doubtless, it was through one of the abovementioned methods. In those twenty cases, the records identified them as property holders, but regrettably are silent on the act itself of becoming one.

There are trends that interconnect these women and separate their experiences from other people of African descent in Natchez. One of the most significant factors tying these women together was the connection between white men and property ownership. What were the critical links between these predominantly mixed-race women and white men?

**TABLE 2.2**  
**Free Black Female Property Ownership, 1779-1865**

| <b>Method of Procuring Property</b> | <b>#</b> | <b>%</b> |
|-------------------------------------|----------|----------|
| White Male                          | 13       | 22%      |
| White Father                        | 11       | 19%      |
| Free Black Father                   | 6        | 10%      |
| Free Black Mother                   | 5        | 8%       |
| Free Black Husband                  | 4        | 7%       |
| Unknown                             | 20       | 34%      |
| Total                               | 59       | 100%     |

Source: See Footnote 9

### **Property From White Men**

A full 62% of the women from known sources procured their property from white men, either by reward for service, sexual involvement, or by inheriting it as their daughters. As Table 2.2 demonstrates, most situations involving white males were instances of a former owner, employer, friend or lover. Most times, these were sexual relationships. From early in the history of the Lower Mississippi Valley, travelers to the region commented much on these relationships and on the people produced by this racial intermixture.

There is a body of literature on the sexual exploitation of enslaved African women by white men in the Western Hemisphere from the earliest times and continuing through emancipation. Rape and coercive sex did not distinguish between dark-skinned women and those that were almost white in appearance. The evidence of any African blood whatsoever justified in the eyes of whites, the right of white men to dominate those that were considered to be at this time period promiscuous and inferior, and who were unprotected under the law. Enslaved women more times than not had no choice in the matter, and history is littered with examples of nonconsensual sexual relationships between white men and enslaved women. At times, painfully young girls, virtually children, were forced into sex. Nonconsensual sex was not limited to single, unattached women; married women who did not have the protection of a legally recognized union with their black husbands often were intimidated into sexual relations. Even pregnant women were not unscathed by this abuse. As White maintains, "Although not all white male-black female relationships were exploitive, most began that way, and most continued that way."<sup>25</sup>

The price of these relationships was often high for black women. If a man was married, there could be a jealous mistress to contend with. This strained relationship

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<sup>25</sup> Wilma King, *Stolen Childhood: Slave Youth in Nineteenth-Century America*, (Indianapolis: Indiana University Press, 1995), 110-14; Darlene Clark Hine, "Rape and the Inner Lives of Black Women in the Middle West: Preliminary Thoughts on the Culture of Dissemblance," in *Unequal Sisters: A Multicultural Reader in U.S. History*, ed. Ellen Dubois and Vicki Ruiz, 342- 47. (New York: Routledge, 1990); Deborah Gray White, *Ar'n't I A Woman?: Female Slaves in the Plantation South* (New York: W.W. Norton & Company, 1985), 27-46, 34; a very excellent and succinct historiography on this can be found in Helene Lecaudy, "Behind the Mask: Ex-Slave Women and Interracial Sexual Relations," in *Discovering the Women in Slavery: Emancipating Perspectives on The American Past*, ed. Patricia Morton, 260-77 (Athens: The University of Georgia Press, 1996), 262-63; Edward E. Baptist, "'Cuffy,' 'Fancy Maids,' and 'One-Eyed Men': Rape, Commodification, and the Domestic Slave Trade in the United States," *American Historical Review* 106, no. 5 (Dec. 2001): 1619-50.

could lead to physical and verbal abuse and whippings, sale, and if light-skinned children were born, abuse or sale of them was always a grave possibility. Although white men dominated both white and black women, racism blinded white women to their shared oppression, and further led them to blame the victim in the case of interracial sex. Thus, black women had the double burden of their gender and race.<sup>26</sup>

Sometimes harsh realities visited these women even without jealous wives. In the case of Julia Dickson of Georgia, she was raped at the age of fourteen by her unmarried forty-year-old master and although her child came to be a pampered favorite of her father and grandmother, Julia essentially lost her daughter. Amanda America Dickson lived in the mansion with her white family and was acculturated with their values and ultimately inherited her father's fortune. In sum, Julia did not have control over her own sexuality, reproduction, or child. It is irrelevant that later in life, Julia wielded some power as David Dickson's mistress who controlled the plantation keys, and that her daughter led a relatively sheltered life and did not get sold. The damage and had been done. Without doubt, Julia's experiences as a young, attractive enslaved girl were similar to those that free women of color in Natchez were subjected to. If they themselves had not lived through this sort of sexual domination, then probably, their mothers or grandmothers had.<sup>27</sup>

Although all African women were at risk of sexual exploitation, lighter-skinned enslaved women had a greater likelihood of being employed as domestic or house servants, and thus, in closer contact with members of the household. In his work on the antebellum slave trade, Walter Johnson analyzed the role that racial ideology played in

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<sup>26</sup> Gray White, *Ar'n't I A Woman?*, 40.

<sup>27</sup> Leslie, *Woman of Color*, 1 and 37-8.

the minds of slave owners. Slaveholders “buying household slaves associated lightness with feminine domesticity.”<sup>28</sup> There was a world of meaning embedded within the appearance and skin color of African people. While people tended to associate dark skin with productivity, strength, and endurance, lighter skin was connected in the minds of whites with delicacy, intelligence, and gentility. With this increased proximity, the chances of sexual intimacy multiplied and examples of this are rife throughout history.<sup>29</sup>

This may have been one of the reasons that Andre Hutt’s wife refused to allow her husband to purchase the girl Alexina Morrison who, in her “almost white” appearance, had blue eyes and blond hair. As Andre remembered it, he escorted Alexina home to be viewed and evaluated by his wife and, “My wife looked at her and was not pleased, said she was not such a girl as she wanted.” For whatever reasons, Alexina appears to have latched on to the idea of becoming a domestic worker for the Hutts, and became quite insistent in her pleas for them to buy her. Perhaps this increased the fear in Hutt’s wife that there was an attraction between her husband and the girl and prompted her “almost to drive her out of the kitchen to get rid of her.”<sup>30</sup>

Racially mixed women were additionally sought as “fancies” and “fancy girls.”<sup>31</sup> Men were willing to pay double and at times triple the amount that a standard field slave would bring for these women who might become their sexual companions. Not only were these women beautiful in many accounts, but white men were also playing out a fantasy by pursuing these “fancy pieces.”

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<sup>28</sup> Walter Johnson, *Soul By Soul: Life Inside the Antebellum Slave Market* (Cambridge: Harvard University Press, 1999), 152.

<sup>29</sup> Ibid, 152-55.

<sup>30</sup> Ibid., 183 and Walter Johnson, “The Slave Trader, the White Slave, and the Politics of Racial Determination in the 1850s,” *The Journal of American History* (June 2000), 13.

<sup>31</sup> Fancy girls have been documented throughout the history of the South and refer to women who were selected on the basis of their physical appearance and were intended as sexual partners for white men. See Johnson, *Soul by Soul*, 113-15; and Baptist, “Cuffy,” 1619-50.

And so, at a very high price, whiteness was doubly sold in the slave market. In the first instance the hybrid whiteness of the slaves was being packaged and measured by the traders and imagined into meaning by the buyers: into delicacy and modesty, interiority and intelligence, beauty, bearing, and vulnerability. These descriptions of light-skinned slaves were projections of slaveholders' own dreamy interpretations of the meaning of their own skin color.<sup>32</sup>

Young girls were not protected by their tender ages, and often, youth coupled with light skin was even more of a stimulant in this sort of trade. As light-skinned Harriet Jacobs shared in her slave narrative, when she reached her adolescence, her master "occasionally had high prices offered for me." But he chose to keep her on the pretense that he could not sell his daughter's slave, but when she "entered on my fifteenth year—a sad epoch in the life of a slave girl," her master's true intentions became known and he "began to whisper foul words in my ear." This account, along with many other light-skinned slaves' experiences, may in part explain how many of Natchez's light-skinned women came to be mistresses of their owners, and more fortunately for them, managed to extract their freedom.<sup>33</sup>

Some women were willing to take on the role of mistress to these white men in hopes that it would lead to an improvement in their circumstances. The dangling carrot of freedom for themselves and/or their children, property, clothing and jewelry, status, among other tangibles and intangibles was doubtless a powerful motivating force for some women. One of the difficulties in analyzing interracial sexual relationships is that in the last couple of decades, historians have emphasized the agency that the enslaved exercised in determining their response to an oppressive system. While this has

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<sup>32</sup> Johnson, *Soul by Soul*, 155.

<sup>33</sup> Harriet A. Jacobs, *Incidents in the Life of a Slave Girl: Written by Herself* ed. by Jean Fagan Yellin (Cambridge: Harvard University Press, 1987), 19 and 27.

reinvigorated the debate, and breathed new life into the former dominant paradigm that emphasized the oppression of African Americans, in many ways has de-emphasized that oppression which was a key for whites to maintain the system, and which more African Americans than not suffered under. By stating that some women became willing partners for white men, this position does not ignore the pain and anguish that the greatest portion of these women experienced. But neither does it paint a picture of total submission and victimization that would not do a service to the memories of women who did not acquiesce without a struggle. The answer can be found somewhere in the middle for many, as in most life experiences. There were in select cases, choices that were available, and for whatever reasons, women had some agency in exploiting them.

Sexual relationships with white men were not limited solely to enslaved women. The long-lived practice of placage in New Orleans placed young free women of color into a position of dependence and support by white men. White men were encouraged from young ages to contract with the family of a free woman of color and make living and support arrangements for her and any children they might have, prior to getting married to a white woman, and even continuing on after. This practice, which essentially became an institution, provided an alternative to legal marriages, which were prohibited between any whites and people of African descent, free or enslaved, in Louisiana. Children were produced out of these common-law, or “left-handed marriages” and there was very little social stigma attached to them in the free community of color. In addition to these formal arrangements, there are examples of free black women cohabiting with

white men not only in New Orleans, but also all over the Lower South, including Natchez.<sup>34</sup>

One of the healthier examples of these interracial common law marriages in Natchez involved free woman of color Mary Ellen Williams and white planter and politician Adam Bingaman. Bingaman was a son of a family of high social standing in the community, having studied in the top of his class at Harvard in 1812, married into a well-known and respected family, and in the 1830s served as Speaker of the Mississippi House and president of the Senate. He was described as flamboyant, brilliant, and wealthy, owning over 200 slaves. His family connections, wealth, and politics assured his position in the town, at least for a time.<sup>35</sup>

It was his connections with the community of free people of color that caused consternation among area whites. Bingaman was a patron of William Johnson's barbershop as well as a personal family friend. He served as administrator of the family's estate after Johnson was murdered in 1851 and saw to it that William and Amy's son who had to be institutionalized due to mental illness, was taken care of. He also supported the existence of the free black community during the period that Johnson termed "the Inquisition," in 1841 in which numerous free people had to prove their freedom and obtain white sponsorship or face deportation from Mississippi or enslavement. Due to the cause of this "Inquisition," a suspected slave rebellion plot that had been uncovered in nearby Bayou Sara, free blacks were targeted by the white community as a possible insurrectionary force and pressured to prove themselves "of good moral character."

Contrary to the guiding principles of the Mississippi Colonization Society, which sought

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<sup>34</sup> Sterkx, *The Free Negro*, 243, 250-53;

<sup>35</sup> Cecilia M. Shulman, "The Bingamans of Natchez," *The Journal of Mississippi History* LXIII, no. 4 (Winter 2001): 300-05; Davis and Hogan, *Barber of Natchez*, 233-39.

to remove free blacks to Africa rather than maintain them in Natchez after this incident, and some of whose key members included members of Bingaman's family and friends, he remained aloof from their activities in ideology and practice.<sup>36</sup>

But it was probably his relationship with Mary Ellen Williams and their children together that caused the greatest disapproval among white Natchezians. In 1842, he freed her along with her (and most likely his) two children, Charlotte and Catherine. In the 1840s, New Orleans was a frequent destination for the couple. This may have been because of a combination of the more lenient and accepting attitude towards mixed-race couples, the negative feeling toward free people of color (and perhaps toward him for openly living with his family) during this time in Natchez, and a healthier place to raise children. In the following years, the pair had two more, James and Elenora Bingaman, the latter who was the sole beneficiary of his property in 1869. Some historians have suggested it was because of his acknowledgement and care for his family that Bingaman lost much stature in the community and died in relative poverty "in a back alley of New Orleans."<sup>37</sup>

This phenomenon of women obtaining their freedom as well as that of their children's from white men occurred with at least nine mothers of color in Natchez, impacting a total of twenty-three women.<sup>38</sup> Not all of the daughters obtained immediate freedom with their mother, as had Elenora who was born free because of her mother's

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<sup>36</sup>John Hebron Moore, *The Emergence of the Cotton Kingdom in the Old Southwest: Mississippi, 1770-1860* (Baton Rouge: Louisiana State University Press, 1988), 265-6; Hogan and Davis, *Diary*, 12-13, 53.

<sup>37</sup>Shulman, "The Bingamans," 301, 310-12; 14 Sep., 1869, Adams County MS Will Book 4, 576.

<sup>38</sup>Keep in mind that these are of the 59 women in the property-holding class. This phenomenon was doubtless a much larger experience for free women who didn't hold property. For example, I did not include Fanny Leiper's mother as one of the mothers of color because I never found any documentation that she held any property. However, Fanny was born in 1811 to an enslaved woman, Hannah Frey, who later was emancipated, and though it is not clear when Fanny was freed, it was due to her white father paying \$300 to her mistress.

free status. Some of them, as in the case of Adelia Johnson (Miller), William Johnson's sister, were freed years after their mother. But in all of these cases, the daughters were freed because of the connection with their mothers. Almost certainly, most of these daughters shared the sentiment of Ann (Battles) Johnson towards her own mother Harriet, as one of Harriet's friends reminded her after Ann's death and Harriet's subsequent guilt that she had outlived her child. "You know how Anne leaned upon & looked up to you as her main stay & had you been removed from her, how she would have suffered & how lost she would have been."<sup>39</sup> Even though their white fathers may have bestowed technical freedom on them, it was not without the choices and sacrifices that their mothers made and the influence that they had to ensure this action. With the exception of Amy Johnson and her daughter Adelia, all of the women falling into this category of having received their freedom from their mothers through their relationships with their white fathers, also inherited property from these white men. As with the bestowal of freedom, free children had their mothers to thank for the acquisition of property, though officially from the estates of white men.<sup>40</sup>

In addition to familial and romantic relationships with white men, some women did receive property from white men for services rendered. This was how Elizabeth Butcher came into her property from the will of John Irby in 1836:

That whereas Elizabeth Bucher a free woman of cullour who hass been my constan nurse and housekeeper for this last seventeen years.—I therefore give my land and howses (commonly known by the name of the White House Tavern) Together with all Housewhole and kitchen furniture. Also my two negroes, Alexander & Creasy, also my two Horses and Buggy. And in fact every thing that was mine I give to her and her aysr for ever and as I am now in debt, I do not wish her to be held to security now to be put to any trouble further than to prove this will, all my money in Bank

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<sup>39</sup> Gould, *Chained to the Rock*, 41.

<sup>40</sup> For references to these women, see Footnote 4 of this chapter;

and in the House is also hers.<sup>41</sup>

Taken at face value, there is no indication that this was anything but a platonic association. It is possible that Irby rewarded Butcher out of gratitude for nursing and caring for him for almost two decades. He may have had no close family members or friends living to inherit his property. Or there is also the possibility that there may have been something not visible on the surface between the two. In any case, this is an illustration of one nonphysical relationship in Natchez in which a white man who may not have been her lover gave a free woman of color property.

Another case in which a free black woman gained her freedom, that of her child's, and property involved a white man and his wife. In 1822, Harriet Battles was the slave of Gabriel Tichenor in Concordia Parish, Louisiana, right across the river from Natchez. He emancipated Harriet, but was unable to free her daughter, Ann Battles (Johnson), as Louisiana law stipulated that "only the mother could be freed," as the daughter was only seven. Ann's freedom was affected four years later when Tichenor appointed a Cincinnati attorney to "emancipate Harriet Battles again and to free her daughter... 'in consideration of the faithful services of the sd mulatress and for other good considerations.'" In 1829, the relationship between Harriet and Tichenor and his wife was still cordial, enough so that they sold to her a city lot in Natchez for \$2.00.<sup>42</sup>

Regardless of the exact nature of the relationships between the mixed race women and white men in Natchez, be it romantic, sexual, friendly, fatherly, or business, the largest part of women received their property out of these relationships.

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<sup>41</sup>Robert W. Wood (Admins.) of John Irby vs. Elizabeth Butcher, Case #679 Mississippi High Court of Error and Appeals, 1841.

<sup>42</sup> Davis and Hogan, *Barber*, 27-28.

## **Property From Free Men of Color**

Free black men who built substantial assets as well as men who had little, left them as inheritances for their spouses and daughters. 26% of the propertied Natchez free black women benefited materially in this way. During the life cycle of a free family of color, most times, all members engaged in economic activities for the benefit of the whole. Free men who held property in Natchez were primarily trained in some sort of skilled occupation. Their wives supplemented their incomes by growing produce or boarding rooms. Many of the children were educated in the homes or sent to another state for schooling, and boys were apprenticed to other free men of color to learn trades. Men felt very strongly for their families and the women in their lives, and wanted to ensure they would be secure after they themselves were gone.

Nelson Fitzhugh was listed in the 1860 census as a servant who held \$9,000 of real estate and \$3,000 of personal estate with his wife, Agnes, and nine children ages three to twenty. He was clear in his instructions in leaving his property to his wife and from that, entrusting her to provide for their children:

To my beloved wife Agnes Fitzhugh I give bequeath and devise all and singular my property of which I may [illegible] real, personal and mixed and wheresoever situated for and during the time of her natural life subject however to the legacies conditions and encumbrances herein after.<sup>43</sup>

Similar statements in other wills point out how free men of color wanted to make certain that even with property, their children developed their talents and intellects to their fullest potential. George Winn was listed in Natchez records as far back as 1799 as a free man of color. When he died in 1831, he left all of the almost 1,200 acres he owned in Adams County, another tract in Lawrence County, and fifteen slaves to his two

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<sup>43</sup> Adams County Will Book 4, 5 Feb, 1868.

daughters, Polly and Helen, and his son Winslow. Besides property, he made provisions in his will for his children's educations and expressed his desire that they "be educated in Ohio or an adjoining state." Helen attended school in Pennsylvania from 1835 to 1840, and Winslow also was educated in the state. It is unclear if Polly was sent out of Mississippi, but according to Hogan and Davis, some tutoring took place. It is also interesting to note that these children may have had a white mother because the state census of 1816 lists one lone white female above the age of twenty-six in the in the otherwise free black household that also contained ten slaves. Whatever the case was, the heirs of George Winn were well provided for by their father.<sup>44</sup>

Although the greater part of entries in the diary touch on aspects of his business, sporting interests, and social events, William Johnson voiced eloquent thoughts towards the women who were closest to him: his mother, wife, daughters, and sister. He cited walks that he took with his wife to the Bluff at Natchez to enjoy the sunset, arguments that they had, and dinner parties. He proudly announced the births of his daughters within his diary and of the oldest, Anna, he recorded, "To Day about [blank] Oclock my Little Daughter was Born And the Larges & Finest Child I Ever saw of its Age." He also chronicled taking the children to the circus, having them tutored and sent to Louisiana to be educated, and riding with his small daughters on horseback. Since his life was cut short at the age of forty-two, when his oldest daughter, Anna, was ten and his youngest, Josephine, was two, he did not live to enjoy their adolescence, but his wife, Ann, ably took control of the family assets and increased the holdings.<sup>45</sup>

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<sup>44</sup> Hogan and Davis, *Diary*, 209, 272.

<sup>45</sup> See, for example, some of his diary entries that mention his family in Hogan and Davis, *Diary* entries of Apr. 16, 1837, Mar. 25, 1841, Feb. 1, 1842, July 9, 1842, August 13, 1842, August 14, 1842.

Free men of color took the necessary steps to provide for their families' economic well being in an uncertain world. This was not limited to physical assets, but included the intangible and necessary benefits of education and vocational training for their children. For free individuals of color to prosper, material wealth alone was not adequate, and training was indispensable for their children to survive in an atmosphere that was often hostile to free blacks.

### **Property From Free Women of Color**

The free women of color in Natchez left houses, lots, slaves, and possessions to their children. Five women of color acquired their property in this manner. Mothers wanted the assurance that their children, especially their daughters, would be provided for after their deaths.<sup>46</sup> This is evident in the wording of the wills in which these women put forth their instructions to dispense of their estates. Women particularly considered the support of their unmarried daughters, perhaps in light of the fact that all of the mothers were themselves single women who understood the struggles facing women without an adult male income earner residing in one's house. They therefore, took exceptional care in providing for these daughters.

One mother, Nancy Giraeaudeau, was one such mother. In the 1830s she purchased all three of her daughters, Sophia, Roselle, and Frances from her former owner, Felicite Giraeaudeau, who was herself, of African descent, but was passing as a white woman in Natchez.<sup>47</sup> In 1842, Nancy authored a will that divided her estate among her three daughters. Her eldest, Sophia, who was approximately twenty-six years

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<sup>46</sup> This is not to say, however, that free women of color did not make provisions for their sons. See for example, the following section regarding Rebecca Parker leaving possessions for her three sons as well as her daughter.

<sup>47</sup> Much more of this woman and the phenomenon of "passing" will be discussed in Chapter Five.

old at the time and “of dark mulatto complexion,” was married to free man of color, Robert Leiper. In consideration of this, Nancy stipulated that at her death, her “House and Lot on which I now reside in the City of Natchez on the South Side of State Street” be inherited by her three daughters. But she inserted a clause that whenever they chose, the two youngest daughters could “purchase out the remaining third part thus devised unto my said daughter Sophia Leiper” at whatever price the house was appraised for and that Sophia and her husband after being paid this sum, would in turn, return it to Roselle and Frances for their use. Further, Nancy ensured that the youngest, Frances, would inherit “all my household and kitchen furniture beds and bedding furniture.” Finally, all the remaining money and other personal property would be divided among the three daughters.<sup>48</sup>

Nancy evidently was assured in her belief that Sophia was financially secure within her own household and did not require as much maternal support as her younger daughters. In 1860, Robert Leiper was listed in the census as a drayman and was probably making a lucrative living. He is listed next to Andrew Leiper, more than likely his brother, who held \$500 in real estate. Perhaps as in the case of the Fitzgerald/Barland women, they shared some property in common with one another. Regardless, Nancy Giraeau by leaving the greater portion of her estate to her younger daughters clearly felt Sophia occupied more stable economic ground than her sisters. By making it plain that her youngest, Frances, was to possess all of her furniture, she again underlined her concern that her youngest and most vulnerable of heirs needed additional assistance. Indeed, Nancy seems to have been motivated by maternal instincts to protect her “baby” and evidenced this as early as 1830 when she and six-year old Frances were freed by

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<sup>48</sup> Adams County Will Book 2, 10 Oct., 1842, 256.

Felicite Giraeau, while sixteen-year-old Sophia and twelve-year-old Roselle remained in bondage until 1833.<sup>49</sup>

Free mothers of color distinguished between children they had with different fathers and often made separate provision for them. For example, Rebecca Parker was emancipated by William Parker, Jr. in 1826 and evidently had two of his sons. In the will she recorded in 1840, she left her “horse and all my household furniture of every Kind” to her other two children, Ellenora and Peter, who apparently were not William Parker’s, although they did have Parker’s last name. She instructed her executor to sell all of this and after all her debts and funeral expenses were paid, she desired that the remainder be used “towards the clothing and supporting of my children equally.”<sup>50</sup>

After detailing the instructions for the dispersal of her property, she offered this explanation relating to the two sons, James and William, that she had with Parker, “The reason why nothing is herein devised to them being the belief that they are sufficiently provided for by the will of said Parker.” Apparently, Parker’s will bequeathed property to the boys, but Rebecca requested that the guardian of all four of her minor children, Eli Montgomery, have the two of her biracial sons “put out to some good trade.” This was probably to guarantee that they would both have viable vocations to support themselves if the property left by their father was not sufficient for financial independence. Rebecca, like Nancy, was motivated by the desire to see that all her children could prosper equally, and thus, made adjustments to ensure they would.<sup>51</sup>

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<sup>49</sup> 1860 U.S. Census for Adams County, MS; Adams County Deed Book S, 509; Alford, “Some Manumissions,” 48.

<sup>50</sup> Adams County Will Book 2, 23 September 1840, 270.

<sup>51</sup> Ibid., 270.

Natchez mothers, as well as free black and white fathers, thus, sought to provide for their offspring after they were gone. Fifty-six percent of free women of color inherited their property from their parents, which demonstrates that having family connections was a critical ingredient for prosperity. Mothers were integral figures in the lives of free women of color, not only for economic reasons, but emotional ones as well. As demonstrated, mothers labored for the freedom of their children and provided psychological, as well as financial, support to them. As William Johnson noted after the death of his mother, Amy, "The remains of my poor mother was buried, oh my god. My loss is too greate. Oh my poor belovd mother is losst to me forever in this world."<sup>52</sup> Certainly daughters shared this sentiment about their own mothers.

Notwithstanding the circumstances into which free women of color came into possession of their property, there is a question of how secure it was in their hands. Were there certain vulnerabilities women of color faced in protecting their holdings? If so, what was the nature of these? This will be the focus of Chapter Three, which will examine case studies of property-holding women. The continuing story of Fanny Leiper will be detailed, as well as the experiences of other women like Nelly Price and Elizabeth Butcher.

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<sup>52</sup> Hogan and Davis, *Diary*, 641.

### **CHAPTER THREE**

**"INTENDED TO BE MADE FREE, IN THE LARGEST SENSE OF THE WORD AND SHE USED THAT FREEDOM:" THE VULNERABILITY OF FREE WOMEN OF COLOR**

## **INTRODUCTION**

Vulnerability was an endemic condition of free people of color in all times and all places. Natchez, Mississippi was no exception. In a society designed to make a clear distinction between slave and free based upon race, free people of color, by their occupation of a middle space were susceptible to challenge from all sides. Lawmakers actively placed restrictions on their liberty and made efforts to limit their population from increasing. Free people had to tread carefully at all times to assimilate themselves into the dominant culture or risk public censure.

There were time periods in which free blacks were under even more scrutiny and pressure to prove themselves worthy of freedom. When Natchez came under control of the United States in 1798, and thereafter, their freedom was incrementally limited. The 1820s through the 1840s were particularly taxing times for free people of color as indicated in Chapter One. Not only did the process of obtaining freedom during this period become increasingly difficult, but that freedom had to be maintained and protected in order for free blacks to remain in Natchez. Although many whites vocally and actively supported the community of free blacks, there were some who thought they had no place in Natchez.

It became necessary for many free people of color to obtain white sponsors who would vouch for their good and productive behavior. Free people of color could not hold property in their own names and had to have a white trustee attach their names to deeds. It was beneficial to free people of color to maintain positive relations with these white patrons at all times since freedom was not guaranteed to people of African ancestry.

Although property-holding people of color had an advantage in that their property afforded them some sense of security, external forces could loosen the hold on their assets. The case of Fanny Leiper is especially illustrative of the fragile position that people of color occupied.

Fanny Leiper shared many similarities with other Natchez free women of color. She had a white father and a mulatto mother, both of whom were instrumental in her freedom. She remained close with her mother, Hannah Frey, even sharing her house and subsequently moved to Cincinnati with her. Fanny was romantically involved with at least one white man and simultaneously benefited from and suffered because of this relationship. She took in washing for people to supplement her income, as well as grew produce in her garden. Most importantly, she was subject to the same instability of public opinion that other free women of color experienced. Although she was able to live her life while in Natchez as a relatively prosperous woman with property worth approximately \$2,000, her vulnerability as a free woman of color left her exposed to unscrupulous people.

This was evident in the course of litigation that she brought against Malvina Huffman, Oliver Bemiss, Joseph Winscott, and James Walsh in 1847 to recover damages for the house and lot that she lost due to fraud. Fanny appealed to the Southern District Chancery Court in Natchez to order Malvina Huffman to return the deed to her and recompense her for the lost rent and damages she had caused the house and property. This should have been a straightforward and simple question for the court to decide, but other issues relating to Fanny's status as a free woman of color surfaced and prevented a speedy trial.

## **A Question of Freedom**

At the heart of Fanny's lawsuit against Malvina Huffman to reclaim her property was the issue of if she was truly a free woman and not a slave. Everyone who testified for and against her agreed that she *acted* as a free woman. There was no doubt that Fanny acted for herself and no one claimed her as their slave, but whether or not the legal technicality of freedom was actuated came under scrutiny. Although most of the witnesses believed Fanny to be a free woman, none of them could substantiate this to be true because there were no corresponding documents proving it beyond shadow of doubt.

One person who might have been able to definitively vouch for her, Margaret Overaker, her former owner, was unable to provide documentation that Fanny was a free woman. Margaret testified that she had taken \$300 from Fanny's reputed white father, J.S. Miller, as a small consideration for her and had given up all claim to Fanny's services. Gabriel Tichenor, the man who had earlier in the 19<sup>th</sup> century, freed his slave, Harriet Battle and her daughter, Ann<sup>1</sup>, concurred with this and testified that "she was furnished with a full & regular deed of manumission, duly executed, but of this fact I cannot be certain, I think I wrote, and Witnessed such a Paper."<sup>2</sup> Tichenor's memory lapse is not altogether surprising since by the time of his testimony in 1850, almost twenty years had passed since the emancipation purportedly took place.

Two siblings, Eliza and Robert Evans, niece and nephew of Margaret Overaker, testified that they saw Fanny en route to obtaining her free papers. On their way to Louisville on the Steam Boat *Tippecanoe*, they encountered and talked to Fanny. This

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<sup>1</sup> William Johnson's future mother-in-law and wife.

<sup>2</sup> Testimony of Gabriel Tichenor, Nov. 19, 1850, *Leiper vs. Huffman, et al*, Mississippi High Court of Error and Appeals case 6185, (1851); Testimony of Margaret Overaker, Nov. 19, 1850.

was not an unusual conversation for them to have as they had known her since childhood and had hired Fanny to work for them for approximately a year while she was a slave owned by their aunt. Fanny told them regarding her trip that, “her object in leaving Natchez was to proceed to Cincinnati to obtain her free papers.”<sup>3</sup> They had previous knowledge concerning the conveyance of money from J.S. Miller to purchase Fanny and knew that he had plans to free her, so they trusted that Fanny was acting on his wishes with full permission and had no reason to think otherwise.<sup>4</sup>

However, the documents proving Fanny’s freedom were never produced for the Court. Margaret Overaker testified that, “I have heard much said as regards the loss of the papers & the pains taken by Complainant [Fanny] to have her papers recorded at Cincinnati: but of the facts I know nothing that would be lawful evidence in this case.”<sup>5</sup> That Fanny had lost her papers was very serious. Free people of color who did not have documentation were on occasion re-enslaved, at times even by people who knew the truth about their legal status, but acted unscrupulously.

The fact that is especially surprising regarding Fanny’s case is that another free woman of color, her former neighbor Malvina Huffman, was exploiting her vulnerability as a reportedly free woman of color. It would seem that a sense of camaraderie would join the two based on their shared experience. Not only did they live within a few hundred feet of one another, but also various witnesses testified that the women were occasionally seen in one another’s houses. Fanny herself, in her initial petition against Malvina, stated that the two women “were upon terms of intimacy.”<sup>6</sup> Apparently, they

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<sup>3</sup> Testimony of Eliza and Robert Evans, Jan. 1, 1851, *Leiper vs. Huffman, et al.*

<sup>4</sup> *Ibid.*

<sup>5</sup> Testimony of Margaret Overaker, *Leiper vs. Huffman, et al.*

<sup>6</sup> Bill of Complaint by Fanny Leiper, December 2, 1847, *Leiper vs. Huffman et al.*

were so close in terms of friendship that Fanny disclosed all details of her purchase of the property to Malvina. Why the seeming betrayal of one who was the in identical social position and should have helped rather hindered another free woman of color?

Perhaps the answer can be found in the issue of vulnerability. All free people of color, with or without property, were subject to the threat of re enslavement or of being driven out of Natchez. The troubles between Fanny and Malvina began in 1846, a few short years after the “Inquisition” of 1841 had taken place in which free people of color were persecuted. In William Johnson’s diary, he notes that on August 7 of that year, a “Large meeting was Intended to have been held in the City Hall.”<sup>7</sup>

Hogan and Davis, in their analysis of Johnson’s diary, included the article from the *Natchez Courier*, which carried a notice for this meeting. The “Many Citizens of Natchez” who signed this notice were concerned with enforcing the “26<sup>th</sup> section of the Revised code of the laws of Mississippi, imposing a fine on the owners of slaves who permit them to go at large and hire their time”<sup>8</sup> as well as attending to those people who were freed and did not leave the state as they were required to under law. Many had to scramble to renew their licenses to stay in Natchez and affix white men’s signatures to petitions attesting to their character. Some were not successful in garnering sufficient support and were ordered to leave Natchez.<sup>9</sup>

A woman named Mary Ann Gibson and her probable husband, Dembo, were ordered out of Natchez. Mary Ann had likely been free for a substantial time period. For example, in 1830, Robert Leiper, Sophia Gireaudeau Leiper’s husband, gave Mary Ann

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<sup>7</sup> Hogan and Davis, *Diary*, 340.

<sup>8</sup> Ibid. 340-41.

<sup>9</sup> Ibid. 340-47.

power of attorney to transport his daughter, Matilda, to Ohio to have her emancipated.<sup>10</sup> Dembo had been free since 1832 when his father, Samuel, had freed Dembo as well as Dembo's mother, Esther. Samuel had left Dembo a house and lot as well as "'personal estate consisting of drays horses, mules, cattle, working utensils, &c &c and money in Bank.'" <sup>11</sup> Evidently, even though they held property in Natchez, this did not protect Mary Ann and Dembo nor did it guarantee them license to remain in the town.

Another free woman of color, Nancy Kyle, and her daughter, Caroline, were susceptible to the pressures of the "Inquisition". They had been free property-holding inhabitants of Natchez since their former owner, Christopher Kyle, emancipated the two in 1826. Nancy was his probable mistress and Caroline his daughter as he left a parcel of land as well as a thousand dollars to both of them. In 1841 during the "Inquisition," a "Dr. Wren" petitioned the Board of Police Court to drive out the pair because he charged that they "Kept a House of ill fame, a House of asination, a whore House &c."<sup>12</sup> He was not successful in convincing the Board members to revoke their licenses, however, and they stayed in Natchez until their deaths. The lot was still in the women's possession in 1863 when Nancy died and it passed to her daughter. Caroline still claimed the lot as her own until her death in 1891 and she bequeathed it to her own daughter, Angeline Johnson, and her grand daughter, Sarah Ann Robinson.<sup>13</sup>

Perhaps Malvina Huffman capitalized on this threatening atmosphere for free people of color and sensing a special weakness in Fanny, realized an opportunity to take advantage of it. Fanny seems to have been unscathed by the "Inquisition" in 1841, but in

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<sup>10</sup> 27 April 1830, Adams County Deed Book S, 62.

<sup>11</sup> Quoted in Hogan and Davis, *Diary*, 346.

<sup>12</sup> Hogan and Davis, *Diary*, 345.

<sup>13</sup> 16 April 1891, Adams County Will book 5, 232-3.

1843, trouble in the form of Constable Henry A. Dillon came to her doorstep. Fanny was informed that as a free person of color, “she was unlawfully in this State and that she must leave it in twenty days or shew cause to the contrary.”<sup>14</sup> At this time, Fanny claimed she was a slave of Mr. Miller [her father]. Dillon dropped further proceedings against her in light of this explanation. He subsequently mentioned this incident to either Malvina or Oliver Bemiss and they used this critical information to their advantage. Why did Fanny give this answer?

It is not clear whether Fanny knew she could not provide proof of her free status because of lost documentation, or did not want to bring trouble on either her head or her father’s since she had been freed out of the state of Mississippi, yet had returned, which was against the law. Perhaps saying that she was a slave was just the easiest claim to make. It is even possible that it was true. It is also plausible that Fanny was one of those cases in which some citizens in Natchez had railed against in 1841, in which owners let their slaves live independently as free people without going through the necessary legal channels of emancipation.

Whatever the case, Malvina saw her opportunity to make a move to purchase this adjoining lot for an extremely low price. She apparently did not feel a sense of sisterhood with this other free woman of color. It could be that she was solely motivated by financial gain. Perhaps Fanny perceived that their relationship was more intimate than Malvina did. Maybe Malvina was jealous of Fanny because as one witness said concerning Fanny, “she always looked well and dressed well” as the “reputed daughter of a wealthy planter.”<sup>15</sup> There may have been an element of competition between Fanny

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<sup>14</sup> Testimony of Henry A. Dillon, June 11, 1849, *Leiper vs. Huffman, et al.*

<sup>15</sup> Testimony of John R. Wells, December 11, 1848, *Leiper vs. Huffman, et al.*

and Malvina. They both were involved with white men, and perhaps Fanny's attractiveness caused Malvina consternation in terms of her ability to attract attention from Oliver Bemiss, Malvina's "husband." Malvina may have been influenced to turn on Fanny because of Oliver Bemiss, who may have been driven by his own greed. Although there has been much scholarship about the ties between free people of color in terms of friendships, marriages, and support networks, not all free people naturally fell into the role of friendship by commonality.

In her research on free women of color in New Orleans, Virginia Meacham Gould uncovered a case in which a woman, Euphemie Lemelle, and her children were almost sold back into slavery by her sister-in-law. This woman had been born of a slave mother and a free black father and was technically a slave. Her free grandmother, however, raised her as a free person. When she married a free man of color, Charles Moran, he never formally emancipated Euphemie or their seven children, probably because he "believed he could protect her freedom."<sup>16</sup> He accomplished that while he was alive, but after his death, his sister played the villain by having the sheriff arrest the mother and her children with the intent to sell them into slavery. Like Fanny, Euphemie had to go to court to prove her freedom. She and her children went free.<sup>17</sup>

Luckily for Fanny, re enslavement was not the object of the court. Proving her freedom in this case was to legitimate her claim of property ownership, which was of course important to her, but did not threaten her very liberty to live as an independent person. The second issue that the court required her to prove was how she had acquired

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<sup>16</sup> Hanger, "Gender and Slave Labor in New Orleans," 187.

<sup>17</sup> Ibid. 187.

the property. How could she prove that it was in fact hers, purchased by her own means, and not, as Malvina and associates charged, by Joseph Winscott's money?

### **A Question of Procurement and Legitimacy of Claim**

The defendants in Fanny's case claimed that Joseph Winscott was the true owner of the property and that as such, he was entitled to sell it to Malvina Huffman. They disputed Fanny's allegation that when she initially purchased the property from John Wells, knowing "there was a great spirit at that time to remove from the State all free persons of Color,"<sup>18</sup> she had her attorney draw up the deed in her name with an adjacent blank space. The blank space could later be filled in with the name of a white person she trusted who could act as a trustee for her. At some point, she added Winscott's name to the deed without his knowledge. Malvina and her associates contested this by claiming the opposite had happened; that the deed was made up in Winscott's name and that he had her name inserted "merely and only to gratify one of her whims," given that Winscott regarded Fanny "as his tenant at sufferance of said premises."<sup>19</sup> The court would have to consider these diverging explanations and decide which was credible, and ultimately, who, Fanny or Winscott, was the rightful owner of the property.

All of the witnesses, with the exception of one, that testified in *Leiper vs. Huffman, et al* verified that Fanny Leiper was the sole person who they had ever understood to own the property. The man who she purchased the lot from, John R. Wells testified that at the time of the deed's signing, there was a blank preceding Fanny Leiper's name

in order that she might choose her own associate and have it filled up at any

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<sup>18</sup> Bill of Complaint by Fanny Leiper, December 2, 1847, *Leiper vs. Huffman et al*.

<sup>19</sup> Answer of Malvina Huffman, Oliver Bemiss, and Joseph Winscott to Bill of Complaint, December 25, 1848, *Leiper vs. Huffman et al*.

future time, that said Leiper consulted with this affiant [Wells], as to who would be a proper person for her to have in the Deed with her, and that would not take advantage of her—And to this affiants Knowledge the name of Winscott was not mentioned at the time, Nor did he ever hear the name, or know such a person at the time.<sup>20</sup>

Fanny, then, knew as a free woman of color that she could not hold property in her own right, but needed someone she trusted who would not take advantage of her vulnerability to jointly appear on the deed. Winscott was not even a resident of Natchez, but of New Orleans, and according to Fanny, she never informed him that she inserted his name into the deed of her property. This action was a legal formality so that she was entitled to the lot. Fleming Wood, who was the person who filled in Winscott's name on the deed, stated that Fanny was motivated to take this action because it was the only alternative available to her since she could not hold it in her own right.<sup>21</sup>

Winscott's contradictory testimony was essentially that he had supplied the money to Fanny to buy the property and that he had inserted *her* name into the deed, and that it was *his* property. The majority of witnesses, and most damaging to the defense, the ones who would be most credible, the landowner and author of the deed, did not support this contention. Additionally, the tax assessor for Natchez, Jacob Byers, confirmed that the property was assessed as Fanny's. Valentine Boyers, who collected taxes for the city, stated that it was Fanny who handed him the money for taxes and that he never heard of anyone in addition to her who claimed the property. The one witness who testified on Winscott's behalf, William Strickland, swore that Winscott had claimed the property as his in 1840 or 1841, but the High Court deemed that he was an inaccurate witness. By all accounts, even though it was well known in Natchez that Fanny was the

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<sup>20</sup> Testimony of John R. Wells, December 11, 1848, *Leiper vs. Huffman, et al.*

<sup>21</sup> Testimony of Col. Fleming Wood, November 13, 1849, *Leiper vs Huffman, et al.*

mistress of Joseph Winscott, and that he frequented the house in question often, it was accepted that Fanny was the owner and Winscott's role was to serve as her trustee.<sup>22</sup>

Winscott was able to raise doubts in people's minds, however, as to how the property had come into Fanny's possession. He contended that she paid the landowner, tax collectors, and builders with his money rather than her own, that she was essentially, a middleman for him, someone to convey the money, but not the owner. How did Fanny become the owner of this house? Various witnesses testified that she was a washerwoman in Natchez, a profession that was not lucrative. Even if Fanny had saved up a sum of money through washing, it would have taken more years than five or less since she became free to when she purchased the property for over \$1,700.

Another explanation that was offered in the course of litigation regarding this question of procurement was that Fanny Leiper was a "common town woman;" in other words, a prostitute. This was a familiar accusation levied against free women of color. Many southern whites railed against free people of color in general for perceived indolence, thievery, and loose morality. The common beliefs that black women, free and enslaved, were hypersexual and promiscuous, coupled with women's difficulties in eking out a living in a society that limited their economic opportunities lent fuel to the fire that many free women of color were prostitutes.<sup>23</sup>

Undeniably, there were some women that engaged in this activity, as historian Adele Logan Alexander noted in her study of a free family of color in Middle Georgia. In the context that she wrote about, these particular women lived as the wives of white men

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<sup>22</sup> Testimony of Jacob Byers, December 20, 1850, Testimony of Valentine Boyer, December 26, 1850, and Testimony of William Strickland, December 20, 1850, and Brief of the Mississippi High Court of Error and Appeals, 1851, *Leiper vs. Huffman, et al.*

<sup>23</sup> Berlin, *Slaves Without Masters*, 186-88; White, *Ar'n't I A Woman?*, 27-46.

without the solemnization of official wedding vows or documentation. Essentially, however, they had all the responsibilities of white wives as mistresses of their households, including:

Providing food and clothing for the entire household to caring for both the physical and spiritual well-being of her own family as well as that of Nathan's [white plantation owner/partner of free woman of color, Suzie Hunt] slaves. Supervising the work of the domestic servants-household maintenance, cooking, cleaning, and laundering at the least...negotiated with tradespeople, gardened, smoked meat, preserved fresh fruits and vegetables, nursed the sick, mended, and made candles, soap, and household linen.<sup>24</sup>

Although these women were accomplished in a wide range of domestic skills, these competencies did not translate into the labor market for free women of color. They were the specialized activities of wives and plantation mistresses. In the event that their white partners died or abandoned them, they were left in tremendously vulnerable positions. As a result, some women were forced to resort to prostitution to support themselves and their children.<sup>25</sup> But was Fanny Leiper in actuality, one of these women?

It is not clear if these allegations of prostitution had a basis in fact. Samuel R. Hammett, the first witness and Fanny's property agent, was compelled to address the question of Fanny's occupation. The counsel for the defendants, Malvina and company, submitted this in a manner that perhaps was designed in an effort to discredit Fanny in the nascent proceedings of the court. The defense tried to establish her occupation and asked, "Is she not or has she not been a 'common town woman'? What was her mode of life in Natchez—what means of livelihood, if any of a *visible* kind had she—and had she any beyond what her course of life yielded her?"<sup>26</sup> Hammett answered that to his

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<sup>24</sup> Adele Logan Alexander, *Ambiguous Lives: Free Women of Color in Rural Georgia, 1789-1879* (Fayetteville: University of Arkansas Press, 1991), 83-4.

<sup>25</sup> *Ibid.*, 121.

<sup>26</sup> Testimony of Samuel R. Hammett, November 22, 1848, *Leiper vs. Huffman, et al.* (Italics added).

knowledge, “Her mode of life in Natchez was that of a washer woman, and her conduct was respectable as far as I know her.”<sup>27</sup> According to him, then, the insinuation of the defense was false and she was not a prostitute.

The second witness produced for the case, another witness for Fanny, was uncertain as to her precise means of support. When asked by the defense how she made a living, John R. Wells, the man from whom Fanny initially purchased her property, stated, “She might have made a portion of her living off some of the members of the Natchez Bar.”<sup>28</sup> But later in his testimony, he acknowledged that he heard her say that her father would help her build the house. It seems he tried to be a thorough and cooperative witness by speculating as to how Fanny supported herself, and he repeated what may have been rumored in Natchez that she indeed was a prostitute. But this later statement that her father would help her in building her house clearly established that she had means other than prostitution to furnish the funds to provide for herself.<sup>29</sup>

These two witnesses were the only ones to which this question was asked. It is possible that the defense chose not to pursue this further because they felt the damage was done and Fanny was discredited. Or, conversely, since the testimonies were not particularly strong ones, the defense decided to let it rest. One may never know if Fanny Leiper was a “common town woman.” But as a free woman of color, she was vulnerable to attacks on her character, such as being accused of prostitution. Not only were freedom and property entities that women of color had to protect, but also their reputations were at risk. Had Fanny not the witnesses who were willing to speak up for her and defend her, she may have been completely at the mercy of the courts and the defendants.

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<sup>27</sup> Ibid.

<sup>28</sup> Testimony of John R. Wells, December 11, 1848, *Leiper vs. Huffman, et al.*

<sup>29</sup> Ibid.

It is most likely that she received the money for the lot and house from her father, J.S. Miller who many identified as being a wealthy planter. John R. Wells, the original owner, testified that he heard “her say that her Father would assist her in building a house.”<sup>30</sup> If her father, as reported by her previous owner, Margaret Overaker, was the responsible party for her purchase out of slavery and reputed emancipation in Cincinnati, he is the likely choice for also aiding his daughter in purchasing a house. Given that the purchase happened within a few short years of her emancipation, it may have been high in Miller’s priorities to see that she was financially secure and in a position to provide for herself without the added worry of paying rent.

The court case lingered on in the Chancery Court for three and a half years. Fanny’s attorney, S. Sanders, Jr., filed an affidavit in January of 1851, stating that because Fanny “resides in the City of Cincinnati, that she is poor & illiterate and has not from both causes been able to have this cause as speedily prepared for trial as should have been.”<sup>31</sup> What should have been a fairly simple question for the court to consider: a woman losing her rightful property to another party and asking for that relief of reclaiming it, had developed into a quagmire of difficult questions and proofs for Fanny. Regardless of this probability that J.S. Miller had provided the funds for his daughter, and not her former lover, the Southern District Chancery Court in Natchez found against Fanny Leiper. The decision itself was very concise and offers no explanation as to why Fanny was not entitled to any relief in her motion. If J.S. Miller would have testified on her behalf, as it appears Fanny expected him to, it may have swayed the court to reconsider her as the rightful owner of the property and not Joseph Winscott. However,

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<sup>30</sup> Testimony of John R. Wells, December 11, 1848, *Leiper vs. Huffman, et al.*

<sup>31</sup> Affidavit of S. Sanders, Jr., January 3, 1851, *Leiper vs. Huffman et al.*

Miller's testimony never was recorded, and Fanny went on to take her case before the Mississippi High Court of Error and Appeals, and she eventually won her case against Malvina and associates.

Fanny Leiper was not an exceptional example of a free woman of color whose responsibility it was to prove to the courts that she was entitled to hold property. Other women in Natchez were required to go to great lengths to give evidence that they were the legitimate inheritors of property or that they had purchased it with their own means. It often involved dueling in courts for a time period of years. There were mixed results for these legal contests that free women of color waged in the courtroom.

### **Free Women and the Struggle to Hold Property**

One lawsuit dates back to the early Spanish period of this study. Nelly Price, the mulatto woman mentioned in Chapter One, and Miguel Lopez, a Spaniard, had been engaged in a business partnership since 1782. She worked with him in various pursuits, dealing in merchandise, farming, trading with local Native Americans, and housekeeping for him. In 1788, she brought a claim against the estate of Lopez who was then deceased. She petitioned to Carlos de Grand-Pre, who served at various times in Natchez as commandant,<sup>32</sup> to allow her to claim the house that she had constructed at her expense on a lot given to her by Lopez. She wanted permission to occupy the house, as she had no other domicile in which to stay. She additionally petitioned to be paid out of the estate

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<sup>32</sup> According to Holmes, commandants during the Spanish period had many responsibilities to the public. Their responsibilities included service as "police captains, justices of the peace, consular officials, notaries public, sheriffs, judges, and military leaders." Jack D. L. Holmes, "A Spanish Province, 1779-1798," in Richard Aubrey McLemore, *A History of Mississippi, Volume I*. (Hattiesburg: University and College Press of Mississippi, 1973) 159.

wages that she had accrued over the years, at \$10 a month, and money that she had spent on her own to settle Lopez's accounts, all totaling \$967.<sup>33</sup>

During the course of this litigation, Nelly produced five witnesses, all white men, who corroborated her story. They all agreed that Nelly had been held in Lopez's employment for wages. Three of them confirmed that they heard Lopez say that her monthly wage was \$10. One of them knew that she received wages, but could not name the amount. Another man, William Irwin, related that Lopez told him that a part of the house belonged to Nelly. It was not enough, however, as a few weeks after these proceedings took place, Lopez's (Nelly's) house was put up for sale by the court. On every Monday for three weeks, the house was exposed to sale, but no one bid on it, even though it was offered for \$200, less than 2/3 of its appraised price. On February 14, 1789, five months after the house had initially been offered to the public, Nelly outbid Robert Abrams by a few dollars and purchased the house for \$335. Unfortunately, she lost the house by June 1789 when she was not able to produce funds for it, and it was defaulted to Abrams. Evidently, she had not been successful at proving "by competent witnesses that the sum she claims is owing her," and was unsuccessful in her bid to be rewarded the wages and accounts from Lopez's estate.<sup>34</sup>

Another woman of color, Elizabeth Butcher, had to struggle through the courts to hold onto her inherited property. This inheritance, however, was not merely based in hearsay, as was the case of Nelly Price. In 1834, John Irby, a white man, authored a last will and testament which clearly named Elizabeth as the administratrix of his estate

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<sup>33</sup> *Nelly Price and Others vs. The Estate of M. Lopez*, (1788-89), The Natchez Court Records, 1767-1805, Abstracts of Early Records—The May Wilson McBee Collection, Volume 2 (Ann Arbor: Edwards Brothers, Inc., 1953), 177-78.

<sup>34</sup> *Ibid.*

consisting of his property, the White House Tavern, surrounding land, buildings, two horses and buggy, household and kitchen furniture, all his money in the bank, and two slaves, Alexander and Creasy; in short, everything he had to give.<sup>35</sup> Two years later, he added a codicil in which he acknowledged that he had sold Alexander and bought another slave, Eliza, and her three children, David, Nancy, and George. Elizabeth was to inherit a total of five slaves at his death. This legacy was a result of Elizabeth's constant care of Irby as a nurse and housekeeper in his household for almost twenty years. John Irby unmistakably wished for his property to pass to her and to make arrangements for her to be provided for with this bequest. However, beginning in 1839, Elizabeth had to fight a white man, Robert Woods, for the right to be the administrator of the estate.<sup>36</sup>

Woods, acting as the administrator of another estate, for the heirs of the deceased James Redman, petitioned the Adams County Probate Court to be granted the power of administration over the Irby estate. His primary claim was that there was a gambling debt that was incurred by Irby in his lifetime, which was due to the estate of James Redman. He charged that Elizabeth had not yet repaid it in her administration of the Irby estate. He was able to procure the powers of administration over the estate and seized four of the five slaves and was poised to sell them off. He was unable to complete this action due to some legal technicalities, but the Court granted him permission instead to try to sell the White House Tavern. Shortly thereafter, the Court authorized him to sell

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<sup>35</sup> See Chapter Two, Footnote 41.

<sup>36</sup> *Robert W. Wood (Admins.) of John Irby vs. Elizabeth Butcher*, Case #679 Mississippi High Court of Error and Appeals, 1841

the five slaves. He advertised their sale, but Elizabeth petitioned the Court before they and the property were sold.<sup>37</sup>

Elizabeth's complaint against Woods was very much in the vein of Fanny Leiper's complaint against Malvina Huffman and associates. She charged that she had not been notified that her power of administration of Irby's estate was being challenged, revoked from her, and reassigned to Woods. She had never formally revoked her letters of administration to the estate. Instead, Woods endeavored to wrest them away without her knowledge and to dispose of the five slaves, the tavern, and the remainder of the estate, all of which he claimed added up to no more than \$5,000, before she was able to act and protect her holdings. He was almost successful.<sup>38</sup>

The court ordered Woods to defend himself, if possible, in why he should be permitted to retain his power of administration over Irby's estate. Woods pulled out his last card and accused Elizabeth of being "a woman of color and as such is incapable of accepting or holding the office of Administratrix on Said Estate, under the Law of the Country."<sup>39</sup> The Probate Court ultimately found for Elizabeth in this case. The judge ruled that Elizabeth had the right to retain her power of administration for the following reasons: no other administrator had been named in Irby's will, the amount due Redman's estate was misrepresented to the court, and further, Elizabeth had not been notified of Woods's action as was her right. Woods went on to appeal the decision to the Mississippi

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<sup>37</sup> Petition of Robert Woods to Adams County Probate Court, 24 March 1839; Petition of Elizabeth Butcher to the Adams County Probate Court, 28 April 1840.

<sup>38</sup> Ibid.

<sup>39</sup> Answer of Robert Woods, 22 June 1840, Adams County Probate Court.

High Court of Error and Appeals, but they upheld the lower court's ruling and he was ordered to pay her court costs.<sup>40</sup>

Elizabeth Butcher's legal struggle was not an aberration with respect to the experiences of other free people of color. Whites frequently preyed upon people of African descent, free and enslaved, by contesting the wills of their friends or relatives who bequeathed property or freedom to African men and women. Historian Kent Alexander Leslie's work on free woman of color Amanda America Dickson, revealed that her white relatives challenged her inheritance of her white father's substantial fortune upon his death. David Dickson had recognized his daughter's vulnerability during his life, and had paid all Hancock County, Georgia lawyers \$10,000 not to dispute the will, but some inevitably did. Amanda was able to successfully preserve her legacy.<sup>41</sup>

Amanda and Elizabeth were indeed fortunate to retain their property after thus being so exposed by unprincipled whites seeking to swindle them of their rightful inheritances.

### **Violence Against Property-Holding Women of Color**

The mere circumstance of property ownership did not protect women from violence directed against their persons. Women in all classes, time periods, and races have always been susceptible to physical abuse waged against them, and Natchez's free women of color certainly suffered under this force. In Chapter Two, this paper examined the issue of sexual abuse to which enslaved as well as free women were subjected.

Abuse was not limited to this type of maltreatment, however. There are accounts of free women of color coming under assault and being beaten, not only by men with whom they were intimate, but by men they encountered casually or in business. What were some of

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<sup>40</sup> Judgment of the Adams County Probate Court, 26 June 1840; *Robert W. Wood (Admins.) of John Irby vs. Elizabeth Butcher*, Case #679 Mississippi High Court of Error and Appeals, 1841.

<sup>41</sup> Leslie, *Woman of Color*, 76-104.

the issues leading to these incidents and how did free women cope with the aftermath of a beating?

In the earliest case known in this study, Nelly Price's 1788 case to take possession of Miguel Lopez's house, Nelly used an act of violence committed against her to her advantage. Witnesses testified for her that in June of 1782 while Nelly and Miguel lived together they had quarreled and that Lopez beat her. One of the witnesses, Patrick Murphy, recounted that while he was at Lopez's house, he encountered Nelly crying and when pressed for an explanation as to why, she informed him that Lopez had beaten her. Nelly subsequently moved out of his house and resided at another domicile in the city. Lopez then sought her out and requested her to return. This incident may have been a lover's quarrel and in the heat of passion, he resorted to physical force against Nelly. Or it may have been a case of abuse against a servant. Whatever the motivation behind the beating, Nelly vacated the premises immediately and refused to return even after Lopez entreated her to come back. She did, but only on the promise that he would recompense her for her troubles at \$10 a month.<sup>42</sup> In spite of the fact that she endured a beating, she was able to recover from it and turned it to her gain.

Amy Johnson, free black barber William Johnson's mother, experienced violence directed against her, and similar to Nelly Price, was able to successfully seek redress in court against her assailant. Her former owner and the probable father of her children William and Adelia, William Johnson, freed Amy Johnson in 1814. In 1819, she applied for and was approved for a license to retail in Natchez. No doubt Amy peddled goods to the Natchez populace to support her two teenage children and experienced some measure of success in this pursuit. In later years she owned slaves of her own for profit and more

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<sup>42</sup> *Nelly Price and Others vs. The Estate of M. Lopez*, (1788-89), 177-78.

than likely utilized their labor to aid her in the management of her small business. Her children obviously took a lesson from their mother's perseverance and business acumen because they both grew to be successful, propertied people of color. In spite of this, Amy was not immune to the potential of violence directed against her as a woman.<sup>43</sup>

In 1822, she sued free barber of color Arthur Mitchum for assault. She charged that in 1819, Mitchum had caused her great bodily harm when he

spit in her face, had 'greatly squeezed' and pulled her nose, had pulled out large quantities of her hair, had hit her with a brickbat and pounded her whole body with his fists, and had torn and caused \$50 worth of damage to her 'gown dress Petticoats shift and bonnet.'<sup>44</sup>

For this substantial injury, she asked the court for damages of \$500. She was awarded damages in her case against Mitchum, but only in the amount of \$27.50. What had precipitated this attack against Amy Johnson? Why was so much spite and brutality leveled against this free woman of color?

All accounts of Amy Johnson paint a picture of an aggressive and outspoken woman who did not hesitate to vocalize her opinions and needs. Johnson's diary entries from 1835 until Amy's death in 1849 are peppered with accounts testifying to Amy's personal strength of character in her business dealings, slave transactions and relations, and a seemingly difficult personality in general. She regularly had verbal altercations with a great many people, and not exclusively people of color. She brought one of Johnson's tenants, white fruit proprietor Joseph Meshio, to tears due to her insistence that he owed her \$7.50 and even at that, Amy refused to relent. In another confrontational incident with a white man, Adolph Esdra, documentary proof was necessary to prove that Amy was in the wrong. Amy had hired out her slave Sharlot to Esdra for a month.

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<sup>43</sup> Davis and Hogan, *Barber of Natchez*, 17-20.

<sup>44</sup> Ibid, 18.

However, Amy retrieved the girl a few days earlier than they had contracted. Esdra followed her back to Johnson's arguing that she miscalculated and eventually had to produce his receipt to prove that he had use of the slave for a few more days. These are relatively mild episodes of Amy's temper, but perhaps a similar occurrence was sufficient to work Arthur Mitchum up into the violent rage that he had unleashed against Amy. As her son's diary proved, Amy had a propensity for arguing with a wide assortment of people, including her own family.<sup>45</sup>

On one particular occasion, Amy fell victim to an act of violence emanating from her own child. But was she truly a victim in this, or an instigator? In June of 1837, Johnson related how Amy had "commenced as usual to quarrel with Everything and Everybody."<sup>46</sup> This ensued into a particularly ugly quarrel, characterized by Johnson taking up the whip against his own mother as he "gave her a few cuts"<sup>47</sup> as the most expedient way he thought to quell her. This strategy backfired on him because Amy "commenced to quarrel and abuse me...and advancing on me at the same time Daring me to strike, which I would not do for anything in the world. I shoved her back from me three times."<sup>48</sup> Quite naturally, Amy did not take kindly to being "disciplined" as though she were one of Johnson's slaves. Perhaps this was the only time Johnson subjected his mother to this type of treatment, and immediately realized he went too far.

After this humiliating incident for both parties, Johnson refused to speak to his mother for a month and a half, though they lived in close proximity to one another. Once during that time, Amy verbally lashed Johnson for whipping one of her slaves, a young

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<sup>45</sup> Hogan and Davis, *Diary*, 211 and 354.

<sup>46</sup> Ibid, 183.

<sup>47</sup> Ibid.

<sup>48</sup> Ibid.

boy, for misbehaving outside the door of their house. Johnson did not respond to her “Terrible Quarreling,”<sup>49</sup> and continued his sullen silence toward his mother until his brother-in-law, James Miller intervened.

This diplomatic effort on the part of her son-in-law must have had an effect on Amy, for in a letter that Johnson wrote to his sister a month later, he related that, “She has quit running out in the streets to complete her quarrels—now she does pretty well—about 3 quarrells or three fusses a week will satisfy her very well—and before he [James Miller] came up here she used to have the biggest Kind of a fuss Every morning.”<sup>50</sup> Unfortunately, it was a short-lived period of relative peacefulness in character for Amy Johnson, which is made evident as William related in another diary entry two months later, “The old woman is on a regular spree for quarrelling to day all day—oh Lord, was any One on this Earth So perpetually tormented as I am.”<sup>51</sup> But Amy Johnson, in spite of her cantankerous personality, was much loved by her family and enfolded within the household until her death in 1849 by cholera.<sup>52</sup>

At times, violent behavior against women of color concluded with the deaths of the abused women. Kitty McCary was one such victim. She was the sister of Robert McCary, both of whom had been freed and left property by their white father, James McCary in 1813. There had been a provision in the will for their educations as well as religious instruction. Additionally, Kitty was left two city lots and she and her brother would divide the rest of McCary’s property.<sup>53</sup> Holding property and being associated with one of the more respected free families of color in Natchez was not sufficient to

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<sup>49</sup> Ibid, 187.

<sup>50</sup> Ibid, 45.

<sup>51</sup> Ibid, 203.

<sup>52</sup> Ibid, 641.

<sup>53</sup> April 15, 1813, Adams County Will book, Vol. I, Office of Records, Natchez, Mississippi.

protect her from harm, however. William Johnson recorded in an August 25, 1836 diary entry that “To Day Mr Lawrence whipped K and her son James pretty severe—the[re] were a motion made to prosecute him I believe.”<sup>54</sup>

Peter Lawrence, Kitty’s white assailant, was cleared of the charges against him of whipping the woman and her son. Kitty, it seems, was not so fortunate. She died less than three months after the whipping, no doubt due to injuries sustained from the incident. Her brother acted in a way that was common among free people of color by closing ranks and looking out for others of their class, and took her young son into his home to learn the barbering trade. Although Kitty had been a propertied woman of color and a member of an esteemed family of color, it was not adequate armor to protect her from the wrath and brutality of one white man.<sup>55</sup>

The very appellation “free woman of color” spoke volumes of this vulnerability. Had these women been able to exercise the freedom that white citizens enjoyed, there would have been no need to demarcate them as being “of color.” They would have simply lived their lives without worry of safeguarding free papers. These women would not have had to appear yearly before a police board to prove their worthiness in remaining in Natchez. They would not have had to keep holding to the hope that their property would remain legitimately in their own hands. Free women of color would not have had to continuously wonder who could be trusted. They would simply have been referred to as and lived their lives as free women.

Although the case studies in this chapter presented episodes of how free women of color could be at risk to attacks on their freedom, property, and lives, it also

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<sup>54</sup> Hogan and Davis, *Diary*, 133.

<sup>55</sup> Hogan and Davis, *Diary*, 137, 146-47.

demonstrates their tenacity to overcome. In most of the cases, these women prevailed through these challenges. Fanny Leiper lost her court case in the Southern District Chancery Court, but when she pursued it by appealing the case to the Mississippi High Court of Error and Appeals, she won her case. Similarly, in the case of Elizabeth Butcher, Robert Woods had tried to use her status as a free woman of color against her by having himself appointed administrator of her estate. This strategy worked against *him* instead. At the conclusion of the case, the court restored her as the rightful administratrix of her property in spite of this vulnerability. Even when he appealed the decision to the Mississippi High Court of Error and Appeals, Elizabeth's position was upheld.

The cases presented in this chapter detail some of the brutality that was leveled against women of color. In most of the incidents, these women had the ability to persevere through the attacks and challenge their assailants either through the courts or by exerting psychological power over them by withdrawing their affections. Amy Johnson exemplified both of these models. After surviving a horrific beating by Arthur Mitchum, she sued him in court for damages and won her case. It is insignificant that the money she was awarded was less than the amount she requested, but rather that she proved her case to the court and the court demonstrated its support of her position. In the weeks following the whipping that she endured by her son, she made herself emotionally unavailable to him, a fact that perceptibly affected him. He never repeated this type of action against her. Nelly Price also exercised this sort of emotional warfare against her partner, Miguel Lopez, after he beat her, by physically separating herself from him and refusing to return to their house until she wrung a concession from him. Thus, even though these women had to face the prospect of physical violence from all men, white

and black, they used the means available to them to retaliate and punish these men for their transgressions.

In spite of the fact that these women had to contend with the inherent vulnerability of their position in a world that could be hostile in its treatment of all people of African descent, these women were able to carve out niches for themselves and their families. What they were able to accomplish in terms of creating and maintaining space, accumulating goods and property, and supporting their families should not be overshadowed by some of their negative experiences. Natchez's free women of color who held property were survivors who learned how to adapt to life in a small Southern city.

## CONCLUSION

I Visit The Scene of My Childhood.  
I came to the spot where oft I had strayed  
In the days of my youth in childhood's sweet bloom  
The friends that I loved had passed to their graves  
And the place wore a look of sadness and gloom.

--Catharine Johnson

The end of the Civil War and the entrance of thousands of freed slaves into Natchez society forever altered the position of free people of color. Yet from the perspective of propertied former free people of color, there were mixed feelings regarding the freedom of thousands of slaves in Adams County. Before the Civil War, a distinction existed between free and enslaved people of African descent. In the Lower South, of which Natchez was a part, more times than not, this translated into a color difference, with most free people of color being of mixed race. Some slaveholding free people of color even sympathized with and supported the Confederacy. After emancipation, former free people of color lost their privileged status and were included in the total black population.

Many former free people of color resented this loss of position. Historian Larry Koger found in his study of free black slaveholders in South Carolina that, “many of the mulatto slaveowners separated themselves from the masses of black folk and attempted to establish a caste system based on color, wealth, and free status before the war.”<sup>1</sup> This may be one reason why in Natchez after the war, the William Johnson family referred to themselves as “Johnston,” seeking a separation or continuation of a distinction between themselves and the newly freed. With our twenty-first century sensibilities and perspective, it is difficult to muster sympathy for these men and women who so eagerly separated themselves from and in many cases, owned people of their own race. However, one must consider the choices available to them during the period of slavery. Who would not choose freedom over bondage? Who would not act to ensure that their children never

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<sup>1</sup>Larry Koger, *Black Slaveholders: Free Black Slave Masters in South Carolina, 1790-1860* (Jefferson, N.C.: McFarland and Company, 1985) 197.

felt the lash of an overseer's whip? Even though one was free, this did not translate into the freedom of one's entire family, nor did it guarantee that the person would remain free.

In seeking to understand these people, it is necessary to push aside our current biases regarding the reality of race in America. In the time period under consideration, and more importantly, in the Deep South, sharing the same skin color as others did not necessarily lead to a feeling of commonality. Although free people of color knew the pain of slavery first hand, or learned of it through their elders' experiences and no doubt sympathized with enslaved people, they still made every effort to distance themselves from it. By choosing to remain in the state of Mississippi, they had few alternatives. For example, beginning in the 1830s, free men and women of color were required to petition for a license to remain in Natchez before the Police Board. During this process, these applicants had to prove that they were productive and respectable people, and that they could provide for themselves. One way in which to do this was by adopting the trappings of the dominant white slaveholding class. As Virginia Meachum Gould posited, "The family [Johnson] understood the personal degradation of slavery at the same time that they understood it as the basis of the region's economy."<sup>2</sup>

Certainly, change in their circumstances was difficult for many former free people of color to adjust to. Wealthy families, whether they were white or black, found that the way they were accustomed to living before the war changed at its end. Slaveholders lost the labor of the people they had claimed to own and witnessed the devaluation of their real estate. Propertied free people of color also experienced this postwar loss and deprivation and mourned the former prosperity they had known.

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<sup>2</sup> Virginia Meachum Gould, *Chained to the Rock of Adversity: To be Free, Black, & Female in the Old South*, (Athens: The University of Georgia Press, 1998) xiv.

Catharine Johnson, the daughter of Ann and William Johnson, voiced a sentiment that other former free women of color doubtless felt when she lamented,

It seems that the times grow harder instead of better and I do so dread poverty. And another thing every body seems so changed and most of all I grieve over the change that has taken place in my self. To the present, the past seems so Bright. So bright that I dare not call up its memories, for it makes me wretch to think that in reality I can never live them again. And I know that it is wrong, but sometimes I do so long to die.<sup>3</sup>

Although Johnson merely uttered this, some former free people of color in the South acted on their feelings of despair and committed suicide after witnessing the loss of their estates. Some suffered mental breakdowns and were institutionalized.<sup>4</sup>

Although times were certainly difficult for free people of color, many women maintained their property and managed to pass it down intact to their children and grandchildren. The Kyle women illustrated such practices. Nancy Kyle passed her house and lot to her daughter Caroline, who still retained it in the 1890s and in turn bequeathed it to her daughter and granddaughter. Thus, the property changed hands through at least four generations of Kyle women. The Johnson daughters all inherited property from their mother, Ann Battles Johnson, who outlived William and died in 1866. Their maternal grandmother, Harriet Battles, wrote her will prior to Ann's death that same year, leaving all of her property to her daughter, and then passing to her granddaughters, but not grandsons. In all these cases, it was left to the younger generations to maintain and build upon the legacies of their resilient female predecessors.<sup>5</sup>

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<sup>3</sup> Ibid, 85.

<sup>4</sup> Loren Schweninger, "Prosperous Blacks in the South, 1790-1880," *American Historical Review* 95, no. 1 (1990), 47-8.

<sup>5</sup> Will of Caroline Kyle, 16 April 1891, Adams County Will book 5, 232-3; Will of Harriet Battles, Feb. 3, 1866, Adams County Will Book 4, 576; Hogan and Davis, *Antebellum Diary*, 63.

Besides a reduction or total loss in property, former free people of color felt the stinging lash of racial hostility directed against them more sharply than ever. Prior to the Civil War, there were times when whites acted hostilely against free blacks and passed legal restrictions to limit their rights. These episodes were heightened when slave revolts occurred or threatened. However, this class of men and women in Natchez had many supporters, especially among the planter class. These supporters acted as patrons and to an extent, mixed socially with some people of color. After the Civil War, free people of color lost their position as a third caste in a slave society. They were viewed by a majority of people as black. And during Reconstruction, free people of color, with many of them being as educated as their white counterparts, sought political power. They met resistance within the white community and racial tensions heightened. For these reasons, the Civil War was traumatic to some propertied former free people of color.<sup>6</sup>

During Reconstruction, however, former free people of color or their children were among African American leaders in Natchez. Many men ventured into the political realm and were elected as sheriffs, aldermen, representatives, and even a Senator. Of a sampling of nineteen Black political leaders in Natchez from 1865 to 1890, ten of the nineteen were from free black families. Five of these ten were descendents of the women in this study.<sup>7</sup>

Two men, Charles and Robert Fitzhugh were the sons of Nelson and Agnes Fitzhugh. Charles was a member of the Mississippi Constitutional Convention and the Mississippi Legislature. Robert sat on the city assembly, the Adams County Board of Education, was a Justice of the Peace, and managed John R. Lynch's congressional

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<sup>6</sup> Schweninger, "Prosperous Blacks," 48-9; Davis, *Black Experience*, 159, 172;

<sup>7</sup> Davis, *Black Experience*, 178-80.

campaign in 1870. Without a doubt, these men, like the Johnson children, had either been sent to New Orleans or to the North for their educations or were tutored at home, perhaps by free barber Robert McCary.<sup>8</sup>

A telling point concerning their father might lend insight to the mindset of other free people of color as well as reveal the ideological environment in which they were raised. In 1866, an editorial in the *Natchez Weekly Courier* accused Nelson Fitzhugh of “wearing a mask.” Although he had been a trusted and accepted slaveholding free man of color throughout most of his life in Natchez, after he wrote a letter that was critical of the South after the Civil War, he was met with the wrath of some whites. The editorial went on to state, “He is full of deceit and hypocrisy. He has worn two faces...He never was more than a mask which concealed deformity and turpitude.”<sup>9</sup> Free people of color, much like enslaved men and women “puttin’ on ole massa,” had to present a public face that was acceptable to the white populace if they intended to stay in Natchez and prosper prior to the Civil War. Charles and Robert were most likely raised in a household that was critical of the status quo but were taught from young ages to adopt a deferent and respectful public attitude. But in the brief window that existed for African Americans between the end of the war and the end of Reconstruction, people had the opportunity to exercise their freedom of speech and not have to guard their tongues as carefully.

Educated women of color, such as the Johnsons, dedicated themselves to educating ex-slaves and becoming teachers. This pattern of propertied and educated free people of color using their talents for community uplift was found in other areas of the South. Historian Larry Koger found in his work on black slaveholders in South Carolina

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<sup>8</sup> Ibid. 178; Julia Huston Nguyen, “The Value of Learning: Education and Class in Antebellum Natchez,” *The Journal of Mississippi History* 61, No. 3 (1999), 245.

<sup>9</sup> Davis, *Black Experience*, 57.

that, “Indeed, many of the colored leaders came from the slaveowning families of Charleston City. Since many of the daughters and sons of the black masters were educated, they used their knowledge to teach the freedmen how to read and write.”<sup>10</sup> The Johnson daughters, with the exception of Eugenia, remained unmarried and became teachers. Anna, the eldest daughter who became the head of the family after her mother’s death in 1866, and Catharine, the third eldest, taught second graders until they retired in the early 20<sup>th</sup> century. Both were devoted to giving ex-slave children quality educations, as demonstrated by the thoughts of Catharine in 1872 when she wrote in her diary, “I must study hard myself so that I will be ready should they call upon me to teach again. I do hope sincerely that I may be selected for then I could help them at home so much...”<sup>11</sup> Doubtless, other former free women of color also acted in this capacity as educators.

Although the political power that African Americans fought for and wielded during Reconstruction was short-lived, it made an impact. That avenue might have been blocked off to black people when white democratic power was restored in Mississippi, but former families of color continued to push for the advancement of their sons and daughters by focusing on their educations and encouraging them to pursue careers in education, medicine, and law.<sup>12</sup>

Essentially, the treatment of free people of color prior to the Civil War laid the foundation for all people of African descent in the decades following it. Restrictions that had been placed on the full exercise of their freedom; in education, voting, economic activities, segregation in public and religious places, and fundamental rights as Americans were mirrored in the experiences of black people after federal troops returned

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<sup>10</sup> Koger, *Black Slaveowners*, 198.

<sup>11</sup> Gould, *Chained to the Rock*, 87.

<sup>12</sup> Davis, *Black Experience*, 189-91.

North. African Americans could draw on the knowledge and survival mechanisms that free people of color relied upon to navigate the uncertain and hostile waters of society in the Deep South. It is remarkable that free women of color and their families chose to remain in such an atmosphere. But then again, their ancestors lived, worked, and died there. They had much invested in their relationships, possessions, and communities; this was home. As one woman related, "I don't believe any thing would induce Grand Ma to leave Natchez."<sup>13</sup>

Not every woman of color chose to live out their days in the town in which they gained their freedom and held property. Fanny Leiper had lived in Natchez while enslaved and after she was emancipated. She had been betrayed by a former friend and woman of color, and had to prove in the eyes of the judicial system that she had rightfully earned her property and sought to protect it. Ultimately she chose to leave the city on the Bluff. The point had been made, however, that although she was susceptible to chicanery and being taken advantage of as a woman, a woman of mixed African and European ancestry, at times the law worked for and protected her. The swirling currents of uncertainty in this town by the Mississippi River had carried her to a safe haven once, but she was not going to trust its fickle tide twice. Fanny most likely chose to move to Cincinnati because she wanted to continue to live her life as the "mistress of her own actions, free from the control of anyone."<sup>14</sup>

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<sup>13</sup> Gould, *Chained to the Rock*, 37.

<sup>14</sup> Testimony of Eliza Evans, June 24, 1851, *Leiper vs Huffman, et al.*, Mississippi High Court of Error and Appeals case 6185, (1851).

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