

“TO FIND SHELTER SHE KNOWS NOT WHERE”: FREEDOM, MOVEMENT, AND  
GENDERED VIOLENCE AMONG FREE PEOPLE OF COLOR IN NATCHEZ, MISSISSIPPI,  
1779-1865

BY

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## ABSTRACT

“TO FIND SHELTER SHE KNOWS NOT WHERE”: FREEDOM, MOVEMENT, AND GENDERED VIOLENCE AMONG FREE PEOPLE OF COLOR IN NATCHEZ, MISSISSIPPI, 1779-1865

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*To Find Shelter She Knows Not Where* explicates how freedom, movement, and violence were inextricably linked for free people of color in Natchez, Mississippi from 1779-1865. The study considers the relevance that violence or the implicit threat of it—in the form of sexual exploitation, re-enslavement, kidnapping, deportment, poverty, and racial discrimination—exerted on this population, a phenomenon that scholars have not generally assessed. My work centers itself within the burgeoning field of violence studies, which have been useful to scholars examining war, genocide, and slavery, but seldom includes the experiences of free African Americans. By employing strategies to avoid and combat violence, they were often successful in self preservation and the safe-guarding of their families. Thus, the various methods men and women employed to adapt to these uncertain conditions included using the court system, accruing property, making strategic alliances with other people of color and whites, and even engaging in or undertaking racial passing.

This dissertation demonstrates that their freedom was not necessarily a permanent condition, but one marked instead with permeable boundaries that engendered a tenuous and unstable state of purgatory between enslavement and freedom. Further, I introduce the notion of generational freedom, in which I distinguish with those who were born into slavery but later freed, the *foundational generation*, which could also include parents and their children, as well as grandchildren. I name the generations that follow the foundational generation the *conditional generations*--those who were born free but whose continued freedom was based upon not only

their compliance of a demanding and often unfair system, but their persistence within the vagaries of an ambiguous and often arbitrary freedom that was not permanently guaranteed.

This dissertation also adds a new dimension to the scholarship that links North America into a larger colonial border region by including Mississippi, which largely has been missing. The historical periodization of this dissertation spans from the Spanish colonial rule from 1779-1795 through the early Mississippi Territory period (1795-1817) and culminates with statehood and the demise of slavery in 1865. This trans-generational study locates free people of color within this temporal trajectory and demonstrates how, although violence was a foundational reality of their lives, they resisted being defined by it and built rich and meaningful lives for themselves and their families.

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To the memories of those free parents of color who endeavored to ensure the safety and happiness of their children, the same as my parents have always wished for me and that I desire for my own daughters.

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In my last semester, I was a fortunate recipient of a Dissertation Completion Fellowship from the College of Social Science, which gave me the latitude to remain holed up in my apartment revising and putting the final touches on my dissertation in lieu of teaching. My thanks

go out to Dr. Daina Ramey Berry, Dr. Pero Dagbovie, Walter Hawthorne, Associate Dean Chris Maxwell, Stephanie Opatrny-Smith, and all others I may have neglected to name.

Specifically, within the Department, there have been numerous faculty members who have imprinted my project and scholarship with their own teaching and writing and served as inspirations in countless ways. Dr. David Bailey and Dr. Richard Thomas have inspired me for decades now with their commitment to arousing interest and passion for history in students. Both are amazingly creative and have shared their zeal for thinking outside the box with students and everyone else they come into contact with. And this has inspired me since I was an undergraduate and master's student here. And Dr. Wilma King, who was my advisor through much of my master's program, introduced me to free women of color in general and lit a spark under me to pursue reconstructing their lives. I am very grateful to these foundational scholars for their efforts.

My committee members, advisor Dr. Daina Ramey Berry, Dr. Peter Beattie, Dr. Pero Dagbovie, Dr. Erica Windler, Dr. David Wheat, and Dr. NiCole Buchanan, have logged in many hours working with me in and outside class pushing me to think in meaningful ways about the people and time period I study. Dr. Berry in particular has unerringly supported me by writing letters of support, encouraging me to present at conferences, and making herself available even long-distance. She has talked me through every step of the way of the program: from classes to comps to dissertating to job market. After the University of Texas at Austin gained her, she continued to see her remaining students through. Dr. Dagbovie generously agreed to allow me to “bounce ideas off him” and provide feedback, which I gladly did. Dr. Beattie and Dr. Windler have stood by me and continued to offer valuable feedback, even after my project changed from comparing free women of color in Natchez with those in Brazil to solely focusing on Natchez.

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It is critical to get beyond the bounds of campus to disseminate one's ideas to a larger community and present at conferences. I have been lucky to be on some panels with amazing scholars and to have benefited from comments and suggestions from them. In 2006, Sowande Mustakeem put together a panel at the University of Memphis' Graduate Student Conference including the both of us and Talitha LeFlouria, Ernestine Jenkins, and Beverly Bond. The comments by Dr. Bond were welcomed indeed. In 2008, Sowande again exerted maximum effort to pull another panel together for the Berkshire Conference on the History of Women in Minneapolis. Both of us, including co-presenter Kali Gross, received insights from Doug Egerton and Tara Hunter. Dr. Hunter's comments have been enormously helpful in pushing me to clearly define violence against free people of color. The 2009 Southern Association for



Women's History (SAWH) panel that I assembled in Columbia, South Carolina helped shape this dissertation in important ways. Loren Schweninger, who was kind enough to provide comments for Sharon Romeo, Wendy Gonaver, and myself, asked me why I was not including the experiences of men within my project. For this constructive and insightful feedback, I am thankful indeed.

I have benefited enormously from friendships I have been fortunate enough to make within the History Department as well as the African and African American Studies Program. As Dr. Berry's first student, Sowande Mustakeem made me feel welcomed and supported as a new doctoral student. Even while living in Atlanta, she made many phone calls to me to ease me into the role and for that I am very grateful. I gained many insights from her and willingly gave of her time and energy to put things together and to offer her eyes for editing. Jen Barclay, Dr. Berry's third student, has been an unfailingly cheerful supporter and comrade through this process. We edited for each other countless times and she listened to me whine many an hour, assuring me that we would make it through intact. Mary Phillips, who I was so blessed (with as much meaning as an atheist can possibly use) to meet while we were T.A.'ing for Dr. Dagbovie, has been an incredible friend and source of support and commiseration. We have shared many moments together of hanging out, philosophizing about life, politics, and relationships and she is truly a sister-friend. As is Sakina Hughes, with whom I have logged in long hours of deep discussions, watching Mr. Show clips, drunken debauchery, and sharing motherhood musings. Many other important friends that I have picked up along the way that I would like to thank for their camaraderie and open ears in and outside of classes or conferences we've shared are: Assan Sarr, Piril Atabay, Mary Clingerman Yaran, Marcie Cowley, Stuart Willis, Cedric Taylor, Fumiko Sakashita, Rashida Harrison, Leslie Hetfield, John Wisti, Guillaume Teasdale, Jenny

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from such a query. My dad always insisted on driving all the way from Brighton instead of meeting me halfway to pick up their granddaughter for babysitting to give me more time to write. Their constant reiteration of how proud they are of me has always been a soothing balm for my battered ego throughout this process. My larger extended family has also shared positive thoughts and consideration, especially my grandmother, Charlotte Plaza, and my aunts, Linda Hart, Manci Ribianszky, and Pat Wolney, and all their families

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that some things in life are worth struggling for and that passion for doing what you love is worth sacrifice and hard work. I have raised strong, independent-minded girls and they are part of a continuum of the “Rafferty brats” who will grow to be women who do not allow challenges to intimidate them but rather to inspire them to work harder to overcome them and “prove” that women are the stronger sex.

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## INTRODUCTION

“I had thought only slavery dreadful, but the state of a free negro appeared to me now equally so at least, and in some respects even worse, for they live in constant alarm for their liberty.”

Olaudah Equiano

Amy Johnson’s family’s chronicle showcases a mercurial rise from its origins stained by sexual exploitation and punctuated by periodic violence to becoming one of the leading free families of color in Natchez, Mississippi. She was born a slave in approximately 1784. When she was in her early 20s, she gave birth to a daughter, Adelia, who was fathered by her owner, William Johnson, a white man who impregnated her with another child, William, three years later. In 1814, Amy and Johnson, Sr. traveled across the Mississippi River to Concordia Parish, Louisiana where she was manumitted. Her children remained enslaved until they were 13 and 11, respectively, when their father freed them too. The family survived in the years following their transition to freedom, by Amy peddling goods to support herself and her children. In the 1820s, James Miller, a young free barber of color, journeyed from Philadelphia, Pennsylvania into the family’s sphere to build a career in Natchez. After a period of courtship, he and Adelia were married and shortly thereafter, the couple departed for New Orleans to seek better opportunities, but not before he trained the young William in the lucrative profession of barbering and sold him his popular business. Over the course of his life, William acquired a home in town, a plantation, three barbershops, a money-lending business, a wife and ten children, and left a visible footprint on the landscape in which he lived. He and his family were also slaveholders, owning more than thirty men and women at various times prior to the Civil War. They enjoyed security and protection against the sporadic hostility leveled against most other free people of color, which resulted in periods of community-wide “witch hunts” and often



ended with free blacks imprisoned, deported out of the state, or re-enslaved. However, in spite of the material successes, the stark reality of William's life, like that of his mother's, was that violence was an embedded component of it from the point even of conception. It was a commonplace occurrence throughout his own life, the lives of his family members, as well as in the larger community within which he lived. Ultimately, violence abruptly ended his life when he was shockingly murdered in broad daylight over a property dispute, with his own son as a witness. In a bizarre twist of fate which underscored the disadvantage due to racism and structural inequality that free people of color found themselves in, the family was unable to successfully press for a conviction against his murderer, who was himself a free man of color passing as white. In spite of this, the family continued to flourish under the management of the women in the household.<sup>1</sup>

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<sup>1</sup> The William Johnson House still stands in Natchez and has been preserved as a National Landmark and museum. A few family biographies that have proven useful in understanding free families of color are as follows, beginning with the story of William Johnson, which Edwin Adams Davis and William Ransom Hogan published in 1954, entitled *The Barber of Natchez* (Baton Rouge: Louisiana State University Press, 1954). Although they used his diary, which he kept from 1835-1851 more as a springboard from which to discuss white Natchez, they devote some time to the free community of color besides the Johnsons. See Edwin Adams Davis and William Ransom Hogan, *William Johnson's Natchez: The Antebellum Diary of a Free Negro* (Baton Rouge: Louisiana State University Press, 1951). Other insightful individual and family portraits of free blacks include: Loren Schweningen, *From Tennessee Slave to St. Louis Entrepreneur: The Autobiography of James Thomas* (Columbia: University of Missouri Press, 1984); 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 their *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); Adele Logan Alexander, *Ambiguous Lives: Free Women of Color in Rural Georgia, 1789-1879* (Fayetteville: University of Arkansas Press, 1991); Daniel L. Schafer, *Anna Madgigine Jai Kingsley: African Princess, Florida Slave, Plantation Slaveowner* (Gainesville: University of Florida Press, 2003); Billy D. Higgins, *A Stranger and a Sojourner: Peter Caulder, Free Black Frontiersman in Antebellum Arkansas* (Fayetteville: University of Arkansas Press, 2004); Loren Schweningen, *In Search of the Promised Land: A Slave Family in the Old South* (New York: Oxford University Press, 2006); Janice L. Sumler-Edmond, *The Secret Trust of Aspasia Cruvellier Mirault: the Life and Trials of a Free Woman of Color in Antebellum Georgia* (Fayetteville: The University of Arkansas Press, 2008).

The narrative outline of the Amy Johnson family in their personal experiences and interaction with others, demonstrates the critical themes of movement, gendered violence, resistance against oppression, and perseverance that characterized the community of free persons of color in the Deep South. This family story, like a select few others that historians have examined in careful biographical detail, serves as a powerful illustration of how using voluminous extant personal written records coupled with traditional public records can provide a window into the past on free black people, who, like the enslaved, left behind scanty memoirs. Their story highlights how freedom and slavery were not mutually exclusive of one another for people of African descent in North America, and further, how both systems were buttressed by and dependent upon both violence and movement.

Bringing the dual lenses of violence and gender to bear on the investigation of free people of color, *To Find Shelter She Knows Not Where* explicates how freedom, movement, and violence were inextricably linked for free people of color and their responses to it throughout the Spanish colonial rule from 1779-1795 through the early Mississippi Territory period to statehood and to the demise of slavery in 1865. This trans-generational study locates them within the historical context of the various free communities of color as they existed during that temporal range and place. It examines the gendered vulnerabilities free people of color contended with that qualified their basic freedoms, including their ability to own property, employment, their roles as parents, lovers and spouses, and their bodily well-being, among others. Yet that is merely half the story, for the most critical aspect of the free experience are their amazing stories of perseverance and survival under the most adverse of conditions. The mechanisms of coping under these conditions and how their lives were affected are crucial in the remembering of their narrative. From governance under the Spanish who provided them with more means than the

preceding societies to increasing restriction and threats to their liberty under the Americans, free people of color resisted through property ownership, court battles, strategies as parents and as partners, and in defining themselves. In so doing, they etched out lives, families, businesses, and rich traditions. This study tells the story of how oppression seeped into the consciousness and lives of these Natchez free people of color and how gender and the passage between states of freedom—geographical and legal—informed the experience from one generation to another.

My work demonstrates that their freedom was not necessarily a permanent condition, but one marked instead with permeable boundaries that engendered a tenuous and unstable state of purgatory between enslavement and freedom. Within this analysis, I introduce the notion of generational freedom, akin to Ira Berlin's differentiation between those he dubbed the "Charter" generation, those who came from Africa to the Americas, the initial generation, and those that were born here and did not experience life in Africa in his seminal text *Many Thousands Gone*. I use a similar classification with free people of color to distinguish with those who were born into slavery but later freed, which could also include parents and their children, as well as grandchildren. This I term the "foundational" generation of free people of color that were first-generation manumitted. The key distinction between the *Foundational* Generation and those who were born free is the experience and socialization of being born into the system of slavery versus being born outside of that context. I name the generations that follow the Foundational Generation the Conditional Generations--those who were born free but whose continued freedom was based upon not only their compliance of a demanding and often unfair system, but their persistence within the vagaries of an ambiguous and often arbitrary freedom that was not permanently guaranteed. To highlight the experiences of these various generations, I analyze

changing demographic structures and the expansion and contraction of individual and collective rights.<sup>2</sup>

*To Find Shelter She Knows Not Where* adds a layer to much of the current literature that largely omits analyzing family among free people of color. The investigation of free black families in Natchez is long-overdue. Much scholarship has been conducted on the Johnson family in particular, but there is ample space for additional work on courtship, marriage, power dynamics, work, and leisure time among the entire population of free blacks. Free people of color lived in a multitude of living arrangements with partners, with those of their own social class, as well as with whites and enslaved African Americans. All of these partnerships were central in shaping the free community of color in valuable ways, whether they were legal marriages or otherwise. Free men and women of color regarded parenthood as one of their most important duties and developed strategies to shelter and strengthen their children and families from the harsh realities of life in a racist Deep South town. Parenting practices in which they engaged included buying their children out of slavery; apprenticing them in as safe and secure environments as possible to allow them to learn a lucrative trade, receive educations, and avoid physical and/or sexual exploitation; accumulating property and passing it down to their children; and educating children either in their homes with private tutors or sending them to the North or to New Orleans for schooling, among many others. There were also free men of color in the community who served as surrogate fathers and worked to help single mothers of color find apprenticeships and other protections for their children as well.<sup>3</sup>

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<sup>2</sup>Ira Berlin, *Many Thousands Gone: The First Two Centuries of Slavery in North America* (Harvard: Harvard University Press, 1998), 12-13.

<sup>3</sup>There have been a myriad of important works on the African American family, but the bulk of them have their roots in slavery and work up into the modern era without contemplating

My work intervenes with long-standing historiographical debates that have persisted in the field of African American history, the first concerning oppression trumping agency. The historiography on free black people has given some attention to the risks associated with their position, including concrete issues like violence, but has not revealed much concerning threats to their liberty as in the very real, unsettling practices of kidnapping, imprisonment, and re-enslavement in the Deep South. Much of the scholarship on free blacks privileges individuals who lived in the North and were taken illegally and sold south. My work arbitrates by addressing this void and highlights the risks that free people of color in the South faced and the unsavory practices through which they sometimes lost their tenuous freedom and were re-categorized as

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family for free blacks. Works that consider free black families tend to investigate well-known or influential families, especially in areas in the North or in cities like Charleston, SC and New Orleans, LA. Some of the important ones are: W.E. Burghardt Du Bois, *The Negro American Family* (Atlanta: The Atlanta University Press, 1908); E. Franklin Frazier, *The Negro Family in the United States* (Chicago: University of Chicago Press, 1939); Herbert Gutman, *Black Family in Slavery and Freedom, 1750-1925* (New York: Vintage Books, 1976); Gary B. Mills, *The Forgotten People: Cane River's Creoles of Color* (Baton Rouge: Louisiana State University Press, 1977); 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; 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); Suzanne Lebsack, *The Free Women of Petersburg: Status and Culture in a Southern Town, 1784-1861* (New York: Norton, 1984); Jacqueline Jones, *Labor of Love, Labor of Sorrow: Black Women, Work, and the Family, from Slavery to the Present* (New York: Basic Books, 1985); Sally G. McMillen, "Antebellum Southern Fathers and the Health Care of Children," *The Journal of Southern History*, Vol. 60, No. 3 (Aug., 1994): 513-532; Orville Vernon Burton, *In My Father's House Are Many Mansions: Family and Community in Edgefield, South Carolina* (Chapel Hill: University of North Carolina Press, 1995); Kimberly Hanger, *Bounded Lives, Bounded Places: Free Black Society in Colonial New Orleans, 1769-1803* (Durham: Duke University Press, 1997); Brenda E. Stevenson, *Life in Black & White: Family and Community in the Slave South* (New York: Oxford University Press, 1996); Marie Jenkins Schwartz, *To Birth a Slave: Motherhood and Medicine in the Antebellum South* (President and Fellows of Harvard University, 2006).

enslaved. I examine both free people who were indigenous to Natchez and those who settled there after waging battles to claim their freedom in other areas.<sup>4</sup>

Scholars long have commented on the tremendous amount of violence that pervaded Natchez from its founding under the French in 1714 extending through the late antebellum period and beyond. Violence was a normal facet of Natchez life, diffusing into the slave community and affecting all aspects of society.<sup>5</sup> Whether or not Natchez was any more violent than any other slave society in North America is less important than the fact that by investigating the lives of free people of color in this city in depth, we are able to draw some conclusions about the experiences of free people of color elsewhere. Violence as a means of coercion and control,

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<sup>4</sup> For studies that privilege the northern free black communities and attendant hardships they faced, see Leon Litwack, *North of Slavery: The Negro in the Free States, 1790-1860* (University of Chicago Press, 1961); Carol Wilson, *Freedom at Risk: The Kidnapping of Free Blacks in America: 1780-1865* (Lexington: The University Press of Kentucky, 1994).

<sup>5</sup> One historian of African Americans in Natchez, noting the prevalence of violence pervading Natchez, stated, “If the papers are read with just these [newspaper] notices in mind, the impression is that of a community overwhelmed by public spectacles wherein blacks were sold, captured, whipped, branded, and executed in a frenzied drive to maintain white control.” Ronald L. F. Davis, *The Black Experience in Natchez, 1720-1880* (Denver: National Park Service, 1999), 119. In his discussion of the permeation of violence in the South as a region as opposed to the North in terms of violent crime more heavily outweighing crimes against property crimes, historian Bertram Wyatt-Brown identifies Natchez as an representative area where it was rife. As he found, “Between 1829 and 1841 in Adams County, Mississippi, one of the richest districts in the South, clerks of court entered 175 assaults of varying degrees on the docket, but only 45 prosecutions for property crimes” in Bertram Wyatt-Brown, *Southern Honor: Ethics and Behavior in the Old South* (New York: Oxford University Press, 2007 (25<sup>th</sup> Anniversary edition, original 1982), 367. For more scholarship that touches on this level of violence, which historian Winthrop D. Jordan also noted as excessive in *Tumult and Silence at Second Creek: An Inquiry into a Civil War Slave Conspiracy* (Baton Rouge: Louisiana State University Press, 1993), 36, see for instance, such works as Davis and Hogan, *William Johnson's Natchez*; Davis, *The Black Experience*; Ariela J. Gross, *Double Character: Slavery and Mastery in the Antebellum Southern Courtroom* (Princeton: Princeton University Press, 2000); D. Clayton James, *Antebellum Natchez* (Baton Rouge: Louisiana State University Press, 1968); Winthrop D. Jordan, *Tumult and Silence at Second Creek: An Inquiry into a Civil War Slave Conspiracy* (Baton Rouge: Louisiana State University Press, 1993); and Anthony Kaye, *Joining Places: Slave Neighborhoods in the Old South* (Chapel Hill: University of North Carolina Press, 2007).

of degradation and humiliation, of privileging one group over another, was heavily employed against all people of African descent in the Americas, including free women and men of color. Most times it was directed at them as a distinct class of people, those who existed in a netherworld between the enslaved and the wholly free. On other occasions, the violence was personal and they experienced it as individuals. Even further, they were not merely the victims of violence, but at times, the originators of it. Amy and William Johnson were part of a community of people who in many ways lived in shadow, between enslaved persons and free white citizens. People who occupied a tenuous, gray area: technically not enslaved but not imbued with white privilege. They grappled with a limited liberty that enabled them to eke out their living, but restricted them in countless ways, such as in the types of occupations open to them, education, voting rights, and sumptuary customs, among others. Notwithstanding men and women's shared racial identities, however, both sexes experienced freedom differently from one another.

I maintain that by illuminating racial oppression and violence against free blacks, in no way does this diminish what they as individuals and as a class of people, were able to accomplish. Nor do I mean to suggest that they were defined by it. However, state-sanctioned repression coupled with the actions of local people could and did put their freedom, livelihoods, property, and families at risk. This reality served as a catalyst in critical ways to move at various levels and employ strategies to resist, much as the enslaved did. By this, I mean to position myself with historians who have pointed out that African American history is a mixture of victimization as well as perseverance and one side of the story cannot be told without the other. In a recent issue of *The American Historical Review*, Vincent Brown has addressed the tension in the historiography regarding enslaved Africans and posits:

...the violent domination of slavery generated political action; it was not antithetical to it. If one sees power as productive and the fear of social death not as incapacity but as a generative force—a peril that motivated enslaved activity—a different image of slavery slides into view, one in which the object of slave politics is not simply the power of slaveholders, but the very terms and conditions of social existence.<sup>6</sup>

This same idea extends to free people of color in that the identical catalyst of violence that motivated action on the part of the enslaved also moved free blacks. Thus, there was continuity between slavery and freedom for those of African descent and this study acknowledges that there was an organic connectedness between the two populations and a permeable boundary between the two.

This dissertation identifies with many violence studies, which have been useful to scholars examining war, genocide, and slavery, but has not yet been inclusive of the experiences of free African Americans.<sup>7</sup> Although free people of color were removed from the context of their persons being legally owned by another and thus, afforded some modicum of protection from unlimited exploitation of their bodies and persons, due to the structure of social exclusion and violence, they experienced a limited liberty. It is necessary, however, to explicate in painstaking detail precisely how I define “violence” in my study. Many scholars of violence have had difficulty pinpointing the finer points of violence and have tended to envision it only as

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<sup>6</sup> Vincent Brown, “Social Death and Political Life in the Study of Slavery,” in *The American Historical Review*, Vol. 114, No. 5 (Dec. 2009), 1244.

<sup>7</sup> Some excellent recent studies concerning violence directed against women of African descent in slavery and after the Civil War (but not, per se, free women of color) are: Saidiya V. Hartman, *Scenes of Subjection: Terror, Slavery, and Self-Making in Nineteenth-Century America* (New York: Oxford University Press, 1997); Franny Nudelman, *John Brown’s Body: Slavery, Violence, and the Culture of War* (Chapel Hill: University of North Carolina Press, 2004); Thavolia Glymph, *Out of the House of Bondage: The Transformation of the Plantation Household* (New York: Cambridge University Press, 2008); Hannah Rosen, *Terror in the Heart of Freedom: Citizenship, Sexual Violence, and the Meaning of Race in the Postemancipation South* (Chapel Hill: The University of North Carolina Press, 2009).



consisting of corporal actions taken against a person. In recent years, especially emanating from scholarship and activism concerning violence against women and racial and ethnic groups, there has been great effort to move violence from this short-sighted and simplistic definition. As Susana T. Fried rightly noted, “Violence against women takes a variety of forms—physical, psychological, or economic; it includes acts of violence or the threat of such acts.”<sup>8</sup> But, as evidenced by this statement, scholars have had difficulty in separating the acts of violence from the inherent threat of them in accurately defining “violence” as a phenomenon.

Mary Jackman offers the most comprehensive definition of violence in her insightful theoretical piece, “Violence in Social Life.” By providing a catalog of how scholars have failed to consider all aspects of violence and have artificially separated cause and effect, she moves to a wide-ranging view of it, including violence inflicted upon people by words, policy, denial of resources, and the like.<sup>9</sup> For example, historians have detailed the grossly racially violent episode in American history of lynching, particularly in the “nadir” of African American history from 1890-1920, as embodying violence at its extreme in disgusting displays of brutality and loss of life. However, what is less focused on is the observation that “the number of African Americans killed by lynching does not compare with the vast number of African-American deaths brought about by discriminatory racial practices that limited blacks’ access to life-enhancing goods and services, such as food, housing, health care, education, and remunerative

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<sup>8</sup> Susana T. Fried, “Violence Against Women,” *Health and Human Rights*, Vol. 6, No. 2 (2003), 88-111.

<sup>9</sup> Mary R. Jackman, “Violence in Social Life,” *Annual Review of Sociology*, Vol. 28 (2002), 387-415. Concerning a few of the finer points, she maintains that, “Verbal or written actions that derogate, defame, or humiliate an individual or group may inflict substantial psychological, social, or material injuries without being as conspicuous or flagrant as physical violence,” 396.

occupations.”<sup>10</sup> This dissertation thus incorporates the following definition of violence that Jackman has proffered and applies it to the experiences of those not technically enslaved or fully free in Natchez: “Violence: Acts that inflict, threaten, or cause injury. Actions may be corporal, written, or verbal. Injuries may be corporal, psychological, material, or social.”<sup>11</sup>

Redefining violence against free people of color as an act that extended far beyond the obvious physical realm, I illuminate its trajectory as it radiated primarily from white society at the individual and state level in the Deep South town of Natchez. In so doing, *To Find Shelter She Knows Not Where* critically analyzes the innumerable patterns and manifestation of violence actualized against free men and women of color and considers the gender-specific ways in which they experienced it and combated it. I broaden understandings of violence against free people of color by considering the relevance that explicit physical violence and psychological violence or the implicit threat of it in the form of re-enslavement, kidnapping, deportment, poverty, and racial discrimination that scholars have not generally assessed. This topic of interrogation has to be rigorously examined to draw out the nuances of the reality of violence in the consciousness of free people of color. The potential for violence was ever-present for this class of men and women. On many levels, the constant recognition of this fact informed their life choices and affected every decision that they made.

Another contribution that my dissertation makes is in its exploration of gendered violence among free people of color, which historians have largely not examined. Violence was not confined to women’s experiences, but it was a gendered phenomenon with different manifestations for men and women. This dissertation negates some lingering conclusions within

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<sup>10</sup> Ibid., 402.

<sup>11</sup> Ibid.

the body of work on free women of color that minimizes the level of violence and coercion on this population. Much of the scholarship has de-emphasized the fact that the genesis of their freedom had its roots mired in violence. Although most historians of free women of color in the Lower South acknowledge that their emancipation was largely a result of relationships with white men, they have tended to downplay the violence that the women underwent prior to becoming emancipated, and instead, have highlighted the ability of women to choose these sorts of relationships or to actively use them to their advantage. I take exception to this argument. It is as though historians have worked backwards in their mental processing of these women, already having encountered them in the historical record as free and, in many cases, owning property after having been freed with their children who were the by-products of interracial relationships. It was never a foregone conclusion to these women that they or their children would benefit at some future point from the sexual exploitation to which they were subjected. Many of the women suffered in slavery for years, even decades, until they or their offspring were liberated.

For example, in a recent dissertation on free black women, one scholar read much into the agency of women to affect their manumission. As she argued, “many of the city’s black women engaged in interracial sex in order to obtain the privileges of citizenship for themselves and their families.” She then went on to say, “The struggle to acquire and retain the privileges of citizenship meant that many black women chose to become the lovers of white men in order to obtain freedom, wealth, and power.”<sup>12</sup> Although I concur that as free women of color, they had more equitable choices available to them than enslaved women for securing stability and upward

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<sup>12</sup> Amrita Chakrabarti Myers, “Negotiating Women: Black Women and the Politics of Freedom in Charleston, South Carolina, 1790-1860” (PhD dissertation, Rutgers, the State University of New Jersey, 2004), 18.

mobility. However, I disagree with this extreme emphasis on one's choice to become freed. As most studies on enslaved women have demonstrated, a woman's sexual exploitation did not guarantee that she would become freed. So, the mere act of a woman seeking a sexual relationship with a white man was certainly not a clear-cut path to freedom.

The literature on free black women thus tends to emphasize the agency and choice they exhibited in their relationships to white men. Many historians have focused on the freedom and property that women received from such interracial liaisons. As Virginia Meacham Gould reminds us, "to focus only on the exploitive nature of the relations between white men and slave women and free women of color would be to ignore the reality of the world in which they lived."<sup>13</sup> While this is an accurate statement in that any imbalance in the interpretation regarding a population obscures the picture, it is likewise a mistake to ignore the coercion and pressures upon free women of color. To do so minimizes the struggles they underwent to define and safeguard their freedom. After all, not all free women of color received their freedom as a consequence of interracial relationships with white men, nor were they exclusively involved with them after manumission. And in the event that both of those latter conditions were true, does that suggest that due to these alliances, they were somehow immune to exploitation? As I emphasize freedom for free people of color was more of a continuum with slavery than not. Indeed, Catherine Clinton noted that, "The beating, whipping, abuse, and coercion of black women under slavery is...underemphasized in historical accounts. Evidence indicates that these

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<sup>13</sup> Virginia Meacham Gould, "'A Chaos of Iniquity and Discord': Slave and Free Women of Color in the Spanish Ports of New Orleans, Mobile, and Pensacola" in *The Devil's Lane: Sex and Race in the Early South*, eds. Catherine Clinton and Michele Gillespie, (New York: Oxford University Press, 1997), 243.

practices continued to plague black women following emancipation.”<sup>14</sup> Although she wrote this in the context of the Reconstruction South, I argue that it has applicability for free women of color who lived during the era of racial slavery because, like black women in the postbellum South, they continued to endure unwanted physical control of their bodies as well. An examination of violence against this group of women can reveal much about the true nature of freedom.

The issue of sexual violence against free women of color is also muted within the historiography of rape. Most studies tackling this issue prior to the Civil War tend to focus on interracial rape, frequently examining white men who violated enslaved women, or more recently investigated, enslaved men who raped white women.<sup>15</sup> However, the rape of free black

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<sup>14</sup> Catherine Clinton, “Reconstructing Freedwomen,” in *Divided Houses: Gender and the Civil War*, eds. Catherine Clinton and Nina Silber (New York: Oxford University Press, 1992), 315.

<sup>15</sup> James Hugo Johnston, *Race Relations in Virginia and Miscegenation in the United States, 1776-1860* (Ph.D. dissertation, University of Chicago, 1937; Amherst: University of Massachusetts Press, 1970); Susan Brownmiller, *Against Our Will: Men, Women, and Rape* (New York: Simon & Schuster, 1975); 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; 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, 342-347. (New York: Routledge, 1990); Nell Irving Painter, *Soul Murder and Slavery* (Waco, TX: Markham Press, 1995); 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, 260-277 (Athens: The University of Georgia Press, 1996); Michele Mitchell, “Silences Broken, Silences Kept: Gender and Sexuality in African American History,” *Gender & History* 11:3 (November 1999): 433-444; 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): 1619-1650; and Jennifer L. Morgan, *Laboring Women: Reproduction and Gender in New World Slavery* (Philadelphia: University of Pennsylvania Press, 2004); and Daina Ramey Berry, *Swing the Sickle for the Harvest is Ripe: Gender and Slavery in Antebellum Georgia* (Champaign: University of Illinois Press, 2007). As for an opening in the historiography to switch the focus of white men raping enslaved women to sexual interactions between white women and African

women by white men, enslaved men, or free men of color has gotten scarce attention in the literature. Surely, this is related to a dearth of material in the South regarding free black women successfully bringing cases against men. Although the northern states did not pursue these cases with any avid commitment, the rare cases of this nature that did go to trial tended to be of crimes against free black girls and teenagers, more out of a sense of outrage that violence was visited upon innocent children. Although somewhat softened in the North, negative associations of African American female hyper sexuality nevertheless prevented the prosecution and conviction of many offenders. In the South, attacks on free black women by enslaved men were the primary ones prosecuted, however slight the number that were brought to trial and convicted.<sup>16</sup> Free women of color, similar to enslaved women whose consent to sex was assumed because of prevailing notions of their “lascivious” nature, it was not a societal concern to protect the feminine honor of free black women. However, although charges may not have surfaced in great numbers in court dockets, it would be a mistake to assume that free women of color did not experience sexual attacks.

Another way in which violence has been minimized regarding the positions of free black women is in regard to prostitution. There has been a long-standing debate in women’s history between radical feminists who view prostitution as violence against women and those more liberal pro-sex feminists who view it as an act of agency. Recent studies of prostitutes shed light on the near-universality of contemporary sex workers having histories of child abuse, physically and sexually, and continued abuse by partners as adults. They are also at risk to increased

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American men, see historians like Martha Hodes, *White Women, Black Men: Illicit Sex in the 19th Century South* (New Haven: Yale University Press, 1997) and Diane Miller Sommerville in *Rape and Race in the Nineteenth-Century South* (Chapel Hill: University of North Carolina Press, 2004). One of the only historians that has taken up the issue of the rape of free black women in the historiography in a serious way is Sharon Block in *Rape & Sexual Power*.

<sup>16</sup> Block, *Rape & Sexual Power*, 178-179.

violence at the job site—being envisioned by men as open to any kind of sexual expression—with some acts more dangerous and demeaning than others.<sup>17</sup> In light of this, it is a fair assumption to say that prostitution for free women of color most likely represented an amplification of these hazards due to racist beliefs and practices. Further, it forms a continuum from the abuse that they suffered as girls and young women in which they may have internalized the sexualization of themselves and into adulthood as they added sex work into their repertoire of lucrative work which put them in danger of continual sexual and physical abuse. It is critical for scholars to acknowledge that both agency and victimization were implicit within women's experiences during this time period. I highlight the violence and the exigent circumstances of racism and limitation that no doubt pushed free women of color toward and continued to follow them in this work.

I am also proposing in between what Ira Berlin terms the Second and Third Migrations, a *smaller* migration of free people of color in all states in the South—but obviously emphasized here in Natchez—*out* of the states in which they were emancipated and *into* other states, regions, and even countries.<sup>18</sup> Lawmakers in most southern states legislated that emancipated African

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<sup>17</sup> For a listing of some of the seminal works framing the debate between the two camps of feminists, see Beverly Balos, "Teaching Prostitution Seriously," *Buffalo Criminal Law Review*, Vol. 4, No. 2, SPECIAL ISSUE: Feminism and the Criminal Law (2001), 711-712. Some recent statistics regarding a history of violence and at the job site, see Melissa Farley and Howard Barkan, "Prostitution, Violence Against Women, and Posttraumatic Stress Disorder," *Women & Health*, Vol. 27, No. 3 (1998), 37-49.

<sup>18</sup> Ira Berlin's new book, *The Making of African America: The Four Great Migrations* (New York: Penguin Group, 2010) puts forth an intriguing idea, which challenges the way historians postulate about African American movement in North America. He talks about the first migration being the forced transport of people from Africa. The second occurred after the international slave trade was formally abolished in 1808 and the domestic slave trade intensified, forcing the enslaved to the newly opened areas of the Louisiana Purchase and other areas in the Black Belt. And then, the third, traditionally conceived as the "Great Migration," between World

Americans had to leave the states within a few months of being freed to avoid contributing to an explosion in the growth of free people, which they thought might set a bad example for slaves, and diminish the dichotomy between free white and black enslaved. Aside from the fact that most of them did not comply with the laws—knowingly or not—and which could at times leave them vulnerable if locals chose to prosecute them on it, there were people that pulled up their roots and moved. Although it is a relatively small movement of people compared to the other four, it is worth noting. Another important implication of Berlin’s book is the transmission of African cultural aspects in the first migration and the British and Protestant-infused ones brought to the Natchez area from the second migration impacted the populations of free people who already lived in the area as well as those who would eventually gain their freedom. This idea of movement continuously transforming the culture and values of Natchez people adds layered complexity to this frontier area. Berlin points out that when African Americans moved north to cities like Chicago and Detroit much later during what he regards as the third migration—and what has traditionally been conceptualized as the “Great Migration”—these were not permanent exoduses out of the South. The migrants traveled back to revisit their home places, including kin that remained, bringing with them vestiges of their new environs. This is true of Natchez free blacks that moved away, whether to the North or elsewhere. They persisted in thinking of Mississippi as their home base and the flow of new and old cultural referents traveled to and fro.

Finally, I highlight racial passing in Natchez during this time period as a form of resistance. The concept of race itself is problematical as indeed, it has been exposed by biological and social scientists to have no basis in physiology. However, this is not to say that it

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Wars I and II. And finally, Berlin sees the fourth, most recent movement as the post-1960 migration of people from the Caribbean and W. Africa to the U.S.



did not have significant social relevance in the past and certainly continues to present day. During the time period of this study, “race” had different meanings as it was understood by Spaniards and Anglos, with much more variation existing under Spanish law of the multifarious distinctions of people who had African, Indian, and European heritage.<sup>19</sup> People of African descent, enslaved as well as free, recognized the power that contemporaneous understandings of race impacted their lives, perhaps more so during the time of slavery, especially during the Antebellum period, leading up to the Civil War.<sup>20</sup> Trials of racial determinism and enslaved individuals’ claims of white identities to justify freedom from slavery is a more recent theme in the historiography. Performance of whiteness is a topic that historians have recently begun to address. There is a growing body of scholarship developing on how enslaved individuals that were suing for freedom in racial determinism cases “performed” their whiteness by their actions, mannerisms, appearances, speech patterns, and the like. Historians Walter Johnson and Ariela Gross have published work investigating the role that racialized notions about “whiteness” and “blackness” coupled with the embodied performance of cultural values associated with these played upon the ability of the enslaved to negotiate their ways through a society that rigorously ascribed racial realities upon all. Historians in this vein have convincingly showcased court cases involving light-skinned enslaved females who “performed” her whiteness to the court to prove they were not fit to be enslaved. In both their respective articles, Johnson and Gross then discussed racial determinism and slavery as these two factors interacted in the southern

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<sup>19</sup> Hanger, *Bounded Lives*, 15-16.

<sup>20</sup> Many historians have delved into the social construction of race. For particularly in-depth and insightful ones, see such works as: Harris, Cheryl I. “Whiteness as Property,” *Harvard Law Review*, Vol. 106, No. 8 (June 1993): 1737-1744; Nicholas Hudson, “From ‘Nation to ‘Race’: The Origin of Racial Classification in Eighteenth-Century Thought,” *Eighteenth-Century Studies*, Vol. 29, No. 3 (Spring, 1996), 247-264.

antebellum courtroom.<sup>21</sup> To date, no book-length studies have been attempted concerning the pre-Civil War period, and certainly not one that focuses on the experiences of free people, and particularly, women of color slipping over the color line.

The scholarship that has been conducted on the historical practice of passing for these people is as elusive as those who successfully accomplished it. The great bulk of the work that has been written on passing is centered on the phenomenon as it surfaces in literary characters, usually in the works of African Americans. Thus, rather than firmly rooting itself in solid historical data, much of the work is literary critique.<sup>22</sup> Although assuming that art truthfully mimics life, this work is useful in examining the attitudes of contemporaneous people and societal values related to mixed race individuals and the choices they made in crossing the color line in literature, these are not historical studies that are grounded in statistical data and based on actual historical figures. It is interesting to note that passing as a sexual orientation issue is now being written about by scholars, but academic treatment of racial passing has yet to be rigorously addressed.<sup>23</sup>

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<sup>21</sup> Gross, "Litigating Whiteness;" Walter Johnson, *Soul By Soul: Life Inside the Antebellum Slave Market* (Cambridge: Harvard University Press, 1999), 156-157; and "The Slave Trader."

<sup>22</sup> See for example: Larson, *Passing*; Harryette Mullen, "Optic White: Blackness and the Production of Whiteness," *Diacritics*, Vol. 24, No. 2/3, Critical Crossings (Summer-Autumn, 1994), 71-89; Werner Sollors, *Neither Black Nor White Yet Both: Thematic Explorations of Interracial Literature* (New York: 1997); Monique Guillory, *Some Enchanted Evening on the Auction Block: the Cultural Legacy of the New Orleans Quadroon Balls* (UMI: Dissertation from New York University, 1999); Stephen Knadler, "Traumatized Racial Performativity: Passing in Nineteenth-Century African American Testimonies," *Cultural Critique*, Vol. 55 (Fall 2003), 63-100; and Susan Prothro White and Ernestine Pickens Glass, eds. *Passing in the Works of Charles Chesnut* (Oxford: University Press of Mississippi, 2010).

<sup>23</sup> Sanchez, Maria Carla and Linda Schlossberg, eds. *Passing: Identity and Interpretation in Sexuality, Race, and Religion* (New York: New York University Press, 2001).

The majority of the historical research conducted on racial passing originates from statistical and written documentation and has examined the post-emancipation period. While studies of this nature shed some light on the phenomenon as a whole, much of the motivation of light-skinned individuals to pass, according to scholars, has concerned their opportunities to “do more, have more, travel more, be happier. Their light skins would give them the privileges, status and entitlements of white people, a state of grace that clearly meant more to them than their connections to the black community.”<sup>24</sup> Possibly more often than not, crossing over the color line during the post-emancipation time period was more of a temporary entity; to provide for the transgressor a tangible and immediate benefit such as attending a play or movie in a whites-only venue, seeking employment as a white person and then returning to a Black home, or traveling in better conditions. Although being African American in a nation that has historically treated people in a disparate manner according to race had its challenges and thus, tempted some to escape this by claiming their whiteness and denying their blackness, there is not the urgency, often the necessity, in the post-Civil War period to distance oneself from slavery, which I argue greatly distinguished the experience for individuals passing during the antebellum period.<sup>25</sup>

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<sup>24</sup> Haizlip, *Juice*, 71-2.

<sup>25</sup> Robert P. Stuckert, “African Ancestry for the White American Population,” *The Ohio Journal of Science*, Vol. 58, No. 3 (May 1958), 155-160; Joel Williamson, *New People: Miscegenation and Mulattoes in the United States* (New York: The Free Press, 1980), 101-102; Ginsberg, Elaine, K., ed., *Passing and the Fictions of Identity* (Durham: Duke University Press, 1996); Harris, “Whiteness as Property”; James M. O’Toole, *Passing for White: Race, Religion, and the Healy Family, 1820-1920* (Amherst: University of Massachusetts Press, 2002); Shirlee Taylor Haizlip, *The Sweeter the Juice* (New York: Simon & Schuster, 1994) and *Finding Grace : Two Sisters and the Search For Meaning Beyond the Color Line* (New York: Free Press, 2004); Lawrence Otis Graham, *Our Kind of People: Inside America’s Black Upper Class* (New York: HarperCollins Publishers, 1999), 376-393; and Monica J. Haynes, “Passing: How Posing as White Became a Choice for Many Black Americans,” *The Post-Gazette* [Updated October 26,

Another theoretical aspect of this study expounds on the notion of “intersectionality” of race, gender, and class in Natchez, Mississippi. Feminist scholar Joan Scott and historian Evelyn Brooks Higginbotham both offered up useful theoretical pieces in the late 1980s and early 1990s, which made a strong case for the inclusion of gender and race (not to mention class and sexuality) as analytic tools within the writing of not merely African American history, but of all history. As Scott noted:

The way in which this new history would both include and account for women’s experience rested on the extent to which gender could be developed as a category of analysis. Here the analogies to class and race were explicit; indeed, the most politically inclusive of scholars of women’s studies regularly invoked all three categories as crucial to the writing of a new history.”<sup>26</sup>

Higginbotham, in her pivotal piece, “African American Women’s History and the Metalanguage of Race,” convincingly demonstrated that race was the glue that held it all together for African American women’s history and which distinguished their experiences from white women’s.<sup>27</sup> However, she also recognized the need for a check to the “overdeterminacy” that race has exerted in the historical profession so that categories of gender, class, and sexuality could be considered more fully to avoid the tendency to generalize from the perspective of a monolithic and almost mythological “black community” and “black experience.” Utilizing gender analysis exposes the concrete differences between men and women’s experiences in African American history, but it essentially changes our commonly held assumptions about American history,

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2003; cited April 9, 2006]. Available from <http://www.post-gazette.com/lifestyle/20031026stain1026fnp2.asp>.

<sup>26</sup> Joan Scott, “Gender: A Useful Category of Historical Analysis” in *Gender and the Politics of History* (New York: Columbia University Press, 1988), 30.

<sup>27</sup> Evelyn Brooks Higginbotham, “African American Women’s History and the Metalanguage of Race,” *Signs*, Vol. 17, No. 2 (Winter 1992), 251-274.

particularly its explicit racialization and gendered conceptualization from colonial times onward, but also shaped by gendered conceptualizations onward.

Michele Mitchell's article "Silences Broken, Silences Kept: Gender and Sexuality in African American History" similar exhorts the utilization of gender as a critical tool as well as the study of conflict within African American communities.<sup>28</sup> This more recent piece exhorts scholars to continue pressing the usage of gender, not even to understand merely how women's experiences differed, but to analyze the construction of masculinity and manhood as well. It is a critical piece about some of the limitations of gender, however, due to the reluctance of scholars to explore "taboo" topics within African American history such as domestic strife, sexuality, and homosexuality, to name a few. As she points out, the fruit of earlier gendered studies resulted in the theorization of Darlene Clark Hine's "culture of dissemblance," in which African American women would shield their private lives from public view and the politics of respectability in some of Higginbotham's later work discouraged inquiry in this more personal vein. As she states, "Exploring conflict in all of its aspects might be uncomfortable for many historians working in the field but certainly no more so than our being plagued by the haunting, redounding echo of an uneasy silence."<sup>29</sup>

In order to fully facilitate this analysis, I have created a database of roughly nine hundred free people of color who resided at some point in Natchez between the years 1779-1865, which I have named The Ribianszky Database of Free People of Color. The sources I examined for this research include Adams County chancery, circuit, and probate court records, Mississippi state court records, personal letters, family papers—including the very rich Johnson collection and

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<sup>28</sup> Michele Mitchell, "Silences Broken, Silences Kept: Gender and Sexuality in African American History," *Gender & History* 11:3 (November 1999): 433-444.

<sup>29</sup> *Ibid.* 440.

William Johnson Diary—wills, deeds, newspapers, Spanish colonial papers, tax records, census data, among other documentation. The categories of analysis that have been created to flesh out their lives in the maximum detail include: age, color, property ownership, slave-holding, children, relationship status, year emancipated, year of migration to Natchez, previous owner's name, indenture, apprenticeship, and any incidence of violence that was recorded or implied in the documentation available. Within this last category of violence, I have further refined it to include if they themselves experienced the following: born enslaved, raped and/or sexually exploited, became/were slaveholders, threatened with and/or deportment, re-enslavement, imprisonment, whipping and/or other physical assault, murder, domestic abuse, wrongfully accused of a crime, association with violence (i.e. the murder or other violence of a family member or close friend), enslavement of child, and other threats to their bodily or emotional health.

*To Find Shelter She Knows Not Where* draws on all the aforementioned theoretical frameworks to inform the analysis concerning gendered movement, violence, and the nature of freedom for free blacks in Natchez. The chapters are thematically, rather than chronologically, organized within these broad frameworks. Chapter One, entitled “Literature Review” places this study within several bodies of historiography, including free blacks, African American women, and community studies in Mississippi.

Chapter Two, ““Oh, What a Country We Live In’: Movement and the Contours of the Community of Free People of Color in Natchez” locates free people of color within colonial Natchez under the French, British, and Spanish governments. I chart the expansion and contraction of Natchez free black society, analyze the increasing restrictions placed upon it by increasingly leery government officials and legislators, and begin highlighting the various

pathways to freedom. Manumission in Natchez was a gendered process in that the most common reason for it in Natchez was sexual and familial relationships with white men, which will be discussed in much greater detail in the chapter following this one. Before that, however, it is useful to provide a historical backdrop of the area and its settlement patterns. Movement is a critical theme in that it brought diverse people and cultural elements to Natchez, including a trickle of free people from other geographical regions, predominantly men. Due to tightening restrictions against free people of color as a distinct group, which this chapter elucidates, there were adjustments the community had to constantly make to adapt to uncertainty regarding their status. This caused some individuals and families to move away from Natchez and search opportunities elsewhere, and at times, to protect their freedom in an often uncertain political climate.

Chapter Three, “‘Women are Knocked Down by the Auctioneer, and Knocked Up by the Purchaser’: Sexual Violence and Community Creation in Natchez” is an intervention concerning some conclusions that have persisted within the body of work on free women of color that minimizes the level of violence and coercion on this population. Much of the scholarship on free women of color has de-emphasized the fact that the genesis of their freedom had its roots mired in violence. Although most historians of free women of color in the Lower South acknowledge that their emancipation was largely a result of relationships with white men, they have tended to minimize the violence that the women underwent prior to becoming emancipated, and instead, have highlighted the ability of women to choose these sorts of relationships or to actively use them to their advantage. I take exception to this argument. It is as though historians have worked backwards in their mental processing of these women, already having encountered them in the historical record as free and, in many cases, owning property after having been freed with

their children who were the by-products of interracial relationships. It was never a foregone conclusion to these women that they or their children would benefit at some future point from the sexual exploitation to which they were subjected. This chapter examines sexual violence between enslaved women and white men in Natchez, which I define as all sexual interactions that occurred between these two groups due to the power differential and use of coercion, whether it was physical or psychological.

Chapter Four, “‘Her Back was Very Much Whipped’: Gendered Violence as a Mechanism of Control” details the insidious viciousness that was leveled against people of color in Natchez and illustrates the different gendered forms that violence could take. Although there were specific moments in time during which violence may have been heightened, violence was an epidemic to which free people of color were disproportionately exposed at all times in Natchez’s history. Sexual violence was actuated most heavily against women and sharply differentiated their experience of freedom from men’s. The issue of sexual violence against free women of color is also minimized within the larger historiography of rape against all women in North America. This chapter challenges that deficiency and interrogates the threat and actualization of rape. As many of the women were born enslaved and later emancipated, often as a result of sexual coercion or outright rape, I argue that these episodes of violence continued to affect their lives and inform their major life decisions in relationships, childrearing, work, and a host of other areas. Following emancipation, women remained vulnerable to sexual exploitation and subject to violence not only based upon their gender, but also race. However, not all episodes of violence were overtly sexual in nature, but remained gendered. Men and women who transgressed from the racial expectations of the community often suffered negative consequences, people who did not conform to dominant gender ideologies found themselves



open to physical “correction.” Free people of color often did not survive this physical menace of violence and were victims to its brutality. This chapter examines strategies that they employed in resisting the overwhelming challenges to their bodily well-being.

Chapter Five, ““She is ‘Much Grieved at the Idea of Being Driven from the Land of Her Home and Her Friends to Find Shelter She Knows Not Where’: The Link Between Public Sentiment against Free People of Color and Threats to Property” traces periods of local, statewide, and national trends of public anti-free black rhetoric leveled against this population of people and how it affected them. Throughout the periodic attacks on the community of free people of color, the many people who were subjected to police detainment, imprisonment, and deportation from the state, frequently without their property and cut off from connections of family and friends, became casualties of the threat of violence that constantly hung over their heads. The property that came under attack was real estate, personal property, slaves that they owned, as well as the right to own themselves, free from white control. I examine freedom suits that free people of color initiated to protect their free status and resist external efforts to re-enslave them. Within it, I detail how free people of color reacted to negative public perception and circumvented actions designed to defraud them out of their property. Further, I discuss their constant vigilance to defend themselves against the diminishment of their social and economic positions.

Chapter Six, ““Her Attachment and Fidelity to Me as a Friend and Companion and her Industry and Affection to Her and My Children as a Mother’: Relationships and Parenthood” discusses relationship dynamics between free people of color as well as with partners that were not part of the community. Some of the critical considerations of this chapter are courtship, marriage, power dynamics, work, and leisure time. It also closely examines the practices of free

men and women of color to prepare themselves mentally and physically for parenthood and the strategies they employed to protect their children and families from the harsh realities of life in a racist, slave-based, Deep South town. Some of the strategies of parenting included buying their children out of slavery; apprenticing their children in as safe and secure environments as possible to allow them to learn a lucrative trade, receive educations, and avoid physical and/or sexual exploitation; accumulating property and passing it down to their children; and educating children either in their homes with private tutors or sending them to the North or to New Orleans for schooling, among many others. There were also free men of color in the community who served as surrogate fathers and worked to help single mothers of color find apprenticeships and other protections for their children as well.

Chapter Seven, “She ‘Had Not One Drop of Negro Blood in Her’: Passing and the Performance of Whiteness as a Form of Resistance in Natchez, Mississippi” examines concrete cases of racial passing in Natchez. Light-skinned free people of color had a weapon available to them: passing as white. This seemingly contradictory behavior could be viewed as an act of resistance. Since free people of African descent were the most vulnerable population to acts of violence, being absorbed into the white population and becoming accepted as an undiscovered component of a racist society simultaneously subverted the system as well as afforded them another layer of protection. Similar to other aspects of freedom in Natchez, in this chapter, I explore the gendered ways in which free people of color performed white femininity and masculinity and how the increasingly racialized Mississippi society increasingly placed more emphasis on racial ancestry than it had during the Spanish period. Examining the act of passing among people of African descent offers the possibility of considering it as an act of resistance.

The chapter is followed with a brief discussion of how free people of color navigated the post-Civil War era.

## CHAPTER ONE

### **Free Blacks in Natchez: The Historiography on Free Blacks, African American Women, and Mississippi**

*To Find Shelter She Knows Not Where* inserts itself into a number of historiographical debates and has resonance in a few fields. It contributes to many of the critical bodies of knowledge that were shared in the Introduction including violence studies, particularly those that examine women's experiences and racial passing. Setting the historical context within which these pivotal works were written is the focus of this historiographical essay. I will limit my overview to the fields of free black studies, black women's history, and community and regional studies on Mississippi and more specifically, Natchez, which have heightened relevance to my project.

#### **Studies on Free Blacks**

There is no doubt that the experience of slavery shaped American society in innumerable and deep-seated ways. Thus, the intertwining of slavery and freedom bore relevance on the development of both entities throughout history. Indeed, in the historiography, this very tendency has simultaneously existed and almost from the nascence of the field of African American history, scholars have been expounding upon the experiences of enslaved as well as free blacks. Increasingly, as the most recent scholarship reveals, there is a movement within the literature to bring the communities of free and enslaved ever more entangled with one another and to demonstrate connections. This section will give a brief overview of the large trends in African American history, including slavery studies, since free blacks were intrinsically connected with slavery.

Recent scholarship by intellectual historians has pushed the traditional dates of the historiographical boundaries of African American history back in time. John David Smith and Pero Dagbovie have both documented African Americans living prior to the Civil War chronicling their history, including James W.C. Pennington and William Wells Brown, and George Washington Williams as well as white writers. And Smith estimates that in the period between 1865 and 1889, over 600 books and articles were published about slavery. White writers predominated, some reminiscing about the “Lost Cause,” and the institution as a whole. Though Smith illuminated the fact that most contemporaneous whites did not openly support re-enslavement, most of them thought of African Americans as “slave like inferiors,” which of course, was reflected in their scholarship.<sup>1</sup> These early studies laid the foundation for what was to come in the history profession.

It was before the close of the 19<sup>th</sup> century that one of the foremost Black historians, W.E.B. Du Bois, became the first African American male to receive his Ph.D. in history in 1895 at Harvard. His first examination of African American history, his dissertation, *Suppression of the African Slave Trade to the United States of America, 1638 -1870* was the first formal, scholarly piece by a Black historian trained in the academy. It is significant that at this exact time, in the tail end of the 19<sup>th</sup> century, Herbert Bolton wrote his dissertation on free blacks in the South before the Civil War in 1899.<sup>2</sup> Thus, there was a concurrent output of studies of slavery and on free people of color.

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<sup>1</sup> John David Smith, *An Old Creed for the New South: Pro-Slavery Ideology and Historiography, 1865-1918* (Westport: Greenwood Press, 1985), 4-6 and Pero Dagbovie, *Black History: “Old School” Black Historians and the Hip Hop Generation*, (Troy: Bedford Publishers, 2006), 155-160.

<sup>2</sup> Ira Berlin, *Slaves Without Masters: The Free Negro in the Antebellum South* (New York: Vintage Books, 1971), xvii.

Although Du Bois attained his doctorate in the years preceding the influential output of scholarship by Ulrich Bonnell Phillips, much of DuBois' intellectual effort, as well as historians of similar sentiment, was expended in refuting Phillips' and other white historian's harmful contentions about African Americans during slavery. In the first quarter of the twentieth century, the southern proslavery historian U.B. Phillips was generally well-received by the academy for his sympathetic interpretation of the slave South in *American Negro Slavery*. He essentially judged slavery to have been a positive and economically unprofitable system that had the end result of "civilizing" Africans on the plantations. With the strokes of his pen, he presented 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. Significantly, however, U.B. Phillips included a chapter on free black people in his book and subsequently, his students like Charles Sydnor wrote of them, albeit in a condescending and derogatory fashion.<sup>3</sup>

Carter G. Woodson, like Du Bois, also obtained his Ph.D. from Harvard in 1915, prolifically published studies during this era that emphasized positive accomplishments and empowering experiences of African Americans, both in slavery and in freedom.<sup>4</sup> Integral to his philosophy of making black history available to everyday people, he created "Negro History

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<sup>3</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) and Charles Sydnor, "The Free Negro in Mississippi Before the Civil War," *American Historical Review* 32 (1927): 769-788.

<sup>4</sup> Carter G. 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) and *Free Negro Heads of Families in the United States in 1830 Together With a Brief Treatment of the Free Negro* (Washington, D.C.: The Association For the Study of Negro Life and History, Inc., 1925).

Week” in 1926 to raise awareness that African Americans had a solid, demonstrable history and, like Du Bois, he believed it should be conceptualized and placed within the fabric of American history. Woodson’s *Free Negro Owners of Slaves in the United States in 1830; Together With Absentee Ownership of Slaves in the United States in 1830* examines free African Americans from 1619 to the Civil War. The primary sources Woodson utilized were laws and statutes, census records, newspapers, letters from the American Colonization Society, to name a few. Within his scholarship, he gives some attention to the differences between free blacks in the North and the South, relationships between black women and white men as well as between white women and black men, and Native Americans, who also contributed to this population, and property ownership.

By the 1920s and 1930s, the literature on the study of African Americans expanded greatly. More African Americans received their PhDs in the 1930s than in any preceding decade. The ranks of the Black historical profession swelled with such disciples of Carter G. Woodson as Charles Wesley, Lorenzo Greene, and John Hope Franklin. The era was also host to an early culture war in the academy between black historian E. Franklin Frazier and white anthropologist Melville Herskovits pertaining to the creation of an African American culture. Frazier, succumbing to the more conservative stance which sought to create distance between Africa and its “negative” connotations as perceived by many living in the era and being of the integrationist mindset of wishing to emphasize Black people’s acculturation within America, 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. In Frazier’s view, the enslaved could not retain a sense of any African heritage and the creation of an African American culture birthed by slavery was inspired

by European culture, notwithstanding in an imperfect and dysfunctional manifestation. 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>5</sup> This study had far-reaching implications for the African American community in future public policy development and in the way that African American history and culture was viewed as dysfunctional and pathological, especially in the way of family structure.

Anthropologist Melville Herskovits critically challenged Frazier’s interpretation of African cultural retention in North America in the year following publication of *The Negro Family in the United States*. Herskovitz countered Frazier’s conclusions 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. Herskovitz maintained that “while Africanisms in material aspects of life are almost lacking, and in political organization are so warped that resemblances are discernible only on close analysis, African religious practices and magical beliefs are everywhere to found as recognizable survivals...”<sup>6</sup> He also posited that slaves acculturated themselves in an American context and created a new culture for themselves in

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<sup>5</sup>E. Franklin Frazier, *The Negro Family in the United States* (Chicago: University of Chicago Press, 1939) 15.

<sup>6</sup>Melville J. Herskovitz, *The Myth of the Negro Past* (Boston: Beacon Press, 1941), 111.



which they adopted some European cultural traits and altered them to fit within an African-oriented perspective. Thus, Herskovits acknowledged that slaves had a unique culture of their own making which was demonstrated through their folklore, religion, artistic expressions, and the like. In spite of its welcome paradigm shift from much of the negative interpretations of African American culture, there were some problems. Most importantly, Herskovitz collapsed the diversity and range of West African cultures into one “African” culture, which was not clearly defined. Unfortunately, historians following in his footsteps have often repeated this mistake and flattened the rich variety of languages, religious beliefs, gender relations, and aesthetic values into one general “African” ethnicity, whatever that might be.<sup>7</sup> What is of primacy here, however, is that scholarship was being generated in the academy, akin to that of Franz Boas’s and students of his like Zora Neale Hurston who emphasized the positive connotations of African continuity and did not view it as damaging or shameful, as had so many in preceding years.

At the same time that the culture wars between Frazier and Herskovitz were taking place, John Hope Franklin began publishing books that would ultimately result in his recognition as the “Modern Father of African American History.” Although arguably, Franklin is more famous for his studies that are based on the enslaved experience, one of his earliest studies was *The Free Negro in North Carolina, 1790-1860*. Like Carter G. Woodson’s and Charles Sydnor’s, Franklin’s work was one of the seminal state-wide studies on free people of color. In this book,

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<sup>7</sup> Even as recently as the 1980s and 1990s with some of the less-nuanced scholarship generated from certain Afro-centrists. See for example: Molefi Kete Asante, *Afrocentricity: The Theory of Social Change* (Chicago: African American Images, 2003). Within this book, Asante defines an African Cultural System very broadly as belonging inherently to all African people, on the continent of Africa and in the diaspora, and states that it is diverse depending upon geographical placement but is not completely clear as to its exact nature. As this is a sociological and theoretical piece, his sources are secondary and are largely other Black writers and intellectuals and Afrocentric thinkers.

he included a wide array of primary sources including census returns, registers of free people, newspapers, diaries and plantation ledgers, court records, and police records. He maintained that despite their marginalization, free Black people managed to form families and communities through their work and perseverance. *The Free Negro* also continued the inquiry into the incidence of property ownership and the accumulation of wealth by free people of color that Woodson had opened up in his earlier work.<sup>8</sup>

After World War II, there were enormous changes that took place in the historical profession. WWII had infused the black community with zeal to fight for democracy abroad and against racism at home. As historian Peter Novick in his study of objectivity in the historical profession, points out during this time, the “Postwar historiography emphasized white oppression of blacks, and the toll it had taken, particularly under slavery, but also in its aftermath. Its avowed or tacit intention was to promote a sense of responsibility and guilt in its white audience.”<sup>9</sup> In 1956, Kenneth Stampp wrote a seminal book, *The Peculiar Institution* in which although undoubtedly, his intentions were true and unlike the white historians of a few decades prior, like Phillips, he did not seek to portray slaves as culturally deprived or uncivilized, he predominantly presented them as victims within an oppressive system who did not have clear autonomy from planters. The overbearing yoke of slavery as Stampp interpreted it was too much of an obstacle for them to overcome to exercise much agency in their lives. He also stated that

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<sup>8</sup> John Hope Franklin, *The Free Negro in North Carolina, 1790-1860* (Chapel Hill: University of North Carolina Press, 1943).

<sup>9</sup> Peter Novick, *That Noble Dream: The ‘Objectivity Question’ and the American Historical Profession*. (Cambridge: Cambridge University Press, 1998), 480.

Blacks were “only white men with black skins,” which did not sit well with black historians in the coming time period.<sup>10</sup>

In 1959, Stanley Elkins published a study that was closely aligned to the earlier stance of U.B. Phillips and viewed African American slaves as simplistic and child-like, albeit his was colored by the context of World War II in which whites, the world over, struggled to come to terms with the Jewish genocide and Nazi concentration camps. In *Slavery*, Elkins posited that due to the harsh oppression of slavery upon which Stamppp had focused, African Americans, particularly males, suffered psychologically. 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” in constant search of a paternalistic father figure.<sup>11</sup>

The Moynihan report of 1965, which detailed what one public policy analyst viewed as the pathology of Black families and the role of single female-headed households from slavery to the present had played in the creation of this “dysfunction,” also helped to trigger the outpouring of studies that focused on slavery. Historians sought to refute the idea of Black matriarchy and underscored the primacy of Black masculinity and the importance of Black fathers in the family. Elkins’s interpretation, coupled with the civil rights and Black Power struggles of African Americans in the 1950s through the 1970s, set the stage for a whole new generation of revisionist historians. This era showcased strife, persistence, and success on the part of African

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<sup>10</sup> Novick, 471; Kenneth M. Stamppp, *The Peculiar Institution: Slavery in the Antebellum South* (New York: Vintage Books, 1956).

<sup>11</sup> Stanley Elkins, *Slavery: A Problem in American Institutional and Intellectual Life* (Chicago: The University of Chicago Press, 1959).

Americans, and ultimately inspired 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. The great majority of these ensuing studies made evident that the gendered disparity of experiences between enslaved and free Black men and women were downplayed and even ignored. Slavery studies emphasized the historical agency of the enslaved in the creation of New World culture in religion, music, community, family, and other key categories proliferated.<sup>12</sup>

During this period of great revision in slavery studies, there were occasional studies that continued to investigate free people of color, such as Leon Litwack's examination of African Americans residing in the North prior to the Civil War. *North of Slavery: The Negro in the Free States, 1790-1860* took to task the notion that this region was the antithesis to the racist South and a haven for free Blacks. He pointed out that the experiences of northern Blacks were the antecedents for twentieth century discrimination. His study was informed by a great many sources including state and local histories, state and federal government records, Black and white abolition records, colonization documents, manuscript collections, and newspapers. In a host of

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<sup>12</sup> It is necessary at this juncture to verge from the copious discussion of slavery studies, which explodes at this time period in the interest of fully interrogating free people of color within the literature. However, I would like to point out the books that were published during this period that have been incredibly influential upon the field in general. For more detail on how these studies fit within the historiographical debates, please refer to my comprehensive exams for Dr. Daina Ramey Berry. A sampling of some of the most prominent studies are: Eugene Genovese, *Roll, Jordan, Roll: The World the Slaves Made* (New York: Pantheon Books, 1974); Herbert Gutman, *The Black Family in Slavery and Freedom, 1750-1925* (New York: Vintage Books, 1976); Sidney W. Mintz and Richard Price, *The Birth of African American Culture: An Anthropological Perspective* (Boston: Beacon Press, 1992, originally published in 1976); Leslie Howard Owens, *This Species of Property: Slave Life and Culture in the Old South* (New York: Oxford University Press, 1976); Lawrence Levine, *Black Culture and Black Consciousness* (New York : Oxford University Press, 1977); John W. Blassingame, *The Slave Community* (1972 reprint, New York: Oxford University Press, 1979); Sterling Stuckey, *Slave Culture: Nationalist Theory and the Foundations of Black America* (Oxford: Oxford University Press, 1987); Mechal Sobel, *The World They Made Together: Black and White Values in Eighteenth Century Virginia* (Princeton: Princeton University Press, 1987);

ways, it laid the foundation for moving studies of free blacks out of the South and considering the impact that region had on their experiences.<sup>13</sup>

Bridging Litwack's book and those focused on plantation slavery was Richard Wade's *Slavery in the Cities* published in 1964. As he rightly acknowledged regarding the historiography up to this point, most historians focused on plantation slavery in spite of the fact that "from almost the beginning slavery was also urban."<sup>14</sup> His aim was to interrogate the dynamic of urban slavery to ascertain how it differed from rural bondage. He found that differences between cities, although there were some, were not as telling as the similarities of urban life. His work predated some of the current trends in history that will be discussed later that emphasize interactions between enslaved and free blacks as well as whites. He stated, "In the metropolis the worlds of bondage and freedom overlapped. The line between free blacks and slaves became hopelessly blurred. Even whites and blacks found their lives entangled in some corners of the institution of slavery."<sup>15</sup>

The book that has withstood the test of time and endured in its claims on the realities of free blacks without doubt is Ira Berlin's *Slaves without Masters*. Considering the region that Litwack had explicated as well as making a distinction between rural and urban dimensions, Berlin wrote a national study that dissected the U.S. into the broad regions of the North, the Upper South, and the Lower South while he sought to investigate the lives of these men and women that technically were not enslaved but did not enjoy the full liberty that whites did. He found substantial differences in terms of skin color, occupation, property ownership, oppression,

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<sup>13</sup> Leon Litwack, *North of Slavery: The Negro in the Free States, 1790-1860* (Chicago: The University of Chicago Press, 1961).

<sup>14</sup> Richard Wade, *Slavery in the Cities* (New York: Oxford University Press, 1964) viii.

<sup>15</sup> *Ibid.* 258.

literacy, as well as other factors depending upon the region that one lived within. He was perhaps the most far-reaching historian on the linkage between free people of color and slavery. Without studying these people, we do not have a cohesive picture of what reality was for African Americans living in the South. As he observed:

The status and treatment whites accorded the free Negro is 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>16</sup>

Along similar lines as Richard Wade's treatment of urban slavery, Leonard Curry laboriously compared the free black experience in fifteen U.S. cities in *The Free Black in Urban America, 1800-1850*. By examining the cities with the largest populations of free blacks through census data, city directories, city ordinances, pamphlets, abolition records, school records, newspapers, and a wealth of other sources, Wade argued that although free African Americans were unable to fully grasp the American dream due to exclusion and racist practices, within the cities, they found the greatest opportunities to edge closer to it by anonymity as well as community cohesion.<sup>17</sup>

One more important development in African American history has been the proliferation of books on property ownership among both free people of color as well as enslaved people. For example, Loren Schweninger published a book and several articles that have focused exclusively on property-owning free African Americans. His conclusion, much along the lines of Ira Berlin's findings in *Slaves without Masters* indicates that there was a significant difference between the experiences of property holders in the Upper South as opposed to the Lower South.

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<sup>16</sup> Berlin, *Slaves Without Masters*, xv.

<sup>17</sup> Leonard P. Curry, *The Free Black in Urban America, 1800-1850: The Shadow of the Dream* (Chicago: The University of Chicago Press, 1981).

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 onto 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>

Dylan C. Penningroth has written on property owning among enslaved people, which adds to the scholarship that has been done on internal economy. This challenged the barrier that separated free people of color and enslaved people because, although legally slaves could not own property, in reality they did. As he stated, “Studying how slaves acquired, held, traded, borrowed, and talked about property opens new possibilities for African American history, both because it illuminates the struggles between masters and slaves and because it reveals how slaves negotiated among themselves over power and resources.”<sup>19</sup> This dovetails with my argument about the symbiosis between the systems of slavery and freedom for African Americans.

One of the greatest complexities and seeming contradictions of free people of color that confounds modern sensibilities was their ownership of slaves. There has been much debate in the historiography concerning the nature of their mastery since the time of Carter G. Woodson’s influential study, *Free Negro Owners of Slaves in the United States in 1830*, which posited that most free people of color who held slaves were in fact related to them. He also contended that in

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

<sup>19</sup> Penningroth, Dylan. “My People, My People: The Dynamics of Community in Southern Slavery,” in *New Studies in the History of American Slavery*, Edward E. Baptist and Stephanie M.H. Camp, eds. 166-178. Athens: University of Georgia Press, 2003, 167.

the cases where there was no such familial connection, it was far more benevolent than slavery practiced by whites. More recent historians have found compelling evidence that point to their conscious commodification of enslaved people to further their economic interests. Historians have vacillated about the benevolence of the system and free black owners treating their enslaved more humanely than whites or those who used them mercilessly as an economic tool of wealth creation. *To Find Shelter She Knows Not Where* enters this debate about the issue of free black slave ownership. In Natchez, free people of color who owned slaves were of both mindsets. I argue further that they were affected by the violence that surrounded them in Natchez and by their ownership of others.<sup>20</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>21</sup>

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<sup>20</sup> For contours of the issue of slave ownership among free blacks and the support of the idea that free black slave owners were benevolent rather than exacting and economically-motivated owners, see Carter G. 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); Larry Koger, *Black Slaveholders: Free Black Slave Masters in South Carolina, 1790-1860* (Jefferson, N.C.: McFarland and Company, 1985), 80-101; Loren Schweninger, *Black Property Owners in the South, 1790-1915* (Urbana: University of Illinois Press, 1990), 104-109.

<sup>21</sup> See such work on Louisiana free people of color like: Donald Everett, “Free Persons of Color in Colonial Louisiana,” *Louisiana History* 7, no. 1 (1966), 21-50; Laura Foner, “The



Ira Berlin, whose aforementioned *Slaves Without Masters* is still considered one of the preeminent studies of free people of color, published a book in 1998 that reestablishes the connection between free and enslaved African Americans. In *Many Thousands Gone*, Ira Berlin

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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; H.E. Sterkx, *The Free Negro in Ante-Bellum Louisiana* (Cranbury: Associated University Presses, Inc, 1972); Gary B. Mills, *The Forgotten People: Cane River’s Creoles of Color* (Baton Rouge: Louisiana State University Press, 1977); Loren Schweninger, “Antebellum Free Persons of Color in Postbellum Louisiana,” *Louisiana History* 30, no. 4 (1989), 345-364; Thomas Ingersoll, “Free Blacks in a Slave Society: New Orleans, 1718-1812,” *William and Mary Quarterly*, Third Series 48, No. 2 (April, 1991), 173-200; Gehman, Mary. *The Free People of Color of New Orleans: An Introduction*. New Orleans: Margaret Media, 1994; 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 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); Sybil Kein, *Creole: The History and Legacy of Louisiana’s Free People of Color* (Baton Rouge: Louisiana State University Press, 2000); Judith Kelleher Schafer, *Becoming Free, Remaining Free: Manumission and Enslavement in New Orleans, 1846-1862* (Baton Rouge: Louisiana State University, 2003). On the extensive work that’s been done on Charleston and South Carolina, see: Marina Wikramamayake, *A World of Shadow: The Free Blacks in Antebellum South Carolina* (Columbia: University of South Carolina Press, 1973); 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; 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); Johnson and Roark, *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); Orville Vernon Burton, *In My Father’s House Are Many Mansions: Family and Community in Edgefield, South Carolina* (Chapel Hill: University of North Carolina Press, 1995); 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. For studies on free people of color in Virginia, see: Tommy L. Bogger, *Free Blacks in Norfolk, Virginia, 1790-1860: The Darker Side of Freedom* (Charlottesville: University Press of Virginia, 1997); Melvin Patrick Ely, *Israel on the Appomattox: A Southern Experiment in Black Freedom from 1790s through the Civil War* (New York: Knopf: Distributed by Random House, 2004); Eva Sheppard Wolf, *Race and Liberty in the New Nation: Emancipation in Virginia from the Revolution to Nat Turner’s Rebellion* (Baton Rouge: Louisiana University Press, 2006). For the Gulf Coast, see James Dormon, ed. *Creoles of Color of the Gulf South* (Knoxville: The University of Tennessee Press, 1996). Where there is not as much work done: Christopher Phillips, *Freedom’s Port: the African American Community of Baltimore, 1790-1860* (Urbana: University of Illinois Press, 1997). For studies on free blacks in Georgia, see the following: Whittington B. Johnson, *Black Savannah 1788-1864* (Fayetteville: University of Arkansas Press, 1996).

folded free people of color into his analysis of the first two hundred years of slavery from his point of departure in the Chesapeake and the transition that people like Anthony Johnson and his wife underwent from slavery to freedom as well as symbiotic connections between free Black people and enslaved (as well as Native Americans). In *Many Thousands Gone*, he posits that the last two entities were formed by slavery. Any discussion of slavery should seek to intertwine enslaved people and free people of color because the dynamics between the two classes shaped one another as well as the larger society. *Many Thousands Gone* marries the experiences of free and enslaved Africans in a way that historians have only yet begun to do. By doing so, he is able to trace the intertwined development of race and class as defined by the labor that Africans and African Americans performed. Constantly throughout the book, he discusses the interplay, tensions, and cooperation between the two groups by region and through the evolution of time. He undoubtedly evidences change in his treatment of free Blacks with an increased aura of agency in terms of negotiation and cultural creation than his early work, and integrated more thoroughly free and enslaved people, but many of the conclusions that he originally reached have held fast.<sup>22</sup>

Finally, there are those historians who have provided case studies of particular free people of color, 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 present for historians to examine, but much of the personal aspect is missing, the intimate glimpse into a particular person’s mind. These histories give insight into the experiences of people of color and transform them from a statistic, a

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<sup>22</sup> Ira Berlin, *Many Thousands Gone: The First Two Centuries of Slavery in North America* (Harvard: Harvard University Press, 1998).

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 acquire.<sup>23</sup>

### **Women and Gender**

The “classic” period of slavery studies of the 1970s-80s was a fruitful time for black historical scholarship, but there were some glaring omissions. Although the “classic” slave studies were a necessary corrective to the work that emphasized pathology and crushing oppression within the enslaved’s experiences, they almost virtually ignored women or carelessly lumped them together with men into one generic notion of “slave.” Several women writers and historians of the period, motivated in part by the feminist movement and emerging understandings of the sexism in the Civil Rights, anti-Vietnam War, and Black Power Movements, recognized this discrepancy and sought to remedy it by focusing on those who were

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<sup>23</sup> Edwin Adams Davis and William Ransom Hogan, *The Barber of Natchez* (Baton Rouge: Louisiana State University Press, 1954); Loren Schweninger, *From Tennessee Slave to St. Louis Entrepreneur: The Autobiography of James Thomas* (Columbia: University of Missouri Press, 1984); 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); Adele Logan Alexander, *Ambiguous Lives: Free Women of Color in Rural Georgia, 1789-1879* (Fayetteville: University of Arkansas Press, 1991); Daniel L. Schafer, *Anna Madgigine Jai Kingsley: African Princess, Florida Slave, Plantation Slaveowner* (Gainesville: University of Florida Press, 2003); Billy D. Higgins, *A Stranger and a Sojourner: Peter Caulder, Free Black Frontiersman in Antebellum Arkansas* (Fayetteville: University of Arkansas Press, 2004); Loren Schweninger, *In Search of the Promised Land: A Slave Family in the Old South* (New York: Oxford University Press, 2006); Wilson, Carol. *The Two Lives of Sally Miller: A Case of Mistaken Identity in Antebellum New Orleans*, Rutgers University Press, 2007; Janice L. Sumler-Edmond, *The Secret Trust of Aspasia Cruvellier Mirault: the Life and Trials of a Free Woman of Color in Antebellum Georgia* (Fayetteville: The University of Arkansas Press, 2008).

almost invisible in the historiography at this point in time. This focus on gender in African American history has been illustrated since the 1970s with a few key pieces that have served as harbingers of the need for studies that illuminate the lives of women by utilizing the tool of gender to separate them from men's. For example, Angela Davis wrote an article that sat at the pinnacle of this need for strident examination of women's lives under slavery.<sup>24</sup> The piece highlighted how women served as pivotal figures in the community and within their families. It was to these gendered realities which scholars like Angela Davis were trumpeting a clarion call to those listening that additional studies needed researching.

In 1985, Deborah Gray White wrote her seminal text *Ar'n't I Woman?: Female Slaves in the Plantation South*, which revolutionized the ways in which scholars thought about the enslaved experience as a whole and realized that the experience of women and men within the institution had key differences which could not be ignored in terms of labor, family, and community. White maintained that there were essentially 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, male-female relations were egalitarian, and that women generated their own unique bonds that were epitomized in what she termed the "female slave network." Drawing extensively upon plantation records, court documents, and traveler's accounts, and heavily, the WPA records, White's work existed as the

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<sup>24</sup> Angela Davis, "Reflections on the Black Women's Role in the Community of Slaves," *The Black Scholar* (December 1971), 3-15 (reprinted in Beverly Guy-Sheftall, ed. *Words of Fire: An Anthology of African American Feminist Thought* (New York: W.W. Norton and Co., 1995), 215.

first book length study to locate black women and their unique circumstances of gender, labor, and unending sexual exploitation within the plantation south.<sup>25</sup>

Jacqueline Jones' *Labor of Love, Labor of Sorrow*, also helped set the stage for ensuing work on African American women in slavery. Although over half of the book interpreted the decades after slavery, the portion that lies within slavery echoed White's contention that in terms of labor and family, women experienced something vastly separate from men. She also emphasized the oppression that prevented black women from exercising fully the black sexual division of labor as well as gender conventions of the larger society due to the obligation to work and provide additional household income.<sup>26</sup> These are a few of the critical studies which broke ground on studies of enslaved women, laying the groundwork for those that considered the experiences of free women of color.

Virginia Meacham Gould's dissertation, entitled "In Full Enjoyment of Their Liberty: the Free Women of Color of the Gulf Ports of New Orleans, Mobile, and Pensacola, 1769-1860," broke brand new ground in many ways. First, although there were a few seminal book-length studies that had been done by this point on free people of color, none had concentrated wholly on the experiences of women. Also, none had focused on the Gulf Coast as a region under the Spanish government. And, as she stated in her introduction, historians had avoided giving serious scholarly attention to these women for a number of reasons; most importantly because they were

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<sup>25</sup> Deborah Gray White, *Ar'n'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).

<sup>26</sup> Paula Giddings' *When and Where I Enter* has the distinction of being the first textbook written about African American women Paula Giddings, and had a large impact on the generation of black women's history, but it is beyond the scope of this essay since it focuses on post-emancipation. *When and Where I Enter: The Impact of Black Women on Race and Sex in America* (New York: Quill William Morrow, 1984).

grounded in myth and it is still a challenge to disentangle the real women from the fantasized and “fetish-ized” dimension. Her primary contention is that these women shaped their own identities separate from enslaved African women as well as from white women. Class and race shaped the identities of free women of color first and foremost. In this analysis, she examined Spanish municipal records, Spanish court cases, Louisiana Supreme court cases, traveler’s accounts, personal correspondence, census materials, tax records and the like to “tell the story of the women through their private writings and their public documents.”<sup>27</sup>

Given that historians are inveigled in a continuous effort to revise revisionist history, historians have rethought some of the critical centerpieces of slavery studies. Two of these virtually “sacred” ideas within the field that are under scrutiny are definitions of “community” and “family.” Historian Brenda Stevenson has taken both to task in her book, *Life in Black & White: Family and Community in the Slave South*. Within it, she divided it up to discuss white, free black, and enslaved families in Loudon County, Virginia. She emphasized the fact that unlike many of the classic slavery studies had posited, children largely did not experience two-parent households and families were comprised of a variety of forms, including extended and female-headed. But much like Suzanne Lebsock’s she emphasized that this was not necessarily a pathological phenomenon as it had been presented in the past, nor was matrifocality absent or downplayed, even when fathers lived nearby. She also took the idea of community to task, which she stated was never wholly defined. Stevenson argued that while family was a crucial institution, community often held greater significance in the potential threat that it held to families, which did not conform to societal norms. In both of these instances of critiquing earlier

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<sup>27</sup> Lois Virginia Meacham Gould, *In Full Enjoyment of Their Liberty: the Free Women of Color of the Gulf Ports of New Orleans, Mobile, and Pensacola, 1769-1860* (Emory University: Ph.D. Dissertation, 1991), 9.

popular notions of family and community, she is especially correcting Blassingame's portrayal and refining his claims, which she stated virtually ignored women. She is not the only more recent historian to seeking to expand earlier definitions of family and community.<sup>28</sup>

One of the most promising developments within the historiography of both slavery and freedom is the trend of integrating the experiences of free people and enslaved people, rather than treating them as wholly separate entities. As mentioned, Brenda Stevenson does this masterfully in her study of the family in the aforementioned study. Another historian Kathleen Brown in *Good Wives, Nasty Wenches, and Anxious Patriarchs* married the tool of gender as well as race to demonstrate how entwined these concepts were in helping to shape slavery during the colonial period. She too investigated the three communities of enslaved, white, and free women of color and examined how, based on gender and racial constructions of English people, enslaved women would support patriarchy.<sup>29</sup> She upset the earlier study by Edmund Morgan which contended that democracy was a natural outgrowth of slavery and that rather than the English poor and working class uniting with bond people, they were manipulated into supporting the patriarchy. Given that his study predated the use of gender as an analytical tool, we can be somewhat forgiving in that this was still quite an important study, which pointed out the imbedded paradox of slavery helping to support democracy.<sup>30</sup>

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<sup>28</sup> Brenda E. Stevenson, *Life in Black & White: Family and Community in the Slave South* (New York: Oxford University Press, 1996). For more studies that seek to expand these conceptualizations, see Anthony Kaye, *Joining Places: Slave Neighborhoods in the Old South* (Chapel Hill: The University of North Carolina Press, 2007).

<sup>29</sup> Kathleen M. Brown, *Good Wives, Nasty Wenches, & Anxious Patriarchs: Gender, Race, and Power in Colonial Virginia* (Chapel Hill: The University of North Carolina Press, 1996).

<sup>30</sup> Edmund S. Morgan, *American Slavery American Freedom: The Ordeal of Colonial Virginia* (New York: W. W. Norton Co. 1975).

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>31</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 the overall 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 areas, like Gulf Port cities.<sup>32</sup>

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<sup>31</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).

<sup>32</sup>Kimberly Hanger, "The Fortunes of Women in America': Spanish New Orleans's Free Women of African Descent and their Relations with Slave Women" in *Discovering the Women in Slavery: Emancipating Perspectives on the American Past*, ed. Patricia Morton (Athens: The University of Georgia Press, 1996), 154. It is also necessary to make a comment at this point to emphasize the important work that Kimberly Hanger did on free women of color, primarily in New Orleans before her untimely death. Aside from the works listed above, refer to the following for a representation of her substantial scholarly efforts: Kimberly Hanger, *Bounded Lives, Bounded Places: Free Black Society in Colonial New Orleans, 1769-1803* (Durham: Duke University Press, 1997); "Almost All Have Callings: Free Blacks at Work in Spanish New Orleans," *Colonial Latin American Historical Review* (Spring 1994), 141-164; "Conflicting Loyalties: The French Revolution and Free People of Color in Spanish New Orleans," *Louisiana History* 34, No. 1 (1993): 5-33; and



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 indicates that a variety of choices were available to these women in defining themselves and carving out their own spaces according to society.

Wilma King's *The Essence of Liberty* is the first book length treatment of free women of color that is not a local or area study, which is much needed in this subfield of historical inquiry. King's book examines women's experiences throughout the nation, North and South, without focusing specifically on any one particular area. She argues that, "the sources of liberty and the amount of time spent in slavery before emancipation shaped the meanings of freedom." Some of the topics she considered in her analysis of free Black women were how gender conventions affected them work, education, religion, abolition and activism, and the Civil War. She relied upon the following types of sources to inform her study: autobiographies, letter collections and diaries, manumission documents, court records, registers of free people, and organizational

minutes.<sup>33</sup>

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"Landlords, Shopkeepers, Farmers, and Slave-Owners: Free Black Female Property-Holders in Colonial New Orleans." In *Beyond Bondage: Free Women of Color in the Americas*, eds. David Barry Gaspar and Darlene Clark Hine (Urbana: University of Illinois Press, 2004).

<sup>33</sup> Wilma King, *The Essence of Liberty: Free Black Women During the Slave Era* (Columbia: University of Missouri Press, 2006), 4. This is similar to what James Horton detailed in his work on the free community in the North that analyzed gender conventions as they were articulated in black newspapers and publications as well as sermons in the black churches, mainly generated by black men and mirroring the mainstream culture. See James Oliver Horton,

Although King's concentration of the book is on free women of color, she emphasizes the connection between them and enslaved women. This book, in quite a few notable instances, echoes her work in "Out of Bounds: Emancipated and Enslaved Women in Antebellum America."<sup>34</sup> In this work, she dissented from one of the standard interpretations regarding free women of color that they sought primarily to establish distance between themselves and enslaved women and asserted that the line between the two populations was blurred and permeable. Indeed, as the former view has dominated much of the secondary literature, King answered to it in this piece and refuted it, drawing upon the writings of contemporaneous black women to support her argument. Her main point is that free women of color had many more enslaved relatives and friends than they did free people and, indeed, in many cases, they themselves had once been enslaved, and that because of this, they were invested more heavily in seeking to end slavery, either permanently as an institution or for the people close to them: children, spouses, parents, siblings. In relation to the significance this had regarding work, much of their labor was done with this end in mind: rescuing their brethren out of the uncertain and brutal institution of slavery.

Scholars have examined the lives of free black women across the Western Hemisphere. A collection of essays edited by Darlene Clark Hine and David Barry Gaspar, *Beyond Bondage: Free Women of Color in the Americas*, has recently illuminated this important group of women in regions settled by the Portuguese, Spanish, French, and American. *Paths to Freedom: Manumission in the Atlantic World*, edited by Rosemary Brana Shute and Randy J. Sparks

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"Freedom's Yoke: Gender Conventions among Antebellum Free Blacks," *Feminist Studies*, Vol. 12, no. 1 (1986), 51-76.

<sup>34</sup>Wilma King, "Out of Bounds: Emancipated and Enslaved Women in Antebellum America." In *Beyond Bondage: Free Women of Color in the Americas*, ed. David Barry Gaspar and Darlene Clark Hine, 237-270 (Urbana: University of Chicago Press, 2004).

extends the scholarly focus to people of African descent who gained liberty throughout the Atlantic Diaspora, including in Europe and Africa. Studies like these make the critical point that although the temporal and geographical context differs, there were considerable overlaps in women's experiences that transcended and connected.<sup>35</sup>

### **Mississippi—Regional, Statewide, and Critical Community Studies**

The region comprising the present state of Mississippi has not received as much scholarly attention as other North American regions. Southern historian Charles Sydnor wrote about the condition of free people of color and the challenges in law that they faced as well as the battles in the courtroom that they at times engaged in to address these hardships in 1927. Six years later, he addressed the issue of slavery in Mississippi in his book *Slavery in Mississippi*, which, unsurprisingly, given that he was a native southerner producing scholarship on the heels of U.B. Phillips, was largely an unsympathetic portrayal of black life under enslavement. Until quite recently, historians virtually ignored the state, with the exception of Natchez.<sup>36</sup>

Natchez's free black community has been given some small mention in the scholarship. In 1954, a book was published about William Johnson "the free barber of Natchez," which basically discussed Johnson's diary, a voluminous account of his life between the years 1834—1851. Although the book provides biographical information about Johnson and his family and limited discussion about other free black people in the area, it is more concerned with which

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<sup>35</sup> Gaspar and Hine, eds. *Beyond Bondage*.

<sup>36</sup> Charles Sydnor, "The Free Negro in Mississippi Before the Civil War," *American Historical Review* 32 (1927): 769-88 and *Slavery in Mississippi* (Gloucester, MA: Peter Smith, 1965, reprint 1933). For some basic historical treatments concerning the settlement and development of the region, see Richard Aubrey McLemore, *A History of Mississippi, Volume I*. (Hattiesburg: University and College Press of Mississippi, 1973).

notable white men visited his barber shop and how the white community materialized through Johnson's writings, rather than focusing exclusively on a community of color.<sup>37</sup>

With the publication of a few groundbreaking works in the long of the Reagan-Bush years, this historiographical oversight began to change. In 1988, John Hebron Moore penned *The Emergence of the Cotton Kingdom in the Old Southwest: Mississippi, 1770-1860*, the first on this subject since Sydnor. Within it, he gave some attention to the growth of slavery in this region and to the populations of people comprising Mississippi, particularly enslaved Africans, whites, and free people of color. He also included a chapter on Natchez, which gives demographic information, as well as a section specifically on urban blacks.

Two essential studies on the colonial Lower Mississippi Valley, Gwendolyn Midlo Hall's *Africans in Colonial Louisiana: The Development of Afro-Creole Culture in the Eighteenth Century* and Daniel H. Usner, Jr.'s *Indians, Settlers, & Slaves in a Frontier Exchange Economy: The Lower Mississippi Valley Before 1783* offer a much needed glimpse into the fluid exchange between the various Native American, African, European groups whose collective contributions led to the unique culture of the region. Interspersed within both of these rich accounts of folkways, cuisine, economic exchange, and religion are tantalizing hints of free people of color, but primarily the studies focus on enslaved Africans.<sup>38</sup>

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<sup>37</sup> Davis and Hogan, *The Barber of Natchez*.

<sup>38</sup> The bulk of the historiography concerning slavery as well as free people of color has concentrated on the region of the states formed from the original 13 colonies. Although the lion's share continues to remain geographically biased, beginning in the late 1980s and 1990s, there was an emergence of studies in Mississippi, such as: John Hebron Moore, *The Emergence of the Cotton Kingdom in the Old Southwest: Mississippi, 1770-1860* (Baton Rouge: Louisiana State University Press, 1988); Gwendolyn Midlo Hall, *Africans in Colonial Louisiana: The Development of Afro-Creole Culture in the Eighteenth Century* (Baton Rouge: Louisiana State University Press, 1992); Daniel H. Usner, Jr. *Indians, Settlers, & Slaves in a Frontier Exchange Economy: The Lower Mississippi Valley Before 1783* (Chapel Hill: The University of North

The following year, Winthrop Jordan penned his fascinating study *Tumult and Silence at Second Creek: An Inquiry into a Civil War Slave Conspiracy*. His narrative chronicled of a purported slave uprising and offered a methodological insight to historians. He focused on the extremely limited documentation of this 1861 slave conspiracy, and rather than bemoan this fact, inserted himself into the gaps between the lines of the documents and attempted to glean meaning out of them by “listening to them” and creative interpretation, much along the lines of Clifford Geertz’s theorization of “thick description.”<sup>39</sup>

As Noralee Frankel’s study *Freedom’s Women: Black Women and Families in Civil War Era Mississippi*, demonstrates regarding family dynamics during and after the Civil War, African Americans struggled to keep their families together and define them from within, not as whites interested in holding their labor would have preferred. They opted to transition to sharecropping rather than continue on in the mode of gang labor, as endured under slavery and they also tried as much as possible to retain daughters and wives within the family household as opposed to seeking employment within the oftentimes treacherous white households where women would be vulnerable to sexual exploitation. Contrary to many of the stereotypes pointing to matriarchy and dominance of women over husbands, Frankel’s study underscores that men held the balance of power within families, but they were more egalitarian than white families. This replicates in many ways, the findings of Herbert Gutman’s argument that during slavery as well as its aftermath that men were a central part of family’s lives and testifies to the muting in the

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Press, 1992); Gilbert C. Din, *Spaniards, Planters, and Slaves: The Spanish Regulation of Slavery in Louisiana, 1763-1803* (College Station, Tex: Texas A&M University Press, 1999); Richmond F. Brown, ed. *Coastal Encounters: The Transformation of the Gulf South in the Eighteenth Century* (Lincoln, NE: University of Nebraska Press, 2007); and Anthony E. Kaye, *Joining Places: Slave Neighborhoods in the Old South* (Chapel Hill: University of North Carolina Press, 2007).

<sup>39</sup> Winthrop D. Jordan, *Tumult and Silence at Second Creek: An Inquiry into a Civil War Slave Conspiracy* (Baton Rouge: Louisiana State University Press, 1993).

documents of their presence due to the fact that family relationships were not explicated clearly through documents as they were after emancipation.<sup>40</sup>

Ron Brown's study *The Black Experience in Natchez, 1720-1880* sheds insight on both enslavement and freedom in this area. Some treatment is given to the free black community, and Davis drew upon wills, census returns, and newspaper articles to discuss 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>41</sup>

David Libby makes his historiographical contribution in *Slavery and Frontier Mississippi, 1720-1835* that, along the lines of Hall and Usner, emphasizes the need for studies that venture beyond the antebellum period. He illuminates the fact that the majority of studies written about slavery in Mississippi, which already are few, indeed, have interpreted it from the vantage point of the antebellum period. He maintains that scant attention has been traditionally paid to the frontier aspect of this region and the interaction between the various international presences as well as Native American groups that participated within and influenced this system. His work posits that slavery was a dynamic and fluid negotiation between the enslaved and

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<sup>40</sup> Noralee Frankel, *Freedom's Women: Black Women and Families in Civil War Era Mississippi* (Bloomington: Indiana University Press, 1999) and Herbert Gutman, *Black Family in Slavery and Freedom, 1750-1925* (New York: Vintage Books, 1976).

<sup>41</sup> Ronald L.F. Davis, *The Black Experience in Natchez, 1720-1880* (Denver: National Park Service, 1999).

enslaver, with the regional environment influencing its development. His book goes far as a significant attempt to reconceptualize this often ignored and misrepresented region.<sup>42</sup>

Adam Rothman's *Slave Country* is a fairly recent book that reflects the increasingly globalizing world and mindset. He places Mississippi and the Lower Mississippi Valley within the context of the Atlantic world and even in the larger process of globalization in his analysis on how and why the expansion of slavery happened in the context of the closing of the international slave trade in 1808. This had important consequences within Natchez and the broader region as more enslaved people filtered in from the states along the Eastern Seaboard and changed the culture in many ways.<sup>43</sup>

Finally, one book has made a much-needed revisionist change, similar to that which Brenda Stevenson made regarding community. Anthony Kaye's *Joining Places: Slave Neighborhoods in the Old South* makes a compelling argument regarding the creation of neighborhood ties and boundaries by slaves. The entity of a neighborhood offers new possibilities in envisioning enslaved families as well as resistance. In another revisionist maneuver, he reverts to ideas of autonomy and asserts that the paternalist thesis was flawed because there was a constant recreating of neighborhoods as a political act for "slaves to recalibrate the balance of power in their society."<sup>44</sup>

Most recently, there has been a spate of articles produced, in one special issue of *Southern Quarterly*, which was exclusively on free people of color, and especially those centered

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<sup>42</sup> David J. Libby, *Slavery and Frontier Mississippi, 1720-1835* (Jackson: University Press of Mississippi, 2004).

<sup>43</sup> Adam Rothman, *Slave Country: American Expansion and the Origins of the Deep South* (Cambridge: Harvard University Press, 2005).

<sup>44</sup> Anthony Kaye, *Joining Places*, 12.

in Natchez.<sup>45</sup> Many of them continue to delve into the life of free barber of color William Johnson, as his diary is such an incredibly rich source of not only family history, but of the free black and white and enslaved communities in Natchez. However, the G. Douglas Inglis piece, “Searching for Free People of Color in Colonial Natchez,” holds promise for continuing to push the temporal bounds backward in considering the Natchez District during the earlier time of the French, which many historians mention in passing in the introduction to their studies but which inevitably expound on the antebellum period in this town. He maintains that Americanists have ignored rich sources in the colonial archives of France, Cuba, Spain, and Great Britain. This project would have been immeasurably deepened with a like archival investigation but I plan to visit them to draw out materials in the future reworking of *To Find Shelter She Knows Not Where* into a manuscript.

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<sup>45</sup> William L. Andrews, “William Johnson’s Diary: The Text and the Man Behind It,” *Southern Quarterly*, Vol. 43, No. 2 (Winter 2006), 18-34; Ira Berlin, “Southern Free People of Color in the Age of William Johnson,” *Southern Quarterly*, Vol. 43, No. 2 (Winter 2006), 9-17; Douglas W., Jr. Bristol, “Regional Identity, Black Barbers, and the African American Tradition of Entrepreneurialism,” *Southern Quarterly*, Vol. 43, No. 2 (Winter 2006), 74-96; Leonard Curry, “Free Blacks in the Urban South: 1800-1850,” *Southern Quarterly*, Vol. 43, No. 2 (Winter 2006), 35-51; G. Douglas Inglis, “Searching for Free People of Color in Colonial Natchez,” *Southern Quarterly*, Vol. 43, No. 2 (Winter 2006), 97-112; Larry Koger, “Black Masters: The Misunderstood Slaveowners,” *Southern Quarterly*, Vol. 43, No. 2 (Winter 2006), 52-73; and Lester Sullivan, “A History of the William T. Johnson and Family Memorial Papers,” *Southern Quarterly*, Vol. 43, No. 2 (Winter 2006), 113-136.



## CHAPTER TWO

### “Oh, What a Country We Live In”<sup>1</sup>: Movement and the Contours of Free People of Color in Natchez

#### Introduction

For much of its early history, Natchez was a contested and complex frontier that served as a convergence of a rich range of many-hued, multi-cultured people: Native American groups including the Natchez and Choctaws; Africans and African Americans, both enslaved as well as free, Europeans such as French, Spaniards, English, and white Americans, and people like Amy Johnson who were combinations of two or more of these ethnic backgrounds. The African and African American populations of Natchez grew from a series of migrations into the area. Two of these movements of people were forced, one from Africa and one from American southeastern states, after the Louisiana Purchase (1803) and the end of the international slave trade (1808). One migration of people into Natchez, although smaller, was surprisingly voluntary and composed largely of free men of color from other states. Concurrent to this movement to Natchez, there was also an out-migration away from it, as people of African descent traveled up and down the Mississippi River to pursue educational opportunities, work, to visit loved ones, and sometimes to permanently flee.<sup>2</sup>

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<sup>1</sup> Edwin Adams Davis and William Ransom Hogan, *William Johnson's Natchez: The Antebellum Diary of a Free Negro* (Baton Rouge: Louisiana State University Press, 1951), 346.

<sup>2</sup> A note on methodology: My sample size of free people of color (hereafter referred to as FPC) is 900+ people, but unfortunately, I do not have all the emancipation documents regarding each individual. Most of the names of FPC that I have for Natchez are just that—names—mainly found in census records. Of course, these records are useful for compiling data on race, age, family members, slaveholding, property, and the like, but they are absolutely silent on reasons for manumission. I was fortunate to locate many property deeds, court records, wills, police board records, personal records, and the like, to continue to fill out the contours of this community. To unearth as much evidence regarding manumissions as possible, it involved literally paging through Adams County Deed Books A-T, not trusting the table of contents,

Notwithstanding a certain fluidity that allowed enslaved people more ability to cross the line between slavery and freedom and for free people of color to exercise some measure of autonomy and economic opportunity in the colonial period, from the earliest times in Natchez, racialized oppression differentiated them from Europeans. Much has been written over the past half century regarding the supposedly more humane treatment that enslaved Africans experienced under French and Spanish law than those that originated out of the British tradition.<sup>3</sup> Notwithstanding the debate, one facet of the “Tannenbaum thesis” which has withstood the test of time is the proof that there was a greater possibility of manumission under the *Las Siete Partidas*, the set of laws that Alfonso the Wise developed in the medieval Iberian Peninsula. This legal code represented enslavement to be an unnatural condition and underscored that it was “a rule of law that all judges should aid liberty, for the reason that it is a friend of nature, because

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which were either not present for all volumes or were not reliable at indicating manumissions. However, it was possible to compensate for the fact that I did not have adequate time to peruse volumes following Book T by utilizing Terry Alford’s listing of manumissions between 1795-1855. Further, a thorough scan of Will Books 1-4 and was relatively thorough in identifying emancipations that were executed in this manner. Finally, an examination of legislative petitions to the State of Mississippi supplied more documentation of manumissions. Many of the FPC living in Natchez were free born. I have counted at least 42 people who had not been enslaved. Finally, it should be noted that although there are emancipation documents for approximately 30 people that migrated into Natchez, I wanted to focus exclusively on this group of people freed specifically in Natchez so that I could comment on the climate of how emancipations were effected in Natchez.

<sup>3</sup> Since Frank Tannenbaum’s assertions of increased humanity under French and Spanish law toward the enslaved as opposed to under English, many historians continue to debate his findings. See Frank Tannenbaum, *Slave and Citizen* (New York: Random House, 1947). In Gilbert Din’s examination of slavery in Spanish Louisiana, for example, he notes that officials in the Catholic Church, who worked more fervently in other Spanish colonies to ameliorate the conditions of enslaved people, largely did not except those under their immediate supervision. This was a direct consequence of the fact that Louisiana had originally been a French colony and there was a precedence of the Creoles revolting against newly imposed rule that sought to change their culture directly. Thus, the Spanish left treatment of the enslaved in the hands of individual owners. See more in Gilbert C. Din, *Spaniards, Planters, and Slaves: The Spanish Regulation of Slavery in Louisiana, 1763-1803* (College Station, Tex: Texas A&M University Press, 1999), xiii-xiv.

not only men, but all animals love it.”<sup>4</sup> Under this system, Spanish governing officials enacted the custom of *coartacion* or self-purchase, which was a right that slaves enjoyed that permitted them to free themselves by deciding on a purchase price mutually or by involving the courts to set a sum.<sup>5</sup> The short-lived Spanish period soon gave way to American government bringing less flexibility and rights, and, over time, more hostility and suspicion of this group of people.

This chapter focuses on how the community of free people of color developed under the various international governments in power in Natchez. I chart the expansion and contraction of free black society, analyze the increasing restrictions placed upon it by increasingly leery government officials and legislators, and begin highlighting the various pathways to freedom. Manumission in Natchez was a gendered process in that the most common reason for manumission in Natchez was sexual and familial relationships with white men, which will be discussed in much greater detail in the next chapter. Movement is likewise a critical theme in that it brought diverse people and cultural elements to Natchez, including a trickle of free people from other geographical regions, predominantly men. Due to tightening restrictions against free people of color as a distinct group, the community had to constantly make adjustments to adapt to the uncertainty regarding their status. This caused some individuals and families to migrate away from Natchez and search opportunities elsewhere, and at times, to protect their freedom in

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<sup>4</sup> Jane Landers, “‘In Consideration of Her Enormous Crime’: Rape and Infanticide in Spanish St. Augustine” in *The Devil’s Lane: Sex and Race in the Early South*, eds. Catherine Clinton and Michele Gillespie, (New York: Oxford University Press, 1997), 206 and Virginia Meacham Gould, “In Full Enjoyment of Their Liberty: The Free Women of Color of the Gulf Ports of New Orleans, Mobile, and Pensacola, 1769-1860” (PhD dissertation, Emory University, 1991), 86.

<sup>5</sup> A note on the terms manumission, emancipation, and coartacion is in order. I use the terms manumission and emancipation interchangeably to denote the act of a person or family group being freed by their owner. Under British and American law, it was entirely voluntary on the part of the owner. The term coartacion, by contrast, was a guaranteed right regardless of the inclination of the slaveholder.

an often uncertain political climate. It is useful to provide a historical overview of the area and its settlement patterns.

### **Pre-Spanish Natchez**

Complex settlement patterns informed the development of the Lower Mississippi Valley, of which Natchez was a part. As in all of the Americas, Native Americans predated the Europeans in the region by several thousand years. The Natchez Indians created rich and prosperous societies and solidified their presence in the local environment by the construction of temple mounds and development of trading networks with other indigenous groups. In 1712, the French became the first European group to attempt to settle Natchez when Antoine Crozat established a post to trade with the Natchez Indians. This is also the same year for which there is evidence of enslaved Africans the French brought to Mississippi. Violence frequently erupted between the French and the indigenous people in the founding years of the settlement and extremely tenuous relations existed between the two groups. The King of France ordered the construction of a more substantial fort, Ft. Rosalie in 1716, after the Natchez Indians looted the trading post, and in the process, killed numerous traders and captured several slaves. The subsequent 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.<sup>6</sup>

The growth of the enslaved population in Louisiana in general during this time is reflective of the beginnings of the first wave of movement of African people, a trend that would

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<sup>6</sup> Richard Aubrey McLemore, *A History of Mississippi Volume I* (Hattiesburg: University & College Press of Mississippi, 1973), 124-128; 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), 29-58, 71, and 122-126.

only keep expanding. Gwendolyn Midlo Hall charts the heavy influx of people from the Senegambian region and how they not only provided the labor to create a fledgling settlement out of the area, but also shared their agricultural knowledge, which would have long-lasting consequence, especially in later years, as the colony grew from a society with slaves to a genuine slave society. In 1723, the number of enslaved Africans living in the settlement grew to 111 out of a total population of 303. This number had more than doubled to 280 in a mere four years, by 1727.<sup>7</sup>

The French enacted the *Code Noir*, or Black Code, in 1724, to define the status of people of African descent, enslaved as well as free, in the colony. This elucidated 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 ex-slave “then assumed the status of a naturalized inhabitant, enjoying the same rights and privileges inherent to Frenchmen.”<sup>8</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 slave owners were granted an additional option; by the act of themselves as owners marrying their

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<sup>7</sup> Ira Berlin distinguishes between *societies with slaves*, those in which, “slaves were marginal to the central productive processes; slavery was just one form of labor among many,” and *slave societies*, which were those characterized by the fact that “slavery stood at the center of economic production” in *Many Thousands Gone: The First Two Centuries of Slavery in North America* (Harvard: Harvard University Press, 1998), 8. Also, for the increase in slave numbers, see Hall, 57-64; McLemore, 124-8; Audhuy, “Natchez in French Louisiana and Chateaubriand’s Epic, *The Natchez*,” 33; James, 8.

<sup>8</sup> McLemore, *History of Mississippi*, 128.

slave in the Church, they could thereby automatically emancipate said slave and any children of the match.<sup>9</sup>

There is no evidence of free people of color in Natchez until the year 1723, when the French became aware of a free black man residing among the Natchez Indians. This nameless man threw in his lot with the Indians against the French, making seditious speeches criticizing the colonizing power and apparently incited the Natchez to attack Native American allies of the French. Jean Baptiste le Moyne, Sieur de Bienville, the leader of the war against the Natchez, brokered a peace treaty calling for this free black man to be brought in, dead or alive, to the French. The Natchez were unable to capture him alive but the chief, Stung Serpent, eventually proffered his decapitated head later that year. One of the ironies in this situation is that in French Louisiana, of which Natchez was included, military service, especially against the indigenous population, was ordinarily a means for enslaved Africans to obtain freedom, which mirrors a larger pattern established in other areas in the Atlantic world. Interestingly, this man decided to align his interests with the Natchez, which the French sought to actively discourage in coming years.<sup>10</sup>

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<sup>9</sup> H.E. Sterkx, *The Free Negro in Ante-Bellum Louisiana* (Cranbury: Associated University Presses, Inc., 1972), 16-17.

<sup>10</sup> Hall, *Africans in Colonial Louisiana* 100. For some important studies that highlight the role that enslaved militia members played in areas of Latin America, particularly under the control of the Spanish, see: Christon I. Archer, *The Army of Bourbon Mexico, 1760-1810* (Albuquerque: University of New Mexico Press, 1977); Berlin, *Slaves Without Masters*, 113-132; Leon Campbell, "The Changing Racial and Administrative Structure of the Peruvian Military under the Late Bourbons," *The Americas* 32 (July 1975): 117-133; Kimberly Hanger, *Bounded Lives, Bounded Places: Free Black Society in Colonial New Orleans, 1769-1803* (Durham: Duke University Press, 1997), 109-135; Evelyn P. Jennings, "Paths to Freedom: Imperial Defense and Manumission in Havana, 1762-1800," in *Paths to Freedom: Manumission in the Atlantic World*, eds. Rosemary Brana-Shute and Randy J. Sparks (Columbia, S.C.: University of South Carolina Press, 2009), 121-141; Herbert S. Klein, "The Colored Militia of Cuba: 1568-1868," *Caribbean Studies*, Vol. 6 (July 1966): 17-27; Allan J. Kuethe, *Military*

Other enslaved Africans chose to take advantage of the promise of liberty and fight for the French in hopes of being freed by legislative action for useful services performed for the colony. When tensions again flared up between the Natchez and the French in 1729-30, a number of African slaves fought to subdue the Natchez Indians that had killed or kidnapped hundreds of the French settlers and slaves at Fort Rosalie. At least fifteen enslaved black men fought alongside the French and were recommended by the French Attorney General to be emancipated. One of these was a Senegalese man named Francois Diocou who gained his freedom as a consequence of his participation in this military engagement. He later worked to purchase his wife, Marie Aram, and presumably set her free as well. Thus, there were a number of ways that enslaved men and women could actuate their freedom. Unfortunately, though, the historical record remains largely silent on the numbers of free black men and women that resided in French Natchez. The recently manumitted men may have all elected to return to New Orleans, like Diocou seems to have done.<sup>11</sup>

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*Reform and Society in New Granada, 1773-1808* (Gainesville: University Presses of Florida, 1978) and “The Status of the Free Pardo in the Disciplined Militia of New Granada,” *Journal of Negro History*, Vol. 56, No. 2 (April 1971): 105-117; Lyle N. McAlister, *The “Fuero Militar” in New Spain, 1764-1800* (Gainesville: University Presses of Florida, 1957) and “The Reorganization of the Army of New Spain, 1763-1767,” *Hispanic American Historical Review*, Vol. 33, No. 1 (February 1953): 1-32; and Joseph P. Sanchez, “African Freedmen and the Fuero Militar: A Historical Overview of Pardo and Moreno Militiamen in the Late Spanish Empire,” *Colonial Latin American Historical Review*, Vol. 3, No. 2 (Spring 1994): 165-184.

<sup>11</sup> Sterkx, *Free Negro*, 25-27; Hall, *Africans*, 103; Helen Tunnicliff Catteral, *Judicial Cases concerning American Slavery and the Negro. Volume III Cases from the Courts of Georgia, Florida, Alabama, Mississippi, and Louisiana* (Washington, D.C.: Carnegie Institution of Washington, 1932) “Negro Diocou [Tiocou] v. D’Auseville, 5 La. Hist. Q. 401, June 1737. “Free negro Diocou, emancipated for his toils in the Natchez war, claims credit of 450 francs against St. Julien estate: his arrearage wage account, which he asks to have deducted from the price of his wife, partly bought by himself.” Asks that she be not “sold outside, but hired by said estate until he can redeem her completely.” Action allowed, and notice served on Councillor D’Auseville. Judgment, July 6: [402] “Estate shall pay Diocou 450 francs; negress to be sold forthwith.” [footnote indicates her name being Marie Aram, owned by Charity Hospital and his name was Francois Tiocou, a free “negro of the Senegal nation” 410.

The French, after retaliating against the Natchez Indians by enslaving or forcing them to flee their homeland, greatly diminished their settlement effort of the Natchez area. The settlers and enslaved Africans had largely 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 New Orleans. According to a French traveler in 1751, although the fort was rebuilt in the following years, 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>12</sup>

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 their seaboard colonies. These colonists brought enslaved men and women with them, which represented the beginnings of the second movement of enslaved people forced to pull up their roots and head west, generally three to four per family. Bonds people were thus compelled, alongside their owners, to wrest 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>13</sup> 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 from Natchez were discouraged. In spite of this commercial climate, a number of planters during this time period achieved a measure of success, through illicit river trade of produce and furs. However, the English ruled Natchez only briefly

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

<sup>13</sup> James, *Antebellum Natchez*, 18.



and they subsequently surrendered it to the Spanish as a consequence of the hostilities between the British and Spanish in 1779.<sup>14</sup>

### **Spanish Natchez 1779-1798**

Although Spain won control of Natchez, there were actually very few Spaniards residing in the District. The bulk of the white inhabitants were either British or American, with a few French families dispersed throughout the District. The Spanish government proved exceedingly active in attracting settlers to the area. In exchange for signing a loyalty oath to Spain, the former British subjects and Americans seeking new lands west of the Atlantic seaboard found a fairly tolerant government that enabled them to secure lands to begin producing agricultural products for the market. The benefits of living under the Spanish included: practicing Protestantism unhindered, importing goods free of duty, traveling freely on Spanish-constructed highways and roads, and enjoying some military protection. The development of the Natchez District under the Spanish charted its future course as a planter-dominated region. Production of tobacco and indigo continued and was greatly encouraged during Spanish rule. However, one agricultural change took place at this time which would distinguish Natchez in the coming years; the introduction of cotton cultivation.<sup>15</sup>

Under the Spanish, the African and African American presence increased significantly and represented two veins of movement into Natchez: that of a continuing growth due to forced migration from Africa as well as the smaller involuntary movement of slaves from the former British American colonies. Spain's direct connection to Africa caused an infusion of new "salt-

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<sup>14</sup> Ronald L. F. Davis, *The Black Experience in Natchez, 1720-1880* (Denver: National Park Service, 1999), 8; James, *Antebellum Natchez*, 13-18.

<sup>15</sup> McLemore, *History of Mississippi*, 158-167; James, *Antebellum Natchez*, 31-45.

water” slaves to steadily arrive in Natchez.<sup>16</sup> By 1784, African slaves totaled 498 individuals in the population. A few years later, 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 highly probable that the mulattoes listed in this census were free people of color. In 1792, a mere five years later, the number of the enslaved tripled and Africans outnumbered the smaller African American population. Between 1784 and 1794, the total number of people of African descent, enslaved and free, grew from 505 to 2,060. By 1796, people of African descent composed 40 percent of the population, a demographic change that reflected the growing regional investment in slavery and a reflection of trends in the larger Atlantic world.<sup>17</sup>

In tandem with the growth of the enslaved, free people of color, albeit an infinitesimal proportion in comparison, nonetheless became more numerous than in previous eras. One reason is simple—population growth. But another influential explanation for the upwards spike relates to the attitude of the Spanish regarding slavery. The 1769 O’Reilly Code, which had been put in place under the British, formed the basis of governance in Natchez. It originated from the 1543 *Recopilacion de las Leyes de las Reynos de Indias*.<sup>18</sup> Since the original Spanish law codes

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<sup>16</sup> Although Stephanie Smallwood’s *Saltwater Slavery: A Middle Passage from Africa to American Diaspora* (Cambridge: Harvard LIP, 2007) has brought currency to the term “salt-water slave,” it has long signified an enslaved individual who was born in Africa.

<sup>17</sup> As David Libby noted, “The Atlantic trade accounted for heavy infusions of slaves at a time when the settlers from the United States brought fewer and fewer with them. Despite such limited migrations of slaves from the newly formed United States, between 1787 and 1792, the slave population of Natchez more than tripled because of the Atlantic Slave trade. By the later date, there were two African-born slaves for every African American.” In David J. Libby, *Slavery and Frontier Mississippi, 1720-1835* (Jackson: University Press of Mississippi, 2004), 33; James, *Antebellum Natchez*, 45; Davis, *Black Experience*, 9.

<sup>18</sup> Alfred E. Lemmon, “Some Sources of Pre-1830 Natchez History in Spanish Archives,” in *Natchez Before 1830*, edited by Noel Polk (Jackson: University Press of Mississippi, 1989), 44.

identified slavery as perversely opposed to the natural order, in general, Natchez's laws supported the attainment of freedom and did not advocate re-enslavement. Under them, free people of color practiced citizenship with fewer threats to their liberty than under the British and French.

Thus, the Spanish provided a number of additional means to the aforementioned French methods of procuring a slave's liberty in light of their belief that the tendency of the enslaved was to seek freedom. For example, one legal improvement for the enslaved, *coartacion*, or self-purchase, was the most distinct path to liberation. 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 had more opportunity for growth under the Spanish because this *legal* guarantee enabled enslaved people to purchase themselves and even their children. Even aside from *coartacion*, there were other paths to freedom for the enslaved in Spanish-held areas, including manumission after 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. Also, a woman who was placed by her owner in a brothel had the unchallenged right to her liberation. Needless to say, the free black population in Spanish America had a greater potential for increase than in British-settled regions.<sup>19</sup>

Although in theory, *coartacion* and the varied means detailed above allowed enslaved people the method by which to free themselves during Spanish governance, due to the sparse

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<sup>19</sup> Kimberly Hanger, "The Fortunes of Women in America': Spanish New Orleans's Free women of African Descent and their Relations with Slave Women" in *Discovering the Women in Slavery: Emancipating Perspectives on the American Past*, ed. Patricia Morton, 153-176 (Athens: The University of Georgia Press, 1996), 157; Sterkx, *Free Negro*, 37-38.

population in general of the Natchez District, it did not result in a large number of free blacks like the one which developed in Spanish New Orleans. Most of the manumissions for which there is documentation were not self-purchases. Rather, they were slaveholders freeing individuals for various reasons, often because of family relationships. For example, Elizabeth Barland, a “mulatto” woman and her four young children were bought from their owner and subsequently manumitted by William Barland, the white father of her children. In a couple of cases, parents bought and liberated their children. Free black woman, Jeannette, for instance, purchased and soon afterward manumitted her eight year old mulatto son, Narcisse. An unnamed free black man also bought his daughter, Nanette, 19, for \$460 from her owner, William Brocus. Another means by which enslaved individuals secured their manumissions was through contested wills, of which there were three. All of them revolved around the premise of having been promised freedom after their owner’s death. Freedom suits alleging unlawful enslavement also resulted in more free people of color. One such court case detailed the kidnapping of two girls, Betty and Jude, two freeborn daughters of a white woman, who had been indentured in their home state of North Carolina and brought to Natchez to serve the terms of their apprenticeship. But before the expiration of their indenture, they were illegally sold into slavery. They were later able to prove their freedom under the Spanish. It was not until after the Louisiana Purchase in 1803 when settlers with slaves entered in great numbers into the area. By that time, the Americans won control of Natchez and *coartacion* disappeared as a guarantor of freedom.<sup>20</sup>

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<sup>20</sup> Adams County Chancery Court, Spanish Record Books, Book B, 1790, 446; May Wilson, ed. *The Natchez Court Records, 1767-1805, Abstracts of Early Records—The May Wilson McBee Collection, Volume 2* (Ann Arbor: Edwards Brothers, Inc., 1953), 11; Spanish Record Book C, 1796, 407; and Spanish Record Book F, 1789, 142; G. Douglas Inglis,

The more liberal Spanish attitude stood in marked contrast to the British tradition that had taken hold in the colonies on the Atlantic Seaboard, which generally frowned upon manumission. For example, in British-settled North America, when manumissions occurred, the newly manumitted were often legally obligated to leave the colony. In Virginia, for example, private manumissions from early on were illegal, 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 the majority of them made slavery a complicated quagmire to escape. 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>21</sup>

Once freed, according to some scholars, there was still a distinct difference in the treatment meted out to Africans under Spanish and British law.<sup>22</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

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“Searching for Free People of Color in Colonial Natchez,” *Southern Quarterly*, Vol. 43, No. 2 (Winter 2006), 106.

<sup>21</sup> Winthrop Jordan, *White Over Black: American Attitudes Toward the Negro, 1550-1812* (Chapel Hill: The University of North Carolina Press, 1968), 123-124.

<sup>22</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 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), 120-121.

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. 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 in urban areas like New Orleans could not adorn themselves in feathers, mantillas, and other accoutrements that white women included in their wardrobes, and they were required to wear a handkerchief turban. In an attempt to impose a limit on the level of finery free women of color could dress themselves, lawmakers concerned with maintaining a sumptuary distance between free blacks and whites only encouraged the development of that symbol of fashion, the tignon, which came to characterize a distinctive way of fashioning one’s hair. There were also efforts to separate free people of color from white people in some public places, such as theaters, which probably did not impact frontier areas like Natchez as much as urban communities during this time period.<sup>23</sup>

One clear advantage in their treatment under the Spanish, though, was their recourse to use the legal system to uphold their property rights, if threatened, as any white man or woman could, and in Natchez, even as small as the free community was, they vigorously did.<sup>24</sup> Free woman of color Nelly Price was well aware of her rights under the law and aggressively used the system to her advantage. Contemporaneous descriptions portray her in 1786 as an English Protestant mulatto woman, 46 years of age, who traded with local Indians, supplied white settlers to the Natchez area, rented out rooms, was a healer of sorts, a cultivator of the ground, and a

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<sup>23</sup> Sterkx, *Free Negro*, 67-90.

<sup>24</sup> Hanger, “Fortunes of Women,” 172-173.

housekeeper.<sup>25</sup> She vividly made her presence known in the Natchez District during the Spanish period and emerged onto the local scene during the earlier migration of the English to the area, perhaps enslaved and later freed. She undoubtedly learned the mechanisms of her future entrepreneurialism in this context. It may indeed have been her means out of slavery. The world in which she lived was vastly different than the one later inhabited by free black people. She splashed across the pages of Scottish trader John Fitzpatrick's letter books as a vocal, enterprising woman who built relationships between herself, the Native American groups with whom she traded rum, blankets, and foodstuffs for animal skins, and the white settlers to whom she rented rooms, pirogues, and provisions. She was involved in no less than seven court cases, which were primarily to collect debts owed to her by local whites for various services and goods, one of which was to claim her payment for having helped a Native American woman deliver a baby. Price is a clear example of how free people could negotiate their space with the white inhabitants and protect their interests in Spanish Natchez and will be discussed at greater length elsewhere.<sup>26</sup>

### **American Natchez 1798-1860**

#### **Migration—Voluntary and Involuntary**

Even before Natchez peacefully transferred into American hands and became part of the newly created Mississippi Territory, planters from the older, more settled states, becoming aware of the rich potential of Natchez's burgeoning cotton cultivation and convenient access to the

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<sup>25</sup> Adams County Chancery Court, *Spanish Record Books A-G*.

<sup>26</sup> See Nik Ribianszky, "Price, Nelly," in *The African American National Biography Project*, edited by Henry Louis Gates, Jr., and Evelyn Brooks Higginbotham, eds. (New York: Oxford University Press, 2008); Margaret Fisher Dalrymple, ed. *The Merchant of Manchac: The Letterbooks of John Fitzpatrick, 1768-1790* (Baton Rouge: Louisiana State University Press, 1978).

Mississippi River, poured into the region. Slavery rapidly expanded during this time and transformed the region into “one of the major producers of slave-grown commodities in the world.”<sup>27</sup> After the United States obtained possession of the Natchez District and Natchez became the territorial capital of Mississippi in 1798, the Spanish system of government was abolished. Although planters living in the area of the former Natchez District had embraced the more liberal tenets of Spanish rule for almost two decades, by the time that the constitutional convention was held in 1817, the laws changed. All people of African descent, enslaved and free, became increasingly legally constrained. Over time, the flexibility of the frontier that had characterized the society in which Amy Johnson was born into and which extended more freedoms to people of color, hardened into a plantation society that severely limited the rights and opportunities open to them. Eventually, as Table 2.1 highlights, Natchez became a black majority, and like many other similar areas where this was the case, the fears of the white community concerning being outnumbered heavily by enslaved Africans influenced them to restrict the growth of the free community of color. The numbers in Table 2.1 sharply evidence the tiny number of free people of color compared to the other two populations.

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<sup>27</sup> Adam Rothman, *Slave Country: American Expansion and the Origins of the Deep South* (Cambridge: Harvard University Press, 2005), x-xi.



**TABLE 2.1 Population of Natchez and Adams County**<sup>28</sup>

	Free Blacks	Enslaved	White
1787	22	675	1,275
1818	125	6,709	3,766
1820	118	7,953	4,005
1830	135	10,942	3,860
1840	283	14,241	4,910
1850	258	14,395	3,948
1860	225	14,292	5,648

This process continued as slavery expanded and more African Americans were forcibly brought by planters coming from places like Virginia, South Carolina, and Kentucky, and even illegally smuggled in from Africa after the abolition of U.S. participation in the international slave trade in 1808. Not all of these people were legally enslaved, often kidnapped from their northern communities where some had been free for generations. Even free blacks who were imprisoned in areas like Washington, D.C. were sold into slavery for various crimes and misdemeanors and transported to the Deep South to feed the insatiable hunger for slave labor. This represents one of the biggest changes in slavery under the Spanish to the new American rule. Prior to this development, Spanish law protected the free status of people of African descent and viewed re-enslavement as unnatural to the human condition. However, there are numerous cases of people who were thus unlawfully pressed into slavery from the North and luckily were able to successfully plead their cases.<sup>29</sup>

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<sup>28</sup> James, *Antebellum Natchez*, 162-163; Davis, *The Black Experience*, 16-17, 36; Charles Sydnor, *Slavery in Mississippi* (Gloucester: Peter Smith, 1965. Original 1933), 5; Historical Census Browser. Retrieved [July 10, 2010], from the University of Virginia, Geospatial and Statistical Data Center: <http://fisher.lib.virginia.edu/collections/stats/histcensus/index.html>.

<sup>29</sup> Natchez was acquired by the United States in 1795 under the Pinckney Treaty, but the Spanish did not vacate the District until 1798. Mississippi was a territory from 1798 until it gained statehood in 1817. For more, see Rothman, *Slave Country*, 174-176, 186-196 and James, *Antebellum Natchez*, 58-76.

One such man, John Roach, experienced a harrowing life trauma which unfolded in the court system of New Orleans. Born a free man in Philadelphia, Pennsylvania, Roach was kidnapped as a boy and sold into slavery, first in Kentucky and eventually to a couple in Louisiana where they “did put our petitioner and respondent to hard labor, did ill treat and misuse him by oftentimes beating him cruelly and punishing him by cutting off one of his ears, marking & scarifying his body in divers places with a whip and other unlawful means and by branding him on the breast with an hot iron with the letters S.Z.R [the owner’s initials].”<sup>30</sup> He escaped from his captors but was imprisoned as a runaway and during the period of incarceration, he fortuitously encountered a seaman he knew from his days in Philadelphia. This man was able to vouch that he had also known Roach’s free mother who labored as a laundress for his ship’s crew when they were in port for a couple months during the Embargo of 1807 and that Roach had helped to deliver the loads of laundered clothes for his mother. He was eventually freed and later settled in Natchez. Although his story is unusually graphic and detailed, others experienced challenges to their freedom, which will be explored in further detail later in this dissertation.

Concurrent to this forced migration, legal and illegal, a voluntary migration of free people of color, primarily male, trickled into Natchez from both North and South. Much as the mass movement from east to southwest brought enslaved people to the newly established cotton plantations and towns, free people of color also chose to follow the westward expansion. Surprisingly, in spite of the fact that Natchez was in the Deep South, or perhaps precisely because it was, some willingly migrated to be close to their families like David, a free forty-five year old man who in 1800 “came from Maryland to accompany his Wife & Children who were

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<sup>30</sup> Adams County Chancery Court, Deed Book O, 462-477.

purchased of Henry Haggaman” of Sommerset County.”<sup>31</sup> Natchez’s proximity to the Mississippi River made it a convenient place to travel to and from, and earlier in its settlement, especially in the period prior to the 1830s, it was a moderately tolerant place for free people of color, albeit on a smaller scale than bustling New Orleans.<sup>32</sup> At least 55 free people of color willingly migrated to Natchez between 1800 and the 1830s. Most of them were single men, outnumbering women by a ratio of more than 5:1. It is likely that they were part of the southwestward push as the U.S. expanded its borders after the Louisiana Purchase, no doubt looking for better opportunities, sometimes following family members sold to the area, or pushed out by increasing restrictions on free people of color. Many of these free men of color had farming, carpentering, blacksmithing, and barbering skills.<sup>33</sup>

**TABLE 2.2 Known Voluntary Migrations**<sup>34</sup>

Place of Origin	1800s	1810s	1820s	1830s	Total
Alabama			1		
Georgia	1				
Illinois		1			
Indiana				2	
Kentucky	3		5		
Louisiana		2	8		
Maryland		2	3	1	
Mississippi*			2		
New York		1	1	1	
Ohio			3		
Pennsylvania	2	1	2		
Tennessee	2			2	
Virginia	1	1	2	4	
Cayanne	1				
<b>TOTALS</b>	<b>10</b>	<b>8</b>	<b>27</b>	<b>10</b>	<b>55</b>

\*From other areas in Mississippi

<sup>31</sup> Adams County Chancery Court, Deed Book B, 1800, 70.

<sup>32</sup> Ribianszky Data Base of Free People of Color.

<sup>33</sup> Ibid.

<sup>34</sup> Ribianszky Data Base of Free People of Color

Barbering was a profession that was particularly lucrative to free men in urban areas, especially in places like Natchez where there was a concentration of wealthy, style-conscious planters, and a fair number of travelers who frequented the area. For free-born James Miller, it was a combination of the personal and the professional. He ventured to Natchez from Philadelphia, Pennsylvania shortly after he met Adelia Johnson, Amy Johnson's daughter and sister to William Johnson, when she was taken to that city to be manumitted. They married in 1820 and for most of that decade; he ran one of the most successful and popular barber shops in Natchez. Indeed, it was he who trained young William and sold him his business in 1830 when the couple and the first members of their growing family moved to New Orleans, where they would settle and remain close to the Johnson family through frequent letters and visits.<sup>35</sup> In the case of Bill Haden, a free barber of color from Virginia, love and marriage did not draw him to Natchez; it seemed a safe haven for him after a long, protracted battle to become emancipated. After struggling for his freedom for nine years past the date he was promised it, he decided to settle in Natchez after getting assurance from a resident Major Minor that "if I would come to Natchez and become a citizen of the place, I might depend on any assistance which lay in his power to render me."<sup>36</sup>

Similar to those that were freed as a consequence of family relationships with whites in Natchez, even some of the newly arrived free people of color like Haden used relationships with influential whites to their advantage in securing protection for themselves in the community.

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<sup>35</sup> Adams County Chancery Court, Deed Book K, 1820, 218; Davis and Hogan, *William Johnson's Natchez*, 19-20; and Douglas W., Jr. Bristol, "Regional Identity, Black Barbers, and the African American Tradition of Entrepreneurialism," *Southern Quarterly*, Vol. 43, No. 2 (Winter 2006), 74-96.

<sup>36</sup> William Hayden, *Narrative of William Hayden, Containing a Faithful Account of His Travels for a Number of Years, Whilst a Slave, in the South, Written by Himself* (Cincinnati: William Hayden, 1846), <http://docsouth.unc.edu/neh/hayden/hayden.html>, 96.

Although there were 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 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.

### **Manumission by Free Black Family Members**

Purchase by the members of one's family opened another path to freedom. As mentioned, this practice dates back to the earliest times in Natchez. Free black men and women expended much time, money, and determination to free their loved ones from bondage, as the case of Jeanette buying and emancipating her son, Narcisse, during the Spanish period clearly demonstrated. Although after the American acquisition, this option to purchase disappeared as a right for people of African descent. However, if the owner could be persuaded, it was a strategy for people who could afford to do it. One man, Limerick Higdon, after purchasing himself for \$600 in 1822, worked and saved for five years to muster the \$550 to buy his wife Sukey and son Orville from his former white owner, Ezekial Newman. After making this most valuable purchase of his family in 1827, in the following year he paid another large amount of money, \$500 to secure 100 acres, no doubt to become even more financially stable and to ensure the future enjoyment of liberty by himself and his family.<sup>37</sup>

Manumitting one's family took time and much effort and could be complicated as illustrated by the case of Milly Sterne. She, along with her three children Washington, Walton, and Adaline, were emancipated by her white owner and their father, Peyton Sterne in 1818.

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<sup>37</sup> Adams County Chancery Court Records, Deed Book M., 1822, 348; Deed Book R. 1827, 157; Deed Book R, part 1, 1828, 123-124; and Deed Book R, 1829, 518.

However, the manumission did not include her three other children, twins Nathaniel and Ann, and their little brother Seaton, evidently from a different father than her owner.<sup>38</sup> Five years later, though, in 1823, she purchased them from the executor of Peyton Sterne’s estate, perhaps with some of the money that was left to the children to cover their educational and living expenses. In 1827, she and all her children traveled up the Mississippi River to Cincinnati where she had her first three children’s freedom recorded and then she freed her younger three children “in consideration of the maternal love and affection which I bear them.”<sup>39</sup>

**TABLE 2.3 Manumission by Free Black Family Members**<sup>40</sup>

Relative	#	%
Father	13	39
Mother	9	27
Other Relative	6	18
Husband	5	15
	33	100

This act of love and freedom was not limited to spouses and parents. There are a few cases in Natchez of siblings and grandparents freeing family members. For example, Hester Cummins, who owned slaves for economic reasons, also purchased members of her family, but with the intent to free them at a later date. She bought her sister, Hannah, and her niece for \$1000 in 1835, borrowing at least part of the money from her friend and local business owner, William Johnson. She was still paying for them at least until the 1840s and subsequently manumitted

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<sup>38</sup> Peyton Sterne made provisions for the first three children to be educated and left all of his property to them. Milly’s other children, Nathaniel, Ann, and Seton (Easton) were born after Peyton Sterne’s death in 1818.

<sup>39</sup> Adams County Chancery Court Records, Deed Book R, 1827, 127.

<sup>40</sup> Ribianszky Data Base of Free People of Color.

them.<sup>41</sup> Cases like these, although not as numerous as the aforementioned method of manumission—sexual and family relationships with white men—nonetheless demonstrate the tenacity and will of people to persevere in the effort needed to secure the freedom of their loved ones.

**TABLE 2.4 Known Birthplaces for the Natchez Free Black Community**<sup>42</sup>

Mississippi	337
Virginia	41
Louisiana	35
Maryland	25
South Carolina	13
Kentucky	10
Tennessee	10
Indiana	6
New York	5
North Carolina	5
Pennsylvania	5
Africa	4
Ohio	4
Alabama	1
Cayanne	1
District of Columbia	1
Georgia	1
Haiti	1
Ireland	1
Jamaica	1

Thus Natchez’s free black community was an amalgamation of people who became freed in a host of ways, most often as a consequence of sexual relationships, hard work, and those who migrated there voluntarily. The bulk of the community was comprised of people who were locally born, as Table 2.4 shows. However, the waves of people attracted to the southwest by the opening of the lands of the Louisiana Purchase brought enslaved people with them most

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<sup>41</sup> Davis and Hogan, *William Johnson’s Natchez*, 81-82, 116, 1840 Adams County Census Returns; and Adams County Chancery Court, Deed Book MM, 1859, 141.

<sup>42</sup> Ribianszky Data Base of Free People of Color.

commonly from Virginia, Maryland, and South Carolina. The difficulty becoming free and the time it often took was an arduous task. This was mirrored in a smaller trickle of free people of color migrating to Natchez as well. Maintaining freedom was also an effort and the subsequent section details challenges associated with it, particularly during the trying times of societal fear toward them in the aftermath of well-publicized slave uprisings in the 1820s, 1830s, and 1840s.<sup>43</sup>

### **Periods of Hysteria: Restrictions on Free People of Color**

Although Natchez had its roots in a relatively open frontier society, a borderland that offered space to free people of color with few restrictions on their liberty, this tolerance changed ever more quickly after Mississippi joined the United States. Manumission of slaves became more complicated during the first quarter of the 19<sup>th</sup> century. In 1822, white paranoia of a homegrown version of the Denmark Vesey plot in South Carolina in which a free man of color was accused of concocting a revolt to attack slaveholders influenced Mississippi lawmakers to clamp down on free blacks. Some of these measures included outlawing migration of free blacks into the state with the consequence of breaking the law being sale at public auction and being indentured for up to a year. They also sought to control the population from within by passing 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>44</sup> This meant the investment of time, money, and effort to prove to the satisfaction of the state that the enslaved person was worthy of liberty based on their performance. Between 1823 and 1831, there were twenty-eight such petitions that went

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<sup>43</sup> Sydnor, “Free Negro,” 769-770.

<sup>44</sup> *Ibid.*, 773.



before the legislature. Only three cases were successful, which speaks to the reluctance of the state lawmakers to free slaves during this time period.<sup>45</sup>

One way that Natchez owners used to get around the law was to take enslaved persons out of Mississippi to a free state and manumit them, the so-called “Natchez method,” apparently dubbed because of its popularity. 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, as well as Vidalia, Louisiana, which was literally across the Mississippi River from Natchez. 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 enslaved, 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 protection from themselves and 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>46</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:

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<sup>45</sup> Ibid., 775; John Hebron Moore, *The Emergence of the Cotton Kingdom in the Old Southwest: Mississippi, 1770-1860* (Baton Rouge: Louisiana State University Press, 1988), 264-265.

<sup>46</sup> Sydnor, “The Free Negro,” 449; Gould, *Chained to the Rock*, xxvii, xxx.

and I hereby 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 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>47</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 an uncertain space in which to be.

Paranoia and fear felt at the regional level continued to influence manumission restrictions passed concerning free blacks across the South and in Mississippi. After the 1831 Nat Turner Rebellion, many historians have documented the white fears of the possibility that people of African descent might mutiny against the white power structure. Although there was very little involvement of free blacks in most rebellions that occurred in American history, they 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>48</sup> An editorial from *The Virginian*, which was reprinted in a local paper, *The Natchez*, showcases how easily attitudes from other slaveholding

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<sup>47</sup> Adams County Chancery Court, Will book 1, 1813, 88-90.

<sup>48</sup> Berlin, *Slaves Without Masters*, 188; Moore, 265.

areas could influence local prejudices. As it reasoned, although free blacks did not prove a major force in the Turner uprising, their presence alone “is sufficient, of itself, to excite in the bosoms of the latter [slaves] a feeling of dissatisfaction with their own condition.” And further, by providing the example of their freedom, it caused the enslaved to “sometimes indulge the delusive dream of effecting his own emancipation by the murder of those who hold him in bondage.”<sup>49</sup> However, there was still strong support among the planter class for some in the free community of color, so in 1831, there was a clause to permit those free people who came before the Police Board and satisfied “the court of his good character and honest deportment ,” to be licensed to remain in the state.<sup>50</sup>

In 1841, another panic on the part of legislators and the general public instigated by reports of a nearby Bayou Sara uprising influenced policy decision toward free people of color. Free barber and diarist William Johnson described a situation that he termed the “Inquisition.” A vigilance committee formed in Natchez which was mirrored by whites in other places like Vicksburg and Holly Springs. They, along with editors of local papers sounded the alarm to rid Natchez of all who did not have licenses and even revoked some that did. 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>51</sup> Johnson chronicles the frenzied activities of free black people soliciting whites for their names on petitions that would

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<sup>49</sup> Article appearing in *The Virginian*, printed in *The Natchez*, November 11, 1831.

<sup>50</sup> Sydnor, “Free Negro,” 776; and James, *Antebellum Natchez*, 175.

<sup>51</sup> Hogan and Davis, *Antebellum Diary*, 12-13.

enable them to stay in town. Some men, women, and children were unlucky in this pursuit and were deported from the state.<sup>52</sup>

A group of people were particularly vulnerable in this period of community policing, those who were informally set free by their owners, but lacked the documentary proof, the so-called “quasi-slaves.” 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>53</sup> In response to the difficulties involved in legally freeing slaves, many owners disregarded the law and unofficially gave up all claims to them. These people were free to find employment and accumulate goods and property on their own. It is virtually impossible to give an accurate accounting of their numbers in any southern city, including Natchez, due to their reticence of detection. Ira 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 have composed more than half the free Negro population in some parts of the Lower South.”<sup>54</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. Although they were able to exercise their liberty for the most part, they were vulnerable especially during these periodic sweeps.

By the 1840s, thus, the Natchez environment became decidedly unsupportive of free African Americans. Certain economic avenues were blocked to free black people. Some of these included the inability to sell liquor or groceries, and to run houses of entertainment. They were not allowed to sell items other than in incorporated towns in the state in a further effort to

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<sup>52</sup> Moore, *Cotton Kingdom*, 266.

<sup>53</sup> Sydnor, “Free Negro,” 776.

<sup>54</sup> Berlin, *Slaves Without Masters*, 148.

separate their activities from the enslaved. 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>55</sup>

This process of expanded limitations placed on them that had been steadily expanding since the 1820s. By the 1840s, “Free blacks could not vote, hold public office, testify 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>56</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. “If a free black subjected a white to verbal abuse or physical violence, however slight, the black became liable to punishment not to exceed 39 lashes on bare back.”<sup>57</sup> 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>58</sup>

The population of free people of color reached its zenith in the census of 1840. After that date, due to the increasing restrictive measures directed against free blacks, the population

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<sup>55</sup> Sydnor, “Free Negro,” 770-771; Davis, *The Black Experience*, 46.

<sup>56</sup> Davis, *The Black Experience*, 46.

<sup>57</sup> Moore, *Cotton Kingdom*, 265.

<sup>58</sup> Davis, *The Black Experience*, 46; Sydnor, “Free Negro,” 769-771; James, *Antebellum Natchez*, 179.

declined significantly from its high of 283 to 258 in 1850 and finally to 225 in 1860. Public sentiment and condemning newspaper editorials more fervently insinuated the villainous character of free people of color across the South and in Mississippi, especially in the divisive years leading up to the Civil War. This continued to be a struggle while private individuals continued to support them in petitions to allow them to remain in the state. For instance, this petition was put forth to the state legislature in 1859 that, we:

The undersigned legal voters of Adams County observe that there are certainly "vicious and evil disposed" free people of color, but there are also those 'who have spent a life here free from reproof, or even the suspicions of improper conduct.' Any law that may be passed to expel free black people should take this into account. The city's Board of Police should be given the authority to discriminate between the loyal and disloyal, and remove only the 'unworthy.'<sup>59</sup>

This was not a wholly unexpected development to have individuals at the local level banding together in support of free people of color, which was thus the contradiction in Natchez and even some other areas. There were often tensions between the legislators in Jackson, particularly during the heated debates regarding contested national issues like slavery and abolition, which raised concerns about the ambiguous positions occupied by free blacks and caused whites to question their loyalty to the southern social system and fear them as potential subversives. In choosing not to enforce laws requiring free people of color to leave and in supporting individuals or families of color, many times, individual white citizens of Natchez found themselves in opposition to neighbors who supported the removal of free blacks. The following year, in 1860, the Mississippi General Assembly passed a law "remanding free Negroes to slavery or requiring

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<sup>59</sup> Race and Legislative Petitions Project, Legislative Papers, Petitions and Memorials; Record Group 47; Volume 28, 1859.

them to leave the state.”<sup>60</sup> Across the state, at least eleven cases of free people of color willingly placed themselves under an owner, likely in an effort to stay in close proximity to family and friends and thus, take their chances with a system they knew intimately. Other free people of color maintained the way of life as they had and hoped to go unchallenged. There were also some that slipped across the color line in an effort to retain their liberty.

Thus, the theme of movement continued to ebb and flow as it had since the early days of settlement in Natchez with enslaved being brought from Africa and from the Atlantic seaboard, free people migrating in from other places and making Natchez their homes—sometimes temporarily. But, as demonstrated in this chapter, the movement could also be a movement between states of slavery to freedom, illustrated by men and women gaining their freedom in the days of the Spanish and through the American period. But Natchez under the Americans was quite different than it had been under the Spanish for free men and women of color. Although they continued to accrue property and build families and lives for themselves, they felt the chokehold of repression upon them. In future chapters, I will elaborate on how they met these challenges and continued to adapt to adversity. Ultimately, however, the free black experience was undergirded by a violence that was ever-present, from the foundational generation and continuing through the conditional generations which followed. Violence is showcased most obviously, though, in the very creation of the community of color. The gendered phenomenon of liberty through the sexual coercion of enslaved women is explored in the following chapter.

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<sup>60</sup> Schwenger, *Black Property Owners in the South*, 90.

## CHAPTER THREE

### ““Women are Knocked Down by the Auctioneer, and Knocked Up by the Purchaser”<sup>1</sup>: Sexual Violence and Community Creation in Natchez

#### Introduction

The story of Amy Johnson’s life appropriately highlights the creation of the community of free people of color in Natchez. She lived in two defining temporal periods: the era of Spanish government (1779-1798) and into the subsequent American rule ending in the antebellum period. Throughout her lifetime, 1784-1849, there were remarkable changes for the enslaved and free blacks in Mississippi. Johnson was born into slavery to an enslaved woman and most likely a white father. Johnson’s specific genealogical particulars are unknown. Only the extant court documents and census data that describe Amy as “mulatto” consistently throughout the years of her life bears testimony to her white ancestry.<sup>2</sup> The unidentified white man might have been her

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<sup>1</sup>David Crockett, “Thimblorig, The Riverboat Gambler,” in *Before Mark Twain: a Sampler of Old, Old times on the Mississippi* ed. John Francis McDermott (Carbondale, IL: Southern Illinois University Press, 1998), 218.

<sup>2</sup> A note on racial classification would be helpful here as clarification. **Throughout the dissertation, when the word “mulatto,” is used, it is as an historical term, usually to signify how individuals who were not of “pure” African heritage were described or viewed by their contemporaries.** This is a dated and disparaging term which refers to the contemporaneous thought that an African and European, when “mixing” their blood would produce a sterile offspring, like a mule. However, at times throughout the dissertation, I will remain authentic to the documents and include this term where quoted. When I refer to their racial background, I use the terms biracial, multi-racial, or mixed-race, although of these, I like the latter least. Racial nomenclature, however, is imperfect, as contemporary evolutionary biologists support the existence of only one human race. Race as a salient biological category has very little scientific relevance and racial classifications such as “black,” “white,” “American Indian” have been artificially constructed. During the time period under discussion, as it remains to present day, in spite of this reality, race, however imperfectly defined, did have social significance. Although the word “mulatto” was specifically intended to apply to an individual who had one parent of “pure” African heritage and one of “pure” European ancestry, it was generally used to describe people of mixed racial ancestry of any combination of white, black, and even Native American parentage. Thus, even though, for example, it is known that Amy Johnson’s son, William, inherited her genetic material, which included African and European ancestry, he also received a



mother's owner or another white man in the vicinity, possibly a family member of her owner, someone that worked for him, or a friend or acquaintance. Likewise, it is also a mystery whether or not her mother received her freedom as a result of this sexual connection with a nameless white man. One thing, however, is certain: if her mother entered into the relationship knowingly or was fed on hopes of securing her own freedom and the future emancipation of any children who might be born out of the liaison, the gamble did not pay off. Amy spent her entire adolescence and early adult life enslaved, as most mixed-race slaves continued to do, notwithstanding phenotypical evidence of at least one half of the family tree being of European descent. It was not until Amy was thirty and had given birth and raised two children, also to a white man, her owner, to the ages of eight and five, that she was manumitted.<sup>3</sup>

Community formation in Natchez was a gendered process with multifarious facets of distinction between men and women's manumission experiences. This is evidenced by women being the primary primogenitors in that, as in much of the Lower South, they composed the lion's share of the manumitted in large part as a consequence of their sexual relationships with

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chromosomal contribution from his white father. This would make him approximately 7/8 white. However, the census consistently listed him as "mulatto" as did contemporaneous observers, thus illustrating that racial classifications were imprecisely applied. The meaning of the historical term "mulatto," then, should not be interpreted to mean a strictly biracial individual, but rather of varying degrees of mixed ancestry.

<sup>3</sup> Edwin Adams Davis and William Ransom Hogan, *William Johnson's Natchez: The Antebellum Diary of a Free Negro* (Baton Rouge: Louisiana State University Press, 1951), 15-20; Virginia Meacham Gould, *Chained to the Rock of Adversity: To be Free, Black, & Female in the Old South* (Athens: The University of Georgia Press, 1998); xxvii-xxix; Nik Ribianszky, "'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,'" (MA Thesis, Michigan State University, 2003), 104-107; Nik Ribianszky, "Johnson, Amy," in *The African American National Biography Project*, edited by Henry Louis Gates, Jr., and Evelyn Brooks Higginbotham, eds. (New York: Oxford University Press, 2008).

white men.<sup>4</sup> The stark contrast between women and men receiving freedom, resulting from the sexual coercion of women of African descent by white men then, is inextricably embedded into the very genesis of the free community of color. Sexualized violence was not a phenomenon that free men of color had to suffer under as a condition for freedom.<sup>5</sup> This dynamic continued to manifest itself and remain a constant throughout the time period this study considers. Further, it is critical to note that the reverberations of freedom forged in sexual exploitation were felt not only by the women who had to personally experience it themselves, but also for generations afterward. Since, after all, as the status of enslavement passed through the mother, so then, did freedom.

I am defining “sexualized violence” as any interracial sex between white men and enslaved women which occurred during the period of enslavement. I use the terms “sexual coercion” and even “sexual activity” synonymously because of the inherent power dynamic that existed and the social hierarchy that placed African American women squarely at its bottom, with white men at the top. This is coupled with the fact that for the most part, written records mirror the mindset of their creators and fail to explicate those behaviors that are currently

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<sup>4</sup> Many historians have noted this phenomenon, including: Ira Berlin, *Slaves Without Masters: The Free Negro in the Antebellum South* (New York: Vintage Books, 1971), 108-111; Carl Degler, *Neither Black Nor White: Slavery and Race Relations in Brazil and the United States* (New York: MacMillan, 1971).; Lois Virginia Meacham Gould, “In Full Enjoyment of Their Liberty: the Free Women of Color of the Gulf Ports of New Orleans, Mobile, and Pensacola, 1769-1860” (Emory University: Ph.D. Dissertation, 1991), 3-5; Wilma King, *The Essence of Liberty: Free Black Women During the Slave Era* (Columbia: University of Missouri Press, 2006), 14-19; Amrita Chakrabarti Myers, “Negotiating Women: Black Women and the Politics of Freedom in Charleston, South Carolina, 1790-1860”(PhD dissertation, Rutgers, The State University of New Jersey, 2004), 16-21.

<sup>5</sup> Although certainly not to the extent to which women were sexually exploited, men experienced coercion in the form of being forcibly partnered with enslaved women specifically to produce children. See Deborah Gray White, *Ar’n’t I a Woman? Female Slaves in the Plantation South* (New York: W.W. Norton & Company, 1985), 102-103.

recognized as forcibly-executed sex. Historians have long recognized that in reconstructing the African American past, it is necessary to creatively use documents to wrest the maximum amount of meaning from them. However, recent scholars chronicling the spectacles of rape and terror committed upon enslaved African American women have called for a heightened examination of documents “against their grain.”<sup>6</sup> In order to do precisely that, I found it essential to privilege the “silences” within sources and address what they were not saying.

This chapter takes exception to the position that enslaved women had as much choice as some historians claim in affecting their freedom. Every enslaved woman was subject to constant pressures to capitulate to sexual attentions from all men, whether the owner or his/her family, friends and acquaintances, white employees, and enslaved and free black men. In choosing to examine generations of free women, from those who began their experience in slavery, I emphasize the passing from one state, bondage, to another, freedom, with the accompanying catalyst of violence. The historiography on the sexual abuse of enslaved women by white men in the Western Hemisphere, into which my work fits, has roots that reach back at least to the 1937

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<sup>6</sup> As an example of this, Saidiya Hartman posits that, “The effort to ‘brush history against the grain’ requires excavations at the margins of monumental history in order that the ruins of the remembered past be retrieved, turning to forms of knowledge and practice not generally considered legitimate objects of historical inquiry or appropriate or adequate sources for history making and attending to the cultivated silence, exclusions, relations of violence and domination that engender the official accounts. Therefore the documents, fragments, and accounts considered here, although claimed for purposes contrary to those for which they were gathered, the effort to reconstruct the history of the dominated is not discontinuous with dominant accounts or official history, but rather, is a struggle within and against the constraints and silences imposed by the nature of the archive—the system that governs the appearance of statements and generates social meaning,” in *Scenes of Subjection: Terror, Slavery, and Self-Making in Nineteenth-Century America* (New York: Oxford University Press, 1997), 11. Another historian who acknowledged Hartman’s method of reading history “against the grain” is Wendy Anne Warren in her study of the rape of an African woman in 1638, “‘The Cause of Her Grief’: The Rape of a Slave in Early New England,” *The Journal of American History*, Vol. 93, No. 4 (March 2007): 1031-1049. Within this piece, she attempts to reconstruct the life and the rape of a woman with limited colonial sources that as a norm, exclude or severely minimize all people of African descent.

James Hugo Johnston's *Race Relations in Virginia and Miscegenation in the United States, 1776-1860* and forward to include contemporary scholarship by historians such as Darlene Clark Hine, Susan Brownmiller, Deborah Gray White, Nell Irvin Painter, Diane Miller Sommerville, Daina Ramey Berry, and Sharon Block.<sup>7</sup>

Most historians of free people of color acknowledge that in the Lower South, sexual relationships between white men and enslaved women in rare cases—compared to the bulk that remained enslaved—resulted in the freedom of some women and their mixed race children.

Indeed, this dynamic was the basis for the free community of color.<sup>8</sup> That being said, much of the scholarship on free women of color has tended to de-emphasize the level of coercion and

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<sup>7</sup> See, for example, such studies as: James Hugo Johnston, *Race Relations in Virginia and Miscegenation in the United States, 1776-1860* (Ph.D. dissertation, University of Chicago, 1937; Amherst: University of Massachusetts Press, 1970); Susan Brownmiller, *Against Our Will: Men, Women, and Rape* (New York: Simon & Schuster, 1975); Catherine Clinton, *Plantation Mistress: Women's World in the Old South*, (New York: Pantheon Books, 1982); Deborah Gray White, *Ar'n't I A Woman?*, 27-46, 34; 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, 342-347. (New York: Routledge, 1990); Nell Irving Painter, *Soul Murder and Slavery* (Waco, TX: Markham Press, 1995); 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, 260-277 (Athens: The University of Georgia Press, 1996); Michele Mitchell, "Silences Broken, Silences Kept: Gender and Sexuality in African American History," *Gender & History* 11:3 (November 1999): 433-444; 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; and Jennifer L. Morgan, *Laboring Women: Reproduction and Gender in New World Slavery* (Philadelphia: University of Pennsylvania Press, 2004); Diane Miller Sommerville, *Rape and Race in the Nineteenth-Century South* (Chapel Hill: University of North Carolina Press, 2004); Sharon Block, *Rape & Sexual Power in Early America* (Chapel Hill: The University of North Carolina Press, 2006) and Daina Ramey Berry, *Swing the Sickle for the Harvest is Ripe: Gender and Slavery in Antebellum Georgia* (Champaign: University of Illinois Press, 2007).

<sup>8</sup> A book still considered a classic in the field of free black history is Ira Berlin's *Slaves without Masters: The Free Negro in the Antebellum South* (New York: Vintage Books, 1971) as well as the other historians listed in footnote 3.

even outright rape that presumptively formed the basis of their relationships with the white men who were responsible for manumitting them and posits instead their *choice* to pursue using their sexuality as a semi-equal trade. Agency and the ability of women to choose these sorts of relationships or to actively use them to their advantage is highlighted in this literature, while the inherently unequal power dynamic of these relationships is minimized.<sup>9</sup> Thus, the sexual harassment that these women underwent prior to becoming emancipated is seldom emphasized. Instead, scholars focus is on what happened to them *after* they secured their freedom. It is as though historians have worked backwards in their mental processing of these women, already having encountered them in the historical record as free property owners (in many cases) after having been freed with their children who were the by-products of exploitive interracial relationships.

This trend is evident even in some scholarship involving enslaved women's freedom to choose partners. In the recent and incredibly nuanced biography of the Hemings family, *The Hemingses of Monticello: An American Family*, Annette Gordon-Reed is able to tease out over 700 pages of interpretation of this previously little-understood family, about which there has been much speculation over the years. However, her discussion of Sally Hemings is an example of scholars' erroneous tendency to portray agency over exploitation. She cautions against viewing all associations involving white men and enslaved women as rape and emphasized the conscious choice that Hemings made to get sexually involved with Thomas Jefferson to secure a privileged place for herself in Virginia and the future freedom of her children. Although eloquently argued, as she admits: there was no written record of either of the participants'

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<sup>9</sup> See, for example studies such as: Gould, "In Full Enjoyment of Their Liberty," 4-5; and Amrita Chakrabarti Myers, "Negotiating Women," 18.

emotions regarding this negotiation. Additionally, one cannot ignore the fact that Sally Hemings got pregnant when she was fifteen or sixteen years old in a foreign country where she was not a native speaker of French, isolated from her family (with the exception of her brother) by a man who was 30 years her senior, and the undisputed owner of her person, which under American law, included her sexuality.<sup>10</sup>

In spite of the length of her argument and the rigorous interpretation, Gordon-Reed nevertheless underestimates the power dynamic between Hemings and Jefferson. She goes on to state that “The profanity of slavery does not define the entirety of the lives of enslaved people so that everything any one of them ever did, felt, or thought—everyone they touched, every situation in which they were involved, every connection they made—was degraded.”<sup>11</sup> It does not seem that legitimizing the violence and coercion that enslaved women faced in everyday life, from being forced to labor in either sense of the word—working or reproducing, to use Jennifer Morgan’s conceptualization—is necessarily painting them as degraded. But it is recognition of these forces that they had to contend with and this did not make them less than strong; if anything, it affirms their strength in the face of adversity.<sup>12</sup>

This is not the sum total of enslaved women’s experiences, to be sure, as the measure of each individual woman extended far beyond her victimization. However, much of the discussion among historians who highlight the agency of free women of color having a choice in their sexual involvement with white men tend to view them as one population and not two segments—

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<sup>10</sup> Annette Gordon-Reed, *The Hemingses of Monticello: An American Family* (New York: W.W. Norton and Company, 2008),

<sup>11</sup> Gordon-Reed, 324.

<sup>12</sup> For more on the dual exploitation of enslaved women, see Jennifer L. Morgan, *Laboring Women: Reproduction and Gender in New World Slavery* (Philadelphia: University of Pennsylvania Press, 2004).

those who had been enslaved and managed to get their freedom from white men, which I term the ‘foundational generation’ and those who entered into relationships as free women, or ‘the conditional generation.’ I do not dispute that oftentimes free women of color willingly chose to embark on relationships with white men, for the benefits of security, both financial and social, and even perhaps love. That some enslaved women also were willing to take on the role of mistress to white men in hopes that it would lead to an improvement in their circumstances seems likely. The dangling carrot of freedom for themselves and/or their children, with the addition of possible property, clothing and jewelry, status, among other tangibles and intangibles would doubtless be a powerful motivating force for some women. In analyzing interracial sexual relationships during the last couple of decades, historians have emphasized the agency that those enslaved exercised in determining their response to an oppressive system. While this has reinvigorated the debate regarding sexuality, and breathed new life into the formerly dominant paradigm that underscored the domination of African Americans, in many ways it has de-emphasized the violence that was key for whites to maintain the system, and under which more African Americans than not suffered. I offer a caution to reading too much agency into a dearth of documentation, especially regarding enslaved women, which might not accurately reflect the painful coercion that many underwent. This chapter examines the prominence of sexual violence prior to women becoming free and that which was used as a mechanism of social control after they had transitioned out of slavery, as will be discussed in the following one.

### **Community Formation through Sexual Violence**

In his work on the antebellum U.S. slave trade, Walter Johnson analyzed how racial ideology influenced the choices of slave owners. Slaveholders “buying household slaves

associated lightness with feminine domesticity.”<sup>13</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 and thus, this could be a crucial factor in some owners’ determination of who would labor in the house.<sup>14</sup> With this increased proximity, the chances of sexual intimacy multiplied. Although, as many have pointed out, light-skinned, mixed race women enjoyed substantial privileges including in many cases, their freedom, property, and other opportunities, these often came at a steep price.

Another way in which racially mixed women were sexualized and exploited in the U.S. was expressed through the trade in “fancy girls.”<sup>15</sup> “As an anonymous writer recalled, in an auction of “nigger wenches” slave traders unabashedly presented the victims as “warranted virgins,” excellent as potential concubines and valuable for “the manufacture of light colored slaves.”<sup>16</sup> Men were willing to pay four to five times the amount that a standard field slave would bring for these women who might become their sexual companions. Additionally, white men were playing out a fantasy in pursuing these “fancy pieces” by exploiting women who were

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<sup>13</sup> Walter Johnson, *Soul By Soul: Life Inside the Antebellum Slave Market* (Cambridge: Harvard University Press, 1999), 152.

<sup>14</sup> As Johnson pointed out, not all domestic servants were light-skinned; however, there was an association in owners’ minds of light-skin and “feminine domesticity.”

<sup>15</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 Clinton, *The Plantation Missstress*, 212-213; Johnson, *Soul by Soul*, 113-115; and 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): 1619-1650.

<sup>16</sup> Robert Brent Toplin, “Between Black and White: Attitudes Toward Southern Mulattoes, 1830-1861,” *The Journal of Southern History*, Vol. 45, No. 2.185-200 (May, 1979), 190.



white in appearance but who personified the sexual availability of slaves. As Walter Johnson explains:

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>17</sup>

“Mulatto” women embodied an idea even more heady than that to white men who purchased them. Historian Edward Baptist conceptualizes these women as pornographic symbols in the minds of their purchasers and rapists. As he remarked, mulatto women “were products of the long encounter between white exploiters of labor and black sources of labor, productive and reproductive.” They “also in their phenotypes illustrated the long past of white sexual assault. Mulatto women thus embodied white dependency and white power, and offered men the chance to recapitulate and reexamine the past that had produced both white power and mixed-race individuals.”<sup>18</sup> This is not to deny that as previously stated, *all* women of African descent from the point of contact with European men were vulnerable to brutal sexual abuse at their hands. But mixed race women symbolized both a commodity and a sexual fetish. And by raping these women, Baptist posits that they “had sex with their own history” since these sorts of acts had created this class of women initially. Thus, light-skinned women represented their right to force all women of African descent into bending to their sexual domination and raw power.

There was a tangible link between freedom and sexual violence in Natchez, particularly after its incorporation into the United States as a territory in 1798 and eventually a state. Indeed, it is one of the bedrocks upon which freedom the Natchez community of free people of color

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<sup>17</sup> Johnson, *Soul by Soul*, 155.

<sup>18</sup> Baptist, “Cuffy,” 1647.

built their freedom. However much may not be explicitly articulated through the extant documentation, one cannot ignore the proof of high levels of interracial intimacy expressed by the complexion of the community.<sup>19</sup> Of the 570 free people of color whose race was indicated within this study, 483 were of mixed race (258 women, 225 men) while only 77 were listed as black (44 women and 33 men). In other words, 85% of the free community of color had partial African and white ancestry.<sup>20</sup>

Most historians attribute the high level of multiracial people of color of the Lower South in general to a gender disparity between French or Spanish men and women. Because so few European women immigrated to the region in cities like New Orleans and Pensacola, it was common practice for white men and African women to cohabit, often forming life-long relationships that produced children. This was the case in Natchez as well, although it is less evident between African women and the French and Spanish men that settled areas like New Orleans. Most often, the men in Natchez were either Scottish or American, being the primary migrants who colonized the District. The precise ethnicity is less relevant, however, than the gender disparity between white men and women itself that persisted well into the 1860s. At times, as Table 3.1 demonstrates, white men over the age of 15 consistently outnumbered white women, in some cases such as in 1820 and 1840 by almost double. Undoubtedly, this affected their involvement with enslaved women as well as those who were free. This is not to suggest that being married was any deterrent for men to sexually exploit enslaved women, but this gender imbalance, if anything, would have been a heightened incentive. As a result, some

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<sup>19</sup> I say this because of the 900+ people included in this study, the only evidence I have for many of them are names in the census that give no clue whatsoever of their origins.

<sup>20</sup> Ribianszky Data Base of Free People of Color.

women and children were manumitted and there are numerous instances of them inheriting property, money, and even slaves from white men.<sup>21</sup>

**TABLE 3.1 Population Demographics of Childbearing Age Adults in Natchez<sup>22</sup>**

	1820	1830	1840	1850	1860
Free black females	41	44	104	88	79
Free black males	38	50	83	64	59
Enslaved females	2,451	3,760	5,129	4,459	5,239
Enslaved males	2,566	4,055	5,212	4,306	5,310
White females	812	1,183	1,395	1,147	1,578
White males	1,513	1,607	2,320	1,239	1,970

The “fancy” trade in the U.S. had another negative consequence upon mixed race women: it often separated young girls, still children, from their families because of a white man’s inclination for a steep profit. In one moving narrative, Eliza, a privileged bondwoman

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<sup>21</sup> See, for example, a number of historians who examine the incidence of interracial relationships in the Deep South, including: Gwendolyn Midlo Hall, *Africans in Colonial Louisiana: The Development of Afro-Creole Culture in the Eighteenth Century* (Baton Rouge: Louisiana State University Press, 1992), 240-242; 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), 137-142; Virginia Meacham Gould, “In Full Enjoyment,” 4-5; Kimberly Hanger, “The Fortunes of Women in America’: Spanish New Orleans’s Free Women of African Descent and their Relations with Slave Women” in *Discovering the Women in Slavery: Emancipating Perspectives on the American Past*, ed. Patricia Morton (Athens: The University of Georgia Press, 1996), 156-159; Berlin, *Slaves Without Masters*, 108-110; Loren Schwenger, *Black Property Owners in the South, 1790-1915* (Urbana: University of Illinois Press, 1990), 99-101, to name but a few.

<sup>22</sup> To construct this table, I used the census data available at The Historical Census Browser. Retrieved [July 10, 2010], from the University of Virginia, Geospatial and Statistical Data Center: <http://fisher.lib.virginia.edu/collections/stats/histcensus/index.html>. I tried to separate out all of the infants and young children, targeting the ages of puberty and above. However, there was a difference for the ways that the census makers created the age categories for people of African descent in 1820. For whites, the category was for whites over the age of 15; for free people of color and enslaved individuals, it was over 14. However, notwithstanding this slight age difference, the categories roughly match up. For the years 1830 and 1840, since the category was for those between the ages of 10-23, I had to include those years of 10-12 which are generally considered pre-pubescent. But I chose to do this rather than not include any of the data for those in their teenage years and early 20s. In the 1850s and 1860s, there was a category for those over 15 for all three groups.

who had had two children with her owner, was sold away with her daughter, Emily. The family was further divided when Emily was separated from her mother. Although the buyer for Eliza wanted them both, the slave trader refused because he knew that, ““there were heaps and piles of money to be made of her [Emily]...There were men enough in New Orleans who would give five thousand dollars for such an extra handsome, fancy piece as Emily would be...No, no he would not sell her then.””<sup>23</sup> Thus, not only were women of mixed racial heritage susceptible to extreme sexual exploitation due to their physical appearance, but it also made them vulnerable to losing their daughters to the sinister trade in flesh.

As was already established in Amy Johnson’s case, many, indeed the majority, of the Natchez enslaved women who were emancipated as a result of sexual involvement with their owners, in addition to having mixed-race children, were of multi-racial backgrounds themselves. Several of the children of these women and their owners were described as “too white to be continued in Slavery,” and one of whom a Natchez resident remarked, “she appears at first to be of pretty near white blood, but when you come to converse with her you discover the contrary.”<sup>24</sup> While sexual exploitation was endemic to *all* women of African descent in the Americas, 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 and more susceptible to violation. Further, mixed race women were simultaneously in a position of advantage and extreme sexual vulnerability due to the fetishism ascribed to them based upon their skin color and all that it represented in the minds of their oppressors. The inherent silences within the documents prohibit determining how many Natchez women may have been victims of

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<sup>23</sup>Quoted in White, *Ar’n’t I a Woman?*, 38.

<sup>24</sup>Hogan and Davis, *Antebellum Diary*, 28; Testimony of Samuel R. Hammett, Nov. 19, 1850, *Leiper vs. Huffman*, et al, Mississippi High Court of Error and Appeals case 6185, (1851).

the “fancy trade” and who doubtless suffered the trauma of not only repeated forced sexual relations, but separation and sale from loved ones.<sup>25</sup>

**TABLE 3.2 Known Races of Manumitted Mothers**<sup>26</sup>

Race	#	%
Mulatto	15	47
Black	3	9
Unknown	14	44
	32	100

Out of the 221 manumissions for which I have records, 104 of these were women freed with their mixed race children. In these particular cases, there is an extremely strong indication that the liberated were sexual partners and children of either their male owners or of other white men paying for their freedom. This represents 47% of the sample.<sup>27</sup> There are at least 16 manumissions involving women that were not included because they did not have children. It is highly probable that those women were freed due to reasons other than “faithful service,” considering the ages of the women,—all adult—the fact that they were emancipated by men, and the general unwillingness and community opprobrium against white men to admit their true relationships with enslaved women. For example, Jacob Earhart, who “set free from slavery a certain woman named Cassandra whom I purchased of Colonel Anthony Hutchins last year she being at that time a slave and so is now my lawful property.”<sup>28</sup> This seemingly innocuous statement gives no indication of any sexual relationship. However, when taken in tandem with other documentation about Cassandra Bofley (or Cassandra Earhart, as she also came to be

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<sup>25</sup> See for example, such work as Walter Johnson, *Soul By Soul* and Edward E. Baptist, “‘Cuffy.’”

<sup>26</sup> Ribianszky Data Base of Free People of Color.

<sup>27</sup> Ibid.

<sup>28</sup> Adams County Chancery Court, Deed Book C, 1803, 344.

known), it is demonstrated that she eventually bore children to Earhart and was known as his wife and passed as white. There are at least 43 other single women manumitted in this sample who were of a reasonable age to have been a victim of sexual abuse, but because there was no proof positive, were not included in the number of women who were emancipated as a result of sexual activity. However, if these were factored in, it would raise the figure to 55% of the known manumissions in this study based upon sexual exploitation of enslaved women.

A caution is offered in that this might be a conservative estimate of the impact of sexual abuse of enslaved women by examining the manumission documents of selected men. Some who were freed may have had a familial relationship with their emancipator that is camouflaged by neutral language. For example, there were 33 men freed for reasons other than self-purchase. Six were listed as favorite servants and seven more could have been unnamed sons, brothers, nephews, or any other blood relative, but of course, the language was ambiguous. For fourteen, there was no reason given. An additional five men were freed with their wives and children. All of this to say that documents are not unerringly forthcoming in what they are able to communicate to historians and may not clearly spell out that the men herein identified who gained their freedom were the offspring of exploited women.

Regardless of the precise reasons for their manumissions, by naming this population, male and female, the 'foundational generation,' it is helpful to consider the far-reaching implications of their freedom. For women, it meant the ability to give birth to children who would be born free. Of the 104 manumissions involving women and their mixed-race children, 33 of them, the *known* survivors, the mothers, experienced the violence of coerced sex or rape led to the eventual freedom of the 71 children freed with them. Seemingly, this is a small number. However, when one considers future generations, those estimates increase

exponentially. In Amy Johnson's case, after her two children, Adelia and William, were freed and later married as young adults, they produced 20 free-born grandchildren for Amy. The numbers for other women are lesser known due to the fact that the Johnson family has been the subject of considerable historic investigation, but they must have been comparably significant. If children were fortunate enough to be born after the manumission took place and thus, free-born, they were in a much less precarious position than many liberated women's children who remained in slavery and open to mistreatment.<sup>29</sup>

The presence of any African heritage whatsoever justified in the eyes of white men their right to dominate those that were considered to be at this time period inferior and promiscuous, and who were unprotected under the law. Indeed, in considering whether or not murdering a slave violated their rights as a person, legislators pondered whether or not other crimes perpetrated upon the enslaved were indictable. Their findings were that only those violations that threatened the existence of a person (in other words, murder) should be prosecuted and no other rights were conferred to slaves as non-citizens. Not only did lawmakers consider rape as one of these myriad violations on the person of a slave that was not punishable, but they deemed it virtually impossible due to perceptions of African American women's lewdness and essentially deemed them unworthy of legal protection. As they reasoned,

It is a matter worthy the consideration of legislators, whether the offence of rape, committed upon a female slave, should not be indictable; and whether, when committed by the master, there should not be superadded the sale of the slave to some other master. The occurrence of such an offence is almost unheard of; and the known lasciviousness of the negro, renders the possibility of its occurrence very remote.<sup>30</sup>

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<sup>29</sup> Ribianszky Data Base of Free People of Color.

<sup>30</sup> Thomas Read Rootes Cobb, *An Inquiry into the Law of Negro Slavery in the United States of America: to which is Prefixed an Historical Sketch of Slavery* (Philadelphia, 1858).

Nonconsensual sex was not limited to single, unattached women; however, and enslaved women who did not have the protection of a legally recognized union with their black husbands often were intimidated into sexual relations, which would obviously have negative consequences on their partnerships.<sup>31</sup> Even pregnant women were not unscathed by this abuse. As Deborah Gray White maintains, “Although not all white male-black female relationships were exploitive, most began that way, and most continued that way.”<sup>32</sup>

What were the aftereffects of the psychological trauma that followed sexual exploitation? In a study cited by contemporary researchers, they found that the effects of sexual violation on women is long-lasting and has a tendency to affect many aspects of the victim’s lives. As they note:

Female rape victims were more likely than non-crime victims to experience other psychological difficulties such as depression, substance abuse problems, and suicidal thoughts. The scope of sexual violence as well as the adverse effects of such victimization impact on large sectors of women and persist across time, further impacting the potential for women to pursue the routine activities of life such as work, leisure, and personal safety. Though these findings are recent, the enormous impact of sexual violence on women’s lives has been the case historically.<sup>33</sup>

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<sup>31</sup> Historians have pointed out that in the cases where their wives were being sexually abused by their owners, men frequently ran away, physically retaliated, or ended the relationships. Other times, they labored to empathize, understanding that it was often beyond the control of women. See, for example, White, *Ar’n’t I a Woman?*, 146-147 and Block, *Rape and Sexual Power*, 101. A forthcoming book Kenneth Marshall’s *Manhood Enslaved Bondmen in Eighteenth- & Early Nineteenth-Century New Jersey* (Rochester: University of Rochester Press, 2011) promises to explicate how enslaved men experienced manhood through notions of gender.

<sup>32</sup> White, *Ar’n’t I A Woman*, 34. Other scholarship has come to similar conclusions. See, for example, such studies as: Johnston, *Race Relations*; Hine, “Rape and the Inner Lives of Black Women in the Middle West; Lecaudy, “Behind the Mask: Ex-Slave Women and Interracial Sexual Relations,” King, *The Essence of Liberty*, 110-114; 262-263; Mitchell, “Silences Broken, Silences Kept”; Baptist, “‘Cuffy’”; Morgan, *Laboring Women*; Block, *Rape & Sexual Power*; and Berry, *Swing the Sickle*.

<sup>33</sup> James F. Hodgson and Debra S. Kelley, “Sexual Violence: Policies, Practices, and Challenges” in *Sexual Violence: Policies, Practices, and Challenges in the United States and Canada*, eds. James F. Hodgson and Debra S. Kelley, 1-14 (Westport, CT: Praeger, 2002), 2.



Although enslaved African American women, unlike contemporary rape survivors, were not privileged with victim status throughout the period of slavery, this in no way should be taken to mean they did not suffer the physical and emotional devastation that was a result of sexual exploitation. Nell Irving Painter, in her short but influential piece “Soul Murder and Slavery,” reexamined historical sexual abuse through the lens of contemporary psychological theory. She posited that due to “inappropriate sexualization of one’s youth,” young girls came to see their own value merely in sexual terms and in the process, lost their innocence and much more as well.<sup>34</sup>

Similar to Sally Hemings, some of the women in Natchez who eventually became manumitted were teenagers at the time of their first child’s birth. Young girls, children as we would now recognize them, were not protected by their tender ages. Enslaved Natchez women who would eventually gain their freedom were no exception to this sexual violence at an early age. In the sampling of enslaved women who eventually would gain freedom and had children with white fathers, at least 31% of them were under the age of 20. This leaves the question of when sexual activity could have commenced. According to James Trussell and Richard Steckel, the average enslaved female reached the age of menarche at 15 and generally, it takes a few years after the start of menstruation for full fecundity to be reached. Thus, taken with only the

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<sup>34</sup> Nell Irving Painter, *Soul Murder and Slavery* (Waco, TX: Markham Press, 1995), 16; Brenda Stevenson, “Gender Conventions, Ideals, and Identity among Antebellum Virginia Slave Women” in *More Than Chattel: Black Women and Slavery in The Americas*, Darlene Clark Hine and David Barry Gaspar, eds. (Bloomington and Indianapolis: Indiana University Press 1996), 174-177.

documentation of the birth of a child in place of any written record, we are left to conclude the abuse could have taken place at any time leading up to the period in which fertility occurred.<sup>35</sup>

**TABLE 3.3 Known Ages of Manumitted Mothers at Birth of First Child<sup>36</sup>**

Age	#	%
15-19	5	31
20-24	5	31
25-29	3	19
30-34	2	12
35-39	1	7
	16	100

Coercion undoubtedly lay at the heart of the emancipation of Elizabeth Barland and her children. In 1790, during the Spanish period, William Barland purchased Elizabeth and their four children from another man and emancipated them all the same day. Elizabeth's age was given as twenty five years old. The birth of their first son, Andrew, who was five at the time of their manumission, occurred when Elizabeth was approximately twenty. This meant that their sexual relationship commenced when she was nineteen or younger. Unfortunately, the documents are silent regarding William's age, but it is highly likely he was older than her. Regardless, he, much like Thomas Jefferson, would have been in a position of power over her due to her status as an enslaved girl, even if he did not own her himself. Of course, Elizabeth would have been keenly aware of the power differential and she felt compelled to succumb to any advances he may have made. As numerous historians have pointed out, because of their

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<sup>35</sup> James Trussell and Richard Steckel. "The Age of Slaves at Menarche and Their First Birth," *Journal of Interdisciplinary History*, Vol. 8, No. 3 (Winter, 1978), 492-494. It is also helpful to consider the experiences of Celia, the young enslaved woman in Missouri who was systematically raped by her owner from the time of her purchase at the age of 14 until she was 19, resulting in two children by him. Although she received certain benefits from the relationship, such as her own cabin and other material goods, she was habitually violated by a significantly older man and possibly his son and had to come to terms with the emotional damage attendant to such abuse. The sexual exploitation ultimately ended for her when she killed him after he attempted to force himself on her.

<sup>36</sup> Ribianszky Data Base of Free People of Color.

legal status as their owner's property, claiming rape was not a prospect for enslaved women. Whether it began consensually or with outright force, undoubtedly the disparity between enslaved and free, female and male, African American and white, had to have played a significant role in her decision to become sexually involved, have children, and eventually co-habit with William.<sup>37</sup>

Much of the personal recollections are sorely lacking due to the fact that African American women's narratives are few and far between. Most do not explicate in great detail the mechanics behind interracial sex. One that does, however, that may be used to demonstrate how women—or girls—viewed their situations is Harriet Jacobs' classic memoir, *Incidents in the Life of a Slave Girl*. As shared in her narrative, when she reached 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, though 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."<sup>38</sup> She had to expend great effort to fend off his advances and luckily escaped being forcibly coerced into sex with him while alone or away from the watchful eyes of his wife in spite of the fact that he "threatened me with death, and worse than death, if I made any complaint."<sup>39</sup> Although Harriet Jacobs was able to place herself outside of her owner's sexual control, even if it meant hiding in her grandmother's attic for seven years, not all enslaved girls were so fortunate.

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<sup>37</sup> Adams County Chancery Court, Spanish Records, Book B, 1790, 446.

<sup>38</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.

<sup>39</sup> *Ibid*, 27.

The oral history that has been passed down through the generations of Julia Dickson and Amanda America Dickson's descendents is likewise insightful to illuminate how enslaved women viewed their exploitation. That poignant details of her rape have been interwoven into the remembrance of her life lends testimony as to the trauma that she suffered. David Dickson, the 40 year old owner of the plantation she lived and worked on, riding through the fields one day, scooped the 14 year old Julia up on his horse "that was the end of that."<sup>40</sup> In spite of the fact that their biracial daughter, Amanda, who was a consequence of her mother's rape would lead a life of privilege and comfort and that she herself would later control the keys and management of Dickson's household, Julia allegedly never forgave him for this action. Further, she never received her freedom from him, nor, due to Georgia's restrictive manumission laws, did Amanda until the Civil War ended slavery. Although the inauspicious beginnings of Amanda's life had a relatively happy ending, it is irresponsible as historians to ignore the pain and exploitation that her mother suffered, as well as her lack of choice in the matter.

There were powerful inducements to succumb to sexual overtures and outright harassment, including the possibility of sale of oneself or one's children. Sukie's attempted rape, violent resistance to it, and subsequent sale as punishment by her owner reveals the pressures upon women who faced daily unwanted daily attention in the workplace, even within close proximity to the slaveholding woman of the house. As ex-slave Fanny Berry recounted:

Sukie was her name. She was a big strappin nigger gal dat never had nothin' to say much. She used to cook for Miss Sarah Ann, but ole Marsa was always tryin' to make Sukie his gal. One day Sukie was in the kitchen making soap. Had three gra' big pots o' lye just comin' to a bile in de fireplace when ole Marsa come in for to git arter her 'bout somep'n. He lay into her, but she ain't never answer him a word. Den he tell Sukie to take off her dress. She tole him no. Den he grabbed her an' pulled it down off'n her shoulders. When he done dat, he fo' got 'bout whippin' her, I guess

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<sup>40</sup> Kent Anderson Leslie, *Woman of Color, Daughter of Privilege: Amanda America Dickson* (Athens: University of Georgia Press, 1995), 1.

cause he grab hold of her an' try to pull her down on de flo'. Den dat black girl got mad. She took an push ole Marsa an' made him break loose an' den she gave him a shove an' push his hind parts down in de hot pot o' soap. Soap was near to boilin', an it burnt him near to death. He got up holdin' his hind parts an' ran from the kitchen, not darin' to yell, 'cause he didn't want Miss Sarah to know 'bout it. Well, few days later he took Sukie off an' sol' her to de nigger trader. An' dey 'zamed her an' pinched her and' den dey opened her mouf, an' stuck dey fingers in to see how her teeth was. Den Sukie got awful mad, and she pult up her dress an' tole de nigger traders to look an' see if dey could find any teef down dere"<sup>41</sup>

Thus, within a few days of successfully combating her owner's lustful advances and asserting her humanity, Sukie was removed from the property, probably from friends and family, in an attempt to dehumanize her. Other enslaved women, knowing the realities of threats of sale of themselves or their loved ones as punishment for spurning sexual invitations, no doubt capitulated, more out of avoidance than agency. This ultimately was a choice that they made: to accommodate themselves to sexualized terrorism rather than resist violently. However, to call it agency in the face of sources that remain silent on it and with merely the evidence in terms of manumission papers, legacies in property, and the like, is a disservice to the uncompromising position in which they found themselves.

Perhaps Elizabeth Barland, although realizing the imbalance in power between herself and William Barland, decided to take her chances in accepting his interest. It is even possible she actively solicited it. After all, during the Spanish period in Natchez when she was manumitted, there were increased opportunities to become freed than merely the largesse of the owner. The practice of *coartacion* guaranteed that if enslaved people had the means, they or someone

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<sup>41</sup> This account by ex-slave Fannie Berry was used in at least two other historian's works: first, by Brenda Stevenson in "Gender Conventions, Ideals, and Identity among Antebellum Virginia Slave Women," 172 and Saidiya Hartman, *Scenes of Subjection*, 40.

sympathetic to them could purchase their freedom.<sup>42</sup> William Barland as a wealthy landowner would have supplied the wherewithal to actuate her liberty, if he were willing. However, if this were her plan, it was a risky venture and was not until the birth of four children to him that he purchased and emancipated them.

For at least one Natchez enslaved woman, and undoubtedly countless others, becoming sexually involved with her owner did not end in freedom; indeed, it ended in her sale. Susan or Susy, the probable daughter of Abd al-Rahman Ibrahima, or Prince, as he was locally known, was locked in a triangle with her owner, Thomas Foster, and his wife, also named Susan. The exact nature of the origins of their involvement is unknown, but regardless, Foster was regularly in the habit of sleeping with Susy in her cabin, openly over time, and “gave Susy his wife’s clothes, bought her dresses, and gave her parties,” and thus demonstrated toward her “all the kindness and generosity of a wife.”<sup>43</sup> However, after much pressure from his parents and family, he chose his marriage over his love and desire for Susy and signed a deed for her sale. Even Foster’s eleventh-hour change of heart and attempt to retract the deed had no effect. His wife chronicled in her diary that “One morning after a long sleep and restoration from a fit of drunkenness...he arose from his bed, pulled a dirk knife from his pocket, and commenced raging and storming about the house about Susy & repeatedly swore that if she was sent away, he would

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<sup>42</sup>G. Douglas Inglis, “Searching for Free People of Color in Colonial Natchez,” *Southern Quarterly*, Vol. 43, No. 2 (Winter 2006), 105.

<sup>43</sup>Terry Alford, *Prince Among Slaves: The True Story of an African Prince Sold Into Slavery in the American South*, (Oxford: Oxford University Press, 2007, 30<sup>th</sup> Anniversary Edition), 94-97.

kill two or three of the family.”<sup>44</sup> Susy apparently had to suffer the indignity of being fastened in chains and forcibly evacuated out of the county as a consequence of the family’s determination to separate the two. Whether or not Susy had used her sexuality to try to obtain privileges or potential freedom is in the end, immaterial. What she took away from the experience was no doubt the pain of separation from her family and friends and the terrible uncertainty of her future and new owner.

As Susan Foster (the wife) demonstrated, when women were placed into the position of dishonored wives, they frequently lashed out at their female slaves, rather than attacking their husbands, who were ultimately the ones at fault. This abuse exhibited itself in a number of ways. Deborah Gray White found that in addition to the work space and living space becoming transformed into a hostile environment, the stresses of this strained relationship could lead to physical and verbal abuse and whippings, hiring out or sale, and if light-skinned children were the results of extramarital sexual activity, abuse, or sale was always a grave possibility. As one ex-bond person recounted, if the children especially favored their white father, “that the wife would be mean to them and make him sell them.”<sup>45</sup> Very specific to women of mixed race was the practice of cutting the hair of women who had long, straight hair in an attempt to make the mulatto woman less attractive and “white appearing” to their husbands. Although white men dominated both white and black women, racism blinded white women to their shared oppression,

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<sup>44</sup> Ibid, 96. Thavolia Glymph also elucidates the inherent violence between enslaved women and female owners in *Out of the House of Bondage: The Transformation of the Plantation Household* (New York: Cambridge University Press, 2008).

<sup>45</sup> Anthony S. Parent and Susan Brown Wallace, “Childhood and Sexual Identity under Slavery,” in *Journal of the History of Sexuality*, Vol. 3, No. 3, Special Issue: African American Culture and Sexuality, (Jan., 1993), 394.

and further led them to blame the victim in the case of interracial sex. Thus, women of African descent had the double burden of their gender and race.<sup>46</sup>

The web of tangled relationships between white men, their wives, and enslaved women was an ordinary feature of southern slave society. Hairdresser Eliza Potter, a free woman of color, traveled throughout the Deep South, including cities like Natchez and New Orleans gives insight into the prevalence of the commonplace nature of the sexual exploitation of enslaved women by their owners. She herself was privy to intimate glimpses within elite white households. In a heated discussion with two white southern women, she noted—and it is worth quoting at length—that,

no man in a free State would dare keep his mistress in the same house, or a neighboring one, beside his wife; while in a slave State it was a common thing for a man to have his mistress in the same house with his wife. No matter how elegant or beautiful a woman his wife may be, he has a slave in the house as a second mistress. I do not say this from prejudice, but merely state what my eyes have seen; from the minister down to the lower order of men, all keep their slaves.<sup>47</sup>

White diarist Mary Boykin Chestnut concurred with Potter's assessment and observed of those of her social class, "This is only what I see: like the patriarchs of old, our men live all in one house with their wives & their concubines, & the Mulattos one sees in every family exactly resemble the white children-& every lady tells you who is the father of all the Mulatto children in everybody's household, but those in her own, she seems to think drop from the clouds or pretends so to think."<sup>48</sup> It was never a foregone conclusion to these women that they or their

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<sup>46</sup> White, *Ar'n't I a Woman?*, 40-44.

<sup>47</sup> Eliza Potter, *A Hairdresser's Experience in High Life* (New York: Oxford University Press, 1991), 171.

<sup>48</sup> C. Vann Woodward, ed., *Mary Chestnut's Civil War* (New Haven and London: Yale University Press, 1981), 29.



children would benefit at some future point from the sexual exploitation to which they were subjected.

Many of the women languished in slavery, often subjected to barbarous treatment, for years, even decades, until they were liberated. Or, as in the case of quite a few Natchez women, they experienced separate manumissions from their children. A full 15 of the 33 mothers of mixed race children upon which this section is based, or approximately 45%, had to enjoy their freedom with the knowledge that their children were still enslaved. They had to contend with the weighty reality that while they could receive their individual liberty, all or most of their children would remain enslaved. Due to increasing manumission restrictions both in Mississippi and across the river in Louisiana, it became more difficult to free slaves, especially young ones. Nancy Gireaudeau, along with her six-year old daughter, Frances, was freed in 1830. She had to wait another five years to manumit her older two daughters, Sophia and Rosella. Sally Butler was another mother who was enslaved at the time of the birth of her daughter, also named Sally, and both were owned by George McCracken. At some unknown point, the mother was emancipated, but her daughter was not freed until she was seven years old at the death of McCracken, who most likely was her father and who left her his property, along with her freedom.<sup>49</sup> To return to Amy Johnson's case, she gave birth to her first child, Adelia, when she was 21 or 22 years old. It is virtually impossible to know how long the sexual relationship between she and her owner had been taking place. It may have commenced when she was a

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<sup>49</sup> Adams County Chancery Court, Deed Book BB, 1830, 211; Adams County Chancery Court, Deed Book W, 1835, 91-92 and 255-257; Adams County Chancery Court, Will Book 1, 1819, 178-179.

mere adolescent, which, as the above slave studies have demonstrated, was not uncommon.<sup>50</sup>

Her son, William, followed his sister three years later. However, she was only freed after her two biracial children were eight and five years old. Her daughter and son remained enslaved for an additional five and seven years after her emancipation, thus highlighting the uncertainty of the liberation of mothers without their children.

Leaving a child behind in slavery could be particularly distressing if there was a history of abuse toward her/him by the white father's wife or relatives. Examples abound of children who were whipped or punished more frequently because of their contested parenthood. Physical features that resembled their European heritage—and thus, of the transgression that had occurred outside of the marriage or social convention—could become a target of humiliation. In one example of a young slave boy in Tennessee, his owner, who was also his biological grandmother, habitually taunted him by asking him “what he had on his head. When he would answer ‘hair,’ she would tell him that it was wool.”<sup>51</sup> This same “loving” grandmother would pull handfuls of his hair out of his head while he was young. White wives who wanted to minimize the resemblance of enslaved children to their own children would often cut their hair short and purposely dress them much more shabbily than their own children to accentuate the differences in status.<sup>52</sup> This dehumanizing treatment of their children remaining enslaved only would have hastened their determination to earn enough money to purchase them or explore some other

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<sup>50</sup> See, for example, Deborah Gray White, *Ar'n't I a Woman* as one of the classic works on the female enslaved experience. Another that showcases the difficult position that young enslaved girls could find themselves in and the measures they took to protect themselves from it is Melton A. McLaurin's *Celia, A Slave* (Athens: University of Georgia Press, 1991). The narrative of Harriet Jacobs details her personal account of her owner attempting to force her into such a relationship in Harriet A. Jacobs, *Incidents in the Life of a Slave Girl*.

<sup>51</sup> Parent and Wallace, “Childhood and Sexual Identity,” 394.

<sup>52</sup> White, *Ar'n't I a Woman?*, 42.

method of freeing them. But further, it would have made freedom for themselves a much more worrisome ordeal.

For women who had been freed as a result of sexual relationships involving children with their owners, there could be terrible ambivalence regarding their other sons and daughters who were not fathered by their owner. For example, Frankey was freed along with her two children, Kitty and Robert McCary, who were the biological daughter and son of their owner, James McCary. In addition to McCary's name and property, they also inherited the services of their half-brother Warner, Frankey's other son, who was to remain rooted in slavery to labor for his manumitted siblings. This must have been a heartrending development that simultaneously dampened her happiness that she and two of her children were liberated and reminded her that perhaps because she transgressed in her behavior with another man who was not McCary, in other words, lived her life according to her own design and not that of her owner, her other son (and she by extension) would be punished in bondage.<sup>53</sup>

Therefore, mothers like Amy Johnson had cause for hope and celebration when they received freedom, as she did in 1816, but it was with the sobering realization that her two children were held as slaves, in a tenuous and unstable position. She had more of an opportunity to labor for wages to save for their purchase price, if necessary. But what if their father, William Johnson, decided to sell them to someone else instead? It was not uncommon, and in fact, it was probably more heavily practiced across the South for white fathers to sell their children away rather than to free them.<sup>54</sup> He may have decided that Mississippi's newly passed law that

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<sup>53</sup> Adams County Chancery Court, Will Book 1, 1813, 88-90.

<sup>54</sup> See, for example such studies as Joel Williamson, *New People: Miscegenation and Mulattoes in the United States*. New York: The Free Press, 1980; Deborah Gray White, *Ar'n't I a Woman?*; Darlene Clark Hine, "Rape and the Inner Lives of Black Women;" Thelma Jennings,

required a legislative act to manumit a slave was too much trouble and reneged on any promise he may have made to Amy.<sup>55</sup> Or what if he died before the process was undertaken and her children were sold away from the estate? Even among well-intentioned owners, the disbursement of one's estate was often a hotly contested battleground with relatives clamoring over which slave should go to whom and blatant disregard for the deceased's final wishes about emancipating slaves.<sup>56</sup>

## Conclusion

Women and children who were freed as a result of sexual violence—which does in fact, form the gendered base of the community of free people of color in Natchez—aside from whatever trauma they experienced prior to their manumissions, gained their liberty.

Unfortunately, however, this was no permanent guarantee as free blacks generally came to be viewed with suspicion and worry by many in Natchez and elsewhere in the South.

Amy Johnson can serve as a case study of sorts for enslaved women who transitioned to freedom, along with their children, and lived to see their grandchildren negotiate their liberty in an increasingly restrictive society. While she may not be representative of all free women of color due to differences in class and status as they existed in the local community of free people

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"'Us Colored Women Had to Go Through A Plenty': Sexual Exploitation of African-American Slave Women," *Journal of Women's History* 1(1990): 45-74; Melton McLaurin, *Celia*; Darlene Clark Hine, "Female Slave Resistance: The Economics of Sex," in *Hine Sight: Black Women and the Re-Construction of American History* by Darlene Clark Hine (Carlson Publishers, 1994), 27-36; Jennifer L. Morgan, *Laboring Women*; Daina Ramey Berry, *Swing the Sickle*.

<sup>55</sup> Nik Ribianszky, "'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," (MA Thesis, Michigan State University, 2003), 28-29.

<sup>56</sup> This happened in the case of James Green's botched intention to manumit several groups of his slaves. In the end, a process that should have been relatively quick groaned on for almost 20 years as relatives used their own discretion to free or sell slaves. See Ronald Davis, *The Black Experience*, 51.

of color, there nonetheless are shared features including the sexual exploitation and her negotiation of it, which fortunately in her case and for her children, resulted in manumission. This obviously was not the case for most enslaved women, who continued to be systematically abused sexually, bore children to their oppressors and witnessed their sales or punishment for their biological inheritance, or who remained childless, for whatever reasons, but repeatedly violated. For Johnson and others like her, sexual coercion from her owner ended in freedom. Although the path to freedom varied from the one she ventured down, to those who purchased their freedom, those freed by their parents, those born into it, or those who traveled to Natchez looking for a different version of liberty from what they knew, together they all built community. She shared this space with others like her; people who, with a combination of hard work, personal connections, and a degree of role-playing, with a bit of good fortune, struggled to survive and thrive in an uncertain atmosphere for people identified as having African ancestry. It was not an uncontested liberty. Sexualized violence remained a force that persisted in women's lives. Although they were not as vulnerable to it as under slavery, it nonetheless was leveraged against them at times in an attempt to control their sexuality and behavior. As free women of color, they had more tools to combat it, which the following chapter elucidates.

## CHAPTER FOUR

### **“Her Back was Very Much Whipped<sup>1</sup>”: Gendered Violence as a Mechanism of Control**

#### **Introduction**

As a member of the foundational generation of free people of color, Amy Johnson experienced violence in a multitude of ways because she was a survivor of numerous acts of sexual, physical, and domestic abuse. Extant documents offer odious glimpses into incidents of horrific violence personally directed against her. First, Johnson was born into a system that at its root depended upon force to maintain power over those within it. While enslaved, she was almost certainly witness to bloody whippings of friends and family members in bondage. With her own eyes, Johnson likely saw families broken up and brutally sold away from one another. She would have overheard whispered stories of heartache and the viciousness of what humans were capable of doing to one another in the name of profit, lust, control, and tradition. Her daughter, Adelia, and son, William, were both fathered by her owner, William Johnson, and born out of sexual violence—whether by outright rape or coerced sex that differed only in degree of force in either case. Within two years of gaining her freedom, she suffered a humiliating and terrifying physical beating and rape by a different man, Alexander Hunter, who “beat bruised wounded & ill treated her the said Amey insomuch that her life was greatly despaired of & other wrongs to the said Amey then & there did to the great damage of her the said Amey.”<sup>2</sup> One can

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<sup>1</sup> Edwin Adams Davis and William Ransom Hogan, *William Johnson’s Natchez: The Antebellum Diary of a Free Negro* (Baton Rouge: Louisiana State University Press, 1951), 93.

<sup>2</sup> *Johnson, Amy vs. Hunter, Alexander*, Adams County Circuit Court, Drawer 87, Old Box 5, New Box 36-69, 1816. This case, in and of itself is significant. In her study on rape in early America, Sharon Block notes, “Whatever the reasons, cases involving African American victims were exceptionally uncommon in colonial America” in *Rape & Sexual Power in Early America* (Chapel Hill: The University of North Carolina Press, 2006), 177. Doubtless, this continued into early part of the 19<sup>th</sup> century.

conjecture that the “other wrongs” was a euphemism for sexual violation. In 1819, three years later, she was again ferociously mauled, this time by a free man of color, Arthur Mitchum, 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>3</sup> As an older woman, Johnson even became the victim of violence at the hands of her own son, William, when he took up the whip against his mother and “gave her a few cuts” as the most expedient way he thought to subdue her.<sup>4</sup> Had she lived to see it, Johnson would have suffered the pain of losing her son to a senseless murder for which the killer was never convicted. This litany of events in one woman’s life testified to the presence of violence that was not reserved merely for her, but to all free people of color, even those one would expect to be insulated to some degree from it by connections to influential people within the community and the ownership of property.<sup>5</sup>

Like slavery, then, freedom too was steeped in violence for people of African descent. Contemporaneous observers as well as historians documented the prevalence of violence in Natchez as a borderland, frontier area for most of the time period of this study. It was certainly a dreadful place for locally enslaved people as evidenced by their treatment and mortality rates and it was simultaneously dreaded by those who feared being “sold down the river” as part of the

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<sup>3</sup> Edwin Adams Davis and William Ransom Hogan, *The Barber of Natchez* (Baton Rouge: Louisiana State University Press, 1954), 18.

<sup>4</sup> Hogan and Davis, *William Johnson’s Natchez*, 183.

<sup>5</sup> Adams County Chancery Court, Deed Book I, 243-5, 1816; Historic Natchez Foundation, Drawer 87, Old Box 5, New Box 36-69, 1816; Adams County Chancery Court, Deed Book K, 223-224, 1818; Davis and Hogan, *William Johnson’s Natchez*, 17-18, 73, 88, 91, 99, 138, 148, 183, 186-187, 224, 241, 247, 281-282, 289, 293, 317, 322, 347, 352, 357, 359, 424, 444, 451, 533, and 539.

brutal domestic slave trade and mass transfer of people from the southeast portion of the U.S.<sup>6</sup>

While the previous chapter outlined how violence often served as a catalyst through which enslaved people became free, this one focuses on how violence or the threat of it served as a means to control free people of color. This was constantly reinforced as the act of manumission and its maintenance, particularly during the American period, as opposed to the Spanish, was not an exercise in finality. Free people of color were reminded in countless ways how their status as people of African descent remained entangled with those who were enslaved, exhibited through laws that grouped them together in terms of restrictions and punishments, through the burden of proof that remained on them to constantly prove their free status, and through raw brutality that was a function of racial disparity in treatment.

This chapter details the menacing viciousness that was leveled against people of color in Natchez and illustrates the different gendered forms that violence could take. As revealed by earlier discussion of many of the women in this study, violence had a sexualized dimension in the transition from enslavement to freedom that was largely absent for men.<sup>7</sup> After women attained freedom, however, they continued to be at risk for sexual assault. Even in physical altercations that did not involve women's sexual violation, there were often sexual undercurrents present, both in the private sphere and even in attacks perpetrated in public. In the latter, graphic

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<sup>6</sup> See footnote 5 of the Introduction.

<sup>7</sup> I am arguing here, then, that much similar to how many historians have found that the most obvious thing that separated enslaved women's experiences from men—sexual exploitation—so too did it distinguish the lives of free women of color from men, both in terms of how, for many of the foundational generation, they experienced it while held in bondage and thus, still dealt with the psychological aftereffects of sexual abuse as well as how the exploitation continued to occur while in the state of technical freedom. See Stephanie M.H. Camp, *Closer to Freedom: Enslaved Women and Everyday Resistance in the Plantation South* (Chapel Hill: University of North Carolina Press, 2004), 62-63; Wilma King, *The Essence of Liberty: Free Black Women during the Slave Era* (Columbia: University of Missouri Press, 2006), 34-38.



beatings with whips and fists left clothing in tatters and verbal assault leveled against women often took on sexualized dimensions. In addition to the sexualization of women's lived experiences of violence, their physical attacks were heavily gendered attempts by men in larger society, white and black, to keep them "in their place" as females in a patriarchal system.

Although there were specific moments in time during which violence may have been heightened, sadly, it was an epidemic to which free people of color were disproportionately exposed at all times in Natchez's history. Throughout the periodic attacks on the community of free people of color, as detailed in Chapter Two, many people were subjected to police detainment, imprisonment, and deportation from the state, frequently without their property and cut off from connections of family and friends. They thus became casualties of the rampant violence that constantly hung over their heads. Free people of color often did not survive this physical menace of violence and were victims to its brutality. Psychological forms of violence will also be explored in this chapter. These included post-traumatic stress that often follows trauma, fear for one's personal safety or the safety of loved ones at risk because of specific, racialized threats, as well as other manifestations.

Free people of color were quite obviously not flattened, apathetic victims who did not respond in dynamic and proactive ways to violence. Thus, the chapter considers gendered methods of addressing and counteracting acts of violence directed against their persons. For instance, women were able to exercise the force of verbal combat much more freely than free men of color. Men were more constrained in their ability to fight back through words, but there was a space that was opened to women, perhaps being viewed as less of a threat in a patriarchal society. After all, while free men of color were discriminated against because of their race, they nevertheless enjoyed benefits conferred upon them as men. These included the ability to control

their wives' property, bodies, and even children, to exercise the vote in certain time periods, and to possess advantages in occupational opportunities, among others.<sup>8</sup> Free men and women of color also resisted violence through making advantageous alliances with other free people of stature and influential whites in Natchez, obtaining property, attempting to adopt the outward trappings of the dominant culture, and protectively safe-guarding their children and rearing them in a like mindset.

### **Gendered Violence**

Free women of color of all classes, time periods, and phenotypes were susceptible to physical abuse waged against them and suffered under this force. Much of this mistreatment had a sexualized dimension, which was simply not a consequence for free men of color. This factor greatly distinguished their experiences from one another and illustrates the double bind of being both African descended and female at once. The mere circumstance of one's freedom, as well as the fact that many free women of color were educated, property owning, and law-abiding, however, did not protect them from outright, forceful violence, although certainly these could serve as mitigating factors. 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 those they encountered casually or in business, as the following case highlights.

Nelly Price negotiated her freedom in a frontier area but her encounters with violence elucidates vulnerabilities that plagued free women of color during the Spanish period in Natchez. Unlike Amy Johnson, whose manumission from slavery established her as a member of the foundational generation, nothing is known of the circumstances of Price's origins other than that she had been living in the District since approximately 1766, during the earlier British period.

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<sup>8</sup> Catherine Adams and Elizabeth H. Pleck, *Love of Freedom: Black Women in Colonial and Revolutionary New England* (Oxford: Oxford University Press, 2010), 10-11.

She was a mixed-race woman and it is quite possible her freedom was the result of a white father freeing her, or she may have been born free, and thus part of what I term the conditional generation. Regardless, she served a valuable purpose to settlers drawn to the region by provisioning them with supplies like cheese, rum, cloth, lodging, and other necessities. Her utility to others in this capacity won her supporters, which she greatly needed to counteract the war of words, reputations, and blows that exploded between supplier, John Fitzpatrick, and herself.<sup>9</sup>

Scottish trader John Fitzpatrick chronicled a seven year period beginning in 1773 when he claimed that he advanced Nelly Price a large amount of goods to trade with Native Americans and settlers and was not recompensed. When he still had not collected his due from her a year later, in a series of letters to other suppliers, he requested that they restrain themselves from allowing her any supplies until she repaid her debt with him. The situation had not been resolved and events took an ugly turn when Fitzpatrick traveled from his home base in Manchac, south of the Natchez District, to Grand Gulf, where Price resided. As he recounts in his letters to fellow traders, after his arrival, he attempted to overlook her accounting books so that he could assess how she had dispersed of the goods and gauge how quickly he would be repaid. She repeatedly deferred surrendering her books to him, promising instead that there was a large delivery by Native Americans of animal skins which would enable her to pay him the balance. As the time drew nearer to his return to Manchac and still no sign of Indians, he demanded to see her books. She reluctantly complied. When he realized she had been deceiving him in terms of how much money she was able to collect on the goods, as he tells it:

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<sup>9</sup> Margaret Fisher Dalrymple, ed. *The Merchant of Manchac: The Letterbooks of John Fitzpatrick, 1768-1790* (Baton Rouge: Louisiana State University Press, 1978), 162, 180-181, 347-353, and 369.

this put me in such a Violent Passion to see myself so Humbugged by such a Strumpet that I Could not help asking her in a verry abrupt manner what have you done with my property[?] She answer'd me in that Ville language which she is much Mistress off [sic] Damn your Blood I have fucked them away[.] This I Could not bear & therefore Struck her which I am well assured were you or any other man in my Place you would not have put up with it and have done as I did, She Endeavoured to make her Escape but I followed her in a room Where I gave her a Couple of Clouts She then made her Escape into the Field where I did not follow her[.]<sup>10</sup>

The exchange between the two escalated so quickly from the point of inspecting her account books to being put “in such a violent passion” and then striking her forcefully after her sarcastic comment as he justified “any other *man* in my place would not have put up with it and have done as I did.”<sup>11</sup> This demonstrates a common expectation that if a woman were “acting out” aggressively, the effective way to quell it would be a beating. His retelling of this incident in terms of masculinity and upholding an unspoken but understood tenet of male honor to another man is quite revealing.<sup>12</sup> Would he have negotiated more skillfully with a man rather than immediately resorting to blows? This passage lays bare critical aspects of the relationship between Price and Fitzpatrick, but it has larger implications for the local community of free women of color and exposes how they were more likely to find themselves at the receiving end of physical violence.

As Fitzpatrick brutally showed, it was common practice during this time for men, especially white men, to put free women of color “in their places” by the exertion of raw physical force. This was a racialized phenomenon to some extent, for as Bertram Wyatt-Brown

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<sup>10</sup> Dalrymple, *The Merchant of Manchac*, 350-351.

<sup>11</sup> *Ibid.*, emphasis added.

<sup>12</sup> For more on male violence and its role in upholding white manhood and status, see Bertram Wyatt-Brown, *Southern Honor: Ethics and Behavior in the Old South* (New York: Oxford University Press, 2007, 25<sup>th</sup> Anniversary edition, original 1982), 368-369.

demonstrates, honor in the South was tied to maintaining the racial status quo and white men had an obligation to subordinate black people.<sup>13</sup> Since free black people were “slaves without masters,” any white person could take it upon themselves to police them for using language that was insulting to them or another white person, an offense that was punishable by up to “thirty-nine lashes on his bare back.”<sup>14</sup> This may have been the case when the city guard of Natchez apprehended Nancy Lattimore, for some unnamed offense, and “Cut her all over her Back, whipped her very much. She went through the Market the next morning with her clothes hanging all off at Each Shoulder. Her back was very much whipped.”<sup>15</sup> Many in town thought that it was her former owner, Dr. Lattimore, who recommended her for this public punishment and made her walk in the streets that way after the beating, no doubt as a demonstration of his power over her for the perceived slight. That this exhibition of racialized power occurred publicly with little to no community outcry against it underlines the commonplace aspect of its place in everyday life. This also reveals that for women of African descent, there was a razor thin line between slavery and freedom in terms of the punishment meted out to them for behavioral transgressions. In other words, free people of color had to continue to defer to some extent to former owners, as well as other local whites, or run the risk of a humiliating bodily chastisement.<sup>16</sup>

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<sup>13</sup> Ibid., 366.

<sup>14</sup> A.Hutchinson, *Code of Mississippi: Being an Analytical Compilation of the Public and General Statutes of the Territory and State, with Tabular References to the Local and Private Acts, from 1798-1848, with the National and State Constitutions, Cessions by the Choctaw*

<sup>15</sup> Hogan and Davis, *William Johnson's Natchez*, 93.

<sup>16</sup> Men were also held to standards of behavior that was acceptable to the white community and in the event they did not, they were also susceptible to physical chastisement as evidenced by William Johnson's notation of the following incident: “Lawyer Baker has old Armstead [a free black named Armstead Carter] in Jail And gave him to day One Hundred & Fifty Lashes. He says that he stoled four Hundred Dollars from him,” Ibid., 167.

The violence perpetuated against free women of color was intimately tied to their disadvantaged position in the hierarchical social structure of the Deep South that was both racialized and gendered. Free women of color were not held to the same standards of the prevailing gender conventions of the time, a set of ideas referred to as the “cult of true womanhood,” that applied primarily to white women. This ideology maintained that white women were more submissive, pious, pure, and domestic than men.<sup>17</sup> In exchange for their adherence to these gender expectations, white women were the beneficiaries of certain protections under the law and had their “honor” defended by men, advantages that free women of color did not have. This put the latter at a disadvantage, for many reasons, but especially due to the fact that many free black women found it necessary to work outside of the domestic sphere. Thus, they were unable to live up to the tenets of devoting themselves to their husbands and families, if married. These sets of gender expectations became complicated by the many free women of color who remained in relationships with white men, some of whom were their former owners or the men who had freed them from another owner. As a result, they were unable to live up to the admonishment to be “pure” precisely because of the sexual origins of their relationships with these men and by the children that they often had together, who were outside the bounds of legitimate acknowledgment. In many ways, women of color—whether enslaved or free—were intentionally excluded from the bounds of the cult of true womanhood and cast as the antithesis of white womanhood to shore up all its supposed virtues.<sup>18</sup>

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<sup>17</sup> Welter, Barbara, “The Cult of True Womanhood: 1820-1860,” in *American Quarterly*, Vol. 18, No. 2, Part 1 (Summer, 1966), 151-174; Wilma King, *The Essence of Liberty*, 35-37.

<sup>18</sup> Scholars of free women of color have argued that they instead occupied a unique place or “discreet identity,” for themselves from free white women. Although they often aspired to the ideal of “true womanhood,” they were influenced by different traditions. See Gould, *Chained to the Rock*, xxii.

Free women of color in Natchez also experienced domestic abuse waged against them by men of their own racial background and families. Without doubt, the greatest threat to women's physical safety was white men in terms of unsolicited attention, molestation in the workplace, and random violence, but the issue of domestic violence against free women of color is one that has not surfaced at any length in the scholarship and is worth addressing. If it is challenging for the historian to procure documents attesting to the greater incidence of physical trauma initiated by white men, it is even more rare to find those detailing abuse within women's personal households, which is why the fleeting references, when found, are revealing.<sup>19</sup>

At times, violent behavior against women of color concluded with the deaths of the abused women, with very little attempt to prosecute the killers. Kitty McCary was one such victim. She had been freed with her brother, Robert McCary, and left property by their white father, James McCary in 1813. Holding property and being associated with one of the more respected free families of color in Natchez was not sufficient to protect her from harm, however. William Johnson recorded in an 1836 diary entry that "To Day Mr Lawrence whipped K and her son James prety severee—the[re] were a motion made to prosecute him I believe."<sup>20</sup> Peter

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<sup>19</sup> Michele Mitchell has highlighted the need for more studies on intergroup conflict that illuminate such important issues as domestic abuse, child abuse, and the like within black families. See Michele Mitchell, "Silences Broken, Silences Kept: Gender and Sexuality in African American History," *Gender & History* 11:3 (November 1999): 433-444. The unreported abuse that women undoubtedly found within their households, both when they were with partners of African American and white descent, had to be substantial. According to Bertram Wyatt-Brown, "Malicious assaults upon dependents and possessions—wives, children, and especially slaves, not to mention domestic animals and livestock—whether by family members of outsiders, did not necessarily induce officials to investigate, unless someone in the neighborhood had the temerity to report suspicions," in *Ethics and Behavior in the Old South*, 368.

<sup>20</sup> Hogan and Davis, *William Johnson's Natchez*, 133. For whatever reasons, Peter Lawrence took it upon himself to physically punish Kitty, it is noticeable that he included her adolescent son in it as well.

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 due to injuries sustained from the incident. 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 ferocity of one white man. And in many of these types of incidents, when the perpetrator was white, there were few consequences in terms of sustained prison sentences, capital punishment, or public castigation. As Johnson pointed out in a later entry, "Peter Lawrence got clear of the charge of whipping Kity McCary—there was no Bill found against him. Rascally. Rascally—."<sup>21</sup>

Cases like McCary's poignantly reveal the almost callous indifference toward the death of a free woman of color compared to a white woman. Consider the experience of the murder of a white woman in Natchez, Susan Foster by her husband, James Foster, Jr. After beating his young wife to death, and a few months imprisoned awaiting trial, no charges were brought against Foster. However, the local community, outraged by what they perceived as great injustice, seized him and whipped him mercilessly, tarring and feathering him, leaving his flesh hanging in pieces off his body, and sent him fleeing for his life to Texas.<sup>22</sup> The level of outrage that the murder of a white woman engendered within area residents was not mirrored for African American victims. In a society that was so saturated with racialized violence, unsurprisingly, acts against women of color, including the cruel beatings of Nelly Price, Nancy Lattimore, and Kitty McCary, went virtually unnoticed and unprosecuted. Women of color simply were not given the same protections from violence under law as white women, due to the "normative" disciplining

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<sup>21</sup> Ibid., 137.

<sup>22</sup> Wyatt-Brown, *Southern Honor*, 462-493.



of enslaved African Americans by whites and their disparate treatment sanctioned by the legal system.<sup>23</sup>

These periodic violent outbursts reminded free people of color in general of the racial constraints that limited them from full participation in their liberty and which connected them in a continuous chain backwards and forwards to slavery. Laws dating back to the Spanish period conflated free blacks and enslaved people into one category, frequently in that they held them to the same behavioral expectations and standards of punishment, albeit with the obvious difference that free people of color had no legal owners. Thus, like the punishments meted out to enslaved people, it was not a difficult leap for white men to maintain established patterns of racialized correction when confronted with behavior by free black women that offended their sense of acceptability. Indeed, although there were obvious advantages that free blacks had over slaves in exercising their freedom, their lives were comparatively cheapened in that no one owned them and would suffer a financial loss if they were killed by extralegal violence or state execution for a crime.<sup>24</sup>

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<sup>23</sup> As Virginia Meacham Gould pointed out, “By 1840, laws had been passed that expressly prohibited them from testifying against whites, voting, holding office, serving in the militia, or *violating the unwritten social code of the community* [emphasis mine],” Gould, *Chained to the Rock*, xxxi.

<sup>24</sup> See the entire section on “Negroes and Mulattoes” in A. Hutchinson, *Code of Mississippi: Being an Analytical Compilation of the Public and General Statutes of the Territory and State, with Tabular References to the Local and Private Acts, from 1798-1848, with the National and State Constitutions, Cessions by the Choctaw*. Within this chapter, laws governing the enslaved as well as free people of color are enumerated and the similarities in behavior and punishment are made plain. Further, as Adam Rothman rightfully points out, “Most important of all, slaves and free people of color were necessarily denied democratic rights and were excluded from the political ‘people.’ Slavery placed inescapable limits on democracy,” in *Slave Country: American Expansion and the Origins of the Deep South* (Cambridge: Harvard University Press, 2005), 176.

Nelly Price's altercation with William Fitzpatrick reveals a troubling association of free black women with prostitution in the sexualized language that he employed in his description of her as a "strumpet." This demeaning epithet he aimed at her matches other occasions in which he applies that and other such appellations elsewhere in his letters, including "infernal yellow bitch."<sup>25</sup> Rather than merely describe her as a "bitch," which is demeaning in and of itself, he complicated the gendered insult by pairing it with her racialized status as a free woman of color with a reference to her phenotype as an added invective. The intimate level of communication between the two may imply an underlying sexual relationship, as when she sneered, "Damn your Blood I have fucked them [his possessions] away." It was at this point, that he became so infuriated at her, that he struck her. This intersection of racialized and sexualized invectives, hints of prostitution, and violence laid bare some essential realities that shaped the lives of free women of color.

Reputation negatively impacted free women of color because of prevailing associations with race, connection to slavery, and notions of honor.<sup>26</sup> Whether or not in her specific case, Price was a prostitute, is less important than the opening it gives to highlight white people's damaging stereotypes and verbal accusations of immorality toward free women of color. This

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<sup>25</sup> Dalrymple, *The Merchant of Manchac*, 348.

<sup>26</sup> Some historians have found a gendered distinction in slander suits during the colonial period in which men most frequently sought to protect their financial reputations while women were concerned with protecting their sexual identities against rumors of impropriety. See, for example, Kirsten Fischer, "'False, Feigned, and Scandalous Words,': Sexual Slander and Racial Ideology Among Whites in Colonial North Carolina," in *The Devil's Lane: Sex and Race in the Early South*, eds. Catherine Clinton and Michele Gillespie, 140-153 (New York: Oxford University Press, 1997), 142. Kimberly Hanger, in her work on Spanish New Orleans, demonstrates that even during the Spanish period, black people, enslaved and free, as well as Native Americans were considered to be people without honor and virtue. For more on this, see Kimberly Hanger, *Bounded Lives, Bounded Places: Free Black Society in Colonial New Orleans, 1769-1803* (Durham: Duke University Press, 1997), 98.

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 popular idea that many free women of color were prostitutes.<sup>27</sup>

The universality and normalization of the linking of race and prostitution is voiced by Mary Chestnut Boykin, the Civil War diarist, when she mused, "Who thinks any worse of a Negro or mulatto woman for being a thing we can't name?"<sup>28</sup> Viewing harmful stereotypes toward women of African descent as a form of violence is born out because these attitudes contributed to the fact that free blacks were debased as human beings and thus, the belief that they were not deserving of all the protection of the law and even at its mercy. Indeed, William Sanger, a physician who published a comprehensive report on prostitutes living in New York City in the 1850s and was sympathetic to the primarily white sex workers' plight had this to relate about African American women, "In both Norfolk and Savannah we presume that the larger portion of the abandoned women at the time the census was taken were colored people, whose virtue is always at a discount under the most favorable circumstances."<sup>29</sup>

Undeniably, there were some free women of color in Natchez who engaged in this occupation, either as a supplement to other forms of employment or as a primary means to make a living. At least five women were implicated in the sex industry, in a variety of levels. One

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

<sup>28</sup> White, *Ar'n't I A Woman?*, 40.

<sup>29</sup> William W. Sanger, *The History of Prostitution: Its Extent, Causes, and Effects Throughout the World, Being an Official Report to the Board of Alms-House Governors of the City of New York* (London: Sampson Low, Son, & Co., 1858), 613.

woman, Nancy Kyle and her daughter, Caroline, were accused of running a “house of assignation,” or a higher class brothel that most likely catered to wealthier clients who were given appointments to indulge in sexual services. Another woman, Eliza Bozack (alias Cotton and Holden) was fined for operating a “disorderly house,” wherein “day and night, ‘evil’ men and women engaged in ‘tippling’ and general misbehavior, including nudity, to ‘the great damage and common nuisance of all the good citizens of the state.” This implies a less exclusive place that served a wider cross-section of Natchez society as evidenced by charges on another occasion that she served “spiritous liquors ‘to diverse negroes,’ probably including slaves.”<sup>30</sup> In a protracted legal battle during which witnesses argued her status as a free woman of color or slave, through the course of depositions, there was also a question as to whether Fanny Leiper was a “common town women” who may have even made part “of her living off some of the members of the Natchez Bar” (in other words, through prostitution).<sup>31</sup> Another woman, who was a neighbor of Fanny Leiper’s, and indeed, who defrauded her out of her property, Malvina Huffman (alias Mitchell and Mathews), appears to have been the madam of a brothel as well with a considerable estate in slaves and property.<sup>32</sup> What implications did selling sex have on

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<sup>30</sup> Joyce Broussard, “Stepping Lively in Place: The Free Black Women of Antebellum Natchez” in *Mississippi Women: Their Histories, Their Lives—Volume 2*, eds. Elizabeth Anne Payne, Martha H. Swain, and Marjorie Julian Spruill (Athens: University of Georgia Press, 2010), 30.

<sup>31</sup> *Leiper vs. Huffman. et al*, case #6185, Mississippi High Court of Error and Appeals, 1851.

<sup>32</sup> In the early part of the 1840s, her estate consisted of four slaves, a house and land on the Bluff and belongings within that strongly suggest she worked in sex work, listed on the next page. Adams County Chancery Court, Deed Book Book BB, 306-307, 1834; Book CC, 568-570, 1841; and Deed Book DD, 1842, 467-468. She inherited much of this furniture from Eliza Perry of New Orleans, who may have been a relative or possibly her former employer as a prostitute. See Eliza Perry's Nuncupative Will, Adams County Chancery Court, Will Book 2, 46, 1833.

their health, safety, and freedom? What common thread did all of the abovementioned women have that drew them into and kept them in such a lifestyle?

All five of the women were of the foundational generation and in most cases, were manumitted as a result of connections to white men in some way.<sup>33</sup> For example, Fanny Leiper and Caroline Kyle were the children of white men and Caroline's mother, Nancy, and Eliza Bozack were sexually involved with whites. It is unknown how Malvina Huffman received her freedom but given the fact that throughout much of the time period of this study, she passed as white suggests partial white parentage. Her origins aside, it is quite likely that she worked as a prostitute in New Orleans due to the fact that she inherited furnishings that hint at their function as bordello decor from the estate of Eliza Perry of the city at the age of 21. These consisted as "one mahogany bed stead and bedding thereunto appertaining six cherry bedsteads, and bedding, thereunto belonging, one mahogany clothes press, one mahogany book case, three bureaus, one side board, two card tables, two dining tables, six carpets, two sofas, six wash stands, with washing utensils thereunto belonging, six looking glasses, twelve mattresses, six featherbeds, four setts of silver table and tea spoons, one set silver sugar tongs, and set silver salt spoons, four dozen chairs all the kitchen and cooking utensils of every description now in said dwelling house and its appurtenances."<sup>34</sup> Huffman may have been a favorite of Perry's or she may have been grooming Huffman to take over her business. It is probable that she was employed for at least a few years for the two to establish a congenial relationship. It would not be surprising to find that, at least in Huffman's case and especially if she was residing in New Orleans in her childhood, she was initiated into the sex trade. Unfortunately, trafficking in children was a

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<sup>33</sup> The exception is Malvina Huffman, by which means she became free, I am unaware.

<sup>34</sup> Adams County Chancery Court, Will Book 2, 46, 1833.

thriving business with the reality, in addition to pedophilic enticement, “the automatic form of birth control and the likelihood that a very young girl would be free of sexually transmitted diseases made them very attractive to men.”<sup>35</sup> Additionally, men during the time period believed sex with virgins could cure venereal disease, so the market in young girls to fulfill these tangible demands was profitable. In an antebellum study in which the aforementioned William Sanger interviewed 2,000 New York City prostitutes, youth was a common characteristic, with exactly half of the respondents indicating their ages between 15-21 years old.<sup>36</sup>

If the free women of color in prostitution in Natchez had become involved in the sex trade at young ages, their experiences in slavery undoubtedly had a substantial impact on their entry into it. Current studies of prostitutes indicate that most suffered some form of physical and/or sexual abuse as children.<sup>37</sup> This is not far removed from what many enslaved children might have experienced, including the free women of color under investigation. Aside from anecdotal evidence in the historical record, it is difficult to pinpoint with certainty the age at which African American women became involved with sex work or if as a group, there was a pattern of sexual abuse that began in childhood. However, there are some damning hints within the historical record on the abuse of young enslaved girls, which is replete with accounts of sexual molestation of all enslaved women. Relating to enslaved girls and women in the Lower

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<sup>35</sup> Judith Kelleher Schafer, *Brothels, Depravity, and Abandoned Women: Illegal Sex in Antebellum New Orleans* (Baton Rouge: Louisiana State University Press, 2009), 54.

<sup>36</sup> Sanger, *The History of Prostitution*, 452.

<sup>37</sup> See for example Melissa Farley and Howard Barkan, “Prostitution, Violence Against Women, and Posttraumatic Stress Disorder,” *Women & Health*, Vol. 27, No. 3 (1998): 37-49. Among the significant findings of contemporary prostitutes interviewed in San Francisco, CA, researchers found that “Fifty-seven percent reported that they had been sexually assaulted as children and 49% reported that they had been physically assaulted as children,” 37.

Mississippi Valley, James McCay, Special Commissioner to Secretary of War Edwin Stanton quoted from two credible informants during the Civil War:

“As to chastity...no such thing was known on the plantations. In the first place, the overseers had the run of all the field women, and if one of them refused, an occasion was very soon found for subjecting her to a severe punishment.’ ‘I have known,’ says another reliable witness, ‘women to be severely whipped for not coming to the quarters of the overseer or master for the purposes of prostitution, when ordered so to do.’ ‘The old masters usually made their selections from the house servants and the young masters generally preferred for their concubines their half-sisters. It was the common custom. They were usually taken at the age of thirteen or fourteen. I have known girls to be mothers at that age. This was especially true of French creoles...*The practice of indiscriminate sexual intercourse...was so universal that a chaste colored girl at the age of seventeen was almost unknown.*’<sup>38</sup>

If enslaved girls experienced sexual exploitation from young ages, this adds another layer to reasons why some women turned to prostitution as a means of support. The psychological effects of child abuse are well-documented and it is not an exaggeration to posit that enslaved girls and women would have suffered some of the symptoms including “depression, difficulty sleeping, feelings of isolation, poor self esteem, difficulty relating to other people, contempt for all women, including oneself, revictimization, impaired sexuality that may involve behaviors that might be seen as frigidity or promiscuity.”<sup>39</sup> Thus, the connection between sexual and/or physical abuse as a child and prostitution for some enslaved women who eventually gained their freedom.

The violence that many prostitutes underwent as children was no doubt repeated in the brothels or at the point of contact with their clients. In Sanger’s report on prostitutes, he found

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<sup>38</sup> James McCay, *The Emancipated Slave, Face to Face With His Old Master: A Supplemental Report to Hon. Edwin M. Stanton, Secretary of War, by James McCay, Special Commissioner* (New York: Wm. C. Bryant & Co., 1864), 6, emphasis added.

<sup>39</sup> Nell Irvin Painter, *Soul Murder and Slavery* (Waco, TX: Markham Press, 1995), 16 and 20.

that their mortality rate was high, indeed, as he calculated it, a quarter of the city's prostitutes died every year. Coupled with Judith Kellaher Schafer's work on prostitution in New Orleans, this is understandable when one considers the incidents of women getting beaten by their pimps and clientele, bloody physical and vicious verbal fights with other women, exposure to sexually transmitted diseases, alcoholism, harassment by the police, unsafe efforts to terminate unwanted pregnancies or childbirth, and in many cases, unsanitary living and working conditions. Sanger revealed that out of the 2,000 women interviewed, there were 821 reported cases of syphilis or gonorrhea. He cautioned, however, that the number was in all likelihood much higher and that women were loathe to admit having contracted diseases with such social stigma. In addition to the risk of disease and violence from customers, free women of color had to endure police harassment and punishment by the courts because of the racial discrimination that prohibited them from insulting a white person. Women found guilty of this offense—which in a highly charged verbal environment was often difficult to avoid—could be fined, jailed, or sent to the workhouse.<sup>40</sup> Thus, the physical challenges free women of color faced in this work was amplified.

Rape was an enormous threat to free black women's bodies and mental health, for both women who engaged in prostitution as well as those who did not. Contemporary findings indicate that physical coercion of women to perform sex acts—including especially degrading ones such as sodomy or any number of others that they might find objectionable—against their will even while working in the sex industry is a prevalent feature. There is no reason to believe otherwise that this does not reflect continuity with the past. As other historians have found, rape is a violent crime that has had unfortunate longevity and it stands to reason that prostitutes in

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<sup>40</sup> Schafer, *Brothels, Depravity, and Abandoned Women*, 74-107 and 98 for discussion of laws of abusive language toward whites and Sanger, *The History of Prostitution*, 487.



pre-Civil War America would have likewise experienced extreme forms of sexual abuse at their job sites. This would have been exacerbated greatly for free women of color because of prevailing notions of race and the linkage sexual access, particularly those who had at one time been enslaved. White men were able to rape enslaved women due to the fact that legally, they were held as property and it was unnecessary to procure their consent.<sup>41</sup> Although free women of color had more autonomy and ability to shield themselves physically than enslaved women, nonetheless, they were at a similar legal disadvantage in that they were muted by law to testify against white men in criminal cases.<sup>42</sup>

The trauma suffered by a rape victim, prostitute or not, was similar in that the intense emotions persisted long after the attack ended. Free woman of color Amy Johnson hired lawyers and filed charges against Alexander Hunter for assault and trespass. Her lawyers stated that Hunter, “with force and arms made an assault on her the said Amey to wit at Natchez aforesaid & then & there beat bruised wounded & ill treated her the said Amey insomuch that her life was greatly despaired of & other wrongs to the said Amey then & there did to the great

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<sup>41</sup> In her contemporary work on prostitutes in San Francisco, layered onto violence experienced as children, Farley and Barkin found that the abuse continued on the job. As they observed, “As adults in prostitution, 82% had been physically assaulted; 83% had been threatened with a weapon; 68% had been raped while working as prostitutes...” Farley and Barkin, “Prostitution, Violence Against Women,” 37. On rape as a continuity, Sharon Block commented on its “surprising stability in the practice of sexual coercion...the enactment of sexual coercion remained fundamentally intact throughout this period” [1700-1820], in *Rape and Sexual Power*, 6.

<sup>42</sup> I concur with what Judith Kellaher Schafer noted, that “Although sex across the color line was viewed with disapproval and even disgust in antebellum New Orleans, it happened frequently. And the evidence in the court records and newspapers probably constitutes only a fraction of incidents that occurred; others were either never discovered by the authorities or were hidden from view, especially those involving white men and women of color, free or slave,” in *Brothels, Depravity, and Abandoned Women*, 46. I would go one step further and say that this is the same case for rape of these women as well.

damage of her the said Amey.”<sup>43</sup> This was the only such litigation involving the rape of a free woman of color uncovered in Natchez throughout the extensive research conducted for this project. It is unclear at the time of writing if Alexander Hunter was white or a free man of color because no supporting documents, census or otherwise, have surfaced indicating his race. Indeed, there is no racial identification of either one of them—Johnson or Hunter—in the case file and it is only because Amy Johnson’s race is known in other contexts that at least one part of the racial puzzle is solved. Johnson may have been able to successfully charge Hunter if he was white as it related to a cost that she claimed in \$500 of property damages, which free people of color were able to bring against white defendants. The silence in the document, though, could imply that he was a man of color, or it could even mean that she was mistaken as white at the Circuit Court. This latter conjecture is unlikely given that there has never been any other evidence to suggest that Johnson was phenotypically able to pass or that she ever attempted to do so.

Regardless of Hunter’s race, the case is illustrative of the extreme physical and psychological torment that Johnson experienced. It is one of the only extant clues that hints at how violence affected free women of color. Doubtless, the accounting of Hunter when he “beat bruised wounded & ill treated her the said Amey insomuch that her life was greatly despaired of,” reveals a glimpse into one of a few frightening episodes Johnson survived at the hands of men, white and black. It also lends insight into explaining Amy Johnson’s seemingly volatile personality in the context of the lasting effects of Post-Traumatic Stress Disorder (PTSD). After experiencing the crippling helplessness and terror of a sexual violation, women might develop feelings of mistrust of people, fear that it could happen again, and general hyperawareness of

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<sup>43</sup> *Johnson, Amy vs. Hunter, Alexander.*

one's surroundings. Long-term effects could develop in which "An individual might become chronically distrustful, cynical, angry, irritable, aggressive, destructive, socially withdrawn, perfectionistic, dependent, anxious, moody, or depressed."<sup>44</sup>

These symptoms mirror how William Johnson describes his mother, Amy throughout the course of her lifetime and might explain her antagonistic spirit. All accounts of Amy Johnson paint a picture of an outspoken and aggressive 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 had verbal altercations on a regular basis with a great many people, and not exclusively people of color. On one occasion, 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, only written documentation proved Amy wrong. Amy had hired out her slave Sharlot to Esdra for a month. 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 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>

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<sup>44</sup> See Glenn R. Schiraldi, Ph.D. *The Post-Traumatic Stress Disorder Sourcebook: A Guide to Healing, Recovery, and Growth* (New York: The McGraw-Hill Companies, 2009), 37. These types of emotions are known to affect a great portion of present survivors of rape.

<sup>45</sup> Hogan and Davis, *William Johnson's Natchez*, 211 and 354.

On one particular occasion, Amy fell victim to an act of violence emanating from her own child. 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, even 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 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

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

<sup>47</sup> Ibid.

<sup>48</sup> Ibid.

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

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>

In the larger context of her life, Amy’s experiences were marked by periodic outbursts of violence, a pattern of abuse. It began when she was enslaved and bore two children to her owner. The rape by Hunter was a continuation of molestation by white men. Physical attacks were not limited to whites though. Three years after the attack by Hunter, Johnson sued free barber of color Arthur Mitchum, a man of her social class who 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>52</sup>

It is unclear what precipitated this act, but the fact that this extreme violence emanated from another free person of color echoed the misogyny of the larger culture and highlights its place in the public and private lives of free women of color. This sadistic act illuminates out of all free women, those of African descent were physically dominated by all men, even including enslaved men—if they were married or related to them—unlike white women, who were mainly at risk from the fists of white men.<sup>53</sup> Amy Johnson’s physical maltreatment and the subsequent PTSD

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

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

<sup>52</sup> Hogan and Davis, *William Johnson’s Natchez*, 18.

<sup>53</sup> Although as is shown through the work of Diane Sommerville in *Rape and Race*, some black men were convicted of raping white women, but many of these cases stemmed from consensual relationships. Further, they were many more social controls in place to minimize

she undoubtedly suffered took its toll on her emotionally—without doubt, anger could be debilitating and exhausting in and of itself—but it also provided her with the weapons of a sharp tongue and ready combative nature to battle for herself.<sup>54</sup>

At the heart of relationships between free women of color and white men, there remained a germ of domination. Although it is undisputed that many interracial relationships that Natchez free women of color were in with white men—marriages, unofficial marriages, and other sexual relationships—contained benefits for some women in terms of protection, patronage, property, among other desirable things, violence and coercion could certainly still remain an integral component. In a state where all African Americans were presumed “prima facie” to be slaves and freedom, in addition to being an ambivalent state of being, was also anomalous, it was bestowed upon people as a gift, even when they purchased themselves. The right to purchase oneself or others was only a legal guarantee under the Spanish. However, even in that context, as in the later American era, free people of color were expected to demonstrate the “proper” amount of gratitude and deference to whites. Further, many free people of color, like the aforementioned Fanny Leiper, had not been freed through bona fide legal means. As mentioned in Chapter Two, they had not gone through the proper legislative channels and instead, their owners had them taken to a free state and they illegally returned to Natchez, often obtaining property then as an inheritance or by their own means. However, if this issue had been pressed as it was in some

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these sorts of attacks whereas the sexual violence against women of African descent was much more widespread and less prosecuted.

<sup>54</sup> As Kimberly Hanger noted of free women of color in Spanish New Orleans, “one of their most effective weapons was the hurling of ‘palabras injuriosas’—‘insulting words’ or slander in legal parlance—sometimes accompanied or provoked by physical attacks. Frustrated with a patriarchal, racist society that discriminated against them both as nonwhites and as women, libres occasionally lashed back at their oppressors with venomous tongues,” in Kimberly S. Hanger, “‘Desiring Total Tranquility’ and Not Getting It: Conflict Involving Free Black Women in Spanish New Orleans,” *The Americas*, Vol. 54, No 4, (Apr.,1998), 551.

other court cases around the state, people who for all intents and purposes, were free, could have been deported, re-enslaved, or imprisoned and lost their property. Doubtless, this had to have compelled free women of color to maintain positive, cooperative ties with their former owners or the men who they became involved with after manumission and who offered them protection.<sup>55</sup>

In the event free women of color were in informal marriages or other forms of domestic arrangement with white men, there were numerous other pressures with which they had to contend. There was always the stark reality that notwithstanding the possibility for caring, genuine partnerships, at the root was coercion. In the event of forced sex and domestic abuse, women lived in a state of fear. There is contemporary psychological evidence that demonstrates that a history of violence minimizes women's feelings of personal safety and caused them to dread more escalated abuse. When viewed through this lens of domestic violence, long-lasting relationships between free women of color and white men that lived together, especially with children, it opens the possibility for longevity being a result of something other than love or friendship. For example, in the case of William Barland and his "coloured wife" Elizabeth, the couple had twelve children together and lived together for over a quarter of a century. The essentially unknowable question is: what was her level of anxiety regarding her own well-being and that of her children? Did she worry that if she did not capitulate to Barland's needs that she might be risking exposing herself and her children to more pain and possible return to slavery? If

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<sup>55</sup> See Charles Sydnor, "The Free Negro in Mississippi Before the Civil War," *American Historical Review* 32 (1927): 769 and Ronald L. F. Davis, *The Black Experience in Natchez, 1720-1880* (Denver: National Park Service, 1999), 50.

“patriarchal terrorism” plagues battered wives in the present, how much more amplified was it for women who lived in a time when their societal niches were defined by ambiguity?<sup>56</sup>

As free women of color in a patriarchal society, if they were married, their legal personalities were subsumed by their husbands, and they faced the pressures of conformity to dominant gender expectations. This put them at risk of domestic abuse within their households, much like white women. It was a legal right of husbands to physically abuse their wives and thus, women could not depend on the law to intercede within the bounds of marriage. At times, though, women could appeal to friends and family members to support them in times of marital difficulty. William Johnson noted the escalation of tensions within the household of Marie and Gabriel Brustie, who were godparents to some of his children. As he remarked in his diary, “I herd [sic] Brustee had been treating his wife very badly and that she was very anxious to go home to her people.” The problem had escalated by the next day and he attempted to mediate when he related that “Mrs G Brustee was at my house this morning and wanted me to go get her passage on the Princess to New Orleans—I saw her afwards and told her she had better remain at my house, that I would see Mr Brustee and things would turn out right.”<sup>57</sup> It is unclear how the problem was worked out, but it is evident that free black people had the space to intercede for one another in domestic troubles. Had the couple been a white man and a free black woman, it is

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<sup>56</sup> Researchers Alfred DeMaris and Steven Swinford have researched the link between forced sex and domestic abuse, which they say “renders women especially powerless in marriage and leads to heightened fear for their future safety...Husbands who abuse their wives sexually as well as physically are often trying to exercise complete domination over their wives with a pattern of behavior that others have called ‘patriarchal terrorism’” in Alfred DeMaris and Steven Swinford, “Female Victims of Spousal Violence: Factors Influencing Their Level of Fearfulness,” *Family Relations*, Vol. 45, No. 1 (Jan. 1996), 106.

<sup>57</sup> Hogan and Davis, *William Johnson’s Natchez*, 462.



unlikely that a free black male friend or family member would have been afforded the opportunity to intervene and might have resulted in unwanted trouble.

There were stark contrasts between the sexualized violence experienced by free women and men of color. One aspect of this disparity was measured in terms of scale. This is illustrated graphically by the far fewer instances of free men of color sexually involved with white women than the opposite dynamic of free women of color and white men. Nevertheless, some relationships like this were played out across this color line, ranging from rape to exploitation to genuine love. Like enslaved women, black male slaves engaged in interracial sex with whites. As a number of recent historians have proven, there was more sex between white women and black men than previously imagined prior to the Civil War, when racial lines were inexorably hardened and lynching became a community-sanctioned practice to subordinate black people with rape being a typical justification. Often, liaisons between white women and enslaved men, even those resulting in mixed-race children were surprisingly tolerated, due to men's monetary value to their owners.<sup>58</sup>

Importantly, though, African American men were not subjected to the degree of sexual coercion that women faced. As has been demonstrated through works that address black women's sexual availability to white men and the ugly realities with which they contended in reproductive labor, there is no question that women suffered the lion's share of abuse. With that qualifier, however diminished in the historical record, there was a space reserved for free men of color who may have experienced sexual pressure from white women. The historiography has to a small degree addressed white women, both of the planter class and the poorer socioeconomic strata, who engaged men to transgress across potentially dangerous boundaries with them.

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<sup>58</sup> Hodes, *White Women, Black Men*, 49-71, 88-95, 130-31; Block, *Rape and Sexual Power*, 163-209; Sommerville, *Rape and Race*, 102-119.

Through enticements or threats, white women pursued sexual encounters, which could place black men in jeopardy, particularly if they were women of the elite class.<sup>59</sup>

The manumission of George Smith, an African American man who settled in Natchez may have been the result of a sexually exploitive relationship. In 1827, Judith Kellher, a white woman, transported a man whom she had purchased a few months prior, to Cincinnati and “of my own free will and consent being conscientiously opposed to slavery, liberate, emancipate and forever set free George Smith.”<sup>60</sup> This wording in and of itself is virtually identical to many manumissions that white men effected on behalf of enslaved women, usually with those they had ongoing sexual relationships. Generally, when white women manumitted men, they were family servants or privileged slaves who enjoyed some sort of special status. This could suggest something very much along the lines of sexual entanglement rather than from purely ideological motives.

The experiences of free women and men of color were vastly different concerning the impact of race and sexual coercion. Free black women were more likely to have histories of sexual violence with virtually no legal recourse. Black men were disproportionately prosecuted and sentenced for the rape of white women compared to white men. However, what has emerged from this important shift in the historiography on rape is that there was a marked difference in the punishment for black and white men accused of rape. The sexuality of black men, free and enslaved, was viewed as much more of a threat to whites in accusations of rape by subverting the hierarchical ordering of society. Therefore, authorities and community members evinced a greater tendency to legally prosecute indiscretion between black men and white

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<sup>59</sup> Hodes, *White Women, Black Men*, 125-139.

<sup>60</sup> Adams County Chancery Court, Deed Book P, 1827, 432.

women. Further, class exerted a major influence over whether white women would be viewed by the courts and communities as honorable and reliable witnesses, worthy of protection. Due to their enhanced social standing and their own personal reputations as well as their families,' if sexual liaisons were uncovered to community censure, upper class whites were more apt to claim rape and cull the support of the courts and community. In situations of rape, the result for a black man could be execution. The character of the free man of color would be on trial as well and if a man was found to be accepted by the local community as industrious, sober, and of good character—it certainly helped if one was educated, propertied, and slaveholding—there was always a chance that he would be found not guilty or even pardoned.<sup>61</sup>

Free men and women of color lived under constant reminder to carefully navigate their way through Natchez society by adhering to the established racial code. Failure to do so could result in physical violence and threats in their standing in the community. Bringing this into sharp relief, it is only necessary to carefully examine the wording of documents in which people won their freedom or inherited property and observe that liberty was tied to behavior. For example, in the emancipation papers of a young free man of color, Thomas Cook, who was born enslaved and then was apprenticed until the age of 21, the telling language of an addendum allowing him safe travel instructs people to “let him pass and so long as he behaves well.”<sup>62</sup> This is extremely subjective in that it left his freedom dependent on how any other person judged his actions. If he made a spectacle of himself in some way by perhaps overstepping the carefully crafted boundaries of acceptable actions for free people of color by using abusive language or

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<sup>61</sup> Hodes, *White Women, Black Men*, 49-71, 88-95, 130-31; Block, *Rape and Sexual Power*, 163-209; and Sommerville, *Rape and Race*, 102-119.

<sup>62</sup> Adams County Chancery Court, Deed Book M, 1822, 221.

public drunkenness or not making the proper alliances with respectable people, by committing crimes like theft or rape, there was a risk that he could make a quick return to slavery.

### **Conclusion**

The cases presented in this chapter detail a small sampling of the brutality that was leveled against free women and men of color in Natchez and illustrate various forms of violence and the attendant sexualized dimension embedded within. As suggested by the case of Kitty McCary, free people of color often did not outlive this physical menace of violence and became victims to its brutality. Throughout the periodic attacks on the community of free people of color, the many people who were subjected to police detainment and deportment from the state, more often than not, without their property and cut off from connections of family and friends, were casualties of this rampant violence that constantly hung over their heads. The presence of violence at all times, although weighty, was met with the tenacity of men and women intent on surviving and hoping one day to see themselves vindicated in their triumph over it. The fact that they chose to continue to persevere in Natchez speaks volumes of them. As Anna Johnson remarked of her free grandmother, Harriet Battles, “I don’t believe any thing would induce Grand Ma to leave Natchez,”<sup>63</sup> a telling statement that in light of what is known about the pervasiveness of violence in structuring this one free family’s experience in the United States during the era of slavery and their ability to overcome, resist, and survive this ‘perpetual torment.’

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<sup>63</sup> Gould, *Chained to the Rock*, 37.

## CHAPTER FIVE

### **“She is ‘Much Grieved at the Idea of Being Driven from the Land of Her Home and Her Friends to Find Shelter She Knows Not Where’<sup>1</sup>: The Link Between Public Sentiment against Free People of Color and Threats to Property**

#### **Introduction**

The contest over Fanny Leiper’s real estate reveals multiple aspects of the challenges of property ownership among free people of color in Natchez particularly involving the claiming of one’s personhood and the right to retain financial assets. In 1847 Leiper, a free woman of color, initiated a suit against her next-door neighbor, Malvina Huffman—another free woman of color—and Oliver Bemiss, Joseph Winscott, and Malvina’s agent James Walsh, all white, for defrauding her of her property by false means through Mississippi’s Southern District Chancery Court in Natchez. One issue under consideration was whether or not Leiper was legally free when she bought a city lot and contracted to build a house in 1834. The other question grappled with determining if she had purchased the property with her own means or if it belonged to Joseph Winscott, a white man with whom Leiper had been involved, whose name also appeared on the deed. This ensued into a lengthy legal drama, lasting over four years. The local court decided that Leiper was not entitled to any relief and ordered the case dismissed at her expense. Dissatisfied with this verdict, Leiper 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

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<sup>1</sup>Mississippi Department of Archives and History, Legislative Papers, Petitions and Memorials 1830; Record Group 47; Volume 19, Resolution for the Benefit of Ester Barland, 7 December 1830.

else,”<sup>2</sup> and as such, permitted her to hold property. She eventually won the case but nevertheless lost the house and lot due to her untenable position as a free black woman who was forced to leave Natchez years earlier for Cincinnati. Controlling the property from a distance proved too challenging and Huffman ultimately preserved the ill-gotten house and lot for herself. However, the case divulged issues of broader significance, exposing how freedom and the ownership of property buttressed one another and how intense the struggle to maintain both could be for free people of color, even pitting one person of the same social class against the other.

This chapter argues that free people of color went to great lengths in securing and maintaining property for themselves in Natchez. Their paramount concern was to obtain ownership of themselves and to establish their independent claim to their own time and persons. The liberation of loved ones was also a priority to them. Relating to the aforementioned endeavors, the accumulation of real estate and personal property was critical to the maintenance of this precious freedom. Further, property accumulation allowed free blacks to exercise a modicum of financial power within Natchez. However, there were myriad challenges to their ability to freely exercise ownership rights over real estate, slaves, and even themselves. Both men and women strenuously utilized the courts to uphold their rights repeatedly succeeded. They overcame hostile efforts to take advantage of their ambiguous status as free people of color who, while not enslaved, were nevertheless denied the social, legal, and economic protections of white privilege and only retained property by passing it down through generations of descendents. At times, however, they did not have the financial resources, enough influential advocates, or the preponderance of positive public opinion.

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<sup>2</sup> *Leiper vs. Huffman. et al*, Mississippi High Court of Error and Appeals case 6185, (1851).

As with sundry other manifestations of freedom, property ownership had a gendered dimension. One important difference between the sexes in Natchez was that there were more female property owners. Men and women did not procure nor protect assets in a like manner and these differences notably marked their experiences. Women, much more so than men, inherited property from white men to whom they were not blood related and with whom they had often cohabited on the property that they inherited. This made them susceptible to challenge from the men's white relatives and associates. This chapter also considers the various gendered reasons why free men and women of color utilized slave labor and examines their efforts to maintain ownership over their bond people, in the face of threats by others to take them. On the whole, however, free blacks utilized whatever resources they could muster to defend their property, human and inanimate.

### **Challenges to One's Most Intimate Property: Themselves**

Natchez was a frontier area for much of its history. Its proximity to the Mississippi River ensured a high level of fluidity and movement of people, both geographically as well as a vacillation between states of bondage and freedom. When the Natchez District fell under the jurisdiction of Spanish law, from 1779-1795, enslaved people could be "gifted" with their freedom by willing owners or guaranteed a right to purchase themselves from disinclined ones. In spite of these paths to liberty, manumission often occurred within a hotly contested space, especially in the event of the death of an owner. Men and women of African descent thus had to laboriously fight to become free and safeguard their attained status against discontented relatives who may not have conceded to the dictates of the deceased. Spanish governance was short-lived in Natchez—lasting a brief nineteen years—and comparisons cannot be easily made with Spanish New Orleans. The numbers of free blacks during the Spanish period in Natchez were

small and never reached what Kimberly Hanger terms a “critical mass,” as in New Orleans. In spite of this, though, it is evident that they knew their rights and pursued justice for themselves through the courts.<sup>3</sup>

Under Spanish—unlike British and American—law, enslaved African Americans as well as free people of African descent had direct access to the legal system to prove their freedom. They were unburdened of the obligation of involving a white person to support their contention and initiate litigation for them.<sup>4</sup> Thus, slaves and free people of color could and did bring freedom suits against whites under law. One woman, Emma Lewis, requested the court to appoint a lawyer to represent her against the claims of Joseph Barnard and the heirs of Asahel Lewis—her deceased owner who acknowledged paternity of her son. Barnard petitioned for Lewis and her son Henry to be returned to slavery, accusing them of living unlawfully as free and produced four witnesses attesting to forged papers. As with other cases, especially those involving blood relations and the issue of property loss, it was heavily contested. The legal struggle persisted for at least a year and a half. After the Lewis estate was inventoried, the proof of Emma and Henry’s freedom was brought to light in an unofficial manumission document in

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<sup>3</sup> The free black presence in New Orleans has always greatly overshadowed that of Natchez. For example, in the years that Hanger examined, she counted 1,921 manumissions that took place. See Kimberly Hanger, *Bounded Lives, Bounded Places: Free Black Society in Colonial New Orleans, 1769-1803* (Durham: Duke University Press, 1997). During the Spanish period in Natchez, the number of free blacks in the area numbered under 50, so the contrast between the former burgeoning urban area and the rural, provincial outpost is clear.

<sup>4</sup> For discussion of the legal personalities of people of African descent under Spanish law and their ability to initiate legal action independently, see some studies such as: Hanger, *Bounded Lives*, 25-28, 50; Jane Landers, “‘In Consideration of Her Enormous Crime’: Rape and Infanticide in Spanish St. Augustine” in *The Devil’s Lane: Sex and Race in the Early South*, eds. Catherine Clinton and Michele Gillespie, 232-246 (New York: Oxford University Press, 1997), 205-209; and Evelyn P. Jennings, “Paths to Freedom: Imperial Defense and Manumission in Havana, 1762-1800,” in *Paths to Freedom: Manumission in the Atlantic World*, eds. Rosemary Brana-Shute and Randy J. Sparks, 121-141 (Columbia, S.C.: University of South Carolina Press, 2009), 122-124.



Lewis' handwriting discovered in a locked trunk in the house. Lewis had thus successfully battled to maintain the freedom of herself and her son and was able to respond independently to the economically motivated charges of white heirs who loathed losing ownership of the pair.<sup>5</sup>

The case of Betty and Jude is another illustration of free people of color successfully using the courts to challenge the illegal actions of whites holding them in bondage during the Spanish period. Born to a free mother in North Carolina, these sisters were indentured until the age of twenty-one and brought to Natchez. Prior to their liberation, however, James Willing, an American who led a plundering expedition against the settlers living under Spanish rule in 1778 seized Betty and Jude and sold them into slavery. By the time that their petition reached the governor, Estaban Miro, in 1789, they had served the terms of their indentures and had unlawfully been held in slavery for several additional years. Not only did they seek release from illegal enslavement, but compensation for their time and labor.<sup>6</sup>

Closely examining the experiences of Betty and Jude, however, highlights their navigation of the legal system, but also exposes the risks that free people of color faced in the process of being indentured to another person. By its very nature, the state of being apprenticed, although not slavery, was a legal obligation by which one contracted to labor for a set number of years. This temporary relinquishment of one's independence and ability to operate as an unencumbered individual contained the inherent menace of being removed from familiar

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<sup>5</sup> Judy Riffel, *Calendar of the Natchez Trace Collection Provincial & Territorial Documents, 1759-1813* (Baton Rouge: Le Comite des Archives de la Louisiane, 1999), 56, 58-59, 71, 74, 84, 181; *Natchez Court Records 1767-1805*, The May Wilson McBee Collection, 283; G. Douglas Inglis, "Searching for Free People of Color in Colonial Natchez," *Southern Quarterly*, Vol. 43, No. 2 (Winter 2006), 106.

<sup>6</sup> Adams County Chancery Court, Spanish Records, Book F, 142; Gilbert C. Din, *Spaniards, Planters, and Slaves: The Spanish Regulation of Slavery in Louisiana, 1763-1803* (College Station, TX: Texas A&M University Press, 1999), 88-89; D. Clayton James, *Antebellum Natchez* (Baton Rouge: Louisiana State University Press, 1968), 22-24.

surroundings and people who could attest to one's status as a free person of color and illegally sold into slavery elsewhere. After Americans assumed control of Natchez as part of the newly acquired Mississippi Territory in 1798, this peril was progressively heightened due to the great expansion of slavery in this period and the more restrictive laws of Americans toward people of African descent compared to those of the Spanish. Under Spanish law, Betty and Jude retained a legal personality and were thus able to independently bring grievances against their owners. In the subsequent American governance, people claiming freedom had more difficulties arguing their cases.<sup>7</sup>

As slavery became more entrenched in Mississippi, it became increasingly difficult for African Americans to gain and maintain liberty. Between the time that Mississippi became a state in 1817, and 1835, the movement of enslaved people from the eastern seaboard resulted in a black majority. Indeed, as Tables 5.1 through 5.3 demonstrate, a comparison of other southern states demonstrates that Mississippi had the biggest explosion in population of enslaved African Americans of any other state and by 1860, was third in enslaved inhabitants only to the more established states of Virginia and Georgia. In spite of this, however, Mississippi had the smallest number of free black people and the lowest ratio of free blacks to enslaved African Americans almost consistently in all decades from 1820-1860, as revealed by Tables 5.1-5.3.<sup>8</sup>

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<sup>7</sup> On the helpful aspect of the apprenticeship issue, see John Hope Franklin, *The Free Negro in North Carolina, 1790-1860*. Chapel Hill: University of North Carolina Press, 1943, 122-131.

<sup>8</sup> David J. Libby, *Slavery and Frontier Mississippi, 1720-1835* (Jackson: University Press of Mississippi, 2004), 61.

**TABLE 5.1 Population of Enslaved African Americans in Select Southern States<sup>9</sup>**

	<b>1820</b>	<b>1830</b>	<b>1840</b>	<b>1850</b>	<b>1860</b>
MS	32,814	65,659	195,211	309,878	436,631
AR	-----	4,576	19,935	47,100	111,115
AL	47,449	117,549	253,532	342,844	435,080
GA	149,656	217,531	280,944	381,682	462,198
LA	69,064	109,588	168,452	244,809	331,726
NC	205,017	245,601	245,817	288,548	331,059
SC	251,783	315,401	327,038	384,984	402,406
TN	80,107	141,503	183,059	239,459	275,719
VA	425,153	469,757	449,087	472,528	490,865

**TABLE 5.2 Population of Free Blacks<sup>10</sup>**

	<b>1800</b>	<b>1820</b>	<b>1830</b>	<b>1840</b>	<b>1850</b>	<b>1860</b>
MS	182	458	519	1,366	930	773
AR		----	141	465	608	144
AL		633	1,572	2,039	2,265	2,690
GA		1,763	2,486	2,753	2,931	3,500
LA		10,897	16,710	25,502	17,462	18,647
NC		14,612	19,543	22,732	27,463	30,463
SC		6,714	7,921	8,276	8,960	9,914
TN		2,727	4,555	5,524	6,422	7,300
VA		36,889	47,348	49,852	54,333	58,042

**TABLE 5.3 Percentage of Free to Enslaved African Americans<sup>11</sup>**

	<b>1820</b>	<b>1830</b>	<b>1840</b>	<b>1850</b>	<b>1860</b>
MS	1.4	.8	0.7	0.3	0.2
AL	1.3	1.3	0.8	0.7	0.6
AR	----	3.0	2.3	1.3	0.001
GA	1.2	1.1	1.0	0.8	0.8
LA	13.6	13.2	13.2	8.0	5.0
NC	6.7	7.3	8.5	8.7	8.4
SC	2.6	2.5	2.5	2.2	2.4
TN	3.3	3.1	2.9	2.6	2.8
VA	8.0	9.2	10.0	10.3	10.6

<sup>9</sup> Source: Historical Census Browser. Retrieved [Nov. 28, 2010], from the University of Virginia, Geospatial and Statistical Data Center:

<https://fisher.lib.virginia.edu/collections/stats/histcensus/index.html>.

<sup>10</sup> Ibid.

<sup>11</sup> Ibid.

The personal experiences of free African Americans who migrated to Natchez willingly or in captivity illuminate the trials they underwent to secure their freedom. Several people experienced an elongation of their indentures and, much like Betty and Jude, served extra years and only through their diligent efforts, proved their freedom. The westward expansion of slavery into rapidly growing areas like Mississippi was a lucrative venture that provided enticements for owners to sell enslaved people—even those who had been promised manumission. Indeed, as one historian has argued, the frenzied development of slavery and never-ending need for human labor encouraged the abuse of the system and the people trapped illegally within it. The complication of being transferred from one region of the country as well as from one owner to another put them at risk of being held past their term or never receiving their freedom at all.<sup>12</sup>

One man's experiences graphically illustrate this hazard. Dick was indentured at the time that he was ten or twelve, and was slated to be freed at age 21. His indenture was sold to a series of different white men, however, and he was held in servitude until he was near forty years old. In 1801, several witnesses gave depositions attesting to his delayed freedom. Thus, almost two decades passed before Dick was finally able to establish his manumission.<sup>13</sup> Dick was not an anomaly in that the abuses of indentures were actually widespread among those who were free and intended to be made free, particularly when it involved long-distance movement. As one publication of the time period noted:

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<sup>12</sup> Adam Rothman argues “that the expansion of slavery was crucial to the origins of the Deep South as it actually emerged, but it is also possible that the expansion of slavery blocked the emergence of a very different Deep South where—if he had chosen to go there—John Eadis [a free black man] might have lived in peace and freedom.” Adam Rothman, *Slave Country: American Expansion and the Origins of the Deep South* (Cambridge: Harvard University Press, 2005), 223.

<sup>13</sup> Adams County Chancery Court, Deed Book C, 1801, 34-35.

Such also of this race, as are entitled to their freedom, at a definite but future period, are particularly exposed to the danger of being removed, by this shameful traffic, beyond the power of rescue. Poor, ignorant, and friendless, how can the indented black, when sold to a southern trader, and carried to a distant market, where the colour of his skin is legal evidence of his slavery, recover the liberty to which he is entitled? Numerous instances have occurred of free persons, or those who were bound for a limited time, being rendered the objects of this trade.<sup>14</sup>

The case of Letty elucidates the complicated process of these graduated manumissions or, in other words, those that were to take effect at some future point. She was a black woman from Maryland who was promised her freedom in 1805 when she reached the age of 37. Her owner, Thom Harrison, sold Letty when she was twelve by to Zephemiah Webster with the agreement that in twenty five years, she would gain her freedom. Webster thereafter moved to Kentucky and sold Letty to another man, Richard Phillips. Over a period of 15 years, Letty changed owners a total of five times. In 1820, however, Zephemiah Webster interceded on his former slave's behalf and brought a petition to the Nelson Circuit Court in Bardstown to obtain an order to prevent her current owner, Nathaniel Wood, from leaving Kentucky with her. Webster feared Wood would take her "to New Orleans or Natchez in the state of Louisiana and there make sale of her and will thereby defeat all prospects of her freedom by removing her so far from this state where the evidence of her freedom exists."<sup>15</sup> The court finally gave Wood permission to take Letty out of the bounds of the state of Kentucky with the stipulation that he would have the papers attesting to her graduated freedom transcribed and recorded at the county court of the

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<sup>14</sup> Enoch Lewis, ed. *African Observer: A Monthly Journal Containing Essays and Documents Illustrative of the General Character, and Moral and Political Effects of Negro Slavery* (Philadelphia: 1828) July 1827, 103. Retrieved [November 20, 2010] from [http://books.google.com/books?id=3a0SAAAAYAAJ&printsec=frontcover&dq=african+observer&hl=en&ei=-MT8TPzeBZLfnQfLkNDGCg&sa=X&oi=book\\_result&ct=book-thumbnail&resnum=1&ved=0CCUQ6wEwAA#v=onepage&q&f=false](http://books.google.com/books?id=3a0SAAAAYAAJ&printsec=frontcover&dq=african+observer&hl=en&ei=-MT8TPzeBZLfnQfLkNDGCg&sa=X&oi=book_result&ct=book-thumbnail&resnum=1&ved=0CCUQ6wEwAA#v=onepage&q&f=false).

<sup>15</sup> Adams County Chancery Court, Deed Book L, 124-128.

location to which Letty was sold. Two months after the court rendered this decision; Wood sold her to Daniel Hoff of Natchez with the understanding that in 1830, she would be manumitted. Her name does not appear in any further documents in Natchez after that point, thus leaving the question of her freedom unanswered. If she did finally experience freedom, what short-term and long-term effects did her enslavement have on her life? One can assume that with six different male owners Letty most likely was sexually exploited. If manumission was actuated finally in Natchez, what allies would she have made in terms of protectors who would facilitate her transition to liberty? Would she, like Dick, be susceptible to continued enslavement? We do not know the answers to these questions, which further underscores the ambiguity of freedom for people of African descent.

Similar to Letty, Bill Hayden experienced a long and protracted exertion for his freedom. Born in the state of Virginia, from a very young age, he was promised his freedom, but the financial difficulties and treachery of at least nine different owners to whom he was sold prevented this seemingly empty hope from materializing. However, as his account demonstrates, freedom was a powerful motivator. He related, “This raised my spirits to a high degree, and I became still more attentive to my duties, determining to deserve, if it were really in my power, my freedom from bondage...Naught but the thought of being a FREE MAN filled my mind from morning until night.”<sup>16</sup> He became literate and gained skills like barbering and rope making which enabled him to save money to ultimately purchase his liberty. His experience diverges from Letty, however, in that his bid for freedom was undeniably successful and that he willingly gravitated to Natchez after a local white man assured him “that as soon as I had freed myself, if I

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<sup>16</sup> William Hayden, *Narrative of William Hayden, Containing a Faithful Account of His Travels for a Number of Years, Whilst a Slave, in the South, Written by Himself*. (Cincinnati, 1846), 8. <http://docsouth.unc.edu/neh/hayden/hayden.html>.

would come to Natchez and become a citizen of the place, I might depend upon any assistance which lay in his power to render me.”<sup>17</sup> In the hopes that connections he had made with influential local white men during his travels while enslaved would provide him with a secure base to begin a new life, he migrated to Natchez in 1826 and labored to build a barbering business for himself and obtain property. Here he found an impermanent haven for a few years.<sup>18</sup>

Probing the free black population living in Natchez reveals another disturbing trend: that of freeborn people, mainly men, who were kidnapped in the North and sold south. John Roach, born to a free mother, was abducted from his home in Philadelphia as a boy and sold to a series of owners, the last of whom, Justine and Zeno Romaine, resided in New Orleans. After having one of his ears cut off, being branded with their initials on his chest, and subjected to harsh whippings, Roach ran away. He was captured, imprisoned and while incarcerated, was reacquainted with a sailor he had known in Philadelphia who attested willingly to his former free status. This commenced a year-long freedom suit and multiple witnesses were called in to testify for and against Roach. Fortunately, the evidence and testimony persuaded the judge that he had been “improperly and illegally held in Bondage and ordered released in 1818.”<sup>19</sup> Perhaps for similar reasons to those that drew Bill Hayden, he migrated to Natchez in 1826. However, it is likely that Roach gradually made his way back to his hometown and only resided there briefly.

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<sup>17</sup> Ibid., 97.

<sup>18</sup> Adams County Chancery Court, Deed Book O, 1826, 460; Mississippi Department of Archives and History, Legislative Papers, Petitions and Memorials 1817-1839, ca. 1829; Record Group 47; Box 17; Volume 16.

<sup>19</sup> Adams County Chancery Court, Deed Book O, 1826, 462-477.

Another freeborn man, Peter Lusan, was imprisoned on suspicion of being a runaway while living in New Orleans. Throughout his freedom struggle, he was required to provide witnesses attesting to his free birth in New York City and his occupation there as a butcher. He, too, convinced the justice of his status as a free man and migrated to Natchez in 1827. It appears that both of these free black men—who had similar experiences of being free born, kidnapped, and illegally enslaved—successfully proved their freedom, and gravitated to Natchez, which they viewed as only a temporary refuge. Luckily, for both men their freedom suits had been victorious.<sup>20</sup> Typically, however, the likelihood of actually convincing sympathetic whites to come to their aid and speak in their favor about their ambiguous social status was small. This is apparent by examining the ordeal of yet another free man of color from Philadelphia, Peter Hook, who was illegally kidnapped into slavery and sold elsewhere into Mississippi along with twelve other free blacks. As he related, they were psychologically and physically brutalized by their captors, “were not permitted to talk to anyone they met,” and were threatened with whipping “for saying we were free.”<sup>21</sup>

Although less is known about the incidence of kidnappings of free people of color in the Deep South and subsequent sale into slavery elsewhere, it happened. There were occasional kidnappings reported in surrounding states, such as Louisiana and Tennessee. Marguerite S. Fayman, the granddaughter of a French planter and Haitian woman, was “taken up bodily by a white man, carried on the boat, put in a cabin and kept there until we got to Louisville,

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<sup>20</sup> Adams County Chancery Court, Deed Book P, 1827, 521-522.

<sup>21</sup> David J. Libby, *Slavery and Frontier Mississippi, 1720-1835* (Jackson: University Press of Mississippi, 2004), 64 and John Blassingame, ed. *Slave Testimony: Two Centuries of Letters, Speeches, Interviews, and Autobiographies* (Baton Rouge: Louisiana State University Press, 1977), 181-183.



Kentucky.”<sup>22</sup> Undoubtedly, fear for their children deeply affected free parents of color as the young were targets for slavers due to their age and lessened probability of resisting strenuously.

Yet another disturbing account of kidnapping in the South that highlights their vulnerability to being unlawfully taken was poignantly captured by an ex-slave who related the following:

A great many colored people who were free born have been kidnapped. I remember one family, by the name of Parris, who lived in an out-of-the-way place in that part of Tennessee which was taken from the Chickasaw Indians, I believe, who all at once disappeared, & it was said that they had been carried away by some kidnappers. There are speculators there who are all the time speculating in human flesh & blood, --buying up men, women & children and if they find out that there are any free families who are not much noticed by the inhabitants, they will go in the dead hour of the night & kidnap them, take them off 25 or 30 miles, put them into a slave pen, & that is the last of them. They never kidnap men who are known to be slaves. They will steal a man's horse, or his cow, but they won't steal his slaves, as a general thing.<sup>23</sup>

This passage graphically highlights the paradoxical condition in which free people of color found themselves. When they attempted to live their lives autonomously and not attract attention to themselves, living in a manner that was “not much noticed by the inhabitants,” they thus placed themselves in a vulnerable situation. However, they ran the risk of erring by presenting themselves too conspicuously in Natchez also and stirring up resentment among whites. The ambiguity in the status of free black treatment was accentuated in unstable periods in Natchez, which was obviously beyond their control.

The political climate during the time period in which Bill Hayden, John Roach, and Peter Lusan migrated to Natchez, the 1820s, was one of deepening hostility toward free people of color. In 1822, after the fear inspired in slave holders by the Denmark Vesey conspiracy in South

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<sup>22</sup> As chronicled in Schweninger, *Black Property Owners*, 135 and Wilson, *Freedom at Risk*, 10.

<sup>23</sup> Blassingame, *Slave Testimony*, 403

Carolina, they pressured legislators in Mississippi to pass laws limiting the growth of the free black community. One of them made it illegal for any free person of color from other states to settle in Mississippi unless they provided a security of \$500 and exhibited “good behavior.” Further, they could only reside for 30 days within the state. If they remained in Mississippi after that time, they could be incarcerated and within 20 additional days, sold for a year’s time to the highest bidder.<sup>24</sup>

Another repressive facet of the 1822 legislation concerned free people registering themselves in their respective counties. Free blacks had to apply to the Orphan’s Court and record such characteristics as name, age, color, height, notable physical features like scars, and why they were manumitted. They had to pay one dollar to get a copy of this certificate. If they failed to procure this document or did not, for whatever reasons, have it in their possession, they were liable to be “committed to Jail and Sold.”<sup>25</sup>

Peyton Abbey was one such person who was unable to produce his free papers as proof of his status. He was imprisoned for being a runaway slave. Despite the fact that no one claimed him as such, he languished in prison for several months. Unlike the Spanish laws under which enslaved and free African Americans had a legal personality and could turn to the courts for redress in the face of illicit captivity, laws passed after American governance, particularly after 1822, made freedom suits increasingly more complex and expensive to win. Convincing sympathetic, respectable whites to vouch for one’s status and provide character references was

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<sup>24</sup> A. Hutchinson, *The Code of Mississippi: Being an Analytical Compilation of the Public and General Statutes of the Territory and State, with Tabular References to the Local and Private Acts, from 1798: with the National and State Constitutions, Cessions by the Choctaw and Chickasaw Indians, and Acts of Congress for the Survey and Sale of the Lands, and Granting Donations Thereof to the State* (Jackson: Published for the Compiler, by Price and Fall, 1848), 523-524

<sup>25</sup> Adams County Chancery Court, Deed Book BB, 1831, 292.

necessary for one's battle in part because of the cost. The plaintiff was responsible to pay for the security determined by the court and to reimburse all costs should his or her bid for freedom fail. Further, they were required to continue to serve their owner until the court delivered a decision. This could open them up to potential abuse and pressure to abstain from the litigation. Anyone aiding them in the case would be fined a stiff penalty of \$100 to be paid to the owner should the plaintiff fail to prove their freedom. And finally, the people most uniquely qualified and sympathetic to their plight—anyone belonging to an emancipation organization—was barred from sitting on the jury. These restrictions and discouragement of potentially helpful individuals placed men and women trying to establish or reestablish their liberty at an unfair disadvantage. It is impossible to chart with any confidence how many free people were illegally enslaved and unable to effectively sue for their freedom.<sup>26</sup>

In Abbey's case, however, sufficient evidence was eventually brought forward to convince the judge to release him. Ironically, in the decision granting his freedom, Abbey was responsible for all the costs he had incurred. In his case, it was necessary to indent himself for three years as a servant to Robert Parkinson. At the conclusion of his indenture, he was finally able to procure papers attesting to his free status. Thus, in spite of a system that was inherently biased against free people of color and the lost years of his life in which he unfairly had to pay for a crime he did not commit, Abbey staked out a free identity for himself. He was particularly fortunate in that he was offered the opportunity to be indentured to pay off his court costs and escaped being sold into permanent slavery. But again, it is worth asking the question of this

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<sup>26</sup> Hutchinson, *The Code of Mississippi*, 523-524; Ira Berlin, *Slaves without Masters: The Free Negro in the Antebellum South* (New York: Vintage Books, 1971), 102-103 and 140.

group who often lived in the margins: how many people never reached the point that they were able to convince sympathetic onlookers to give assurances for their freedom?<sup>27</sup>

The fate of two other men jailed during the same period was less clear. John Wright, who claimed to be free, was imprisoned because he did not have the papers to support his contention as was a man referred to only as Elias. Both men had physical features suggesting a history of violence perpetrated upon them and probably a connection to slavery in their pasts. Wright was “very much scared [sic] on the buttock with the whip” while Elias had two missing upper front teeth, a scar over his right eye, and several scars around his neck.<sup>28</sup> What *is* evident, however, is that the practice of jailing was used not only for runaway slaves but for free people of color who were not known in a certain locale, linking the two populations with the presumption of any evidence of African ancestry and a distrust of them in general. Legislation passed in 1822 contained an article relating to free people of color who were not local to a given county. If they “intruded” in another town than the one in which they had been emancipated, and were not registered, they could be apprehended and investigated and if found to have “no honest employment,” and treated like a vagrant. The language of “intrusion” is very telling in this instance—that free people of color were viewed with extreme suspicion and hostility as a class,

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<sup>27</sup> Adams County Chancery Court, Deed Book BB, 1831, 292. As Carol Wilson points out in *Freedom at Risk*, p. 45, “In most southern states, blacks who were jailed for any reason could be legally sold into slavery to pay their jail and court fees. Thus, if a black were jailed as a fugitive and no one claimed ownership of the suspect and paid the jail fees, then he or she could, ironically, be sold into slavery.” This was certainly the case in Natchez.

<sup>28</sup> *The Mississippi State Gazette*, Saturday, March 20, 1819; Issue 20; Col C; *Natchez Gazette*, Wed. May 18, 1825; Issue 21; Col C.

as outsiders. There may have been those with powerful and influential patrons and supporters, but in the event that one had not garnered such connections, their vulnerability was laid bare.<sup>29</sup>

The situation grew ever direr for free people of color in the wake of widely publicized rebellions or even mere rumors of them in the 1830s and 1840s. Nat Turner's 1831 rebellion was perhaps the most notable on the national stage, but other local revolts also occurred in the mid-1830s and early 1840s. All of these plots implicated free blacks as an undesirable class of people that had undue influence on the enslaved and even leaned toward abolitionist tendencies. In 1831, worried legislators passed more restrictions limiting the movement of free people of color, including a measure to force all between the ages of 16 and 50 to vacate the state within 90 days unless they registered with their county courts as to their good character. The laws also sought to further restrict migrant free blacks from entering Mississippi. The penalty for failing to comply with this order was 39 lashes. If the offending person did not leave in 20 days following this, they could be sold into slavery.<sup>30</sup> As one editor enthusiastically noted, if whites "strike still deeper, we would not only prevent their future emigration to Mississippi, but compel the removal of every negro now free"<sup>31</sup>

One of the great ambiguities in treatment of free black people had long been the tension between legislators at the state level who were answerable to the entire population of Mississippi, including regions that historically did not have as much tolerance toward this class and many citizens of Natchez who had either freed enslaved members of their households or had some other business or personal relationship with them. Further, there were factions within

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<sup>29</sup> Hutchinson, *The Code of Mississippi*, 525.

<sup>30</sup> Ibid. 533-538.

<sup>31</sup> *Natchez*, November 11, 1831.

Natchez itself who were divided on their perceptions of free blacks. This was discernable even before the 1831 amendments and is illustrated in the 1830 petition of Esther Barland. In her plea to the state legislature, 33 white citizens attested that, because of her “industry,” she should have an exception to the compulsion to leave the state. They pointed out that this type of preemptive legislation against free people of color “caused her much anxiety” and that she was “much grieved at the idea of being driven from the Land of her home and her friends to find shelter she knows not where.”<sup>32</sup> Barland was part of a larger, well-known Natchez family of free blacks, the progenitor of which was Elizabeth Barland, who had twelve children with her former white owner, William Barland. Their sons and daughters inherited a substantial amount of money, land, and slaves and were variously designated as white or “mulatto” on census returns. Moreover, Andrew Barland had petitioned the state legislature successfully, with the support of numerous white members of the local community, to be imbued with the privileges of a white man. Thus, being associated with a family in good standing within the larger community as Esther was, it is not terribly surprising that she was granted permission to stay within the state.

It was imperative to follow the law to the letter, especially for those free blacks who did not originate from well-respected, deep-rooted families like the Barlands, and chiefly for those who had migrated in from other states. William Hayden was among two other free black men, James Miller and Hannibal, who were granted a legislative act in the late 1820s to remain in the state. Hayden pointed out poignantly that the 1822 law requiring free blacks from other states to leave Mississippi would “produce absolute ruin to his prospects.” In the few years that he had resided in Natchez, he had accrued a solid business, a good reputation among the local citizenry,

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<sup>32</sup> Mississippi Department of Archives and History, Legislative Papers, Petitions and Memorials 1830; Record Group 47; Volume 19, Resolution for the Benefit of Ester Barland, 7 December 1830 .

and owned property. But in light of the persistent peril "of being driven from his home," he petitioned for "a special act exempting him from that part of the said act which requires his removal from the state."<sup>33</sup>

Although Hayden ultimately received permission, along with the two other men, the crucial lesson was that it took diligent, exhaustive effort to curry favor among supporters as well as money to initiate legal proceedings of such a nature. No doubt this took its toll mentally, psychologically, and perhaps even physically. By the early 1830s, Miller decided to relocate with his wife, Adelia Johnson, and their children to New Orleans because of the far larger population of free people of color and heightened opportunities to flourish in his barbering business. Additionally, he supported his brother-in-law William Johnson by transferring his clientele into his hands. Hayden also emigrated from Natchez to Cincinnati in the early 1840s, following the period in 1841 that Johnson dubbed "the Inquisition."<sup>34</sup> As he intimated in his narrative—rich with dramatic emotion, but maddeningly bereft of details—he thanked his god for giving him the power "to brave my oppressors, and declare my rights, when the thong [sic] and the scourge were about to be applied to me at Natchez." He continued to say that "it was He alone, that thwarted them in their proposed cruelty, and saved His weak and dependant creature from their

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<sup>33</sup> Mississippi Department of Archives and History, Legislative Papers, Petitions and Memorials 1817-1839, ca. 1829; Record Group 47; Box 17; Volume 16.

<sup>34</sup> Edwin Adams Davis and William Ransom Hogan, *William Johnson's Natchez: The Antebellum Diary of a Free Negro* (Baton Rouge: Louisiana State University Press, 1951), 13, 340-347; John Hebron Moore, *The Emergence of the Cotton Kingdom in the Old Southwest: Mississippi, 1770-1860* (Baton Rouge: Louisiana State University Press, 1988), 265-267; Virginia Meacham Gould, *Chained to the Rock of Adversity: To be Free, Black, & Female in the Old South* (Athens: The University of Georgia Press, 1998), xxxi-xxxii; Nik Ribianszky, "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." *The Journal of Mississippi History*, Vol. LXVII, No. 3, Fall 2005, 231-232.

savage and infamous designs.”<sup>35</sup> Whatever violent fate Hayden and his family escaped by fleeing Natchez, it is clear they were not the only ones to experience that frightening repression and expulsion from the state following the “Inquisition.”

In the summer of 1841, slaves reputedly planned a revolt to rise up against their owners that targeted plantations spanning both sides of the Mississippi River, including Natchez, and supposedly involving free blacks. 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>36</sup> Vigilance committees quickly formed in cities like Natchez and Vicksburg and free people of color were investigated as to their compliance of the 1831 legislation of being legally registered with county courts. The hysteria regarding free blacks and their real or imagined collusion with abolitionists precipitated into their impromptu trials before the committee and a number of individuals were ordered to leave Mississippi. Some men, women, and children were unlucky in this pursuit and were deported from the state. Others, like Lavinia Bird, met an even more harsh fate. She was persecuted as a free woman of color who had lived illegally in Natchez, jailed, and sold for a period of five years.<sup>37</sup>

The frenzy that ensued entailed authorities to order at least 37 individuals to leave Natchez because they presumably violated the law by illegally remaining in the state or, in some cases like Eliza Bossack’s, for being indicted of crimes. A few people were jailed on suspicion of infringement of the law like Ann Perkins, who was later able to prove that she was of Indian

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<sup>35</sup> Hayden, *Narrative of William Hayden*, 7.

<sup>36</sup> Hogan and Davis, *William Johnson’s Natchez*, 12-13.

<sup>37</sup> *The Natchez Courier*, Saturday, August 01, 1840, Issue 222, col A.



descent rather than a free woman of color. Out of 283 free people of color recorded in the census for 1840, this represented over 13% of the population that fell under extreme scrutiny and who had to either appeal strenuously for allowance to stay or vacate the state quickly before they met a fate similar to Lavinia Bird's. After the repression of the 1830s and sharply after the "Inquisition," the free black population for Natchez plummeted substantially—from 283 people in 1840 to 258 in 1850 and finally down to 225 in 1860—reflecting an exodus of those who could not sustain unchallenged freedom in Natchez.<sup>38</sup>

The movement away from Natchez due to the threats to their liberty was thus clearly established; however, the movement to the city was similarly limited. Legislation in the following year, 1842, restricted captains and owners of steamboats "to introduce or to bring into the limits of the state' free black passengers, cooks, mariners, stewards, or those serving 'in any other capacity.'"<sup>39</sup> Not only did this obviously curtail the possibility of movement from non-local free blacks to visit loved ones in Natchez, but it affected those free men and to a smaller extent, women of color who worked on steamboats as barbers, stevedores, or chambermaids and subjected them to loss of employment or harassment from local authorities. Acts like these negatively impacted free black men like Wellington West, Richard Johnson, and Jefferson Hoggatt who plied the river as barbers and in other capacities. The harassment continued as evidenced when free black steamboat workers landed in New Orleans and in consequence of a

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<sup>38</sup> Adams County Census Returns, 1840; Adams County Chancery Court, Police Board Records, 1841; Hogan and Davis, *William Johnson's Natchez*, 341-346; Joyce Broussard, "Stepping Lively in Place: The Free Black Women of Antebellum Natchez" in *Mississippi Women: Their Histories, Their Lives—Volume 2*, eds. Elizabeth Anne Payne, Martha H. Swain, and Marjorie Julian Spruill (Athens: University of Georgia Press, 2010), 31-32; *The State vs Holdon, John & Carter, Eliza*, Historic Natchez Foundation, Adams Circuit Court, Box 3, Drawer 182, New Box 15-24, 1832.

<sup>39</sup> Thomas C. Buchanan, *Black Life on the Mississippi: Slaves, Free Blacks, and the Western Steamboat World* (Chapel Hill: University of North Carolina Press, 2004), 24.

Louisiana law that was passed in 1841 which ordered them to be jailed while the boat was docked, rather than having the liberty of visiting the city. The law was later amended in 1852 so that free blacks could obtain permission from the mayor's office to be in town and obtain a temporary passport, rather than be jailed, but the 1841 law was again resuscitated in 1859. The hostility toward free black river workers is evidenced by the number of arrests made in Louisiana. Between 1859 and 1862, 2,206 out-of-state blacks were arrested in New Orleans. 91% of these were men and many of them were free black steamboat workers, opening the possibility that free black men from Natchez were among the number.<sup>40</sup> Securing freedom of themselves was most critical and required the maximum expenditure of effort, but free blacks were simultaneously hard-pressed to protect other assets.

### **Challenges to One's Possessions**

Although William Johnson chronicled the agitated activities of free black people imploring whites for their names on petitions that would facilitate them to stay in town, an elite class of people within the larger caste of the free community of color, including Johnson's own family, did not have to solicit white patrons. Some of these families—the Barlands, the McCarys, the Fitzhughs, and the Smiths in particular—were well known and respected by several white citizens of Natchez and among those families of free blacks whose standing in the community was not questioned. They held slaves, had accumulated lucrative estates, deported

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<sup>40</sup> Ibid.; Gould, *Chained to the Rock*, 3 and 34; and Richard Tansey, "Out-of-State Free Blacks in Late Antebellum New Orleans," *Louisiana History: The Journal of the Louisiana Historical Association*, Vol. 22, No. 4 (Autumn, 1981): 369-386. The Louisiana law was amended in 1852 so that free blacks could obtain permission from the mayor's office to be in town, rather than be jailed, but the 1841 law was again resuscitated in 1859. The hostility toward free black river workers is evidenced by the number of arrests made in Louisiana. Between 1859 and 1862, 2,206 out-of-state blacks were arrested in New Orleans. 91% of these were men and Tansey posits that many of them were free black steamboat workers. See Tansey, "Out-of-State Free Blacks," 378-380.

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 that they appeared to be white and some indeed, chose to “pass” as white. These particular community members were safeguarded by their economic station, but they also had relatively deep roots in Natchez and were properly licensed to remain.<sup>41</sup>

In Natchez, then, there was a tangible link between freedom and property ownership. As demonstrated above, at its most basic level, it was the essential act of claiming oneself and maintaining that vital freedom through periods of challenge. Another significant way that freedom and property were coupled was that free people of color shielded themselves from threats to sliding through the impermeable boundary between freedom and slavery by accumulating real estate and possessions. Property was a tangible manifestation of freedom that buttressed free blacks’ social status, fortifying their free standing in the face of whites’ subjective and unpredictable views of and attitudes toward them. Some individuals and families in Natchez were quite successful in this venture, accumulating tens of thousands of dollars, multiple dwellings, lucrative business ventures, and even slaves. However, this was a not a failsafe measure. There were a multitude of challenges to their right to hold and control property. Whites frequently preyed upon people of African descent, particularly women, by contesting the wills of their friends or relatives who bequeathed property or freedom to them or by exploiting legal technicalities. Free men and women of color often found themselves victims of trickery and dangerous deception after the deaths of whites who had protected them by their standing in the community. They had to be consistently watchful to ensure that they were protected under the

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<sup>41</sup> Hogan and Davis, *William Johnson’s Natchez*, 11; Schweninger, *Black Property Owners*, 100; Ribianszky, Thesis, 31-32.

laws in order to accomplish this. This took a great deal of careful monitoring and forceful self-advocacy.

Out of a database of approximately 900 free individuals of color who lived in Natchez at any given time from 1779-1865, over a third of them belonged to property-owning families. This, no doubt, is an underrepresentation of the numbers because free blacks often deliberately managed to stay out of public view and, for historians, remain difficult to discern.<sup>42</sup> Viewing property ownership broadly through the lens of families reveals the extent to which individual members enjoyed the benefits of belonging to property-owning families in terms of education, occupational opportunities, security, among other important considerations, in spite of the fact that as members of households, their names did not appear on deeds and tax documents.<sup>43</sup>

Property accumulation among free blacks was vital to the stability of individuals and families. A large proportion of free people of color inherited their property from their parents, which demonstrates that having family connections was a critical ingredient for prosperity. Free women of color, like men, were expected to hold an occupation to earn money for the family as well as run the household effectively as wives and mothers. Gender conventions, which many times, mimicked the dominant culture in the U.S., were transferred to free black households and

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<sup>42</sup> From the Ribianszky Data Base of Free People of Color. For the issue of quasi-free blacks, see Berlin, *Slaves Without Masters*, 143-149 and 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. For an insightful discussion on the methodology of a groundbreaking study on property owning among free blacks, see Schweninger, *Black Property Owners*, 371-391.

<sup>43</sup> This builds on the idea put forth by Thavolia Glymph in *Out of the House of Bondage: The Transformation of the Plantation Household* (New York: Cambridge University Press, 2008). She argues that although in most cases, men were legally the property owners of real estate, personal property, and slaves, women of course enjoyed the privileges that wealth brought and exercised their power over enslaved men and women within the household, which commonly manifested itself in violent acts on the part of slaveholding women. For more on this, refer to pages 18-62.

women were exhorted to perform amazing feats of balancing acts between work for the family and paid work. Unlike the dominant ideology for white women, however, due to these realities, many free black women found it challenging to live up to the “cult of true womanhood” which emphasized domesticity and working within the home for one’s family. Class laid bare the differences between women who were more able to live according to this dogma like Ann Johnson, because of the wealth she and her family enjoyed, and other women, namely those that had children but were not married or who had little or no property.<sup>44</sup>

### **The Realities of Class Apprenticeships**

Examining the practice of indenturing or apprenticeship—which I use synonymously—provides a solid example of how class and property ownership impacted the freedom of a free black family.<sup>45</sup> As was demonstrated above, indenturing put adult free people of color at risk, but it also had significant implications for children. They were particularly vulnerable for similar reasons as men and women—it exposed them to an extension of their servitude and even sale into slavery—but children were targeted for involuntary apprenticeships away from their parents, especially if they were poor or lived with single mothers. Throughout much of the time period, free women of color outnumbered men, including those who headed their own households with children. Poor free women of color often had to acquiesce to their children being bound out as apprentices until they were adults. The laws of Mississippi gave local trustees of the poor power to assess “all the poor free negro or mulatto children...whose parents, if they

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<sup>44</sup> James Oliver Horton, “Freedom’s Yoke: Gender Conventions among Antebellum Free Blacks,” *Feminist Studies*, Vol. 12, No. 1 (1986), 51-76. See Chapter Four for a discussion of the “cult of true womanhood.” Hogan and Davis, *William Johnson’s Natchez*, 557.

<sup>45</sup> Most of the literature written on binding oneself out refer to the terms “apprenticeships” and “indentures” simultaneously. Although apprenticeships generally entailed a person learning a trade, both terms were used to describe this process.

have any, they shall judge incapable of supporting and bringing them up in honest ways.”<sup>46</sup> This was extremely subjective and doubtless could justify poor children being taken from their parents to labor for white people for free. Further, it gave the county and probate courts the “power to order the said overseers or trustees to bind out all such free negro or mulatto children, apprentices to such person or persons whom *the court* [emphasis mine] shall approve, until the age of twenty-one years, if a male, or eighteen years if a female.” This took control away from the parent in locating a person they trusted to take in their child for a long time period. Finally, the law was under no obligation to make provisions for the education of said free black apprentices as was standard in apprenticeships set up for whites.<sup>47</sup>

Free boys and girls of color experienced apprenticeships differently from one another. Boys were more frequently indentured to learn a trade than were girls. For example, out of at least 37 free Natchez people of color who were apprenticed at one time in their lives for whom there is documentation, 31 of them were male as opposed to six females.<sup>48</sup> The trades that boys trained in were also more lucrative and included barbering, carpentering, blacksmithing, farming, and animal husbandry. Girls tended to be apprenticed to learn sewing, cooking, and other household labors. Apprenticing children out often was a thinly veiled form of slavery in which children were removed from their parents’ households and, thus, were beyond familial

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<sup>46</sup> Hutchinson, *The Code of Mississippi*, 303.

<sup>47</sup> Ibid.; Richard Morris, “The Course of Peonage in a Slave State,” *Political Science Quarterly*, 65 (June 1950), 244.

<sup>48</sup> This is undoubtedly a low number. During the course of research for this project, I did not have access to records kept by the Overseers of the Poor. What I have been able to compile is a result of careful combing through deed records, diary and personal account entries, etc.

protection. As a result, they sometimes faced sexual exploitation, which obviously affected girls differently than boys.<sup>49</sup>

In spite of the inherent risks attached to apprenticeships, there were tangible benefits, particularly for boys. For example, one could learn a trade, which could aid them in securing profitable employment. This is evidenced in the case of a seven year old boy, Harculass, who was apprenticed in 1823 to a white man, William Walker, until he was 21 to learn to be a waiter or hostler and, in the process, was instructed to “Read, Wright and Sipher [sic] as far As the Rule of Three.”<sup>50</sup> In this case, Harculass would receive a rudimentary education, which was not a guarantee by any means for free black indentured servants, and was much less common than for white apprentices. Evidence suggests that in Natchez free blacks who contracted with free black apprentices might have developed their charges more in terms of education and setting them on a career path.

Over the course of sixteen years, free barber William Johnson apprenticed at least seven free black boys, usually between the ages of ten and fifteen until the time that their apprenticeships would end at eighteen. Johnson provided them with basic education, skills training, food, clothing, and housing. He also served as a surrogate father figure of sorts to them and disciplined them physically for minor infractions. For example, in 1836, Johnson casually noted that he “had to whip Little Bill [Hayden] & John for fighting in the shop.”<sup>51</sup> Another time, he “This morning quite Early I Came Down in my shop and found that the Boys had Just been

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<sup>49</sup> This is not to claim, however, that boys were not vulnerable to sexual abuse. It does not appear to be as pervasive an issue as it was for girls, however. And of course, for girls who suffered sexual abuse, the result could be an unwanted pregnancy. The data for this paragraph were culled from the Ribianszky Data Base of Free People of Color.

<sup>50</sup> Adams County Chancery Court, Deed Book N, 1823, 21.

<sup>51</sup> Hogan and Davis, *William Johnson's Natchez*, 99.

smoking some of my Cegars which they Denied. I Listened a while and was satisfied that they had stolen them. I then Boxes Bills Jaws and Kicked his Back Side and I slaped Charles along side of the Head several times.”<sup>52</sup> Johnson fairly continuously found it necessary to thus physically punish the boys and again, after finding one of his apprentices socializing with some enslaved girls at a local house, Johnson “Struck him with the whip 1<sup>st</sup> and then with the stick. He ran home and I followed him there and whiped him well for it having often told him about going Down there.”<sup>53</sup> In spite of the rigorous punishments they met at Johnson’s hands, the boys trained for their vocation, received educations, and during free time, entertained themselves by attending circuses, the theatre, and parties. At the conclusion of their apprenticeships, they would then be free to commence businesses of their own, find employment with another barber, or continue to contract with Johnson in one of his three shops.<sup>54</sup>

Johnson also helped facilitate the apprenticeships of other free boys and girls of color with appropriate people. Although there is no evidence of Johnson apprenticing girls in his shop, he was instrumental in securing the indentures of two young girls, Emeline and Missouri Hoggatt, sisters of one of his apprentices, William. The Hoggatts were the children of Wilford Hoggatt, a white planter and his enslaved woman, Phoebe. Hoggatt freed Phoebe and their seven children in 1840 and left them substantial property. Johnson attempted to indenture them to learn to sew with a local woman, Ms. Dowell, who owned a store in town. However, he intervened and decided it was not a suitable placement because “the old Lady was too Foul

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<sup>52</sup> Ibid., 241.

<sup>53</sup> Ibid., 73.

<sup>54</sup> Ibid., 27-29.



mouthed Intirely [sic]. It would not do.”<sup>55</sup> This demonstrates the importance of locating a place for young free black children that was safe and respectable for them so that they would benefit from their indenture and not be at risk, even from verbal abuse.

The key differences in the apprenticeship experience were based on class within the free black community. Those who came from poor, often single-parent households could be bound out by the court and were considered public charges. The court would not be overly concerned with investigating the potential households into which indentured poor children of color would be placed in terms of the potential for violence and abusive behaviors—physical or verbal—or the possibility of them being taken out of Natchez and perhaps sold illicitly elsewhere. The fact that most children who were bound out came from poor, single-parent, female-headed households reveals the significance of class and gender among free people of color and its impact in determining the shape of some children’s futures.

### **Free Black Slaveholding**

An issue which further divided the free black community along class lines was the ownership of enslaved individuals. Slave ownership among free people of color was not unusual in the Lower South. For instance, in 1830, there were 1,556 free black slave owners in the region. Louisiana had the highest numbers of slaveholders among this class of people in the South, with 753 in New Orleans alone. Together, these black masters held 7,188 slaves, with 1 in 4 free black families holding slaves.<sup>56</sup> For the same year in Natchez, this statistic held true.

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<sup>55</sup> Adams County Chancery Court, Will Book 2, 229-230; Hogan and Davis, *William Johnson’s Natchez*, 368.

<sup>56</sup> Schweninger, *Black Property Owners*, 104-108; 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; 1830 Adams County, MS Census Returns.

There were five free blacks that held slaves out of a total number of 17 independent free black households, thus the ratio is actually closer to 1 in 3.<sup>57</sup>

It is thus clear that the implications of free black slaveholding are much more far-reaching, however, than these small numbers of legal owners. When the entire family group is taken into consideration, and not merely each individual who was listed as the owner, it is evident that free black slaveholding affected the sum total. For example, in James Miller's household, although he was listed as the legal owner of five slaves, there were seven family members that were touched by their proximity to enslavement. His wife, Adelia, and their children interacted on a daily basis with the people they owned: conversing with them, directing their work, "disciplining" them, in other words, sharing the same spaces with them intimately. Approximately 200 free black people in Natchez were likewise associated with slave ownership in their households throughout the entire years of the study, 1779-1865.<sup>58</sup>

The reasons for owning others were multifaceted. Many free blacks 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. However, they were not always able to emancipate them immediately. Due to the increased restrictions on manumissions after the 1820s, Free Mississippians of color often had to hold their family members for quite some time

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<sup>57</sup> 1830 Adams County, MS Census Returns.

<sup>58</sup> To further illustrate this, within the five slaveholding households in 1830, there were a total of 15 free people of color. Due to the fact that I sought to fill in the holes left by the census, it was necessary to consult deed records and other sources. Unfortunately, I did not use tax records, which would have provided yearly reports and heightened detail rather than snapshots every decade. In spite of this, though, by utilizing a variety of documents, I uncovered more evidence of free black slaveholding. Refer to the Ribianszky Data Base of Free People of Color and 1830 Adams County, MS Census Returns.

until the opportunity presented itself. This included parents holding children and husbands and wives owning their spouses.

Some free blacks, like the Barland and Johnson families, held slaves for economic reasons. The bondmen and women performed labors in their fields, households, and in the streets of Natchez: planting, harvesting, mending fences and buildings, cooking, cleaning, sewing, and peddling goods at the market. Free people of color also hired their slaves out to make extra money for their households. No doubt some free people of color justified owning others by the opportunities it afforded them to increase their wealth. Slaveholding also allowed them to keep themselves and their sons and daughters out of the homes of others, protecting them from possible abuse. As has been observed, “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>59</sup> In Natchez, there were only a few 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.<sup>60</sup>

William Johnson’s diary provides a seventeen-year chronicle concerning how his free family of color negotiated the issue of slaveholding. The enslaved men and women who lived in

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<sup>59</sup> Schweningen, *Black Property Owners*, 104-105.

<sup>60</sup> Johnson and Roark, *Black Masters*, 64 and 128.

his household performed tasks in the house, workspace, and on the plantation. There was very little distinguishing Johnson from white slaveholders regarding his relationships with his bond people. Similar to how he physically disciplined his apprentices, Johnson diligently recorded whippings that he administered to the slaves in his household. He also utilized the public whipping house to send intractable slaves when he deemed it necessary. More than a couple times, he doubly punished his bond people as illustrated by the following entry regarding Steven, who was out at night without permission: “The patroll caught him and whiped him and I whiped him myself in the morning afterward.”<sup>61</sup> For the duration of Johnson’s journaling, he frequently noted his bondsmen and bondswomen engaging in unwanted behaviors such as getting drunk, running away, stealing, and lying and punished them indiscriminately without regard to gender. As he noted of three of his slaves who got permission to attend a religious service and failed to return all night, he wrote, “I was Out of Humor this morning the first thing and by way of Commencing Business I whipped Lucinda, Sarah, and Steven On account of the Bracket meeting.”<sup>62</sup>

Some free people of color, like the Johnsons, owned family members while they bought and sold others for economic reasons. Determining the nature of the relationship between free people of color and the enslaved members of their households based upon extant records can be challenging. Hester Cummins, for instance, “Bought her sister Hanah and her child for \$1000.”<sup>63</sup> Had William Johnson not casually mentioned this fact in his diary, little remaining evidence would have remained to supplement the 1840 census listing with Cummins as the

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<sup>61</sup> Hogan and Davis, *William Johnson’s Natchez*, 91.

<sup>62</sup> *Ibid.*, 281-282.

<sup>63</sup> *Ibid.*, 81.

household head and two slaves. No doubt historians would assume they were personal servants, rather than family members she bought and, doubtless at a later date, emancipated. 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, Cummin's action of holding her sister and niece was out of a sense of protection. However, in 1850, she held a total of nine slaves and eight years later, sold ten enslaved women and children, along with some land for a profit of \$3,000. Cummins' case, indeed, illustrates the complicated matter of free black slaveholding. She concurrently held family members in slavery to liberate them at some future time while simultaneously reaping the labor and revenue associated with owning and later selling bond people.<sup>64</sup>

Free blacks themselves bitterly contested the issue of free people of color holding slaves for economic reasons. Eliza Potter, the free hairdresser of color from Cincinnati who traveled to the Deep South for employment, reserved some of her most acerbic commentary for free black slaveholders living in the region. As she noted,

I remember a colored woman who was raised in Cincinnati, and her parents and family now live in the midst of our city; she is now a slave-holder in the city of New Orleans; the most tyrannical, overbearing, cruel task-mistress that ever existed; so you can see color makes no difference, the propensities are the same, and those who have been oppressed themselves, are the sorest oppressors. It is a well known fact, those who are as black themselves as the ace of spades will, if they can, get mulattoes for slaves, and then the first word is 'my n-----',<sup>65</sup>

Although the last portion of Potter's remarks did not apply to the majority of Natchez free black slave owners who were of mixed racial heritage, doubtless there was as full measure of exploitive sentiment. One unnamed Natchez free slaveholder earned Potter's notice and

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<sup>64</sup> Hogan and Davis, *William Johnson's Natchez*, 81; Adams County Census 1840 and 1850; and Adams County Chancery Court, Deed Book MM, 1858, 54-55.

<sup>65</sup> Potter, *A Hairdresser's Experience in High Life*, 93.

condemnation for exercising extreme brutality towards her enslaved men and women. Potter observed, that “Her cruelty to her slaves was such, although once a slave herself, she was not permitted to stay in Natchez and she had to make her head-quarters in New Orleans. She was so cruel to her servants that they undertook to burn her alive by setting fire to the room below the one she slept in...”<sup>66</sup> Free black slaveholders who economically profited from their bond people thus differed little from white slave owners.

Another disturbing similarity between free black and white slaveholding reveals that free black women who owned slaves, like whites, simultaneously suffered from the infidelity of their husbands in their households while they also meted out violence toward enslaved women. Free woman of color Malvina Huffman Matthews sought a divorce from her husband charging that her husband had engaged in a “carnal & adulterous intercourse” with her mulatto slave, Sabra shortly after her purchase by Matthews and “about three months ago he utterly abandoned & deserted” his wife. In addition to the humiliation of finding herself thus rejected, the issue that prompted her to appeal to the court, however, was a loss in her property. Matthews pointed out to the court that Edwin “took to his exclusive possession & deprived your oratrix of the possession & services of the said negro woman: & that since then he has at the same time appropriated exclusively to himself the favors of said negress & kept her as a concubine.”<sup>67</sup> There was an added concern that Edwin was planning on leaving the state with Sabra, which would cause Matthews to lose valuable property and placed her other holdings at risk as well, which included “valuable real property situated on the bluff in the city of Natchez & a considerable property in slaves.”

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<sup>66</sup> Ibid., 104.

<sup>67</sup> Adams County Chancery Court, *Malvina J. Mathews vs. Edwin J. Mathews*, Case No. 108, Box No. 11, 1860.

Her “considerable property” was considerable indeed. In the 1860 census, Matthews was listed as the white property owner of \$10,000 in real estate and \$8,000 in personal estate. She also owned eight enslaved people: six females and two males, all listed as black, with the exception of a 28 year old mulatto female who must have been Sabra, although her name was not given. The marital strife was cause for apprehension because of the legal status of married women limiting them as “femmes covert” and transferred property into their husband’s control. Malvina maintained that at the time of their marriage, Edwin had very little property of his own—a house and lot totaling \$300—and “has been without any regular pursuit or employment, & in fact without any fixed place of abode” since his departure. The loss of independence as a single woman that she sacrificed to become a wife might have cost her entire estate had the divorce not been granted.<sup>68</sup>

That gender was so significant is evidenced by the fact that free women of color were more susceptible to challenges to their property than men. In many cases, this had a direct correlation to their relationship with whites. In most of the lawsuits involving contested property in this study, a prominent theme that emerges is people who attempted to take advantage of the status of free women of color’s intersecting identities as being of African descent and women. During the Spanish period in Natchez, it is evident that some women utilized the court system readily to defend their property rights when necessary.<sup>69</sup>

One particularly vigorous litigant, Nelly Price, frequently brought suits against local whites for failing to repay her for money or goods she had advanced to them, ranging in sums

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<sup>68</sup> Ibid.; 1860 Adams County census returns.

<sup>69</sup> 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), 172-173.

from five to forty five dollars. In a period of five years, from 1781-1786, she brought six cases against whites who she had provisioned with supplies such as food, rum, or boats or to whom she rented property. She was successful in all of these claims and the defendants were forced to recompense her. However, Price was party to a situation that did not advance to court but that nevertheless involved substantial money, controversy, and physical violence. As discussed in Chapters Two and Three, Price was a trader who was outfitted by Scottish merchant John Fitzpatrick to supply local settlers in the Natchez District as well as to exchange goods with local Native Americans.

In 1774, Fitzpatrick wrote to Isaac Johnson, a trader and justice of the peace in Natchez about Price's outstanding balance of \$892 to him that he asserted that she had not repaid and implored Johnson not to advance her any more goods in his name. It still had not been resolved by 1780 and had escalated to the point that Price accused Fitzpatrick of breaking into her house and stealing 100 gallons of rum and other goods in an effort to reclaim the money he claimed owed him. Infuriated, Fitzpatrick sought to bring legal action against Price for "trying to destroy my reputation with the public by means of the vilest manner ever practiced in the world, and which I believe is the most distressing to an honest man."<sup>70</sup> It is unclear based on the evidence if Price actually owed him the money or if he, in light of financial difficulties he was having at the time, had exaggerated Price's debt and lack of restitution based on her status as a free woman of color who was devoid of honor compared to a white male. But unmistakably, her public accusations stung him and her effort to discredit his reputation motivated him to action against

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<sup>70</sup> Adams County Chancery Court, Spanish Records, Book G, 11, 74-75; McBee, 294-295; Adams County Chancery Court, Book 1 Transcript Original Spanish Records, 1777-1802, 532-533; Margaret Fisher Dalrymple, ed., *The Merchant of Manchac: The Letterbooks of John Fitzpatrick, 1768-1790* (Baton Rouge: Louisiana State University Press, 1978), 353.



her.<sup>71</sup> It appears, though, that Fitzpatrick doubted his ability to collect the sum legally, probably as Price knew people who were willing to testify in her favor had the case gone to court. He threatened legal action by warning, “as for Nelly [Price] she is a verry bad Woman, & if I cannot get my Money I am determined to get proper Satisfaction when in my power to put the Law in force against her Infamous Slander.”<sup>72</sup> However, no such litigation surfaced in the years following their struggle over property. However, in the year following this clash between Price and Fitzpatrick, Price initiated the first of the abovementioned cases to collect debts against Natchez settlers, and she went on to win all of them.

Price’s efforts to protect her property demonstrate a multiplicity of attitudes toward free blacks in Spanish Natchez. Most obviously, it highlights the tenacity with which free people of color fought for their rights. These incidents also reveal the willingness of the courts to aid them in recovering their debts. Further, however, given the fact that all of the people Price sued were Anglos, rather than Spaniards—as very few people with the exception of the governing body were in Natchez—they suggest the racist attitudes of British and American whites toward free blacks. The people settling into the Natchez District during this time hailed from northern and southern states that had established legal traditions toward free blacks that were uneasy about the blurring of the line between enslaved and free people of African descent. The whites Price sued

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<sup>71</sup> Kimberly Hanger, speaking of free women of color in the context of Spanish New Orleans noted that “one of their most effective weapons was the hurling of ‘palabras injuriosas’—‘insulting words’ or slander in legal parlance—sometimes accompanied or provoked by physical attacks. Frustrated with a patriarchal, racist society that discriminated against them both as nonwhites and as women, libres occasionally lashed back at their oppressors with venomous tongues.” in “‘Desiring Total Tranquility’ and Not Getting It: Conflict Involving Free Black Women in Spanish New Orleans,” *The Americas*, Vol. 54, No. 4, (April 1998), 551.

<sup>72</sup> Dalrymple, *The Merchant of Manchac*, 369.

for non-payment and for stealing her goods may have been of the mindsets that as a free woman of color, she could be taken advantage of more easily than a white trader.

Relationships with white men complicated the ability of free women of color to hold property without contention. Nelly Price and Miguel Lopez, one of the few Spaniards that lived in Natchez during this time, had been engaged in a business partnership since 1782. She lived in his household and was engaged in a variety of affairs including trading with local settlers and Native Americans, farming, midwifery, and housekeeping for Lopez. In 1788, she brought a claim against the estate of Lopez who was then deceased. She petitioned Carlos de Grand-Pre, who served at various times in Natchez as commandant, to allow her to claim the house that she had constructed at her expense on a lot given to her by Lopez. She requested permission to occupy the house, as she had no other domicile in which to stay. She additionally petitioned to be paid wages out of the estate 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>73</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 as a housekeeper. 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

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<sup>73</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), 177-178. According to Jack D.L. 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.

(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 victorious 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>74</sup> Thus, even though she presented witnesses who attested to the fact that she owned part of the house and should have been entitled to a portion of the estate, she lost out in the end.

Price's experience showcases the predicament that many free women of color who lived with white men found themselves in at the deaths of said males. That Price and Lopez had more than a professional relationship is probable given the hints of a deeply intimate nature that are embedded within this case. For example, Patrick Murphy testified that in June of 1782 while he was at Lopez's house, he encountered Price crying and when pressed for an explanation as to why, she informed him that Lopez had beaten her. Luis Charboneau, another witness, recounted that as a result of this beating, Price subsequently moved out of his house and resided at another domicile in the city. She refused to return at Lopez's entreaty until he promised to pay her wages of \$10 per month. Considering this information in tandem with a different case involving Lopez as a criminal against the Crown in 1786 in which one man, Samuel Smith, a white agricultural worker who testified in this case, shared that Price was a housekeeper to Lopez, which would corroborate what the witnesses stated in Price's 1788 case. However, Price herself was also

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<sup>74</sup> Ibid.

called in as a witness and added a deeper dimension to the relationship when she stated that, “for three years past she lived with and was in *Partnership* [emphasis mine] with a certain Miguel Lopez.”<sup>75</sup> She also remarked that she “cultivated the ground” and “traded with the Indians.” Obviously, she had her own business interests and being Lopez’s servant was not her only consideration. Another witness noted that two English men, “hirelings,” and the “free mulatto woman named Nelly Price” lived with Lopez. This suggests that ‘housekeeper’ may have been a euphemism for something more than merely domestic labor.

When free women of color were not legally married to white men but nevertheless, by their own labor, contributed to the estate, as in Nelly Price’s case or were bequeathed property from white men, they often encountered numerous challenges in maintaining control over their holdings. The latter was the case for another woman of color, Elizabeth Butcher, when she had to battle through the courts to hold onto her inherited property. This legacy, 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 Butcher as the administrator of his estate which consisted of 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 in his possession. 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. Butcher was to inherit a total of five slaves at his death. This legacy was a result of Butcher’s constant care of Irby as a nurse and housekeeper—again,

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<sup>75</sup> Adams County Chancery Court, *The King vs. Miguel Lopez*, Spanish Court Records, Book F, 1786, 96.

probably a euphemism—for almost twenty years. Irby unmistakably wished for his property to pass to her and to make arrangements for her to be provided for with this bequest.<sup>76</sup>

The subsequent development of events in Butcher's case highlights the risk free women of color had to contend with in relation to unscrupulous whites seeking to circumvent their rights to property by exploiting legal technicalities to prevent their inheritance. Beginning in 1839, Butcher had to fight a white man, Robert Woods, for the right to be the administrator of the estate. 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 Butcher had not yet repaid it in her management of the Irby estate. He was able to obtain 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 authorization instead to sell the White House Tavern. Shortly thereafter, the Court approved him to sell the five slaves. He announced their sale, but Butcher petitioned the Court before they and the property were sold.<sup>77</sup>

Butcher's complaint against Woods 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

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<sup>76</sup> *Robert W. Wood (Admins.) of John Irby vs. Elizabeth Butcher*, Case #679 Mississippi High Court of Error and Appeals, 1841.

<sup>77</sup> *Ibid.*

\$5,000, before she was able to act and protect her holdings. And further, that she had begun to repay Irby's gambling debt to the Redman estate.<sup>78</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 attempted to go for Butcher's Achilles heel and accused her 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." Butcher countered by admitting "she is a free woman of color but denied that she is thereby rendered incapable of accepting or holding the Office of Executrix upon the Estate of John Irby Deceased." The Probate Court ultimately found for Butcher in this case. The judge ruled that she 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, Butcher had not been notified of Woods's action as was her right. Woods went on to appeal the decision to the Mississippi High Court of Error and Appeals, but they upheld the lower court's ruling and he was ordered to pay her court costs.<sup>79</sup>

Although Butcher had technically won both cases, she chose to find a white trustee to hold her property in name only. This loss of control of one's property was not an aberration with respect to the experiences of other free people of color who received inheritances from whites. As in Fanny Leiper's case, which opened this chapter, Butcher no doubt felt pressure "as there was a great spirit at that time [in the mid-1830s] to remove from the State all free persons of Color" to find a white trustee if she "should be forced to remove that such white person could

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<sup>78</sup> Ibid.

<sup>79</sup> Ibid.

manage and dispose of said Lot for her benefit.”<sup>80</sup> There were at least five Natchez free women of color who were thus compelled to find white men that they could trust not to defraud them of their property so that they could enjoy the benefits of property ownership. Fanny Leiper discovered how having this assurance of a white man’s name on the deed of her property was no guarantee it would remain in her possession.

In 1834, a few years after gaining her freedom, Leiper became a property owner. She purchased a city lot and constructed a six-room wood frame house with a brick chimney and piers upon which the house was supported. Her home additionally consisted of a kitchen, an outhouse, various other enclosures, and fruit and ornamental trees to beautify the yard. All in all, the property that Fanny occupied and paid taxes on from 1834 until 1845 cost her nearly \$2,000. The defendants in Leiper’s case claimed that Joseph Winscott, a riverboat engineer who lived in New Orleans but with whom Leiper was intimately involved when he passed through town, was the true owner of the property and that as such, he was entitled to sell it to Leiper’s next door neighbor, Malvina Huffman, another free woman of color. They disputed Leiper’s allegation that when she initially purchased the property from John Wells, 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. Huffman 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,” since they contended

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<sup>80</sup> *Leiper vs. Huffman. et al*, Mississippi High Court of Error and Appeals case 6185, (1851); Schweninger, *Black Property Owners*, 87-89.

Winscott regarded Leiper “as his tenant at sufferance of said premises.”<sup>81</sup> After many witnesses—more credible than Huffman and associates, namely the original seller, the tax assessor, and tax collector—testified that it was understood Leiper was the rightful owner, the court ultimately settled it at the highest level in her favor, after six years had passed since her initial lawsuit.<sup>82</sup>

It was thus quite an exercise in trust when free women of color put all their property in the hands of a white trustee. Leiper, after consulting with an attorney prior to purchasing the property, was advised that 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 to jointly appear on the deed. It became evident that neither the white man with whom she been intimate was a trustworthy advocate, thereby illuminating the virtually impossible conundrum free people of color often faced: locating a reliable trustee. This was a risk to which not only women in Natchez had to worry about, but there were laws in other states in the South that required the same. Further, Leiper’s case reveals the ambiguous realities free people of color operated within. Although she appealed the initial chancery court decision and won at the state level, she nevertheless had to expend unnecessary and precious time and money for a “poor & illiterate” free woman of color living in another state.<sup>83</sup>

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<sup>81</sup> Ibid.

<sup>82</sup> *Fanny Leiper v. Malvina Hoffman et al.* Supreme Court of Mississippi, 26 Miss. 615; 1853.

<sup>83</sup> For one example of how a trusteeship negatively impacted another free woman of color and her family, decades after the trust was established, see Janice L. Sumler-Edmond, *The Secret Trust of Aspasia Cruvellier Mirault: the Life and Trials of a Free Woman of Color in Antebellum Georgia* (Fayetteville: The University of Arkansas Press, 2008). A trip by steamboat in the 1830s typically took several days according to Buchanan, *Black Life on the Mississippi*,



## Conclusion

As this chapter demonstrates, because of the extreme ambivalence of both the law and the general public toward both free men and women of color, they relentlessly had to be attentive to threats to their property in terms of themselves and their assets. This meant that consistently through all time periods, but sharply during moments of extreme hostility, such as in the 1830s and 1840s, free men and women of color struggled with the anxieties "of being driven from his home," and "to find shelter she Knows not where." They unremittingly utilized the court system and often found advocates who aided them in their cause to neutralize challenges by whites to extort their labor or seize their possessions.

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and Rev. Charles Frederick Goss, *Cincinnati: The Queen City, 1788-1912* (Chicago: The S.J. Clarke Publishing Company, 1912), 104.

## CHAPTER SIX

### **“Her Attachment and Fidelity to Me as a Friend and Companion and her Industry and Affection to Her and My Children as a Mother”<sup>1</sup>: Relationships and Parenthood**

Family was perhaps the most vital institution to the continued freedom and safety of a free man, woman, or child of color. Family members were essential in the procurement of the freedom of individuals in many instances. Their activities as a unit provided a cohesive organization of members laboring to contribute to a collective goal of striving toward property ownership and the accumulation of wealth, which could mitigate threats to the security of free blacks in Natchez. Contemporary studies on African Americans and stress management abilities suggest that familial relationships and social support structures help to mediate stress. There is no reason to assume that this is a recent inclination. During the time period under investigation, the web of familial relationships proved even more helpful to the well-being and perseverance of free people of color.<sup>2</sup>

The family arrangements of free people of color in Natchez varied across time. As is demonstrated by Table 6.1, free blacks lived within exclusively free black households, both female and male-headed, and within white-headed households. The composite of all years 1820-1860 for which there is solid data, shows that within this 40 year period, there is a sharp distinction between the composition of households in which free blacks were residing before and

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<sup>1</sup> Adams County Chancery Court, Willbook 1, 1811, 132-138.

<sup>2</sup> For recent research on the effect of family and intimate social structures to decrease stress among individuals and provide positive coping apparatus, see such studies like Sung Joon Jang and Jason A. Lyons, “Strain, Social Support, and Retreatism Among African Americans,” *Journal of Black Studies*, Vol. 37, No. 2 (Nov., 2006): 251-274 and Harriette P. McAdoo, “Stress Absorbing Systems in Black Families,” *Family Relations*, Vol. 31, No. 4 (Oct., 1982): 479-488.

after 1840. Prior to that year, there was a noticeable majority of white-headed households containing free black members, coming to a climax in 1830 representing 69% of the total. But after 1840, the households containing free blacks sharply dropped over half of what it had been a decade earlier.<sup>3</sup>

**TABLE 6.1 Heads of Households with Free Black Members, 1820-1860<sup>4</sup>**

	<b>Free Black #</b>	<b>%</b>	<b>White #</b>	<b>%</b>	<b>Total</b>
<b>1820</b>	22	43	29	57	51
<b>1830</b>	17	31	38	69	55
<b>1840</b>	56	68	26	32	82
<b>1850</b>	57	85	10	15	67
<b>1860</b>	39	93	3	7	42
<b>Overall</b>	<b>191</b>	<b>64</b>	<b>106</b>	<b>36</b>	<b>297</b>

There was an assortment of reasons for free blacks residing within white households. At times, older people were released from bondage and given plots of land on their former owners' estates to live for the remainder of their lives. This was the case for "Old" Aggy, Billy, the gardener and butcher, and Jack, the stock driver of James Green's estate. They were all emancipated in 1825 and provisions made for them to "permit the said three negroes to reside upon the place where I now live, if they the said negroes, shall desire so to do."<sup>5</sup> For Jack and Billy, there was an added incentive for them to remain as the will had an unusual clause within it specifying that the "slaves Phyllis and Patience shall remain with their husbands Billy and Jack...during the lives of the said Billy and Jack, and assist in the support and comfort of their said Husbands."<sup>6</sup> Thus, to remain in close proximity to their wives, both men stayed and were

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<sup>3</sup> 1820-1860 U.S. Census Returns for Adams County, MS.

<sup>4</sup> Source: 1820-1860 U.S. Census Returns for Adams County, MS.

<sup>5</sup> Adams County Chancery Court, Will Book 1, 1825, 337-338.

<sup>6</sup> Ibid.

still present five years later in 1830, as was “Old” Aggy. This was the case for a number of elderly ex-slaves who were emancipated and given plots of land to use during their “natural lives.”<sup>7</sup>

The fact that these manumissions included some form of restitution in terms of land and/or money is preferable to what some older freed people faced. For example, Eliza Potter chronicles her experience with those who had received the so-called “Natchez method” of freeing an enslaved individual that some Natchezians practiced. She related

The poor creatures are worked to death, and, when worn out and good for nothing, all at once a charitable feeling rises up in the master’s breast, and he gives them free papers, puts them on the cars, and sends them off to Cincinnati. This I can attest to, as I have one in my house now, in her fifty second year, perfectly helpless, afflicted with rheumatism, and not able to more than limp around. From her appearance, she has been a hard-working and faithful servant. Her master one day took a charitable notion, came home and asked her if she would not like to go Cincinnati. She told him she would go any place to get her freedom. He started the poor old soul off with fifteen dollars in her pocket, to a strange place, where she knew no one. Had she not fallen in with friends, she might have been sent to jail, or the pest-house, where there are several at this time from the South and other slave States, who have been very charitably dealt with, and given their freedom. This poor old creature was knocked about from post to pillar, till at length I stumbled over her, and she is with me now.<sup>8</sup>

As Potter eloquently illuminated, manumission was not always actuated for very “charitable” reasons at all and was often the result of slaveholders not wanting the expense or trouble of maintaining an elderly slave who was not able to labor productively. Some owners like the Greens made provisions for their ex-slaves to be taken care of, but others coldly sent them out unprepared to fend for themselves.

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<sup>7</sup> 1830 U.S. Census Returns for Adams County, MS; Adams County Chancery Court, Will Book 1, 1816, 150-151; Adams County Chancery Court, Deed Book C, 1804, 333-334; Adams County Chancery Court, Will Book 1, 1826, 429.

<sup>8</sup> The “Natchez method” was discussed in Chapter Two. Potter, *A Hairdresser’s Experience*, 110.

Another reason for the high incidence of free blacks residing within white households is attributed to apprenticeships, which was a relatively common practice, dating at least as far back to the Spanish period. Indentures were frequently contracted for short time periods, as in the case of Thomas Whittle who, in 1779, indented himself to John Davis, a white man, for twelve months for five pounds and “necessary clothing.”<sup>9</sup> In Whittle’s instance, the short indenture enabled him to be paid a small amount of money and clothing. This could be helpful to an individual who may have come from an impoverished background, as many in the free black community did. For people who faced unexpected legal fees and needed a means to repay court costs, like Peyton Abbey, apprenticeships were vital. Abbey had been wrongfully accused of being a runaway and later found free. Unfortunately, the court required him to pay back his costs, which must have been considerable since he was forced to indenture himself to white Robert Parkinson for four years.<sup>10</sup>

Apprenticeships could also span a decade or longer, though, and free blacks could learn useful skills during their contract. For boys like Harculass who was bound at the age of seven to a white man to learn to be a hosler, it meant laboring “during which Term the said Apprentice [serve] him said master faithfully shall serve in all business, according to his power, wit and ability, honestly, orderly, and obediently in all things demean himself towards him, said Master” until he was 21 years old. At that time, he would receive “one complete Soote of good New

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<sup>9</sup> G. Douglas Inglis, “Searching for Free People of Color in Colonial Natchez,” *Southern Quarterly*, Vol. 43, No. 2 (Winter 2006), 103-104.

<sup>10</sup> Adams County Chancery Court, Deed Book BB, 1831, 292.

clothing and two changes of lining [sic]” before he was released from his place in this white household.<sup>11</sup>

As Tables 6.2—6.4 demonstrate, boys and girls under the age of 21 constituted a substantial proportion of the population of free blacks living in white households. However, as the tables also show there was a significant decrease between 1830 and 1840, as attitudes towards free black people hardened and whites became more suspicious of them as a class due to the real and imagined rebellions discussed in Chapter Five, including Nat Turner’s Rebellion in 1831, the mid-1830s scare, and the “Inquisition” of 1841. Additionally, due to the number of manumissions decreasing substantially during that same period, free people of color were not as transitory as in the past and had already secured independent housing from whites.<sup>12</sup>

**TABLE 6.2 Age Distribution of Free Blacks in White Households by Sex and Age, 1820**<sup>13</sup>

<b>Years of Age</b>	<b>Males</b>	<b>Females</b>	<b>Total</b>
<b>&lt;14</b>	8	7	15
<b>14-25</b>	6	4	10
<b>26-44</b>	9	3	12
<b>45+</b>	4	9	13
<b>Total</b>	<b>27</b>	<b>23</b>	<b>50</b>

**TABLE 6.3 Age Distribution of Free Black Females in White Households, 1830-60**<sup>14</sup>

<b>Years of Age</b>	<b>1830</b>	<b>1840</b>	<b>1850</b>	<b>1860</b>	<b>Total</b>
<b>&lt;10</b>	10	6	7	2	25
<b>10-24</b>	5	4	2	3	14
<b>24-36</b>	14	7	4	2	27
<b>36-55</b>	7	6	1	1	15
<b>55-100</b>	0	3	0	0	3
<b>Total</b>	<b>36</b>	<b>26</b>	<b>14</b>	<b>8</b>	<b>84</b>

<sup>11</sup> Adams County Chancery Court, Deed Book N, 1823, 21.

<sup>12</sup> D. Clayton James, *Antebellum Natchez* (Baton Rouge: Louisiana State University Press, 1968), 168; Daniel F. Littlefield, *The Life of Okah Tubbee* (Lincoln: University of Nebraska Press, 1988), xiii.

<sup>13</sup> Source: 1820 U.S. Census Returns for Adams County, MS

<sup>14</sup> Source: 1830-1860 U.S. Census Returns for Adams County, MS

**TABLE 6.4 Age Distribution of Free Black Males in White Households, 1830-60<sup>15</sup>**

<b>Years of Age</b>	<b>1830</b>	<b>1840</b>	<b>1850</b>	<b>1860</b>	<b>Total</b>
<b>&lt;10</b>	14	13	7	2	36
<b>10-24</b>	15	3	4	1	23
<b>24-36</b>	5	7	2	1	15
<b>36-55</b>	4	0	0	0	4
<b>55-100</b>	5	8	0	0	13
<b>Total</b>	<b>43</b>	<b>31</b>	<b>13</b>	<b>4</b>	<b>91</b>

Another common reason for free blacks living within white households was due to the incidence of relationships between free women of color and white men. From the earliest times in Natchez, this was the case and this trend continued through until the Civil War. There were occasionally definite gains that women made in living with white men, including the inheritance of part or all of their estates. At times, though, women had to make difficult choices in actuating this, as revealed by the case of Maria Teresa, a free black woman “who now is, and for some time has been a resident in” the house of Raymond Merritt.<sup>16</sup> Merritt left all of his property to Maria Teresa in 1813. Two years after this bequest was made, Maria Teresa transferred all of the property, including her “man servant named Solomon” to her sister, Victoire Colombe, authorizing her to sell it and use the proceeds to emancipate Maria Teresa’s children, Eulalie, Marie, and Terriss, who at that time were enslaved in New Orleans. After the manumissions took place, Marie Teresa directed that Victoire use the remainder of the money toward the benefit of her three daughters as well as her free son, Anthony and named her their guardian. Thus, Maria Teresa had sacrificed years away from her children to continue living with Raymond Merritt, perhaps promised the property as a condition of her continued “faithful services.” In the end, this

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<sup>15</sup> Source: 1830-1860 U.S. Census Returns for Adams County, MS

<sup>16</sup> Adams County Chancery Court, Will Book 1, 1813, 97.

investment of time and energy did result in the liberation of all of her children and a means to support them.<sup>17</sup>

Some of these types of partnerships between free women of color and white men, notwithstanding the power differential, were long-lasting and appear to have been based in genuine feelings between the couples and transmitted benefits to all family members. One such relationship involved Adam Bingaman, a wealthy Natchez planter, Harvard graduate, speaker of the Mississippi state legislature, 1834-36, and president of the U.S. Senate, 1838-40, and his former bondswoman, Mary Ellen Williams, who he manumitted. In 1842, Bingaman sold Mary Ellen her two daughters,—who were likely his as well—Charlotte and Catherine, ages four and two. Williams and her children continued to reside in Natchez throughout the 1840s and in 1859, Bingaman requested one of his friends to negotiate the passage of a legislative act to allow Williams and her children, who now numbered four, including son James and youngest daughter Elenora, to legally stay in the state and hold property. He noted that a similar law had already been passed in Louisiana, where the couple also spent time. In the years leading up to the Civil War and afterwards, Bingaman experienced significant financial losses and had ceased many of his associations with the Natchez elite. It appears that he sacrificed his former social standing to live openly with his family. When Bingaman died in 1869, he left all of his property to his one remaining daughter, Elenora.<sup>18</sup>

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<sup>17</sup> Adams County Chancery Court, Deed Book H, 1815, 418-419.

<sup>18</sup> Nik Ribianszky, ““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” (Thesis, Michigan State University, 2003); Adams County Chancery Court, Deed Book DD, 1842, 465-466; Adams County Chancery Court, Police Board Records, 1844, 448; Edwin Adams Davis and William Ransom Hogan, *William Johnson’s Natchez: The Antebellum Diary of a Free Negro* (Baton Rouge: Louisiana State University Press, 1951), 597; Adams County



Free woman of color Harriet Johnson was in enduring relationships with not one, but two white men, which had momentous consequences in the lives of herself and her children. In 1826, white William Cullen purchased a “certain yellow girl named Harriet as a slave for life.”<sup>19</sup> Two years later, he manumitted Harriet Johnson and her son Robert. The couple had three more children—Mary A. Cullen, William Fielding Cullen, John H. Cullen—in addition to their eldest, Robert Loftus Cullen. As the local midwife Sarah Cecil who had delivered their last three children noted, “Cullen always treated said Harriet and his children with as much kindness and consideration as was usual with any father and husband so far as witness ever knew or heard and she thinks she had good opportunity to know.”<sup>20</sup> The family lived together in Cullen’s house until his death in approximately 1840. Cullen left all his property to Johnson.<sup>21</sup>

Cullen died at a very insecure time for Natchez’s free community of color, near the time of the “Inquisition,” which may have induced Harriet Johnson to search for another white “protector” for herself and her four children quickly. She soon discovered one in Thomas Dowling, who she married in 1841 and had two more children, Thomas Joseph Dowling and Annie Celine Dowling. Dowling died in 1855 and left all of his property to Johnson and all of her children, including Cullen’s and his own with her. Apparently, Dowling loved his blended family, even though the oldest of the children, Robert, was a teenager at the time Johnson and Dowling commenced their relationship. He viewed the family as a cohesive unit, even ensuring

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Chancery Court, Will book 4, 1869, 576; Cecilia M. Shulman, “The Bingamans of Natchez,” *The Journal of Mississippi History*, LXIII, No. 4 (Winter 2001) 301, 310-312.

<sup>19</sup> Adams County Chancery Court, Deed Book R, 1829, 419.

<sup>20</sup> *Harriet Johnson vs. L.H. Corey and L.M. Benbrook*, Chancery Court Case No. 107, Box No. 11, 1860.

<sup>21</sup> Adams County Chancery Court, Deed Book BB, 1839; 321-322 and Deed Book BB, 1840, 519-520.

that the house and accompanying land—which Johnson had earlier trusted over to him—was left intact and specified that “each to have an equal share of that property, but it is never to be sold, it is to remain in the family.”<sup>22</sup>

There was often a conscious strategy among parents to unite their free daughters of color with white men, no doubt as an added protection in a society that was largely hostile to free blacks, particularly to those without property or white patronage of some kind. Mothers like Harriet Johnson, who had done so herself undoubtedly encouraged both of her daughters to marry white men, thus attempted to impart this ethos to their children as an added safeguard against challenges to their liberty. White fathers in particular and some free fathers of color practiced this and also sought to marry their daughters of color to white men. The four daughters of white William Barland and his “colored wife Lisey [Elizabeth]” all married white men as did the two daughters of George Winn, a free black man who left his two daughters and son over 1,200 acres and other property. This was not unique to Natchez. In fact, in an 1856 Mississippi Supreme Court case that originated from another county, a white father had left instructions for his executor to “have said girl Harriet [his daughter by his enslaved woman, Fanny] brought up as a free woman, and ultimately to be given in marriage to a white man.” If this condition was met, Harriet would then inherit her father’s property.<sup>23</sup> This tactic, in fact, was amplified among families whose daughters were bequeathed real or personal estate with the idea that there would

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<sup>22</sup> Harriet Johnson to Thomas Downer [sic], April 7, 1841, *Mississippi Marriages, 1776-1935* [database on-line]; Adams County Chancery Court, Will Book 3, 1855, 35-37.

<sup>23</sup> *Joseph Barksdale, Appellant, v. George B. Elam et al., Appellees*. Supreme Court of Mississippi, 30 Miss. 694, 1856.

be far fewer challenges to the free black daughter losing the property through fraud or legal technicalities with a white man, her husband, controlling it.<sup>24</sup>

A question of coercion arises when considering these marriages between free women of color and white men that the parents of the bride orchestrated. In a very real sense, they were arranged marriages. How did the daughters react to a proposed partnership with a white man? Did they have similar ideas to their parents that a certain class of white men would be the best choice to protect them from harmful features of Natchez society? William Johnson uncovered one family's conflict concerning this question in his neighbor Baylor Winn's household. The Winns were a family of free blacks who had migrated from Virginia and were passing as white. Unquestionably, the family head had preconceived notions of the type of whites he wished his daughters to marry. Johnson documented the resultant domestic abuse suffered by Emeline, who desired to marry a man obviously unsuitable to her father on the basis of status. Johnson intimated that, "Winns Daughter Came down to H. Scrabble without Shoes She had Just

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<sup>24</sup> At least one of Harriet Johnson's daughters, Mary A. Cullen Cross, married a white man. It is unclear if Annie Celine Dowling married before her death in 1873 at the age of 26. See Adams County Chancery Court, Will Book 3, 1855, 35-37 and *Thomas Reber v. Thomas J. Dowling et al. And Thomas J. Dowling et al. V. Thomas Reber* Supreme Court of Mississippi, 65 Miss. 259; 3 So. 654, 1887. The Barland daughters married as follows: Adams County Chancery Court, Marriage Records, William Henderson and Margaret Barland, 1808; Asa German and Elizabeth Barland, 1808; Martin Thomas and Betsey [Agnes] Barland, 1809; and Wilson B. Harper & Susannah Barland, 1819. George Winn's daughters, Polly [also called Mary] married a white overseer William Mosbey in 1834 or 1835 and Helen later married Washington Ford. Cited from a footnote in Hogan and Davis, 209. It is also likely that some daughters of the Fitzgerald clan married white men as well. These free families of color were actually the result of the relationships between two Scottish brothers, James and George, and their enslaved women, Betsy and Mary. George and Mary, who was Jamaican, had five daughters and two sons. Besides freedom, George left nothing in his will to his children or their mother. His brother, James, however, in addition to emancipating his three children and making provisions for their education and vocation, left them property as well. He also left Betsy property as well. Personal conversations while conducting research in the Chancery Court with a long-time Natchez resident indicates that part of the Fitzgerald family considers themselves white while some identify as black. This suggests that some daughters—or perhaps sons—married white partners.

Escaped from Irons that her father had chained her in to Keep her from Getting Married to a Mr Burk the wood choper, and the young One tried also to Escape but She did not So Stands the affair.”<sup>25</sup> The brutality Winn exhibited toward his daughter in chaining her to prevent her from marrying Burke is indicative of his proclivity toward extreme patriarchal control. He ultimately failed in his efforts to exert dominance over Emeline because two days later, the couple was married. The following year, the “young One” who had earlier failed to escape her father’s house with her sister celebrated her nuptials. Johnson did not indicate if this marriage met Winn’s approval. It likely did not.

Some free men of color in Natchez sought white partners as well, and though there is no clear-cut evidence that free parents of color encouraged their sons, white fathers might have done so. Several free men of color in Natchez were married to white women, apparently with little community outrage, including Andrew Barland, David Earhart, George Winn, and Baylor Winn. Marrying a white woman may have been a strategy to enhance status or to gain more property as the white wife’s assets would have become her husband’s, unless there was a prenuptial agreement preventing it. In the case of one white father, William Barland, it is clear that he felt strongly about his 12 children and shared a considerable parenting role with their free mother of color, Elizabeth. Besides leaving the children \$2,000 each in land and slaves in his will, Barland affirmed his involvement in childrearing:

as I was the agent through God of bringing them into existence so I thought it my duty to my Country and to my God and myself to raise them industriously and virtuously and in the end to have them as indipendant [sic] and as comfortable as the produce of my labor would permit and farther if misfortune or distress had

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<sup>25</sup> Hogan and Davis, *William Johnson’s Natchez*, 568.

overtaken me in old age I Should have to look to them and them only for support and comfort in such a situation.<sup>26</sup>

It is clear that at least one of William and Elizabeth's sons, Andrew, identified as a white man and undoubtedly, this was a result of his upbringing. As he detailed key points regarding his views, he stated "that his father gave him a decent education and property enough to be independent, that he intermarried with a respectable white family, by which said wife he has two children... 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."<sup>27</sup> Unquestionably, his white father inculcated this worldview in him.

Free black men like Andrew Barland and his brothers and David Earhart who were raised in the households of their white fathers by free black mothers were thus of two worlds, but belonged singularly to neither of them. They retained recognizable features of both but created their own unique amalgamated cultural blend. In the most prominent and wealthiest free black families, like the Barlands and the Johnsons, slaveholding was a predominant feature. It is probably no coincidence that in these families, again, that their white fathers maintained close ties to their children. Sons and daughters of wealthy planters often were raised to think of themselves as superior to the general enslaved population, particularly those without European heritage. There is no doubt that William Johnson held himself apart from people of unmixed African heritage or "darkeys" as he disparagingly termed them in his diary. Not only did he ridicule gatherings in which there were enslaved people as well as free blacks present, so-called "darkey parties," discouraged his free apprentices from attending, and mocked them when they

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<sup>26</sup> Adams County Chancery Court, Willbook 1, 1811, 132-138.

<sup>27</sup> Edwin Adams Davis and William Ransom Hogan, *The Barber of Natchez* (Baton Rouge: Louisiana State University Press, 1954) 249-250.

did; but he surrounded himself with people whose phenotypes were more closely akin to his own.<sup>28</sup>

Another free man of color, David Earhart, identified with his father and mirrored his life in telling ways. Earhart had a similar biography to Andrew Barland in that he was also the son of an enslaved woman, Cassandra, belonging to his father, white Jacob Earhart, who was later freed. David was raised with his father as a clear presence in his life, along with of course, his mother who later married Jacob after his white wife left him. David grew up to become a prominent business man in Natchez and married a white woman, Louisa. However, like his father, he became involved with his enslaved woman, Agnes Gordon, and went on to have eleven children with her, all of whom he freed. He eventually left property to all of his children, legitimate and illegitimate.<sup>29</sup>

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<sup>28</sup> Tiya Miles makes a similar argument in describing the worldviews of “halfbreed” Cherokee men who were raised by European or American men and Cherokee women. She contends that these sons adopted many of the outward trappings of white men in clothing, property owning, and slaveholding. But yet they retained cultural values like language, religion, and loyalty to their nation through their mothers. See Tiya Miles, *The House on Diamond Hill: A Cherokee Plantation Story* (Chapel Hill: The University of North Carolina Press, 2010), 21-25. James Hugo Johnston also noted the socialization from white fathers that some free children of color received in terms of separating themselves from the masses of enslaved people and thinking themselves elevated above them. As he stated, “There were agencies that tended to force many of the mulattoes into a caste apart from the mass of Negro population. When relations of affection existed between the white father and his mulatto children, such fathers were often inclined to consider their offspring not as Negroes but as persons of their blood, and there is evidence that such parents taught their children to consider themselves as better or superior to the members of the servile races” in James Hugo Johnston, *Race Relations in Virginia and Miscegenation in the United States, 1776-1860* (Amherst: University of Massachusetts Press, 1970), 293. For examples of Johnson using the term “darkey” to describe people obviously different from how he viewed himself, see Hogan and Davis, *William Johnson’s Natchez*, 178, 235, 469, and 557 to begin.

<sup>29</sup> Joyce Broussard, “Stepping Lively in Place: The Free Black Women of Antebellum Natchez” in *Mississippi Women: Their Histories, Their Lives—Volume 2*, ed. by Elizabeth Anne

In spite of the noticeable number of mixed partnerships between free people of color and white though, free blacks composed the majority of household heads overall during the period of 1820-1860, particularly after 1830. Table 5.5 below distinguishes between the number of female and male-headed households, which for the overall period, are roughly equal. This is a high percentage of households that were led by women. This proportion of single women of color heading households stemmed from a few factors: lack of eligible free men of color; fear of property loss; the complications of marrying enslaved men; and their involvement with white men. One reason for the difficulty women had in finding eligible partners among free men of color was that free women of color often outnumbered men who were not related to them. 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>30</sup>

For property-owning free women of color, marriage could prove a financial liability, and even, a disincentive as opposed to remaining single. At times, it went beyond the minor relationship disputes between spouses and couples could not work their differences out. Malvina Huffman Matthews discovered this soon after she married Edwin Matthews, a white man with little property of his own in 1852. She applied for divorce eight mere years later in 1860, revealing to the court a pattern of infidelity, indolence, and theft on the part of her husband. In part, the marriage bonds had been strained by his sexual betrayal with both white women and free women of color. As Malvina related to the court, “much to her mortification & astonishment

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Payne, Martha H. Swain, and Marjorie Julian Spruill (Athens: University of Georgia Press, 2010) 25-26.

<sup>30</sup> For analysis on why this was particularly true for property-holding women, see Ira Berlin, *Slaves without Masters: The Free Negro in the Antebellum South* (New York: Vintage Books, 1971), 177; Loren Schwening, *Black Property Owners in the South, 1790-1915* (Urbana: University of Illinois Press, 1990), 85; and Ribianszky, Thesis, 59.

has lately been informed, & she states the truth to be that in about three years after the date of said marriage the said Edwin J. Mathew, utterly disregarding his plighted faith, abandoned himself to a carnal intercourse with lewd women.”<sup>31</sup>

**TABLE 6.5 Free Black Heads of Households by Sex, 1820-1860**<sup>32</sup>

<b>Year</b>	<b>Female #</b>	<b>%</b>	<b>Male #</b>	<b>%</b>	<b>Total</b>
1820	10	45	12	55	22
1830	4	24	13	76	17
1840	29	52	27	48	56
1850	32	56	25	44	57
1860	18	46	21	54	39
<b>Total</b>	<b>93</b>	<b>49</b>	<b>98</b>	<b>51</b>	<b>191</b>

Notwithstanding the relatively high proportion of female-headed households, married free black partners composed an essential element of the household structure. Free black marriages in Natchez tended toward life-long partnerships until the death of one of the spouses. Couples often spent most of their adult lives and grew old together. Out of a sampling of marriages known to have lasted over the course of at least a decade, twelve of them were between free men and women of color. Some, like Ibrahima Al-Rahman and his wife, Isabella, had been enslaved through much of their adulthood and when one partner was freed, he or she would be instrumental in liberating the other. After Al-Rahman was freed in 1828 following a struggle with his owner in which he claimed African royalty and was set to immigrate to Liberia, he ““looked at the old companion of his slavery, the mother of his nine children—he could not agree to part without her. She, too—how could she part with him! She wished to follow him to

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<sup>31</sup> Adams County Chancery Court, *Malvina J. Mathews vs. Edwin J. Mathews*, Case No. 108, Box No. 11, 1860.

<sup>32</sup> Source: 1820-1860 U.S. Census Returns for Adams County, MS



the end of the earth.”<sup>33</sup> Freedom would have rung hollow had these life-long partners not been able to share it together. Al-Rahman solicited a feverish 24 hour collection among local people and quickly procured the purchase money for his wife and they shortly set off for their journey to Washington, D.C.<sup>34</sup>

Other free men and women, like Al-Rahman, were able to purchase their spouses out of slavery and later free them. Some couples in Natchez, then, had the experience of owning their spouse, some longer than others. For example, Ben Vousdan, who was freed by his owner in 1803, shortly thereafter purchased his wife, Mary, from another slaveholder. The couple had five children together: Louisa or Lucy, Rachel, Sandy, Mary Anne, and Benjamin. Although the family lived "as free persons, separate and apart, to themselves," by the time of Ben's death in 1816, he had not gone through the necessary steps to manumit his family. The family suddenly found themselves vulnerable to the uncertainties of living without a protector in a slave society. However, local residents successfully petitioned the state legislature to free the family, arguing that "Ben intended to free them and was attempting to have a will drawn up to that effect when he died."<sup>35</sup> Members of the family remained in Natchez decades later. Thus, the efforts of free

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<sup>33</sup> Terry Alford, *Prince Among Slaves: The True Story of an African Prince Sold Into Slavery in the American South*, 30<sup>th</sup> Anniversary Edition (Oxford: Oxford University Press, 2007), 108.

<sup>34</sup> Information about long-lasting relationships between free people of color and between them and enslaved persons as well as whites was culled through the examination of Adams County census data, will, marriage, and deed records, the Johnson diary, and other sources.

<sup>35</sup> Adams County Chancery Court, Will Book 1, 1803, 8; Mississippi Department of Archives and History, Territorial Legislature, Series 524; Record Group 5; Box 27, 1816.

men and women of color to purchase and shelter their loved ones illuminate the resilient strength of families.<sup>36</sup>

Like free people of color in other southern cities, free men and women married each other, within their small social circle. Certain propertied families within Natchez practiced endogamous marriages with one another, like the Barlands, Fitzgeralds, Johnson/Millers, McCarys, and Hoggatts. Ann Battles and William Johnson enjoyed a three-year courtship during which time he escorted her to the theatre, purchased for her such items as guitar strings and a silk dress, and were married in 1835 at the ages of twenty and twenty-six, respectively. Johnson's diary is peppered with entries recording horseback rides together; sunset walks to the river, countless visits with extended family and friends, exchanging money back and forth, and concerns over his wife's occasional sicknesses. Over the course of fifteen years, they had 10 children together and remained happily married until his murder at the age of 42. During the time that they enjoyed as a couple, they were a constant source of support and contentment to one another and their children.<sup>37</sup>

At times, marriages were cut short by the death of one of the spouses, which would of course be quite traumatic for free people of color after years of intimacy and children together. Sally and Milford Cary had been married for decades and had six children. After having suffered some sort of illness, possibly a stroke, and becoming "a meare Child" with no use of his arms and hands for a year, Milford died. A few days after his funeral, William Johnson sent his enslaved man Charles "out to see How Sally Cary was and found her Crying and Hallowing,

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<sup>36</sup> Adams County Chancery Court, Police Board Records, 1832, 10.

<sup>37</sup> Hogan and Davis, *William Johnson's Natchez*, 23, 132, 167, 581, 625.

Falling down &c, on the road Side.”<sup>38</sup> Losing Milford was undoubtedly difficult emotionally, but would have proven more distressing to a widow with children. For a woman who had been accustomed to the routine of marriage and shared responsibilities and the contributions of a spouse, she would have keenly felt the void. Two years later, Sally married an enslaved man known as “Mr. George.” The title “Mr.” as applied to a slave was unusual, so it is possible that he was a privileged person and in a position to add to their estate as Sally was a property owning widow. It does, however, reveal the difficulty that free women of color experienced in locating free black partners, given the gender imbalance in Natchez. For example, free women of color outnumbered free black men by a ratio of 4:3 in the 1840s, the decade in which Milford died. Although it does not seem to be as common for free women to marry enslaved men as it was for the reverse dynamic, there were other free women of color who are known to have married enslaved men in Natchez.<sup>39</sup>

Although long-lasting marriages were a source of happiness and security, they were not without problems. The state of marriage for free people of color, much like other populations—white and enslaved—was not always blissful. Within the Johnson marriage, there are hints of the normal domestic disputes one would expect of a couple who had a long-lasting partnership and a house full of children. In a series of diary entries spanning three days, William mentioned a pattern of arguments between himself and Ann. He defensively intimated that, “I had Last night and this morning together several Quarrels with my wife She Commenced it of course I did not have a great deal to say—all amounts to nothing any how for I Cant say that I said

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<sup>38</sup> Ibid., 383.

<sup>39</sup> Ibid., 70 and 471; Adams County Census Returns, 1840 and 1850. For example, one free woman of color, Rhody White, bequeathed money to her husband, Batiste White, who was enslaved. See Adams County Chancery Court, Will Book 2, 1833, 41.

anything to Her to Hurt her feelings that I believd myself whilst I was talking. I only did it in a Spirit of Retaliation—that [is] all so Help me.”<sup>40</sup> Since William rarely recorded disharmony with Ann in his diary, this suggests that the occasion caused an anomalous disruption in marital relations for them to experience prolonged conflict.

Family and friends often mediated domestic problems. This was certainly the case for the Johnsons and their family friends, the Brusties. In fact, two generations of Brustie men, Gabriel and his son Gabriel, Jr., required the intervention of Ann and William during troubled times with both of their wives. The Johnsons had refereed the earlier tension between Gabriel, Sr. and Marie when he was reputedly “treating his wife very badly.”<sup>41</sup> The younger Brustie wrote to Ann fifteen years following this incident when he too was experiencing marital stress and needed assistance. Apparently, he and his wife, Victoire were temporarily separated and she refused to return to their home in New Orleans. He appealed to Ann to convince his wife to meet with him because as he pointed out “conversing together privatly and writing letters makes a great differents between husban and wife.”<sup>42</sup> He acknowledged Ann for “all that you have done and still will do in reconciliating me and my wife. And I shall never in this world forget your kind feelings in our little Difficulties wich I hope is almost come to an end.”<sup>43</sup>

The fascinating aspect of the letter, in addition to the reliance on the actions of friends to arbitrate marital problems, is the power that it places in the hands of Victoire. His deference to his wife’s feelings extended to their son too and the letter illuminates how Victoire refused to

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<sup>40</sup> Hogan and Davis, 398.

<sup>41</sup> Ibid., 463. Also, refer back to Chapter Four, for the discussion of their dispute.

<sup>42</sup> Virginia Meacham Gould, *Chained to the Rock of Adversity: To be Free, Black, & Female in the Old South* (Athens: The University of Georgia Press, 1998), 29.

<sup>43</sup> Ibid.

allow him to go work with his father in New Orleans although it would have been economically beneficial to the family unit. Gabriel, Jr. revealed that their son had “disobeyed” him in his orders and that the boy’s mother had intervened in his disciplinary tactics in a way that clearly frustrated him as a father. But it also highlights what were perhaps more equitable power dynamics between free spouses of color, particularly ones that controlled their own independent property as Victoire did. Gabriel concludes the letter with the frustrated concession that “my wife will have her own way and I must adhere to all that she wants.”<sup>44</sup>

Parenthood was one of the most precious of all entities to both free men and women of color in marriages or otherwise, and they took their responsibilities of raising children quite seriously. As evidenced in Table 6.6 below, though, not all children were raised in two-parent households, according to the census. However, parents devised strategies for rearing children in the best way they were able, skillfully exploiting kinship networks and meeting mutual obligations throughout Natchez.

**TABLE 6.6 Free Black Heads of Households with Children by Sex, 1820-1860**<sup>45</sup>

<b>Year</b>	<b>Female #</b>	<b>%</b>	<b>Male #</b>	<b>%</b>	<b>Total</b>
<b>1820</b>	6	43	8	57	14
<b>1830</b>	4	29	10	71	14
<b>1840</b>	22	47	25	53	47
<b>1850</b>	21	51	20	49	41
<b>1860</b>	16	46	19	54	35
<b>Total</b>	<b>69</b>	<b>46</b>	<b>82</b>	<b>54</b>	<b>151</b>

Mothers were integral figures in the lives of free people of color, not only for economic reasons, but provided deep emotional sustenance to their sons and daughters alike. The bond between mothers and their children is a universal theme throughout the African American

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<sup>44</sup> Ibid., 30.

<sup>45</sup> Source: 1820-1860 U.S. Census Returns for Adams County, MS.

experience, touching enslaved as well as free people of African descent. Indeed, the poignant narrative of Bill Hayden, who was enslaved until reaching adulthood, reveals a riveting theme of maternal love as motivation for his freedom. Hayden was separated from his mother when he was five years old and spent much of his life longing to see her, occasionally hearing news of her and one time, as an enslaved adult, encountering her briefly. As he shared,

There is perhaps no feeling in the bosom of a child, which is more strong and binding, even unto death, than the feeling of love for his mother...The feelings of a child can be but poorly appreciated towards parents, until he is torn rudely from their protecting arms, and consigned to waste his youth and manhood in exile from their presence.<sup>46</sup>

Although it was generally free parents that protected their children and secured their places in society, Hayden represents a clear example of free men and women diligently laboring to free their parents. After achieved manumission by purchasing his freedom, Hayden moved to Natchez where he continued to develop important contacts and a home base and within a few years, returned to his original home in Virginia, located his mother, and arranged her liberation. He, along with his mother and sister, journeyed back to Natchez and there resided for some time. His powerful attachment to his mother kept him emotionally connected to her throughout the years of separation and culminated in their reunion once they were both freed.<sup>47</sup>

The more common pattern than Hayden's experience was that mothers labored for the freedom of their children and provided psychological, as well as financial, support to them. This was particularly the case when free mothers of color were single and the burden lay wholly upon them, as exemplified in the cases of Amy Johnson and Harriet Battles, the mothers of William

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<sup>46</sup> Hayden, William. *Narrative of William Hayden, Containing a Faithful Account of His Travels for a Number of Years, Whilst a Slave, in the South, Written by Himself* (Cincinnati: William Hayden, 1846), 61. <http://docsouth.unc.edu/neh/hayden/hayden.html>.

<sup>47</sup> *Ibid.*, 131.

Johnson and his wife, Ann. Both women received their freedom years before their children did, as a result of sexual involvement with their white owners. Without doubt, these mothers pressured and influenced the fathers to free their children. This is not to claim that it was an inevitability that the mere fact one fathered a child with an enslaved woman would result in manumission, as many thousands of other children of white men remained in bondage; however, in the event that it did occur, it is highly likely that the mothers were instrumental in securing their freedom.

Property accumulation among free blacks was vital to the stability of individuals and families. A large proportion of free people of color inherited their property from their parents, which demonstrates that having family connections was a critical ingredient for prosperity. Free women of color, like men, were expected to hold an occupation to earn money for the family as well as run the household effectively as wives and mothers. Gender conventions, which many times, mimicked the dominant culture in the U.S., were transferred to free black households and women were exhorted to perform amazing feats of balancing acts between work for the family and paid work. Unlike the dominant ideology for white women, however, due to these realities, many free black women found it challenging to live up to the “cult of true womanhood” which emphasized domesticity and working within the home for one’s family. Class laid bare the differences between women who were more able to live according to this dogma like Ann Johnson, because of the wealth she and her family enjoyed, and other women, namely those that had children but were not married or who had little or no property.<sup>48</sup>

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<sup>48</sup> James Oliver Horton, “Freedom’s Yoke: Gender Conventions among Antebellum Free Blacks,” *Feminist Studies*, Vol. 12, No. 1 (1986), 51-76. See Chapter Four for a discussion of the “cult of true womanhood.” Also, see Hogan and Davis, *William Johnson’s Natchez*, 557.

For single mothers the pressure to labor to sustain them was challenging and women had to look outside of their households to find support in the free black community. As the mother of sons who needed to learn a trade that would prove lucrative to them, washerwoman Rachel Burns who had at least six children, had to agree to the apprenticeships of at least two of her sons, Frank and Claiborne, to learn the trade of barbering with William Johnson. Although Frank had been in Johnson's employment since the age of twelve, Burns still exerted much influence over her son and served as an advocate for him with Johnson. As Johnson noted, "Frank [Burns] by some calculation or other seys that his time of apprenticeship is up with me yesterday and that he is now 18 years of age—I received a note from his mother on the subject. I saw his mother. She told me that any arrangement I could make with Frank she would be satisfied with."<sup>49</sup>

The financial necessity of having children bound out placed mothers in the awkward position of sharing power with an unrelated parental figure in their sons' or daughters' lives. Another single mother, Rachel Winston, whose son William (known affectionately by Johnson as "Winn" or "young Winn") was also one of Johnson's barbering apprentices, sought to exercise some measure of authority over her son while he lived in Johnson's household. Johnson chronicled that he gave Winston "a very seviere flogging" for "impudence" and a few days later, he "whiped Winston to Day again on account of his going Home to tell his Mother Lyes, &c."<sup>50</sup> While housing and employing his apprentices, Johnson expected to discipline his apprentices as he saw fit. However, Winston sought to challenge his authority by involving his mother, who

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<sup>49</sup> Hogan and Davis, *William Johnson's Natchez*, 615. For more details on the apprenticeships of the Burns boys, refer to 403 and 557 of the same source.

<sup>50</sup> Hogan and Davis, *William Johnson's Natchez*, 247.



came to her son's defense, obviously offending Johnson, but unfortunately for the Winstons, it only served to earn him more punishment.<sup>51</sup>

The actions of their apprenticed sons and daughters reflected on their mothers and if children did not act accordingly, could be an added source of stress. Johnson chronicled the misbehaving actions of another of his young apprentices, Bill Nix:

I took Bill Nix and gave him a whipping. He then confessed that he had taken the Key of Side Bourd which unlocked Mothers trunk and that he had got money frequently to the amount of Eight or ten Dollars He had bought a finger Ring of Cockarill & Surie, cost \$3.00, a whip from Mr Spielmans Zack, cost 1.00, a pair of Boots from Middleton, cost \$2.50 he paid John for a pair of Pantaloons His Mother was greatly Hurt at the Conduct of Her Degraded Son<sup>52</sup>

While not under the direct supervision of their mothers, then, and perhaps resentful of their displacement from their homes, some boys like Bill, acted out. His mother was undoubtedly embarrassed that her son had behaved in such an undignified way, but further, probably worried that he might lose his placement as a consequence of his actions, which could cause him to lose a safe and solid apprenticeship and she would again be resigned to locate another acceptable one.

In two-parent, propertied households, there were vital, gender-specific duties of mothers and fathers. Broadly speaking, mothers oversaw the domestic production and maintenance of households and trained their daughters to do so as well. They also directed their sons to perform a variety of tasks for the family. Fathers generally administered discipline to children and either trained sons in whatever occupation they did or found suitable placements for them in the local community to learn other pursuits. Both parents worked together to ensure that the household

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<sup>51</sup> Another incident where Winston involved his mother that apparently infuriated Johnson was when "L.W. Winstons mother was making some arrangment or quarreling about her sons having Bought a Bed from One of the other Boys at 37 ½ cents Oh the Deel [Devil] could not be in more passion than I was," Hogan and Davis, *William Johnson's Natchez*, 129.

<sup>52</sup> Hogan and Davis, *William Johnson's Natchez*, 73.

functioned seamlessly and as the case of the Brustie's demonstrates, parental obligations were not always gender-exclusive and overlap occurred.

William Johnson's 16 year diary was a running chronicle of not only his business activities and leisure pursuits with friends and acquaintances, but simultaneously showcased his love and involvement with his children and highlights the integral place that fathers had in the lives of their families. It is likewise a window into the parenting of other free black men and women in Natchez. From the time each of his children was born until his death in 1851, he noted most of their births with pride. Of his first daughter, Anna, he proudly bragged that "To Day about [blank] O'clock my Little Daugter was Born And the Larges & Finest Child I ever saw of its Age."<sup>53</sup> As a father, however, he was not a distant figure overseeing their lives. He was an active participant in the mundane aspects of family life, worrying about their health and well-being.

One poignant incident, the protracted illness of his son Richard, reveals Johnson as a solicitous, involved father. Almost every entry during this three week period in 1841 mentions his "poor little Richard" suffering from "spasms or cramps." Johnson missed work in his barber shop to stay with his son for several days, sending his apprentices in place of himself. In one telling entry, he describes the ordeal and notes,

Oh what a time of it we have had—We have to set up Evry night with Him—  
Mother sit[s] up with Him to night, Mc [Johnson's close friend, Robert McCary,  
another free man of color] until ½ past 10 O'clock, then returns Home. Tis now  
at the time of my writing nearly 4 O'clock in the morning and I am now setting  
by the Bed Side of Richard who I thank God appears a Little Easy in his Sleep &c.<sup>54</sup>

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<sup>53</sup> Hogan and Davis, *William Johnson's Natchez*, 326.

<sup>54</sup> *Ibid.*, 360.

Fortunately for the Johnsons, in no small way because of the attentions of his family, including his father, Richard recovered. This was not the first time Johnson had helped to nurse a child through sickness. Indeed, when his first child William was born in 1836, within a few days of birth became sick and for the following month, Johnson went to get the doctor on at least five different occasions, once at 1:00 in the morning to examine the baby and prescribe medicine for him.<sup>55</sup> Other free fathers of color in Natchez nurtured their children in similar ways, one of them being his friend, Robert McCary, whose little son Robert became ill at the same time as William, Jr. and sent McCary also scrambling to find the doctor at two o'clock in the morning. This sort of ministrations to their sick children mirrors what other historians have found in their examination of white planter fathers. Although fathers could not give the intimate care that mothers gave in terms of the birth experience, maternal bonding, and breastfeeding, they found concrete ways to foster and safeguard the health of their sons and daughters.<sup>56</sup>

Fathers in two-parent households typically handled disciplinary issues related to childrearing. Johnson chronicled his role as the family disciplinarian. His diary offers views into his physical reprimands of not only his apprentices and enslaved individuals, but his children as well. As he related concerning one incident, he "Gave my Little William a very severe whipping to day up at the Shop for his bad Conduct, Throwing Brick and so forth, and sent Him Down

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<sup>55</sup> Ibid., 96-104.

<sup>56</sup> Sally McMillen looked at white, patriarchal fathers and concluded that they were heavily engaged in monitoring and promoting the health of their children, among other responsibilities. It is clear that William Johnson as a free father of color also acted in this capacity within his own family. See Sally G. McMillen, "Antebellum Southern Fathers and the Health Care of Children," *The Journal of Southern History*, Vol. 60, No. 3 (Aug., 1994): 513-532.

Home—oh I gave him what I thought was right.”<sup>57</sup> As free fathers of color, they had to be cognizant of the actions of their children in the larger society, which could bring racialized problems to them and thus, parents had to make strong examples to remind them of the dominant racial order. He shared the following incident in his diary illuminating that although he objected to the discipline, he felt compelled to do it for everyone’s sake:

R. Parkers Daughter both told some Lies on my Children this Evening and has Caused me to whip them. It was wrong in me to do it tho I whipt them...In regard to our children, R. Parker stated that my children had brick bated his Children and that One of them had insulted his wife and Daughter, &c, which information I find his wife tells and Daughter tells him, also—I have only to add that God Knows that what they have stated is not the truth.<sup>58</sup>

These types of events concerning Johnson’s children occurred rarely within the household and generally, he was much more inclined to punish his apprentices and enslaved workers. Indeed, “whipping” his own sons seemed to pain him and he came to their defense hastily when others hurt them. As he chronicled in 1841, when his oldest son William was six, “I had a Little run to day after a Black Boy [enslaved] that Slapd my Little William. I got near Enough to give him a very seviere Kick on his butt—I don’t think He will attempt to runaway from me Soon.”<sup>59</sup> This was most likely to establish an early distinction in his son’s mind as well as the difference between him and an enslaved boy.

While parents like Johnson seemed reluctant to use physical force on their children except in warranted cases, the behavior of other free parents of color in the community bordered on abusive. Certainly, this was demonstrated in the above case of Baylor Winn’s chaining of his

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<sup>57</sup> Hogan and Davis, *William Johnson’s Natchez*, 361. For other incidents of corporal punishment, of his sons see 352, 534, 526 of the same source.

<sup>58</sup> *Ibid.* 534-535.

<sup>59</sup> *Ibid.*, 352.

daughters. His harshness was not confined to merely them, however, but extended to his sons as well. Both of his sons Jasper and Calvin vacated their father's household, the former to become an overseer against the wishes of Winn. The reasons for Calvin's departure are unclear, but regardless, it was enough of an affront to his father to cause Winn to threaten "that if he should meet him he intended to cowhide him and would do it where Ever and when Ever he Could find him."<sup>60</sup> Winn's desire to control the choices of his daughters to marry respectable white men and his sons to select occupations meeting his approval caused him to disintegrate his family when his parental wishes were not respected and upheld. When they failed to satisfy their father's extreme expectations, Winn disinherited all of his children. As he bitterly stated in his will, "Third it is my will and desire that my children namely Jasper, Calvin, Mary, and Sarah [Emeline having died in 1851] have no part of my property, lands and effects of which I may have at my death."<sup>61</sup> This family illustrates how the pressures of passing as white strained the patriarch's flexibility with his children and instead, he attempted to force them to conform to prevailing ideals of "respectability."

Another family dynamic deserves attention: the differential treatment of children based on their paternity. In the family groups who inherited property from white men, but contained children from other relationships, mothers made special concessions for their other sons and daughters. Rebecca Parker's family reveals this pattern. Parker was emancipated by white William Parker, Jr. in 1826 and had two of his sons, James and William. She was the mother to two other children, Ellenora and Peter who were not William Parker's. In her will, she left her

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<sup>60</sup> Hogan and Davis, *William Johnson's Natchez*, 631.

<sup>61</sup> Emeline had died in 1851 although it is probable she, too, would have been disinherited along with her brothers and sisters according to Baylor Winn's Will, Atascosa County, TX Wills, July 25, 1859.

“horse and all my household furniture of every Kind” to Ellenora and Peter. 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>62</sup> After detailing the instructions for the dispersal of her property, she offered this explanation relating to her other sons, “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 as an added consideration, 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.” Parker well understood the key to guarantee their future stability depended upon them having viable vocations to support themselves if the property left by their father was not sufficient for financial independence. Rebecca was motivated by the desire to see that all her children could prosper equally, and thus, made adjustments to ensure they would.<sup>63</sup>

Franky, who was mother to three children: Kitty, Robert (Bob), and Warner McCarey (also known as Okah Tubbee), demonstrated great discrepancy in her treatment of them and like Baylor Winn, illuminates issues of abuse in the free black community. Kitty and Bob were the daughter and son of white James McCary who left them real estate, cash, and personal property and made provisions for their educations and needs. Warner was left enslaved to his brother and sister, possibly McCary’s punishment toward Frankey for having a child with a different man. In his autobiography, Warner reveals great childhood pain and charged Franky with unfair conduct in the raising of his siblings and himself. He bitterly complained that, as a consequence of Franky being paid \$10 a month out of the estate to take care of Kitty and Robert’s maintenance,

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<sup>62</sup> Adams County Will Book 2, 23 September 1840, 270.

<sup>63</sup> Ibid.,270.

“Her children were well dressed and neat; I was not only in rags, but many times my proud heart seemed crushed within me, and my cheek crimsoned with shame because of their filthy condition.”<sup>64</sup> Kitty and Bob were also tutored privately in their home with the proceeds of their father’s estate. Warner clearly felt slighted by having siblings who enjoyed more material benefits and were treated quite differently by their mother. He observed that:

she was very fond of them, but was never even kind to me, yet they obliged me to call her mother. I was always made to serve the two children, though many times I had to be whipped into obedience. If I had permission to go out an hour to play, I chose to be alone, that I might weep over my situation, but even this consolation was refused me. I was forced to go in company with them, taken with me, many times, a smarting back, after a promise had been extorted from me that I would remain with them and obey them.<sup>65</sup>

The disparate management of her children extended to physical discipline with Franky hiring Warner out to contribute to the household by laboring for whites in Natchez. “I gave the woman my money, also the presents I received, but the more I gave her, the more she exacted from me. Child as I was, I could not allow myself to weep by day. If she found my pillow wet with my tears, she whipped me for that.”<sup>66</sup> As an adult, Warner “reinvented” himself and denied Franky as his mother. Throughout his autobiography, in which he claimed that he was actually of Native American parentage and had been illegally kidnapped, he referred to her as his “pretend” or “unnatural” mother as a result of this slight toward him.

Natchez parents viewed the acquisition of literacy and computational skills to be singularly important and ensured they met the needs of their children as they understood education was a vital feature to accentuate a free person of color’s bid for respectability and

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<sup>64</sup> Littlefield, *The Life of Okah Tubbee*, Adams County Chancery Court, Will Book 1, 1815, 88-90.

<sup>65</sup> Littlefield, 18.

<sup>66</sup> *Ibid.*, 22.

success. There was often a generational gap in literacy between the foundational and conditional generations. Many of those who had grown to adulthood in slavery, particularly mothers like Amy Johnson, Harriet Battles, and Franky, did not attain literacy. However, it was of immense importance that their children hone their intellects and thus expand their opportunities to prosper. They accomplished this in a number of ways. One free man of color, Robert McCary, having been educated by private tutors in his own home, later taught his own and others' sons and daughters. In 1840, McCary enrolled 40 students in his school. This seems to have been the sole organized school for free children of color in Natchez up to that point. Prior to that, obtaining an education in Natchez was done on an individual basis, within the homes of free blacks and willing whites. As William Johnson shared, "I gave the Boys Several Lessons to day in reading and writing in there Room," as part of his obligation to impart a rudimentary education to his apprentices.<sup>67</sup> Johnson thus took it upon himself to teach his apprentices. He and his wife Ann, however, in addition to home-schooling their sons and daughters in reading, writing, literature, mathematics, geography, and music, made the decision to have some of them—William, Jr., Anna, Richard, and Byron educated in New Orleans.<sup>68</sup>

The practice of sending free children of color out of the state to receive educational instruction for parents who could afford to do so was not uncommon. Eliza Potter commented on the practice of white fathers sending their mixed-race children to northern institutions:

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<sup>67</sup> Hogan and Davis, *William Johnson's Natchez*, 350; Littlefield, *The Life of Okah Tubbee*, xl; Davis and Hogan, *The Barber of Natchez*, 245; Julia Huston Nguyen, "The Value of Learning: Education and Class in Antebellum Natchez," *The Journal of Mississippi History* 61, No. 3 (1999): 237-63.

<sup>68</sup> Gould, *Chained to the Rock*, xxv.



She then said she went North every summer, where she saw as many mulattoes as in the South. I said, 'Just so, made; those are children sent from the South to the North, as all our institutions are filled with gentlemen's children sent from the South. I spent my last winter in Oberlin, Ohio; between three and four hundred children were there—two-thirds of them being gentlemen's children from the South.'<sup>69</sup>

Doubtless, these experiences of studying in another state were enriching. Helen Winn had been sent to boarding school in Pennsylvania where she studied French, music, and other subjects for five years. Her brother Winslow was also sent to a similar institution in the same state. Their free black father George Winn left them his property, slaves, cash, and the means to have them “all taught such learning as shall suit their status in life, and such as their capacities are capable of acquiring, having an Eye to usefulness.”<sup>70</sup> However, their younger sister Mary (also known as Polly) had a different experience. She sued the executor of her father's will for failing to make necessary provisions for a solid education. He had succeeded in placing her into a household of “a decent family in the city of Natchez with the view of improving her and continuing her education,”<sup>71</sup> but apparently, the outcome did not compare with her sister's and brother's schooling.

In every way possible, then, by apprenticing their children, hiring private tutors, sending them out of state, or doing it themselves, parents exerted much effort to ensure their children got their educations. It was noticeably a compelling concern in that one parent often embedded this desire within their wills and imparted the responsibility to their partner. As Thomas Dowling instructed, “I also appoint Harriet Johnson, her [his daughter Annie's] mother, to take charge of it and to rent and to receive and send her to school and pay for her schooling out of the rents & c.

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<sup>69</sup> Potter, *A Hairdresser's Experience in High Life*, 100.

<sup>70</sup> Adams County Chancery Court, Will Book 2, 1832, 4-5.

<sup>71</sup> Davis and Hogan, *The Barber of Natchez*, 247.

as far as they will admit of, also what money I may have in Bank at Britton & Co, I want it all to go for the schooling of the children.”<sup>72</sup>

Parents also aligned their children with religion in order to support their continuation in freedom.<sup>73</sup> Since the earliest times in the Lower Mississippi Valley as well as in other parts of Latin America, the practice of having infants baptized and securing godparents for them was not only an expression of initiating their children into their spiritual practices; it could mean a strategic social alliance with powerful advocates, such as ex-owners or other influential whites. Affiliation with a religious organization, particularly the Catholic Church, provided free blacks with access to a number of services including burials and charitable aid. It also plugged them into a larger network of community that reached beyond the free black population. It was a practice in Natchez, for instance, for free people of color to travel with their children down the

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<sup>72</sup> Adams County Chancery Court, Will Book 3, 1855, 35-37.

<sup>73</sup> Admittedly, aside from this brief section, this dissertation will not concern itself overly much on the subject of religion. I take the position that much work has been done on the placement of religiosity among African Americans, particularly among the enslaved. However, a number of important works have touched on its importance in the lives of free blacks. For a few examples of insightful scholarship that investigates this linkage, see Richard M. Tristano, “Holy Family Parish: The Genesis of an African American Catholic Community in Natchez, Mississippi” *The Journal of Negro History*, Vol. 83, No. 4 (Autumn, 1998): 258-283; James M. O’Toole, *Passing For White: Race, Religion, and the Healy Family, 1820–1920* (Amherst: University of Massachusetts Press, 2002); Diane Batts Morrow, *Persons of Color and Religious at the Same Time: The Oblate Sisters of Providence, 1828-1860* (Chapel Hill: The University of North Carolina Press, 2002); Emily Clark and Virginia Meacham Gould. “The Feminine Face of Afro-Catholicism in New Orleans, 1727-1852,” *The William and Mary Quarterly*, Vol. 59, No. 2 (April 2002), 409-448; Emily Clark, “Felicite Girodeau (1791-1860): Racial and Religious Identity in Antebellum Natchez” in Swain, Martha H., Elizabeth Anne Payne, and Marjorie Julian Spruill, eds. *Mississippi Women: Their Histories, Their Lives* (Athens: The University of Georgia Press, 2003); and Emily Clark, *Masterless Mistresses: The New Orleans Ursulines and the Development of a New World Society, 1727-1834* (Chapel Hill: University of North Carolina Press, 2007); Emily Clark, “Hail Mary Down by the Riverside: Black and White Catholic Women in Early America” in Catherine A. Brekus, ed., *The Religious History of American Women: Reimagining the Past* (Chapel Hill: The University of North America Press, 2007).

Mississippi River to New Orleans as an additional measure of security to their free status to have them baptized and recorded as free in the St. Louis Cathedral.<sup>74</sup>

Examining the household of Felicite Gireaudeau illustrates the complex interplay between free people of color and the bond people within their household and the households of their family members. Felicite Gireaudeau who had lived part of her life as a free woman of color and the rest passing as white was a devout Catholic who served as a conduit for certain enslaved people in her household to become baptized and later manumitted. Some of her former slaves, such as Nancy Gireaudeau and her daughters Sophia, Roselle, and Frances remained entwined in mutual obligations to Felicite and expanded on the linkage between religion and freedom by serving as baptism sponsors for other enslaved people and having Felicite and her family members baptize their own children.<sup>75</sup>

In spite of the networking, status, and advantages that were attendant to belonging to institutions such as the Catholic Church, religion was important in the lives of free blacks, as many others of African descent for spiritual reasons. One free mother, Phoebe Smith, wrote her

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<sup>74</sup> For a discussion of these efforts to link themselves with the Catholic Church by baptism strategies or membership in religious brotherhoods across Latin America, see such studies as: Ronald L.F. Davis, *The Black Experience in Natchez, 1720-1880* (Denver: National Park Service, 1999), 112-115; Mary C. Karasch, "Free Women of Color in Central Brazil, 1779-1832," in David Barry Gaspar and Darlene Clark Hine, eds. *Beyond Bondage: Free Women of Color in the Americas*, (Urbana: University of Illinois Press, 2004), 258-266; David Wheat, "My Friend Nicolas Mongoula: Africans, Indians, and Cultural Exchange in Eighteenth-Century Mobile," in Richmond F. Brown, ed. *Coastal Encounters: The Transformation of the Gulf South in the Eighteenth Century*, (Lincoln, NE: University of Nebraska Press, 2007), 126-131. All of the Johnson children's baptism certificates were duly recorded at the cathedral with the exception of one of their children who died shortly after birth, Hogan and Davis, William Johnson's Natchez, 379.

<sup>75</sup> Davis, *The Black Experience*, 112-116.

to her son from New Orleans extolling the merits of finding faith as she understood them. She encouraged him to seek supernatural guidance in the following snippet of a letter:

And also, dear son I have to look to god for my pertecttion and you must do the same. You must not, dear son, think that you ware left here to stay always. You must begin to think upon the salvations of you sole and who—or—whome is he that preach you salvations. You must begin to think that you have to die and after death to a judgement. And how awful it is for one to die out of Christ and to stand before his Judgement seat unprepared. And Know after all that I want you to meet me, you Kind and affectionate Mother, in the Kingdom of heaven.<sup>76</sup>

Thus, while it was critical for some parents to find immediate and material support for their children, others sought protection outside of it. Religion in this sense would have helped free people of color mitigate some of the everyday tensions and stressors wrought by the oppression directed against them. Doubtless it was also some small comfort in times of the death of loved ones.

The loss of parents was a wrenching time of life for free blacks and highlights the irreplaceable significance of their presence, emotionally and otherwise. 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>77</sup> A year later, he still felt the keen sting of her passing as he recorded the anniversary of it. Certainly daughters shared this sentiment about their own mothers. Indeed, when Johnson’s wife Ann died prematurely, outliving her own mother, Harriet Battle, one of Battle’s friends, seeking to comfort her in her time of loss, remarked, “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

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<sup>76</sup> Gould, *Chained to the Rock*, 16.

<sup>77</sup> Hogan and Davis, *William Johnson’s Natchez*, 641.

lost she would have been.”<sup>78</sup> Notwithstanding the reliance on parents for financial, educational, and occupational support, then, there was a strong emotional attachment between generations.

The violent deaths of loved ones caused intense pain which was often long-lasting. This was accentuated for free people of color in the event that justice was not served, as was so often the case. When William Johnson was murdered in 1851, one of his sons was a witness to seeing his father get ambushed and shot by their neighbor, Baylor Winn. Most likely, it was his oldest son, William, who was 15 at the time. In addition to Johnson being shot, one of his young free apprentices of color was also hit with a bullet. Winn had been passing as white in Natchez, which prevented Johnson’s son and apprentice from testifying against him, even with their eye-witness account coupled with the fact that Johnson clearly named his killer before dying. Winn was held in jail for a period of two years, stood three trials, but eventually was acquitted in spite of evidence that the Johnson family was not able to introduce in court that pointed to his free black ancestry.<sup>79</sup>

Undoubtedly, this wore on the entire family, but for William, Jr. had to have been agonizing. Not only did he experience the horror of watching an act of extreme violence end his father’s life, but did not get the closure and satisfaction of his murderer punished under law. A decade after the murder and loss of their father, Catherine Johnson, William’s sister, noted that

Everything goes on in the same hum drum stile. Only William seems to grow worse. I am afraid he will lose his mind entirely. He sets talking to himself and laughing in a manner that is very annoying to us particularly when strangers are here. I wish he could be once more like he was before his marriage and the miserable time that succeeded it. Alas, I fear that happiness for him is over. He is a perfect wreck of his former self.<sup>80</sup>

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<sup>78</sup> Gould, *Chained to Rock*, 41.

<sup>79</sup> Hogan and Davis, *William Johnson’s Natchez*, 391.

<sup>80</sup> Gould, *Chained to the Rock*, 70.

William, Jr. was eventually diagnosed as “insane” and institutionalized in New Orleans. It is unlikely that it will ever be fully known if witnessing his father’s killing was a causal factor in his mental condition. However, there is no denying that trauma affects people profoundly and modern psychological research has linked brutal acts like murder, warfare, and rape to post-traumatic stress disorder, which often has long-lasting reverberations.<sup>81</sup>

The death of William Johnson haunted the family for decades. Although it appears that William, Jr. had the worst of the experience psychologically and suffered permanent, irreparable emotional damage, the death impacted the family in unforgettable ways. Ann took over management of the household and the family continued to flourish financially. However, letters that passed back and forth between family members indicate unsettled pain that lasted for years. Thirteen years after her father’s murder, Catherine Johnson, in 1864, echoing his predilection for journaling, recalled happier days in her own diary:

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<sup>81</sup> Researchers who have studied the reactions of children who have been exposed to systematic violence in their daily environments and in special, traumatic incidents have noted detrimental effects on their mental health. One study found, “In extreme cases of exposure to chronic community violence, school-age children may also exhibit symptoms akin to post-traumatic stress disorder, similar to the symptoms described for infants and toddlers above (increases in sleep disturbances, less likely to explore and play freely and to show motivation to master their environment. They often have difficulty paying attention and concentrating because they are distracted by intrusive thoughts. In addition,, school-age children are likely to understand more about the intentionality of the violence and worry about what they could have done to prevent or stop it.” In Joy D. Osofsky, “The Impact of Violence on Children,” *The Future of Children*, Vol. 9, No. 3, Domestic Violence and Children (Winter, 1999), 37. Another one, building on Osofsky’s findings found, “ In extreme cases of exposure to violence, children and adolescents may exhibit symptoms akin to PTSD (Osofsky, 1999), including re-experiencing traumatic events in dreams and play, constricted affect, diminished interest in once pleasurable activities, startled reactions, sleep problems and avoidance behaviors” Marie-Claude Jipguep and Kathy Sanders-Phillips, “The Context of Violence for Children of Color: Violence in the Community and in the Media,” *The Journal of Negro Education*, Vol. 72, No. 4, Commercialism in the Lives of Children and Youth of Color: Education and Other Socialization Contexts (Autumn, 2003), 382.

My mind goes back to the past with its joys and sorrows. Back to the time When we were happy thoughtless children when the earth seemed to be one abode of happiness I grieve to think how quickly the scene changed. Our home was so happy until...No, I will not write of that dark time. Suffice it to say it fills my soul with a bitterness that remain forever. I cannot *forget* & I cannot *forgive*.”<sup>82</sup>

## Conclusion

Families were instrumental in creating a support structure that sustained generations of free people of color. They were vital for the critical transitions, which for some, meant traversing from slavery to freedom—and even, as has been shown in some cases, the reverse—through deportations out of the state, through times of great trauma, as well as joy. Families worked as a collective unit to consolidate property, to increase chances of individual success, and together, members created a shared family culture that built upon memories of the past, often painful ones, to move into the future.

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<sup>82</sup> Gould, *Chained to the Rock*, 69.

## CHAPTER SEVEN

### **She “Had Not One Drop of Negro Blood in Her”: Passing and Racial Performance as Resistance**

In that instant there opened up within me a great awareness; I knew who I was. I was a Negro, a human being with an invisible pigmentation which marked me as a person to be hunted, hanged, abused, discriminated against, kept in poverty, and ignorance, in order that those whose skin was white would have readily at hand a proof of their superiority [so that] [n]o matter how low a white man fell, he could always hold fast to the smug conviction that he was superior to two-thirds of the world’s population.”<sup>1</sup>

We disapprove of it and at the same time condone it. It excites our contempt and yet we rather admire it. We shy away from it with an odd kind of revulsion, but we protect it.<sup>2</sup>

Harriet Johnson was born enslaved in approximately 1807. When she was 19, a white man, William Cullen purchased and emancipated Johnson and their son, Robert. The couple had three more children and lived together until Cullen’s death in 1840. After his death, Johnson inherited his house and a substantial amount of money. She then became involved with another white man, Thomas Dowling, with whom she had two more children. Dowling named Johnson executor of his estate and charged her with the education of their youngest child, Annie Dowling. At some point, Harriet slipped over the color line. She appears in the 1850 census as a white woman and all her children were listed as white as well. However, some residents of Natchez remained cognizant of her racial heritage and on the 8<sup>th</sup> day of November in 1859, two white men, one, Louis H. Corey, a Justice of the Peace and Charles M. Benbrook, served Harriet Johnson notice that as a free woman of color without a license to reside in Mississippi, according to state law, she had 10 days from the date of the letter to relocate. It was dated November 2,

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<sup>1</sup> Walter White, *A Man Called White: The Autobiography of Walter White, The Life Story of a Man Who Crossed the Color Line to Fight for Civil Rights* (Athens: The University of Georgia Press, 1995) 11.

<sup>2</sup> Nella Larson, *Passing* (New York: Penguin Books, 1997 [Original 1929], 56.



which meant that she had four remaining days to pack her belongings, sell the house that she owned, make her goodbyes to friends and acquaintances, collect her children, and hastily vacate Mississippi. All of this had to be done because she and her children were unlicensed free people of color and, as such, were “liable to be sold into slavery.”<sup>3</sup> Rather than complying with this order, she made the conscious choice to appear before the Adams County Chancery Court to “pass” as white and thus, deny that she had ever been a slave and was “totally free of any taint of Negro blood.” The court case that unfolded showcased witnesses that testified not only to an invented genealogy but to Johnson’s embodiment of and performance of whiteness in Natchez.<sup>4</sup> Without the protection of whiteness, she at best would have had to flee the state and lose all her property. At worst, Harriet would be subjected to witnessing her children auctioned off and she herself returned to slavery. Ultimately, she prevailed in the case and the court found her to be white, thus she escaped the division of her family and property.

This chapter addresses key questions that center upon how passing as white was actualized for the female centerpiece, Harriet Johnson, and other women and how this differed

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<sup>3</sup> I was very fortunate during some unrelated research in Natchez to have stumbled across this document in the archives. My understanding of Harriet was as a free, propertied woman of color up to that point in time. But after reading through this particular court case, *Harriett Johnson vs. L.H. Corey and L.M. Benbrook*, Adams County, MS, Chancery Court Case No. 107, Box No. 11, 1860, I decided to investigate further and after some searching through deed books, found her original bill of sale and emancipation document, substantiating without a shadow of a doubt that Harriet Johnson had been at one time enslaved. Proof of her enslavement and manumission is recorded in Adams County Chancery Court, Deed Book R, 1829, 419.

<sup>4</sup> See, for example, Walter Johnson, “The Slave Trader, the White Slave, and the Politics of Racial Determination in the 1850s,” *The Journal of American History* (June 2000): 13-38 and Ariela Gross, *What Blood Won’t Tell: A History of Race on Trial in America* (Cambridge: Harvard University Press, 2008) and “Litigating Whiteness: Trials of Racial Determination in the Nineteenth-Century South,” *The Yale Law Journal*, Vol. 108, No. 1 (Oct., 1998), 109-188. Most recently, Shirley Elizabeth Thompson has tackled the subject of claiming whiteness as a way to express freedom and citizenship in her *Exiles at Home: the Struggle to Become American in Creole New Orleans* (Cambridge: Harvard University Press, 2009).

from men's experiences. One issue that hinders the historicizing of passing is undoubtedly a direct consequence of the scarcity of evidence due to its secretive nature; however, the experience of Harriet Johnson and others in Natchez gives us a window into the phenomenon. Placing her within the context of other members of the free community of color, how common was her experience of passing into another race? How did Harriet Johnson's motivation to circumvent her African ancestry when she made the conscious choice to self-identify as white mirror others' similar choices and how did this change over time? How did she and other individuals who chose to racially pass convince the court and society at large that they were who they claimed to be? What impact did one's reputation and known performance of whiteness have within the broader society? How significant was the heightened anxiety over free people of color and attempts to enslave them on the eve of the Civil War? And did this pressure women and men to make transitory decisions to "pass through" or to permanently pass into the white or Native American communities? How does this open the possibility for it to be viewed as an act of resistance?

I build on the idea that liberty for people of African descent was not necessarily a permanent condition—as has been argued in earlier chapters—but one instead that had permeable boundaries and often functioned as a sort of purgatory between enslavement and freedom. Once emancipated, there was no guarantee that one or one's family members would remain so. For example, in 1840, the Natchez police sold Lavinia Bird into a five-year period of enslavement for "not complying with the law respecting the residence of free persons of color."<sup>5</sup> This was not an isolated incident. There were at least six other people identified in this project who were similarly re-enslaved. Like liberty, race could have the same illusory quality and

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<sup>5</sup> *The Natchez Courier*, Saturday, August 01, 1840, Issue 222.

people navigated across the color line to avoid the potential dangers to which free people of color were at risk such as imprisonment, re-enslavement, harassment, fines, threats, expulsion from the state, and property loss. In addition to escaping those forms of oppression, they passed to enjoy the tangible benefits of white privilege such as voting, serving on juries and commissions, engaging in the profession of one's choice, but most importantly, *living a life unhindered by racial limitations*. Most scholars have found that the consistent thread running through the dominant narrative of the free black experience throughout all the Americas was the *inconsistency* of their treatment under law and in practice.<sup>6</sup> There was a profound ambiguity among whites who regarded free blacks as both a threat to potentially incite the enslaved to revolt and an important buffer between whites and slaves. Passing as white, then, solved this inherent problem of ambiguous treatment and blanketed free people of color in the protective mantle of white privilege.

Racial passing during the period of slavery—for those individuals who were able to do it—may be viewed as a subversive act, a form of resistance that countered the repression of the overarching power structure, and formed a defensive measure against the possibility of violence to which free people of color were susceptible, similar to running away or “stealing oneself.” The act of passing prior to the Civil War indeed was an entirely different phenomenon than after emancipation. There was much more at stake in striving to avoid enslavement of oneself or one's family members and all of the damage and ruination that was attendant to slavery. Further, even without the explicit threat of enslavement, American society, North and South, placed heavy restrictions upon African Americans who were neither enslaved nor as fully free as whites.

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<sup>6</sup> See Ira Berlin, *Slaves without Masters: The Free Negro in the Antebellum South* (New York: Vintage Books, 1971) and Carol Wilson, *Freedom at Risk: The Kidnapping of Free Blacks in America: 1780-1865* (Lexington: The University Press of Kentucky, 1994, Paperback edition, 2009) on the ambivalence accorded to free blacks in the United States.

Severe racial oppression under slavery as well as the systematic discriminatory limitations which free people of color endured placed an inordinate pressure upon those suffering to escape any possible way. However, runaways made difficult sacrifices when they chose to flee: by leaving behind family members and friends in order to form new realities for themselves. Although liberating on one hand, one could potentially view this as a selfish act in relation to those left behind. People who passed accomplished the same goal, even if they remained in the identical town. As historians have revealed, men and women experienced the act of running away differently. Men more frequently made the choice to permanently flee the site of one's enslavement than women for a variety of reasons, largely because women were less mobile in light of their childcare responsibilities.<sup>7</sup> Thus, female slaves engaged in periodic truancy as a measure of asserting their dignity. Passing, likewise, was a gendered process, as this chapter demonstrates.

As the laws concerning free people of color became more restrictive in Mississippi beginning in 1822, the pressure to pass as white mounted for light-skinned free blacks. It is necessary to clarify exactly how I am defining "passing" at this point. There is a distinction between those mistakenly identified as solely "white" by census-takers and unknowing people, those who were "accepted" by the white community cognizant of their "mixed" ancestry, and those who deliberately hid their African ancestry.<sup>8</sup> The potential for people to pass as white in Natchez was high for many free blacks of mixed-racial heritage. Like many cities in the Lower

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<sup>7</sup> See Stephanie M.H. Camp, *Closer to Freedom: Enslaved Women and Everyday Resistance in the Plantation South* (Chapel Hill: University of North Carolina Press, 2004), 35-59; John Hope Franklin and Loren Schweninger *Runaway Slaves: Rebels on the Plantation* (New York: Oxford University Press, 1999), 210-213; Deborah Gray White, *Ar'n't I a Woman?: Female Slaves in the Plantation South* (New York: W.W. Norton & Company, 1985), 70-76.

<sup>8</sup> I appreciate the point that Randall Kennedy makes by pointing out this distinction in his article, "Racial Passing," *The Ohio Law Journal*, Vol. 62, No 3, (2001).

South, the free community of color had a disproportionate number of mixed-race people. Of the individuals for whom there is racial classification data, 258 women and 225 men are listed as mulatto, while only 44 women and 43 men were described as black during this 86 year period from 1779-1865.<sup>9</sup> Thus, 85% of the population had European ancestry. For some, like Fanny Leiper, it would have been quite easy to misidentify them racially. As one Natchez resident described her, “She appears at first to be of pretty near white blood, but when you come to converse with her you discover the contrary.”<sup>10</sup> Had Fanny consciously determined to perform whiteness by adopting the speech patterns of a white woman, doubtless she would have been perceived as white and passing would have been a tool to utilize as she saw the need for it. Passing as white was not an uncommon phenomenon in other areas, such as New Orleans.<sup>11</sup> The known instances of people passing within this study is 23 out of a population sample of over 800 individuals. These are people for whom there is absolutely solid documentary evidence of their passing. There are an additional 20 people who were very likely to have been passing in addition to these clear-cut cases, due to family connections. Certainly, others who have not been

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<sup>9</sup> This figure comes from my database of free people of color which draws from U.S. Census returns for Adams County, 1816-1860; Adams County Deed Books A-T; Police Board Records 1832-1845; Spanish Record Books; Will Books 1-4; and the William Johnson Diary.

<sup>10</sup> As Randall Kennedy pointed out in his article “Racial Passing,” some African Americans passed “aurally” and not visually. When speaking on the telephone, they would “adopt an accent that most listeners would associate with the speech of a white person.” In Randall Kennedy, “Racial Passing,” 1146. It does not appear Fanny Leiper perfected this means of passing, at least not while she was residing in Natchez. Perhaps when she moved to Cincinnati, she passed wholly as white. *Leiper vs. Huffman. et al.* Mississippi High Court of Error and Appeals, Case #6185, 1851.

<sup>11</sup> See for example, Judith Kelleher Schafer, *Becoming Free, Remaining Free: Manumission and Enslavement in New Orleans, 1846-1862* (Baton Rouge: Louisiana State University, 2003), 99. Schafer cited an article in the *Daily Picayune* that complained, “‘If all the persons, male and female who play the same trick on white persons in this city were arrested, the jails would be far too small.’”

identified slipped undetected past my notice. As Gwendolyn Midlo Hall found in her study of colonial Louisiana, of which Natchez was a part until the British assumed control of the District in 1763, there was a noticeable degree of passing into the white race. She observed that women of African descent who were mistresses of either Spanish or French men would become “honorary whites” and were listed in census records as such.<sup>12</sup> These attitudes certainly continued after the Spanish gained control of the Natchez District in 1779 while Natchez was still a sparsely populated frontier with relatively fluid racial mobility. But there was much more pressure on free people of color to permanently pass over the color line deliberately and to minimize their connection to an African past in the Antebellum era.

Elizabeth and William Barland’s family exemplified how much more flexibility existed within society during the time period prior to Mississippi becoming a U.S. territory and state, when racial lines inexorably hardened. Scotsman William Barland purchased and emancipated on the same day in 1790 his “friend and companion” Elizabeth and four of their children. Their relationship as unofficial husband and wife spanned a period of at least 30 years and produced twelve surviving children. Interracial relationships between white men and women of African descent in Natchez that resulted in the manumission of many enslaved women and the children born to them by white fathers were hardly unusual. There were quite a few that were foundational to the free community of color in which property and freedom were offered as a legacy.<sup>13</sup> However, the Barland case is notable in that William Barland was the only white

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<sup>12</sup> Gwendolyn Midlo Hall, *Africans in Colonial Louisiana: The Development of Afro-Creole Culture in the Eighteenth Century* (Baton Rouge: Louisiana State University Press, 1992), 258-260.

<sup>13</sup> Again, to clarify what I mean by “foundational” is that although the number of women liberated in this way may have only been the woman herself and a child(ren), the number of free people that could trace their origins to this act of manumission grew exponentially with

father who openly acknowledged his romantic relationship in no uncertain terms with Elizabeth and legally recognized his children in his will, the sentiment of which can still be felt across several centuries. He gave insight into the type of paternal bond he had with the children evidenced by the following portion of his will, which explains his feelings of

strong natural affection I entertain for my children and the respect and esteem I have for their mother my friend and companion on account of her good conduct generally and her fidelity and attachment to me and as I was the agent through God of bringing them into existence so I thought it my duty to my Country and to my God and myself to raise them industriously and virtuously and in the end to have them as independant and as comfortable as the produce of my labor would permit and farther if misfortune or distress had overtaken me in old age I Should have to look to them and them only for support and comfort in such a situation.”<sup>14</sup>

He then proceeded to leave each of the twelve children \$2,000 of real estate and made provisions for their upbringing in the “principles of virtue and morality,” clothing, and educations. Elizabeth was comfortably provided for as well, as the woman who was charged with the care of the children and as the person who had gained her freedom “in consequence of her attachment and fidelity to me as a friend and companion and her industry and affection to her

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each passing generation. For example, Amy Johnson was liberated in 1814 by her white owner who was also the father of her two children, William and Adelia. Each of her two children had 10 of their own children, and some of these produced grandchildren for Amy prior to the Civil War and the abolition of slavery. Thus, out of one manumission act, at least 25 free people resulted out of a relatively small free community, which at its peak only numbered at approximately 300 at any one given time. But I would like to go one step further with “foundational” and name this generation of free people of color that were first-generation manumitted. Ira Berlin, in *Many Thousands Gone*, differentiated between those he dubbed the “Charter” generation, those who came from Africa to the Americas, the initial generation, and those that were born here and did not experience life in Africa. For more discussion of this, see Berlin, *Many Thousands Gone*, p. 12. This initial generation contained in some cases, parents, children, and grandchildren within it if they met the qualification of having been born in Africa. I would use a similar classification with free people of color to distinguish those who were born into slavery but later freed, which could also include parents and their children, as well as grandchildren. The key distinction between the *Foundational* Generation and those who were born free is the experience and socialization of being born into the system of slavery and those who were born outside of that context.

<sup>14</sup> *William Barland's Will*, Adams County Chancery Court, Will Book 1, 1811, 138.

and my children as a mother.” When Elizabeth and William’s eldest son, Andrew, appealed to the Mississippi state legislature in 1824 for legal whiteness, the state granted it, the open admission of his racial heritage.<sup>15</sup>

Families like the Barlands and others were accepted into the white community in consideration of such factors as a family’s longevity in the area, the degree to which they identified themselves with the dominant slaveholding culture, as well as more lax attitudes towards race and free people of color on the heels of the Spanish period. For example, Felicite Gireaudeau also transformed herself into white. She was born in approximately 1791 to a free slaveholding family of color headed by her father, Leonard. Her husband Gabriel was born in New Orleans and was son and grandson of two generations of free women of color and Frenchmen, himself 7/8 white. The details of the couple’s meeting and courtship are unknown; perhaps Felicite was sent by her family for schooling in New Orleans or was visiting family. Regardless of the circumstances, Felicite and Gabriel was married at St. Louis Cathedral. At the time of their marriage in New Orleans in 1817, the Gireaudeaus collectively owned ten enslaved individuals. Shortly thereafter, they settled in Felicite’s hometown of Natchez and were both listed in the census of 1818 as free people of color. Gabriel was in partnership as a businessman with a member of the Pomet family, owning various taverns, livery stables, and lots in town. Sometime in the ensuing years, after his death in the 1820s, Felicite passed into the white community. Why did she choose this time to make the transformation to white?<sup>16</sup>

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<sup>15</sup> Ibid; Edwin Adams Davis and William Ransom Hogan, *The Barber of Natchez* (Baton Rouge: Louisiana State University Press, 1954), 249-250.

<sup>16</sup> At the commencement of this project, it was well-known by local historians like Mimi Miller of The Historical Natchez Foundation that Felicite Gireaudeau was successfully passing as white in Natchez. Thus, in this regard, I am merely highlighting her as a woman who was successfully passing in Natchez, not necessarily presenting this as new information. She



In the years immediately after achieving statehood, Mississippi rapidly adopted the prevailing American mindset that viewed free blacks with suspicion and sought to restrict the population from expanding. As Mississippi's enslaved proportion continued to grow, so did the uneasiness of whites in worrying about the influence free blacks might have on fomenting discontent among slaves, potentially causing them to revolt. In the 1820s, it became necessary to petition the state legislature to free a slave. This trend endured and underwent what historian David J. Libby calls a "transformation" during the early 1830s which was reflected in other areas of the South in the wake of the Nat Turner Rebellion and other local uprisings, actual or rumored. These incidents precipitated a striking change in how whites came to view free people of color in Mississippi in relation to the increasing expansion of slavery from the southwest corner of the state into other regions. For example, in 1831, the state legislature passed an act requiring all people to leave the state after being manumitted. Indeed throughout the subsequent three decades, there were episodic "purges" of free people of color from the city as well as the state, which in some cases involved re-enslavement. In spite of these violent eruptions of ill sentiment toward free blacks, the legislature allowed the latitude, however, for free people to apply for a license to remain if they were of "good character and honest deportment." And in the event that the local community agencies, such as police boards, deemed them as such, they did.<sup>17</sup>

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appeared in state census returns after 1830 as a white woman as well as church records. For more on this, see Davis, 115; 1816 and 1818 Adams County, MS Census returns; Martha H. Swain, Elizabeth Anne Payne, and Marjorie Julian Spruill, eds. *Mississippi Women: Their Histories, Their Lives* (Athens: The University of Georgia Press, 2003) 10-12; Adams County Chancery Court, Deed Book P, 1827, 540-541.

<sup>17</sup> David J. Libby, *Slavery and Frontier Mississippi, 1720-1835* (Jackson: University Press of Mississippi, 2004), 95-118; Swain, et al., 15-17; A.Hutchinson, *Code of Mississippi: Being an Analytical Compilation of the Public and General Statutes of the Territory and State*,

This increasing hostility toward free people of color was also evidenced in the attitudes of whites towards marriage across the color line. Relationships between white men and women of African descent, although not necessarily socially condoned, had often been tolerated, yet the inverse configuration of a black man with a white woman was more vehemently discouraged over time. As William Johnson recounted in an 1850 diary entry,

It was to Night That Mr Micheal Johnson was telling me about his Coming very near Getting into a Difficulty with two of the Brothers in Law of Jasper Winns wife He said that the one of them said that any man that would take the part of a Colord man Marying a white woman was a Damed Rascal. At that Johnson Call him a Lyar, When The Man Struck him across the arm with a Stick and He then Knockd the man down and if he had have gotten a hold of a stick or Pitcher, he would have Killd him, Thus the thing Ended.<sup>18</sup>

With these transformations in law and mindsets, as time progressed in the later antebellum period, it was increasingly tempting for light-skinned free people of color to slip permanently over into the white community to protect one's freedom. Felicite Giraudeau became a matriarch who was instrumental in important ways of building up the Catholic Church to compete with the prevailing Protestantism in Natchez, serving as sponsor and godmother to many converts. Although free blacks could become members of churches in Natchez, they did not hold the influential positions that whites did within congregations. Perhaps passing as white provided Felicite the opportunity to demonstrate her religious fervor and act as an agent of securing Catholicism within this town, where it had not maintained a tenacious hold with the waves of Baptists and Methodists who continued to migrate from the southeastern southern states and from the North. Indeed, in 1839, after a fire destroyed the Catholic church in Natchez, St. Mary's, Felicite opened her home to a visiting priest who "heard confession in her closet,

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*with Tabular References to the Local and Private Acts, from 1798-1848, with the National and State Constitutions, Cessions by the Choctaw.*

<sup>18</sup> Davis and Hogan, *William Johnson's Natchez*, 747-748.

slept on her sofa, and said mass in her parlor.”<sup>19</sup> Doubtless, transforming herself into a white woman enabled to exercise leadership in this capacity, which would not have been a possibility as a free woman of color. Further, after the death of her husband, in light of the amplification of hostility toward free people of color in Natchez, it might have offered another layer of protection against potential molestation and exploitation as a single woman.

### **Gendered Performance of Whiteness**

It is during the so-called “Inquisition” in the 1840s, that the tantalizing details of Harriet Johnson first surfaced in the diary of William Johnson. The “Inquisition” was characterized by whites increasingly placing limitations upon free people of color because of their growing trepidation about free people’s perceived abolitionist activities and interactions with the enslaved. The word “Inquisition” is a quite telling term, evoking images of men and women wrongfully accused after a “witch hunt” of sorts and violence leveled against them by the power structure with strong community support. This entailed people scrambling to obtain signatures by influential whites who would vouch for their industriousness and productivity within Natchez. Some free people of color were jailed and had to appear before the Police Board to prove their legitimacy in remaining in Natchez, but not everyone convinced the Board and were removed from the state and in a few cases, re-enslaved.<sup>20</sup> William Johnson related that, “The Horrors of the Inquisition is still going on in this City...The report of Harriet Cullen or Harriett Johnson being in jail is not true, She was not put in the jail, Glad of it.”<sup>21</sup> Historians William Ransom Hogan and Edwin Adams Davis, who published Johnson’s diary, included a footnote after this

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<sup>19</sup> Swain et al, 11.

<sup>20</sup> Adams County Police Board of Minutes, 1832-1854, March 1832.

<sup>21</sup> Hogan and Davis, *William Johnson’s Natchez*, 342.

entry about Harriet Johnson which acknowledged her as a free “mulatto” woman who was a former slave, subsequently emancipated, and later paid \$620 for a lot and house in Natchez. The alternative reality of her story was constructed through the testimony of the 1859 court documentation: as a free white woman who had never been enslaved and who “had not one drop of Negro blood in her.”<sup>22</sup> The case that she brought against L.H. Corey and L.M. Benbrook depended upon the testimony of two witnesses, Sarah Cecil, a local woman and acquaintance, and Isaac Johnson, her reputed cousin, that supported the elaborate story she fashioned for her past and her re-racialized identity. This recreated past denied her African ancestry, attachment to slavery, parentage, and connection to the black community.

The case of Harriet Johnson involved color, reputation, respectability, and performance of whiteness. Ian Haney-Lopez, in his work on white racialization, *White by Law: The Legal Construction of Race*, identifies the implicit assumptions of what constituted “whiteness” in the following text: “Whiteness is already defined almost exclusively in terms of positive attributes. Whites already exist as innocent, industrious, temperate, judicious, and so on, in a series of racial accolades that hardly need burnishing through a program of positive reinforcement.”<sup>23</sup> This fits with what Walter Johnson posited were the determinants that legislators and litigators had to aid them in defining the identity of people of questionable racial heritage. According to Johnson,

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<sup>22</sup> *Harriett Johnson vs. L.H. Corey and L.M. Benbrook.*

<sup>23</sup> Ian Haney-Lopez, *White by Law: The Legal Construction of Race* (New York: 1996), 30. In this, Haney-Lopez further goes on to say, concerning whiteness: “Further, advocating the development of a positive White racial identity disregards the extent to which White attributes rest on the negative traits that supposedly define minorities. All racial characteristics are relational descriptors: innocence can only be established by comparison with guilt, industriousness by reference to indolence, temperance in contradistinction to indulgence. Because identities are relational, inferiority is a predicate for superiority, and vice versa. This implies that there can be no positive White identity without commensurately negative minority identities. Elaborating a positive White racial identity thus runs the high risk of concomitantly fostering deleterious images of non-Whites.”

they were, “personal history, race science based on discerning ‘black blood,’ and performance—the amalgam of appearance and reputation, of body, behavior, and scripted social role.”<sup>24</sup> Ariela Gross further refines this by differentiating between performing white womanhood and white manhood. She states that for women, this “meant acting out purity and moral virtue,”<sup>25</sup> which is largely what Johnson’s courtroom performance centered upon. Most trials of racial determinism involving women, according to Gross, involved light-skinned enslaved individuals suing for their freedom by claiming to be white.<sup>26</sup> At the time that Johnson’s litigation was entered, she had been emancipated in excess of thirty years. Her claim was however, related to slavery as evidenced in the concern articulated within her petition that she and her children would be enslaved, or re-enslaved in her case, and “exposed at any future date to [unreadable] and alarming evils.”<sup>27</sup> Thus, there is a palpable fear that virtually emanates from Johnson’s petition. However, this is not litigation brought for the express purpose of liberating an enslaved individual from bondage. It is in part to avoid slavery, but it is also to protect the property and status of one woman and her children and her effort to permanently escape the constant and uncertain threat levied against them as free people of color in the late antebellum period.

A critical aspect to consider that differentiated women’s experience of violence from men’s and may have further motivated them to pass was their position as mothers. Throughout

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<sup>24</sup> Johnson, “The Slave Trader,” 22.

<sup>25</sup> Ariela Gross, “Litigating Whiteness: Trials of Racial Determination in the Nineteenth-Century South,” *The Yale Law Journal*, Vol. 108, No. 1 (Oct., 1998), 157.

<sup>26</sup> See for example, Ariela Gross, “Litigating Whiteness,” 120, in which she states that she examined 68 cases of racial determinism. She notes that more than half of them took place in the later years of slavery, 1845-1861 and the majority of them concerned men. For further reading, consult Walter Johnson, “The Slave Trader”; and Loren Schweninger, ed. *The Southern Debate Over Slavery: Volume I, Petitions to Southern Legislatures, 1778-1864* (Urbana: University of Illinois Press, 2001).

<sup>27</sup> *Harriett Johnson vs. L.H. Corey and L.M. Benbrook*.

much of the time period, free women of color outnumbered men, including those who headed their own households with children. Poor free women of color often had to acquiesce to their children being bound out as apprentices until they were adults. This often was a thinly veiled form of slavery in which children were beyond their protection, including from sexual exploitation. The specter of kidnapping was a grave threat laden with violence against not only the children themselves, but for the mothers who had to worry about it. Carol Wilson offers an interesting conceptualization by comparing lynching and kidnapping, “Violence was always present in kidnapping, always so in lynching. Lynching resulted in the termination of an individual’s life, while kidnapping brought what might have seemed like a slow death to someone previously free.”<sup>28</sup> Doubtless, this threat offered mothers little peace of mind. Further, due to Mississippi’s increasingly restrictive laws governing manumission of slaves over time, some mothers were forced to purchase and hold their own children as slaves. They had to contend with the weighty knowledge that if they were to die, there was a chance that their daughters and sons could be sold off into slavery. In Harriet Johnson’s case, her children were free, but there was a tangible threat of enslavement should she not pursue the attainment of legal whiteness. This hinged on her ability to perform whiteness at all levels as well as disassociate herself from slavery.

White ancestry alone did not guarantee one immediate entry into free society, especially in the late antebellum period where there was a virtual chokehold on the practice of manumission. Three years before Harriet Johnson struggled to prove herself white and previously un-enslaved, a court case made it to the Mississippi Supreme Court that made it clear that the appearance of whiteness and acculturation into a slaveholding did not guarantee

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<sup>28</sup> Wilson, *Freedom at Risk*, 119-120.

freedom. This is exemplified in the 1856 case of *Barksdale v Elam*—regarding the wishes of Johnathon Carter to convey his twelve year old nearly-white daughter, Harriet, (whom he fathered with his household slave Fanny) to his friend and executor of his will, Joseph Barksdale. As Carter stipulated in his will, he charged Barksdale

... to keep the said Harriet in his house, as a free white person, and in no way to be treated as a slave, but the said Harriet is to be fed from his table, in his house; to sleep in his house, and to be clothed from the store, both fine and common; and the said Harriet shall have the full benefit of her labor, and also the full right, power, and privilege of making complaint to her guardian, B. B. Wilkes, and his wife Elizabeth Wilkes, at any and all times. Now, if the said Harriet shall marry any free white man, at any time during the life of said Barksdale, then the said Wilkes and wife, and said Barksdale, shall consult together, and if they deem it proper and right, they shall give the said Harriet a portion of the above specified property.<sup>29</sup>

Although the owner clearly stated his wishes with regards to his desires in the upbringing of his daughter (also ironically his property) and the division of his estate, the Supreme Court struck down the right of Barksdale to fulfill his duties. As the attorney against Barksdale railed, “No court certainly would lend its aid to enforce rights predicated upon immorality of the grossest and most dangerous kind--dangerous, because the example of a negress, or mulatto, brought up in the manner and style specified in said contract, would necessarily exert a most baleful influence upon the surrounding negro population.”<sup>30</sup> In this hostile environment to anyone of African descent, the decision to pass as white and to deny an enslaved past was tempting indeed.

There are only two extant physical descriptions that remain of Harriet Johnson. One is a self-description embedded within the bill of complaint that she brought against the two white men accusing her of being an unlicensed woman of color living in Natchez. In her petition, she stated while growing up in Missouri, she was “of quite as light complexion as the generality [sic]

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<sup>29</sup> *Joseph Barksdale, Appellant, v. George B. Elam et al., Appellees*. Supreme Court of Mississippi, 30 Miss. 694, 1856.

<sup>30</sup> *Ibid.*

of her neighbors.”<sup>31</sup> The second clue to her phenotype was included in her bill of sale to William Cullen which describes her as a “yellow girl.”<sup>32</sup> Both descriptions enhanced her claim that she was light-skinned (and indeed without the appearance of some level of whiteness, she could not hope to pass into the white community), but they were not central to her case. It was certainly much more than her mere physical manifestation; there was an intangible element as well. Obviously, phenotype alone would not sustain one’s ability to pass as white.

The story that Johnson and her corroborating witnesses constructed about her past was that she was the daughter of a white man, Jeremiah Johnson, and his half-Indian wife, Diana. Johnson related that she grew up in Missouri, although she could not recollect the name of the county. She explained that details were difficult for her to remember because her father did not provide his children with education. When she was sixteen, she followed a man by the name of John Schumhon to Natchez, seduced by the promise of marriage, but was subsequently deserted by him. She then had to rely upon her own labor to support herself, but shortly thereafter, met William Cullen who offered her a position as housekeeper and protection, “Though not hallowed by the sanction of religion.”<sup>33</sup> They had four children together and lived under one roof until his death in 1841, at which time he left his real estate to her and this was where she raised their children and lived until that time, which in 1859, she estimated it to be worth \$8,000. This is the

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<sup>31</sup> *Harriett Johnson vs. L.H. Corey and L.M. Benbrook.*

<sup>32</sup> *William Cullen to Harriet and Robert, Deed of Manumission, Adams County Chancery Court, Deed Book R, 1829, 419.*

<sup>33</sup> *Harriett Johnson vs. L.H. Corey and L.M. Benbrook.*



basic biographical sketch that she provided within the petition, but there are myriad aspects of reputation, respectability, and performance of whiteness that are embedded within it.<sup>34</sup>

In all likelihood, the details of Harriet Johnson that Sarah Cecil offered concerning her reputation and behavior in tandem with Harriet's own performance as a white woman through her testimony, convinced the court of Harriet's whiteness. This sort of testimony [attesting to one's performance of whiteness] actually weighed in at greater importance than ancestry in most trials of racial determinism, according to historian Ariela Gross. As she stated, "Doing the things a white man or woman did became the law's working definition of what it meant to be white."<sup>35</sup> The fact that Harriet Johnson seems to have led a relatively quiet life and not stirred much public controversy doubtless lent credence to their statements concerning her disposition being one "of quiet and orderly deportment towards her neighbors, kind and benevolent to others in sickness, and well disposed to all."<sup>36</sup> Perhaps most important to the case, Cecil swore that she "never knew or heard of any one claiming the ownership of said Harriett or to exercise control over her as their property."<sup>37</sup> Cecil testified that as a midwife, she delivered all four of Harriet and William Cullen's children and never during any of the time in which she interacted with the couple did Cullen give any indication that Harriet was his slave. Further, Cecil related that he behaved with the kindness and consideration that any husband and father would demonstrate.

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<sup>34</sup> The census of 1850 lists her birthplace as Virginia, which meshes with the opening of the southwest portion of the U.S. after the American Revolution and Louisiana purchase as slave owners moved their families and slaves from the Atlantic Seaboard states and the expansion of the domestic slave trade.

<sup>35</sup> Ariela Gross, "Beyond Black and White: Cultural Approaches to Race and Slavery," *Columbia Law Review*, Vol. 101, No. 3 (Apr., 2001), 654.

<sup>36</sup> *Harriett Johnson vs. L.H. Corey and L.M. Benbrook*.

<sup>37</sup> *Ibid.*

If doing the things that a white woman did made Harriet white, then *not* doing the things from which whites abstained was equally crucial. In other words, white women were not held in the state of slavery. As Judge William Harper stated about racial determination cases concerning free people of color, “The condition of the individual is not to be determined solely by distinct and visible mixture of negro blood, but by reputation, by his reception into society, and his having commonly exercised the privileges of a white man...It is hardly necessary to say that a slave cannot be a white man.”<sup>38</sup> Free men and women of color thus were not accepted as white if a portion of their life was spent in slavery, no matter how short the duration. It was irrelevant if they appeared to be white and even if they had behaved in a respectable manner and as near to a white person since the time of their emancipation. The point was, they at one time were held as a slave and this made it almost impossible for them to claim whiteness at any future time.

Although this commonality was shared by both males and females alike, Ariela Gross found that performing white manhood was done in the public sphere, demonstrated by the civic and political roles in which they participated, as opposed to women’s virtue and moral reputation. However, unlike women’s performance which centered upon their virtue, morality, and adherence to the “cult of true womanhood”—the predominant antebellum gender ideology that emphasized purity, domesticity, piety, and submissiveness in the private sphere--men’s performance depended upon their exercise of the privileges deemed appropriate to white male citizenship such as fulfilling the civic duties of voting and serving on juries and commissions, slaveholding, attaining an education, and pursuing and ensuring marriage to white women.<sup>39</sup>

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<sup>38</sup> Helen T. Catterall, ed., *Judicial Cases Concerning American Slavery*, 5 vols. (Washington, D.C.: Carnegie Institute of Washington, 1916-1937, 2:269), quoted in Williamson, *New People*, 18.

<sup>39</sup> Gross, “Litigating Whiteness,” 157.

Revisiting the aforementioned 1824 petition of Andrew Barland highlights the weight that these public demonstrations of white citizenship bore on passing as white. The language of the appeal is worth relating in its entirety because of the attendant multilayered issues embedded within it. As he implored in the first section of the petition,

Your petitioner Humbly Sheweth That he is the offspring of a white man by a mulatto woman—that he was born in Adams County and is now about thirty nine years of age, that his father gave him a decent education and property enough to be independent, that he intermarried with a respectable white family, by which said wife he has two children, that he has resided in the County of Jefferson and is well known to the most respectable citizens of said County, that he has almost in every case & by every man, been treated and received as well as tho he had been [a] white man of fair character, that he has been summoned as a juror very often and served as Grand & Petit Juror and often given testimony in open Court as a Legal Witness—that his vote at elections has often been taken & for many years your petitioner has enjoyed all the priviledges of a free white Citizen<sup>40</sup>

In cataloguing the ways in which he aligned himself with the white community, by his education, property-holding, and his choice of a marriage partner and the children they had together, Barland sought to establish his place within this strata of society, in spite of the fact that he himself, as he admitted was of mixed racial heritage—his mother who was a “mulatto woman.” But it is in the details of his civic responsibilities that he proved he was accepted into the local white community: by serving as a juror and giving testimony as witness in court and voting. As he pointed out, and as the thirteen white men who signed his petition attested to, he was already “treated and received as well as tho he had been [a] white man of fair character.” However, as the next section of the petition reads:

A controversy with a bad man of the name of Joseph Hawk caused an exception to be taken to your petitioner’s testimony on account of his blood, but with pride your petitioner can state, that although his oath was refused, the Jury who tried the cause gave a verdict in favor of the word of your petitioner although opposed by the oath

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<sup>40</sup> Davis and Hogan, *The Barber of Natchez*, 249-250.

of his adversary, a white man—

Thus, legal whiteness would afford him one more measure of protection against challenges to his honor and free exercise of his privileges as a citizen. It could also cloak his children and future generations by protecting them against other “bad men” and stave off future attacks as the collective memory of the town accepted them as white, much as in the case of Harriet Johnson. Doubtless, other members of the Barland clan, although perhaps not following his legislative bent to the letter, had similar identification with the white community, a by-product of being raised with an involved father who inculcated them with a slaveholding ethos and doubtless was instrumental in finding partners for them in the hopes that by whiteness they would also be protected. As the final paragraph of his petition reveals,

Your petitioner further sheweth to your Honble bodies, 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, that his sisters have all married white men of fair and respectable standing, and have always recd the same respect shown to white women of the same station in society. Your petitioner prays your Honble bodies to extend to your petitioner such priviledges as his Countrymen may think him worthy to possess.<sup>41</sup>

Barland and his family were able to successfully draw the support of the local community to uphold the transition across the color line to defend their property interests and to benefit from white skin privilege because of local reputation and their careful efforts to align themselves to influential people who could vouch for them. For those free people of color who migrated into Natchez and did not have the legacy of family standing, but still desired to be treated as full citizens [read: white], it was critical to perform whiteness from the outset and eventually be subsumed without question into the area. The tragic interaction between William Johnson and

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<sup>41</sup> Ibid.

Baylor Winn showcases multiple aspects of violence against free people of color and protection that whiteness could provide, as long as one's "passing" went undetected.

Johnson was a well-known figure in Natchez, owning a couple barber shops as well as a plantation on the outskirts of town, had a substantial amount of property, owned slaves, had wealthy and influential white friends who he interacted with professionally as well as socially, was himself 7/8 white, and phenotypically appeared to be a white man. However, he nevertheless was born into slavery and was not freed until he was 11 years old. Given that he rose into a position of local respectability as a barber whose clientele included elite planters and other high-profile area residents, it was a well-known fact that the Johnsons a free family of color in Natchez and treated accordingly. There are countless examples, in antebellum Natchez, that would have illustrated to Johnson throughout his life that he was not a white man. For instance, he notes in diary entries such indignities as having to sit in the balcony at the theatre and having to stand outside a church to listen to a famous Methodist preacher speak. But it is perhaps in Johnson's death that the complicated nature of performance of whiteness and community reputation was most poignantly and dramatically revealed.<sup>42</sup>

Johnson was ironically murdered in a property boundary dispute with his neighbor Baylor Winn who was, in fact, passing as white. Winn was understood to be a white man in Natchez, but in actuality, was a free man of color. Although there were witnesses who saw Winn shoot Johnson, including Johnson's son and slaves, as people of African descent, they were unable to testify against Winn because of his acknowledged status as a white man. Johnson's family and

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<sup>42</sup> Hogan and Davis, *William Johnson's Natchez*, 391. Refer to page 54 for other instances in Johnson's life in which he was subjected to second class citizenship treatment, very similar to what would occur in the Jim Crow South. He also was an avid horse racing enthusiast who had race horses, but he was not permitted to enter them in the regularly scheduled races; they ran after the program. These are a few examples of the ways Johnson was not able to fully exercise his status as a free man.

their legal representation even procured solid evidence from Winn's home state of Virginia that established him as a free man of color, which they were unable to use in court due to a technicality. Winn was held for two years in jail, however, and stood through three trials; the first two were not for the murder charge, however; but to determine his race. His performance of whiteness proved to be more critical than his ancestry in that "he had voted and given court testimony as a white man, he had served as a road overseer, he was listed in censuses as a white man, and he had married at least one white woman."<sup>43</sup> The charges were dropped against him and Johnson's murder went unavenged and underscored the fact that there were protections and benefits offered to those who were considered white which Johnson's known status as a former slave could not afford him.

Baylor Winn understood only too well how crucial it was to maintain the racial veil over himself and his family to bypass the violence of being a free black and reap the rewards of whiteness. Undoubtedly, that is precisely the reason why he had migrated to Natchez from Virginia initially: to begin a new life with a different racial identity where no locals knew his family history and his opportunities were not limited.<sup>44</sup> Perhaps he feared that Johnson would divulge his carefully guarded background. Indeed, in one of Johnson's letters written to a friend in the late 1840s regarding Winn after their relationship as neighbors and casual friends had begun to break down intimated that, 'is that old man Winn is an overbearing old Colord Gentleman, and it will be found out So before Long if he fools much with me, for I Know him

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<sup>43</sup> Ibid., 61.

<sup>44</sup> Winn hailed from King William County, Virginia, and was part of a family that had strong intermixture with the Indian group, the Pamunkeys. All of the Winns listed in that part of Virginia were listed in local records as free blacks, Hogan and Davis, 60.

too well.’<sup>45</sup> The two men had been squabbling over the borders of their property in the couple years leading up to Johnson’s death and perhaps Johnson had threatened Winn with disclosure of his true racial identity. It is particularly ironic that the denial of one’s full rights as a free person of color, which Winn had tried to escape by “becoming” white, is how he ultimately protected himself against Johnson’s family when they found themselves unable to testify against him. His intimate knowledge of the socio-political status of free blacks allowed him to brazenly murder Johnson with witnesses present--Johnson’s son and slave--and be fairly certain there would be no serious and lasting criminal consequences for himself. However, the incident did bring to light that Baylor Winn had ultimately deceived the community at large and this, coupled with Johnson’s popularity as a local free barber of color and the turning of local sentiment against Winn, most likely led to Winn’s migration to Texas where he continued to pass as a white man until his death.<sup>46</sup>

Although the circumstances vary as to why individuals and their families made the leap to passing as white, they were motivated by strong push and pull factors and it is clear that men and women performed their newly gained racial status differently. Free black people had much to lose in the years leading up to the Civil War and if it strengthened their ability to protect their families’ freedom, safety from violence, property, and their very rights as people, they tenaciously tried on any number of identities, sometimes simultaneously, as did Harriet Johnson.

### **Passing as Native American**

Another aspect of passing that Harriet Johnson’s case uncovered is the claiming of Native American ancestry. This was the cornerstone of Johnson’s case as to explaining her phenotype

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<sup>45</sup> Hogan and Davis, *William Johnson’s Natchez*, 57.

<sup>46</sup> 1860 Atascosa County, TX census; *Baylor Winn’s Will*, Atascosa County, Texas Wills, 1859.

as an obviously not wholly white woman. Baylor Winn also asserted that his family in Virginia was Indian, rather than free black. Although clearly documents existed that categorized his family as free black, no doubt there was also Native American heritage. This impacted not only himself, but also his sons and daughters Emeline, Sarah, Mary, Jasper, and Calvin who were passing as white, knowingly or not. For instance, during “the Inquisition,” of 1841, a free woman named Ann Perkins was jailed for three days and then released after she “proved she was of Indian descent and came off clear.”<sup>47</sup> Thus, claims to Native American ancestry proved quite valuable in resisting African, and possibly previously enslaved, heritage.

Warner McCary, also known as Okah Tubbee, passed as Choctaw not only to sidestep the issue of racial prejudice but also the legal implications of enslavement. In 1813, white landowner James McCary freed an enslaved woman, Franky, along with her two children, Kitty and Bob, who were clearly his. He left the two all of his property and made provisions for them to be formally educated as well as instructed religiously in Pennsylvania. But perhaps what distinguishes this will most strikingly is that he specified that Franky’s other son—presumably not McCary’s—along with another slave, were “to be held as slaves during all and each of their lives, and their labour/ and services, and the proceeds of the same shall be solely for the use and benefit of the aforesaid Bob and Kitty, the children of Franky share and share alike.”<sup>48</sup>

Doubtless Warner spent his early years working at whatever capacity in the household of McCary, but while a teenager, he was apprenticed to a local blacksmith, which expectedly gave him some measure of independence as he earned a suit of clothes. Shortly thereafter, he began to play the fife for the Natchez Cadets and building upon a natural musical gift, grasped onto a

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<sup>47</sup> Ibid., 342.

<sup>48</sup> *James McCary’s Will*, Adams County Chancery Court, Will Book 1, 1813, 88.



lucrative means to pull himself out of the ambiguous position of still being claimed as a slave by Franky, Bob, and Kitty. He ran away in 1836 and he slipped over the color line, but not as a white person but rather of an Indian, the purported son of a chief Moshulatubbee of the Choctaw Nation. He exercised his freedom and a new identity as Okah Tubbee as an accomplished itinerant musician and eventually published a semi-biographical narrative of his life.<sup>49</sup>

His carefully crafted biography highlights how claiming to be of Indian descent was such a viable and attractive option for free people of color to avoid acknowledging their African ancestry and possible association with slavery. The complicated narrative that his wife, a Delaware woman named Laah Ceil, published concerning his life lays bare his negative feelings associated with being a slave purported to be of African ancestry and his resentment toward his mother and half-siblings. Whether true or not, he claimed that he was kidnapped as a small child and given to Franky by James McCary to pass off as her child. Warner explained that her complicity in this illegal enslavement of an Indian was the price for her freedom. It was imperative to distance himself clearly from racial slavery, thus his stress on the illegality of Indian slavery and his insistence of his “pretend” mother, as he referred to her in the narrative. The historical record is inconclusive on clarifying his denial of Franky stemmed from a deep-rooted resentment of the preferential treatment Kitty and Bob got as children of James McCary and the beneficiaries of his estate and their mother’s clear favoritism or if he was actually the victim of an illegal kidnapping. Perhaps this experience of languishing in slavery and drudgery while his half-siblings enjoyed being well-dressed, educated, and were raised as white children

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<sup>49</sup> Daniel F. Littlefield, ed., *The Life of Okah Tubbee* (Lincoln: University of Nebraska Press, 1988). This is also the Robert McCary that was a good friend of William Johnson who ran a school for Black children in Natchez. Kitty McCary was a property-holding female who died of complications brought on by a whipping administered by a white man, see Ribianszky, Thesis, 94-95.

caused him to despise being of African heritage and caused him to wear the badge of Choctaw ancestry.

In relation to cases of racial determinism, the identities of individuals claiming Indian ancestry were not subject to the rigorous investigation of “fraction of blood” and did not focus so heavily on issues of performance. According to Ariela Gross, investigators were more interested in issues of nation rather than race, which “allowed some measure of self-determination and escape from the legacy of slavery,”<sup>50</sup> (i.e. more closely aligned with the “positive attributes of whiteness” that Haney-Lopez defined). In relation to slavery, since Native American identity was largely passed down through mothers, the issue of enslavement was sidestepped, which for the establishment of whiteness was a critical component. This would be helpful in Warner McCary’s denial of Franky, a woman of African heritage, to distance himself from the violence of slavery. Claiming Indian ancestry also defused some of the pressure to explain physical attributes that were obviously non-European, including darker skin, coarser hair, and the like. The exotic aspect of Native Americans could also enhance one’s ancestral background as for some Americans during the mid-nineteenth century; Native Americans were a group that some people could sympathize with, given ongoing Indian Removal in Mississippi and other areas in the antebellum South.<sup>51</sup>

## **Conclusion**

Passing as white or Native American was a method to protect oneself from a violent and ambiguous system of racial oppression. The people that accomplished it successfully navigated their way through a minefield of increasing restrictions and personal and state-sponsored acts of

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<sup>50</sup> Gross, “Beyond Black and White,” 681.

<sup>51</sup> For a detailing of some of the positive portrayals of Indians in early American thought, see Gross, *What Blood Won’t Tell*, 20-27.

violence against people of African descent. It is virtually an impossible feat to determine the sheer numbers of people that slipped across the color line and passed into the white world undetected in Natchez or in any town or city in the United States and were so successful that their secrets died with them. Likewise, it is a difficult, if not impracticable task to establish if these incidences of passing were permanent or merely temporary. Some families of descendants of free people of color did permanently claim their whiteness and remained hidden from prying, detecting eyes, as in Harriet Johnson's and her children's case. But what is critical is viewing the phenomenon of passing as a potential weapon of penetration into and disruption of an oppressive system. It functioned as a survival mechanism for people who were vulnerable to the vagaries of a restrictive and often violent atmosphere.

It is useful to look at the period immediately following emancipation when the possibility for societal change was strong. Although free man of color Nelson Fitzhugh was not passing as white, the following anecdote might be applied to people that were. In 1866, an editorial in the *Natchez Weekly Courier* accused him of "wearing a mask." Although he had been a trusted and accepted slaveholding free black man throughout most of his life in Natchez, when 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>52</sup> Free people of color, including those passing as white, then, were much like enslaved men and women "puttin' on ole massa," in the antebellum years. In other words, they 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. Most were likely raised in households that were critical of the status quo but were

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<sup>52</sup> Davis, *Black Experience*, 57.

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 guard their tongues (or perhaps their true racial identities) as carefully. For that short window of time before the nadir period of Jim Crow segregation and the one-drop rule racial classification descended upon the South, it is possible that those who had donned white masks to avoid the threat of enslavement or loss of home or property let them fall and did not feel compelled to deny their ancestral heritage.

## CONCLUSION

*To Find Shelter She Knows Not Where* demonstrates that free people of color had to be ingenious in their constant vigilance in finding spaces and niches where they could acquire protection. As shown, at times, this involved leaving the state for New Orleans or for the North, even venturing as far afield as Liberia, where although people of African descent still faced challenges, it was preferable to being reinslaved in Mississippi. Some sought the shelter of Natchez by enclosing themselves within walls built by their own ingenuity, inheritances, and hard work. At times, this was a successful strategy that encased them with a modicum of respectability and insulated them to some degree from becoming a public charge, dependent on charity. On other occasions, it could leave them open to dishonest people who sensed chinks in their armor and who successfully cheated them through fraud or loopholes out of their property. Some people even resorted to being re-enslaved in 1859 when Mississippi at the state level decided to force free people of color to choose their own masters in order to stay close to those they loved, rather than flee the state. And finally, some sought sanctuary within their own skin as they passed into the white race to permanently close the door to their true racial identity to hide traces of any past linking them to slavery. To this day, some members of the descendents of the Barlands, Fitzgeralds, Johnson/Cullen/Dowling families, and others still find themselves on the opposite sides of the color line than their relatives.

The end of the Civil War and the emancipation of thousands of freed slaves in Natchez forever altered the status of free people of color. Before the Civil War, a distinction existed between free and enslaved people of African descent, with enormous class differences, in notable cases. 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 slave-owners 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 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 so.<sup>2</sup>

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 much effort to distance themselves from it. By choosing to remain in the state of

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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.

<sup>2</sup> This discussion is an adaptation of a chapter from my master’s thesis, the citation for which is: Nicole Ribianszky, ““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.” Master’s thesis, Michigan State University, 2003.

Mississippi, they had few alternatives. Unquestionably, many former free people of color processed the change in their circumstances with difficulty. 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. 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>

Many men and women maintained their property and managed to pass it down intact to their children and grandchildren despite the changes brought about by the war. The Kyle women illustrate such practices. Nancy Kyle bequeathed her house and lot to her daughter Caroline, who still retained it in the 1890s and in turn passed 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 her

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<sup>3</sup> Virginia Meacham Gould, *Chained to the Rock of Adversity: To be Free, Black, & Female in the Old South* (Athens: The University of Georgia Press, 1998), 85.

<sup>4</sup> Loren Schweninger, "Prosperous Blacks in the South, 1790-1880," *American Historical Review* 95, no. 1 (1990), 47-48.

husband 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 it 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>

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 educated, sought political power. They met resistance within the white community and racial tensions heightened.<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

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<sup>5</sup> Adams County Chancery Court, Will Book 5, 1891,232-233; Will Book 4, 1866, 576; Hogan and Davis, *William Johnson's Natchez*, 63.

<sup>6</sup> Schweninger, "Prosperous Blacks," 48-49; Davis, *Black Experience*, 159, 172.

<sup>7</sup> Ronald L. F. Davis, *The Black Experience in Natchez, 1720-1880* (Denver: National Park Service, 1999), 178-180.



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 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>

Educated women of color, such as the Johnsons, dedicated themselves to teaching ex-slaves. 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 that, "Indeed, many of the colored leaders came from the slave owning 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>9</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

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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> Koger, *Black Slaveowners*, 198.

selected for then I could help them at home so much...”<sup>10</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>11</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 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 people 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 anything would induce Grand Ma to leave Natchez.”<sup>12</sup>

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<sup>10</sup> Gould, *Chained to the Rock*, 87.

<sup>11</sup> Davis, *Black Experience*, 189-191.

<sup>12</sup> Gould, *Chained to the Rock*, 37.

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