

Selling Poor Steven

The struggles and torments of a forgotten class in antebellum America:
black slaveowners
by *Philip Burnham*

In the 1640s John Casor was brought from Africa to America, where he toiled as a servant for a Virginia landowner. In 1654 Casor filed a complaint in Northampton County Court, claiming that his master, Anthony Johnson, had unjustly extended the terms of his indenture with the intention of keeping Casor his slave for life. Johnson, insisting he knew nothing of any indenture, fought hard to retain what he regarded as his personal property. After much wrangling, on March 8, 1655, the court ruled that “the said Jno Casor Negro shall forthwith bee returned unto the service of his master Anthony Johnson,” consigning him to a lifetime of bondage. Given the vulnerable legal status of servants—black and white—in colonial America, the decision was not surprising. But the documents reveal one additional fact of interest: Anthony Johnson, like his chattel, Casor, was black.

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Johnson’s life in America has something in it of a rags-to-riches tale. He appears to have arrived in Virginia in 1621 and is noted in the early records simply as “Antonio, a Negro.” Though the general-muster rolls of 1625 list his occupation as “servant,” twenty-five years later he had somehow accumulated a respectable surname and two hundred and fifty acres of land on Virginia’s Eastern Shore. Surviving both a fire that damaged their plantation and the protracted legal tiff with Casor, Anthony and his wife, Mary, moved to the Eastern Shore of Maryland in the early 1660s, their contentious slave in tow. In 1666 Johnson leased a lot of three hundred acres, on which the prosperous landowner remained until his death. As for Casor, he stayed on as a “servant,” witnessing Mary Johnson’s will of 1672 and registering his own livestock brand in the same year, apparently something of a colonial success story himself.

By the early eighteenth century the Johnson family had disappeared from the historical record. But in the hundred and fifty years that followed, many other black slaveowners imitated Johnson’s example, and for a variety of reasons. According to 1830 U.S. census records, 3,775 free blacks—living mostly in the South—owned a total of 12,760 slaves. Though the vast majority of these owned no more than a few slaves, some in Louisiana and South Carolina held as many as seventy or eighty. Nor was the South the only region to know black slaveowners. Their presence was recorded in Boston by 1724 and in Connecticut by 1783. As late as 1830 some blacks still owned slaves in Rhode Island, Connecticut, Illinois, New Jersey, and New York, as well as in the border states and the District of Columbia.

The motives that guided black slaveowners were many and complex. Most of them appear to have “owned” slaves for the benevolent purpose of protecting family members from a society that habitually regarded free black people with deep suspicion. But a significant minority did so for the same reasons that motivated white slaveowners: commercial profit and prestige. Slaveowning on the part of this latter group was a strategy for assimilation in a mistrustful and potentially explosive social atmosphere. Not only were black slaveowners sometimes reviled by other blacks, but they were equally feared by the white middle class as potential usurpers. Whatever our stereotype of the American master in the antebellum era, neither the commercial nor the humanitarian black slaveowner easily fits it.

A *crucial* prerequisite for slaveowning was, of course, freedom. At the time of the 1830 census, nearly one out of eight blacks in the United States was a “free person of color,” whether by birthright, manumission, or the purchase of his or her freedom.

Whatever their improved legal status, free people of color still experienced many of the same difficulties that slaves did. The laws differed according to period and region, but free blacks of the antebellum era were generally forbidden the right to vote, to bear arms, and to testify against whites in a court of law. They were often denied credit, consigned to segregated churches, prevented from establishing permanent residences, and even denied licenses to sell liquor. They often lived side by side with slaves—on occasion marrying them—and their white neighbors tended to see them as a potentially disruptive force. Most free people of color were poor. They lived, as the historian John Hope Franklin has put it, in a state of “quasi-freedom.”

There was often deep mistrust between free and enslaved black people. Free blacks only rarely expressed open sympathy for slaves. Most tended to guard jealously the few privileges they had secured; generally, the higher they rose, the more advantages they hoped to protect. And though free people of color might embrace racial equality as a worthy ideal, many used their intermediate status to exploit those at the bottom. What's more, such tensions, as the historian Ira Berlin has noted, in *Slaves Without Masters*, “often divided free Negroes from one another as much as it divided them from whites.”

In absolute terms the number of slaveowning blacks was always small. In antebellum North Carolina, for example, only about 10 percent of free blacks owned any kind of property at all, let alone slaves. In the America of 1830 more than three hundred thousand people of color were free; of these, about 2 percent were slaveholders. One scholar has estimated that from 1790 to 1860 just one in eighty free blacks was a slaveowner. Blacks who owned slaves were thus a tiny minority within a minority. Of course, white slaveowners were a minority too—though a much larger one—composing about a third of white families in the first half of the nineteenth century. Booker T. Washington, born to slavery in Virginia, revealed in 1905 that he did not even know black slaveowners had existed. Perhaps he did not want to, for black masters, though few, were widespread, their presence, as John Russell wrote in his 1916 history of early Virginia, “so common in the period of the Commonwealth as to pass unnoticed and without criticism by those who consciously recorded events of the times.”

It is not unusual to find that people of color who owned slaves did so for humanitarian motives. In the 1830s John Barry Meachum, a St. Louis minister, bought bondsmen and then invited them to purchase their freedom on easy terms. A woman from Charleston, South Carolina, sold a slave in 1828 on the condition that “he is kindly treated and is never sold, he being an unfortunate individual and requiring much attention.” In one extraordinary case a Baptist Negro church in Lexington, Kentucky, is said to have gained a slave preacher by paying for him on the installment plan, passing the Sunday collection plate to pay the deacons of a local white congregation who had purchased him.

Most often black slaveowners were men who had bought their own family members. For instance, Mosby Shepherd, manumitted by the Virginia legislature for giving information concerning the Gabriel insurrection of 1800, bought his own son with the express purpose of later freeing him. Owning blood relatives could be a convenient legal fiction to protect them from the hostility that free blacks attracted. Often it was a way to evade stringent laws requiring newly freed slaves to leave the state within a certain period. Sometimes free blacks married slaves and raised families. If the slave in such a union was owned by a third party and “threatened” with freedom, the spouse could purchase him or her. Some laws even made it easier for blacks to own family members than to manumit them.

Frequently terrible decisions would have to be made, as when children had to be sold off to purchase a spouse. Rose Petepher of New Bern, North Carolina, bought her husband, Richard Gasken, a runaway who had spent several years roaming the woods. They raised several children later hired out as slaves, presumably to keep family finances afloat. Daniel Brown of Norfolk, Virginia, purchased his freedom through hard work and was sold to his wife, Ann, to avoid the law requiring newly manumitted slaves to leave Virginia. When Brown decided he wanted to emigrate to Liberia, his wife balked, not only refusing him permission to go but threatening to sell

him. After great effort he persuaded her to manumit him, and he shipped out for Liberia. In 1854 Brown wrote from Monrovia pleading that “Liberia is the place for us and our children, and no where else but here.” Later that year Ann finally decided to join him.

wnership could, of course, add a strange dimension to ordinary family squabbles. Dilsey Pope of Columbus, Georgia, a free woman of color, owned her husband. After they quarreled, she sold him to a white slaveowner; he refused to sell him back once the couple had reconciled. Carter Woodson, the historian who in the 1920s published the research on black slaveholders in the 1830 census, recalled an acquaintance whose mother had been purchased out of slavery by her husband, himself a former slave. When later she grew enamored of another man—a slave, it turned out—and secretly bestowed upon him her husband’s manumission papers, the police, thinking the husband had conspired to give up his papers, arrested him and brought him to trial. To cover his legal expenses, the angry husband sold his wife for five hundred dollars.

Black slaveowners, like white ones, sometimes bid for their charges on the open market. Many, however, did not actively seek to obtain slaves but inherited them from family members or white neighbors. In the latter case the person inherited often appears to have been the product of a secret sexual liaison. Henry Lipscomb, a white slaveowner from Cumberland County, Virginia, willed several slaves—probably his own children—to a black family by the same name, headed by Nancy Lipscomb, a “free woman of color.” Another black woman, Priscilla Ivey of Mecklenburg County, Virginia, inherited several slaves from a white man in 1821 and held them for thirty-five years, eventually willing them to her children.

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Humanitarian motives didn’t always play a part in the black slaveowner’s trade. Nat Butler, of Aberdeen, Maryland, obtained slaves by a gambit worthy of Simon Legree. Something of a rarity, Butler specialized in turning high hopes to abject misery. He was known to help runaways, providing them with a hiding place while they waited to escape North. At the same time, posing as a slave catcher, he would offer to resell the runaways to their original owners. If the price offered was too low, Butler would sell the slaves to a third party for a neat profit.

Like their white counterparts, black slaveowners advertised for runaways. Sarah Johnson, a seamstress from Charleston, South Carolina, placed an ad in a local paper in August 1836 to locate a servant of “small stature a little pitted with small pox her front teeth much decayed had on when she went away a striped blue frock. It is suspected that she will try and go into the country.... I will pay any reasonable reward.” In 1859 Eliza McNellage offered a reward of twenty dollars in the Charleston *Mercury* for a sixteen-year-old named Mary who was “well known in the vicinity of Market and Archdale Streets.”

Some owners mingled their more generous instincts with economic self-interest. Samuel Smith of Chesterfield, Virginia, willed his slave family to his daughter-in-law “to hold the above-mentioned slaves during her natural life, and at the death of the above named Betsy Smith, I desire that they shall be free.” Smith had earlier used a child as collateral for a loan, stipulating that should he not repay the outstanding debt, his creditor should “expose the said Negro boy for sale.” The evidence suggests that the child was Smith’s own son.

In 1845 Ricksum Webb, of Caroline County, Maryland, willed to his son a slave named Jerry, to be kept for ten years and then freed. The will provided good incentive for the bondsman to accept his lot. “Should Jerry abscond from service and be taken,” the document read, he was “to be sold for life to the highest bidder.” Richard Parsons, a farmer and boatman of Campbell County, Virginia, set free his slave children in a will of 1842 but made no such provisions for nine other slaves he considered simply to be property. In a particularly complex case Judith Angus of Petersburg, Virginia, willed

her estate to her sons, George, Moses, and Frank. Moses was free at the time; the other two were slaves. The 1832 will stipulated that George was to be freed—unless Moses returned to Petersburg, in which case the former was to be “at his disposal.” If George did remain a slave, he was to be hired out, the funds from his labor to be used to buy free the third son, Frank, owned by another party. Among black slaveowners, family hierarchy could have its harsh prerogatives.

The legal complications encountered by families part slave and part free were nothing short of Byzantine, and in many cases Solomon himself would have been hard pressed to mete out justice. A slave named Miles took a slave wife in North Carolina. He was freed by his master and then purchased his wife, whom he in turn freed. One of their children was born when the mother was a slave, the others when she was free. When the mother died, Miles remarried a free woman of color by whom he had several more children. In 1857 Miles died intestate; the children of both mothers disputed the division of property. The North Carolina Supreme Court reasoned that the children of the first marriage had no claim to the estate since slaves could not make contracts that were legally binding. Thus Miles’s original marriage was a “fiction,” the children not recognized as legal heirs. He had, in short, failed to legitimize the marriage once he and his wife had become free.

Many black slaveowners lived in cities, where they freely mixed with local slaves and occasionally bought and sold them. Urban slaveowners engaged in a variety of occupations: they were barbers, livery stable men, blacksmiths, mechanics, grocers, even prostitutes. In South Carolina and Louisiana a powerful mulatto caste developed in the large cities, comprising lighter-skinned people of color who separated themselves at all costs from the lowly slaves who worked the plantations. The slaveowners among them amassed considerable commercial power, often parlaying it into greater social acceptance and educational advancement.

Like slaves, most free blacks were illiterate. But along the lower Mississippi some obtained more than a rudimentary education and left letters and diaries that offer fascinating glimpses into the lives of antebellum black slaveowners. Among these was William Johnson, a slave turned free man of color in Natchez, Mississippi. Granted his freedom in 1830, Johnson set up business in Natchez as a barber and moneylender until he purchased a nearby farm. At the time of his death in 1851 he owned fifteen slaves, with an eye to turning a profit. And yet, his diary indicates, some of them evoked in him a turbulent mixture of emotions. “To day has been to me a very Sad Day,” he wrote on December 31, 1843. “Many tears were in my Eyes to day On acct. of my Selling poor Steven. I went under the hill this Evening to See him off[] but the Boat did not Cross over again and Steven got drunk in a few minutes and I took him Home & made him Sleep in the garret and Kept him Safe.” Johnson, who had bought Steven in 1832 for \$455, had just sold him for \$600. The next day the former slave still grappled with his conscience: “I felt hurt but Liquor is the Cause of his troubles; I would not have parted with Him if he had Only have Let Liquor alone but he Cannot do it I believe.”

As a black slaveholder Johnson was caught in a tangle of ironies. His diaries reveal the rancor he felt toward the arrogant white slaveowners of his area, though he was cautious to keep his resentment under wraps. While he expressed considerable compassion for his slaves, the only one who ever escaped from him was helped to freedom by a man he called “a white scoundrel.” Johnson was murdered in 1851, apparently by a mulatto whose race the courts had difficulty ascertaining. Baylor Winn—who claimed Indian and white ancestry—was never found guilty of murdering Johnson because it could not be proved that Winn was a “Negro.” Mississippi law forbade the testimony of black witnesses against white people, and as the only witnesses for the prosecution were people of color, Winn was never convicted.

Andrew Durnford, a free man of color in nearby Louisiana, was a sugar planter who owned seventy-seven slaves at his death in 1859. In his correspondence Durnford describes his 1835 visit to a slave auction in Richmond, Virginia. “I went to see a family of four children, father & mother for 1800\$ of yellow complexion,” he wrote to a Louisiana friend. “I acted and played the indifferent saying they were too high. An other family of a father & mother with two children for 1200\$. I was requested to make

an offer, butt would nott do it as I find that some of the farmers ... don't like to sell to Negro traders butt will, to anybody that buys for their own use."

In fact, Durnford was buying for his own use on the sugar plantation he called St. Rosalie, thirty miles south of New Orleans. A man of business, he lamented the high cost of slaves, complaining that Alabamians had bid too high and driven up the market price. "I could have bought some cheaper but, they are what I call rotten people." After buying twenty-five slaves, he encountered some difficulty getting them home. "I wrote in Baltimore to get a passage on board of the brig Harriet cleared for New Orleans, but the captain would not agree to take Blacks."

Durnford's correspondence is richly revealing of the complicated lives led by antebellum mulatto planters. His letters from Richmond are addressed to John McDonogh of New Orleans, a white friend and creditor who later served as a vice president to the American Colonization Society, which resettled freed slaves in Liberia. McDonogh, an unusual master by any standards, sent eighty-five of his slaves to this African republic and later provided in his will for the manumission of many others. Durnford was not so sanguine about the prospects of manumission, though he did free four slaves during his life. "Self interest is too strongly rooted in the bosom of all that breathes the American atmosphere," he wrote in 1843. "Self interest is al la mode." Paternalism and cruelty went hand in hand at Durnford's plantation. "Jackson has just left here," he wrote of a runaway in 1836. "I ordered five rounds to be given him yesterday for cutting my cane and corn. He is a wicked fellow. Was he not a relic I would gett clear of him."

As the Civil War approached, more restrictions were imposed on black slaveowners, and the abolitionist press made white Southerners warier still of this unusual group in their midst. As Northern cries for manumission grew stronger, certain states denied free blacks property rights. In 1860 the North Carolina legislature formally forbade blacks to "buy, purchase, or hire for any length of time any slave or slaves, or to have any slave or slaves bound as apprentice or apprentices."

As public opinion turned against free blacks, William Ellison, Jr., a free mulatto whose father owned dozens of slaves, attempted to leave South Carolina in 1860. The agents for a Philadelphia steamer refused Ellison and his children passage, claiming that if they turned out to be escaped slaves, anyone found guilty of helping them leave the South could be executed. They suggested instead that Ellison declare his children slaves—though they were not—and put them in the charge of a white passenger. Sensing danger, he obtained passage for them on another ship by using his influence and financial resources. Clearly even the wealthy mulatto caste had come to feel threatened by the eve of the Civil War.

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Elsewhere in the Deep South the landowning mulatto caste was anxious to prove its loyalty to the cause. Several black slaveowners in the Delta region wrote jointly to the New Orleans *Daily Delta* in December 1860 that "the free colored population (native) of Louisiana ... own slaves, and they are dearly attached to their native land ... and they are ready to shed their blood for her defence. They have no sympathy for abolitionism; no love for the North, but they have plenty for Louisiana." Thus the Emancipation Proclamation of 1863 struck as much of a blow to commercial black slaveowners—like the descendants of William Johnson and Andrew Durnford—as it did to their white counterparts. And where owners were compensated for their losses, even those with benevolent motives profited, providing a windfall for people who had been protecting family members. In the District of Columbia, for example, where slavery was abolished in 1862 in advance of the Proclamation, Robert Gunnell received three hundred dollars each for his wife, children, and grandchildren, eighteen people in all.

That black people could have owned slaves at all is a strange irony of American

history, one that has led to all manner of theorizing, much of it untenable. It would be a mistake, for example, to think that black slaveholders turned the entire institution of slavery on its head, for even the most powerful black planters could own only people of color, not whites. Though whites were commonly employed as indentured servants in the colonial era, they were never held as slaves as the term is normally used. It is true that free people of color sometimes hired white laborers for temporary work. "I send Noel up to let you know that I will do without dutch people this year," wrote Andrew Durnford to John McDonogh. But as a Virginia statute from 1670 proclaims: "No negro or Indian though baptized and enjoyed their own freedome shall be capable of any purchase of Christians but yet not debarred from buying any of their owne nation." The existence of the statute seems to suggest that holding white "slaves"—or servants—was conceivable for a black only in the early years of colonial Virginia. Such a practice, had it endured, would have undermined the entire social foundation of slavery, resting as it did on the oppression of people of color.

Over the years a number of unconvincing apologies have been offered on behalf of the black slaveholder. The historian Luther Porter Jackson has argued that the 1830 census figures for black slaveowners were inflated, since some of those who appear on the rolls were people of color who had *hired* slaves, not purchased them. Even so, it's difficult to claim that people who "hired" others from their owners were not profiting participants in the peculiar institution. It has rightly been noted that many black slaveholders were, at least in their intentions, benevolent, but it's also clear that not all slaves owned by family members—ostensibly sympathetic masters—were treated with much compassion. Benevolent slaveowning in the Northern states is even more difficult to rationalize, since the act of manumission there was less fraught with legal difficulties. Examined in all its variety, the story of black slaveowners gives powerful evidence that slavery was just as complex an institution for them—as they grappled with economic forces and social realities—as it was for whites.

Anthony Johnson and his spiritual descendants remind us that however much we may generalize, the experience of individuals ranges from the heights of human compassion to the depths of profound greed—and all variations therein. As Andrew Durnford wrote in his will, "I also hereby emancipate and order to be emancipated, the boy of my servant Wainy born the 2d of January 1857 and when the Said boy shall be ten years old I hereby give him two thousand dollars to contribute to give Said boy a good education." The boy, it turns out, wasn't just anyone: He was Durnford's son by a slave mistress. Even after death Durnford was looking out for his own. As the planter himself had once put it in a letter to McDonogh, "self interest is al la mode."

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http://www.americanheritage.com/articles/magazine/ah/1993/1/1993_1_90.shtml