

Université de Montréal

**Saint-Domingue Refugees and their Enslaved Property:
Abolition Societies and the Enforcement of Gradual Emancipation
in Pennsylvania and New York**

par

Katherine Anne St-Louis

Département d'histoire

Faculté des Arts et des Sciences

Mémoire présenté à la Faculté des Arts et des Sciences

en vue de l'obtention du grade de M.A.

en histoire,

option recherche

Novembre 2015

© Katherine Anne St-Louis, 2015

RÉSUMÉ

Ce mémoire porte sur le rôle des cercles abolitionnistes dans l'application des lois sur l'émancipation graduelle de l'esclavage dans le nord des États-Unis vers la fin du dix-huitième siècle, principalement à New York et en Pennsylvanie. Plus particulièrement, il met en lumière la façon dont ces cercles, dont les deux plus importants étaient la Pennsylvania Abolition Society (PAS) et le New-York Manumission Society (NYMS), ont fait face aux centaines de réfugiés de Saint-Domingue qui sont arrivés avec leurs esclaves sur la côte est américaine pour fuir la révolution haïtienne dans les années 1790. Dans un premier temps, ce mémoire étudie l'abolition graduelle de l'esclavage dans le nord des États-Unis, débutant avec la Pennsylvanie en 1780, et la formation des cercles abolitionnistes dans les anciennes colonies anglaises. Il sera en outre question des stratégies des antiesclavagistes américains afin de promouvoir l'abolition graduelle de l'esclavage et d'empêcher le mouvement des esclaves et des noirs libres en dehors des frontières de leurs États respectifs. Il sera aussi question de leurs efforts pour resserrer davantage les clauses des lois existantes à ce sujet. Dans un second temps, dans le but de mettre en relief la contribution des cercles abolitionnistes, ce mémoire procède à une étude de cas sur la manière dont les réfugiés de Saint-Domingue ont interagi avec l'esclavage résiduel à New York et en Pennsylvanie et cherche à comprendre pourquoi leurs tentatives d'échapper aux lois sur l'émancipation graduelle se sont heurtées, à plusieurs reprises, aux stratégies des sociétés antiesclavagistes.

Mots-clés: Abolitionnistes (États-Unis), émancipation graduelle, dix-huitième siècle, New-York, Pennsylvanie, Révolution haïtienne (1791-1804) -- Réfugiés.

ABSTRACT

This thesis explores the role of abolition societies in the enforcement of gradual emancipation in the north of the United States in the late-eighteenth century. More specifically, it focuses on the refugees from Saint-Domingue who brought their slaves in the state of Pennsylvania and New York, and how abolition societies adapted their strategies to cope with the massive arrival of hundreds of these refugees in the 1790s. The first section discusses the gradual end of slavery in the north following the American Revolution, starting with Pennsylvania in 1780, and the emergence of abolition societies, especially the Pennsylvania Abolition Society (PAS) and the New-York Manumission Society (NYMS). In addition, this section considers the strategies of anti-slavery activists to promote and protect gradual emancipation and limit the movement of slaves within and without their respective states. The second section presents a case study of Saint-Domingue refugees coming with their slaves and how they interacted with residual slavery in New York and Pennsylvania. It also illustrates how maneuvers employed by West-Indian slave owners in order to keep their slaves often failed as a result of the intervention of abolition societies.

Keywords: Abolitionists (United States), Gradual Emancipation, Eighteenth Century, New York, Pennsylvania, Haitian Revolution (1791-1804) -- Refugees

TABLE OF CONTENTS

Résumé.....	I
Abstract	II
Table of Contents	III
Acknowledgements.....	IV
INTRODUCTION	1
Methodology.....	4
Historiography	6
CHAPTER 1. THE ANTI-SLAVERY MOVEMENT IN LATE-EIGHTEENTH-CENTURY UNITED STATES: STRATEGIES AND ACTIONS OF ABOLITION GROUPS	13
A Gradual End to Slavery in the North and the Emergence of Anti-Slavery Societies.....	14
Activism in Pennsylvania: The 1780 Decree and Beyond	23
Containing Slavery within New York: The 1785 and 1788 Laws	28
CHAPTER 2. SAINT-DOMINGUE REFUGEES, ABOLITION GROUPS, AND GRADUAL EMANCIPATION IN PHILADELPHIA AND NEW YORK	36
Saint-Domingue Refugees in the United States	38
Saint-Domingue Refugees, their Enslaved Property, and Abolition Groups.....	44
“These white French citizens are so little under the government of principles”: The Kidnapping of Free Blacks	52
“The fatal gift of an absolute unlimited freedom”: The French Decree of 1794.....	60
CONCLUSION.	66
BIBLIOGRAPHY	71

ACKNOWLEDGEMENTS

I would like to thank the people who provided help and encouragements in the preparation of this thesis. First of all, I would like to thank my supervisor, François Furstenberg, for his patience and insightful comments on this thesis. His guidance was deeply appreciated. I would also like to thank Jason Opal for his ideas and encouragements. In addition, I would like to thank members of the history department of Université de Montréal for their help, at every steps, in achieving this thesis. In particular, I would like to thank David Meren for his time and his advice.

I would also like to thank my friends for their unwavering support. I owe special thanks to my friend Lorna Mungur, Étienne Pineault, and Andrew Stonehouse for keeping me somewhat sane while writing this thesis. Thanks to those who read and edited parts of this thesis: Marion Provencher particularly, who also proof-read a lot of my essays over the years. Many thanks to my fellow program colleagues and friends, Marianne and Catherine Lagrange, for their support, especially during the long hours spent at the library. Lastly, I would like to thank my mother for her support and encouragements.

INTRODUCTION

In the late-eighteenth century, the Atlantic world underwent tremendous changes with revolutionary fervor sweeping the United States, Europe, and the Caribbean. These changes, in turn, left a deep imprint on American slavery. For one thing, slavery in Pennsylvania had been set on the path of extinction during the American Revolution when the state enacted the first gradual emancipation decree in March 1780. It was followed by all states north of the Mason-Dixon line in the following years, including New York in 1799. In addition to their gradual emancipation laws, Philadelphia and New York became the cradle of American abolitionism in the late 1780s, with the creation of the Pennsylvania Abolition Society (PAS) in 1784 and the New-York Manumission Society (NYMS) in 1785. These two groups, as well as societies in other states and Europe, became active voices in opposition to the slave trade — and to those involved in it. Additionally, American societies dedicated themselves to the promotion and protection of gradual emancipation in their respective states.

Another revolutionary event in the eighteenth century left its mark on American society and American slavery, underlining its connection to the Atlantic World. The revolution in the French colony of Saint-Domingue transformed North Atlantic slavery in many ways, and generated important population movements throughout the Atlantic world.¹ The revolution led to a massive wave of emigration from Saint-Domingue, as whites and both free and enslaved blacks fled the mounting tensions and outbreaks of violence occurring on the island. The migration began during the first large-scale slave uprising in 1791, and culminated in a final

¹ See David Patrick Geggus, “Slavery, War, and Revolution in the Greater Caribbean, 1789-1815” in *A Turbulent Time: The French Revolution and the Greater Caribbean*, David Gaspar and David P. Geggus (eds.), (Bloomington, 1997).

wave from Cuba to Louisiana in 1809.² While some refugees fled to Europe or other destinations in the Caribbean, primarily Cuba, many arrived in various cities along the North American coast, most significantly Charleston, New Orleans, New York, and Philadelphia. Large influxes of refugees poured in the United States following major violent developments on the island, notably the burning of Cap Français in June 1793. Saint-Dominguan colonists came with whatever property they could bring on short notice, which sometimes included their slaves.

This thesis focuses on the refugees who arrived with their slaves in New York and Philadelphia. Both cities were important commercial centers in the late-eighteenth century. Nonetheless, the governments of both states enacted or were in the process of enacting gradual emancipation decrees, which put the property of newly-arrived Caribbean slaveholders in jeopardy. Where gradual emancipation decrees were not yet enacted, as in New York for most of the 1790s, laws restricting the movements of slaves across state borders had been put in place by state legislatures, limiting the ability of slave owners to travel freely from one state to the other with their slaves. Refugees coming with their slaves, in short, faced different political and social realities in Pennsylvania and New York than they did in cities such as New Orleans and Charleston.

This thesis explores the problem of slavery in the early republic at the local level, by focusing on abolition groups in the states of Pennsylvania and New York, and the ways they used state laws to promote their anti-slavery agendas. Indeed, early abolitionists concentrated

² This last wave in 1809 was composed mostly of Saint-Dominguans who had previously fled to Cuba in the 1790s, but had been expelled from the island following Napoleon's invasion of Spain in 1808. Most of them ended up in Louisiana, a newly acquired American territory. For a detailed discussion of this second wave, see Alfred Hunt, *Haiti's Influence on Antebellum America: Slumbering Volcano in the Caribbean* (Baton Rouge, 1988), especially chapter 1.

chiefly on the laws and legal institutions to achieve their goals, and this, in turn, restricted their strategies. This study brings into focus the activities of the PAS and the NYMS, both of which lobbied their respective state governments for tighter regulations on the movement of slaves in and out of their state borders in the 1780s. These measures, they believed, would preserve the benefits of manumission and emancipation and would, over the long run, erode the institution of slavery. Moreover, both societies provided legal aid to African Americans, free and enslaved, who came to them for advice and protection from slaveholders who sought to evade gradual emancipation laws.

This thesis, therefore, argues that gradual emancipation laws were nothing without the active participation of actors outside the legislature — namely, abolition societies and African-Americans who went to these groups for legal counseling. In order to highlight the contribution abolition societies made to the enforcement of gradual emancipation, this thesis further proposes to study the case of Saint-Dominguans who arrived en masse in the 1790s. It seeks to understand how abolition groups coped with this arrival, mainly by adapting strategies they had previously put in place when dealing with local slaveholders. Saint-Domingue slave owners used many tactics to circumvent gradual emancipation laws, for example by moving their slaves south where slavery was still practiced. These maneuvers, however, were attentively monitored by abolition societies. Additionally, many West-Indian slaves, like local African-Americans, went to the PAS for advice and counseling when not properly registered as required by gradual emancipation laws. This thesis will also highlight the problems posed by the French Decree of 1794, which emancipated all slaves in the French Empire, and how abolition groups experienced difficulties when grappling with laws outside of their jurisdiction.

Methodology

This thesis is primarily interested in the strategies of abolition societies, and how those strategies were put to the test with the advent of massive population movements in the age of revolution. In order to do so, the research will draw primarily on abolition societies' minutes, papers and correspondence. Both the NYMS and the PAS kept extensive records of their proceedings during their quarterly meetings, which provides valuable insights into their strategies and their agendas. Furthermore, various committees and sub-committees left detailed records of their activities. For example, the acting committees of both societies kept notes on important cases involving mainly emancipated blacks who had not been properly registered, and often recorded updates for these cases. The acting committee also closely followed legislative debates regarding slavery, and recorded new laws on the subject.³ These accounts provide crucial pieces of information on the legal strategies of abolition societies, and shed light on how African-Americans and Caribbean blacks experienced emancipation. Letters sent and received by the PAS were archived by the Committee of Correspondence and, in the case of the NYMS, the letters were often transcribed in the minutes of their quarterly meetings. These letters will also be important sources of information for this research. As historian John R. Oldfield explains, letters were the “glue of abolition networks” which exposed these groups' strategies, tactics and organization.⁴ Also, since these societies used newspapers to publicize their strategies, this thesis will draw on some newspapers to demonstrate how they reached out to the public.

³ The acting committees were mainly composed of lawyers and chiefly responsible freedom suits and court cases related to manumission and indenture, notably from slaves brought from outside the state.

⁴ J.R. Oldfield, *Transatlantic Abolitionism in the Age of Revolution: An International History of Anti-Slavery, 1787-1820*, (Cambridge, 2013), 42-45.

An overarching theme in this thesis is the notion of gradualism, and how it influenced the perception and actions of politicians and abolition groups alike in the early years of the republic. In this study, I use “gradual” as more than just a word defining emancipation decrees passed in the late-eighteenth century and early-nineteenth century. To define the concept, I have borrowed some of Joanne Pope Melish’s notions on the nature of gradualism. As she explains, early anti-slavery activists concentrated on the “iniquity of the slave trade” and suggested “an end to importation as a source of additional slaves.” This focus, in turn, “offered a solution whose consequences for the day-to-day practices lay safely in the hazard future,” hence foreshadowing “proposals for gradual emancipation by ending birth into slavery as a source of new slaves”.⁵ Anti-slavery in eighteenth-century America was, as I demonstrate in this study, tainted by this notion of gradualism from the outset, and it influenced the way activists conceived of the problem of slavery. In this light, I would also stress that all carefully-crafted strategies adopted by organized abolition societies in the early Republic served their ultimate goal of a gradual, disturbance-free transition away from slavery, as a way to achieve their humanitarian goals in compliance with the republican system in which they operated.⁶

Another important theme running throughout this thesis deserves to be defined: the notion of kidnapping. In her book *Freedom at Risk: The Kidnapping of Free Blacks in America, 1780-1865*, Carol Wilson defines the kidnapping of free blacks as a “practice within the specific historical situation in which free black persons were seized” by force or enticement “for

⁵ Joanne Pope Melish, *Disowning Slavery: Gradual Emancipation and Race in New England, 1780-1860*, (Ithaca, 1998), 52-53.

⁶ This notion of republicanism will be further explored in chapter one, and is inspired by Richard Newman’s description of the early abolitionist movement. See Richard Newman, *The Transformation of American Abolitionism: Fighting Slavery in the Early Republic* (Chapel Hill, 2006), 15.

sale into slavery”, and in which kidnappers “benefited financially from [the] sale”.⁷ This definition applies for the period under study in this thesis. It was a common practice in the late-eighteenth and early-nineteenth century in which Americans and West-Indians took part. I will, however, expand the meaning of kidnapping for the purpose of this study and include other practices to Wilson’s definition. Notably, I will include the maneuvers of foreign slave owners who refused to act in compliance with gradual emancipation laws in northern states, in order to maintain property in their slaves’ labor, mainly by moving them to states or countries where slavery was still practiced.

Historiography

The thesis lies at the intersection of three different historiographical debates: the scholarship surrounding the gradual emancipation of slavery in the North and the problem of slavery in the early republic more broadly; the scholarship on abolitionism in the early republic; and the scholarship on Saint-Dominguan refugees’ experience in the United States. A survey of these three historiographical debates will highlight the contribution this thesis intends to make.

The literature on the gradual abolition of slavery in the North following the Revolution is somewhat small, especially when compared to the literature on the abolition of slavery during and after the American Civil War. Every work on emancipation in the North following the Revolution is, in one way or another, indebted to Arthur Zilversmit’s contribution with *The*

⁷ Carol Wilson, *Freedom at Risk: The Kidnapping of Free Blacks in America, 1780-1865*, (Lexington, KY, 1994), 3.

First Emancipation, published in 1967.⁸ In this book, Zilversmit examines the campaign and the legislative debates surrounding the gradual emancipation of slavery in the North of the United States during the Revolutionary era. While this survey remains important to understand the political processes behind the first emancipation, most studies of gradualism and emancipation have since departed from this strictly “institutional” study of emancipation to incorporate more elements in their discussion, notably the role and experience of African Americans.⁹ Other authors chose to incorporate discussions on gradual emancipation in more encompassing themes. David Brion Davis, for example, includes gradual emancipation in his general discussion on slavery in the age of Revolution.¹⁰

While authors such as Zilversmit studied emancipation in the North as a whole, others focused instead on specific regions and states, which all went through gradual emancipation differently. Building on a 1983 book on the experience of emancipated blacks in northern urban centers, Gary Nash wrote *Forging Freedom: The Formation of Philadelphia’s Black Community, 1720-1840* (1988), focusing on the black community of Philadelphia, with large portions of the book dedicated to the study of this community’s experience with gradual emancipation.¹¹ Three years later, he and Jean Soderlund made their biggest contribution to the historiography on gradual emancipation with *Freedom by Degrees: Emancipation in*

⁸ Arthur Zilversmit, *The First Emancipation: The Abolition of Slavery in the North*, (Chicago, 1967).

⁹ I have borrowed the term “institutional” from Shane White’s very own critique of Zilversmit’s approach. See Shane White, *Somewhat More Independent: The End of Slavery in New York City, 1770-1810*, (Athens, 1991), xxi.

¹⁰ David Brion Davis, *The Problem of Slavery in the Age of Revolution, 1770-1823*. (Ithaca, N.Y, 1975).

¹¹ Gary Nash, “Forging Freedom: The Emancipation Experience in Northern Seaports, 1775-1820”. In *Slavery and Freedom in the Era of the American Revolution*, edited by Ira Berlin and Ronald Hoffman. (Charlottesville, 1983); Gary Nash, *Forging Freedom: The Formation of Philadelphia's Black Community, 1720-1840*, (Cambridge, MA, 1988).

Pennsylvania and its Aftermath (1991).¹² This book, the authors assert, is “about the tug of war between ideological commitments and economic interests, between leaders and followers, between slaves and masters that occurred in Pennsylvania in the eighteenth century over the issue slavery.” They provide a highly critical perspective on gradual emancipation and its aftermath, by demonstrating “how recapturing the labor of former bonds people played a role in the emancipation process.”¹³ Other significant contributions focusing on regional experiences with gradual emancipation include Shane White with *Somewhat More Independent: The End of Slavery in New York City, 1770-1810* (1991), Graham Russell Hodges with *Slavery and Freedom in the Rural North: African Americans in Monmouth County, New Jersey, 1665-1865* (1997), Joanne Pope Melish with *Disowning Slavery: Gradual Emancipation and Race in New England, 1780-1860* (1998), and, more recently, David N. Gellman with *Emancipating New York: The Politics of Slavery and Freedom, 1777-1827* (2006).¹⁴

Many authors have studied the problem of slavery in the revolutionary period by focusing on politics or political parties — mostly at the federal level. Of course, decisions by federal leaders had an impact on the peculiar institution in the United States — one can only think of the abolition of the slave trade in 1808 and its effect on slavery.¹⁵ Nevertheless, this approach brushes aside the role of other actors in American society, most importantly African Americans and abolition groups. It also tends to emphasize elements of sectionalism within

¹² Gary Nash and Jean Soderlund, *Freedom by Degrees: Emancipation in Pennsylvania and its Aftermath*, (New York, 1991).

¹³ *Ibid.* xiv.

¹⁴ Shane White, *Somewhat More Independent* (previously cited); Graham Russell Hodges with *Slavery and Freedom in the Rural North: African Americans in Monmouth County, New Jersey, 1665-1865*, (Madison, Wis., 1997); Joanne Pope Melish, *Disowning Slavery* (previously cited); David Gellman, *Emancipating New York: The Politics of Slavery and Freedom, 1777-1827*, (Baton Rouge, 2006).

¹⁵ See for instance Don E. Fehrenbacher, *The Slaveholding Republic: An Account of the United States Government's Relations to Slavery*, (New York, 2001).

American political institutions, while ignoring how regular actors such as anti-slavery activists and slave owners themselves might have contributed to and fostered some elements of this sectionalism on a day-to-day basis. Matthew Mason's *Slavery and Politics in the Early Republic* (2006) illustrates the flaws associated to a strictly political and sectional approach. The author overlooks debates at the local or municipal levels, for one thing, and pays no attention to anti-slavery activists and groups outside of federal party lines.¹⁶ Similarly, authors writing for the edited volume *Contesting Slavery: The Politics of Bondage and Freedom in the New American Nation* (2011) focus primarily on federal debates and politics and, as a result, fail to move beyond the sectional undertone of anti-slavery politics.¹⁷ While using some of its components, this thesis moves beyond the simple dichotomy of "slave versus free" states.

American abolitionism has benefited from extensive treatment in the historiography. The history of early abolitionists, however, remains largely neglected to this day. Most studies of abolition in the United States concentrate instead on the antebellum period and the rise of mass movements against slavery, for example the advent of the Garrisonians in the 1830s. In 2001, historian Richard Newman noted how in "both popular imagination and in many scholarly accounts, Garrison's debut remains *the* benchmark of abolitionism". Consequently, in spite of a growth of literature on abolition from the 1980s on, "abolitionism as an organized movement is still understood in this post-1830 context."¹⁸

¹⁶ Matthew Mason, *Slavery and Politics in the Early American Republic*, (Chapel Hill, 2006). For example, the author goes into great details in explaining how the Hartford Convention of 1814, a subset of the Federalist party, challenged slavery in the midst of the War of 1812 but omits to discuss how the PAS and NYMS operated with similar strategies beforehand, at the local as well as the federal level.

¹⁷ John Craig Hammond, and Matthew Mason. *Contesting Slavery The Politics of Bondage and Freedom in the New American Nation*. Charlottesville: University of Virginia Press, 2011.

¹⁸ Richard Newman, *The Transformation of American Abolitionism*, 1.

Moreover, scholarship on gradual emancipation in the North often fails to incorporate abolition societies into their discussions, and even sometimes dismisses their contributions. For instance, in Shane White's study of gradual emancipation in New York, the NYMS is described as a merely "paternalistic and genteel reform movement" which had little to do with revolutionary legacy.¹⁹ In later studies some authors sought to reassert the role of the NYMS and other anti-slavery groups in the enforcement of gradual emancipation. In a direct response to White, Graham R. Hodges maintains that the "society's significance lies less in its members' halting, neo-colonial liberalism than in its support for African Americans' legal actions for freedom, its hot-minded vigilance against dangerous slave catchers, its lobbying of recalcitrant slave masters, and its registry for freedom papers."²⁰ In the late-eighteenth century, all of these aspects were in fact primordial to the NYMS, and repeatedly emphasized in the society's papers.

Two works in particular reinstated the importance of anti-slavery activists in the early republic: Newman with *The Transformation of American Abolitionism* (2001) and David Gellman with *Emancipating New York* (2006). Newman's book reasserts the importance of the early phase of abolitionism in the United States but also highlights its distinctive features — notably its emphasis on laws — setting it apart from later abolitionist movements. While acknowledging the relation that existed amongst abolition societies in the early republic, however, Newman's research revolves almost exclusively around the PAS.²¹ Gellman, for his part, incorporates "humanitarian antislavery activists" in the list of those who "played critical roles

¹⁹ Shane White, *Somewhat More Independent*, 83-84.

²⁰ Graham R. Hodges, *Root and Branch: African Americans in New York and East Jersey, 1613-1863*. (Chapel Hill, 1999), 167.

²¹ Richard Newman, *The Transformation of American Abolitionism*, 1-85.

in the struggle for gradual abolition.”²² Even if his research tends to put more emphasis on political officeholders, his inclusion of the NYMS contributes to our understanding of one fundamental dimension of the passage, however delayed, of a gradual emancipation decree in New York. In addition, his book helps shed light on the importance activists in New York placed on laws and strategies revolving around them.²³

As for the literature on Haitian refugees coming to the United States, it expanded alongside the growing literature on the Haitian Revolution itself and Atlantic history more generally, but remains somewhat small. Still, in the last few years, some contributions in the form of books, book chapters, theses and articles had been published at the subject.²⁴ One such important book, Ashli White’s *Encountering Revolution: Haiti and the Making of the Early Republic* (2010), provides a detailed account of the experience of Saint-Dominguans in the United States, and Americans’ reactions to such a massive arrival of refugees. In spite of its valuable contributions to the history of Haitian refugees in the United States, however, the book does not address many problems refugees encountered with one important legacy of the American Revolution — that is, gradual emancipation laws put in place in the North. In fact, few authors examined the interaction of these refugees with gradual emancipation laws or

²² David Gellman, *Emancipating New York*, 8.

²³ See for instance chapter Chapter 4, “Containing slavery : the Manumission Society and the Law, 1785-92”, 56-77.

²⁴ See for instance Alfred Hunt, *Haiti's Influence on Antebellum America : Slumbering Volcano in the Caribbean*. (Baton Rouge, 1988). James Sidbury, “Saint Domingue in Virginia: Ideology, Local Meanings, and Resistance to Slavery, 1790-1800”, *Journal of Southern History* 63 (3) 1997, 544.; Gary Nash, “Reverberations of Haiti in the American North: Black Saint Dominguans in Philadelphia”, *Pennsylvania History*, Vol. 65, Explorations in Early American Culture (1998), p. 44-73.; Darrell Meadows, “Engineering Exile: Social Networks and the French Atlantic Community, 1789-1809”, *French Historical Studies* 23 (1) 2003, 76.; Ashli White, “The Politics of ‘French Negroes’ in the United States”, *Historical Reflections/Réflexions historiques* 29 (1) 2003, 106.; John Davies, “Class, Culture, and Color: Black St-Dominguan Refugees and African-American Communities in the Early Republic”, Ph.D. Dissertation, University of Delaware, 2008.; Jeremy Popkin, “Saint-Domingue in the United States”, in *You Are All Free: The Haitian Revolution and the Abolition of Slavery*. (Cambridge: 2010).

laws curtailing the slave trade in specific states. Two noteworthy exceptions are Martha Jones in an article on the Volunbrun household and its interaction with gradual emancipation in New York, and Sue Peabody's article on freedom claims made by Saint-Domingue refugees in United States courts, in which a section is dedicated to refugees' interaction with gradual emancipation laws in Pennsylvania.²⁵

This thesis, then, seeks to connect and fill the voids existing in the literature on gradual emancipation in the north, abolitionism in the early republic, and refugees' experience in the United States. In fact, it seeks to include the history of these refugees into the history of northern slavery and abolition, and thus provide a transnational dimension to the history of the "first emancipation".²⁶

²⁵ Martha Jones, "Time, Space, and Jurisdiction in Atlantic World Slavery: The Volunbrun Household in Gradual Emancipation New York", *Law and History Review*, 29 (2011): 1044-1045.; Sue Peabody, "Free Upon Higher Ground", 261-283.

²⁶ The term is borrowed from Zilversmit's seminal work on emancipation in the North; see Zilversmit, *The First Emancipation*.

CHAPTER ONE:
THE ANTI-SLAVERY MOVEMENT IN LATE-EIGHTEENTH-CENTURY UNITED STATES

The American Revolution struck the first significant blow at the peculiar institution in the United States. In the 1780s, many states began enacting gradual emancipation decrees, banned the import and export of slaves in their states or lifted previous restrictions placed on private manumission. Moreover, shortly after the war abolitionist societies emerged in the United States and in Europe, voicing their opposition to the slave trade and slavery in general. In America, abolitionist groups such as the Pennsylvania Abolition Society (PAS) and the New-York Manumission Society (NYMS) became important actors in state courts and legislatures, and became visible in local and federal politics mainly through their petitioning efforts. Most of their activities, however, were located in the cities of New York and Philadelphia. In addition to their role as commercial and trade centers, in the late eighteenth century both cities became centers of organized abolitionism in the United State and the Atlantic world.

Gradual emancipation laws did not solely proscribe slavery over a number of years; they were also an incrementalist strategy employed by abolition societies to gradually restrict the mobility of slaves in order to cripple the institution. And since the laws were the primary objectives of abolition societies, activists operated mainly at the local level, sometimes in collaboration with one another. These societies kept themselves aware of slaveholders taking advantage of loopholes in the laws and on many occasions they lobbied the legislatures of their respective states to reinforce gradual abolition. Faced with entrenched resistance by slave owners, abolition societies also focused their efforts on new state-level laws restraining the movements of slaves across state borders. They also sought protection for and provided legal aid and counseling to blacks, whether free or enslaved. The tactics and efforts abolition groups

placed on containing slavery and slaves within the limits of their respective states to obtain and secure blacks' freedom were intended to ensure that gradual emancipation would not and could not be avoided by local and foreign slaveholders.

The actions of the anti-slavery societies following the Revolution provide insights into eighteenth-century abolitionism, particularly in the United States. As historian Richard Newman explains in his study of American abolitionism, the strategies and actions of eighteenth-century abolitionists mainly revolved around laws and courts. This emphasis informed what he labels the "republican strategy" of early abolitionists.²⁷ Although some historians have emphasized other significant aspects of anti-slavery societies' political agendas, both laws and courts remained powerful and important tools with which these societies operated until the early nineteenth century.²⁸

A Gradual End to Slavery in Pennsylvania and New York and the Emergence of Anti-Slavery Societies

The slow demise of slavery in the north of the United States began in the late-eighteenth century. The American Revolution and the natural philosophy from which it sprang led many colonists, North as well as South, to question the slave system. The principles of liberty and freedom underlying independence were widely seen to be at odds with bondage.

²⁷ See Richard Newman, *The Transformation of American Abolitionism: Fighting Slavery in the Early Republic* (Chapel Hill, 2006), especially chapter 3 "Creating Free Spaces: Blacks and Abolitionist Activism in Pennsylvania Courts, 1780s-1830s", 60-85. See also Newman, "The Pennsylvania Abolition Society and the Struggle for Racial Justice" in Richard Newman and James Mueller (eds.), *Antislavery and Abolition in Philadelphia: Emancipation and the Struggle for Racial Justice in the City of Brotherly Love* (Baton Rouge, 2011), 118-146.

²⁸ Historian Paul J. Polgar maintains that while Newman identifies powerful structural changes in American abolitionism, he omits other aspects of anti-slavery in the eighteenth century, such as public persuasion, black education and civic integration. These aspects were indeed important components of the societies' activities and are repeatedly emphasized in their minutes, correspondence, and papers. See Paul J. Polgar, "'To raise them to an Equal Participation': Early National Abolitionism, Gradual Emancipation, and the Promise of African American Citizenship" *Journal of the Early Republic*, Vol. 31, n.2, Summer 2011. p. 229-258.

The protection of private property, however, was also an important dimension of the struggle and therefore allowed slaveholders to reconcile their commitment to property. In a sense, both of these components became important legacies of the Revolution. But this dual legacy led the numerous colonies and soon-to-be states on divergent paths. As George William Van Cleve has put it, some colonies were “moving to set new boundaries for slavery” while others were fighting the Revolution to protect their property in slaves and “maintain local control over [them]”.²⁹ This dual legacy had a long-lasting impact on American political culture and the new nation. Indeed, slavery became a contentious issue in the early republic, especially during key moments in the nation’s formation such as the debate surrounding both the penning and ratification of the Constitution from 1787 to 1789.³⁰

Notwithstanding the persistence of slavery in the United States, important pieces of legislation initiated the gradual transition away from slavery in the midst of the Revolutionary war. In 1780, the Pennsylvania legislature voted the first gradual abolition plan, soon followed in 1784 by Rhode Island and Connecticut.³¹ In the ensuing years, most states north of the Mason-Dixon line enacted similar laws, a process completed in 1804 when New Jersey finally enacted its own gradual emancipation scheme. Due to the importance of slavery in New York,

²⁹ George William Van Cleve, *A Slaveholders' Union: Slavery, Politics, and the Constitution in the Early American Republic*. (Chicago, 2010), p 570.

³⁰ On the debate over the ratification of the Constitution, see Paul Finkelman, “Slavery and the Constitutional Convention: Making a Covenant with Death”, in *Beyond Confederation: Origins of the Constitution and American National Identity*, ed., Richard Beeman et al. (Chapel Hill, 1987): 210; Kenneth Morgan. “Slavery and the Debate over Ratification in the United States”, *Slavery & Abolition* 22 (3) (2001): 40-65. A more recent monograph on the subject would be David Waldstreicher, *Slavery's Constitution: From Revolution to Ratification*. New York, N.Y.: Hill and Wang, 2009. On the dual legacy of the Revolution, see for instance Sylvia Frey, “Liberty, Equality, and Slavery: The Paradox of the American Revolution”, in *The American Revolution: Its Character and Limits*, ed. Jack Greene. (New York: NYU Press), 1989.

³¹ For the debate over the passage of the gradual emancipation act in Pennsylvania, see Arthur Zilversmit, *The First Emancipation: The Abolition of Slavery in the North*, (Chicago, 1967) and Gary Nash and Jean Soderlund, *Freedom by Degrees: Emancipation in Pennsylvania and its Aftermath*, (New York, 1991), especially chap. 4, “Dismantling Slavery: Institutions”.

a gradual emancipation decree was not passed until 1799.³² Even states such as Maryland and Virginia contemplated the idea of gradual emancipation decrees. Although they did go this far in spite of the pressure put by anti-slavery activists in and outside the legislature, in the 1780s both states revoked previous restrictions on private manumission and enacted laws that limited the ability to move slaves across state borders. In the end, these measures raised serious opposition among slaveholders in both states and ultimately, in the case of manumission, proved to be short-lived. Nonetheless, the regulation of slavery by the legislature in Maryland and Virginia, although limited and constrained, exposes the appeal of antislavery in the early years of the republic even in states where slavery would remain predominant until the Civil War.³³

The 1780 Pennsylvania decree set the example for future abolition bills. According to the decree, all black people born after the passage of the act would be born free and bound to servitude until the age of 28. Moreover, all slaves in the state of Pennsylvania needed to be registered. The decree stated that no person unregistered shall be held as slave in the state, exception being made for sojourners residing for less than six months. In the early years of gradual abolition in Pennsylvania then, registration — or failure to do so according to the law

³² For an overview of the slow demise of slavery in the North, see for instance David Brion Davis, *The Problem of Slavery in the Age of Revolution, 1770-1823* (Ithaca, 1975); Ira Berlin, *Many Thousands Gone: The First Two Centuries of Slavery in North America* (Cambridge, Mass., 1998), especially chap. 5, “The Slow Death of Slavery in the North”, p. 228-255; Arthur Zilversmit provides the best treatment of the institutional and legal proceedings behind emancipation in the Northern states in *The First Emancipation*. On the demise of slavery in New England, see Joanne Pope Melish, *Disowning Slavery: Gradual Emancipation and "Race" in New England, 1780-1860*. (Ithaca: 1998); for a treatment of gradual emancipation in one county of New Jersey, see Graham Russell Hodges. *Slavery and Freedom in the Rural North: African Americans in Monmouth County, New Jersey, 1665-1865*. (Madison, Wis: 1997). Interestingly, Hodges provides some explanations for the delayed passage of a gradual emancipation bill in New Jersey. He explains how emancipation in the 1790s until the passage of the 1804 decree — itself the culmination of several failed attempts to enact similar laws — made “greater headway among private citizens, where religious or ethical conviction could be expressed through grants of manumission. (126)”

³³ T. Stephen Whitman. *The Price of Freedom: Slavery and Manumission in Baltimore and Early National Maryland*. (Lexington, Ky., 1997); Eva Sheppard Wolf. *Race and Liberty in the New Nation: Emancipation in Virginia from the Revolution to Nat Turner's Rebellion*. (Baton Rouge, 2006).; Michael L. Nicholls. “The Squint of Freedom’: African- American Freedom Suits in Post- revolutionary Virginia”. *Slavery & Abolition*. 20, no. 2: 47-62 (1999).

— became an important avenue of freedom for slaves and indentured servants.³⁴ The 1780 decree did set a precedent, and other states copied some of its provisions. For example, the 1799 act in New York stated that those born after the 4th of July 1799 would be indentured until they reached 28 years for men, and 25 for women. Thus, as in the case of Pennsylvania, slaveholders' investments were not significantly jeopardized by the decrees passed at the end of the eighteenth century, exception being made for those coming from outside the state. In fact, although they suggested an eventual end to slavery, all decrees passed between 1780 and 1804 were carefully written and none of them remotely glimpsed at the prospect of immediate abolition. Furthermore, as Gary Nash and Jean Soderlund demonstrate in their study of gradualism in Pennsylvania, many if not most of the slaves became indentured before they gained their actual freedom — a practice sanctioned by the law.³⁵

In addition to the first gradual emancipation bills, the revolutionary period also witnessed the advent of the first organized abolition movement. To be sure, moral and religious arguments against slavery and the slave trade were formulated prior to the Revolution, notably among Quakers in the British colonies.³⁶ The Revolution, however, provided the ideal condi-

³⁴ On registration, see Robert M. Cover. *Justice Accused: Antislavery and the Judicial Process*. (New Haven, 1975).

³⁵ Nash and Soderlund also highlight how the total abolition slavery in the state would not come until 1847. They are highly critical of the 1780 decree, and bluntly state that “Pennsylvania’s legislators had found a way to satisfy the ideological objections of those who saw slavery as inconsistent with the principles undergirding the revolutionary struggle while touching nobody’s chattel property and depriving them of future human property only on a cost-free basis.” See Nash and Soderlund, *Freedom by Degrees*, chapter 6; quote on page 111. Shane White suggests that a similar pattern occurred in New York, but adds that the gradual emancipation act of 1799 stimulated a wave of manumission and institutionalized the pattern of indenture previously set by private slave owners. Shane White, *Somewhat More Independent*, 47-49.

³⁶ The Quakers — among the first to advance an argument against slavery in the United States — relied heavily on a strategy in the second half of the eighteenth century which encouraged private manumission among slave owners. This strategy brought its share of tensions. Friends were pressured to renounce their property in slaves by other members of the community, as Jean Soderlund has demonstrated in her study of four societies of Friends in the United States. Soderlund emphasized the tensions existing between religious commitment and beliefs on the one hand, and economic interests on the other. These tensions were at the heart of the debate surrounding the

tions for the emergence of a sustained anti-slavery movement in the United States, with the creation of abolition groups with no particular religious affiliations. In his study of abolitionist networks, John R. Oldfield argues that following the revolutionary war, these groups suddenly operated in a very different political climate “in which formal amalgamation, in the shape of abolitionist societies, seemed not only possible but also highly desirable.”³⁷ Indeed, the language of the Declaration of Independence and the Revolution, especially its rhetoric of liberty and freedom, served as the premises for the creation of most abolition societies.

The Pennsylvania Society for the Abolition of Slavery, the Relief of Free Negroes Unlawfully Held in Bondage, and the Improvement of the Condition of the African, commonly referred to as the Pennsylvania Abolition Society (PAS), existed briefly in the 1770s, but was reorganized in 1784. It was the first anti-slavery society ever created, and it received official incorporation from the Pennsylvania General Assembly in 1789.³⁸ Newman explains that its efficient organizational culture, official incorporation, and elite membership — most members were from the Pennsylvanian upper-class — marked a “distinctively new phase in the struggle to abolish slavery in America,” because “abolitionism was no longer simply a religious or philosophical trend” since a “formal society had emerged to systematically agitate for abolitionist policies in government and laws.”³⁹ Newman suggests that this new phase was essen-

eradication of slavery among the Society of Friends. The Quakers, moreover, adopted certain strategies that will later be used by abolition groups. For example, they distributed a series of tracts and pamphlets promoting anti-slavery, and sometimes lobbied state governments for the passage of gradual emancipation acts and the abolition of the slave trade. Despite these activities, antislavery remained somewhat marginalized up until the 1770s. See Jean Soderlund, *Quakers and Slavery: A Spirit Divided*. (Princeton, 1985); See also David Brion Davis, *The Problem of Slavery in the Age of Revolution*, especially chap. 5.

³⁷ John R. Oldfield. *Transatlantic Abolitionism in the Age of Revolution: An International History of Anti-Slavery, 1787-1820*, (Cambridge, 2013). p. 15.

³⁸ Official incorporation received extensive coverage from the PAS’s standing committee. See for example General Meeting, Minutes Book, vol. 1. (1787-1800) [hereafter, Standing Committee Minutes], Nov. 20, 1789; Jan. 4, 1790; Feb. 3, 1790, PAS Papers.

³⁹ Richard Newman, *The Transformation of American Abolitionism*, 23.

tially republican, since the PAS was careful to work with the law and favored a case-by-case approach rather than a complete reform of slavery, so that “[t]he nation’s legal and political institutions defined the very possibilities of the group’s activism.”⁴⁰ As we will see, gradual emancipation decrees and laws restricting the movements of slaves in and out of the state constituted the primary materials with which abolition groups worked and informed most of their strategies and actions.

Following and as a result of the creation of the PAS in 1784, anti-slavery activism mushroomed in the United States. Various abolition groups were created, all more or less modeled on their Pennsylvanian counterpart. The New York Manumission Society (NYMS) was created in 1785 as a sister organization in which prominent New Yorkers such as John Jay and Alexander Hamilton took part. The NYMS shared similar goals and its members operated with similar strategies as the PAS, despite not having a gradual emancipation decree they could draw upon. Many of their activities revolved around gathering support and petitioning the legislature for a gradual emancipation act, a task they undertook shortly after the creation of the society.⁴¹ In addition, the NYMS encouraged private manumission among its members and New-York slaveholders and sought to protect free blacks from potential kidnapping.⁴²

⁴⁰ *Ibid.* 26.

⁴¹ Report of the Standing Committee, January 25, 1785. On their first meeting, the society stated that one of their primary goals were to “regard with compassion the Injustice done to those among us who are held as slaves” but also, and more importantly, “to endeavour by *lawful ways and means* to enable them to share equally with us in that civil and religious liberty (emphasis mine)”.

⁴² These goals were important to the NYMS from its beginning. For example, soon after its creation, the NYMS set up a committee to “Report a line of Conduct to be recommended to the Member of the Society in relation to any slaves possessed by the them,” and further suggested that slave owners in their midst report the name and age of the slaves they owned, “to be better enabled to detect attempts to deprive such manumitted Persons of their liberty.” In the next meeting in November 1785, the committee recommended that slaves between the age of 28 and 35 be manumitted within seven years, and that slaves under 28 shall be kept until the age of 35. Slaves above the age of forty-five were to be manumitted immediately. In the end, however, the project was dropped and the committee dissolved in February 1787. On the drafting of the petition, see Minutes of the Manumission Society (Vol. 1), February 10, 1785.

Overall, and even if they could not rely on a gradual emancipation decree, members of the NYMS were optimistic about the prospect of the eventual abolition of slavery in their state. In one of its early reports, the standing committee observed that “several persons have been prevailed upon to manumit their slaves”. They further reported that “notwithstanding a great number of Persons are violently opposed to the emancipation of their slaves, yet it is the opinion of this committee that the good examples set by others of more Enlarged and Liberal Principles, and the force of true religion will in time dispel the mist which Prejudice” and “long habit have raised.” More importantly, the society was optimistic that the prospect of “complete freedom,” although “considerably remote, is still to be expected.”⁴³

Other societies were created in states like Connecticut and Rhode Island, and also in Maryland and Virginia. These societies used a variety of tactics to challenge slavery and the slave trade, such as petitioning their legislatures and providing legal aid to slaves and free blacks for freedom suits in court. The appeal of antislavery also spread beyond America’s borders. Abolition groups in the United States benefited from an extensive network of abolition societies which was blooming in the late eighteenth-century Atlantic world, particularly with the creation of the Society for Effecting the Abolition of the Slave Trade in England in 1787 and the creation of its French counterpart Société des Amis des Noirs in 1788. Activists in the United States also benefited from an extensive network of correspondence that connected them with activists in Europe, and through this network they mainly shared strategies and tactics.⁴⁴

⁴³ Standing Committee Minutes, August 11, 1785, NYMS papers, Vol. 5.

⁴⁴ Correspondence became a significant channel of communication among anti-slavery societies and in a sense help them grow in their respective state by making them feel like they were part of a large network united in a common struggle. In November 1785, the NYMS optimistically reported that “their correspondence is much enlarged, and that they are induced to hope that the efforts now making by them and other Members of the Socie-

American societies operated at the local level in their respective states but corresponded frequently with one another, and recognized their mutual dedication to gradual abolition. Nowhere were these concerted efforts better expressed than at the Convention of Delegates from the Abolition Societies Established in different part of the United States, organized for the first time in 1794 as an initiative of the NYMS and the PAS. The convention, in a sense, put together in a joint enterprise all of the goals of American abolitionists at the end of the eighteenth century, thereby highlighting a commitment to the republican strategy. In the report of their first meeting, the Convention of Delegates recognized that its “utmost and unremitting endeavours” were “to abolish Slavery, and to protect and ameliorate the condition of the enslaved, and the emancipated.” Abolishing slavery, the delegates explained, required that all of the abolition societies united “in the most strenuous exertions” to “effect a compliance with the Laws in favor of emancipation.” Moreover, the societies had to make sure that “where the laws are deficient, respectful application to state legislatures should not be discontinued, however unsuccessful they may prove.” In other words, the Convention proposed a concerted lobbying effort in order to promote the enactment or enforcement of gradual emancipation, which had important implications in states like New York or New Jersey, where such laws did not yet exist. The delegates concluded that, however difficult these tasks may prove, and no matter

ty, together with those used in other parts of the United States, by well-disposed persons, will shortly add success to this Institution.” A look at the correspondence of the PAS confirmed the importance placed by its members in reaching out to other activists in the United States and Europe. Furthermore, many societies in the United States were often financed by the PAS and also benefited from its connections to an expanding abolition network in the 1780’s stretching on both sides of the Atlantic. See J.R. Oldfield, *Transatlantic Abolitionism in the Age of Revolution, An International History of Anti-slavery, c.1787-1820*. (Cambridge: Cambridge University Press, 2013), especially chapter 1 “Networks”, pp. 13-41.

how many obstacles the societies may face, the “fundamental Principles of our Government” and the “progressive and rapid influence of Reason and Religion” were in their favor.⁴⁵

Abolition societies collaborated with one another when needed for prevention or advice when gradual emancipation was at stake. On July 4, 1796, the standing committee of the PAS received a letter from W.W. Woolsey, chairman of the standing committee of the NYMS, informing the society that some of the merchants in the city of New York were engaged in supplying the Spanish West Indies with slaves in violation of the law of the United States. Woolsey suggested that the Pennsylvanian society be more vigilant in its own port. In light of this suggestion, the PAS set up a committee which, in 1797, intercepted the brig *Lady Waterstroff*, involved in the slave trade. Two men, George Bolland and Thomas Walker, were eventually prosecuted in Pennsylvania for taking part in this illegal traffic.⁴⁶

Abolition groups benefited from — and in some cases were chiefly responsible for — gradual emancipation laws enacted at the end of the eighteenth century. But laws themselves were nothing without activists to lobby for more restrictions to correct their defects and constant efforts to put them into effect, often in the face of disobedient slave owners and inefficient authorities. Enforcing gradual emancipation necessitated a major commitment from members of abolition societies across the United States, a point often emphasized by the societies themselves. Tellingly, the Standing committee of the PAS lamented in a letter sent to the Convention of Delegates in January 1795 that despite their efforts to promote the gradual abolition of slavery, the “avarice and depravity” of slave owners were such that their acting com-

⁴⁵ Standing Committee Minutes, Feb. 10, 1794, PAS Papers.

⁴⁶ Standing Committee Minutes, 4 July 1796 and 2 January 1797, PAS Papers.

mittee “have always had full employment in the arduous undertaking of procuring a compliance with the gentle and benevolent Laws.”⁴⁷

Activism in Pennsylvania: The 1780 Decree and Beyond

The first major focus of abolition societies was to restrict slavery geographically by banning movements across state lines. Starting during the revolution and through the 1780s, the import and export of slaves had been banned or constrained in many states, including New York and Pennsylvania. Abolition societies played an important role petitioning for such laws and subsequently enforcing them. Nevertheless, the movement of slaves out of the state in spite of legislation, and the kidnapping of free blacks for the purpose of re-enslaving them in the South, rose steadily in the 1780s and 1790s in New York and Pennsylvania, as well as in other states such as New Jersey or Rhode Island. Consequently, the problem alarmed local abolition societies. For most activists, protecting free blacks from kidnapping constituted a priority, since most of them considered this practice as Southern or West Indian assaults on their jurisdictions. The issue became a pressing concern for virtually all anti-slavery advocates, including activists in New England. Indeed, several petitions were sent to the Massachusetts assembly in the 1780s to end the traffic of slaves and to lay out punishments for those found guilty of such crimes. On February 27, 1788, a group of free blacks sent a petition regarding three black men who had recently been kidnapped and brought to the West Indies, and there sold into slavery, pointing to the dangers faced by free blacks in the Boston harbor where such a practice was fairly common. As a result of this and other petitions, an act was passed

⁴⁷ Standing Committee Minutes, Jan. 5, 1795, PAS Papers.

prohibiting the slave trade and offering relief to the families of those victims of kidnapping on March 26, 1788.⁴⁸

The PAS strongly condemned this illicit trade and took many initiatives on the matter. Newman highlights the PAS's strong commitment to the protection of free blacks from potential kidnapping, and how it translated into its petition campaigns to the local legislature.⁴⁹ Indeed, the society frequently complained about the defects of the 1780 decree. The act officially forbade anyone from bringing slaves in the state for a period extending six months. But the movement of slaves outside of the state was left unaddressed by the decree, and no proper punishment was laid out either for the removal of a slave outside of the state or for the traffic in slaves more broadly. These defects had serious implications for slaves and free blacks, as they potentially allowed slaveholders to evade gradual emancipation by moving their slaves and indentured laborers out of the state before they could gain their liberty. In addition, the movement of blacks was facilitated by the presence of neighboring slave states such as Maryland and Delaware.⁵⁰

In the late 1780s, the problem of slaves and free blacks being taken from Pennsylvania, to a state where slavery remained legal increasingly alarmed the PAS. At their quarterly meeting in July 1787, the PAS set up a committee including prominent anti-slavery advocates such as James Pemberton to confer with the legislature about the laws with regards to slaves being brought in or taken from Pennsylvania.⁵¹ As the problem grew more pressing, the society es-

⁴⁸ See the "Petition of Prince Hall to the Massachusetts General Court, 27 February 1788", [Massachusetts Historical Society, Collection Online]. The law was also reported by the NYMS; see Minutes of the Manumission Society of New York (Vol. 1), November 20, 1788.

⁴⁹ Newman, *Transformation of American Abolitionism*, 46.

⁵⁰ Carol Wilson, *Freedom at Risk: The Kidnapping of Free Blacks in America, 1780-1865*, (Lexington, KY, 1994), 84.

⁵¹ Standing Committee Minutes, July 2, 1787, PAS Papers.

established a committee in October 1787 to “devise a plan to render the fitting out of vessels from the port of Philadelphia for the African trade impracticable, either by the aid of the Government or by such other means as they shall see proper to recommend.”⁵² The committee concluded in January 1788 that it was necessary to recommend a supplementary law to stop vessels moving slaves and free blacks out of the state of Pennsylvania.⁵³ Another committee prepared a petition to be presented to the legislative assembly, in which the PAS requested that the trade be stopped. In the petition, the committee observed that “vessels have been publickly equipt in this Port from the slave trade, and that several other practices have taken place which they conceived to be inconsistent with the spirit of the law (sic)” and urged the legislature to take stronger actions against these practices.⁵⁴

The strategy of the PAS achieved results. In March 1788, the legislative assembly of Pennsylvania voted an amendment to the 1780 law in which it attempted to correct the main defects and loopholes of the previous law in light of the PAS observations. Significantly, the 1788 amendment offered more protection for slaves brought from outside of the state, especially from people planning to reside in Pennsylvania, explicitly stating “that all and every slave and slaves who shall be brought into this state, by persons inhabiting or residing therein, or intending to inhabit or reside therein, shall be immediately considered, deemed and taken to be free, to all intents and purposes.” Further, it prohibited removal of slaves out of the state “by force or violence” or by “fraud” and seduction, and laid out punishments for those involved in the slave trade. Vessels which seemed to be equipped for the slave trade would be forfeited to the commonwealth and liable to be seized and prosecuted by the authority. Any

⁵² Standing Committee Minutes, October 20, 1787, PAS Papers.

⁵³ Standing Committee Minutes, January 7, 1788, PAS Papers.

⁵⁴ Standing Committee Minutes, January 21, 1788 PAS Papers.

person removing free or enslaved blacks from the commonwealth with the intention of selling them were to pay 100 pounds to the overseer of the poor — where the kidnapped person would be sent — and confined in prison for six to twelve months.⁵⁵

The PAS also relied on other means to protect blacks from removal or kidnapping, notably by keeping track of slaves and emancipated blacks. The Society kept records of emancipations and indenture contracts to make sure it could properly defend blacks who had been illegally taken to a slave state, and appeared before courts to claim their freedom.⁵⁶ Starting in 1784, the acting committee of the PAS recorded cases of masters from other states who failed to register their slave in accordance with the law. For instance, in the first year the acting committee reported the case of one mulatto man brought to Philadelphia in 1778 who left for a voyage with his master in 1781, and as a consequence missed the registration period.⁵⁷ Another case involved Harry, a slave brought from Duck Creek, Delaware, in 1783 by John Buchanan who later died. The administrator of Buchanan's estate proposed to sell the boy to a person in North Carolina, despite the fact that he resided in Philadelphia for more than six months. In the end, the Society obtained a writ and Harry was sent to the poor house.⁵⁸

The Society was particularly interested by those who came as slaves with masters who had resided in the city for more than six months and who were not registered and signed into indenture, in conformity with the law. On one occasion in April 1784, the acting committee reported the case of Ned, who had been taken from an English privateer during the Revolution, confined in prison, and then brought to Trenton, New Jersey, where he was sold as a

⁵⁵ “An ACT to explain and amend an act, entitled “An act for the gradual abolition of slavery” (1788)”. [online] URL: <http://www.ushistory.org/presidentshouse/history/amendment1788.htm>. Retrieved March 20, 2014.

⁵⁶ Newman, “The Pennsylvania Abolition Society and the Struggle for Racial Justice”, 126-134.

⁵⁷ Acting Committee Minutes, 1784-1788, PAS Papers.

⁵⁸ Acting Committee Minutes, April 15, 1784, PAS Papers.

slave. His new owner, Thomas Irwin, brought him to Philadelphia in 1782 where they resided until the case was reported. Ned was not registered and did not sign an indenture.⁵⁹ The society obtained a writ of Replevin and secured Ned's freedom in May 1784. In addition, the PAS managed to serve another writ on Irwin upon Ned's request to secure his wife's freedom, who had also never been registered.⁶⁰

To secure blacks' freedom was an important dimension of the PAS activities, which required a sustained commitment in time and money. But while the society succeeded on many instances, it also had to cope with slaveholders who defeated their endeavors. In May 1784, the acting committee reported the case of Cato, who was brought from New York in the spring of 1783 by Andrew Tenike and had remained with him for more than six months, and was not registered "according to the direction of the act in that case." On June 3, it was reported that Thomas Harrison, a member of the committee, went to Cato's master to inform him of the "situation the law has placed the boy in," and requested that he be bound by indenture until he should arrive "at full age." Nevertheless, "contrary to Expectation," his master sent him to New York, thereby defying the society and the laws of Pennsylvania.⁶¹

The PAS was eager to use the republican strategy to secure gradual emancipation laws, especially when it came to the six-month clause, and kept itself aware of what the legislature was doing on that matter. For instance, the PAS called a special meeting on February 28, 1791, to discuss a bill introduced by the General Assembly of Pennsylvania that would enable officers of the government of the United States to hold slaves within the state. When the society received this crucial piece of information, both the acting and corresponding committees

⁵⁹ Acting Committee Minutes, April 29, 1784, PAS Papers.

⁶⁰ Acting Committee Minutes, May 6, 1784, PAS Papers.

⁶¹ Acting Committee Minutes, June 3, 1784, PAS Papers.

drew up and presented a memorial to the House of Representative. On behalf of the Society, the standing committee issued authorization that measures be taken to put down the bill and for that purpose directed “to oppose the progress of the bill and called for that purpose upon the counsellors of the society, for their assistance, if it should be necessary.”⁶² In spite of their efforts, the bill went through and officers were enabled to keep their slaves with them.⁶³ Notwithstanding this failed attempt to enforce gradual emancipation, on many instances the PAS was successful. When, in January 1793, a group of refugees from Saint-Domingue tried to petition the legislature of Philadelphia for an exemption to the six-month clause of the gradual emancipation act, the PAS quickly voiced its opposition and urged the legislature to reject the petition.⁶⁴ This episode clearly illustrates the PAS’s commitment to and reliance on the law, which informed and circumscribed most of their petitioning and judicial efforts. It further illustrates its commitment to the issue of mobility, which became crucial in the late 1780s.

Containing Slavery within New York: The 1785 and 1788 Laws

Activists in New York were equally committed to gradual emancipation and concerned with movements of slaves across their state borders. But as we have seen, New York did not enact a gradual emancipation law until the very end of the nineteenth century — to the great dismay of the NYMS. Abolitionists in New York were conscious of the disparities existing between their means and those of other societies using state laws to enforce emancipation, no matter how gradual. In a letter sent to the PAS in February 1790, John Murray Jr, a prominent member of the NYMS, complained about the “many obstacles and embarrassments which the

⁶² Standing Committee Minutes, February 28, 1791, PAS Papers.

⁶³ Richard Newman, *The Transformation of American Abolitionism*, p. 46.

⁶⁴ Standing Committee Minutes, January 7, 1793, PAS Papers.

Advocates for Freedom in this state have to encounter with,” and admitted that they had “little to hope from [their] legislature at this time.” The significant presence of Dutch slaveholders, he asserted, would prevent the enactment of a gradual emancipation bill in New York in the near future.⁶⁵

Events proved him right: Abolitionists would have to wait almost another decade for a gradual emancipation bill. This meant that from 1785 to 1799, the NYMS had to rely on other avenues to promote its agenda. For that reason, its commitment to emancipation extended to whatever law it could use. For example, the society happily reported in August 1786 that a “large field for exertion” was opened, when at their last session on May 1st the New-York legislature enacted a law that liberated all slaves held by the state as confiscated property. This law ultimately became one of the ways by which the NYMS could obtain a slave’s freedom and consequently it put a lot of efforts into promoting it. When in May 1787 the NYMS came to realize that many were still treated as slaves in spite of the law, it resolved that parts of the said laws be published in the newspapers at its expense.⁶⁶

For the NYMS, the condemnation of the slave trade became the most effective way to advocate for an eventual end to slavery in the state of New York. The end of the trade, the society believed, would cut off the supply of new slaves. In fact, David Gellman points to the way the denunciation of the slave trade blended with the denunciation of slavery itself in a “mutually supportive fashion”.⁶⁷ One fundamental dimension of the NYMS’s activism was the protection of enslaved and free blacks from kidnapping. Because of this, the society watched every vessel they considered suspicious, warned the black community via newspapers to be

⁶⁵ John Murray Jr. to the PAS, February [?], 1790. Loose Correspondence: Incoming, 1787-1794, PAS Papers.

⁶⁶ Standing Committee Minutes, August 10, 1786 and May 17, 1787, PAS Papers.

⁶⁷ David Gellman, *Emancipating New York*, 65.

vigilant of potential kidnapers, and pursued and sued slaveholders who tried to move slaves to the South.⁶⁸ Already on their first meeting in 1785, the society members denounced the “violent attempts lately made to seize and export for sale several free negroes”, and asserted that perpetrators “ought to receive exemplary punishment”. “The Hope of Impunity”, they suggested, “is too often an invincible temptation to Transgression” and lack of civic education and poverty did put African-Americans in “great Disadvantages in asserting their rights”.⁶⁹ To protect free blacks from potential kidnapping thus constituted one of the main justifications for the formation of a manumission society in New York.

The lack of a gradual emancipation decree did not mean that slave owners could freely move in and outside of the state with their enslaved property. In fact, those movements became regulated in spite of failures to enact gradual emancipation laws in New York. A first proposal for gradual emancipation failed to pass in April 1785, despite the NYMS’s petitioning efforts.⁷⁰ Nevertheless, the New-York legislature enacted a ban on the importation of slaves into the state.⁷¹ The law stated that all persons imported, brought into and sold in the state of New York shall be freed.⁷² Anti-slavery activists in New York conceived of this law

⁶⁸ Shane White, *Somewhat more Independent*, 85-86. He explains that the NYMS was always “at its most effective if the quarantine protecting New York from the South and the West Indies was threatened (85).”

⁶⁹ Minutes of the Acting Committee, Jan. 25, 1785, NYMS Papers, Vol. 6. On their first meeting, as in subsequent meetings, the NYMS used language which make it seem like the New-York blacks were helpless victims, thereby highlighting its benevolent and dutiful nature. For instance, the NYMS asserted that “the helpless conditions of the Persons alluded to doubtless expose them to the outrage they experienced; so it is possible that the like Circumstances expose them and others to similar Violences” and depicted the victims of kidnapping as “Destitute of Friends and of Knowledge, struggling with poverty and accustomed to submission”.

⁷⁰ Standing Committee Minutes, May 12, 1785, NYMS papers, Vol. 5.

⁷¹ In 1785 the passage of a gradual emancipation bill failed, largely due to pro-slavery elements in the legislature’s refusal to consider granting emancipated African-Americans citizenship rights. Interestingly, Gellman explains that despite “the clear lack of consensus on matters of race and citizenship”, in 1785 the legislature was not prevented from enacting a ban on importation of slaves into the state. For further explanations on why the bill failed to pass into a law, see Gellman, “1785: The Road Not Taken”, in *Emancipating New York*. Quote on p. 52.

⁷² “Chap. 68: AN ACT granting a bounty on hemp to be raised within this State, and imposing an additional duty on sundry articles of merchandise, and for other purposes therein mentioned (passed the 12th of April, 1785)”,

as being a victory for the cause of abolition in their state. When asked by the newly-established society in London to comment on the state of slavery and emancipation in New York, the NYMS had to recognize that no gradual emancipation laws existed there. Yet, it proudly referred to the 1785 law as a prospect for emancipation which would “have the same effect as a prohibition” and that, considerably, it would “prevent the increase of slavery” in the state.⁷³

Although a step in the right direction, the 1785 law did not address the movement of slaves outside of the state — a defect which did not go unnoticed for the NYMS. In February 1786 the standing committee of the NYMS reported to the society that “the practice of shipping those unhappy People to the Southern states is still continued” and that they could not “rest satisfied without recommending it to this society to endeavour to procure a law to prevent that iniquitous Practise”.⁷⁴ Faced with legal limitations, the NYMS retrenched, focusing its efforts on preventing free blacks from being kidnapped and sold out of the state. By May 1786 the standing committee reported an ever increasing numbers of “cases of Oppression” under its care, and complained about the “number of slaves being shipped off the Southern states among whom we have every reason to suppose were several Free Men” and that “people in all part of the state” were partaking in this “unnatural” traffic.⁷⁵ By August, however, things seemed to be more under control and the committee observed that the “several attempts to

Laws of the State of New York: Passed at the Sessions of the Legislature Held in the Years 1777-[1801] (Vol. 2), p. 121-122.

⁷³ Minutes of the Manumission Society of New York (Vol. 1), February 21, 1788, NYMS Papers, Vol. 6.

⁷⁴ Minutes of the Manumission Society of New York (Vol. 1), February 8, 1786, NYMS Papers, Vol. 6.

⁷⁵ Standing Committee Minutes, May 11, 1786, NYMS Papers, Vol. 5.

violate the laws of this State, in shipping the Negroes, have been under our notice, and the sufferers delivered from the dreadful destiny with [which] they were threatened.”⁷⁶

The NYMS strongly believed that the legislature should act against this pressing problem of kidnapping, and from 1785 to 1788 it closely monitored the steps taken in that direction. Importantly, the problem of kidnapping provided an opening for the NYMS to prohibit traffic in slaves. Twice in 1786, the NYMS contemplated the idea of sending a petition to the legislature to ban the export of slaves and free blacks from the state. In February of that year, a committee was set up “to endeavour to procure an Act of the Legislature to prevent the exportation of any slaves from this state”. A memorial was drafted shortly after and signed by many prominent members such as Alexander Hamilton. In the memorial, the society complained about the additional miseries “which those unhappy People”, free and enslaved, “experience from the practice of exporting them like Cattle, and other articles of Commerce to the West Indies and the Southern States”. The memorial pleaded for a prohibition of “a commerce so repugnant to Humanity” and “so Inconsistent with the liberality and Justice” which should serve to “distinguish a free and enlightened people”. The committee appointed to prepare the memorial reported in May that a proposed bill based on their petition failed to pass both houses and did not go through.⁷⁷ In May 1787, the standing committee reported that a law to prevent the exportation of slaves from the state of New York had been drafted and read in the legislature, “but owing to some cause at present unknown to your committee the same did not pass into a law”. The society also called a special meeting on January 21, 1788 to propose that a petition be sent to the legislature of New York to prevent the “exportation of slaves from this

⁷⁶Standing Committee Minutes, August 10, 1786, NYMS Papers, Vol. 5.

⁷⁷Minutes of the Manumission Society of New York (Vol. 1), May 11, 1786, NYMS Papers, Vol. 6.

state”, and set up a committee to consider ways and means of preventing the kidnapping of free blacks by collecting and inquiring into cases of blacks who had been taken from the city.⁷⁸

After two years of lobbying efforts, the strategy of the NYMS proved to be successful. In February 1788, another important piece of legislation was enacted which limited the ability to move slaves out of the state of New York.⁷⁹ Although careful to protect the property rights of slave owners, the act was designed to prevent illegal exports from taking place, mainly the kidnapping of free and enslaved blacks in the state of New York. The 1785 and 1788 laws, David Gellman argues, had two important consequences. Not only did it provide an additional way through which African Americans could obtain freedom, but it also broke the state’s ties to slavery in a way that would facilitate future actions undertaken by abolition groups.⁸⁰

The NYMS was also working on numerous cases of free blacks being kidnapped and brought to New York in contravention of the law in other states, often in collaboration with other abolition societies. On March 30, 1788, the NYMS sent a letter to the PAS stating that Immanuel Carpenter was apprehended in New York as the runaway slave of Mr. Cardwell of Philadelphia by Mr. Hamilton and confined to jail. Caldwell authorized a resident of New York, Mr. Neilson, to “sell, transport, or dispose of the man for the owner’s pecuniary profit.” “It appears”, the NYMS specified, that the man “belonging to your state has *never been registered*” in Pennsylvania “as the law commands” and was “thereby free by the law of Pennsylvania”. Considering that Neilson wished to ship him as soon as he would get out of jail, and in

⁷⁸ Proceedings of a Special Meeting of the Society, January 26, 1788, NYMS Papers, Vol. 6.

⁷⁹ “Ch. 40: AN ACT concerning slaves (passed the 22nd of February, 1788)”, *Laws of the State of New York: Passed at the Sessions of the Legislature Held in the Years 1777-[1801] (Vol. 2)*, 677. The law was reported by the standing committee of the NYMS during their quarterly meeting in November 1788; see Standing Committee Minutes, November 1788, NYMS Papers, Vol. 5.

⁸⁰ David Gellman, *Emancipating New York*, 68.

order to make sure that would not be “reconfer[ed] into slavery”, the NYMS wished to “*obtain a full copy of the law* requiring slaves to be registered and a *certificate from the clerk of the Register office* to prove that his name is not there” from the PAS and assured that they would pay for all expenses. Such a gesture, the NYMS asserted, would assure that the “capture may be *legally* rendered to his freedom” and hence preserved him from a terrible fate.⁸¹ This example illustrates both the connections existing among various societies in the United States and their shared commitment to gradual abolition and the law, thus highlighting the foundations of the republican strategy.

On their eleventh meeting in January 1806, the Convention of Delegates observed that the standing committees of the various abolition societies “diligently labored in the discharge of their duties” and have been successful in “liberating many from illegal bondage”. The delegates, however, complained that the “secrecy and caution which the persons employed in kidnapping have observed ... has defeated [the societies’] endeavours to detect their arts, and bring to punishment their crimes.” Pointing to the difficulties they encountered in providing legal proofs and prosecuting those involved in this illicit trade, the delegates suggested that particular attention be given to a system “carried to an alarming degree.” They concluded by saying that this practice was not only “marked by the open violation of law”, but that “every outrage and odium [were] abundantly heaped upon those friends of humanity, who [had] the

⁸¹ NYMS to the PAS. March 30, 1788, Loose Correspondence, Incoming: 1784-1797, PAS papers.

boldness to hint disapprobation of the avaricious speculations in the unhallowed path to riches".⁸²

As we have seen, the problem was hardly new in 1806. In the eighteenth and early-nineteenth century, anti-slavery societies were constantly called upon to enforce gradual emancipation in the face of defiant slaveholders, especially those coming from outside of the state. These slaveholders often tested the limits of the laws or disregarded them altogether, which in turn meant that activists had to become even more assertive and watchful in order to make sure that the law would be respected. In spite of these episodes of defiance, however, abolition societies succeeded to a large extent in restricting mobility, in enacting new laws and enforcing them. But events in the revolutionary Atlantic world confronted them with a massive new challenge. The important influx of refugees in the 1790s in consequence of the Haitian Revolution in port-cities on the East Coast became an additional source of concern for abolition societies and seriously put their strategies to the test.

⁸² Minutes of the Proceedings of the Eleventh American Convention for Promoting the Abolition of Slavery and Improving the Condition of the African Race, 1806 (Philadelphia, Pa.), p. 5-6.

CHAPTER TWO

SAINT-DOMINGUE REFUGEES, ABOLITION GROUPS, AND GRADUAL EMAN- CIPATION IN NEW YORK AND PHILADELPHIA

The outbreak of the Haitian revolution in 1791 reverberated throughout the Atlantic world and particularly so in the United States. Port cities such as New York and Philadelphia were tied to the vast commercial networks of the Atlantic world, with American seamen and merchants frequently traveling back and forth to Saint-Domingue. News of the slave revolts quickly made their way to the American coast, and newspapers in the country reported on the various stages of the uprising. Consequently, the rebellion was widely discussed in the Mid-Atlantic, and news stories provided powerful images of the war to Americans. Crucially, the arrival of thousands of refugees in various cities on the East coast had a direct impact in the United States. The local populations in New York and Philadelphia, white and African-American, responded in many ways to the arrival of Saint-Domingue refugees, especially those coming with their slaves. Further, they reacted to the arrival of hundreds of colored refugees, most of whom they assumed were imbued with the spirit of rebellion.

In many ways, Caribbean slaveholders tested the laws in both New York and Philadelphia, either by circumventing them or by abiding by the laws' principles — which sometimes meant granting the slaves their freedom. The 1780 gradual emancipation decree in Pennsylvania and the various laws put in place in New York to restrain the movement of slaves in and out of the state jeopardized the enslaved property of the Saint-Dominguan refugees. The presence of loopholes and the ability to move relatively easily from “free-states” to slave states in the region often provided the refugees, much like local slaveholders, with ways to avoid gradual emancipation laws. A look at those mechanisms will provide an understanding of the lim-

its of gradual emancipation in the Mid-Atlantic.

As discussed in the previous chapter, the PAS and the NYMS closely monitored the actions of slaveholders and sojourners in their respective states. The arrival of refugees from the West Indies heightened their vigilance. For the most part, they adopted the same tactics and strategies they previously used with local slave owners to enforce the law. The provisions of the gradual emancipation decrees served as pillars for both groups, and on several occasions they obstructed Saint-Dominguan slave owners' attempts to remove slaves across state lines. Both organizations supervised vessels coming in and out of their ports, and held records of manumission and indenture of West Indian refugees brought as slaves. The papers of both societies contain cases involving Saint-Dominguan slaveholders and slaves, some of which are of major importance, such as the case of Madame Volunbrun who in 1801 tried to leave New York for the south with about twenty slaves.

This chapter will draw on those papers, minutes and correspondence, and highlight the contribution of the societies in the enforcement of gradual emancipation when it came to Saint-Domingue refugees. It will first discuss the arrival of refugees and their consequences in the United States, with an emphasis on New York and Pennsylvania. Secondly, it will address the role of both the PAS and the NYMS in the enforcement of laws regulating slavery in cases involving Saint-Dominguan slaveholders. The activities of both anti-slavery groups can be divided into two categories, although with some overlap. The first comprises actions of private slave owners and their requirements vis-à-vis the law upon their arrival in Pennsylvania and New York, such as the obligation of sojourners to register their slaves before six months, after which a slave would automatically be freed. The second category deals with the movements of free and enslaved blacks southward in contravention of the law or the kidnapping of free

blacks — cases which were, as we have seen, intensely monitored by both abolition societies. Finally, we will discuss the 1794 decree voted by the French National Assembly, which proclaimed the immediate abolition of slavery and freed all slaves in the French Empire, and its implication in the United States.

Saint-Domingue Refugees in the United States

The arrival of Saint-Dominguan refugees with their property, including their slaves, had an impact in the United States. The Mid-Atlantic states already had close connections to the colony of Saint-Domingue and residents of seaport cities, including New York and Philadelphia, frequently heard of the island and the West Indies. Moreover, despite the Haitian revolution, the important flow of commerce did not stop — to the contrary, it grew significantly. In 1793, for instance, Saint-Domingue arrivals accounted for nearly 26% of all entries to the port of Philadelphia.⁸³ Throughout the revolution, then, merchants continued to trade with the island, providing newspapers with firsthand information about the uprising.⁸⁴ These newspapers often reprinted sensational testimonies from ship captains and merchants, spreading news stories of the revolution on the continent. For example, the captain of a merchant vessel recounted in January 1792 that when the ship departed from Cap François, “the Negroes were still burning and destroying the country” and that they “had made a desperate attack on Fort Dauphin”.⁸⁵

⁸³ James Alexander Dun, “What avenues of commerce, will you, Americans, not explore!”: Commercial Philadelphia’s Vantage onto the Early Haitian Revolution”, *William and Mary Quarterly* 62 (3) 2005, 478.

⁸⁴ To be sure, their primary concern remained commerce, not the uprising per se. As James Alexander Dun explains, “the disorder that they witnessed and described in their accounts seemed more immediately relevant to their account books than to the shaking of racial hierarchy”. *Ibid.* 504.

⁸⁵ *General Advertiser*, February 7, 1792, 3. The ship captain reporting the events seemed more concerned with trade than the actual episode of violence, and subsequently adds that “The produce of the island of every kind

Major revolutionary developments in Saint-Domingue coincided with significant waves of migration. One such important event was the burning of Cap Français in June 1793. The details of the event — in addition to hundreds of witnesses pouring in American cities— were widely reported in newspapers. In the summer of 1793 for instance, an account went into great detail in relating how violence between *gens de couleur* and whites was intensifying in Cap François. It explained that on one occasion on the 17th and 18th of June, “Mulattoes paraded the street in armed bodies and insulted the whites several of whom they wounded with sabres and pistols”. On June 21, whites and *gens de couleur* exchanged cannon shots, and “several houses [were] set on fire by the latter”. Then, “on the 22nd the conflagration increased and on the 23rd the whole town of the Cape was on fire.”⁸⁶ Several other sensational accounts on the burning of Cap François were printed in Mid-Atlantic newspapers. One such “distressing” account from a captain arriving in Baltimore, published on 4 July 1793, recounts how “women and other [sic], who have locked themselves up in their dwelling houses, in order for protection, on the fire reaching them they were seen leaping from the second story, and on their taking up, as nothing seemed to inhumane for these desperadoes, were immediately thrown into the flames”.⁸⁷

Aside from sensational stories and news of the uprising, the Haitian Revolution had a direct impact on American society due to the influx of refugees pouring in on the Atlantic sea-

was very scarce, the price of which was enhancing daily.”

⁸⁶ *The Baltimore General Advertiser*, June 7, 1793, p.1. The ship captain seemed particularly critical of Commissioners Etienne Polverel and Leger-Felicite Sonthonax and their role in the incident. He explained that from his ship, he could see the road from the country to the plain, and that “[a]long it negroes from the country were continually travelling on the 22nd and 23rd; supposed to be coming in, in consequence of the proclamation, to reinforce the commissioners’ party”. The author is referring the proclamation unilaterally made by the Sonthonax to freeing the slaves of Saint-Domingue’s Northern Province, extended by Polverel the following months for the West and South provinces.

⁸⁷ *Virginia Chronicle*, July 13, 1793.

coast, including white and colored planters who brought their slaves with them. The arrival of thousands of refugees from Saint-Domingue in the United States helped put a face on the revolutionary events and, as Ashli White points out, provided Americans with the opportunity to “see with their own eyes the colonists, slaves, and free people of color they had read and heard so much about.”⁸⁸

That many refugees arrived in New York and Philadelphia was not coincidental. As Darrell Meadows has demonstrated, most refugees pouring into the United States, and the Mid-Atlantic states in particular, arrived there because of kinship and commercial ties to the region. In addition, many benefited from the established networks of refugees from the French and Haitian revolutions in cities like Philadelphia, as they encountered some of their confreres while attending Catholic churches or through newspapers published by the French community. Most refugees, however, thought that their stay in the United States would only be temporary. As White points out, they chose the United States because it was less vulnerable to the disruptions caused by the Revolution, as opposed to Cuba or Jamaica, was close enough to Saint-Domingue to allow quick return, and allowed easy access to Europe.⁸⁹

The migration to America was not easy for most Saint-Dominguans. Many refugees arrived destitute, with nothing but a few items of clothing and a little bit of money, although some of them brought their enslaved properties. The massive arrival of impoverished refugees from Saint-Domingue triggered a wave of philanthropy, both among the French community and among Americans who set relief committees in cities such as Philadelphia and Charles-

⁸⁸ Ashli White, *Encountering Revolution: Haiti and the Making of the Early Republic*, (Baltimore, 2010), 5. For a discussion of the commercial ties and communication between the port of Philadelphia and Saint-Domingue in the era of the Haitian Revolution, see James Alexander Dun, ““What avenues of commerce, will you, Americans, not explore!”” 473-504.

⁸⁹ Ashli White, *Encountering Revolution*, 22.

ton.⁹⁰ Despite their networks and the help they received, many Saint-Dominguans had a hard time adjusting and integrating American society. After all, the refugees — white, black, and colored — were different in many respects from Americans, notably in terms of religion, language, and culture. The colored slaveholders, for example, were a distinct class from the island, one that most Americans could hardly conceive of. In fact, John Davies explains that important differences existed in terms of racial categories between the United States and the French Caribbean, and this, in turn, had a significant impact on the experience of most colored refugees.⁹¹

For Northerners, some of whom still owned slaves, refugees from Saint-Domingue put them face to face with the “harsh” slavery they had always imagined when they depicted the South and the West Indies. This image of harsh West Indian slavery ultimately permitted them to conceive of Northern slavery as somewhat mild in contrast, thus limiting the criticism of their very own peculiar institution.⁹² Southerners also compared themselves favorably to the brutal West Indian planters and the harsh slave system they implemented. As White points out,

⁹⁰ A significant amount of bills concerning programs of extended reliefs for French emigrants were passed by the legislature of Pennsylvania in the 1790s, for instance in early January 1796. See *Claypoole's American Daily Advertiser*, Jan. 5, 1796.

⁹¹ See Ashli White, *Encountering Revolution*, especially chapter 1 “The ‘New Cape’”. On the transatlantic networks of refugees in the French Atlantic world, see Darrell Meadows, “Engineering Exile: Social Networks and the French Atlantic Community, 1789-1809”, *French Historical Studies* 23 (1) (2003): 67-102. Meadows provides some valuable insights, but he focuses almost exclusively on the white upper class emigration. John Davies study of the black refugees complement Meadow’s thesis by focusing on the specific experience of black St-Dominguan refugees, and their interaction with the local black community in Philadelphia. As John Davies argues, the common experience shared by black refugees define their identity. He explains that “social networks of family and friends did not just connect refugees within a single city, or between American refugee communities and Haiti, but formed far-flung networks among refugees throughout the United States and the greater Atlantic World.” These networks proved powerful, centering their identity on a common experience, which in turn isolated the St-Dominguans from the Afro-Philadelphian community. Thus, “[t]he existence of these networks helps explain how black Saint-Dominguans in Philadelphia, whether free, enslaved, or indentured, created an ethnic identity that slowed assimilation.” John Davies, “Class, Culture, and Color: Black St-Dominguan Refugees and African-American Communities in the Early Republic”, (Ph.D. diss., University of Delaware, 2008), 11.

⁹² Shane White, *Somewhat More Independent*, 32. The author discusses at great length the “myth of mild slavery” and aptly demonstrates the pervasiveness of this misrepresentation in the North.

most Southerners did so in order to particularize the events characterizing the Haitian revolution, in order to stymie its fatal consequences.⁹³

Some states had to make special provisions in response to the arrival of refugees. For one thing, the arrival of enslaved and free blacks from Saint-Domingue alarmed many Southern slaveholders who feared “French Negroes,” contagious elements at risk of spreading rebellion among American slaves.⁹⁴ The Maryland legislature was especially careful when dealing with slaves from Saint-Domingue. In 1792, the legislature passed an act allowing French refugees to bring slaves with them, despite a 1783 law prohibiting the import of slaves to Maryland.⁹⁵ But as rumors circulated in the United States about slaves from Saint-Domingue spreading ideas of rebellion among local blacks, the state repealed the act tolerating French slaves in 1797, officially banning the importation of slaves from Saint-Domingue and the West Indies, just as Georgia and South Carolina had done in 1793 and 1794 respectively. The Maryland repeal act cited the misconduct of certain French slaves, and claimed that the said slaves were “dangerous to peace and welfare of the city of Baltimore.” Virginia did not take such drastic measures, although it repealed the 1783 law authorizing private manumission in 1806, following the discovery of Gabriel’s plot, attributed in part to the influence of “French negroes”.⁹⁶

⁹³ Ashli White, *Encountering Revolution*, 138.

⁹⁴ Ashli White aptly demonstrates how the label “French negro”, applied almost exclusively to black and colored refugees from Saint-Domingue, was associated in American minds to a contagious spirit of rebellion. See Ashli White, “The Politics of “French Negroes” in the United States”, *Historical Reflections/ Réflexions historiques* 29 (1) (2003): 103-121.

⁹⁵ “An Act respecting the slaves of certain French subjects”, enacted Dec. 1792, *Laws of Maryland*.

⁹⁶ “An Act to repeal an act, entitled, An Act respecting the slaves of certain French subjects”, *The Laws of Maryland, 1786-1800* (vol. 2). In addition to a ban of the importation of slaves from Saint-Domingue, the act authorized the mayor of Baltimore and the justices of the peace to arrest any French black or mulatto slaves it considered dangerous to the “peace and welfare of this city”. Moreover, upon news of the arrest, French slaveholders were required to ship these slaves outside of Maryland borders, and a failure to do so authorized the Maryland

The arrival of “French negroes” had a significant impact in northern states. Most immediately, the arrival of black refugees significantly increased the urban black population. For African Americans, the experience of emancipation in the North had often been characterized by migration to urban centers, most importantly New York and Philadelphia.⁹⁷ In addition to this internal migration, approximately 3,000 West-Indian refugees arrived in Philadelphia in the 1790s, including 848 of African origin, most of whom enslaved.⁹⁸ Many of the slaves brought to Philadelphia were emancipated and then indentured, since the Pennsylvania’s emancipation law required that sojourner’s enslaved property be freed after six months. A significant increase in the black population attributed in part to the emancipation of slaves brought in from Southern states and the West Indies alarmed the white population in Pennsylvania. But the prospect of “French Negroes” raising the political consciousness of local free blacks scared them even more.⁹⁹

The arrival of refugees in the North also transformed the black community. New York experienced an increase of its slave population in the early 1790s despite a ban on the slave trade, which according to Shane White could be related to the wave of refugees from the Haitian revolution.¹⁰⁰ Furthermore, since the passage of a gradual emancipation decree in New York came well after other northern states, a growing sense of discontent with the state of

government to ship the slaves anywhere in the West Indies. Whether or not this last clause was successfully implemented is not sure. Still, the language of the act clearly demonstrates the distrust of “French Negroes” among slave states. See also Winthrop Jordan, *White over Black: American Attitudes Toward the Negro, 1550-1812* (Chapel Hill, 1968), 380-382; David H. Jackson, “American Reactions to the Haitian Revolution, 1791-1804”, *Consortium on Revolutionary Europe, 1750-1850: Selected Papers 1998*, 220-227.

⁹⁷ Ira Berlin, *Many Thousands Gone*, 242; Gary B. Nash, “Forging Freedom: The Emancipation Experience in Northern Seaports, 1775-1820”, in *Slavery and Freedom in the Era of the American Revolution*, eds. Ira Berlin and Ronald Hoffman (Charlottesville, 1983), 10. Nash explained that many Blacks migrated to cities like Philadelphia for employment opportunity, but also for the community life it provided them.

⁹⁸ Gary Nash, “Reverberations of Haiti in the American North: Black Saint-Dominguans in Philadelphia”, *Pennsylvania History* 65 (1998):49-50.

⁹⁹ *Ibid.*

¹⁰⁰ Shane White, *Somewhat More Independent*, 31-32.

bondage was being felt among enslaved blacks, as they learned about the prospect of liberty elsewhere. This caused disquiet among the white elite, and hence the arrival of “French Negroes” only heightened the already existing tensions in the city. In addition, black immigrants were connected or assumed to be connected to some episodes of unrest throughout the North. A wave of arson in the 1790’s, for example, affected many cities in the United States and was attributed to their influence. The city of Albany, New York, was touched, leading to the hanging of three black co-conspirators.¹⁰¹ In some other instances, “French Negroes” were involved in petty crimes such as theft, sometimes in collaboration with local blacks. On 28 August 1805 in New York, for example, three black men were caught stealing alcohol and money at Abraham S. Hallet’s store. Among them, a newspaper reported, was one “French negro” named Louis Francis.¹⁰²

Saint-Domingue Refugees, their Enslaved Property, and Abolition Groups

The presence of Saint-Domingue refugees did not go unnoticed in states where gradual emancipation decrees or laws constraining the movements of slaves within and without state borders were enacted. To be sure, some white refugees chose to conform to state laws by freeing and signing their slaves into indenture, sometimes for their own benefit. Branson and Leslie Patrick demonstrate how this indenturing process offered blacks from Saint-Domingue limited possibilities in urban settings like Pennsylvania, where their fates were, in some respects, similar to those of the local free black community. As they explain, the immigrants from Saint-Domingue, like many African Americans, remained as servants to whites and most

¹⁰¹ *Ibid.* 145.

¹⁰² *New-York Spectator*, Aug. 31, 1805, p.1.

likely lived in white households until the end of their indenture.¹⁰³ Thus freedom, however appealing to the enslaved property of French sojourners, did not necessarily mean complete independence.

Examples of French slaveholders conforming to state laws illustrate this point. Indeed, many refugees chose to manumit and indenture their slaves before the six months period expired, thus securing their service in accordance with the law. This was the case with Marie Rose Louis, a West Indian slave owner who immigrated to Pennsylvania in late 1794 with a slave named Fanny. In January 1795, she manumitted Fanny and bound her for an indentured term of thirteen years, in accordance with the law of Pennsylvania.¹⁰⁴ Evidence of some Frenchmen advertising their “servants” as runaway also demonstrates that some slaveholders benefited from the murky borders between slavery and freedom in Pennsylvania. In the *General Advertiser* of Pennsylvania of May 1794, for instance, a Mr. Caredeux advertised his runaway servant Anthony, who left with four-hundred dollars’ worth of bank notes and specified, among other thing, that he “speaks good French but bad English.”¹⁰⁵

Many West-Indian slaveholders understood that crossing the borders of states when such movements were highly regulated meant endangering their property. As a result, many sought to evade the law. As we have seen, starting in the 1780s the PAS and the NYMS put a

¹⁰³ Susan Branson and Leslie Patrick, “Étrangers dans un pays étrange”, in *The Impact of the Haitian Revolution in the Atlantic World*, ed. David P. Geggus (Columbia, 2001), 196. Branson goes further in another article, and explains how the manumission and indenturing process not only benefited French slave owners but also the PAS, which she labels a “conservative organization”, because it protected the PAS’s reputation by fending off opposition from neighboring slave states, which were increasingly concerned by the possible emancipation of many “contagious slaves”. See Susan Branson, “St. Domingan Refugees in the Philadelphia Community in the 1790s”, in *Amerindians, Africans, Americans: Three Papers in Caribbean History: Presented at the 24th Annual Conference of the Association of Caribbean Historians*, Nassau, ed. Association of Caribbean Historians, (Barbados, 1996), 28.

¹⁰⁴ Marie Rose Louis, [Manumission Letter], January 1795, *PAS collection*. <http://hsp.org/sites/default/files/legacy_files/migrated/marieroselomis2.pdf>

¹⁰⁵ *General Advertiser*, May 21st 1794.

lot of effort into enforcing gradual emancipation and protecting indentured and free blacks. Following the massive arrival of refugees from the West Indies with their slaves, both societies enhanced their vigilance.

For the PAS, the six-month clause became the principal tool with which they prosecuted refugees from Saint-Domingue. According to 1780 and 1788 gradual emancipation laws of Pennsylvania, sojourners had to register their slaves within six months if they intended to reside in the state. Once registered, slaves were submitted to the gradual emancipation law. Those over 21 years old would be freed and those born after 1780 would be held as servant until the age of 28 years old. A failure to properly register slaves would result in immediate manumission.¹⁰⁶ The law posed a challenge to newly-arrived slave owners. On one occasion in 1793 refugees even called for an explicit exemption from the law to the legislature — a gesture which infuriated the PAS.¹⁰⁷ Claiming that slavery was contrary to Pennsylvania’s constitution, the society maintained that the petitioners, under the pretense that they experienced great distress, “cannot feel themselves justified in recommending, in [West-Indian slave owners’] behalf, a dispensation with a law which appears to have originated, not from principle susceptible of change or modification, but from the sacred and immutable Obligations of Justice and Natural Rights.”¹⁰⁸ The request was ultimately denied by the legislature.

¹⁰⁶ Law of Pennsylvania and Branson and Patrick, “Étrangers dans un pays étrange” 128.

¹⁰⁷ See previous chapter.

¹⁰⁸ Standing Committee Minutes, January 7, 1793, PAS Papers. The incident was also reported in the newspapers. See for instance *Massachusetts Mercury*, January 24th, 1793, (Vol. 1, issues 11), *The Essex Journal & New-Hampshire Packet*, February 13th, 1793. This last article reports that in addition to a dismissal of the French slaveholders request, “the committee are of opinion that slavery is obviously contrary to the laws of nature, the dictates of justice, and the constitution of this State [of Pennsylvania].” Thus, the assembly not only dismissed the Frenchmen claims for an exemption, but declared slavery contrary to the laws of the state of Pennsylvania — following the PAS’s line of argument.

On some occasion, and in spite of the PAS scrutiny, slave owners managed to use the law in their favor. One trial from 1794 provided a precedent. On this instance, the terminology surrounding West Indian slave owners' status allowed them to evade the law. The slaves in question tried to use the meaning of the six-month clause to overturn their master's attempt to move them to New Jersey, still a slave state at the time. Madame Chambre, a white slave owner, fled Cap Français in 1793 with her two slaves Magdalen and Zare, resided in Pennsylvania for five months and three weeks, and then moved to New Jersey. Her two slaves obtained writs of *habeas corpus* and sued for their freedom in the Pennsylvania court in September 1794. The slaves asserted that their former owner had resided there for more than six lunar months, and thus were to be freed. The court had a hard time deciding if Mrs. Chambre had actually ever intended to reside in Pennsylvania or if she was actually evading the law. As the jury found, section 10 of the Gradual Emancipation Act clearly stated that all unregistered slaves must be freed, "except (inter alia) the domestic slaves attending upon persons passing through; or sojourning in this state, and not becoming of resident therein: provided such domestic slaves be not alienated, or sold to any inhabitant, nor retained in this state longer than six months." In the end, the court ruled in favor of Mrs. Chambre and allowed her to keep her slaves and move to a state where slavery remained legal.¹⁰⁹

The PAS took several steps in the 1790s to ensure the laws were respected and enhance the protection of freed blacks from kidnapping and re-enslavement. Starting in 1794, the committee for the Improvement of the African Race attempted to record all manumissions and

¹⁰⁹ *Commonwealth V. Chambre*. I first heard of the case in Sue Peabody's article "Free upon Higher Ground".

names of local free blacks via one of its sub-branches, the Committee of Guardians.¹¹⁰ Then, in 1796, the Committee of Guardians requested the liberty to affix the seal of the society to a “certificate proposed to be given by them to Blacks bound by indenture.”¹¹¹ In addition, the PAS negotiated indentures with former masters — which was a major component of its activities — and actively sought the protection of indentured blacks from abuse. Further, it worked with African American family members and friends who came to know of its legal aid system - to liberate kidnapped free black people.¹¹²

The PAS was vigilant and kept relatively detailed records of colored refugees’ situation, and extended its protection to slaves brought by sojourners. The society was especially concerned with enslaved refugees who had resided in the city for more than six months and did not sign any indenture. Interestingly, those records can help up reconstruct the narratives of the slaves who came with their masters, as well as their journeys — sometimes troublesome — to Pennsylvania. They also provide valuable insight into white and colored refugees’ interaction with the law. For example, the PAS reported the case of Nancy, who was brought from Aux Cayes, Saint-Domingue, by a seaman in May 1792, and stayed in Philadelphia for more than a year and half without signing any indenture.¹¹³ On another occasion in December 1794, the PAS reported the case of Forestain, a slave who fled Cap François and first went to New

¹¹⁰ General Meeting (Standing Committee), Minutes Book, Vol 1. (1787-1800) [hereafter, Standing Committee Minutes], Dec. 29, 1794, PAS Papers. The Committee of Guardians, according to the chart of the Committee for Improving the Condition of the Negroes laid out in October 19, 1789, had the main responsibility of placing out children and young people with “suitable persons” so that they could, during a moderate time of apprenticeship and servitude, “learn some trade and means of subsistence”. In short, it operated as the main connection between the children emancipated by the 1780 act and traders, to help African American pupils find adequate skills for employment in the future, once they reached the official age of emancipation. As a result, the committee had the closest connections to the free-black community. See Standing Committee Minutes, October, 1789, PAS Papers.

¹¹¹ Standing Committee Minutes, January 4, 1796, PAS Papers.

¹¹² Richard Newman, “The Pennsylvania Abolition Society and the Struggle for Racial Justice”, 130.

¹¹³ Acting Committee Loose Minutes, 1794 [recopied in 1796].

Providence, then to Philadelphia. According to the society's records, he had been living for over a year and a half in the city and without signing any indenture.¹¹⁴ Likewise, in July 1795 Francisca complained that about two years before, she was brought from Le Cap by her master and had neither left Philadelphia since she first got there nor signed any indenture.¹¹⁵

Colored refugees often came directly to the PAS for advice and for protection. One case of particular importance came up on April 13, 1796. Joseph, 18 years old, was formerly a slave to Mr. Shamio, who came to Philadelphia in mid-summer 1795. According to Joseph's account, his master was still residing in Philadelphia, and the boy did not sign any indenture. He was taken to the mayor for that purpose in late March 1796 but refused to sign; as a result, he was confined in prison for two weeks and then discharged on the 12th of April. According to his testimony, when delivered to his master, he was conducted against his will to the water-side where his master and a constable demanded he should go on board a vessel but he managed to escape. On 20 April, Shamio testified to the PAS lawyers that he arrived in Philadelphia in late September with the intention of residing in the city, and that he eventually became a resident. According to his allegation, the boy "asserted his service" but was absent for three months. He also recognized that he considered Joseph as his property, but that he desired "nothing more that he should be bound to him until 21 years of age or that he should be paid the value of his time which he computes at one Hundred Dollars."¹¹⁶ The case is not only an example of the dedication of the PAS and the ways in which refugees — white and colored — learned their way through and around gradual emancipation, but also illustrates how the law was a powerful tool to ensure the protection of enslaved sojourners.

¹¹⁴ Acting Committee Loose Minutes, 1794 [recopied in 1796].

¹¹⁵ Acting Committee Loose Minutes, July 1, 1795 [recopied in 1796].

¹¹⁶ Acting Committee Loose Minutes, April 13, 1796 [recopied in 1796].

News of gradual emancipation in Pennsylvania spread quickly in the neighboring regions and in Pennsylvania itself, especially in the city of Philadelphia. But some enslaved blacks brought to the state of Pennsylvania were not made aware of the legal implications of gradual emancipation by their masters, often purposely. Nevertheless, many colored refugees from Saint-Domingue, much like African-Americans brought from Southern states, heard of it through word of mouth following their arrival in Pennsylvania. Thus, enslaved refugees from Saint-Domingue may not all have heard of gradual emancipation before their arrival, but they eventually learned about it. On many instances, they heard about the experiences of other refugees who were liberated or signed into indenture. Consequently, many went to the PAS for legal advice and counsel, or to report their master's failure to register **them** according to the law. This was the case for a refugee from Jérémie who arrived in Philadelphia on March 1795. She came to the PAS on December 23 the same year, and claimed that she had not signed any indenture although she heard she was "required to", and in spite of the fact that her "fellow servants" did.¹¹⁷

The movements of West-Indian slaveholders in the revolutionary Atlantic and their "temporary" status as refugees in the United States created peculiar dynamics. Most of them travelled to France or back to the West Indies while leaving their 'slaves' in Philadelphia, under the care of a third party. Some of them never made their way back to the US, and often sold indenture contracts or simply abandoned their slaves in Philadelphia. Some "abandoned slaves" came to the PAS preemptively, in order to avoid re-enslavement from their masters. Bazzice came from Les Gonaives in 1793 with his master, who retained him as a servant and then returned to Saint-Domingue. Bazzice stayed in Philadelphia, where he offered his service

¹¹⁷ Acting Committee Loose Minutes, December 23, 1795 [recopied in 1796].

to a local resident for one year. He registered his case to the PAS even if “he doubted that his master [would] claim him”, because he did not sign an indenture.¹¹⁸

The selling of indenture contracts was a way to evade the law. According to some historians, this “tactic” was used by Saint-Dominguan slave owners in order to maintain monetary investments.¹¹⁹ Many did not need enslaved property in an urban setting. The city council of New York City complained in 1798 about a “subterfuge” used by many slaveholders from the West Indies and other slave states to evade the law: the owners indentured their slaves when they found out that they could not sell them, and once indenture terms ended, “many of them must inevitably become a city charge.”¹²⁰ Indenture contracts were also sold as a result of a master moving back to Saint-Domingue or France. Some examples of indenture contracts sold by masters illustrate the mobility experienced by many in the Atlantic world during the age of revolution. The story of Joseph provides a case in point. He came to Philadelphia in 1793 with Mr. and Mrs. Boudineau, but the husband left for France shortly after. He then signed an indenture to Mrs Boudineau, who lent his services to Mr. Conyngham in April 1795. She returned to France in 1804 and manumitted Joseph before leaving. Conyngham sent him to jail, but Joseph went to court and was discharged from jail.¹²¹

On many occasions, enslaved refugees followed their owner’s connections in the Atlantic world.¹²² These connections illustrate the tumultuous itineraries refugees had to face

¹¹⁸ Acting Committee Loose Minutes, July 15, 1795 [recopied in 1796].

¹¹⁹ Branson and Patrick, ‘Étrangers dans un pays étrange’, p. 199. The authors also identify the selling of slaves southward as a mean employed by slaveholders to evade the law and maintain their investments.

¹²⁰ *Commercial Advertiser*, January 24th 1798.

¹²¹ “Respublica against Lambert Smith”, *Pennsylvania Reports. Reports of Cases Argued and Determined in Various Courts of Pennsylvania, 1754-1845*. (New York, 1895), Vol.4.

¹²² In a sense, these colored refugees followed the patterns illustrated by Meadows. See Darrell Meadows, “Engineering Exiles”, 67-102.

before they arrived in Pennsylvania. One case involved a 25-year-old slave named Zulia. His master Mr. Petria left Saint-Domingue for France, and from France moved to Philadelphia. Zulia was sent from Saint-Domingue to Philadelphia in 1794 due to “the disturbances”, and placed under the service of his old master who bought a farm at a place called Pigtown near the Old York Road. Zulia reported to the PAS that he lived on that farm for more than two years and had not signed any indenture. Another slave named Jean Nicolas (reported as John Nicholas by the PAS) left Aux Cayes with his master at one point in the early 1790s, but their vessel was boarded by British privateers who took Jean out and carried him to Providence. From there, he found means to come to Philadelphia, and once in the city he moved in with Mr. Rochelle’s sister where he remained one year (the case was reported in 1796), and reported to the PAS that his master resided in the same house for a little more than six months.

“These white French citizens are so little under the government of principles”: The Kidnapping of Free Blacks

Notwithstanding the limits of the indenturing process, it remained an important avenue of freedom for colored refugees, much as it did for local blacks. But as for local blacks, freedom was imperiled by slaveholders or profit-driven criminals trying to evade the law by moving slaves and indentured servants southward for the purpose of re-enslavement. When it came to refugees, anti-slavery societies applied the same kind of attention they used for both local slave owners and African-Americans. Moreover, abolition groups mostly adopted the same kind of strategies and tactics they had been using with local slave owners and relied on the same laws. For these reasons, an important number of cases involving “Frenchmen” remained on the societies’ agendas until the early nineteenth century.

In the midst of the Haitian Revolution, many Saint-Dominguans arrived in Pennsylva-

nia, but for many refugees, especially those coming with their slaves, it was not the final destination. As John Davies points out in his study of the black community in late-eighteenth and early-nineteenth-century Philadelphia, the number of manumissions of slaves from the French West Indies recorded by the PAS between the years 1791 and 1798 amounted to 610. Yet, the records show that approximately 816 blacks from Saint-Domingue arrived between those years. According to Davies, most of the black Saint-Dominguans who arrived to Philadelphia did not stay there — a fact made clear by the discrepancy existing between the numbers for manumissions and those for arrivals.¹²³ Therefore, some West Indian slave owners learned of gradual emancipation upon their arrivals in Pennsylvania, and sought to evade it. It is likely that among these black refugees who left the state, some were compelled to do so by their masters eager to move them to Southern states in order to retain them as property. In Pennsylvania, however, the line existing between the requirements of sojourners with regards to their slaves and actual attempt to illegally move slaves out of the state was not always clean and easily distinguishable. In a sense, the six-month clause determined whether a refugee was a sojourner or a resident. A sojourner had, to some extent, the ability to move out of Philadelphia to another state, including slave states, without breaking the law. Some Saint-Dominguan slave owners understood those legal mechanisms and sought to use them for their benefits.

Whereas some used their status to circumvent the law, as in the case of Madame Chambre, other West-Indian refugees sought to move their slaves outside of Pennsylvania in contravention of the law . For some colored refugees, this often meant re-enslavement in the South or the West-Indies. However, some managed to escape this fate and come to the PAS

¹²³ John Davies, “Class, Culture, and Color: Black Saint-Dominguan Refugees and African-American Communities in the Early Republic”, Phd. Thesis, 2006. 49.

after they refused to follow their masters to another state. In December 1795, the PAS reported the case of a slave named Jack, who had been taken from Martinique to Philadelphia by his master, where he resided for eight months without leaving the city and was not bound to indenture. Then, on December 14, his master tried to take him to New York. Jack refused and was beaten by his master, but left service and went to the society which ensured that his liberty would be preserved.¹²⁴

Another comparable case was recorded by the PAS in October 1795. It involved Justine, a slave who came with her mistress from Saint-Marc in the fall of 1794 and lived in Philadelphia for a year. Her mistress left the city for Baltimore late in the summer of 1795, and tried to bring Justine with her. Nonetheless, she refused, left her mistress and went to the PAS who then took the appropriate measures to protect her liberty. These cases reflect a general trend in the way colored refugees understood their status vis-à-vis the law in Pennsylvania. In her study of Saint-Domingue refugees in Pennsylvania, Susan Branson observes a similar phenomenon by looking at records of the Vagrancy Docket. She suggests that there may have been many refugees who, once in the free state of Philadelphia, refused to be taken into a slave owning state to the South. In many cases, these slaves refusing to leave with their masters were jailed. For instance, she reports the case Olive who was jailed after she refused to accompany her master, St-Sommières, into the state of Delaware.¹²⁵

Cases involving slaveholders from the West Indies were especially frequent in the state of New York. For one thing, prior to 1799, laws regulating the movements of slaves in the state were the main weapons with which the NYMS prosecuted slaveholders and obtained

¹²⁴ Acting Committee Minutes, Dec. 14, 1795, PAS papers.

¹²⁵ Susan Branson, "St. Domingan Refugees in the Philadelphia Community in the 1790s", p. 31.

freedom for enslaved blacks. The import of slaves, constrained in 1785, was a crucial piece of legislation, and refugees from the West-Indies pouring in with their slaves were targeted as a result.

The NYMS was especially determined to prevent the export of slaves outside of New York and prosecute those involved in such schemes. On several occasions the society obtained writs against ship captains and sued those they accused of trafficking enslaved property by moving their slaves to the South or to the West Indies, in violation of the 1788 law. “Frenchmen” were no exception. In June 1799, a vessel which was supposed to sail to Norfolk was intercepted in the port of New York. Lalong, a Frenchman, was on board with two black women and four children. According to Lalong’s testimony, a certain woman by the name of Vonguala put five of them under his care and a Frenchman the other to take to Virginia on commission, but claimed that he never intended to sell them. Because of the NYMS, the ship was prevented from departing for Virginia, Lalong was heavily fined, and the blacks were sent to the poor house.¹²⁶

That the NYMS was well aware of West Indian slaveholders taking advantage of the law was not a mere coincidence. As Martha Jones has demonstrated, beginning in the mid-1790s the society singled out French slaveholders as illicit slave-traders and carefully monitored their actions and attitudes towards their slaves.¹²⁷ Consequently, their papers are filled with cases involving “Frenchmen”. For example, the standing committee of the NYMS reported in May 1800 that a growing number of ships containing “negroes for sale” were departing

¹²⁶ NYMS Report of the Standing Committee for June 26, 1799. NYMS papers (vol. 5).

¹²⁷ Martha Jones, “Time, Space, and Jurisdiction in Atlantic World Slavery: The Volunbrun Household in Gradual Emancipation New York”, *Law and History Review*, 29 (2011): 1044-1045. Jones believes that it could be attributed to a growing Francophobia in the United States at the end of the eighteenth century, related to the XYZ affairs and the Quasi-war from 1798 to 1800.

New York for the Southern states and from there reshipped to the West Indies and sold, a practice in “contravention with [the] law”. The committee further reported that many foreigners, mostly Frenchmen, were involved in such schemes — which explains why the practice became more widespread following the arrival of French refugees. In this specific case, the NYMS was trying to intercept one vessel and failed, but in the “pursuit of one sell” made by “unprincipled men” the committee had the “pleasure of meeting with another sell”.¹²⁸

The wave of refugees thus made the society’s committee more vigilant. The NYMS engaged itself in an important number of cases involving French slaveholders trying to leave the state with blacks, most likely to be sold in the South or the West Indies. For example, on February 22, 1805, the society called an urgent meeting for a case involving Margaret Rose, Jean Baptiste and his father, three persons of color confined in a vessel at the request of a certain Michael Roy from Cape François. The latter claimed them as his slaves, and it was reported by the NYMS that his intention was to ship them to the West Indies. Two lawyers from the society were put on the case, and on May 13 Margaret Rose obtained her freedom papers while the two other cases were still pending. Later that year, they obtained their freedom papers.¹²⁹

In their reports, members of the NYMS often emphasized the crafty and deceitful nature of slave traffickers, especially those from the West Indies. On one important “Case of a highly atrocious nature,” a Frenchman named Augustus Massol boarded a vessel at night on May 25, 1805, with three “blacks” and a fourth one who managed to escape while he was taken on board. The vessel was expected to sail the next morning for Savannah. The members of

¹²⁸ Report of the Standing Committee for May 19, 1800. NYMS papers (vol. 5).

¹²⁹ Report of the Standing Committee for February 22, 1805. NYMS papers (vol. 5).

the committee managed to serve a writ in favor of the Blacks when they found out about the scheme. Two of the slaves obtained their liberty, but the last one, being only fourteen years old, was returned to his owner, who affirmed he had no idea his slave had been taken in the first place.¹³⁰ One of the blacks was a free man with a wife and several children and explained that Massol, to get him on board, gave him liquor and urged him to “drink until he was in a perfect state of intoxication.” Unfortunately, when the NYMS was ready to serve a writ on Massol, it was too late since he “left the City to avoid a prosecution for the penalty imposed by the Laws for this act of atrocity”.¹³¹

Not all the NYMS’s cases, then, met with success. In 1801, one case involving the movement of blacks southward became especially important and generated much discussion. It involved a widow, Madame Volunbrun, who arrived in New York City from Port-au-Prince in 1796 with twenty of her slaves. After five years, she decided to move south to Norfolk, Virginia with her “household,” mainly slaves. The ship departure was delayed, which provided the NYMS with enough time to obtain writs against the ship captain. In addition to the NYMS actions, a group of free blacks gathered in front of her house to protest the ship’s departure. Ultimately, the court ruled in favor of Madame Volunbrun, and the widow left for Baltimore with her “household.”¹³²

¹³⁰ The owner, Dent Turner, asserted that the said slave would have been shipped without his knowledge, and that the Massol “must have intended to have stole him away”. Report of the Standing Committee for January 8, 1806, NYMS papers (vol. 5).

¹³¹ Report of the Standing Committee for January 8, 1806, NYMS papers (vol. 5).

¹³² *Ibid*, 1031-1034. As Martha Jones demonstrates, the relationship bounding the members of this “household” was ambiguous. It was unclear whether the twenty blacks who moved with Volunbrun were enslaved or free, due to the conflicting jurisdictions they travelled across. This ambiguity partly explains why the widow successfully left for Baltimore.

Newspapers were an important medium through which the NYMS communicated its strategies and concerns. In an article from the *New York Gazette* in August 6, 1801 — in the midst of the Volunbrun affair — “Philanthropist” emphasized the involvement of French immigrants in the practice of selling slaves south. He refers to the case of a man who came from Martinique with eight “negroes” and specified that they had been his slaves prior to the 1794 general emancipation decree, and still treated them as such. After a year in New York, the owner decided to ship them to Savannah, Georgia, to sell them into slavery. When the slaves realized their master's plan and refused to obey, the Frenchman shot one of them and fled, but commissioned an attorney to return the slaves to Martinique. The NYMS heard of the scheme and sought to protect the former slaves, who had been successfully recognized as free under the laws of New York. This incident led the author to observe that “these white French citizens are so little under the government of principles” as to “live on the produce of the labour of these unfortunate people, and finally, sell them slaves for life” and concluded that “it has recently been deemed advisable by the Society in this city, to grant all requisite protection to these Black People.”¹³³

Nowhere was the growing Francophobia at play during the Volunbrun affair better expressed than in New York newspapers. In fact, as Jones points out, the case brought lengthy debates in the newspapers, in which slaveholders and opponents of the NYMS responded to accusations and sought to denounce the society's interventions.¹³⁴ An article published by a “Friend of Order” from August 25, 1801, commented on what the author considered abusive NYMS legal actions against Volunbrun, and criticized the society's assaults on property rights

¹³³ *New-York Gazette*, August 6, 1801.

¹³⁴ Martha Jones, “Time, Space, and Jurisdiction in Atlantic World Slavery”, 1033.

and its desire to “ben[d] [itself] on the ruin of the widow.” More importantly, the author directly attributed the involvement of the Society to the actions of “a giant numbers of negroes, no less than 200, all probably manumitted by this society” who, “with great fury,” gathered in front of her house to oppose her moving her slaves southward. He explained that it was “with great difficulty that they were restrained from pulling or burning [her house] down.” The author used a common depiction of the NYMS among slaveholders — that is, as a society having a subversive influence on local blacks — in order to discredit its actions. The opening statement of the article is therefore telling: “Few institutions have done more mischief than the Manumission Society of this city. In no country were blacks better treated, more orderly, or more happy than in this state: at present they are miserable, impertinent, lazy, destitute and vicious.”¹³⁵ This statement can additionally be attributed to the pervasive myth of mild slavery in the North — one that was often used to reinforce the pro-slavery position.

The Volunbrun affair therefore opened a forum through which many expressed their general distaste for the kidnapping of free blacks and the French refugee’s involvement in it. A “Friend to Justice” contended on August 26, 1801, that “Madame Volunbrun, fearing that the laws of this state would not suffer her to detain these persons as slaves, designed to convert them into money, by selling them in another state.” The author further highlighted that the practice of a “domestic traffic in blacks”, both French and native, from New York to Norfolk and Savannah with “delusive promise of freedom” had become widespread among West Indian emigrants, pointing to two recent examples of cargoes carried to southern states for this

¹³⁵ *American Citizen*, Aug. 25, 1801. Another “Friend to order” mentioned the cases of two other Frenchmen who had been “victims” of the NYMS in similar fashion, a certain M. de Malherbe and Mr. de Millet, whose “Negroes...have been let loose on society in nearly the same way” as those who gathered in front of Madame Volunbrun’s house. See *The New-York Gazette and General Advertiser*, September 5, 1801.

exact purpose.¹³⁶ A Friend to Order, in a published response on September 5, denoted the society's tendency to wrongfully accuse slaveholders moving out of the state of doing so for the purpose of selling their slaves into slavery, and denounced this penchant as "one of the State tricks with which [the society] amuse[s] the public".¹³⁷ In the end, the court allowed Volunbrun to move to Baltimore with her slaves.

"The fatal gift of an absolute unlimited freedom": The French Decree of 1794.

In the late eighteenth century, the United States was characterized by the presence of varied, and to some extent conflicting, legal jurisdiction over slavery. The legal statuses of blacks varied greatly from one part of the country to the other. The arrival of thousands of "French negroes" further complicated the already complex dynamics that existed within the country. In addition to the issue of multiple jurisdictions in the United States, the refugees also carried with them a set of regulations external to the United States, further complicating the definition of the legal status of blacks coming from the West Indies. The 1793 emancipation decree of Saint-Domingue's civil commissioner Léger-Félicité Sonthonax, freeing the slaves of St-Domingue's North Province, extended by his colleague Étienne Polverel for the West and South provinces in the following months, and then the French National Convention's decree emancipating slaves in all the French territories on 4 February 1794, added another layer to the composite legal definition of freedom in the United States and the Atlantic World.

Jones argues that the Volunbrun case illustrates the problem of slavery and law in the Atlantic world broadly. She explains that after the "household" fled the Haitian revolution, it

¹³⁶ *New-York Gazette*, August 26, 1801.

¹³⁷ *New-York Gazette*, Sept. 5, 1801.

travelled in three empires and five different jurisdictions between 1795 and 1820, “at each juncture the problem of slavery and freedom — particularly its juridical dimensions — changed as the household confronted new legal regimes.”¹³⁸ An important transnational legal dimension to freedom and slavery was brought along the arrival of refugees from St-Domingue, one that sometimes proved puzzling for judicial authorities and abolitionist groups alike. As Jones puts it in the case of New York, the “Atlantic world dynamics forced the port city [of New York] to grapple with authorities constructed well beyond its territorial jurisdiction — fleets of French naval vessels, refugees from Caribbean revolutions, decrees of generals who were themselves former slaves.”¹³⁹

Unsurprisingly, slaveholders in New York responded with disdain to general emancipation — typical among pro-slavery elements anywhere in the United States — but also with an aversion, shared among local slaveholders, for the NYMS. In an article published on 5 September 1801, for instance, a “Friend to Order” mocked the decree, sarcastically pointing out that since it was “certified in due form by the Monster of iniquity SANTHONAX, and by him transmitted to all manumission societies throughout the world, it must be genuine and binding.”¹⁴⁰ This statement is telling not only because it rejects the validity of the conventional decree explicitly, but also because it highlights the adequation of French fanaticism with anti-slavery more broadly, a general trend in the late 1790s.¹⁴¹ In 15 September 1801, another “Friend to Order” pointed out “that the French government never intended to grant the blacks the fatal gift of an absolute unlimited freedom” The author rejected and dismissed the decree,

¹³⁸ Martha Jones “Time, Space, and Jurisdiction in Atlantic World Slavery”, 1034.

¹³⁹ *Ibid.* 1036.

¹⁴⁰ *New-York Gazette and General Advertiser*, Sept. 5, 1801. p2.

¹⁴¹ See James Alexander Dun, “Philadelphia not Philanthropolis”

suggesting that it was nothing more than a temporary wartime strategy, which in fact was never intended to put an end to slavery or the property in slaves in French colonies or anywhere else. In this regard, the decree was to be understood as “nothing more than an offensive and defensive arm, by which they aimed at saving the French islands and mining those of the British”.¹⁴²

Abolition societies in the United States were aware of the 1794 decree and tried to cope with the issues it posed as best as they could. Officially in 1795, the Convention of Delegates brought up the fact that the French government abolished slavery in its empire. The delegates further commented that they “have been informed that many persons [...], notwithstanding the decree in their favor, have been brought from the West Indian islands by emigrants in the United States, and are now held as slaves.” The delegates suggested “the propriety, as well as necessity, of making enquiry into the subject, and of effecting their liberation, so far as may be found consistent with the laws of your state”.¹⁴³ This last segment proved to be the most problematic of all. Abolition groups were, as we have seen, devoted to the republican strategy which emphasized work within the limits of state laws. Notwithstanding the issues it posed, in 1796 the delegates commissioned the PAS to “collect all possible information relative to such emigrants of color, in this country”. In light of the convention’s recommendation, the PAS set up a committee to inquire about those refugees brought by Caribbean slaveholders, which was quickly dissolved afterwards. In fact, the 1794 decree also transformed abolitionism in the United States. In its early phase, the PAS envisioned the universal appeal of anti-slavery and felt itself a part of a broader Atlantic anti-slavery movement. This commitment, however, did

¹⁴² *The New-York Gazette and General Advertiser*, Sept. 15, 1801.

¹⁴³ Standing Committee Minutes, April 6, 1795.

not extend beyond the Haitian Revolution and the dramatic turn of events leading to the general emancipation decree of 1794 by the French Assembly, which became associated with French fanaticism and radicalism in the late 1780s and early 1790s.¹⁴⁴ To the contrary, it reinforced a belief in a gradual transition away from slavery.

The French decree posed a series of problems, which explain why abolition groups refrained from using it. As Martha Jones shows, decrees from the French convention could be called into question because of its ambiguity and its failure to be properly implemented in the French colonies, and therefore could be subject to competing interpretations.¹⁴⁵ But even so, the transnational definition of freedom would eventually be used in some state courts by colored refugees themselves. However, as Sue Peabody shows in her study of court cases involving refugees from Saint-Domingue suing for their freedom, cases that were brought under state laws, such as the gradual emancipation act in Pennsylvania, were usually more successful than those invoking the “higher ground” principle as embodied by the French general emancipation decree of 1794.¹⁴⁶ For this reason, anti-slavery activists carefully avoided the 1794 decree as a valid argument for Saint-Dominguan refugees’ freedom and relied instead on their own gradual emancipation decrees, in spite of a few mentions made by some of NYMS members in the midst of the Volunbrun affair. Peabody observes that only in 1809 did some lawyers start to argue that their black clients were entitled to freedom not only because of local laws, but because of French emancipation. The latter reason, however, involved an extra-jurisdictional definition of freedom that was complex, ambiguous, and thus difficult to prove in American

¹⁴⁴ For a discussion of the PAS and ideas of universalism, see James Alexander Dun, “Philadelphia, not Philanthropolis: The Limits of the Pennsylvanian Antislavery in the Era of the Haitian Revolution”, *Pennsylvania Magazine of History and Biography*, 135, (1) (2011): 61-90.

¹⁴⁵ Martha Jones, “Time, Space, and Jurisdiction in Atlantic World Slavery”, 1055.

¹⁴⁶ Sue Peabody, “Free upon Higher Ground”, 275.

court — and, consequently, most freedom claims made under the 1794 decree were unsuccessful.¹⁴⁷

As we have seen, French slaveholders who came to Philadelphia and New York tested the limits and will to enforce the gradual emancipation statutes. The provisions of these laws, however, were strongly protected and defended by the PAS and the NYMS. Even so, the presence of loopholes often jeopardized abolition societies' strategies. Despite their valiant efforts, on many occasions French slaveholders were able to circumvent the laws, for example by moving their slave south despite laws which prohibited the practice. And while these practices were monitored by the NYMS and the PAS, both societies sometimes failed to achieve their goals optimally, as in the case of Massol who escaped to avoid prosecution. Nevertheless, many refugees complied with the laws by signing their slaves for indenture, and by so doing they brought into focus the limited freedom provided by gradual emancipation decrees. Abolition societies were also confronted with a peculiar situations in the case of refugees brought from Saint-Domingue, exposing the problems raised by many superimposed bodies of law relating to slavery and freedom. The general emancipation decree passed by the National Convention in February 1794 created a complex legal situation which abolition groups, for the most part, chose to avoid. Instead, they followed strategies they had always employed with foreign slaveholders and hence did not compromise their commitment to the republican strategy.

¹⁴⁷ *Ibid.*

CONCLUSION

The Age of Revolution transformed North Atlantic slavery. In the United States, the Revolutionary period witnessed the advent of the first gradual emancipation decree in Pennsylvania in March 1780. In the following decades, the institution of slavery gradually disappeared in many states, including New York, leading to the emergence of what would come to be known as “free states.” This transition away from slavery was not an even or fluid process, as many slaveholders resisted emancipation, which then required a sustained commitment of time and resources from anti-slavery activists in and outside the legislature. This thesis has sought to illustrate the commitment of these activists, mainly abolition societies, to the enforcement of gradual emancipation laws.

As I have argued in this thesis, abolition societies in general, and the PAS and NYMS in particular, were at the forefront when it came to defending gradual emancipation in their respective states. In order to do so, they relied on and operated within the limits of the laws of their states; an emphasis which one historian referred to as the “republican strategy.”¹⁴⁸ On a daily basis, they had to cope with slaveholders who disregarded gradual emancipation laws by failing to register their slaves in accordance with the law or by moving them out of the state in order to avoid emancipation. Indeed, as demonstrated in this thesis, the kidnapping of free blacks and the movements of slaves southward into slavery were problems with which the PAS and the NYMS had to cope from their early debuts. In order to protect slaves and newly-emancipated blacks and enforce gradual emancipation laws, abolition societies employed

¹⁴⁸ Richard Newman, *The Transformation of American Abolitionism: Fighting Slavery in the Early Republic* (Chapel Hill, 2006).

many tactics. Notably, they relied on laws and courts to protect enslaved and indentured African Americans and help victims of kidnapping.

Abolition societies did more than assist victims of defiant slave owners on a case-by-case approach. They also took part in lobbying efforts to implement or strengthen gradual emancipation laws in their respective states. They pressured their state legislatures throughout the 1780s and 1790s for tighter regulations on the movements of slaves across state borders in order to preserve slavery within the limits of their states, as a way to ensure that the gradual abolition of slavery could function. In the case of New York, in which a gradual emancipation decree was not voted until 1799, the laws restricting movements across state borders had been voted as a result of the pressure exerted by the NYMS and became an important alternative to gradual emancipation, with which activists operated until the early nineteenth century. In short, abolition societies attempted to use their influence to transform the law, while carefully ensuring they were not overstepping their boundaries.

In order to highlight the contribution of the PAS and the NYMS in the enforcement of gradual emancipation, this thesis examined the massive arrival of refugees from Saint-Domingue with their slaves in the 1790s. As demonstrated, this unprecedented movement of people put the strategies of the PAS and the NYMS to the test and reinforced their commitment to the republican strategy. In most cases involving slaveholders and slaves from Saint-Domingue, abolition societies adapted strategies and tactics they had previously used against slaveholders coming from the south and the West-Indies. Cases involving Frenchmen came up frequently in abolition societies' papers, illustrating how the arrival of refugees en masse heightened the vigilance of both the PAS and the NYMS. The case of refugees brought from Saint-Domingue differed from other cases in one crucial aspect. The French decree of 1794 —

which emancipated all slaves in the French empire — raised a set a question over the status of slaves because some tried to justify their freedom under the decree. For abolition societies, however, the 1794 decree only reinforced their commitment to the republican strategy and their belief in a gradual transition away from slavery.

One implication of this thesis is that laws were nothing without active enforcement by private individuals or groups. Similar reflections have been made by other historians. Don E. Fehrenbacher, for instance, explains that a serious “discrepancy between law and enforcement” existed in the case of the African slave trade in the United States. He asserts that “the history of the federal government’s relation to the African slave trade begins with impressive legislation but is primarily a study of faulty enforcement.”¹⁴⁹ The same observation can be made about gradual emancipation in northern states. The enactment of gradual emancipation decrees in the late-eighteenth and early-nineteenth century by state legislatures was certainly ground-breaking and is certainly worth looking into, as decrees help us understand how the legacies of the Revolution permeated most discussions in the early republic. However, when one studies gradual emancipation through a strictly “institutional” framework — that is, by analyzing political processes behind the enactment of gradual emancipation laws as did Zilversmit in 1967 — it is easy to overlook how these laws were disregarded by regular “actors” on a daily basis.¹⁵⁰ This thesis attempted to illustrate problems which arose as a result of faulty enforcement to demonstrate how, eventually, abolition groups and African Americans had to take matters into their own hands in order to ensure that gradual emancipation could not be avoided.

¹⁴⁹ Don E. Fehrenbacher, *The Slaveholding Republic: An Account of the United States Government’s Relations to Slavery*, (New York, 2001), 137.

¹⁵⁰ Arthur Zilversmit, *The First Emancipation: The Abolition of Slavery in the North* (Chicago, 1967).

This thesis examined the gradual abolition of slavery in the United States at the local level, by focusing on Pennsylvania and New York. Since it was primarily interested in the strategies of abolition societies, which revolved mainly around state laws, it would have been difficult to move beyond this “local” emphasis. Further studies on gradual emancipation could for instance take a regional approach to the problem by focusing on the Mid-Atlantic states which Sue Peabody defined as a “microcosm of the multiple judicial structure of freedom in the Atlantic world as a whole.”¹⁵¹ The study of refugees coming from outside the state could be extended to states such as Maryland, in which slavery and freedom coexisted “in uneasy competition” in the early republican period.¹⁵² Important cases involving foreign slaveholders, including some coming from Saint-Domingue frequently came up in Maryland courts.¹⁵³ Examples from Maryland could therefore be included in the history of the refugees’ interaction with gradual emancipation and laws regulating the movements of slaves across state borders.¹⁵⁴

Likewise, the notion of jurisdiction could also be used to expand the scope of further analysis on gradual emancipation. It would be possible to look at Pennsylvania or New York as spaces governed by specific sets of laws relating to slavery. By so doing, the analysis could take into account how in the late-eighteenth century, Pennsylvania and New York became “partially free spaces” not just in the United States, but in the Atlantic world as a whole. By using space as opposed to states, one could connect American states to the Atlantic, as Martha

¹⁵¹ Peabody, “‘Free upon higher ground’: Saint-Domingue slaves’ suits for freedom in U.S. courts, 1792-1830”, in *The World of the Haitian Revolution*, David P. Geggus and Norman Fiering eds. (Columbia, SC, 2010), 264.

¹⁵² Patricia A. Reid. “The Haitian Revolution, Black Petitioners and Refugee Widows in Maryland, 1796-1820”. *The American Journal of Legal History*. 50, no. 4: 431, 2008.

¹⁵³ *Ibid.*

¹⁵⁴ In some of her preliminary researches, Sue Peabody compares cases from Maryland from those taking place in Pennsylvania. See Peabody, “Free upon higher ground”, 264-268.

Jones did in her study of the Volunbrun household.¹⁵⁵ The movement of refugees from Saint-Domingue across several jurisdictions serves as an example.

In addition, other aspects of abolition societies' activism could be highlighted in further studies, such as their petitioning efforts at the federal level. The campaign against the slave trade prior to the ratification of the Constitution exemplified abolition societies' commitment to the republican strategy, as both the PAS and the NYMS worked hard to put down the slave trade at the federal as well as the local levels — a goal they shared with all societies in the United States and Europe. Abolition societies in the United States sought to apply tactics they used with local legislatures to the federal government, with mixed results. On one controversial instance in 1790, the PAS sent a memorial to the newly established US Congress to put an end to the slave trade and promote a gradual end to slavery, a gesture which infuriated Southern congressmen and was quickly dismissed.¹⁵⁶ In sum, further studies need to be done in order to fully explore somewhat neglected aspects of the history of the first emancipation. This thesis attempted to uncover some of these aspects in relation to the first wave of antislavery and gradual emancipation, and by so doing sought to make a small contribution to the expanding scholarship on American abolitionism in the eighteenth and nineteenth centuries.

¹⁵⁵ Martha Jones, "Time, Space, and Jurisdiction in Atlantic World Slavery: The Volunbrun Household in Gradual Emancipation New York", *Law and History Review*, 29 (2011): 1044-1045

¹⁵⁶ "Memorial of the Pennsylvania society for Promoting the Abolition of Slavery to the Senate and United States Congress, February 3, 1790". [online] URL: <http://digitalhistory.hsp.org/pafm/doc/memorial-pennsylvania-society-promoting-abolition-slavery-senate-and-representatives>

BIBLIOGRAPHY

PRIMARY SOURCES

Printed Collections

The Laws of Maryland, 1786-1800 (vol. 2). By Maryland, Virgil Maxcy.

Laws of the State of New York: Passed at the Sessions of the Legislature Held in the Years 1777-[1801] (Vol. 2).

Minutes of the Proceedings of the Eleventh American Convention for Promoting the Abolition of Slavery and Improving the Condition of the African Race, 1806 (Philadelphia, Pa.)

Pennsylvania Reports. Reports of Cases Argued and Determined in Various Courts of Pennsylvania, 1754-1845, New York: Banks & Bros, 1895.

Pennsylvania Society for Promoting the Abolition of Slavery. *[Papers of the Pennsylvania Abolition Society]*. Marlborough, England: Adam Matthew Digital, 2013.

Newspapers

The Baltimore General Advertiser
Claypoole's American Daily Advertiser
The Essex Journal & New-Hampshire Packet
Massachusetts Mercury
New-York Commercial Advertiser
New-York Gazette and General Advertiser
New-York Spectator
Virginia Chronicle

Manuscript Collections

Boston Public Library
"Anti-Slavery Collection"

Historical Society of Pennsylvania
"PAS Collection"

New-York Historical Society
Manuscript Relating to Slavery
“New-York Manumission Society records, 1785-1849”

SECONDARY SOURCES

Berlin, Ira. *Many Thousands Gone: The First Two Centuries of Slavery in North America*. Cambridge, Mass.: Belknap Press of Harvard University Press, 1998.

Branson, Susan. “St. Domingan Refugees in the Philadelphia Community in the 1790's” in *Amerindians, Africans, Americans: Three Papers in Caribbean History: Presented at the 24th Annual Conference of the Association of Caribbean Historians, Nassau*, ed. Association of Caribbean Historians, Barbados: Canoe Press, University of the West Indies, 1996.

Branson, Susan and Leslie Patrick., “Etrangers dans un pays etrange: Saint Dominigan Refugees of Color in Philadelphia” in *The Impact of the Haitian Revolution in the Atlantic world*, ed. David P. Geggus, Columbia: University of South Carolina, 2001.

Davies, John. “Class, Culture, and Color: Black St-Dominguan Refugees and African-American Communities in the Early Republic”, Ph.D. Dissertation, University of Delaware, 2008.

Davis, David Brion., *The Problem of Slavery in the Age of Revolution, 1770-1823*. Ithaca: Cornell University Press, 1975.

Dun, James Alexander., “Philadelphia not Philanthropolis: The Limits of the Pennsylvanian Antislavery in the Era of the Haitian Revolution,” *Pennsylvania Magazine of History and Biography*. vol. 135, no. 1 (January, 2011).

———. ““What avenues of commerce, will you, Americans, not explore!’: Commercial Philadelphia’s Vantage onto the Early Haitian Revolution”, *William and Mary Quarterly* 62 (3) (2005): 473-504.

Egerton, Douglas R., *Death or Liberty: African Americans and Revolutionary America*, Oxford ; New York : Oxford University Press, 2009.

Fehrenbacher, Don E. *The Slaveholding Republic: An Account of the United States Government’s Relations to Slavery*, New York: Oxford University Press, 2001.

- Gaspar, David Barry, and David Patrick Geggus. *A Turbulent Time: The French Revolution and the Greater Caribbean*. Bloomington: Indiana University Press, 1997.
- Gellman, David N., *Emancipating New York: The Politics of Slavery and Freedom, 1777-1827*, Baton Rouge: Louisiana State University Press, 2006.
- Hammond, John Craig and Matthew Mason eds., *Contesting Slavery: The Politics of Bondage and Freedom in the New American Nation*, Charlottesville: University of Virginia Press, 2011.
- Hodges, Graham Russell. *Root and Branch: African Americans in New York and East Jersey, 1613-1863*. Chapel Hill: University of North Carolina, 1999.
- Hodges, Graham Russell. *Slavery and Freedom in the Rural North: African Americans in Monmouth County, New Jersey, 1665-1865*. Madison, Wis: Madison House, 1997.
- Horton, James Oliver and Lois E. Horton., *In Hope of Liberty: Culture, Community, and Protest Among Northern Free Blacks, 1700-1860*, New York: Oxford University Press, 1997.
- Hunt, Alfred., *Haiti's Influence on Antebellum America: Slumbering Volcano in the Caribbean*. Baton Rouge: Louisiana State University Press, 1988.
- Jackson, David H. "American Reactions to the Haitian Revolution, 1791-1804", *Consortium on Revolutionary Europe, 1750-1850: Selected Papers 1998*, 220-227.
- Jackson, Maurice. *Let this voice be heard: Anthony Benezet, Father of Atlantic Abolitionism*, Philadelphia : University of Pennsylvania Press, 2009.
- Jordan, Winthrop D. *White Over Black: American Attitudes Toward the Negro, 1550-1812*. Chapel Hill: Published for the Institute of Early American History and Culture at Williamsburg, Va., by the University of North Carolina Press, 1968.
- Jones, Martha. "Time, Space, and Jurisdiction in Atlantic World Slavery: The Volunbrun Household in Gradual Emancipation New York", *Law and History Review*, 29 (2011): 1031-1060.
- Mason, Matthew. *Slavery and Politics in the Early American Republic*, Chapel Hill : University of North Carolina Press, 2006.

- Melish, Joanne Pope., *Disowning Slavery: Gradual Emancipation and 'Race' in New England*. Ithaca: Cornell University Press, 1998.
- Nash, Gary B. "Forging Freedom: The Emancipation Experience in Northern Seaports, 1775-1820". In *Slavery and Freedom in the Era of the American Revolution*, edited by Ira Berlin and Ronald Hoffman. Charlottesville: University of Virginia Press, 1983.
- . *Forging Freedom: The Formation of Philadelphia's Black Community, 1720-1840*, Cambridge, MA: Harvard University Press, 1988.
- . "Reverberations of Haiti in the American North: Black Saint Domingans in Philadelphia", *Pennsylvania History*, Vol. 65, Explorations in Early American Culture (1998), p. 44-73.
- and Jean R. Soderlund., *Freedom by Degrees: Emancipation in Pennsylvania and its Aftermath*. New York: Oxford University Press, 1991.
- Newman, Richard S. and James Mueller eds., *Antislavery and Abolition in Philadelphia: Emancipation and the Long Struggle for Racial Justice in the City of Brotherly Love*, Baton Rouge: Louisiana State University Press, 2011.
- Newman, Richard S., *The Transformation of American Abolitionism: Fighting Slavery in the Early Republic*. Chapel Hill: University of North Carolina Press, 2002.
- Nicholls, Michael L. "'The Squint of Freedom': African-American Freedom Suits in Post-revolutionary Virginia". *Slavery & Abolition*. 20, no. 2: 47-62, (1999).
- Oldfield, John R. *Transatlantic Abolitionism in the Age of Revolution: An International History of Anti-Slavery, 1787-1820*, Cambridge: Cambridge University Press, 2013.
- Peabody, Sue. "Free Upon Higher Ground": Saint-Domingue Slaves' Suits for Freedom in U.S. Courts, 1792-1830" in *The World of the Haitian Revolution*, eds. David P. Geggus and N. Fiering., Bloomington: University of Indiana Press, 2006, p. 261-283.
- Polgar, Paul J. "'To raise them to an Equal Participation': Early National Abolitionism, Gradual Emancipation, and the Promise of African American Citizenship", *Journal of the Early Republic*, Vol. 31, n.2, Summer 2011. p. 229-258.

- Popkin, Jeremy D. *You Are All Free: The Haitian Revolution and the Abolition of Slavery*. Cambridge: Cambridge University Press, 2010.
- Reid, Patricia A. "The Haitian Revolution, Black Petitioners and Refugee Widows in Maryland, 1796-1820". *The American Journal of Legal History*. 50, no. 4: 431, (2008).
- Soderlund, Jean. *Quakers and Slavery: A Spirit Divided*. Princeton: Princeton University Press, 1985.
- Van Cleve, George. *A Slaveholders' Union: Slavery, Politics, and the Constitution in the Early American Republic*. Chicago: University of Chicago Press, 2010.
- Waldstreicher, David. *Slavery's Constitution: From Revolution to Ratification*, New York, N.Y.: Hill and Wang, 2009.
- White, Ashli. *Encountering Revolution: Haiti and the Making of the Early Republic*. Baltimore: John Hopkins University Press, 2010.
- . "The Politics of 'French Negroes' in the United States", *Historical Reflections/ Réflexions historiques* 29 (1) (2003): 103-121.
- White, Shane. *Somewhat More Independent: The End of Slavery in New York City, 1770-1810*, Athens: University of Georgia Press, 1991.
- Whitman, T. Stephen. *The Price of Freedom: Slavery and Manumission in Baltimore and Early National Maryland*. Lexington, KY: University Press of Kentucky, 1997.
- Wilson, Carol. *Freedom at Risk: The Kidnapping of Free Blacks in America, 1780-1865*, Lexington, KY: University Press of Kentucky, 1994.
- Wolf, Eva Sheppard. *Race and Liberty in the New Nation: Emancipation in Virginia from the Revolution to Nat Turner's Rebellion*. Baton Rouge: Louisiana State University Press, 2006.
- Zilversmit, Arthur. *The First Emancipation: The Abolition of Slavery in the North*. Chicago: University of Chicago Press, 1

