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# Illegal Self-Emancipation in the Urban Upper South, 1800-1860

Viola F. Müller

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## Introduction

- 1 The wave of manumissions that characterized the Revolutionary Era only freed a small share of enslaved African Americans in the US South. By 1810 some ten percent of the black population of the Upper South was free, for example. The millions of others who remained enslaved, however, did not all resign themselves to their condition but rather increasingly employed varying forms of resistance to contest their status or treatment. Particularly in the nineteenth century, when ideas of egalitarianism and humanitarianism spread across the Western hemisphere, enlivened by the American, French, and Haitian revolutions, the institution of slavery was subjected to open challenges, not least by bondpeople themselves. Methods of resistance took many different shapes, from the rather subtle spiritual resistance to armed rebellion and flight. Self-emancipation by means of slave flight as a form of resistance is of particular relevance for the history of the United States, where armed revolts were rare and running away was common<sup>1</sup>. Innumerable numbers of enslaved people—« freedom's seekers », as Jeffrey Kerr-Ritchie calls them—did not wait to be legally and formally emancipated but rather took matters into their own hands and attempted to create lives of freedom themselves. They add to the macro-histories of emancipation their individual histories of « thousands of small emancipations<sup>2</sup> ».
- 2 Most research on slave flight in the antebellum era focuses on those slaves who left the borders of the slaveholding South and migrated to a place where slavery had been legally abolished<sup>3</sup>. The historical literature emphasizes that freedom (or at least *de facto* asylum) could only be achieved once fugitive slaves reached *free soil*, for example in the northern US states, Canada, Mexico, and, until 1821, Spanish Florida. Most runaway slaves, however, actually stayed within the slaveholding South. As John Hope Franklin and Loren Schweninger argued in their seminal work *Runaway Slaves*:

Tens of thousands [of slaves] ran away to towns and cities seeking safe haven and anonymity. [...] Cities offered opportunities for runaways to hide their identities, create new ones, to live with relatives—slave and free—and mingle with others. [...] [C]ontrol was less intrusive than in the country [and it] was little wonder that the streets of southern cities [...] lured runaways.

- 3 The practice of running away to a nearby slaveholding city and « passing for free », rather than bolt for free territory, was especially common in the relatively densely populated Upper South with cities like Alexandria, the District of Columbia, Baltimore, and Annapolis serving as beacons of freedom to slaves from the surrounding counties, as Franklin and Schweninger found<sup>4</sup>. Richmond, Norfolk, and Petersburg in Virginia can also be included in this enumeration. Largely overshadowed by their counterparts who fled north, fugitive slaves who remained within the South deserve more attention than they have hitherto received. Franklin and Schweninger were correct to examine urban centers in the South as destinations for fugitive slaves, but in their analysis they almost exclusively focused on what they call « temporary sojourners », or truants—in other words, slaves who only left the plantation temporarily, usually with the intention of returning within a couple of days, weeks, or even months. Upon closer inspection it is clear, however, that many fugitive slaves who headed to southern cities entertained the prospect of staying there *permanently*. Based on runaway slave advertisements, jail and police records, it is estimated that the number of fugitive slaves in both Richmond and Baltimore reached into the thousands—at least in the later decades of the Antebellum period.
- 4 This study provides an overview on the demographics of this group of people, their motivations to flee, and their escape networks. Strikingly, the experiences of these fugitive slaves in southern cities resemble to a large extent the lives of today's undocumented immigrants: They were clandestine city dwellers aiming at staying; they tried to integrate into an existing society, but not into mainstream society. Rather, their receiving communities were comprised of the lower classes of the black population; and they were forced to live and work in illegality, with all the consequent disadvantages for their own lives and those of their offspring.

## Preconditions for a Freedom in the Midst of Slavery

- 5 All fugitive slaves were self-emancipators in the sense that they did not wait to be rescued or manumitted by another party or person, but rather actively attempted to create freedom for themselves and their loved ones through their own actions. Such desperate acts as fleeing became increasingly more important as the Revolutionary era gave way to the antebellum period. For the US South as a whole, manumissions sharply declined after 1810, by which time they had also become legally more complicated to enact, and, from the 1830s on, formal abolition must have seemed as far away as ever before for southern slaves<sup>5</sup>. Although theoretically the possibility of purchasing one's own (or a loved one's) freedom remained, most bondpeople collectively understood that their chances of becoming free in a legal way were rapidly shrinking. This trend was sharpened by the rapid expansion of the institution of slavery in the South. Meanwhile, free spaces were opening up along the borders of the slaveholding South, as neighboring states and territories abolished or prohibited the institution. Yet contrary to the high numbers of fugitive slaves to the northern states suggested by contemporaries, for many slaves migration to the North was *not* an attractive option, mainly because they did not

want to leave behind their families and friends. The prospect of fleeing to nearby free black communities and passing for free seemed to many far more enticing.

- 6 Free black communities experienced significant growth in the Antebellum South, especially in urban areas, and they encompassed extended networks of personal and professional ties. Such communities provided the physical basis for successful, long-term flight for fugitive slaves, as they offered sites of anonymity. On the eve of the Civil War, there were officially some 60,000 free African Americans in Virginia and 84,000 in Maryland. These numbers had grown from about 20,000 in respectively both states around the turn of the century. In Richmond, Virginia's capital, 10,000 slaves and 2,300 free blacks contrasted with a white population of 15,000 by mid-century. Baltimore, Maryland's largest city, had a population of 170,000 of which 3,000 were enslaved and 26,000 free black people. By 1860, there were nearly the same numbers of free as enslaved black people in Maryland, and the latter comprised only eight percent of Baltimore's black population. The increases took place despite a new law which required all emancipated slaves to leave the state, which was introduced in Virginia in 1806, and in Maryland in 1832. Many manumitted slaves remained (illegally), however, bolstering free black populations in these states even further<sup>6</sup>. Therefore, the official census data were significantly lower than the actual free black population. In Richmond and Baltimore, fugitive slaves—illegal self-emancipators—mixed with this other group of illegal free residents<sup>7</sup>.
- 7 The existence of large free black communities in these cities that fugitives could blend in with were but one important condition for permanent slave flight within the South. A second condition was the changing nature of the institution of slavery itself in the Antebellum period. During the « second slavery », slave-based industrial production in the urban Upper South increased significantly. The hiring out of slaves to urban areas increased exponentially as a result; indeed, slave hiring became a central feature of urban slavery<sup>8</sup>. Slaves, mostly men, who worked as hirelings, and more so those with professional skills, became highly mobile and were able to further expand their urban networks to include both slaves and free blacks. Many bondspersons came to have relatives and acquaintances in urban areas outside the region or even state of residence. Mobile occupations, such as slaves hired on board of riverboats or as carriage drivers, furthermore, provided many with invaluable geographical knowledge. In short, a significant part of the enslaved population was by the nineteenth century equipped with the necessary social and professional capital to make a bid for an independent life in freedom. Nelson Duncan, a slave who absconded in 1837 in Richmond, for example, had been a carriage driver and frequently drove his master's carriage from Petersburg, where they resided, to Richmond<sup>9</sup>. Female slaves and women in general enjoyed less mobility than men, but some managed to obtain at least a certain degree of freedom of movement. Catherine, an enslaved woman from Manchester, Virginia, was employed at carrying milk to Richmond. She ran away in 1838<sup>10</sup>.
- 8 Fugitive slaves in southern cities such as Richmond and Baltimore are a complex topic because different « types » of runaways came together there. The ones accounted for by Franklin and Schweninger, truants and temporary absconders, might have eloped for rather impulsive reasons, for instance because they had been punished or were confronted with the threat of being punished. Some took a « time-out » from forced labor, which happened quite often during harvest time, or to visit loved ones. Permanent fugitives, by contrast, went to cities to stay. Some tried to prevent being sold down south

in the domestic slave trade. Many others absconded for more structural reasons<sup>11</sup>. They contested the system of slavery as a whole, or, when hired out, could no longer accept the fact that they had to hand over their hard-earned money to their masters. Frederick Douglass, when working as a hired slave on the ship yards of Baltimore as a caulker,

was able to command the highest wages given to the most experienced calkers. [...] I was now getting, as I have said, one dollar and fifty cents per day. I contracted for it; I earned it; it was paid to me; it was rightfully my own; yet, upon each returning Saturday night, I was compelled to deliver every cent of that money to Master Hugh. And why? Not because he earned it,—not because he had any hand in earning it,—not because I owed it to him,—nor because he possessed the slightest shadow of a right to it; but solely because he had the power to compel me to give it up<sup>12</sup>.

- 9 Douglass expressed formidably the sense of injustice he felt about this arrangement. He and many others were more and more inspired by the growing free black population who proved the myth of the dependent, docile, happy slave that southern slaveholders propagated, wrong.

## Passing For Free in Richmond and Baltimore

- 10 Most of the fugitive slaves residing illegally in Richmond and Baltimore were from the cities themselves or nearby counties. In the latter case, some also came from Virginia. Their escapes were facilitated by family members living in close physical proximity<sup>13</sup>. Fewer slaves came from longer distances, like Sam and Henry, who ran away from Alabama in 1837. Sam was believed to endeavor to make his way back home to a Virginian county where he was originally from; Henry was supposed to be going to Richmond<sup>14</sup>. Sam and Henry, like many others, had been displaced by the internal slave trade. This removal of family members and friends served as a mechanism which geographically enlarged a fugitive slave's network.
- 11 As the nineteenth century progressed, the importance of agricultural slavery in the Upper South diminished and the number of mobile slaves rose as a response to the capitalist demand of a flexible labor market. Consequently, prospective self-emancipators came to have broader professional networks; many were indeed lodging with free blacks who were acquaintances or other more distant knots in their networks. It is conceivable that professional networks assumed an even more important tool for a successful flight in the second half of the Antebellum period than kinship; the fact that more and more runaway slave advertisements mentioned work contacts backs this thesis up. The flexible labor the industrial sites in Baltimore and Richmond demanded led to a high fluctuation of workers. This resulted in a common acquaintanceship amongst many of the laborers, free and unfree. These developments happened particularly after the 1830s when Richmond grew to become an important industrial site with a growing demand of labor. The owner of a runaway slave in 1839 believed him to have « acquaintances working at almost every Tobacco factory in the place [Richmond]<sup>15</sup> ». Slaves, hired out to tobacco and other factories, but also slaves working independently, often secured their own housing, too. This way, even slaves were able to harbor fugitives.
- 12 For the entire Antebellum period no runaway slave ad indicates that masters were surprised if their runaway slaves had procured freedom papers or a forged pass to pose as free persons. Pompey Jackson could read in 1840 and his owner found it « likely [he] may

get forged papers to travel with<sup>16</sup> ». Passes were either written by the fugitives themselves, other slaves from the plantations or from wherever they absconded, free black persons who were relatives or just acquaintances, or even whites. In February 1840, a runaway named Tom was advertised for by his master from North Carolina. He believed that Tom « has with him Free Papers belonging to James Lucas or Locust, who froze to death in January last in the neighborhood; since which his Free Papers have not been found or heard of ». He assumed that his slave was taking on a free man's identity to conceal his slave status<sup>17</sup>. Numerous ads in which free African Americans claimed to have lost their freedom papers indicate that slaves not only forged passes but also took over real ones, with or without the consensus of the rightful owner<sup>18</sup>. The same social groups also harbored runaway slaves, either on their way to freedom or at the place of destination. In cities, taverns, shops, factories, brothels, market places, docks, and all places connected to transportation and water were both places where runaways found refuge or important contact persons, as well as semi-legal and illegal spots of networking for those interested in leaving. Moses, a market man, used to bring watermelons to the market in Richmond before he absconded. Archer, by contrast, was from a neighboring county, well acquainted in Richmond and when he ran away from his master, he was seen on the basin because he was a boatman<sup>19</sup>.

- 13 In the 1830s, fugitive slaves were jailed in Baltimore almost daily<sup>20</sup>. During the early 1840s in Richmond, the city jail held 215 runaways over a period of five years whereas much more were advertised by their owners for the police to look out for<sup>21</sup>. In addition to police and jail records, city and county newspapers in the Upper South ran advertisements in which masters suspected their bondspeople to be hiding out in the cities of the Upper South, in particular Baltimore, Richmond, Petersburg, Norfolk, Annapolis, and Washington, D.C. One of the main differences between Virginia and Maryland regarding presumed fugitives was their handling with them in jail. The General Assembly of Maryland noted in 1824 that « Baltimore county is subjected to great annual expense on account of negroes being committed to the jail of that county, on suspicion of being runaway slaves ». If no owner appeared to claim the fugitive, he or she was to be released<sup>22</sup>. In Virginia, if a suspected runaway could not prove their free status and nobody claimed them as their property, they faced the prospect of being sold<sup>23</sup>.
- 14 Richmond had a police guard and a night watch but control was less tight than in the countryside where black people were constantly arrested or questioned. This was beneficial for those who came into Richmond as illegals but also for those who planned their elopement from the city. Central spots for networking were spread all over the city, enabling free and enslaved African Americans to meet in clandestine ways. The city of Richmond was both a point of departure as well as site of refuge for freedom's seekers. In the case of Baltimore, Barbara Fields claims that it was much easier for fugitives to remain hidden in the city than to escape from it<sup>24</sup>. Its close proximity to the northern states, which had outlawed slavery, and the consequent stronger surveillance of black people leaving the city is one explanation. Nevertheless, many slaves attempted to migrate to the northern states from Baltimore. Many others aimed at staying. A slave-owner knew in 1832 that his bondsman Ben Anderson had « been secreting himself about this city for three months, passing as a free man » but was not able to find him<sup>25</sup>. Some slaves were so determined to emancipate themselves that they intended to pass as free with the most visible marks revealing their slave status. The above mentioned Pompey Jackson had been shot in both legs when looked for as a runaway<sup>26</sup>. Around the turn of

the century, Ralph, born and raised in Richmond, was sold to a new owner in South Carolina but ran back to Richmond and « lay there a considerable time in goal ». Nine or ten years later, « with an iron clog on his leg and some of his four teeth missing », he escaped again and was suspected of passing as a free man in Richmond<sup>27</sup>.

- 15 Masters suspected their escaped bondpeople to still be in the cities of Richmond and Baltimore months or even years after they had left them. Cicily Page's owner searched for her seven years after she had escaped from Williamsburg. Her example is telling with regard to her economic as well as social integration. The mentioning of her being a « first rate seamstress » points to her professional occupation; the assumption that she might have had two children reveals insight into her private life<sup>28</sup>. Some slaves tried to find their freedom in cities repeatedly, whilst others changed their strategies when they failed. Ann Maria Green from Queen Anne's County escaped together with her husband Christopher and son Nathan to Ontario in 1857 via the Underground Railroad. Thirteen years prior she had been jailed as a runaway in Baltimore where Christopher was owned by a merchant who hired him out on the Eastern shore of Maryland (where Ann Maria lived). Ann Maria later stated that she was most brutally exploited by her master and constantly threatened with being sold alongside her son down to Georgia<sup>29</sup>. Newly purchased Hamilton ran away two or three times from Anne Arundel County up to the year 1845, according to his owner Dennis Claude without any reason. As Claude declared in court,

each time the manager was obliged to take the horse and come to Annapolis to hunt for the said negro whom he often found in some House occupied by free negroes. And in other times when the Overseer could not find him Mr. Thomas Jerry has brought the said negro home, the time of the manager as well as that of the Boy I have often lost. The Farm was his home and all kind means was used to prevent his going to Town.

- 16 On another occasion, Hamilton was arrested and placed in Slatters Jail in Baltimore. He was returned to his master, escaped again and was once more sent to Slatters Jail. Claude's petition to sell Hamilton was granted by the court<sup>30</sup>. For some slaveholders like Claude it did not seem to have been a major problem, other than financial, to recover their fugitive slaves. Others never saw them again.
- 17 The composition of the black population was complex. It consisted of enslaved people, hired, self-hired or just employed, legally freed people, their offspring, legally manumitted people who illegally remained in the states, and runaways. Almost all of them provided cheap labor for the increasingly demanding industries and made it nearly impossible for executive authorities to distinguish between them. Although most fugitives tried to pass for free, some passed as hired slaves and claimed to be sent by their owners to procure work. The industrial sites with the highest demand of flexible labor were in Richmond the tobacco and flour factories, as well as the railroad and coal pits outside the city. Tobacco manufacturers began to employ unskilled or semi-skilled black men around 1840, flour mills also employed women and girls. But usually, female fugitives would search for employment as washerwomen, seamstresses, or in private households. Milly, who was « [s]upposed to be in Richmond » where she was hired to work in a private household. She managed to escape before being apprehended and was later said to be employed elsewhere, passing for free<sup>31</sup>. In Baltimore, most unskilled black men worked in the 1850s as day laborers on the docks and wards or on construction sites. Skilled workers could hope to find employment as caulkers (like Frederick Douglass), or as oystermen, seaman, hucksters, and brick-makers. In both cities black men also worked



in service trades such as barbering, cooking, and waiting<sup>32</sup>. The owner of Dick, calling himself Richard Jones, from Prince George's County, placed a \$50 reward for his apprehension in November 1836. He stated that « [t]here is no doubt he has tried to make his way to Baltimore, as he has a mother living in that place free. He formerly lived in Baltimore some two or three years ago ». When Richard had not come home a year later, his master increased the reward to \$200 and added that his slave was « a brick moulder by trade, and I think it is likely he will try to get employment at some of the Yards »<sup>33</sup>. The ad reveals Richard's familiarity with the city of Baltimore, his family ties into freedom, and hints towards his economic integration.

## Conclusions

- 18 The abolition of slavery throughout many parts of the western hemisphere and the dramatic increase of the free black population provided both psychological incentives, as well as the physical preconditions for successful permanent slave flight to cities in the Upper South. Richmond and Baltimore, both growing at an unstoppable pace in the nineteenth century, became beacons of freedom for self-emancipators in the southern states. This study enlarges our understanding of slavery and freedom in the slaveholding Upper South. It seeks to draw an alternative geography of freedom which could take place in the midst of slavery.
- 19 The large numbers of runaways jailed in Baltimore and Richmond make clear that this type of freedom was highly fragile. It also suggests that the number of fugitives who succeeded in making a life in illegality were significantly higher than hitherto assumed. Self-emancipation worked in different ways, in the case shown in a clandestine manner. Fugitive slaves were agents of their own destiny, and their strategy for success was to stay invisible before the eyes of the authorities. Macro developments of the nineteenth century, namely urbanization, the growth of the free black population, the fugitives' own mobility, and the work opportunities in the industrializing Upper South, provided beneficial conditions for networking, physical merging, and economic integration. In all this, the importance of family for fugitive slaves is indisputable.
- 20 It is open to discussion whether the illegal freedom these self-emancipators found in the Upper South could be called true freedom. The clandestine nature of their lives, the oppression they faced on the labor market, the vulnerability they exposed to people who knew about their background, and the constant possibility of detection were daily reminders of their illegal status. Under these considerations, it may be more apt to talk about a lesser degree of unfreedom. However, many of these disadvantages freedom's seekers in southern cities faced were also known to self-emancipators on free soil and other places of formal freedom. Moreover, the lives of free African Americans in the South were restricted in a variety of social, political, and economic aspects. Seemingly, the experiences of free and enslaved black people in the southern states and the throughout North America in the antebellum period displayed striking similarities, as forthcoming studies on their integration processes will show.

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## NOTES

1. As Peter Kolchin claims, resistance by enslaved people predominantly happened in a non-collective way and as open confrontation by individuals or small groups. Peter Kolchin. "Re-evaluating the Antebellum Slave Community: A Comparative Perspective", *Journal of American History* 70:3 (1983), p. 597-599.
2. Jeffrey R. Kerr-Ritchie. *Freedom's Seekers: Essays on Comparative Emancipation* (Baton Rouge: Louisiana State University Press, 2013), p. 54.
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4. John Hope Franklin and Loren Schweninger. *Runaway Slaves: Rebels on the Plantation* (Oxford and London: Oxford University Press, 1999), p. 125-128.
5. Self-purchase remained relatively relevant in Richmond. The city listed more of this type of manumission between 1830 and 1860 than in the 50 years before. Gregg Kimball. *American City, Southern Place: A Cultural History of Antebellum Richmond* (Athens and London: The University of Georgia Press, 2003), p. 131.
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9. Daybook of the Richmond Police Guard, 1834-1844, February 2, 1837, Alderman Library, Special Collections, University of Virginia (thereafter UVA), transcribed by Leni Ashmore Sorensen (PhD dissertation, The College of William & Mary, 1996).

10. Daybook of the Richmond Police Guard, 1834-1844, January 11, 1838, UVA.
11. Damian A. Pargas. "Seeking Freedom in the Midst of Slavery: Fugitive Slaves in the South, 1800-1860", in *Fugitive Slaves and Spaces of Freedom in North America*, Damian A. Pargas (éd), 2018.
12. Frederick Douglass. *Narrative of the Life of Frederick Douglass, an American Slave. Written by Himself* (Boston: Published at the Anti-Slavery Office, 1845), p. 98-99.
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14. *Human Rights: Our Object is Liberty for All: Gained by Moral Power & Regulated by Impartial Laws*, August 1, 1837. Note that this runaway slave ad was taken over by a monthly of the American Anti-Slavery Society, which appeared between 1835 and 1839 in New York.
15. Daybook of the Richmond Police Guard, 1834-1844, April 22, 1839, UVA.
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17. Unreadable newspaper, February ?, 1840.
18. See for instance *Richmond Dispatch*, January 16, 1861; John Thompson. *The Life of John Thompson, a Fugitive Slave; Containing His History of 25 Years in Bondage, and His Providential Escape. Written by Himself* (Worcester: John Thompson, 1856), p. 86.
19. Daybook of the Richmond Police Guard, 1834-1844, August 22, 1837; October 20, 1837, UVA.
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22. General Assembly, Chapter 171, Laws of 1824, in Guide to Government Records, Descriptions of African American Records, MSA, URL: <http://guide.mdsa.net/pages/viewer.aspx?page=afridesec> (accessed January 26, 2017).
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24. Fields. *Middle Ground*, p. 34.
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30. Anne Arundel County Register of Will, Orders and Petitions 1840-51, Dennis Claude, Jr., v. Negro Boy Hamilton, October 29, 1847, 210-211, MSA.
31. *Charleston Courier*, January 4, 1830.
32. Sherry Olsen. *Baltimore: The Building of an American City* (Baltimore: The Johns Hopkins University Press, 1980), p. 120.
33. *Daily National Intelligencer*, November 12, 1835; October, 26 1836.

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## RÉSUMÉS

Contrary to common assumptions that self-emancipation by flight was only possible to regions outside the southern states, this article argues that many slaves actively took and preserved their freedom by hiding amongst free African American populations in urban areas. In the late eighteenth and early nineteenth centuries, free black communities *within* the slaveholding southern states emerged or were bolstered as a result of an increase in manumissions. For many African-American slaves, it was an age of emancipation. Yet for most enslaved people living in the US South it was a period of intensification and expansion of human bondage. The developments of the time provided more slaves with new opportunities to escape slavery by fleeing to free black communities.

The concept of *illegal freedom* will be applied, which stands in contrast to the *legal freedom* that could be obtained on *free soil*. Few scholars have examined the various strategies employed by self-emancipators to remain concealed from the authorities. This article concentrates on runaway slaves in Baltimore and Richmond, two cities which had large African-American populations. The case will be made that enslaved African Americans carved new spaces of freedom within southern cities, with the assistance of free black communities. It will demonstrate that urban centers within the Upper South were important spaces of *illegal freedom* for slave refugees, largely because of their numerous free black populations, and that the two group's experiences were deeply interwoven.

## INDEX

**Index géographique** : Upper South of the United States

**Index chronologique** : 1800-1860

**Mots-clés** : Fugitive slaves, illegal freedom, free blacks, Upper South, networks

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