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1750-1775**

Fatah-Black, K.J.

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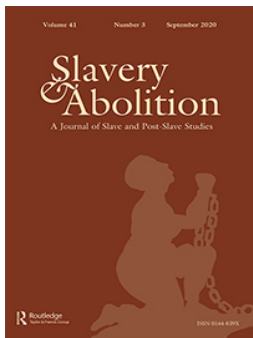
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The use of wills in community formation by former slaves in Suriname, 1750–1775



Karwan Fatah-Black

ABSTRACT

This article investigates how the manumitted in Suriname used wills and testaments to construct their social worlds. Wills enabled the manumitted to transmit their possessions and instructed those who survived them how to care for each other. Historians have made different assessments of the community of freedmen in Suriname, either seeing an anti-slavery solidarity among them or a vicious use of the institution of slavery even with regard to close kin. By closely reading the entire corpus of wills drawn up by manumitted people between 1750 and 1775, this article traces what these people tried to dispose of, how they did so and the effects of their wills.

Slavery and manumission in Suriname

From the mid-eighteenth century, the Dutch colony of Suriname on the Guyana Coast began to develop a free Afro-Surinamese community on the fringes of its only urban centre, Paramaribo.¹ At the time the colony was growing rapidly, fully in step with similar developments in other Caribbean plantation colonies.² The slave trade was driving this expansion and the vast majority of the colony's population was enslaved. The rate of enslavement in the agricultural areas was over 97 percent and, in the urban centre, it was around 60 percent.³ Slavery in Suriname was racialized: those identified as white were in practice precluded from enslavement, while those of African descent were predominantly kept in slavery. Enslavement of indigenous people had persisted since the seventeenth century, albeit on a much smaller scale than African enslavement.⁴ As elsewhere in the slave societies of the American tropics, some individuals were freed from slavery through manumission, but only few of them or their offspring fully integrated in the free white community. Although their numbers were small, over time these freedmen developed a distinct community into the colony.⁵

CONTACT Karwan Fatah-Black  k.j.fatah@hum.leidenuniv.nl  Institute for History, Leiden University, Doelensteeg 16, Leiden 2311 VL, The Netherlands

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The start of this community was very gradual. In this emblematic slave society of the New World, manumission was rare. The annual manumission rate was below 1 per thousand in the mid-eighteenth century.⁶ Under these conditions (an abundance of enslaved labour and low manumission rates), it was difficult initially to form a free Afro-Surinamese community that could sustain itself. Those who were manumitted either integrated seamlessly into the colonial elite or tried to survive on the social and economic margins of society. On those margins they remained close to those who were still enslaved. The population figures very clearly illustrate the slow development of the free Afro-Surinamese community. After a hundred years of slavery in the colony, the number of free people of colour was somewhere between 300 and 600, while the enslaved population stood at around 50,000.⁷ In the following hundred years their number grew and their position in society changed fundamentally. The origins of this growth are most likely to be found in the rapid expansion of the enslaved population itself, increasing the pool of possible people to be manumitted as well as the growth of the city. Since manumission was, as elsewhere mainly an urban affair, the move of plantation owners and administrators to the town will have helped to increase the number of freedmen. Also the release of hundreds of enslaved fighters after their duty in the armed forces will have aided this process. Around 1800 the free people of colour outnumbered the whites and by the time of abolition in 1863, they had grown to a population of about 14,500, while the number of people still in slavery was 36,484.⁸

Ellen Neslo's ground-breaking study of the non-white elite in the colony argues that the rise in the number of free people of colour in the colony was not a function of increasing slaveholder benevolence, but of 'chain manumission' (freedmen working to free others) and mutual assistance on the part of the people of colour in the colony.⁹ Neslo's study of the nineteenth-century non-white elite of Paramaribo has suggested that the free people of colour made great efforts to save money to purchase the freedom of their kin and, in so doing, structurally hollowed out the institution of slavery in the colony. After the end of the slave trade, she argues, manumissions organized by the non-white people of the colony rapidly reduced the number of slaves.

Neslo's analysis of the situation in the nineteenth century is very different from the far more pessimistic analysis by Aviva Ben-Ur of the same community in the eighteenth century. Ben-Ur maintains that the first freedmen in Suriname should not be viewed as a group of caring individuals, but rather that 'capitalistic values' had taken hold amongst the eighteenth-century freedmen. This, according to her, made them viciously exploit the kin whom they held in slavery.¹⁰ Based on her findings in the colonial archive about the free people of colour, Ben-Ur argues that the entire concept of 'slave community' should be questioned as overly romantic and utopian. According to Ben-Ur freedman families were not sites of resistance against the chaos imposed by slavery.

How should we make sense of these two very different analyses of the Suriname community of former slaves and their descendants? One seems fundamentally optimistic about the solidarity among former slaves and their descendants while the other is rather pessimistic about the way that former slaves engaged in slave and close-kin exploitation.¹¹ In *Claims of Kinfolk* Dylan Penningroth has argued that we might have to step out of the dichotomy between the two and see how practices of property and inheritance offer a prism to understand the social ties built by the enslaved and their descendants.¹² How did the manumitted and free-born people of colour come to form a community that was able to thrive, sustain itself and even grow in the context of plantation slavery? The question is not so much whether former slaves were primarily interested in private gain or communal advancement, but rather what practices were developed in the social and institutional context of the colony.

Following from the divergent assessments of community formation among free people of colour in Suriname by Neslo and Ben-Ur and the suggestion by Penningroth to investigate freedmen practices, this article assesses the ways in which freed people attempted to transmit their possessions to the next generation. By studying the wills and testaments of former slaves between 1750 and 1775 it is possible to trace the practices of freedmen who chose to notarize their wills. By examining the wills and testaments of former slaves in the colony of Suriname, we are offered a glimpse of the intentions of those who had been able to free themselves from slavery within colonial society and their strategies regarding the future of their social world. It seems that neither arguing that their actions were permeated by capitalist values nor by a display of communal solidarity captures the ways in which the former slaves organized a space where they could shelter themselves and their offspring from slavery and what they chose to do with their newly-won rights and freedoms.

As in all slave societies, the edges of the categories 'slave' and 'free' as well as 'black' and 'white' were imprecise. This article is primarily concerned with those who were at the time considered to be former slaves. This excludes manumitted people who were fully integrated in the colonial elite and who could pass as free-born or white. Their lives rarely intersected with those who were to form the community of former slaves and their descendants. Those who interest us here are individuals who clearly carried the stigma of slavery and who formed a distinct category of people in the colony. This article is therefore not looking at skin-tone or actual slave descent but, specifically, at those who carried the stigma of slavery.

From the wills we can identify three categories of individuals that were important for the testate. The wills mention the various legatees and what is given to them. Secondly, there is the universal heir who would inherit all that remained of the estate and, thirdly, the testate specified an executor who oversaw that the estate was managed during the process of executing the will. The executor acted as guardian over any dependents and oversaw the execution of the will. Arguably, the witnesses and translators could have been another interesting

category and they often are in wills in Europe. However, judging from the wills of the manumitted in Suriname the witnesses and translators seem to have been recruited by the acting notary and who they were does not provide specific information about the intentions or social world of the testate.

Manumission practices in Suriname

The practice of manumission in Suriname was similar to manumission in many slave societies in plantation America.¹³ The legal framework for manumission regulated both the practice of manumission as well as the rights and obligations of the manumitted. The regulation was first codified in 1733.¹⁴ The juridical inspiration for the manumission regulation and subsequent versions were the laws regarding manumission in Ancient Rome. In the Atlantic domains under Dutch sovereignty, the laws of Holland were amended by Roman law in places where Dutch law did not suffice.¹⁵ For land rights feudal laws were used. The Roman-Dutch law could be further specified and extended by local by-laws, which were made by local governors and their advisory council and which had to be approved by a higher authority in the Dutch Republic. Depending on the legal structure of the colony, this higher authority was either one of the provincial states, the States General or a charter holder, who in turn answered to the States General.¹⁶

In Suriname the first local regulation regarding manumission was made in 1670 when it was proclaimed that freed people were required to have a work contract.¹⁷ The act of manumission itself did not need any approval from the local court and no other obligations were imposed on owners or freedmen. This changed in 1733 when the Governing Council, a body chaired by the governor and composed of the military commander and a number of locally nominated Protestant landowners, issued a regulation for manumission.¹⁸ The manumission regulation in the colony closely followed the Roman example. The Governing Council of Suriname increased its hold over the manumission process mainly to curb the increase in the number of manumitted in the colony and in an effort to raise local taxes. The regulations required that the manumitting owner guarantee that their former property would not become dependent on poor relief and would be trained in a recognized faith. From the freedmen it was demanded that they would never disrespect their former owner and their owners' children (this was later extended to include all whites), would aid their owner if they fell on hard times, and that they were precluded from marrying with slaves (this would later be extended to having children with slaves).¹⁹ It is striking that out of the nine articles in the manumission regulations, two were directly concerned with their inheritance. Article 7 stipulated that inheritance was structured by the *aasdomsregt* (inheritance through bloodlines in direct lines of succession) and article 9 stipulated that the manumitted who died without children should leave a quarter of their inheritance

to their former owner or their former owner's children.²⁰ Both articles emphasized the importance of children and blood relations over other ties, such as friendship, shared history or communal solidarity.

The figures for the number of people who were manumitted do not go further back than 1760. The low manumission rate in Suriname was not evenly distributed among the slaves in the colony. Manumission as elsewhere was predominantly an urban affair and in her extensive study of manumission in Suriname, Rosemary Brana-Shute found that lighter skinned women were more likely to be manumitted than others. Of the Surinamese manumissions studied by Brana-Shute for the period between 1760 and 1828, 63 percent were female.²¹ In terms of the racial classifications of the manumitted, it appears that 40 percent were black, while most (54 percent) were classified as mulatto.²² Regarding age, most of the manumitted were either children or young adults; only rarely were elderly slaves manumitted. We know very little about the reasons why the enslaved people in Suriname were manumitted, although the most common reason given by the owners was that they wished to 'reward' someone for their trustworthy service. The second and likely under-reported reason for manumission was slaves' self-purchase. Self-purchase is often linked to the ability to operate in the informal urban economy. Interesting in this regard is that of the 89 cases of self-purchase that were found, 58 were women.²³ An important way for men to gain manumission was through serving in the military. In the last quarter of the eighteenth century, men were freed after they had served as soldiers in the Korps Zwarte Jagers which served to suppress slave revolts and maroons.²⁴ Those who were able to live by themselves had the right to request a plot of land and the Surinamese government allotted plots of land outside the old city centre: this area was referred to as *De Vrije Kolonie* (the free colony) or *Frimangron* (free man's land).²⁵

What names reveal about status

The landowning elite in Suriname were in a uniquely powerful position to shape the colony to their liking. Different from other Dutch Atlantic domains where the Dutch West-India Company determined the composition of the local governing council, the landowners in Suriname had an active say in the development of local laws as well as in the legal practice in the colony. This powerful position had developed during the English Civil War when, after the death of a governor, the colonists in the then English colony reverted to self-rule. Until 1819 all subsequent metropolitan sovereigns remained unable or unwilling to assert full dominance over the way in which the governing council was composed. The plantocrats not only had the power to make laws and enforce them, but they were also well-positioned to make exceptions to them if they were so inclined. This was important for the manumission practices in the colony. Substantial leeway for the plantocracy offered them the option of

exempting specific manumitted individuals from the strictures that were ordinarily placed on this group of people. There was a difference in the treatment of some manumitted individuals by changing their racial categorization, hiding their former slave status or their slave-descent. This was quite clearly the result of slave-owners aiding some of their children in building up a prosperous and protected life. By passing their children off as freeborn, the slave-holding elite lifted a heavy burden from the shoulders of their children and, as this article will show, some freed people seem to have been able to do the same.

Distinctions between freeborn and freed people were manifold and were both formal and informal in nature. The secretaries of the colony attributed formal titles to people, which revealed their perception of the racial and class status of the people they dealt with. Adult white men invariably received the honorary title of *heer* (mister) when they were mentioned in official documents and correspondents. For white women three different titles were used: they were either *meijuffrouw*, when unmarried, *vrouw* when married or *weduwe* when widowed. Those who still carried a stigma of slavery were always identified as having been freed by having their name be preceded by the title 'De Vrije' (the free) or having it follow their name as if it was their last name. Generally, freedmen did not have a last name but were identified as still related to their former owner by the curious appendage *van* (of) followed by their former owner's last name. While this might not be a surprising practice in a society based on racialized slavery, the variations in how people were named provide evidence of which manumitted people were either socially close to or at a distance from the plantocracy.

The question of one's name and social status is relevant for assessing how we should read their wills and testaments. Not all former slaves carried the stigma of enslavement. The choice of words used to describe a testator can suggest if they were regarded as belonging to the beginnings of the free community of slave descendants or if they were integrated into the local elite. Some of them were given proper last names are referred to as *heer*, *meijuffrouw*, *mevrouw*. This difference signified a very important distinction between the two categories of former slaves: on the one hand, there were those who were regarded as if they were freeborn and, on the other hand, those who still carried the stigma of slavery. The Lutheran slave-owner Johann Knöffel made sure that his two slave-born daughters would not carry the stigma of slavery: they were provided with property, income and education as well as with an inconspicuous last name (Figure 1).²⁶

A most striking exception to the naming practices is what happened to the children of Nanoe, who at one time had been the concubine of Jan van Susteren. None of Nanoe's children, neither the two fathered by Van Susteren while Nanoe was still enslaved by him, nor those children who were born from a slave father during Nanoe's enslavement, nor those who were born after Nanoe was manumitted, carried the stigma of slavery in their name. Nanoe's daughters appear in the archive without a reference to their former enslavement. Maria, who was born in slavery was referred to as *weduwe* Bossé or as *mevrouw*

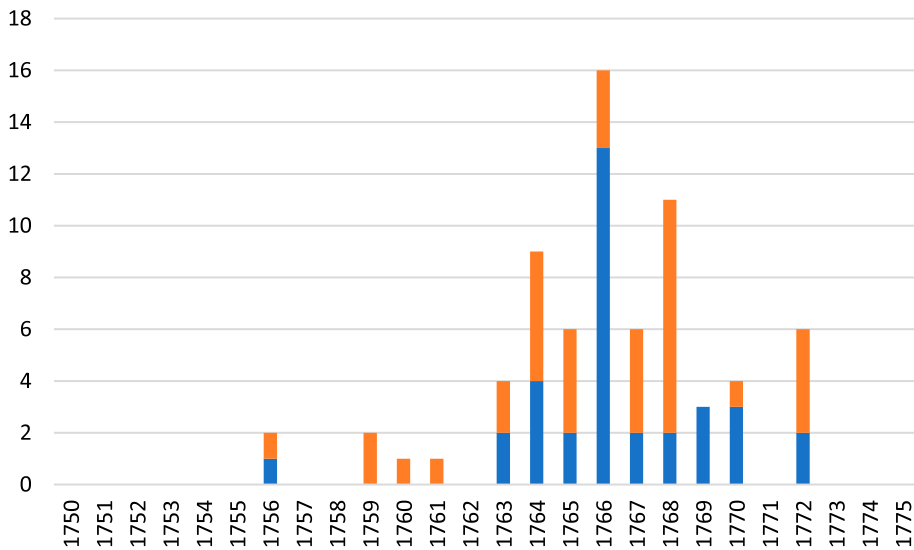


Figure 1. Last-wills drawn up by people identified as former slaves in the notarial archive of Suriname, 1750–1775. Source: NL-HaNA, Notarissen Suriname tot 1828, entry 1.05.11.14, inv.nr. 27 to 40.

Maria Jansz. Catharina, who was born in slavery from a slave father appears in the archive as *meijuffrouw* Catharina Opperman. Nannette, who was free-born from a black father is referred to as *mevrouw* Nannette Samson. None of them carried the stigma of slavery in their name, although the stigma of slavery was very prominent for many others among the manumitted. These were exceptions to the rule that the stigma of slavery determined many aspects of the lives of the manumitted, especially in their interactions with state institutions.

It is difficult to get a glimpse of the naming practices among the manumitted, although some information might be gathered by looking at how their freeborn descendants were named and named themselves. The generation that was born free was relieved from the stigma, and their names are indistinguishable from other free born people without a recent history of enslaved women in their lineage. De Vrije negerin Bettie, daughter of De Vrije Philida had two children named Johanna Henrietta George and Jan Frederik Bodin, neither of whom carried the stigma of slavery in their name.²⁷ Also those born in slavery could sometimes successfully hide their former slave status. Carel Imbert was legally indistinguishable from his free-born peers, despite having been born while his mother, the later manumitted *vrije mulatin* Aaltie, was still enslaved.²⁸ Aaltie called her son *heer* Carel Imbert, a long way removed from her own stigmatization as *vrije mulatin*.²⁹ It might have been that this was not her doing, but the result of the intervention by the boy's father Anthony Imbert.³⁰ The naming practices of freedmen clearly display attempts at shedding the stigma of slavery. Freedman Cornelis van Maarsen gave his sons Johannes Josephus and

Nicodemus the name Van Maarsen before they had been freed.³¹ The same was done by the freedman Willem Hendrik Nawig who mentioned his two daughters in his will, referring to them as Aurora Nawig and Susanna Nawig, as if they were freeborn women, although they were still his slaves. Their release from slavery was conditional: they were obliged to care for their mother if they wanted to enjoy their freedom. Despite this, in naming them, Nawig carefully tried to diminish the ways in which they would be stigmatized by their slave past.

Manumission did not mean a full end to the forced relationship of the former slave with the (former) owner and neither did it end the stigma of slavery. If anything, the legal system in the colony institutionalized this stigma and made it heritable depending on how race and social position intersected. The heritable stigma of slavery existed in everyday practice even if the legal system did not discriminate between freeborn people of slave descent and those who had no New World enslavement in their lineage. Whether the stigma of slavery was inherited not only depended on their personal or familial history of enslavement, but also was heavily dependent on class. Freed people or people of slave descent who were close to the colonial elite could easily 'pass as white' and the legal strictures placed on manumitted could be lifted for these people. This has created a distinction in the written record between those who are easily identifiable as former slaves and those who were manumitted, but did not carry this stigma.

Adapting to Dutch practices

Despite the distinctions between the freeborn and the manumitted in the colony, the formal protection of their property rights clearly distinguished both categories from those who were enslaved. Although the enslaved had some *de facto* property rights, *de jure* their rights were not protected by the law. Personal belongings of the enslaved were of unclear status: these ranged from clothing, tools, works of art, religious objects, furniture, animals, and decorations. These will have found a way to a survivor, be discarded, or possibly buried alongside the deceased. What happened regarding the care for surviving dependents or plots of land that the deceased tended is unclear. Belongings that circulated among the enslaved remained out of view of the plantation managers and owners, although some of them took an active role as executors or arbiters during disputes. Surinamese maroons had various practices which mostly came down to distributing possessions among a wider group of relatives. While owners thought that the enslaved practiced primogeniture, this was not the case, as goods and responsibilities were distributed among a wider group of people.³² The case of Suriname remains understudied, but the practices of the free people might shed some light on this, since the boundaries between slave and free were rather porous. However, a word of caution is necessary, since it is not possible to deduce from the practices of urban freed people how this happened among the enslaved on the plantations.

The wills show that the former slaves not only preferred to have their wills preserved in an official document, but also that they tried to further ensure proper execution of the wills by having someone of a higher social status act as executor. The choice of executor reveals the importance that racial and other social hierarchies continued to play in the lives of the manumitted and in their community. As was noted by Vincent Brown in his study of Jamaica, the enslaved and free descendants preferred to have someone of higher social status to act as executor.³³ It is interesting that there were several free women of stature who were asked to be executors, while the relationship between them and the manumitted was not at all clear.³⁴ It stands to reason that the manumitted expected that prominent freeborn men and women would be in a better position and perhaps more able to look after official business such as executing a will. What is somewhat remarkable, given the importance that seems to be attached to social position in selecting the executor, is that the former owner is rarely elected for this function.

Those who were freed and decided to make a will found themselves having to deal with Dutch colonial practices. The age from which wills could be made was 14 for men and 12 for women.³⁵ Sworn clerks acting as notaries in Suriname relied on legal training from the Netherlands. They most likely drew up the wills with the help of an 'example book' which offered a discussion of the merits of the profession and templates for notarial acts.³⁶ This book contains the standardized wills which could be adapted to the specific circumstances, whether one wanted a closed or open will or one which combined multiple testates.³⁷ The former slaves of Suriname were most likely unfamiliar with the figure of the notary, as were most people who did not deal with real estate or engage in trading activities. At the same time, it is likely that the enslaved and manumitted were very well aware of his existence and the scope of his services. Fifteen percent of all manumissions took place through the will of the owner, and those former slaves will therefore have known about the powerful instrument of the will from their own experience.³⁸

Regarding inheritance law, the colony followed the laws of the Dutch province of Holland. The manumission regulation of 1733 further emphasized that this was also the case for the manumitted. This *aasdomsregt* meant that all inheritance would devolve to the heirs in direct lines of succession from parents to children. If there were no children, the brothers and sisters inherited in equal portions regardless of age or sex.³⁹ This all rested on the premise that children were born from officially recognized marriages, both the children of the testate as well as the brothers and sisters of the testate. For the free Afro-Surinamese, both manumitted and freeborn, this meant that inheritance law was virtually meaningless. Very few people were officially married, even if it was common for people to have life-long relationships.⁴⁰ It was also common for freedmen to have successive monogamous relationships or for men to have multiple simultaneous ones. Polyandry seems to have been less common and only

practiced in secret. To complicate the picture, intimate friendships among 'mates' of the same sex or friends could be more important or as important as blood-ties.⁴¹

Enforcing kinship structures

Slave owners played an important role in shaping the relationships of the slaves in the city. The study of creole family systems by Willem Buschkens found that the urban slaves of Paramaribo were married off by their owners in an informal fashion. Owners preferably 'married' them to one of their own slaves, but since household slave ownership was mostly on a smaller scale than plantation slave ownership, the owners would informally marry their slaves to those of another household. This would result in a visiting relationship in which male slaves were allowed to visit their wives in the evenings or on Sundays. Some men, mostly the somewhat independent artisans, would have multiple wives in town.⁴² Once freed from the interventions of the owner, former slaves would develop new ways to shape their relationships.

The freed or freeborn people of colour in Paramaribo were familiar with the 'Suriname marriage' that many of the white plantation directors and administrators practiced. This informal marriage required the man to request permission from the mother of the prospective wife and offer a dowry of sorts.⁴³ The women, even if the marriage was not recognized by the state, did amass possessions from their husband or through their own work outside the house. Given these circumstances, it is only logical that these men and especially women sought ways to transmit their possessions to their friends and family. For enslaved women, a legal tie bound them to their children, as they were all owned by the same owner. Slave owners were, through the *partus sequitur ventrem*, the owners of the children and it was illegal to sell children separately from their mother, a law that was strictly enforced. Since the law did not stipulate the age from which children could be sold without their mother, there was effectively no internal slave trade of Suriname-born slaves.

From 1828 motherhood was noted in the slave registers. Before that time, the wills and testaments might be the only documents providing evidence of such relationships. De vrije Fortuna van Pardo mentions in her will her sister Bettienja, and Bettienja's daughters Anatie and Emanuel and Fortuna's son Maurits.⁴⁴ It was quite common for wills not to note more than the legally required clauses and a list of names of the children.⁴⁵ Given this lack of judicial definition of their relationships, freed people could not depend on inheritance law to adequately distribute their goods among those whom they saw as their kin. The wills might have been a way to notarize kin-relations, since inheritance law was of little help once they were freed. The law did not recognize the relationships and unions that were meaningful in their lives, but making a will ensured that their relationships were recognized at an important moment.

For de vrije Hannover it was important to explicitly mention his brother Jochem and sister Galathea as his heirs.⁴⁶ De vrije Savumijn made his mother, de vrije Angelica, his universal heir and gave his carpenter tools to his brother Coffy.⁴⁷ We cannot know if these people would have been biological parents, brothers or sisters, although there is no concrete evidence to doubt their and the notary's use of these terms when drawing up their wills. The drawing up of a will and testament solved the problem of having unrecognized kinship ties for them and in cases where they had adopted children. De vrije Nebie made mention of her adopted son Louis, a former slave of Paul Wentworth, to whom she bequeathed f20,-.⁴⁸ The instrument of the will also made it possible to concentrate the different roles of heir and executor in one person, as was done by de vrije Davius who made his sister Bettie his universal heir, executor and guardian of his children.⁴⁹ It was very unusual for testates to distinguish between their children based on their gender.⁵⁰

Free and enslaved legatees

The wills are all structured similarly, following the Dutch example books. After the standard provision regarding a small donation to the poor funds of one or more religious denominations, the wills generally mention other legatees. Some testates add themselves to the list of legatees in that they provide themselves with a good funeral.⁵¹ After that the list of legatees continues, followed by an indication of who would be the universal heir, appointing an executor and closing with a statement of the truthfulness of the will and in most cases a few lines indicating that the will was faithfully read out loud and translated to *negerengels* (literally 'Negro English', a creole language today known as Sranan Tongo).

The acting notaries were required by law to ask the testate if they wished to donate anything to the church, which might be the reason why this was almost universally done. The legatees invariably included the poor of the local Dutch Reformed Church. In some cases the poor fund of the Lutherans or the Jewish community were legatees. Only in three of the wills was the church not a legatee: in those cases, the testate left a sum to the poor in general and did not specify the religious denomination of the fund. The second legatee that appears in many of the wills is the former master. After those first two common legatees, the picture becomes more diffuse. Siblings, children, cousins and nephews or simply friends were mentioned in the wills. The testates do not seem to have felt obliged to always leave something specific to any particular category of kin.

In the wills of the manumitted, slaves stand out as an interesting category of legatees. The kinship ties of the manumitted were not limited to other freed men and women. The lack of protection for property rights of the enslaved did not stop the manumitted leaving something to them. As the testaments show, they regularly chose enslaved people as their legatees. The bonds that tied the testate to the enslaved legatees could be of various kinds. A man named

Chocolaat specifically left something to children owned by his former owner. The will states that these are the children of a slave named Princess and it is likely that Chocolaat regarded himself as the father of the two.⁵² Through the testaments of the manumitted, slaves could be the recipients of sometimes considerable sums of money. De vrije Mariana gave f 100,- to Maningo, a woman owned by Jan Du Perou and f 25,- to two children (not Maningo's daughters) owned by that same man.⁵³ Jupiter Hanibal gave f 100,- to two slaves owned by his sister Catharina Opperman.⁵⁴ Such sums were not enough for the recipients to buy themselves out of slavery, but they were certainly a way to ease their condition. Sambo de Vrije hoped his children would one day be free, but until that day came he gave the profits from his estate to his children who were still in slavery. While these children could not have been recognized as his children – they were by definition born outside wedlock – they were in his will as recipients of his estates' profits for 'the duration that they are under the joke of slavery'.⁵⁵ Sambo expresses the hope that he will free them before his death, and regardless of how or when they would be free, they would become his universal heirs.⁵⁶

Receiving cash was obviously very welcome for anyone living in slavery, but testates were also keen on distributing objects that had meaning, especially if they were not in a position to distribute land. Margo, who was designated a 'negerin', left all her clothes to the slave Dora and her children, who were all owned by Jan du Perou.⁵⁷ There was no strict distinction between those who would receive cash and those who received movable objects. Hazart de Vrije left all his furniture, clothes, bed and other things of daily use to the enslaved woman Patres who was owned by Salomon Lijnslager. If Patres died before Hazart, all those belongings should go to the three children he had with Patres. These children were already in the will to receive a sum of f 100,- and it seems likely that Hazart, Patres and the children lived together despite the enslavement of half the family.⁵⁸ It was common to give property as well as land to slaves who were set to be manumitted through the terms of the will.

Some of those who were able to attain freedom employed their newly-won rights to aid those who were still enslaved. Their kinship ties ran across the free-slave divide and through their efforts, they tried to pull those close to them towards freedom. Family ties often breached the bonds of slavery for the manumitted who had acquired the right to draw up a will. In her extensive will, Bettie asks her sisters Seraphina de Vrije, Phenesie de Vrije, the enslaved Affiba of Dahlberg, the enslaved Premiere of Willem Bedloo and the enslaved Bettie of Bleij to choose something as a memento from among her clothes and jewellery.⁵⁹

For the enslaved, freedom meant the ability to settle on a plot of land and in a house that they could call their own. Almost all of those who were included in the will of Christina de Vrije were enslaved. The only exceptions were the church, her nephew Frederick Meijer and a sister named Thina. The slaves mentioned in her will were her three house slaves and her eight enslaved kin. The kin

were all made universal heirs to her estate. With the freed Frederik Meijer, there were nine universal heirs in total, all receiving an equal share in the estate. Christina also made several specific provisions: she bestowed furniture, a settee and a bed to her sister Thina, and her sister Brandina and nephew Frederick were allowed to continue living in her house.

Christina did not neglect to help her own slaves as well. House-slave Eva and her daughters Betsy and Amimba were to be manumitted and received the right to continue to live in the 'small negro house besides the kitchen'.⁶⁰ They also received valuables from Christina. Eva's daughter Betsy was given a string of golden pearls and its golden lock, a golden 'millwheel to place behind the neck', a golden necklace, red coral earrings and two chits skirts. Amimba received a gold chain, a pair of gold coral earrings and two chits skirts. The will is clearly an attempt to help her house slaves and to do the same for her extended family, all of whom were still enslaved. Christina manumitted her own slaves, but did not ask the executor of her will to purchase her kin from Van Akeren probably because of the lack of funds. She was most likely caught between manumitting her own slaves and using her funds to acquire her kin.⁶¹

Less than a month later, the aforementioned Hazart de Vrije attempted to do something very similar. He left his movables to Patres, or his three children if she would die before him. Their names, Welkom, Chocolaat and Santje are typical slave names given by owners. Despite the owner's hold over their lives, Hazart sought to help them along during their lives in slavery, even if he was unable to free them.⁶²

Being a former slave and helping not only kin but also one's slaves to find ways out of slavery did not mean opposition to slavery as an institution. Caatie van Wijnen made sure that several people received her possessions: first her two sisters but also two of her slaves, who not only received their freedom but also a sum of money or land. Having freed her own slaves, including a girl named Truij, she instructed her sisters to purchase a slave girl from the first slave ship arriving in the colony. This girl was to be given to Johanna Anthonie Schuster, a woman who also inherited her buildings. Instead of giving Truij to Schuster, another girl had to be purchased.⁶³ In the lists of people chosen as legatees, we find more freed people than slaves. From the wills we see that the manumitted could have different reasons to leave possessions to slaves. It is clear that testates did not draw a strict line between enslaved and free kin in dividing up the inheritance, and some even made slaves their universal heir. As the example of Christina de Vrije showed, out of her nine universal heirs only one was free, while all the others were still enslaved.⁶⁴

The universal heir

The most important person or persons in the will were the universal heir(s), as they received what was left of the estate of the deceased.⁶⁵ The universal heirs of

the estates were mostly the children of the testate, while husbands and wives were rarely chosen as universal heirs. The small number of marriage partners selected as universal heirs might be related to the limited number of legal marriages in the community.⁶⁶ The informality of durable monogamous relationships makes the husbands and wives a small group among the universal heirs. The wills, however, functioned as a marriage contract of sorts. Through giving their belongings to a specific person, they were able to transmit their possessions to a living partner and to the children they might have had together. De vrije neger Cadrille van Du Faj made the freed woman Constantie and her children Sabana and Premier the universal heirs. This provision, which was the only one in this will besides the donation to the church and the appointing of an executor, had the same effect on the way in which Constantie would inherit Cadrille's possessions after his death as if the two had been married.⁶⁷

That people were elected as universal heirs did not mean that this was unconditional. De vrije Diana van Copenau demanded that the universal heirs could only claim the estate 'on condition that the real estate will never be sold, but for ever be in the possession of her heirs'.⁶⁸ Diana's will is one of the few that makes an explicit distinction between matrilineal grandchildren and the others. While all grandchildren were made universal heirs of her estate, those on her daughter's side each received a bed and a cushion.⁶⁹ De vrije mulatin Mariana left her estate to Esther da Costa on condition that any goods she did not want should not be sold, but given to de vrije mulatin Amaatje, daughter of Mariana Moron.⁷⁰ Avantuur required that his wife would give part of the estate to the children before becoming the universal heir. To safeguard the execution of this condition he split the responsibility for the execution of the will between the white man C.F. Geerken and his wife Sara.⁷¹ The freedman Frederik Meijer made de vrije negerin Christina his universal heir on the condition that she would ensure the liberation of his mother.⁷² The various conditions mostly stemmed from the fear of the testate that the other dependents would not be cared for once a universal heir was declared.

Bequeathing service and servants

Those who drew up their wills were concerned about the care for their loved ones and kin. The executors were selected for the role they could play as guardians over minors; in some cases, houses and land were provided to ensure a space to live. Testates could do more than that and in many cases inheritances came with the precondition that the recipient should care for someone. They could also order slaves to care for kin, either by making it a condition for their manumission or simply by giving a slave to kin. The testates were often very specific about which slave should go to whom. Jupiter Hanibal gave a slave named Fortuyn to his sister Cato, while he also made Cato one of the universal heirs. In a way, giving Fortuyn to Cato was superfluous since Cato was the

universal heir, but Jupiter was clearly insistent on where Fortuyn should go.⁷³ Diana de Vrije specifically bequeathed an enslaved girl named Maria to her universal heir, the freedman Mattheus.⁷⁴ Claas Mingo bequeathed a young girl named Adjoeba to his housekeeper Louisa, but did not make Louisa his heir.⁷⁵ Overall the number of slaves that were specifically distributed in a will was limited and individuals rarely received more than one. The exception was the free Jasmijn, a man who gave his wife two slaves; his daughter Adjuba received four and his mother Angelica would receive a slave named November and the girl Catreijntje.⁷⁶

Judging by the way in which specific slaves were given by the manumitted, it seems plausible that these were bestowed on the legatees with the duty to care for them. Children were the most common servants given by the manumitted. Bettie made provisions for her daughter Johann Henrietta George to receive the enslaved girl Lucretia, with the request to release her once she reached adulthood. Her son, Jan Frederik Bodin received the enslaved girl Affiba.⁷⁷ The arrangements for care were not always organized by giving the recipient possession of the slave. Charleston gave the freed Truije van de Societeit the 'use' of an enslaved girl named Marie, but after Truije's death, Marie would remain the property of Charleston's heirs.⁷⁸ Marianna ordered a slave to care for two children she had had with her owner, and after the two had reached adulthood, the slave should return to the estate.⁷⁹

White men and women were often the recipients of the slaves that the manumitted elected to pass on. Saraphina de Vrije gave her slave Elisabeth to her former owner and an enslaved boy named Christoffel to another white man named David Cellier. This second white man was also her universal heir, executor and likely the father of her children.⁸⁰ These arrangements might now strike us as unkind, but should also be seen in the context of who and what they were aiming to protect. As was mentioned before, Caatie van Wijnen ordered the executor to purchase 'a small black girl' from the first slave ship that would come to port and give her to a white woman. Meanwhile, Caatie freed her own slaves through her will, saving them from a further life in slavery.⁸¹ She provided her former slave Fortuyn with f 100,- and the other, a woman named Truij a plot of land adjacent to the estate of Caatie.⁸² The freedmen's use of slavery was not simply the permeation of capitalistic values among the formerly enslaved, but was one of the options when trying to protect kin or other dependents.

Conclusion: Between available instruments and cultural practices

The wills and testaments were a powerful instrument in the hands of the manumitted in Suriname, regardless of social standing. Using the wills the manumitted could affect the future of their kin. Using the Dutch example books and *aasdomsregt* changed the culture of the manumitted in Suriname and,

with it, the foundation of the free community in Paramaribo. The flexibility offered by the instrument made it possible to make a range of choices, while the context of slavery and the central role of the former owner was preserved.

Echoing the international debate on the socio-cultural impact of mass deportation from Africa and slavery on descendants of slaves in the Americas, Dutch historians have discussed the characteristics of the manumitted community in Suriname. Neslo argued that communal solidarity was strong and was the driving force behind the growth of the community from the late eighteenth century onwards. Through inter-generational manumission strategies, the community was able to 'hollow out' the institution of slavery. Ben-Ur, on the other hand, was more sceptical: she showed that the former slaves were occasionally not only viciously exploiting their slaves but also their enslaved kin.

Studying the wills drawn up by the manumitted in the third quarter of the eighteenth century, it becomes clear that the wills of the manumitted in Suriname were not free from the callous behaviour highlighted by Ben-Ur. However, they also displayed the generosity that Neslo noticed in the nineteenth century. The systematic reading of the wills makes it possible to be more specific about who were the victims and beneficiaries of exploitative actions. Ben-Ur's examples of kin using kin were the exceptions in a voluminous body of sources. While kinship solidarity was not always the basis for protecting people from hardship, the systematic analysis of the way in which freedmen used the wills and testaments in the years between 1750 and 1775 shows the importance of kinship and how kin ownership was benevolent rather than calculatingly capitalistic. Siblings and children were of central concern to testates, and testates went to great lengths to provide for them after death. Of course, the testaments only mention the siblings and children that the testates decided to include, but they do not show many instances of the type of behaviour towards kin that Ben-Ur encountered. Whether kinship ties were part of the mechanism of exploitation (as when households were a source of unpaid labour) or if they instead structured the paths moving away from extremely precarious and exploitative situations, the answer seems to be the latter. Based on the analysis of the wills and testaments of those identified as former bondsmen in the notarial record, we can say that the institution of property rights and the instrument of the will was used to further the material condition of kin, who together managed over time to form a thriving free community on the edges of elite, white Paramaribo.

Notes

1. Wim Hoogbergen and Okke ten Hove, 'De vrije gekleurde en zwarte bevolking van Paramaribo, 1762–1863', *OSO. Tijdschrift voor Surinaamse taalkunde, letterkunde en geschiedenis* 20, no. 2 (2001): 306–20; Rosemarijn Hoeft and Jean Jacques Vrij,

- 'Free Black and Coloured Women in Early-Nineteenth-Century Paramaribo, Suriname', in *Beyond Bondage: Free Women of Colour in the Americas*, ed. David Barry Gaspar and Darlene Clark Hine (Urbana / Chicago: University of Illinois Press, 2004), 145–64; Karwan Fatah-Black, *Eigendomsstrijd: de geschiedenis van slavernij en emancipatie in Suriname* (Amsterdam: Ambo|Anthos, 2018), 17–20.
2. Alex van Stipriaan, *Surinaams contrast: roofofbouw en overleven in een Caraïbische plantagekolonie, 1750–1863* (Leiden: KITLV Uitgeverij, 1993), 33.
 3. Stipriaan, *Surinaams contrast*, 311, 314.
 4. Karwan Fatah-Black, *White Lies and Black Markets: Evading Metropolitan Authority in Colonial Suriname, 1650–1800*. Atlantic World: Europe, Africa and the Americas, volume 31 (Leiden: Brill, 2015), 158.
 5. Throughout the article I will use the term freedmen for both men and women who were manumitted. The majority of those who were manumitted were identified as women. I have reproduced the names of the manumitted in the archive as they appeared there, including reference to their status as freedmen and racial classification.
 6. Rosemary Brana-Shute, 'Approaching Freedom: The Manumission of Slaves in Suriname, 1760–1828', *Slavery & Abolition* 10, no. 3 (1989): 44. <https://doi.org/10.1080/01440398908574991>.
 7. Rosemary Brana-Shute, 'The Manumission of Slaves in Suriname, 1760–1828' (PhD thesis, University of Florida, 1985), 99; Stipriaan, *Surinaams contrast*, 311, 314.
 8. Ellen Neslo, 'Een ongekende elite: de opkomst van een gekleurde elite in koloniaal Suriname 1800–1863' (PhD thesis, University of Utrecht, 2016), 43; Stipriaan, *Surinaams contrast*, 311.
 9. Neslo, 'Een ongekende elite'.
 10. Aviva Ben-Ur, 'Relative Property: Close-Kin Ownership in American Slave Societies', *New West Indian Guide / Nieuwe West-Indische Gids* 89, no. 1–2 (2015): 1–29. <https://doi.org/10.1163/22134360-08901053>.
 11. The difference in the two approaches to the Suriname free people of colour relate to a debate that has been ongoing in the study of slavery. What effect did the introduction of the concepts and institutions protecting private property have on people who had known communal property in Africa and later were deprived of formally protected property rights during enslavement? And subsequently, was private property really embraced by former slave communities as part of acculturation in the America's or did practices of communal property continue – with either positive or negative outcomes.
 12. Dylan C. Penningroth, *The Claims of Kinfolk African American Property and Community in the Nineteenth-Century South*. John Hope Franklin Series in African American History and Culture (Chapel Hill: University of North Carolina Press, 2003), 7–11.
 13. Robin Blackburn, 'Introduction', in *Paths to Freedom: Manumission in the Atlantic World* (Columbia, SC: University of South Carolina Press, 2009), 1–13.
 14. Brana-Shute, 'The Manumission of Slaves in Suriname, 1760–1828', 106–8.
 15. Jacob A. Schiltkamp, 'Legislation, Government, Jurisprudence, and Law in the Dutch West Indian Colonies: The Order of Government of 1629', *Pro Memorie. Bijdragen Tot de Rechtsgeschiedenis Der Nederlanden* 5, no. 4 (2003): 320–34.
 16. Schiltkamp, 'Legislation, Government, Jurisprudence'.
 17. J.A. Schiltkamp and J. Th. de Smidt, eds., *West Indisch Plakaatboek: Plakaten, Ordonnantien en andere wetten, uitgevaardigd in Suriname, 1667–1816* (Amsterdam: Emmering, 1973), 56.
 18. Schiltkamp and Smidt, *West Indisch Plakaatboek*, 411.

19. Ibid., 411–12.
20. Ibid., 411–12.
21. Brana-Shute, 'The Manumission of Slaves in Suriname, 1760–1828', 192.
22. Ibid., 181.
23. Ibid., 187.
24. Jean Jacques Vrij, 'Wapenvolk in een wingewest: de slavenkolonie Suriname, 1667–1799', in *Geweld in de West: een militaire geschiedenis van de Nederlandse Atlantische wereld, 1600–1800*, ed. Victor Enthoven, Henk den Heijer, and Han Jordaan, Carib-bean Series (Leiden / Boston: Brill, 2013), 45–75. http://booksandjournals.brillonline.com/content/books/b9789004257184_004.
25. Fatah-Black, *Eigendomsstrijd*, 101–18.
26. NL-HaNA, 'Testament van Johann Friedrich Knöffel, 1760', Notarissen Suriname tot 1828, 1.05.11.14 inv.nr. 30, fo. 97, scan 119–127.
27. NL-HaNA, 1.05.11.14, inv.nr. 39, folio 371, scan 521.
28. NL-HaNA, 1.05.11.14, inv.nr. 40, folio 342, scan 349.
29. NL-HaNA, 1.05.11.14, inv.nr. 40, folio 341, scan 349.
30. NL-HaNA, 1.05.11.14, inv.nr. 40, folio 345, scan 353.
31. NL-HaNA, 1.05.11.15, inv.nr. 35, 448, scan 557.
32. Vincent Brown, *The Reaper's Garden: Death and Power in the World of Atlantic Slavery*, 2010, 114–28.
33. Brown, *The Reaper's Garden*, 124.
34. Elisabeth Buijs appears in different roles in the testaments of freedmen. Historians have been arguing over the question if Buijs was really white, which ironically have made them more obsessed with the 'purity' of the lineage of this woman than contemporaries apparently were. A similar case is that of Anna Maria Buttner-Papot, a Suriname-born social climber who appears as universal heir and executor of Francisco and her husband, Daniel Buttner as executor of a free woman named Diana.
35. Schiltkamp and Smidt, *WIP*, 29–30.
36. J.A. Schiltkamp, *De geschiedenis van het notariaat in het octrooigebied van de West-Indische Compagnie: voor Suriname en de Nederlandse Antillen tot het jaar 1964* (Amsterdam, 1964), 52.
37. *Redenerende practycq, over 't oeffenen van 't notaris ampt: Vervattende ... beknopte formulieren van uitgevoerde notariale actens ... dienende tot luister en sieraat van de notariale practycq. Zynde een vervolg op 't Redenerend vertoog over 't notaris ampt ... Verdeeld in twee deelen* (by J. Hayman, J. Roman, G. de Groot, J. Loveringh, G. Tielenburg, S. v. Esveldt en P. Schouten 1759).
38. Rosemary Brana-Shute, 'Sex and Gender in Surinamese Manumissions', in *Paths to Freedom: Manumission in the Atlantic World*, ed. Rosemary Brana-Shute and Randy J. Sparks (Columbia, SC: The University of South Carolina Press, 2009), 187.
39. Schiltkamp and Smidt, *WIP*, 29–30.
40. Willem F.L. Buschkens, *The Family System of the Paramaribo Creoles* (Den Haag: Martinus Nijhoff, 1974), 58.
41. Gloria Wekker, *The Politics of Passion: Women's Sexual Culture in the Afro-Surinamese Diaspora* (New York: Columbia University Press, 2006).
42. Buschkens, *The Family System of the Paramaribo Creoles*, 56.
43. Ibid., 71.
44. NL-HaNA, 1.05.11.14, inv.nr. 34, fo. 289, scan 321.
45. NL-HaNA, 1.05.11.14, inv.nr. 35, fo. 508, scan 577 ; NL-HaNA, 1.05.11.14, inv.nr. 35, fo. 512, scan 581.

46. NL-HaNA, 1.05.11.14, inv.nr. 35, fo. 500, scan 569.
47. NL-HaNA, 1.05.11.14, inv.nr. 35, fo. 496, scan 565.
48. NL-HaNA, 1.05.11.14, inv.nr. 34, fo. 230, scan 371.
49. NL-HaNA, 1.05.11.14, inv.nr. 35, fo. 468, scan 537.
50. The only case of a distinction between male and female heirs was found in the testament of de vrije mulat Samson.
51. NL-HaNA, De vrije mulatin Bettie, 1.05.11.14, inv.nr. 31, fo. 242.
52. NL-HaNA, 1.05.11.14, inv.nr. 35, fo. 476.
53. NL-HaNA, 1.05.11.14, inv.nr. 32, fo. 281, scan 309.
54. NL-HaNA, 1.05.11.14, inv.nr. 32, fo. 501, scan 557.
55. 'geduurende sij onder t jok de slavernije sullen de suivere vruchten en inkomsten naar aftrek van alle ordinaire oft extraordinaire lasten, reparatien en dergelijken van sijne testateurs nalatenschap' NL-HaNA, 1.05.11.14, inv.nr. 32 fo. 206, scan 226.
56. Ibidem.
57. NL-HaNA, 1.05.11.14, inv.nr. 33, fo. 581.
58. NL-HaNA, 1.05.11.14, inv.nr. 37, fo. 262, scan 591.
59. NL-HaNA, 1.05.11.14, inv.nr. 39, fo. 369.
60. 'klijn negerhuijsje naast de keuken gebouwt'. NL-HaNA, 1.05.11.14, inv.nr. 37, fo. 223, scan 505.
61. NL-HaNA, 1.05.11.14, inv.nr. 37, fo. 223, scan 505.
62. NL-HaNA, 1.05.11.14, inv.nr. 37, folio 262, scan 591.
63. NL-HaNA, 1.05.11.14, inv.nr. 33, fo. 485–490, scan 587–592.
64. NL-HaNA, 1.05.11.14, inv.nr. 23, fo. 223, scan 505.
65. Universal heirs among the collected wills were distributed as follows: Child(ren) or grand child(ren) 25. White man/woman (relationship unknown) 15. Siblings and their children 8. Freed man/woman (relationship unknown) 8. Husband/wife 4. Former owner or their children 3. Slave 3. Parent 1. Some wills provide an alternative in case the universal heir has passed away without heirs. These alternative universal heirs have also been included in this count. If the husband or wife was a former slave it is only counted under Husband/wife.
66. Dikje de Vrije made his wife Finesie and his three adopted children the universal heirs. NL-HaNA, 1.05.11.14, inv.nr. 33, fo. 143. The free woman Zultana made her husband Levens and their daughter Kettie their heir. NL-HaNA, 1.05.11.14, inv.nr. 32, fo 423.
67. NL-HaNA, 1.05.11.14, inv.nr. 33, fo. 87.
68. NL-HaNA, 1.05.11.14, inv.nr. 33, fo. 417.
69. NL-HaNA, 1.05.11.14, inv.nr. 33, fo. 417–419, scan 509–511.
70. NL-HaNA, 1.05.11.14, inv.nr. 37, fo. 196.
71. NL-HaNA, 1.05.11.14, inv.nr. 39, fo. 360.
72. NL-HaNA, 1.05.11.14, inv.nr. 40, fo. 385.
73. NL-HaNA, 1.05.11.14, inv.nr. 32, fo. 501 scan 557.
74. NL-HaNA, 1.05.11.14, inv.nr. 36, fo. 277.
75. NL-HaNA, 1.05.11.14, inv.nr. 39, folio 129.
76. NL-HaNA, 1.05.11.14, inv.nr. 40, fol. 129.
77. NL-HaNA, 1.05.11.14, inv.nr. 39, fo. 369.
78. NL-HaNA, 1.05.11.14, inv.nr. 35, fo 464, scan 533.
79. NL-HaNA, 1.05.11.14, inv.nr. 32, fo. 281, scan 309.
80. NL-HaNA, 1.05.11.14, inv.nr. 33, fo. 417.
81. NL-HaNA, 1.05.11.14, inv.nr. 33, fo. 485.
82. NL-HaNA, 1.05.11.14, inv.nr. 33, fo. 485.

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Notes on contributor

Karwan Fatah-Black is an Assistant Professor at Leiden University, Institute for History, Doelensteeg 16, 2311 VL Leiden, The Netherlands. Email: k.j.fatah@hum.leidenuniv.nl