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“The Whorearchy”: Confronting Columbia University’s Historic Erasure of Black Women

Introduction

My paper looks to build off Maya Zundel’s innovative paper from the 2016 version of this class, entitled, “Erased: Columbia University and Patterns of Abuse of Black Women”. While Zundel used a survey approach, looking at a host of ways Columbia University has violated black women’s bodies historically and its present-day legacy, my research is more narrow. Zundel sought to “illuminate the ways in which King’s College and Columbia University affiliates used and abused women, especially black women, for profit and pleasure and then erased from the record for the sake of public perception.”¹ Following Zundel’s narrative, my research also serves as a continuation of Adrienne Davis’ article “‘Don’t Let Nobody Bother Yo’ Principle’: The Sexual Economy of American Slavery” which labels slavery as a “sexual economy.”² Davis demonstrates how “enslaved black women gave birth to white wealth” which is a framework I believe can be applied to the roots of the wealth of Columbia, acknowledging that at the heart of it lies the subjugation of black women and violence.³ Davis describes the female slave as “an extralegal creature who could not use the law to protect herself” and I will show how this echoed the isolationism black sex workers faced in New York City between 1820 and 1850.⁴ Finally, while attempting to illuminate stories that were always designed to be erased, I am wary of reading against the grain, a subject addressed by the

¹ Maya Zundel, “Erased: Columbia University and Patterns of Abuse of Black Women,” (Seminar Paper, Columbia and Slavery, Spring 2016), 2.

² Adrienne Davis, “‘Don’t Let Nobody Bother Yo’ Principle’: The Sexual Economy of American Slavery.” In *Sister Circle: Black Women and Work*, edited by Sharon Harley, (New Brunswick: Rutgers University Press, 2002), 104.

³ *Ibid.*, 117.

⁴ *Ibid.*, 114.

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imperative lessons from Saidiya Hartman’s “Venus in Two Acts”. Here, Hartman reminds us of the contemporary struggles of “trespassing the boundaries of the archive” – any illumination of these black sex workers’ lives will fail to represent their lives adequately.⁵ However, while acknowledging this “incommensurability”, I hope to reveal the unsavory foundations of Columbia University’s immense wealth, as President Bollinger today reportedly receives the highest annual salary of any private university in the United States.⁶

In order to illuminate Columbia’s immense wealth, I examine the Livingston family’s profiting from slavery, and thus, Columbia’s profiting from slavery. Specifically, I look at the incredible New York City brothel ownership of John R. Livingston, which remained unknown for many years even as prosecuted violence occurred in these brothels, such as Helen Jewett’s case. “The Whorearchy” was a term used in George Templeton Strong’s diary⁷ to describe how widespread prostitution was in Five Points in New York in the 1830s.⁸ I examine the context of New York City in which Livingston operated, determining to what extent his behavior should be seen as unique to the time. While my arguments in this paper rely on an original approach to primary sources, specifically New York Census data, I have also used a small body of secondary literature to provide further understanding of New York’s intimate relationship with prostitution and black women.

⁵ Saidiya Hartman, “Venus in Two Acts” *Small Axe* 12, no. 2 (2008): 9-12.

⁶ Susan Adams, “The Highest-Paid Private College Presidents,” *Forbes*, December 7, 2015, accessed July 6, 2018, <https://www.forbes.com/sites/susanadams/2015/12/07/the-highest-paid-private-college-presidents/#67a206164a9c>.

⁷ George Templeton Strong was a famous American diarist: his 2,250-page diary was discovered in the 1930s and his descriptions of life in the nineteenth century are used across literature.

⁸ Francois Weil, *A History of New York*. (New York: Columbia University Press, 2004), 154.

Understanding the Depth of the Livingston Connections to Columbia University and Slavery

The Livingston's relationship to slavery is extensive, with their estimated first investment in the business of slavery being 1690.⁹ It is at times difficult to appreciate the depths of the Livingstone connections to slavery simply because there were so many Livingstons, with most having several children who lived long lives. Sharon Liao, in her paper, "'A Merchants' College:' King's College (1754-1784) and Slavery,'" writes: "From Robert the Elder through three generations of descendants, the Livingstons owned trading ships and profited from slave voyages to West Africa and the West Indies."¹⁰ Philip Livingston was one of New York's most prolific slave traders, with one horrific example of his voyages demonstrating his disregard for black lives. Between 1749 and 1750 he spent fourteen months with his sons along the coast of West Africa, and they headed back to New York City with 135 slaves on board.¹¹ When the ship docked, just 66 remained.¹² Ship data records seventeen voyages carrying slaves docking in New York City between 1730 and 1763, with vessels belonging to a Livingston family member.¹³ Using the new City University of New York, (CUNY) "New York Slavery Records Index" one can immediately see the extent of the Livingston investment in the slave trade. 136 different records emerge when looking up the Livingston family name.¹⁴ These records show where the

⁹ Sharon Liao, "'A Merchants' College:' King's College (1754-1784) and Slavery,'" (Seminar Paper, Columbia and Slavery, Spring 2015).

¹⁰ Ibid.

¹¹ "The Livingstons" Columbia University and Slavery, accessed April 26, 2018, <https://columbiaandslavery.columbia.edu/content/3-livingstons>.

¹² Ibid.

¹³ Ibid.

¹⁴ "New York Slavery Record Index" CUNY Academic Commons, last modified 2017, accessed April 26, 2018, <https://nyslavery.commons.gc.cuny.edu>.

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slaves came from, the name of the vessel they came on, and how many there were. Of these 136, only one lists John R. Livingston as the owner of slaves – he chose to profit in other ways, while his family continued to be major players in the slave trade. An 1800 Census record lists John R. Livingston as owning six slaves in the New York address, 67 Broadway, just a few streets away from Five Points.¹⁵

In the below figure I have created a family tree, centered around John R., which provides a visual representation of both how extensive his family was but also their involvement in the slave trade. Next to each name I have included information from the “New York Slavery Records Index” as to their various slave owning. It will be useful in conceptualizing the extent of the Livingston’s slave-ownership. For the sake of simplicity, I made the family tree only examining John R.’s immediate family connections, but it could have been much further expanded. Undoubtedly these are not the only slave records which exist concerning these Livingstons, as well as those that were not recorded, but from this alone one can see the extent of slave-ownership, lasting over a century.

¹⁵ Irma and Paul Milstein Division of United States History, Local History and Genealogy, The New York Public Library. “New York City directory, 1798” New York Public Library Digital Collections. Accessed May 10, 2018, <https://digitalcollections.nypl.org/items/d19d86f0-13e6-0135-8f7d-578d82f4cc8d>.

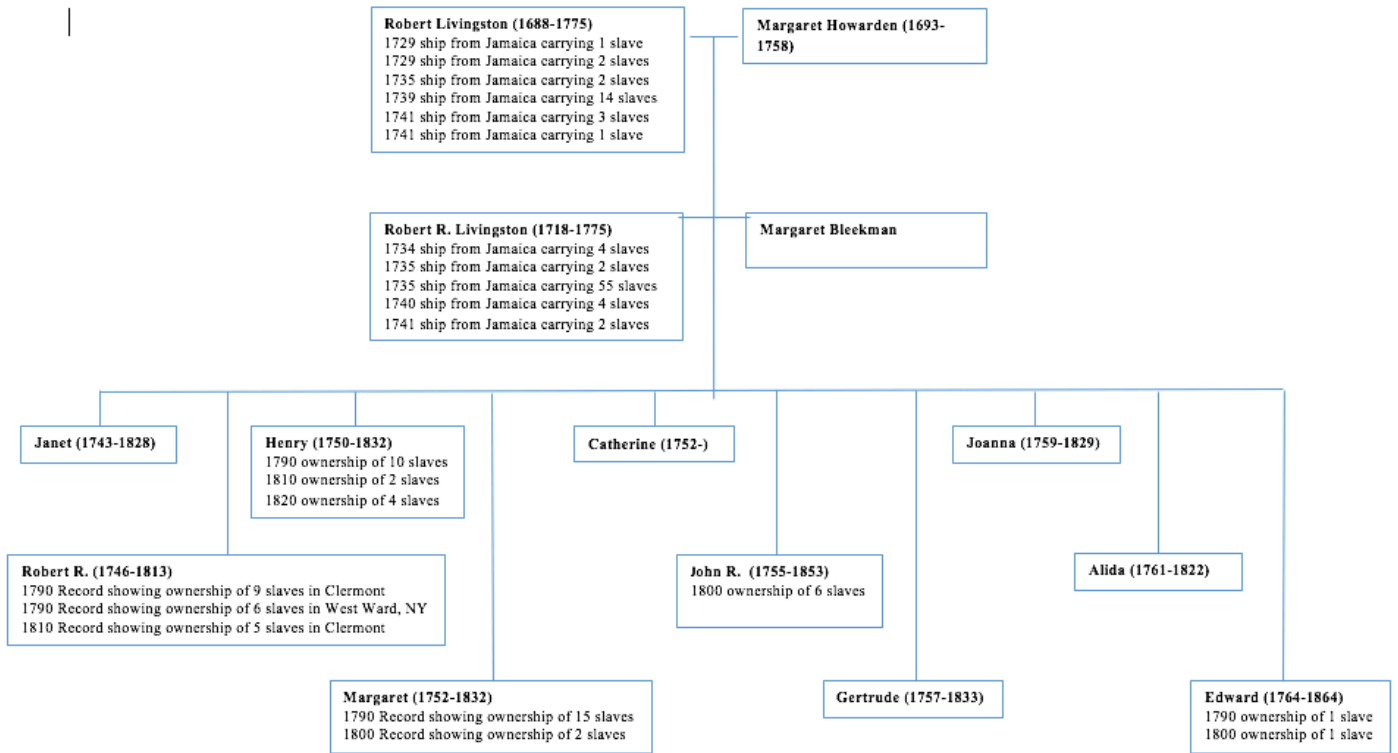


Figure 1 Showing John R. Livingston's family and slave ownership

Timothy Gilfoyle, in his book *City of Eros*, which details New York's relationship with prostitution in the nineteenth and twentieth century, describes John R. Livingston as "the most prolific entrepreneur in vice."¹⁶ and adds: "As early as 1776, Livingston embarked in secret trade and illegal commerce with England or her allies. For John R. Livingston, patriotism and loyalty took a back seat to personal profit."¹⁷ I will examine Livingston's entrepreneurship in vice in the

¹⁶ Timothy Gilfoyle, "City of Eros: New York City, Prostitution, and the Commercialization of Sex, 1790-1920," (Doctoral dissertation, Columbia University, 1987), 123.

¹⁷ Ibid.

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second section, but first it is necessary to understand how integral the Livingstons were to Columbia's very foundation.

It is challenging to establish the extent of the Livingston connection to Columbia. However, Liao makes this relationship easier to understand by demonstrating that "King's College in numerous ways represented an extension of New York City merchant wealth."¹⁸ Thus, it is not necessary to think of the two things (the Livingstons and slavery and the Livingstons and Columbia) as two separate entities – but instead two that are inextricably linked. Craig Wilder writing in *Ebony and Ivy* concludes the same: "By the mid-eighteenth century, merchant wealth was reconfiguring the colonies...the great landlords of colonial New York had transitioned into a more diverse range of investments, including shipping and insurance. These were the families that laid the foundations of the metropolis...Sixteen merchants served as trustees of King's College in the twenty years before the Revolution."¹⁹ Moreover, King's College enrolled the most children of Atlantic traders in all of British North America.²⁰ Liao describes the way in which wealthy merchants, like the Livingstons, chose to assign much of their wealth to philanthropy. This allowed them to preserve their image while simultaneously continuing to profit extensively off the slave trade. As an example, Liao cites Philip P. Livingston who "established a reputation as a respected gentleman on the merit of his

¹⁸ Sharon Liao, "'A Merchants' College:' King's College (1754-1784) and Slavery," (Seminar Paper, Columbia and Slavery, Spring 2015).

¹⁹ Craig Wilder, *Ebony & Ivy: Race, Slavery, and the Troubled History of America's Universities* (New York: Bloomsbury Press, 2013), 48.

²⁰ Sharon Liao, "'A Merchants' College:' King's College (1754-1784) and Slavery," (Seminar Paper, Columbia and Slavery, Spring 2015).

philanthropy.”²¹ However, as well as reputation-building, King’s College filled another critical need – access to credit. Liao writes:

King’s College acted as an exclusive private bank by extending lines of credit at lower interest rates to powerful politicians and wealthy businessmen, including members of the Livingston family. The Account Book of treasurer Augustus Van Horne shows that five Livingstons took out loans, at interest rates at or below the market rate.”²²

Thus, as well as salvaging the Livingston reputation, King’s allowed Livingstons to profit by supplying lower interest rates than market rate. Finally, investment in King’s allowed the Livingstons to preserve their wealth through their lineage. Indeed, Liao writes, “Governing academic establishments provided elites intellectual or cultural authority, as well as the means for consolidating and preserving their power within their families.”²³ In total, three Livingstons served as the founding trustees (governors) in 1754 and six additional Livingstons became trustees and one was treasurer, all before 1800.²⁴ Crucially, Liao argues that in New York City the aristocracy was “one of wealth rather than lineage or peerage” and thus it is no surprise that the Livingstons did so much to protect their wealth.²⁵ A lasting legacy of the Livingston contributions can be seen with Livingston Hall, the residence hall at Columbia University was only renamed Wallach Hall in 1979.²⁶ Originally it was named in honor of Robert R. Livingston, John’s R. Livingston’s brother, who helped negotiate the Louisiana Purchase and was a Founding Father of the United States and Chancellor of New York for 25 years.²⁷ He invested

²¹ Ibid.

²² Ibid.

²³ Ibid.

²⁴ Ibid.

²⁵ Ibid.

²⁶ Ibid.

²⁷ Ibid.

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heavily in the slave trade, with a 1790 Census declaring he owned 44 slaves.²⁸ Summing up the relationship between New York, King's, the Livingstons and slavery, Liao concludes poignantly: "In many ways, the institution fueled the continuation of New York's slave economy and helped the city's elites cement their identity and influence as a ruling class."²⁹

Livingston Ownership of Brothels

The story of John R. Livingston's brothel ownership is one of erasure occurring at different levels, amounting to his brothel ownership being acknowledged in only a few texts. His brothels were located in Five Points, an area name for the five city blocks it comprised. Timothy Gilfoyle in "City of Eros" labels it as "the primary zone of commercial sex in antebellum New York"³⁰, containing 31 percent of the city's brothels in the mid 1830s.³¹ It had the largest concentration of blacks in New York, with Gilfoyle citing the characteristic of public sexuality here as frequently interracial.³² From the maps below through the first half of the nineteenth century, we can see clear evidence of the brothel concentration in Five Points intensifying, as well as the amount of brothels in New York City increasing.³³

²⁸ Ibid.

²⁹ Ibid.

³⁰ Timothy Gilfoyle, "City of Eros", 54.

³¹ Leslie Harris, *In the Shadow of Slavery: African Americans in New York City, 1662-1863*(Chicago: University of Chicago Press, 2003), 250.

³² Timothy Gilfoyle, "City of Eros", 62.

³³ Ibid., 46-7.

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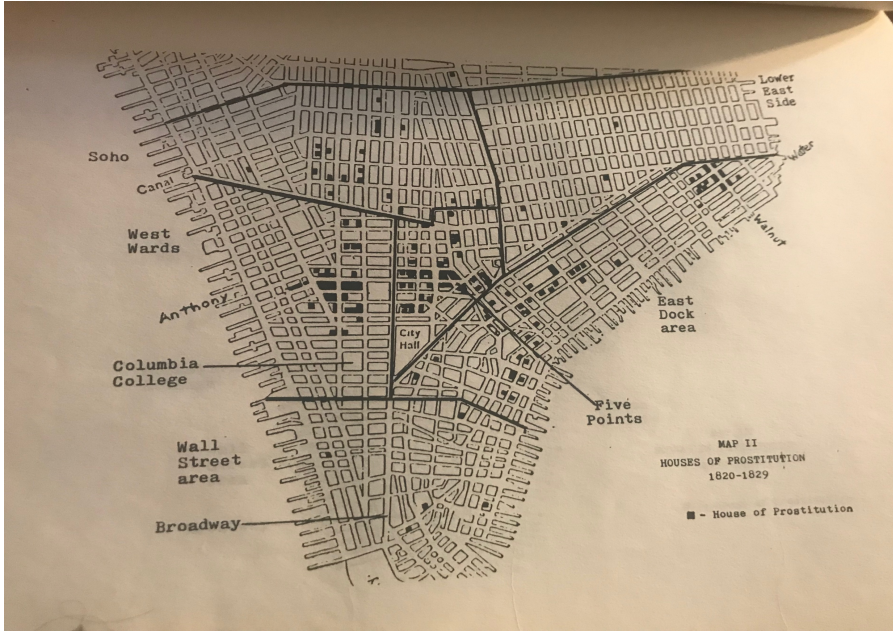


Figure 2 Showing Houses of Prostitution 1820-29

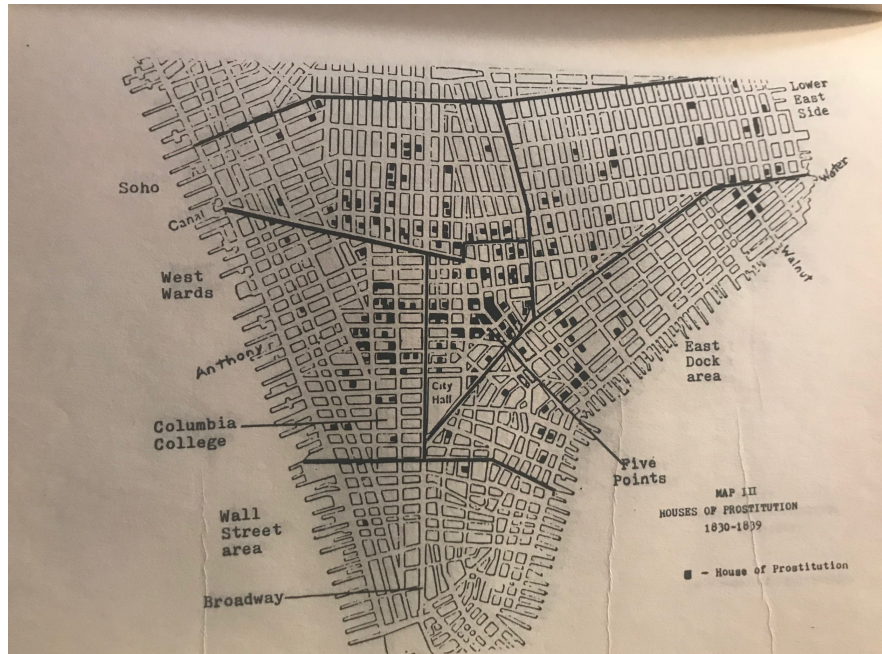


Figure 3 Showing Houses of Prostitution 1830-39

As one can see, through the first half of the nineteenth century the prominence of brothels in New York was increasing rapidly, as well as the specific concentration in the Five Points area. It is also worth noting the proximity of Five Points to Columbia College. Gilfoyle writes that the Columbia students were frequent visitors to the brothels and this guaranteed revenue was a decisive factor in brothel placement. Gilfoyle states, “In determining their place of work, prostitutes also gravitated toward Columbia College and the neighboring College of Physicians and Surgeons... With more young men around, the neighborhood brothels thrived.”³⁴

When I began my research one of my guiding questions was, to what extent was John Livingston’s brothel ownership unique to the time? Livingston certainly was not the only elite member to choose this lifestyle: with Gilfoyle writing, “Prostitution was not simply a marginal, subterranean economic activity of desperate resort. Rather, it was a lucrative investment

³⁴ Ibid., 82.

consciously employed by some of the most successful and respected members of New York’s antebellum society.”³⁵ Furthermore, Gilfoyle provided the decisive answer to this question, writing in his dissertation, “Livingston was not an isolated example of gentile malfeasance; he was simply the most notorious member of the antebellum elite to profit from prostitution.”³⁶

Indeed, looking at the table below, one can see the extent of John R. Livingston’s brothel ownership from 1820-1850. This table is from Gilfoyle’s “City of Eros” and also shows the assessed valuation of the property, the leaseholders and their tenants and their years in the property, and the assessed valuation of their personal property.³⁷

John R. Livingston’s Brothel Ownership

This is a recreated version of Timothy Gilfoyle’s table in “City of Eros”, the first column lists the property name and listed ownership. The second column lists the year(s) that person was owner, or more generally, the years Livingston held the property for. The last column is the assessed valuation of their personal property.³⁸

39 Thomas Street	(1820-1859)	\$3000-5500
John Edwards	1820	\$100
John Mortan	1820	\$100
John Peter	1820	\$100
4 men	1821	
Elisa Smith	1825	\$1000
Caroline Anders or Andrews	1826-1829	\$1000
Mary Wall	1830	\$1000
Susan Scott	1831-1837	\$500-\$1000
Mrs. Kelly	1859	

³⁵ Timothy Gilfoyle, “City of Eros”, 54.

³⁶ Ibid., 130.

³⁷ Ibid., 125-8.

³⁸ This table is recreated from Timothy Gilfoyle’s “City of Eros”, 125-8. Gilfoyle says the sources responsible for the table are the following: Record of Assessments, 1800-1860; New York City District Attorney Indictment Papers, Court of General Sessions, 1790-1860; Police Court Papers, 1800-1860, all in New York City Municipal Archives and Records Center; New York City Land Title Registrations, Pre-1917 Conveyance Records, Office of the City Register; Free Lovyer (sic), *Directory of the Seraglios* (New York, 1859).

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39 ½ Thomas Street	(1825-1832)	\$3000-4300
C. Sammis	1825	\$200
Telfair	1825	\$100
Mary Ann Jones	1826	\$500
Mary Wall	1827	\$1000
Anna Perkins	1828-1830	\$300-500
Miss Ross	1831	\$1200
Hannah Baker	1832	\$500
40 Thomas Street	1825	\$3000
C. Sammis	1825	\$200
Telfair	1825	\$100
41 Thomas Street	1820-1859	\$1200-9000
Abby Mead	1827-1828	\$500
Rosina Thompson	1829-1835	\$500
41 ½ Thomas Street	1850-1859	
48 Thomas Street	1825	\$2000
Catharine Sands	1825	\$1000
70 Chapel Street	1820	\$2400
Ann Mills	1820	
72 Chapel Street	1820	\$2400
William Marsh	1820	
74 Chapel Street	1829-1850	
Susan Fields	1829	
76 Chapel Street	1829-2850	
106 Chapel Street	1838-1850	
19 Anthony Street	1820	\$2400
Catherine Sands	1820	\$300
24 Anthony Street	1820-1850	\$2000-4500
Betsy and David Howland	1820	\$100
J.C. Shute	1825	
Sarah Jennings	1826	
Elizabeth Brown	1827-1831	\$500
Catherine Near	1832	
26 Anthony Street	1822-1850	\$2000
Catherine Fitch	1824-1826	\$600
Catherine Skillman	1827-1828	
Sophia Peterson	1829	
Mary Francis	1831-1832	\$300
28 Anthony Street	1822-1850	\$2000
Abby Mead	1824-1826	\$1000
Almira Sterns	1827	
Rosina Thompson	1828	

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Ann Boyd	1829	
Mrs. Thomas	1830	\$200
Mrs. Shott	1831	
30 Anthony Street	1822-1850	
J Hannable	1824-1826	\$200
Rossana Cisco	1824-1826	\$300
John Sickles	1827	
John Sickles	1828	
Fanny Nelson	1828	
John P. Signer	1829	
William H. Butler	1831	\$600
A Lark	1833	\$300
140 Anthony Street	1826	\$3600
Robert B. Gordon	1826	\$300
141 Anthony Street	1826	\$2000
John McGinnis	1826	\$100
142 Anthony Street	1826	\$2000
Mary Jenkins	1826	\$500
145 Anthony Street	1826	\$2000
152 Anthony Street	1830	
153 Anthony Street	1828-1830	\$2200
154 Anthony Street	1828	\$3000
Robert Gordon	1828	\$500
155 Anthony Street	1828-1830	\$2200
157 Anthony Street	1828-1830	
William Wright 1828	1828	\$300
38 Orange Street	1833-1837	\$3000
40 Orange Street	1833-1837	\$3000
42 Orange Street	1830	
141 Orange Street	1822-1826	\$2000
John McGinnis	1826	
143 Orange Street	1822-1826	\$2000
John Baris	1826	\$100
145 Orange Street	1822-1826	\$2000
William Vandewater	1826	\$100
147 Orange Street	1822-1826	\$2000
Joseph Rushlow	1826	\$100
149 Orange Street	1822-1826	\$2000
Sarah Tuttle	1826	\$800
60 Cross Street	1826-1832	\$1800
Bernard Fagan	1826	\$100
62 Cross Street	1832	

64 Cross Street	1832	
66 Cross Street	1832	
68 Cross Street	1832	

Certainly, this is quite a large table! For these 30 years, Livingston was the largest brothel owner in the city.³⁹ In total, there are 38 brothels listed in the above table. As we can see, Livingston’s brothels had a host of different madams. This allowed Livingston to quietly profit without having to be part of daily operations, or be held responsible for any indiscretions, such as the murder of Helen Jewett, discussed in the next section. Moreover, because Livingston owned so many brothels, his “madams retained greater flexibility in their operations...If neighbors complained, or the watch harassed, as business declined, prostitutes moved to other Livingston-owned brothels.⁴⁰ For example, looking at the table, Telfair, Mary Wall, Joe McGinnis, Catherine Sands, Rosina Thompson, and C. Sammis are all listed as owning more than one brothel at different times. Indeed, Harris argues that this was how John R. Livingston built his wealth, as one of the most successful landlords in New York.⁴¹ Pointedly, Gilfoyle writes that Livingston was “hardly oblivious to his role as New York’s leading landlord of vice” given that he lived within walking distance and his houses were frequently the only brothels on the block.⁴² It is impossible to know how often Livingston visited the brothels himself, but it is curious that the only large collection of his papers, housed at the New York Historical Society covers the years 1790-1820. Indeed, Cohen writes that the paper’s coverage ends “just at the time when the

³⁹ Patricia Cohen, *The Murder of Helen Jewett: The Life and Death of a Prostitute in Nineteenth-Century* (New York: Vintage Books, 1998), 105.

⁴⁰ Timothy Gilfoyle, “City of Eros”, 129.

⁴¹ Leslie Harris, *In the Shadow of Slavery: African Americans in New York City, 1662-1863*(Chicago: University of Chicago Press, 2003), 191.

⁴² Timothy Gilfoyle, “City of Eros”, 129.

prostitution rentals started to feature prominently in his investment strategy.”⁴³ One can see from the “assessed valuation of personal property” that Livingston was able to profit from these brothels significantly and consistently across three decades.

Moreover, using Census data, one can determine the presence of black bodies in these brothels. It is important to note that given what we know about the concentration of prostitutes, and the black population in Five Points, these statistics are less than the reality. The Census data also declares what gender each listed resident was in the brothel, as well as whether they were enslaved. 1820 United States Federal Census data lists Mary Wall (see in table above) as living in New York Ward 5 with a total of five people: two free colored women, and three free white women.⁴⁴ In the 1830 Census Mary Wall is listed as living in New York Ward 5 with a total of six people: five free white women, and one free colored woman.⁴⁵ In the 1820 Census Peter Vandyke is listed as living in New York Ward 6 with 4 free colored men and one colored woman.⁴⁶ In the 1830 Census his son is listed as living in New York Ward 5, living with a total of fourteen people, including six free colored men and eight free colored women.⁴⁷ Ann Miller is listed in the 1840 Census as living in New York Ward 5 with a total of eight people, five free white women and three free colored men.⁴⁸

⁴³ Patricia Cohen, *The Murder of Helen Jewett: The Life and Death of a Prostitute in Nineteenth-Century* (New York: Vintage Books, 1998), 105.

⁴⁴ 1820 U S Census; Census Place: *New York Ward 5, New York, New York*; Page: 404; NARA Roll: *M33_77*; Image: 212

⁴⁵ 1830; Census Place: *New York Ward 5, New York, New York*; Series: *M19*; Roll: 96; Page: 332; Family History Library Film: *0017156*

⁴⁶ 1820 U S Census; Census Place: *New York Ward 6, New York, New York*; Page: 472; NARA Roll: *M33_77*; Image: 246

⁴⁷ 1830; Census Place: *New York Ward 5, New York, New York*; Series: *M19*; Roll: 96; Page: 275; Family History Library Film: *0017156*

⁴⁸ Year: *1840*; Census Place: *New York Ward 5, New York, New York*; Page: 266

It is also worth looking at the Census records available for John R. Livingston. In the 1800 Census he is listed as living in New York Ward 1, with a total of 19 household members: six slaves, eight free white women, and five free white men.⁴⁹ In the 1830 Census he is listed as “John R Levingston” and living in New York Ward 5, with eight household members: five free white men, one male slave, one free colored man, and one free colored woman.⁵⁰ The last available Census data for Livingston is from 1840 and lists him as “Jno R Livingston” living in New York Ward 5. He is listed with a household of five, three free white women and two free white men.⁵¹

When we try to read against the grain, often it can seem like too much is being inferred without enough evidence. For this reason, I have supplied all the evidence I came across regarding Livingston’s ownership of brothels. We do know that both black men and women lived in these properties, operating in unknown capacities. We certainly know there were far more black women and men than listed in the censuses given descriptions of Five Points and the white perceived fear of this area, documented in a host of literature.⁵² We also know that most of John R. Livingston’s wealth came from investing in brothels, which proved to be hugely profitable. Moreover, we know violence frequently occurred in Five Points, surely targeting black women more frequently given that they had no protection of the law and thus their attackers could never be held culpable. Undoubtedly, more work should be done surrounding

⁴⁹ Year: 1800; Census Place: *New York Ward 1, New York, New York*; Series: M32; Roll: 23; Page: 664; Image: 45; Family History Library Film: 193711

⁵⁰ 1830; Census Place: *New York Ward 5, New York, New York*; Series: M19; Roll: 96; Page: 301; Family History Library Film: 0017156

⁵¹ Year: 1840; Census Place: *New York Ward 5, New York, New York*; Page: 358

⁵² For detailed discussion of the riots and violence that occurred in Five Points in the first half of the nineteenth century, see Timothy Gilfoyle, “City of Eros”, Chapter V.

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Livingston's brothel ownership, but reflecting on Hartman's instruction, with only the evidence presented above, I do not wish to make any further deductions.

Importantly, a level of significant erasure is detailed in Harris' *In The Shadow of Slavery: African Americans in New York City, 1626-1863*. Harris demonstrates how "detailed descriptions and discussion of the Five Points were left to white travel writers and nonabolitionist reformers."⁵³ She argues that this had the effect of erasing "the role of the whites who were landlords of the buildings containing brothels"⁵⁴ which can be seen with Livingston's invisibility as a landlord across three decades. One example that Harris uses as evidence is from George Foster's 1850 *New York by Gas-light*, a popular book which sold two hundred thousand copies.⁵⁵ Harris writes that "Foster cast blacks as owners of the major establishments, responsible economically and culturally for the character of the Five Points."⁵⁶ This unfavorable casting is not surprising given the rampant racism that existed: it protected the white owners while also enabling locals to blame the seemingly immoral activities, like prostitution, strictly on black residents. This perpetuation of blackness being associated with crime carries deep legacies into modern day, with the #blacklivesmatter movement calling for the end of police brutality.

The Helen Jewett Trial

The most poignant example of John R. Livingston's covert ownership of three brothels, can be seen with the murder of the prostitute Helen Jewett in 1836. Jewett was murdered with an axe in a brothel owned by Livingston: 41 Thomas St. This block specifically was one of the most

⁵³ Leslie Harris, *In the Shadow of Slavery*, 257.

⁵⁴ *Ibid.*, 255.

⁵⁵ *Ibid.*

⁵⁶ *Ibid.*

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interracial in the city, with an 1830 Census listing forty separate addresses housing 567 people, 115 whom were black.⁵⁷ Patria Cohen in *The Murder of Helen Jewett* writes that Livingston's ownership of the Thomas Street brothel was not publicly acknowledged at the time of the murder, yet it was not unknown to neighbors on Thomas Street.⁵⁸ Under Common Law at the time owners of a house of prostitution were never implicated or considered as accessories.⁵⁹ Gilfoyle argues that this actively encouraged "the use of property for immoral purposes on account of its higher revenue."⁶⁰ However, given the significant amount of attention the trial of Helen Jewett's murderer received, it is even more telling that Livingston's ownership remained secret. It was the first major story about a prostitute to gain traction in the press, with Gilfoyle writing, "it proved sex sold".⁶¹

Acknowledging the impact of this case on media, an article appeared last year, from *Timeline*, entitled "The salacious murder of this New York City prostitute changed the American media landscape."⁶² Stephanie Buck, author of the piece, wrote about the media phenomenon it caused, "the investigation and subsequent trial exploded into a national sensation. For the first time in American history, tabloids known as 'penny papers' plied a seductive narrative of sex, crime, and romance."⁶³

⁵⁷ Patricia Cohen, *The Murder of Helen Jewett*, 101.

⁵⁸ *Ibid.*, 103.

⁵⁹ Timothy Gilfoyle, "City of Eros", 23.

⁶⁰ *Ibid.*

⁶¹ *Ibid.*, 245.

⁶² Stephanie Buck, "The salacious murder of this New York City prostitute changed the American media landscape: Two centuries after Helen Jewett, we've got TMZ," *Timeline*, April 28, 2017, accessed April 26, 2018, <https://timeline.com/helen-jewett-murder-7acc3cc812c>.

⁶³ *Ibid.*

This trial is also connected to Columbia in other ways. Richard P. Robinson, the murderer, was defended by three lawyers who were all Columbia graduates. Many prostitutes from the brothel at 41 Thomas Street testified to seeing Robinson on the night of the murder. Were they protecting John R. Livingston, and by extension, protecting Columbia?

Additionally, one of these testimonies came from Helen Jewett's maid, a black woman named Sarah Dunscombe. The three defense lawyers argued that the testimony from the prostitutes was not to be counted given their occupation. Judge Edwards agreed, stating: The prostitutes "are not to be entitled to credit unless their testimony is corroborated by others, drawn from better sources...Testimony derived wholly from persons of this description, without other testimony, is not to be received." Dunscombe's testimony was to be disregarded because she "shared in the brothel's polluted status and her character was thereby reduced."⁶⁴ Robinson was acquitted and went on to own 20 slaves.⁶⁵

The Whistelo Proceedings

The *Whistelo* trial can be seen as another example, like Helen Jewett's trial, of Columbia affiliates exercising their power, and the law, detrimentally towards black women. This case, *Commissioners of the Almshouse v. Alexander Whistelo, a Black Man*, concerned a "mulattress", Lucy Williams who had been raped in 1806 by Whistelo and then by a white man just after.⁶⁶ Williams gave birth to a girl in 1807, but the child's complexion was lighter than Whistelo and Williams.⁶⁷ Williams was certain Whistelo was the father because "she believed the sexual

⁶⁴ Patricia Cohen, *The Murder of Helen Jewett*, 318.

⁶⁵ For detailed discussion of Robinson's life after the acquittal, see Patricia Cohen, *The Murder of Helen Jewett*, Chapter Seventeen.

⁶⁶ Craig Wilder, *Ebony & Ivy: Race, Slavery, and the Troubled History of America's Universities* (New York: Bloomsbury Press, 2013), 212.

⁶⁷ *Ibid.*, 212-3.

connection with the white attacker insufficient for conception.”⁶⁸ To determine whether this was true, the judges sought the opinion of the region’s leading physicians and researchers, including three professors from Columbia, George Anthon, Dr. Wright Post, and Edward Miller.⁶⁹ These professors, joined by another Columbia affiliate in the second testimony, William Moore, exonerated Whistelo because of the child’s skin color.⁷⁰ However, the judges still remained unsure so they called in further expertise, including another Columbia physician, Sir James Jay.⁷¹ Alexander Whistelo was absolved and Mayor Clinton declared that “the court ‘obviously’ had less confidence in the testimony of Lucy Williams than in the statements and conclusions of the experts.”⁷² Notably, Mayor Clinton was born into a slaveholding family.⁷³ These Columbia affiliates did not think the testimony of Lucy Williams, a black woman, was worthy of acknowledgement compared to their pedigrees. This is remarkable in that Williams certainly would have had more idea of who the father could be. However, it is unsurprising that the Columbia affiliates chose to further their own careers on the back of a black woman – Columbia’s disregard for the lives from black women has existed since its very foundation.

Conclusion

What we have seen from this examination of John R. Livingston’s accumulation of wealth, and as an extension, Columbia University’s wealth, is that the law is never neutral. Rather, those in positions of power in society have the ability to manipulate it, allowing Livingston to profit for years with no consequences, even with the Helen Jewett case.

⁶⁸ Ibid., 212.

⁶⁹ Ibid., 213.

⁷⁰ Ibid., 216.

⁷¹ Ibid., 218.

⁷² Ibid., 220.

⁷³ Ibid., 225.

It is also important to acknowledge the Livingstons' ties to other universities, even if not as significant as their relationship with Columbia, such as Yale and Brown. As today universities across the country attempt to acknowledge and negotiate their relationships with slavery, how Columbia acts, as a leading Ivy League institution, sets a precedent for others in this larger contemporary narrative. Lindsey K. Walter's writing about Harvard and Brown's respective actions, describes the importance of active commemoration of slavery, instead of historical amnesia.⁷⁴ She writes, recounting the power of this active commemoration, "Incorporating the history of slavery and the slave trade into the memory of the university thus creates a space in which African-American students and faculty argue they can lay greater claim to the institution."⁷⁵ With this in mind, Columbia University must acknowledge the origins of its wealth and very foundations, while offering reparations accordingly. Columbia must remember what Malcolm X declared, speaking in Los Angeles in 1962, "The most disrespected person in America is the black woman. The most unprotected person in America is the black woman. The most neglected person in America is the black woman."⁷⁶

⁷⁴ Lindsey K. Walters, "Slavery and the American University: Discourses of Justice and Harvard and Brown," *Slavery and Abolition* 38, no. 4 (2017): 727.

⁷⁵ *Ibid.*, 736.

⁷⁶ Link to full speech available on YouTube: Malcom X. 1962. Recorded May 5, in Los Angeles. Streaming audio. Accessed May 10, 2018, <https://www.youtube.com/watch?v=gpr6PK-Cz3c>.

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