

The Right to be Heard: Black Voices in the New York Manumission Society Archive

By Olivia Baker

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One of the last Northern states to end slavery, New York enacted a series of laws between 1799 and 1827 that incrementally freed enslaved people, often indenturing young slaves until they were adults, during a period known as “gradual emancipation.”[1] The first gradual emancipation law in New York was passed in 1799, and outlined that all children born into slavery after July 4, 1799 in the state would be free when they turned 25 (for women) or 28 (for men).[2] These stipulations were put in place in order to appease slaveholders, compensating for the eventual loss of their property by granting them control of the enslaveds’ most productive years.

Beyond the 1799 act, there were several other statutes enacted during gradual emancipation which affected the nature of slavery in the state.[3] Legislatures also put in place laws preventing masters from importing or exporting enslaved people for sale, and if smugglers were intercepted, all enslaved peoples were immediately emancipated.[4] The restrictions on the interstate sale of people allowed for a greater degree of security from separation for black families, and regardless of how effective or consistent the mechanism was, these laws created a form of recourse for those whose rights were violated, as well as a system of accountability for those who violated them. The shift in status of children born after 1799 from enslaved to indentured also created an increased motivation on the part of master’s to smuggle and trade these freeborn

children out of the state however, as well as created an opportunity for masters from nearby free states to move with freeborn or servant children into New York where slavery was still legal.[5] In an attempt to prevent the latter, New York legislatures enacted a further measure outlining that visiting masters in New York could not keep slaves with them for a period longer than nine months.[6] After this period, they would be freed.

Thus, the years between the first gradual emancipation law in 1799 and the abolition of slavery in New York in 1827 created an “atmosphere of uncertainty surrounding slavery in the state.”[7] The knowledge of their imminent freedom prompted many enslaved children to negotiate for an earlier release, while the complicated laws and new protections also inspired countless others to harness the law to make claims about their own rights, or defend the rights of their loved ones and community members.

One way that people did this was through directly engaging with the New York Manumission Society, founded in 1785 by John Jay.[8] The New York Manumission Society, active from 1785-1849, was established to promote the abolition of slavery and the manumission of enslaved people in New York State. It provided “legal and financial assistance to those seeking manumission, aid to emancipated people in need of protection, and pushed for legislation surrounding the sale of enslaved peoples,” as well as was responsible for establishing the African Free School for the education of black children.[9] The records from the meetings of the New York Manumission Society are housed by New York Historical Society, and there are over ten volumes of records spanning 60 years of NYMS activity relating to appointments, elections, political activities, finances, sponsorships, and reports on individual cases.[10]

Within the NYMS, an entity referred to as the Standing Committee was formed in order to “more particularly divide the active service of promoting the manumission of slaves, and protecting such of them as have been liberated.”[11] This Standing Committee recorded the cases of enslaved and indentured people who came forward to report violations of their rights, or to affirm and serve as witnesses for the cases presented by other people. There are over 150 cases recorded in the minutes from the meetings of the Standing Committee, in which enslaved people protest grievances related to a

diverse set of issues. By exploring the testimony and cases brought to the Standing Committee, it is possible to also gain a better understanding how black people understood the law, and used it to both achieve and shape an amorphous definition of freedom being constantly re-negotiated during the period of gradual emancipation. Thinking about how and why documents such as the Standing Committee records were created not only offers a unique insight into the experiences of black Americans, but also allows us to compare this understanding of freedom to the definition of freedom held by Manumission society members. For example, at the formation of the Standing Committee, the statement of purpose explains that,

“...Of course in our attention to this work of benevolence, we have had to encounter many difficulties, which will always be the case when ... and prejudice are combined to appease the efforts of philanthropy. While we are acting on conscientious ground, and feel the rectitude of our movement, we shall be unable to rise superior to every attempt, whether secret or open, to counteract and oppose this work of justice and humanity. May we, therefore, rely on that power, which is altogether sufficient, and under the influence of divine aid, and faithfully persevere in the cause which we have espoused.”[12]

This statement gives important insight into the motivation and attitudes of the Standing Committee, illustrating that they viewed their work as acts of “philanthropy,” appearing to categorize their actions more as good deeds than moral imperatives. Once delving deeper into the cases recorded however, many more nuances appear. The two parties, black Americans and the Manumission society, although ostensibly working towards similar goals, often had differing priorities.

Before highlighting some of the most compelling stories as well as patterns which emerged from reading dozens of these individual reports, it is first important to first understand the concerns and questions that guided this research, as well as practical matters such as the organization of the Standing Committee notes. This project was inspired by Sarah Gronningsater’s scholarship on black children during gradual emancipation, and Gronningsater herself directed me to the Standing Committee

records once learning of my interest in the testimonies she highlighted in work *Born Free in the Master's House: Children and Gradual Emancipation in the Early American North*. Once I began reading the records, I was astonished to find just how rich in black voices they are. Few archives from this period are penned by nonwhite authors or record nonwhite voices, and contained in the Standing Committee minutes is the record of hundreds of black people, their lives, and their testimonies. In attempting a survey of these cases to discern what African Americans themselves were most concerned with when it came to their freedom, the same set of questions repeatedly crossed my mind. In a world in which all decisions were ultimately in the hands of white men, how did black people advocate for themselves and pursue their interests within the limited scope of Manumission Society efforts and state legislation? How were black people interpreting the law and defining their rights? What aspects of "freedom" reappear consistently in the record as being of high priority to black Americans? And as a historian, how do I glean meaning from incomplete glimpses of stories and actors?

Black people, both free and enslaved, came to the Standing Committee with a host of concerns and grievances. Each testimony in the archive is labeled in the margin with the name (or description in absence of a name) of the complainant, as well as the respondent party if applicable or known. Each case is briefly described in a few lines, and typically concluded by the names of the committee members who were assigned to the case. In the subsequent meeting notes, after the presentation of new cases in the minutes, typically follows a list of updates on cases heard in previous meetings, or a list of the final action of concluded cases. This structure allows for the tracing of certain cases over time, to observe how and at what pace they were handled. This organizational structure also allows the researcher to trace the patterns in types of cases and outcomes associated with specific committee members, and although this was not the focus of this paper, studying how different NYMS members responded to cases would perhaps allow for the building of a more nuanced profile of the prominent New Yorkers working towards abolition.

By reading even only a fraction of the cases in the Standing Committee notes, certain themes in the black perspective begin to emerge. There was no one monolithic goal or

desire on the part of the people who came forward. The cases included in this paper span 1807-1808, and among the greatest concern of those involved are securing freedom papers, bearing witness to the birthdates of family members (in order to prove their qualification for emancipation under the law), preventing the importation of new slaves, and preventing the out of state sale of people destined for freedom after their period of indentured work. Some, like in the case of Nancy Olias Blern, were reporting grievances against their masters. Nancy, a slave to Josiah James in Newark NJ, had been made free by James on “the 12th day of August in the year 1805”.^[13] That same day however, Nancy was double-crossed, and sold to a man by the name of “Dubois” for “double the years.” Nancy is noted to have “brought a suit against him [Josiah James] for doing so,” implying that working with the NYMS was just one of multiple forms of action Nancy took to fight for her freedom, along with initiating legal proceedings.

Others, such as Phillis Nash, who spoke to the committee on March 16th 1808, came forward not to address their masters or speak up for themselves, but rather on behalf of their loved ones.^[14] Phillis Nash came forward to “prove that my sister’s daughter by the name of Phillis Phillips, who will be 22 years old May next, was born and bred in Connecticut” before being sold in New York when she was five years old, to a man named Daniel Nash.^[15] Phillis Nash and her sister must have communicated the details of Phillip’s birthdate, and this case also implies an awareness of the ramifications of the differences in laws between states for their family members. For although Phillis Phillips’ age would not qualify her for emancipation in New York, this was not true for Connecticut. Connecticut’s gradual emancipation laws stipulated that any child born to an enslaved woman after March 1 1784 would be free at the age of 21 for women and 25 for men.^[16] Phillis Phillips was 21 at the time of Phillis Nash’s testimony, and would have been born around 1787, meaning she was entitled to her freedom due to her birthplace. This case of Philis Nash and her niece, Phillis Phillips is remarkable not only because it implies knowledge of the nuances in laws across different northern states however, but also because it illustrates the strength of family networks across state lines. Additionally, the names as they appear in this testimony are a powerful and significant indicator of the complexity of relationships and circumstances that black

people navigated in order to assert their rights. It is not implausible that Phillis Phillip was named after Phillis Nash, the aunt who would eventually stand up for her freedom. Nor is it unreasonable to assume that Phillis Nash herself was held as property at some point by Daniel Nash, the man she would eventually stand up against. One Nash fought against another, while simultaneously one Phillis fought on behalf of another, involving herself for the sake of her family perhaps against her former or current owner.

People did not come forward to testify solely on behalf of their loved ones however. Another major theme throughout the testimonies was the emphasis on reporting information related to illegal sales of people. For example, in April 1808, a man named Sundry Black communicated to the Standing Committee via a prominent New Yorker and Columbia College Alumni Silvanus Miller that he had knowledge of a “Captain D or Captain P” (the name he could not be sure of), who was planning on importing “four or five Negro men to be sailed to New Orleans to be consigned.”[17] It did not seem to matter how concrete the information was, nor how distant the relation of the subject at hand, when it came to rumors of smuggling, black people were quick to report what they knew and attempt formal advocacy, an attitude observed throughout many of the cases. Another incident, reported on September 17th 1807, was simply labeled “The Black Woman about to be shipped on the Ospray,” and detailed the situation of “a black woman who was heard to make great commotion on board the Brig Ospray, to Havanna bound...[where]the woman [was] to be sold onshore.”[18] It is also noted she had an infant child with her. There is no information about who reported the case, or even the woman’s name, suggesting that whoever spoke on her behalf did not know her personally. It is inspiring to imagine the kind of empathy and altruistic concern for another that motivated someone to go through the work of reporting those cries of a total stranger heard from aboard a ship. This case implies a level of depth to the responsibility that black people felt for their community. On October 17th 1807, this case is referred to again in a summary of action, labeled again as the “Black woman about to be shipped on the Ospray,” with the note next to it reading that “the committee reports the woman free.”[19] How this information was gleaned without the woman’s name is unclear. Perhaps it was only through community networks of information that the committee learned she was free, just as they learned of the case, or perhaps the

committee took direct action in helping secure her freedom. Regardless, the act of reporting the overheard pleas of “a black woman about to be shipped on the Ospray,” appears to have resulted in her freedom, a testament to the power and impact that coming forward could have for complete strangers.

Despite all the moments of triumph, perseverance, and community unity observed through the meeting records however, there is also a deafening silence, an overwhelming amount of dead ends and unanswered questions. Some cases rest on precarious information, such as the case of “the Black Woman about to be shipped on the Ospray” and yet yield a fortuitous outcome. Most others who came forward however, despite their having paid close attention to details such as names and addresses, resulted in inaction or tragedy nonetheless. One of the most striking examples of this is the case of Francis and Fanny.

On the evening of March 26, 1807, a special meeting was called at the house of the Chairman of the Standing Committee, a man by the name of Robert Willet.[20] This meeting was called to “take unto consideration the cases of Francis and Fanny,” two young children of about 10 years old, imported around 1804 from Port au Prince. Francis, a young boy, testified to the committee about the abuse he and his companion Fanny endured by the hands of “a French man called Guray living at No 12 Bailey Street.” The details of the case describe how Francis's body was examined then and there, and his body was described as bearing “the appearance of lashing, having been beat and tormented in a manner the most inhumane can be imagined.”[21] The case was assigned to four members, and there was an additional note that “the Frenchman by the name of Guray” had indeed taken the children to be registered “as the law directs.”[22] This was crucial to include, as since the children were born in 1797, two years before gradual emancipation laws were in effect, the Frenchman's illegal activity would relate to a failure to adhere to the protocols surrounding registration of slaves or the illegal importation of the children, not his ownership of them.

Nothing more is written about Francis and Fanny until the notes from April 11, 1807, in which there is an update that “the committee in the case of Francis reports that she [Fanny] was supplied and is now in the hospital under the care of physicians, her

wounds requiring their care.”[23] The state or future of Francis, her young companion ran from No 12 Bailey street to speak on their behalf, is not included in the record, and indeed, Francis does not appear again after this date. The next time a reference to Fanny appears in the record is on May 13, 1807, when her case was included in a summary of 19 other cases. Unfortunately, some of the details of Fanny’s final outcome are lost to the degradation of the document, but what is legible reads that “Fanny remains bound to a person...”[24] This is a heartbreaking conclusion to Fanny’s story, particularly after her brave young companion Francis had already disappeared from the archive. It would appear that, regardless of how inhumane her conditions and regardless of her receiving medical treatment, Fanny was slated to nonetheless remain in bondage. Even more disheartening however, is the fact that within the summary of those 19 cases, her’s was one of four cases with further follow up details. Three other cases had a reported outcome of manumission, while the remaining 12 cases were simply concluded with “no report.”[25] However dissatisfying Fanny and Francis’s case outcome may seem, it is even more frustrating to encounter these notes of “no report,” a vague catch all phrase whose mundane and bureaucratic tone rings eerie given the severity and urgency of the cases it is used with. “No report” appears so many times in reference to the outcome of cases that the members of the Standing Committee are able to abbreviate it, simply citing the outcome of the case written on the lines above, until a case with actual updates appears.

Perhaps more concerning than the cases of “no report” however, are those cases which appear to have been blatantly mishandled, such as the case of “Richard and Judith vs. Ezekiel Robbins.”[26] On the notes from May 13, 1807 appears the case of “Richard Naffee and Judith belonging to one Nathaniel Dean”, which details both the sale of these two people as well as their current state of “bondage by Ezekial Robbins.”[27] Quite curiously, there are multiple exclamation points after the name “Ezekial Robbins,” a punctuation not used in any other cases surveyed for this essay. These exclamation points and the intensity they imply immediately appear odd, as there appeared to be nothing particularly unique about the situation of Richard and Judith. These exclamation points, I speculate, were included because Ezekial Robbins was a prominent New Yorker, serving in the State Assembly from 1788-1789 (when gradual

emancipation legislation was being passed), again from 1800-1803, as well as an affiliate of many NYMS members.[28] As such, he may have been someone whose public persona was not compatible with slave-owning, and holding Richard and Judith in bondage was perhaps antithetical or damaging to his image. Whatever the reason behind the heightened attention paid to Ezekiel Robins holding slaves, it is clear that when the case first appeared, there was some sort of urgency in addressing and resolving the matter, as denoted by the punctuation. This conclusion is supported by the summary of the case on the following page, which states that “in investigating this case, it was found that matters of humanity induced E Robins to take these persons into his service” and “the case was therefore taken from off the monthly.”[29] The alarm and urgency indicated by the exclamation points in the first entry regarding the case seems at odds with this resolution which was seemingly reached without any formal action. It is suspicious that the case was completely “taken off the monthly,” a phrase or response not used in other cases, and the tone of the resolution implies it was never to be mentioned or reopened again. Is it possible that the case was dropped because of who the respondent was? Was Ezekiel Robins too high profile or powerful to be held to the standard the NYMS espoused? This case of Richard and Judith vs Ezekiel Robins calls into question the integrity or reliability of the work the NYMS and one has to wonder - how often did the NYMS lower or alter its standards of behavior depending on who was involved in the case?

Regardless of the reason behind the sudden and dubious resolution reached in the case, the effect for Richard and Judith was the same - they remained enslaved. It is easy to conceive of the New York Manumission Society as benevolent white abolitionists, particularly when much of the work they undertook supports this conception. And indeed, the NYMS helped secure important legislation, protection and provisions for both enslaved and free people in New York State and the surrounding areas. Their relative success in manumitting and protecting slaves appears diluted however, after spending time with this archival source, and realizing the sheer number of opportunities the NYMS had to take action and make an impact in the lives of black Americans, as well as illuminating the different types of action that were taken.

Despite the deadends, inconclusions, and uncertainties, these records from the NYMS, which in no way have been exhaustively discussed in this paper, nonetheless offer the opportunity to attempt to understand this period in history from the black perspective. This archive offers insight into what was really at stake for the very real people affected by white abolition efforts. This source can help to put names and circumstances to those abstract story-less people called “slaves,” and help us emote and understand them on a more human and personal level. They were slaves to the world around them, but to each other, these black Americans were each other’s children, aunties, guardian angels and good samaritans. So often we discuss absences and silences in the archive, and a lack of representation of marginalized voices. In these records however, the marginalized and oppressed are not silent. They are present on the page, showing up for their communities, for their kin, for themselves. They were fighting to be seen then, and in many ways, their fight to be seen continues today, as we historians privilege those voices and stories in the archive which can be more concretely traced, studied, verified and published. This desire to only study those actors which can be reliably explored and corroborated is an understandable impulse, and an impasse I faced myself as someone focusing on black voices. How does one do the work of a historian to uncover, research and tell a story which vanishes from the archival record as quickly as it appears? My only solace came in knowing that what the archives do provide us is just enough of the raw material we need to expand our imaginative possibilities and imagine alternate pasts. Like Sadia Hartman in her work on *Venus in Two Acts*, I found that what this archive provides is not the triumphant voice of the slave but rather the ingredients to “imagine what cannot be verified” and the building blocks needed to “reckon with the precarious lives” which are visible only in the moment of their tragedy.[30]

When Francis disappears from the record, and only Fanny is left, I learned to simply hold space, with the hopes that one day we might know more answers, but with the heavy knowledge that a Francis-sized hole in the archive may be the closest we will get to recovering him. I learned to hold space for a brave little boy who ran from 12 Bailey street to stand up for himself and his friend, and to accept that I would emerge from my encounter with these children with “a sense of incompleteness and some part of the self

missing as a consequence of this engagement”.[31] After an extended time working with this source, however and encountering these frustrating disappearances or unknowns, it became increasingly clear that, regardless of the fact that the details of their broader lives have been lost to history, the determination and grit that fueled people to testify with the NYMS remained potent as ever. Whether it was through meticulously recording and recounting the exact addresses in which they had been held, or simply conveying the overheard whispers and rumors of a possible slave smuggling operation, black people took it upon themselves to come forth and testify, the act of which in itself serving as an affirmation of their right to be heard.

Endnotes

[1] Sarah Gronningsater, "Born Free in the Master's House: Children and Gradual Emancipation in the Early American North," (New York: Cambridge University Press, 2017), 134.

[2] Mary Freeman, "Slavery and emancipation in New York," History in Action, <http://historyinaction.columbia.edu/field-notes/slavery-and-emancipation-new-york/>

[3]Gronningsater, Born Free in the Masters House," 135.

[4] Ibid.

[5] Ibid, 136

[6] Ibid.

[7] Mary Freeman, "Slavery and emancipation in New York," History in Action, <http://historyinaction.columbia.edu/field-notes/slavery-and-emancipation-new-york/>

[8] "New York Manumission Society Records," New York Historical Society Digital Collections, <http://digitalcollections.nyhistory.org/islandora/object/islandora%3Aroot?page=2>

[9] Ibid.

[10]Ibid.

[11]Records of the New York Manumission Society, 1785-1849, Vol, 9., 1816, digital pg 1271, New York Heritage Digital Collections, <https://cdm16694.contentdm.oclc.org/digital/collection/p15052coll5/id/31192> (hereafter cited as NYMS).

[12] Ibid.

[13] NYMS, 1785-1849, Vol, 10., January 4, 1808, pg 1285, New York Heritage Digital Collections.

[14] Ibid, 1286.

[15] Ibid.

[16] Peter Hinkins, Gradual Emancipation Reflected the Struggle of Some to Envision Black Freedom, Connecticut History, January 5 2020,
<https://connecticuthistory.org/gradual-emancipation-reflected-the-struggle-of-some-to-envision-black-freedom/>

[17] Ibid, 1286.

[18] Ibid, 1280.

[19] Ibid.

[20] Ibid, 1274.

[21] Ibid.

[22] Ibid.

[23] Ibid., 1275

[24] Ibid, 1277

[25] Ibid.

[26] Ibid, 1277

[27] 1277

[28] Documents of the Assembly of the State of New York, New York State Legislature Assembly, (E Crosswell: Albany), Volume 7, pg 123.

[29] NYMS, 1277.

[30] Sadia Hartman, "Venus in Two Acts," Small Axe: A Caribbean Journal of Criticism (Indian University Press: June 2008), 12.

[31] Ibid, 14.

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