



**Damian Alan Pargas**

**“Performing Freedom: Strategies of Escaping Slavery in Southern Cities, 1810–1860”**

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Slavery in Southern Cities, 1810–1860”**

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## “Performing Freedom: Strategies of Escaping Slavery in Southern Cities, 1810–1860”<sup>1</sup>

Moses Hutcherson, a “likely black fellow about twenty-three years old, five feet four or five inches high, neck somewhat long, and rather a prominent nose for a negro,” decided in the spring of 1825 to make a bid for freedom. Surveying the possibilities to escape bondage from his farm on the Potomac River in southern Maryland, he concluded that his best bet would be to flee to Pennsylvania, where slavery had been abolished. It was an option fraught with peril, of course. Despite the close proximity of the neighboring free state, flight attempts across these state borders – which constituted the infamous “Mason-Dixon” line between slavery and freedom – were risky. Moses would have to traverse dozens of miles of slaveholding borderland undetected by heavily armed patrols and professional slave catchers. His hopes of reaching Pennsylvania were dashed when he was caught near Baltimore and thrown into jail; his master recovered him and dragged him back to the shores of the Potomac. Undaunted, Moses escaped again a month later. This time, however, he fled not to the “free” North but to the nearby slaveholding District of Columbia, where he changed his name and passed himself off as a free black. Having been hired out in Washington before, Moses engaged the help of his contacts within the free black community to conceal his true identity and assist him in finding accommodation and employment. In the months that followed, he “served in many of the Taverns and Boarding Houses in [the] District,” and remained harbored by “free negroes in [that] place,” with whom he had come to have “considerable intercourse.”<sup>2</sup>

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<sup>1</sup> Excerpts from this chapter will be published in adapted form in my forthcoming book, *Freedom Seekers: Fugitive Slaves in North America, 1800–1860* (Cambridge: Cambridge University Press, 2022).

<sup>2</sup> *Daily National Intelligencer* (Washington, D.C.), 4 July 1825; Richard S. Newman, “‘Lucky to Be Born in Pennsylvania’: Free Soil, Fugitive Slaves and the Making of Pennsylvania’s Anti-Slavery Borderland,” *Slavery & Abolition* 32, no. 3 (2011): 413–430.

Unlike thousands of his fellow bondsmen who escaped slavery by crossing state or international borders to parts of the continent where the institution had been abolished, Moses Hutcherson attempted to craft a life of freedom for himself by simply disguising his slave status and passing himself off as a free black in a city *within* the slaveholding South. Cases like these – a runaway slave who escaped slavery by simply disguising himself as a free person and getting lost in the crowd in an urban environment – confront historians with important questions about how slavery worked, how it was meant to work, and where its weak spots were. More specifically, they raise questions about the importance of *visibility* to the successful development of slavery as an institution – “visibility” in the literal sense of “marking” the enslaved as an identifiable “other.” This topic is relatively understudied in slavery studies, despite its centrality to the proper functioning of slavery in any slave society. The only way to keep human beings captive without locking them in a cage is to make them visible as enslaved people – or somehow make it known to the wider society that they are in fact enslaved, and should therefore not be treated like other members of the community. In the Americas, the primary marker was race (a marker that was considerably weakened in the Age of Revolutions, as will be explained below). In other societies it was hairstyles (such as in ancient Assyria) or special clothing or fetters or collars (such as in the Roman Empire). What is important is that captivity without cages in large communities or states necessitates visible markers of the captives.<sup>3</sup>

Studying the strategies and actions of runaway slaves can help scholars understand how slavery functioned in practice and how it could be subverted or undermined by erasing visible markers of enslavement. This chapter examines one such case study, namely, the attempts by enslaved people living in the nineteenth-century US South to escape slavery by fleeing to towns and cities and disguising themselves as free blacks.

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<sup>3</sup> On slavery and visibility in the ancient Near East or Roman Empire, see for example Heather D. Baker, “Slavery and Personhood in the Neo-Assyrian Empire,” in *On Human Bondage: After Slavery and Social Death*, ed. John Bodley and Walter Scheidel (London: Wiley & Sons, 2016): 15–30; Christopher J. Fuhrman, *Policing the Roman Empire: Soldiers, Administration, and Public Order* (Oxford: Oxford University Press, 2011), Ch. 1.

Slave flight within the US South – in contrast to slave flight beyond the South, such as to the free states or Canada – generally remains a relatively understudied phenomenon. Scholars such as John Hope Franklin and Loren Schwenerger, as well as Stephanie Camp, previously explored various aspects of *truancy*, the act of absconding temporarily to borderland wilderness areas or nearby towns, often as kneejerk reactions to (the threat of) punishment, but with no intention of remaining at large permanently. Only very recently have scholars begun to examine internal runaways as potential permanent freedom seekers. Sylviane Diouf, for example, has argued that many “borderland maroons” who escaped to the woodland areas in the immediate vicinity of their farms and plantations in fact intended to stay there permanently, while other scholars, including Charles Bolton, Viola Müller, Amani Marshall, and myself, have in recent years begun to examine attempts by freedom seekers to “pass for free” and in towns and cities across the South. The strategies employed by urban runaways underscore the importance of erasing visible markers of slavery in crafting lives of freedom.<sup>4</sup>

## The emergence of spaces of freedom

The development of towns and cities within the slaveholding South into potential spaces of freedom and anonymity for runaway slaves – places

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<sup>4</sup> John Hope Franklin and Loren Schwenerger, *Runaway Slaves: Rebels on the Plantation* (New York: Oxford University Press, 1999), 124–148; Stephanie M. H. Camp, *Closer to Freedom: Enslaved Women and Everyday Resistance in the Antebellum South* (Chapel Hill: University of North Carolina Press, 2004), 35–59; Sylviane A. Diouf, *Slavery’s Exiles: The Story of the American Maroons* (New York: New York University Press, 2014); Viola Franziska Müller, *Cities of Refuge: Slave Flight and Illegal Freedom in the American Urban South, 1800–1860* (Leiden: Leiden University, 2020); Viola Franziska Müller, “Illegal but Tolerated: Slave Refugees in Richmond, Virginia, 1800–1860,” in *Fugitive Slaves and Spaces of Freedom in North America*, ed. Damian Alan Pargas (Gainesville: University Press of Florida, 2018): 137–167; S. Charles Bolton, *Fugitivism: Escaping Slavery in the Lower Mississippi Valley, 1820–1860* (Fayetteville: University of Arkansas Press, 2019), 117–148; Amani Marshall, “‘They Will Endeavor to Pass for Free’: Enslaved Runaways’ Performances of Freedom in Antebellum South Carolina,” *Slavery and Abolition* 31, no. 2 (2010): 161–180; Damian Alan Pargas, “Urban Refugees: Fugitive Slaves and Spaces of Informal Freedom in the American South, 1800–1860,” *Journal of Early American History* 7, no. 3 (2017): 262–284.



where race did not *necessarily* indicate an enslaved status – was inextricably linked with the broader structural changes in the geography of slavery and freedom that shook the Atlantic world in the Age of Revolutions. The last quarter of the eighteenth century and first half of the nineteenth century witnessed both an unprecedented expansion of black freedom and an unprecedented expansion of slavery. For millions of African Americans, this was an age of emancipation. Whereas prior to the American Revolution slavery was legally sanctioned and rarely challenged throughout the western hemisphere, during the second half of the eighteenth century bondage came under increasing attack by prominent thinkers in Europe and America who condemned the institution as immoral, sinful, inefficient, socially undesirable, and politically untenable. Transatlantic discourses and social and political movements had a profound effect upon public opinion and the very status of slavery throughout the Atlantic world. This period witnessed the legal abolition of slavery in various parts of the Americas and of the transatlantic slave trade. It also witnessed a significant spike in manumissions and self-purchase schemes by slaveholders who for whatever reason (whether ideological, religious, or financial) wished to free some or all of their bondspeople, resulting in the emergence or bolstering of free black communities even *within* slaveholding territories, especially in urban areas.<sup>5</sup>

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<sup>5</sup> Steven Hahn, “Forging Freedom,” in *The Routledge History of Slavery*, ed. Trevor Burnard and Gad Heuman (New York: Routledge, 2010): 298–299; Christopher Brown, *Moral Capital: The Foundations of British Abolitionism* (Chapel Hill: University of North Carolina Press, 2006); Seymour Drescher, “Civil Society and Paths to Abolition,” *Journal of Global Slavery* 1, no. 1 (2016): 44–71; David Brion Davis, *The Problem of Slavery in the Age of Revolution, 1770–1823* (New York: Oxford University Press, 1975); David Brion Davis, *The Problem of Slavery in the Age of Emancipation* (New York: Knopf, 2014); Robin Blackburn, *The American Crucible: Slavery, Emancipation and Human Rights* (New York: Verso, 2011), 162–169; Manisha Sinha, *The Slave’s Cause: A History of Abolition* (New Haven: Yale University Press, 2017), 34–193; Ada Ferrer, *Freedom’s Mirror: Cuba and Haiti in the Age of Revolution* (New York: Cambridge University Press, 2014). For the prevalence of manumissions in revolutionary North America, see Peter Kolchin, *American Slavery, 1619–1877* (New York: Hill & Wang, 2003), 80–85; Ira Berlin, *Generations of Captivity: A History of African-American Slaves* (Cambridge, Mass.: Harvard University Press, 2003), 119–123, 135–150; and Rosemary Brana-Shute and Randy J. Sparks, eds., *Paths to Freedom: Manumission in the Atlantic World* (Columbia: University of South Carolina Press, 2009).

Even as significant numbers of enslaved people exited slavery during this period, however, millions more found themselves increasingly trapped in what Dale Tomich has dubbed the “second slavery,” a period of intensification and expansion of slavery in regions such as the US South, Brazil, and Cuba, largely as a result of the successful adoption and rapid expansion of American short-staple cotton, Brazilian coffee, and Cuban sugarcane production around the turn of the nineteenth century. While some parts of the Americas (such as the northern US) saw their free black populations considerably augmented, others devolved into “freedom’s mirror,” as Ada Ferrer recently argued.<sup>6</sup>

The geography of slavery and freedom that emerged in the US in the half-century following the American Revolution was messy and complicated. The northern states enacted state-level abolition through a maze of gradual emancipation acts, state constitutional clauses, and court verdicts between 1777 and 1804. By 1804, all of the states and territories north of the Mason-Dixon line and Ohio River had either prohibited slavery or put it on the path to destruction with gradual emancipation policies. Yet, unlike other parts of the continent or hemisphere, northern free soil was severely compromised by its union with the southern slaveholding states. Overarching federal fugitive slave laws upheld the rights of slaveholders to recover runaways in other states, extending the principle of “extraterritoriality” (whereby state laws that allowed slavery were extended into the jurisdictions other states) to the North and rendering northern “free soil” theoretically inapplicable to escaped slaves from the South. And although northern representatives to the federal government specifically supported these statutes, ordinary citizens and local authori-

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<sup>6</sup> Dale W. Tomich, “The ‘Second Slavery’: Bonded Labor and the Transformations of the Nineteenth-Century World Economy,” in *Rethinking the Nineteenth Century: Contradictions and Movement*, ed. Francisco O. Ramírez (New York: Greenwood Press, 1988): 103–117; Dale W. Tomich and Michael Zeuske, eds., “The Second Slavery: Mass Slavery, World Economy, and Comparative Microhistories, Part I,” *Review: A Journal of the Fernand Braudel Center* 31, no. 2, special issue (2008): 91–100; Anthony E. Kaye, “The Second Slavery: Modernity in the Nineteenth-Century South and the Atlantic World,” *Journal of Southern History* 75, no. 3 (2009): 627–650; Javier Laviña and Michael Zeuske, eds., *The Second Slavery: Mass Slavery and Modernity in the Americas and in the Atlantic Basin* (Berlin: Lit Verlag, 2014); Ada Ferrer, *Freedom’s Mirror: Cuba and Haiti in the Age of Revolution* (New York: Cambridge University Press, 2014).

ties increasingly came to view them as breaches of state sovereignty, as they forced northern communities to accept slavery in their midst. Massive pushback against federal fugitive slave laws – through state-level legislation, legal challenges, and widespread civil disobedience – caused the northern states to essentially develop into a battleground over the meanings of free soil and abolition in the United States.<sup>7</sup>

As the northern states embraced abolition and a commitment to free soil in the late eighteenth and early nineteenth centuries, the southern US rejected abolition but briefly opened the doors to black freedom by facilitating individual manumission and self-purchase arrangements in the immediate aftermath of the American Revolution. As a result, free black communities, especially in the Upper South, grew significantly between 1790 and 1810. Indeed, by 1810 more than 10 percent of the African-American population of the Upper South was classified as free. Even in the Lower South the proportion of free blacks of the total black population increased from 1.6 percent in 1790 to 3.9 percent in 1810. Cities such as Baltimore, Washington, Richmond, Charleston, and countless smaller towns across the southern states saw their free black populations considerably augmented at the turn of the nineteenth century – both Baltimore and Washington eventually developed substantial free black *majorities*. By 1810, however, the revolutionary fervor had largely died out; the pendulum began to swing in the opposite direction and manumission became more circumscribed. The swift reversal of legal opportunities for black freedom in the South coincided with – and was strongly influenced by – renewed economic prospects for slavery as a result of the cotton revolution in the southern interior. As the South

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<sup>7</sup> Ira Berlin, *Generations of Captivity: A History of African-American Slaves* (Cambridge, Mass.: Harvard University Press, 2003), 119–123, 135–150, 159–244; Peter Kolchin, *American Slavery, 1619–1877* (New York: Hill & Wang, 2003), 80–85; David Brion Davis, *Inhuman Bondage: The Rise and Fall of Slavery in the New World* (New York: Oxford University Press, 2006), 141–156; Sue Peabody and Keila Grinberg, “Free Soil: The Generation and Circulation of an Atlantic Legal Principle,” *Slavery & Abolition* 32, no. 3 (2011): 331–339; Eric Foner, *Gateway to Freedom: The Hidden History of the Underground Railroad* (New York: W.W. Norton, 2015), 38–39; Manisha Sinha, *The Slave’s Cause: A History of Abolition* (New Haven: Yale University Press, 2017), 65–96; Arthur Zilversmit, *The First Emancipation: The Abolition of Slavery in the North* (Chicago: University of Chicago Press, 1967); Steven Hahn, *The Political Worlds of Slavery and Freedom* (Cambridge, Mass.: Harvard University Press, 2009).

entered its age of second slavery, southern bondage expanded significantly across the newly acquired territories of the Deep South, fueled by a massive domestic slave trade and a fanatical ideological commitment to retaining and protecting slavery at all costs.<sup>8</sup>

The changing geography of slavery and freedom not only provided enslaved people trapped in the second slavery with a renewed sense of urgency to flee bondage, but also new opportunities to actually do so. Prior to the American Revolution, the possibilities to escape slavery were largely limited to strategies of wilderness marronage; trying to pass for free in port towns that had only very small free black populations; and fleeing to the enemies of their masters in specific geopolitical conflicts (with Native Americans, or the Spanish Empire, or to the British during the Revolution itself). None of these options were very reliable or sustainable in the long term, and relatively few enslaved people succeeded in attaining freedom by such means. The expansion of black freedom in the revolutionary era, however – both in free-soil territories and in urban areas within slaveholding territories – greatly enhanced enslaved people’s possibilities to successfully flee slavery. It disrupted the link between blackness and slavery that had hitherto prevailed (and been taken for granted) throughout the hemisphere. By the early nineteenth century, various parts of the US constituted spaces where African Americans were not – or at least not automatically – marked as enslaved, and where runaways could realistically attempt to live as free people. In the northern states a heated legal contest raged about the precise legal status of refugees from southern slavery – who were indistinguishable from newly emancipated free blacks there – but even in the urban South,

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<sup>8</sup> Manisha Sinha, *The Slave’s Cause: A History of Abolition* (New Haven: Yale University Press, 2017), 91–92; Peter Kolchin, *American Slavery: 1619–1877* (New York: Hill & Wang, 2003), 80–85; Ira Berlin, *Generations of Captivity: A History of African-American Slaves* (Cambridge, Mass.: Harvard University Press, 2003), 119–244; Viola Franziska Müller, *Cities of Refuge: Slave Flight and Illegal Freedom in the American Urban South, 1800–1860* (Leiden: Leiden University, 2020), 23–50; Walter Johnson, *River of Dark Dreams: Slavery and Empire in the Cotton Kingdom* (Cambridge, Mass.: Harvard University Press, 2013); Walter Johnson, *Soul by Soul: Life Inside the Antebellum Slave Market* (Cambridge, Mass.: Harvard University Press, 1999); Damian Alan Pargas, *Slavery and Forced Migration in the Antebellum South* (New York: Cambridge University Press, 2014), 17–55.

where “free soil” did not exist and where runaways had no *legal* claims to freedom, enslaved people could escape slavery by pretending to be members of burgeoning free black communities.<sup>9</sup>

Two factors in particular motivated some freedom seekers to make for nearby towns and cities within the slaveholding states, rather than free-soil states and territories beyond the South. First, enslaved people’s social and occupational networks often lured and led them to urban areas. Runaway slave advertisements in southern newspapers as well as antebellum court records reveal that runaways within the South usually had free black contacts in urban areas to whom they directed their course and who could provide them with vital assistance and information. Whether family, friends, friends of friends, or acquaintances made during a hiring stint or while running an errand for the master in town, established networks between rural and urban black communities blazed well-worn paths that runaway slaves utilized to escape their masters.<sup>10</sup>

Second, and just as important, was the fact that flight to southern towns and cities provided freedom seekers with opportunities to flee slavery *without severing all ties with loved ones*. Fleeing beyond the borders of the antebellum South might have provided runaways with a safer and more legitimate claim to freedom, but it also had the major disadvantage of separating refugees from their homes and families – potentially forever. For many freedom seekers, even those who lived within relatively

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<sup>9</sup> Sylviane A. Diouf, *Slavery’s Exiles: The Story of the American Maroons* (New York: New York University Press, 2014), 3; Nathaniel Millett, “Defining Freedom in the Atlantic Borderlands of the Revolutionary Southeast,” *Early American Studies* 5, no. 2 (2007): 367–394; Leslie M. Harris, *In the Shadow of Slavery: African Americans in New York City, 1626–1863* (Chicago: University of Chicago Press, 2003), 21–22, 29, 36–39; Graham R. Hodges and Alan E. Brown, eds., *Pretends to Be Free: Runaway Slave Advertisements from Colonial and Revolutionary New York and New Jersey* (New York: Routledge, 1994); Jane Landers, “‘Giving Liberty to All’: Spanish Florida as a Black Sanctuary, 1673–1790,” in *La Florida: Five Hundred Years of Hispanic Presence*, ed. Rachel A. May and Viviana Diaz Balsera (Gainesville: University Press of Florida, 2014): 117–140.

<sup>10</sup> John Hope Franklin and Loren Schwenger, *Runaway Slaves: Rebels on the Plantation* (New York: Oxford University Press, 1999), 126–127, 130–145; Viola Franziska Müller, *Cities of Refuge: Slave Flight and Illegal Freedom in the American Urban South, 1800–1860* (Leiden: Leiden University, 2020), 32–36; Leonard P. Curry, “Free Blacks in the Urban South, 1800–1850,” *Southern Quarterly* 43, no. 2 (2006): 35–51; Anthony E. Kaye, “Neighborhoods and Solidarity in the Natchez District of Mississippi: Rethinking the Antebellum Slave Community,” *Slavery & Abolition* 23, no. 1 (2002): 1–24.

easy reach of free soil, state and international borders seemed like a door of no return that they were unwilling to pass through if they could avoid it. Crafting lives of clandestine freedom within the urban South, by contrast, allowed them to “live free” without permanently separating them from loved ones and having to live as castaways in some distant and unknown part of the continent.<sup>11</sup>

## Passing for free in the urban South

Runaways’ social networks not only informed their paths *to* town, but also showed them the way upon arrival *in* town. Most gravitated to streets, neighborhoods, and houses where their free black contacts lived. Although free blacks by no means lived strictly segregated from white residents in most urban areas during the antebellum period, larger cities did have neighborhoods with relatively high concentrations of African Americans where runaways could more easily get lost in the crowd and where they were therefore more likely to end up. In Baltimore fugitives made for the harbor and Fell’s Point in the early decades of the nineteenth century; after the 1830s they followed free blacks out to the “cheap tenement housing” in the “maze of alleyways and court-yards” in the Western Precincts, as historian Christopher Phillips described it, where the poor laboring classes lived. In the District of Columbia free black neighborhoods were dispersed throughout Washington City and the federal territory, including across the river in Alexandria, where the earliest pockets arose in areas known as The Bottoms, Hayti, Uptown, and Fishtown. In Richmond, African Americans crowded together in industrial and low-lying neighborhoods like Shockoe Creek, Bacon Bottom and Jackson Ward, but also in shanties just beyond the city limits where night watchmen rarely ventured. In Charleston free blacks lived

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<sup>11</sup> On the importance of not severing ties to family and loved ones, even if it meant remaining within the slave South, see for example: Calvin Schermerhorn, *Money over Mastery, Family over Freedom: Slavery in the American Upper South* (Baltimore: Johns Hopkins University Press, 2011); Ted Maris-Wolf, *Family Bonds: Free Blacks and Re-enslavement Law in Antebellum Virginia* (Chapel Hill: University of North Carolina Press, 2015).

concentrated in several streets around town, but almost two-thirds lived in shacks in the upper wards on the Neck, an overcrowded area that was described by a grand jury in 1856 in unflattering terms:

“In these negro rows as many as fifty to one hundred negroes, or free persons of color, are sometimes residing, shut out from the public street by a gate, all the buildings having but one common yard, and not a single white person on the premises.”<sup>12</sup>

The ramshackle tenements were considered a violation of the city’s prohibition of black assembly. In New Orleans free blacks lived dispersed throughout the city, but most lived concentrated in specific neighborhoods, especially the 5<sup>th</sup>, 6<sup>th</sup>, and 7<sup>th</sup> Wards, pockets of which constituted “the safest hiding places for runaway slaves,” according to one incensed local slaveholder, writing in the *Daily Picayune* in 1859. Even smaller towns and cities had free black “streets” or “neighborhoods” – Springfield in Augusta, Georgia; Pitt and Charles Streets in Fredericksburg, Virginia. Neighborhoods such as these became prime destinations for runaways seeking cover and assistance.<sup>13</sup>

Free African Americans throughout the South received, assisted, and harbored fugitive slaves at great risk to their own bodies, lives, and freedom. All southern cities and states repeatedly passed and renewed

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<sup>12</sup> Grand jury of Charleston quoted in Bernard E. Powers, *Black Charlestonians: A Social History, 1822–1885* (Fayetteville: University of Arkansas Press, 1994), 25.

<sup>13</sup> Christopher Phillips, *Freedom’s Port: The African American Community of Baltimore, 1790–1860* (Urbana: University of Illinois Press, 1997), 104–105; Viola Franziska Müller, “Illegal but Tolerated: Slave Refugees in Richmond, Virginia, 1800–1860,” in *Fugitive Slaves and Spaces of Freedom in North America*, ed. Damian Alan Pargas (Gainesville: University Press of Florida, 2018): 149; Elsa Barkley Brown and Gregg Kimball, “Mapping the Terrain of Black Richmond,” *Journal of Urban History* 21, no. 3 (1995): 302; Midori Takagi, “Rearing Wolves to Our Own Destruction”: *Slavery in Richmond, Virginia, 1782–1865* (Charlottesville: University of Virginia Press, 1999); Bernard E. Powers, *Black Charlestonians: A Social History, 1822–1885* (Fayetteville: University of Arkansas Press, 1994), 25; Viola Franziska Müller, *Cities of Refuge: Slave Flight and Illegal Freedom in the American Urban South, 1800–1860* (Leiden: Leiden University, 2020), 98–105; *Daily Picayune* (New Orleans, La.), 22 October 1859; Ruth C. Fitzgerald, *A Different Story: A Black History of Fredericksburg, Stafford, and Spotsylvania* (Fredericksburg: Unicorn, 1979); Richard C. Wade, *Slavery in the Cities: The South, 1820–1860* (New York: Oxford University Press, 1964), 150–151.

legislation that threatened free black residents with heavy penalties for hiding or in any way helping to hide runaways, and court records reveal plenty of examples of offenders being taken up and dragged in front of a magistrate. The threat of harsh penalties did not always serve as effective deterrents to free African Americans determined to provide assistance and protection to runaways in need, however. The most logical explanation for the assistance provided by free blacks to runaway slaves in most urban areas was their social proximity to – and interconnectedness with – enslaved people. Due to the ad hoc and often clumsy execution of manumissions in the post-revolutionary period, most southern free blacks were closely related to, and remained in close contact with, enslaved people. But solidarity among free and enslaved African Americans may also have been strongly influenced by shared experiences and a common plight. As Ira Berlin argued in his seminal work *Slaves without Masters*, free blacks and enslaved people in most southern towns and cities had much more in common than their different legal statuses would suggest. Barred from certain occupations, denied political and civil rights, subjected to the harshest executions of justice (including re-enslavement) without being allowed to testify in court on their own behalf, harassed by night watchmen and patrols for violating curfews and prohibitions of assembly, and generally relegated to abject poverty, free African Americans were only a few short steps removed from their enslaved brothers and sisters. Black Codes in all southern states became increasingly harsh in the Jacksonian years and nowhere were free blacks afforded the rights and privileges that free whites enjoyed. By 1835 most southern legislatures had indeed barred free blacks from other states from entering or residing in their states without special permission; required manumitted slaves to leave the state; dictated that free blacks who could not prove themselves to be “industrious” enough could be forcibly hired out; and flatly denied that free blacks were citizens at all. The Arkansas courts bluntly declared in 1846 that free blacks held “a kind of quasi citizenship,” and Georgia passed a unanimous resolution in 1842 that denied free blacks US citizenship and declared them in a state of “pupilage.” Both Louisiana and Florida passed laws that encouraged free blacks to seek out white guardians for their own protection. These



restraints and restrictions on their freedom were not always enforced, but their threat was always present and may have made free blacks identify more strongly with the enslaved population – and show more empathy with the plight of runaways – than their legal status would suggest.<sup>14</sup>

Indeed, the black populations of most southern towns and cities consisted of such a wide and blurry spectrum of legal statuses that urban authorities were often unable to easily distinguish between “free” and “slave,” at least at first glance. Any African American walking down the street could of course be a runaway or urban slave, but they could also be an urban hired slave, many of whom lived apart from their employers, much like free blacks. Other “slaves” in southern towns fell into yet another curious category of the unfree: those owned by free black family members who were unable to – or declined to – manumit them due to the increased restrictions on manumission in the antebellum period. Although legally enslaved, these people also lived like (and with) free blacks. And then there were the various categories of the free, which included free blacks who for one reason or another resided illegally in town – who were denied residence permits, for example, or who had somehow lost their free papers. Finally, there were urban free blacks who resided legally and who were in possession of their free papers. To casual observers, however, it was unclear who was who.<sup>15</sup>

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<sup>14</sup> Rogers M. Smith, *Civic Ideals: Conflicting Visions of Citizenship in U.S. History* (New Haven: Yale University Press, 1997), 253–258; Ira Berlin, *Slaves without Masters: The Free Negro in the Antebellum South* (New York: The New Press, 1992); Seth Rockman, *Scraping By: Wage Labor, Slavery, and Survival in Early Baltimore* (Baltimore: Johns Hopkins University Press, 2009), 16–44; Anthony E. Kaye, “Neighborhoods and Solidarity in the Natchez District of Mississippi: Rethinking the Antebellum Slave Community,” *Slavery & Abolition* 23, no. 1 (2002): 1–24; Viola Franziska Müller, *Cities of Refuge: Slave Flight and Illegal Freedom in the American Urban South, 1800–1860* (Leiden: Leiden University, 2020), 98–117; Michael P. Johnson, “Runaway Slaves and Slave Communities in South Carolina, 1799–1830,” *William & Mary Quarterly* 38, no. 3 (1981): 418–441.

<sup>15</sup> Jonathan D. Martin, *Divided Mastery: Slave Hiring in the American South* (Cambridge, Mass.: Harvard University Press, 2004), 164–168; Richard C. Wade, *Slavery in the Cities: The South, 1820–1860* (New York: Oxford University Press, 1964), 62–75; Midori Takagi, “Rearing Wolves to Our Own Destruction”: *Slavery in Richmond, Virginia, 1782–1865* (Charlottesville: University of Virginia Press, 1999), 37–40; Calvin Schermerhorn, *Money over Mastery, Family over Freedom: Slavery in the American Upper South* (Baltimore: Johns Hopkins University Press, 2011), 135–140; Nancy C. Frantel, *Richmond, Virginia Uncovered: The Records of Slaves and Free Blacks Listed in the City Ser-*

Not only were various categories of free and unfree African Americans in southern towns and cities often virtually indistinguishable in public spaces, but they intermingled to such an extent that they often formed a single polyglot urban community, which served to protect and provide further shelter to runaway slaves seeking to conceal themselves from the view of authorities and slave catchers. They worked together, lived together, frequented the same taverns and grog shops, established families across legal lines, and worshipped together. Free black churches in particular formed the center of urban black social life – of all legal categories – and proved a vital lifeline to runaway slaves who wished to live in freedom and integrate with free African Americans. Most southern cities contained at least one free black church, often of a Baptist or Methodist denomination, which served both the enslaved and free black communities. The District of Columbia contained the well-known Alfred Street Baptist Church (originally called the First African Baptist Church, established in 1803) in the Bottoms neighborhood of Alexandria, for example; Richmond established a First African Baptist Church in 1841; Charleston had an African Methodist Episcopal (AME) Church until 1822, when city authorities destroyed it in the wake of the Denmark Vesey insurrection plot; Savannah had a First and Second African Baptist Church by the 1850s; Baltimore contained at least eight established free black churches, both Baptist and AME; and New Orleans was home to at least four black Methodist churches before the Civil War.<sup>16</sup>

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*geant Jail Register, 1841–1846* (Richmond: Heritage Books, 2010), 30; Frederick Law Olmsted, *A Journey in the Seaboard Slave States; with Remarks on Their Economy* (New York: Dix and Edwards, 1856), 47; Viola Franziska Müller, *Cities of Refuge: Slave Flight and Illegal Freedom in the American Urban South, 1800–1860* (Leiden: Leiden University, 2020), 98–117.

<sup>16</sup> Albert J. Raboteau, *Slave Religion: The “Invisible Institution” in the Antebellum South* (New York: Oxford University Press, 2004), 85; Ira Berlin, *Generations of Captivity: A History of African-American Slaves* (Cambridge, Mass.: Harvard University Press, 2003); Viola Franziska Müller, “Illegal but Tolerated: Slave Refugees in Richmond, Virginia, 1800–1860,” in *Fugitive Slaves and Spaces of Freedom in North America*, ed. Damian Alan Pargas (Gainesville: University Press of Florida, 2018): 150–151; Jason Poole, “On Borrowed Ground: Free African-American Life in Charleston, South Carolina, 1810–61,” *Essays in History* 36 (1994): 1–33; Rashauna Johnson, *Slavery’s Metropolis: Unfree Labor in New Orleans during the Age of Revolutions* (New York: Cambridge University Press, 2016); Whittington B. Johnson, *Black Savannah, 1788–1864* (Fayetteville: University of Arkansas Press, 1999), 113; Christopher W. Phillips, “Negroes and

Newly arrived runaways made for the addresses of contacts and family members in free black neighborhoods, and settled into urban free black communities. Few went into permanent hiding in the cellars, attics, or backyard kitchens of free blacks' homes, however. "Lurking about" and navigating public spaces in southern towns and cities did not entail remaining physically separated from the hustle and bustle. Quite the opposite was true. In urban areas refugees from slavery entered spaces where they could walk down the street in broad daylight, and where they could realistically attempt to establish a *permanent* base for themselves in "informal freedom" – a freedom that did not exist on paper but that de facto allowed them to escape bondage. Their most important strategies for successfully passing for free entailed changing or adapting their appearances. As Amani Marshall has argued, successful procurement of informal freedom in southern cities required runaway slaves to assume "free identities," which they did by engaging in "intricate performances in which they exploited colour, dress, language, and employment skills to transcend lines of race and class." For slave refugees, passing for free meant *looking* and *acting* free. Visibility was everything – erasing all markers of their slave identity was the key to navigating urban spaces.<sup>17</sup>

For the vast majority of refugees in southern cities, looking and acting like free blacks entailed more theater than anything else. Indeed, upon arrival in urban areas, or even during the flight attempt itself, runaways' first order of business was often to procure the more fanciful clothing of the free black population to replace the ragged clothes that gave them away as country slaves. This is clear from runaway slave ads in antebellum southern newspapers. Sam, "an artful fellow" from eastern Maryland who had been sold to Kentucky, was presumed to have made his way all the way back to his native town "and will probably exchange

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*Other Slaves*: *The African American Community of Baltimore, 1790–1860* (Athens: University of Georgia, 1992), 7; Petition of William C. Meggett et al. to the General Assembly of South Carolina, 1820, Race and Slavery Petitions Project (hereafter RSPP), Series 1, Legislative Petitions, Accession #11382008 (Slavery and the Law Collection, Roosevelt Institute for American Studies, Middelburg, Netherlands).

<sup>17</sup> Ira Berlin, *The Making of African America: The Four Great Migrations* (New York: Penguin, 2010), 90; Amani Marshall, "'They Will Endeavor to Pass for Free': Enslaved Runaways' Performances of Freedom in Antebellum South Carolina," *Slavery and Abolition* 31, no. 2 (2010): 161–180, 161.

his dress” to disguise his slave status. One runaway slave who was suspected of lurking about Livingston, Alabama, was seen wearing “a black cashmere over-coat [...] and a silver huntsman’s watch,” no garb for a slave. Louisa, a “Mulatto Girl” from South Carolina who ran away to Charleston in 1822, was supposed to have “taken more than one dress with her, [and] it is likely she will change often.” A young enslaved man named “JIM or ARMSTEAD, aged about 22 years,” who had been sold away from his home in Tennessee to New Orleans and subsequently to Alabama, ran away in 1838 and was presumed to have gone to Nashville, where his mother – a free black woman – lived. The runaway sported “a fur cap, brown cloth frock coat, boots, etc.; had with him a variety of clothing, description not recollected, and will most likely dress very well and in newest fashion.” He even ran off in style on the back of “a large bay horse [...] with a Spanish saddle quilted cover.” It is unlikely any resident of Nashville would have taken the runaway for a slave from an Alabama plantation when he strode into the city.<sup>18</sup>

The physical appearance of legal freedom was crucial not only for navigating public spaces anonymously but also for finding employment and making a living. Southern towns and cities were attractive destinations for permanent freedom seekers in part because they provided them with opportunities to perform various occupations and earn money to sustain themselves indefinitely. This they did by hiring out their services as if they were free – which meant looking and acting free – to the great consternation of slaveholders throughout the South, who often explicitly warned white urban residents against employing their escaped slaves in the mistaken belief that they were free blacks. Runaway slave advertisements regularly included cautionary warnings. When an enslaved man named Cyrus absconded from his master’s residence in Louisiana in 1853, for example, the runaway slave ad that announced his disap-

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<sup>18</sup> *Frankfort Argus* (Frankfort, Ky.), 28 May 1814; *Mississippi and State Gazette* (Natchez, Miss.), 5 September 1851; *Charleston Courier* (Charleston, S.C.), 25 May 1822; *Tennessee Republican Banner* (Nashville, Tenn.), 26 December 1838; see also Appendix 1 in John Hope Franklin and Loren Schweninger, *Runaway Slaves: Rebels on the Plantation* (New York: Oxford University Press, 1999), 298; Shane White and Graham White, “Slave Clothing and African-American Culture in the Eighteenth and Nineteenth Centuries,” *Past & Present* 148, no. 1 (1995): 166.

pearance suggested that he had gone to New Orleans and “may probably be at work on the Levee [...] Masters of steamboats are warned against employing said boy.” The master of Sidney, who was “lurking about the town” of New Bern, North Carolina, in 1838, similarly cautioned the town’s residents against “harboring [or] employing” the runaway, “as the law will be rigorously enforced against anyone so offending.” The owner of George, a South Carolina enslaved man who ran away to Charleston in 1825 and was “well known in this city as a Tailor,” warned the city’s residents “against employing [...] the said Fellow, as the law will be rigidly enforced against them.” Such phrasing was common.<sup>19</sup>

Skilled enslaved men were often in the best position to hire themselves as if they were free, as their services were in high demand in urban centers and their occupations often associated with economic activities usually performed by free blacks. Indeed, both the confidence felt by skilled slaves and their expansive professional networks made them more prone to run away to southern towns and cities in the first place. Runaway slave ads from throughout the southern states confirm that skilled men – from carpenters to river pilots to cigar makers – tended to flee to urban areas within the South with remarkable frequency. In the summer of 1849, for example, \$500 reward was offered for the apprehension of four bondsmen from a plantation in Rowland’s Springs, Georgia, all of them skilled men endeavoring to get to Charleston: two “first rate carpenters,” a “first rate blacksmith,” and a “tinner by trade” named Hercules who had been sold to Georgia from the South Carolina lowcountry and who therefore had an added incentive to flee to Charleston. Similarly, in 1813 a twenty-two-year-old mulatto slave named Joseph, who had been trained as a tailor, ran away from his master in Ascension Parish, Louisiana, and made for New Orleans, where he was able to sustain himself for over a year until he was discovered to be a runaway slave and thrown into jail. Edmund, a Louisiana runaway

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<sup>19</sup> Louisiana Runaway Slave Advertisements, 1836–1865, Louisiana Digital Library, Baton Rouge, La., RSA00001178; *Newbern Spectator and Literary Journal* (Newbern, N.C.), 15 June 1838; *Charleston Courier* (Charleston, S.C.), 8 January 1825; Judith Kelleher Schafer, “New Orleans Slavery in 1850 as Seen in Advertisements,” *Journal of Southern History* 47, no. 1 (1981): 33–56.

who escaped to New Orleans in 1854 and was suspected of lurking about the Second District, was described as “a cook, and will endeavor to get employment in that capacity.” Henry Wilson, from a cotton plantation in Iberville Parish, Louisiana, likewise ran away to New Orleans and was known to be “working in this city” and “attempt[ing] to pass himself off for a free man.” Henry was described as “a good brick layer, plasterer, and mattress maker, can read and write well, and has some pretensions to preaching.” Dick, also suspected of hiding out in New Orleans, was advertised as “a good butcher, horse-breaker, house painter, cook, and white-washer, and a fair shoemaker.” Such descriptions are common in antebellum southern newspapers.<sup>20</sup>

Yet it is important not to overemphasize opportunities for enslaved men to actually *perform* highly specialized occupations upon arrival in southern towns and cities, even those who were skilled in a particular trade. Practicing a skilled profession may have seemed like an obvious and lucrative way to sustain oneself, but it also made runaways more easily identifiable and vulnerable to recapture. Recent research on urban runaways by Viola Müller reveals that in some southern cities fugitives felt a particular imperative to seek employment in “low profile jobs” so as to avoid detection, whatever their previous training on the plantation – at least upon arrival, when they were still afraid of recapture and attempting to get settled. Much depended on the skill, city, and amount

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<sup>20</sup> Viola Franziska Müller, *Cities of Refuge: Slave Flight and Illegal Freedom in the American Urban South, 1800–1860* (Leiden: Leiden University, 2020), 51–88, 119–159; *Greenville Mountaineer* (S.C.), 17 August 1849; Petition of Antoine Bayon to the Second District Court of Louisiana, 26 April 1814, RSPP, Series 2, County Court Petitions, Accession #20881457; *Daily Picayune* (New Orleans, La.), 20 April 1854; *Daily Picayune* (New Orleans, La.), 13 January 1846; *Daily Picayune* (New Orleans, La.), 14 August 1846. Scholarship has consistently shown that skilled enslaved men were often overrepresented in antebellum runaway slave ads. John Hope Franklin and Loren Schweninger, *Runaway Slaves: Rebels on the Plantation* (New York: Oxford University Press, 1999), 135. Larry Rivers recently argued in his study of slave resistance in antebellum Florida that an exceptionally high proportion of male runaways in that state were skilled, especially carpenters, blacksmiths, and river pilots. See Larry Eugene Rivers, *Rebels and Runaways: Slave Resistance in 19<sup>th</sup>-Century Florida* (Urbana: University of Illinois Press, 2012), 66–67. A study of runaway slave profiles in North Carolina comes to the same conclusion, with blacksmiths, carpenters, coopers, and shoemakers heavily overrepresented in runaways from that state. See Freddie L. Parker, *Runaway Slaves in North Carolina, 1775 to 1835* (Chapel Hill: University of North Carolina, 1987), 197–199.

of risk a runaway was willing to take to earn some money. A black tailor in a black neighborhood of a large city like New Orleans, or a low-country river pilot plying into and out of a bustling port like Charleston (where virtually all river pilots were black), may not have aroused much suspicion, for example. But for most male runaways, ordinary day labor – on construction sites, as stevedores loading and unloading vessels in the wharves of port towns, laying railroad track, peddling produce in market halls, working in tobacco factories and flour mills – not only provided regular opportunities to earn a dollar, but were also the safest options. The prevalence of black laborers and high turnover rates in such “low profile” sectors made it difficult for employers or the authorities to keep track of who was employed at any given time, much less suss out their legal status. In Richmond (and its vicinity) runaways easily found work at tobacco factories, in coal pits, and with construction companies. In other cities runaways gravitated to crowded harbors and busy market halls. Ben Elliott, a twenty-five-year-old runaway originally from Charleston but sold to Augusta in 1833, had been missing for five months before his new master placed an advertisement in the *Charleston Courier* for his recapture. Ben was presumed to be hiding out with his mother in Charleston, a free woman “named Pheobe Elliott, who sells fruit in the market,” and he was heard to be passing himself off as a free black and “working about the wharves, and on board vessels, as a Stevedore or an Assistant.” Peter Youngblood fled his new Charleston residence for the town of Beaufort, “as he has a wife on Mrs. Hamilton’s Plantation, in that neighborhood.” He, too, was suspected of working about the waterfront and being “employed in fishing in the neighborhood of that city.” Wilson, a Louisiana runaway who crafted a life of informal freedom for himself at New Orleans, was “seen many times” working “on board steamboats” and as a “marchand at the market house of the First Municipality.”<sup>21</sup>

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<sup>21</sup> *Charleston Courier* (Charleston, S.C.), 7 March 1835; *Charleston Courier* (Charleston, S.C.), 28 September 1830; *Daily Picayune* (New Orleans, La.), 11 April 1844; Viola Franziska Müller, “Illegal but Tolerated: Slave Refugees in Richmond, Virginia, 1800–1860,” in *Fugitive Slaves and Spaces of Freedom in North America*, ed. Damian Alan Pargas (Gainesville: University Press of Florida, 2018): 152–153; Viola Franziska Müller, *Cities of Refuge: Slave Flight and Illegal Freedom in the American Urban South, 1800–1860*

Opportunities for runaways to find either skilled or unskilled labor in any sector were always more readily available for men than women. Most of the latter worked as seamstresses, laundresses and domestic servants in white households, their employers assuming that they were free blacks. Mildred Jackson, a twenty-six-year-old enslaved woman hiding out in New Orleans in 1854, was “supposed to be harbored in the Fourth District by her husband,” and was described as “a good seamstress, and she may be employed by some one not knowing she has run away.” “Fifty Dollars Reward” was offered “for the apprehension of TENAH, a female servant, who ran away from Barnwell Court House” in South Carolina in 1830. Tenah had been separated from her loved ones when she was sold from a plantation near Charleston to Barnwell. The runaway slave ad that announced her flight stated that she was undoubtedly “harbored in Charleston by a free person,” her husband being “a free man by the name of William Lewy, who lives in Goose Creek, and has been seen in her company at the person’s house in which she is harbored.” Tenah was suspected of illegally passing herself off as a free black woman in order to gain employment, as her master “understood that she has been (perhaps unknowingly) employed by a white person as a washerwoman.” In North Carolina a runaway named Milly was described as a “good seamstress and knitter,” and suspected of similarly “trying to pass as a free woman” in Fayetteville. For good measure, Milly had also somehow managed to steal a small trunk with \$700 from her master, an exorbitant nest egg for a newcomer in town.<sup>22</sup>

Southern states and municipalities passed strict legislation aimed at unblurring the lines and enhancing the visibility of free blacks and slaves, such as requiring slaves to carry passes, hired slaves to carry badges, and free blacks to carry free certificates of freedom at all times. In the end, however, their attempts to distinguish between free blacks and runaway slaves in public spaces largely failed, mainly because run-

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(Leiden: Leiden University, 2020), 119–159; Michael D. Thompson, *Working on the Dock of the Bay: Labor and Emancipation in an Antebellum Southern Port* (Columbia: University of South Carolina Press, 2015), 30.

<sup>22</sup> *Daily Picayune* (New Orleans, La.), 1 December 1854; *Charleston Courier* (Charleston, S.C.), 4 January 1830; *Fayetteville Observer* (Fayetteville, N.C.), 15 January 1840.



always devised cunning strategies to circumvent the laws by procuring false documentation. Fugitive slaves who remained in the South knew that their precarious existence was primarily based on the fact that they lacked formal papers to prove that they either had permission to reside in the city or that they were free. As illegals and non-citizens, the very public spaces that often provided them with anonymity could also produce dangerous encounters with whites that might reveal their true identities. Authorities and vigilant residents were constantly warned to be on the lookout for African Americans who roamed the streets with “neither ticket nor badge, as required by the City Ordinance,” as one woman was described in Charleston in 1859. False documentation was a great advantage to those who could procure it, and many runaways appear to have known how to do so.<sup>23</sup>

Enslaved people who could read and write – always a tiny minority – were in a position to forge their own passes or free papers, and many did. Frederick, a Georgia slave who was suspected of having run to Augusta in 1825, was presumed to be carrying “a forged pass with him, as he can read and write.” Ben, a Virginia slave who ran away with his three daughters to Washington, could “write a pretty good hand, and no doubt has copied the papers of some free man,” his master even having “reason to believe he stole the Stafford County seal and attached the impression of it to his papers.” Gilbert, a runaway from Louisiana who was suspected of having fled to New Orleans in 1851, was described as “a very good looking boy, and can read and write.” Jacob and his wife Judy both ran away from their master in Edgecombe County, North Carolina, and were suspected of “lurking about in Edenton.” Both were advertised as being able to read and write “a little,” and “have with them a free pass, which they will impose upon most people from the plausible manner in which it is made out.” Such tricks infuriated slaveholders and white residents throughout the South. In 1828 residents of Charleston

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<sup>23</sup> Viola Franziska Müller, *Cities of Refuge: Slave Flight and Illegal Freedom in the American Urban South, 1800–1860* (Leiden: Leiden University, 2020), 82–87; John Hope Franklin and Loren Schweninger, *Runaway Slaves: Rebels on the Plantation* (New York: Oxford University Press), 131–136; *Charleston Courier* (Charleston, S.C.), 1 January 1859.

demanded stricter enforcement of the law prohibiting slaves from learning how to read and write, because it allowed them to forge passes, permits, and free papers.<sup>24</sup>

The vast majority of enslaved people could not read or write, however, and therefore depended on free blacks to provide them with the false documentation necessary to evade detection. Perhaps unsurprisingly, a black market in forged passes and facsimiles of free papers for runaway slaves – the antebellum equivalent of a fake passport for undocumented immigrants – flourished in urban areas, despite strict legislation against it. In the District of Columbia, where the buying and selling of free papers for runaway slaves was considered completely out of control, the law threatened “any free negro or mulatto” caught selling “such certificate to any slave, by which such slave may be enabled to abscond” with legal prosecution and a fine “not exceeding the sum of three hundred dollars” – and if the offender was unable to pay he or she would be “sold” into forced labor for a period of up to seven years by way of recompense. In Mississippi, where runaways usually made for Natchez, Jackson, or New Orleans, the General Assembly explicitly threatened “any free negro or mulatto who shall deliver or transfer to any slave the copy of the register of his or her freedom [...] with the intent to enable such slave to escape from his or her master” with a felony. Every other southern state had similar legislation on the books – by the eve of the Civil War even the sparsely settled southwestern territory of New Mexico threatened that “any person furnishing slaves free papers is liable to an imprisonment of not less than six months nor more than five years, and a fine of not less than \$100 nor more than \$1000.”<sup>25</sup>

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<sup>24</sup> *Augusta Chronicle* (Augusta, Ga.), 8 October 1825; *Daily National Intelligencer* (Washington, D.C.), 4 July 1825; *New Orleans Picayune* (New Orleans, La.), 15 July 1851; *Edenton Gazette and North Carolina General Advertiser* (Edenton, N.C.), 25 January 1820; Petition of Joseph Johnson to the House of Representatives of South Carolina, 1828, RSPP, Series 1, Legislative Petitions, Accession #11382808; Viola Franziska Müller, *Cities of Refuge: Slave Flight and Illegal Freedom in the American Urban South, 1800–1860* (Leiden: Leiden University, 2020), 82–87.

<sup>25</sup> Worthington G. Snethen, *The Black Code of the District of Columbia, in Force September 1<sup>st</sup>, 1848* (New York: W. Harned, 1848), 28–29; T.J. Fox Alden and J.A. van Hoesen, *Digest of the Laws of Mississippi, Comprising All the Laws of a General Nature, Including the Acts of Session of 1839* (New York: Alexander S. Gould, 1839), 763; *Bangor Daily Whig and Courier* (Bangor, Me.), 17 March 1859; Viola Franziska Müller, *Cities of Ref-*

Yet runaway slave ads, court records, and even planters' records reveal that forged papers procured from free blacks were common anyway. One North Carolina slaveholder sent a friend to Suffolk, Virginia, to track down some runaways who were rumored to be working in a cotton factory and employed about construction jobs in that city in the summer of 1848. The friend reported back that "from the best information I can gather" the runaways had used forged passes to obtain work at a construction site: "there [sic] papers were examined by Mr. E.D.B. Howell – Mr. Everitt & others they were closely questioned, [and] finding there [sic] answers to correspond with there [sic] papers, the papers having the County seal, these persons come to the conclusion that they were actually free." Runaway slave ads are full of references to forged passes. Nancy, a "bright mulatto, aged about 25 years" and originally from the Natchez area of Mississippi, absconded from her new master in Plaquemines Parish, Louisiana, but had "lately been heard of in the neighborhood of Natchez with a forged pass." Kitty, a Virginia slave suspected of having run to Washington, was advertised as "uncommonly artful, and no doubt will have free papers." Amanda, from Monroe County, Georgia, fled to Augusta with "a pass given her" so that she could "attempt to pass as a free person." Will, a Virginia runaway, "probably has a pass or counterfeit papers of freedom." Bill, an Alabama enslaved man from Alabama was "making his way to Macon, Ga., and very probably he has a free pass." Some runaways who were unable to purchase or otherwise procure counterfeit documents resorted to stealing them from free blacks, placing both themselves and their victims in legal jeopardy. Allen Floyd, for example, a free black from North Carolina, was robbed of his free papers by a runaway slave in 1859. When the runaway was arrested in Wilmington and turned out to be passing himself off as Floyd, the real Floyd was threatened with arrest on suspicion of having illegally sold his papers to the runaway slave. Indeed, because illegally acquiring

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uge: *Slave Flight and Illegal Freedom in the American Urban South, 1800–1860* (Leiden: Leiden University, 2020), 82–87; John Hope Franklin and Loren Schwener, *Runaway Slaves: Rebels on the Plantation* (New York: Oxford University Press, 1999), 135; Ira Berlin, *Slaves without Masters: The Free Negro in the Antebellum South* (New York: The New Press, 1992), 93–94.

false papers in southern towns and cities was so rampant, some cities like Charleston required certain categories of black residents to carry badges or medallions instead, presumably because these were more difficult to duplicate. Even that did not stop many runaways from trying (or stealing them), however. One runaway slave ad for a young woman suspected of lurking about Charleston, where she had “many relations,” specifically mentioned that she “has a badge, No. 176.”<sup>26</sup>

To make matters even more confusing to city authorities and slave catchers, fugitive slaves not only often secured false documentation, but false documentation under one or more aliases, as runaway slave ads from throughout the South make abundantly clear. One runaway to New Orleans who was suspected of lurking about with false papers, for example, was “familiar with the names Hildreth, Brown and Walker.” In 1824 a lowcountry runaway named Mary was heard to have changed her name to Jane and to be living “with a forged pass” in Charleston, where she worked in a “house of ill fame” owned by a white woman. Another runaway with the immediately recognizable name “Americus” changed his name to William and was presumed to be “lurking about

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<sup>26</sup> A. Riddick to William Glover, 22 July 1848, reprinted in Appendix 6, John Hope Franklin and Loren Schweninger, *Runaway Slaves: Rebels on the Plantation* (New York: Oxford University Press, 1999), 326–327; *Times Picayune* (New Orleans, La.), 30 July 1845; *Alexandria Gazette* (Alexandria, D.C.), 1 January 1822; *Augusta Chronicle* (Augusta, Ga.), 13 July 1827; *Daily National Intelligencer* (Washington, D.C.), 8 January 1820; *Georgia Journal & Messenger* (Macon, Ga.), 17 December 1851; Petition of Allen Floyd to Randolph County Superior Court, 20 August 1859, Randolph County, NC, RSPP, Series 2, County Court Petitions, Accession #21285913; *Charleston Courier* (Charleston, S.C.), 13 April 1822. For more on cooperation between urban free blacks and slaves within the realm of resistance, see: Gregg D. Kimball, *American City, Southern Place: A Cultural History of Antebellum Richmond* (Athens: University of Georgia Press, 2000), 124–158; Seth Rockman, *Scraping By: Wage Labor, Slavery, and Survival in Early Baltimore* (Baltimore: Johns Hopkins University Press, 2009), 52–53; James M. Campbell, *Slavery on Trial: Race, Class, and Criminal Justice in Antebellum Richmond* (Gainesville: University Press of Florida, 2007), 146–185. William Link has found that the policing of documentation for free blacks and slaves in urban environments in Virginia was at best “sloppily maintained.” See William A. Link, *Roots of Secession: Slavery and Politics in Antebellum Virginia* (Chapel Hill: University of North Carolina Press, 2005), 106. Viola Müller’s recent sampling of 200 runaway slave advertisements from North Carolina in the 1820s revealed over 48 specific mentions to “passing for free” with false documents. See Viola Franziska Müller, *Cities of Refuge: Slave Flight and Illegal Freedom in the American Urban South, 1800–1860* (Leiden: Leiden University, 2020), 82.

Nashville” in the fall of 1840. The master of a Georgia runaway named Ruben who disappeared to Mobile, Alabama, claimed that “his intention is doubtless to pass as a free man, as he carried off papers with him to that effect, and will probably pass by the name of GEORGE WALKER or JOHN McDONAL.”<sup>27</sup>

Because assuming a false identity and a false legal status was so crucial to fugitives’ lives in urban areas, those who failed to procure documents ran high risks of discovery and recapture. City authorities tended not to simply believe an African American when he or she claimed to be a free black. William Green, a Virginia runaway passing for free in Richmond, for example, was arrested in 1841 “for want of his free papers,” having told the authorities that he was free when they stopped him. They quickly discovered, however, that “he was a runaway” and delivered him back to his master. In the best cases recapture entailed re-enslavement and whatever punishment their owners saw fit to inflict for insubordination. In the worst cases it also entailed abysmal confinement in dark and disgusting jails, brutal forced labor for the city or state (sometimes in “work houses”), and/or sale. Henry Meredith, a slave from Georgia, ran away from his master in February 1843, his owner claiming that he had “never heard of him since.” It later turned out that Henry was arrested and jailed while attempting to pass for free in North Carolina in 1845, and when nobody came to claim him, he was simply sold at auction to a new master. Lucy, picked up in Richmond for “want of her free papers” and going around “at Large [...] contrary to law,” was thrown into jail on 9 August 1841. Still unable to prove her freedom by 28 January, she was sold. St. Louis authorities arrested a runaway slave named William Anderson in 1843 and kept him incarcerated for an exceptionally long period of time – 478 days – before finally selling him at auction. In Charleston, runaways were confined to the city workhouse and put to heavy labor. Runaway slave ads in local newspapers even specifically called for vigilant citizens to forcibly take them up and deliver them there. The owner of Hannah, who ran away in 1822 and

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<sup>27</sup> *Daily Picayune* (New Orleans, La.), 3 March 1850; *Charleston Courier* (Charleston, S.C.), 8 November 1824; *Nashville Union* (Nashville, Tenn.), 12 November 1840; *Charleston Mercury* (Charleston, S.C.), 30 March 1836.

was suspected of being harbored in the city, promised twenty dollars “on lodging said wench Hannah in the work-house.” In Savannah, runaways were similarly processed in the widely feared Savannah Workhouse and Gaol, where fugitives who were not reclaimed (or refused to identify themselves) were interned, advertised, and sold at public auction. The city of New Orleans, where according to one study runaways constituted 39 percent of slave arrests in the 1850s, even had a “Runaway Slave Depot” where unclaimed fugitives were held in horrendous conditions and put to forced labor in chain gangs about the city, especially on the levees.<sup>28</sup>

Recapture was a regular occurrence in most of the urban South. The jail registers for some southern cities provide an interesting glimpse into the likelihood of arrest and the profiles of African Americans who became entangled in the nets of slave catchers and city authorities. It appears that in certain cities at certain times, the likelihood of arrest was higher than in others, with the largest cities seeing the lowest arrest rates. In Richmond, Virginia, the arrest rates were exceptionally low, for example. The City Sergeant Jail Record for Richmond lists only 218 runaway slaves arrested in the five-year period 1841–1846. Among those caught some 196 (90%) were men and only 22 (10%) women, an overwhelming majority from nearby central Virginia counties such as Chesterfield, Hanover, and King William. Another 97 (apparently legitimate) free blacks were picked up and thrown into jail for failing to produce

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<sup>28</sup> The case of William Green is registered in the Richmond jail records; see Nancy C. Frantel, *Richmond, Virginia Uncovered: The Records of Slaves and Free Blacks Listed in the City Sergeant Jail Register, 1841–1846* (Richmond: Heritage Books, 2010), 10. The case of Henry Meredith is described in: Petition of Nicholas Wylie to the Worshipful Justices of the Court, 10 April 1845, Caswell County, N.C., RSPP, Series 2, County Court Petitions, Accession #21284510. Lucy’s case is registered in the Richmond jail records; see Nancy C. Frantel, *Richmond, Virginia Uncovered: The Records of Slaves and Free Blacks Listed in the City Sergeant Jail Register, 1841–1846* (Richmond: Heritage Books, 2010), 10. The case of William Anderson is found in: Petition to the General Assembly of Missouri, St. Louis County, ca. 1846, RSPP, Series 1: Legislative Petitions, Accession #11184604, <http://library.uncg.edu/slavery/petitions/details.aspx?pid=604>; *Charleston Courier* (Charleston, S.C.), 25 March 1822; Betty Wood, “Some Aspects of Female Resistance to Chattel Slavery in Low Country Georgia, 1763–1815,” *The Historical Journal* 30, no. 3 (1987): 619–620; Stacy K. McGoldrick, “The Policing of Slavery in New Orleans, 1852–1860,” *Journal of Historical Sociology* 14, no. 4 (2001): 404.

free papers when questioned, but were later released. According to census data Richmond had a total population of roughly 27,700 in 1840, including an “official” black population of 12,400 – around 10,000 slaves and 2,400 free blacks, although in practice the black population was considerably augmented by “undocumented” free black residents, as discussed earlier. The jail register shows that in this large and bustling city during this five-year period, roughly 3.6 runaway slaves got caught up in the nets of the authorities every month, or about one every nine to ten days.<sup>29</sup>

The Department of Corrections for the District of Columbia likewise kept a “Runaway Slave Book” from 1848 through the Civil War. In the twelve-year period from 6 April 1848 through 6 April 1860, a total of 1,176 runaway slaves were committed to jail, roughly two-thirds (67.5%) of whom were men and one-third (32.5%) women. (This number does not include 524 slaves who were committed to jail “for safekeeping” during estate divisions or pending sale in this period. Nor does it include 89 free blacks who were arrested but released upon proving their freedom.) This amounted to an average of 98 runaway slave arrests per year—just over 8 per month, or about one every four days—in a city of between 50,000 and 75,000 inhabitants in the 1850s, including a black population of about 14,000, of whom about 11,000 were free. The vast majority were reclaimed by their masters or agents of their masters, although three died in custody and a significant number were delivered to notorious slave traders such as Benjamin O. Sheckells, Joseph Bruin, and Price, Birch & Co., who operated from across the river in Alexandria, Virginia. Sheckells alone came to reclaim 40 runaway slaves in the DC jail during this period.<sup>30</sup>

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<sup>29</sup> Calculated from Richmond Virginia City Sergeant Jail Records, 1841–1846; see Nancy C. Frantel, *Richmond, Virginia Uncovered: The Records of Slaves and Free Blacks Listed in the City Sergeant Jail Register, 1841–1846* (Richmond: Heritage Books, 2010); Viola Franziska Müller, “Illegal but Tolerated: Slave Refugees in Richmond, Virginia, 1800–1860,” in *Fugitive Slaves and Spaces of Freedom in North America*, ed. Damian Alan Pargas (Gainesville: University Press of Florida, 2018): 141.

<sup>30</sup> Statistics based on: *District of Columbia Department of Corrections, Runaway Slave Book, 1848-1863*, transcribed by Jerry M. Hynson (Westminster, Md.: Willow Bend, 1999). For DC population data, see US Population Census, 1850 (NARA). In 1850 DC counted

The mention of legitimate free blacks getting caught up in the nets of the authorities in both cities – 97 in Richmond and 89 in Washington, respectively – speaks volumes to the confusing legal spectrum attached to race in the antebellum urban South. The presence of free blacks in urban spaces provided runaway slaves with opportunities to disguise their status and pass for free, but inversely, the presence of runaway slaves in those same spaces often served to degrade free blacks into suspected fugitive slaves until proven free. A perusal of habeas corpus petitions from the Circuit Court of the District of Columbia provides chilling examples of unlucky free blacks who were seized and unlawfully detained upon suspicion of being runaway slaves. In 1820, one John McHenry “humbly sheweth that is in Jail and wants to get out – that he is free and ought to get out – that he had free papers and sufficient evidence of his freedom and never ought to have been put there [...]” William Sammon was detained in 1822 “as a runaway” but ordered discharged from the city jail, “having produced satisfactory evidence of his freedom.” John Lee, confined to jail on the charge of being a runaway slave in 1842, sought a writ of habeas corpus, claiming that he had been manumitted by the last will and testament of his former master (a request that was apparently never formally registered, as was common).<sup>31</sup>

The inability to effectively distinguish between free blacks and runaway slaves with false papers in urban spaces led to such confusion and frustration that some exasperated southerners declared black freedom and black slavery intrinsically incompatible. Extreme measures to nip the problem in the bud and just get rid of free blacks altogether were proposed by citizens throughout the South, including forced deportation and re-enslavement. While such measures were almost universally considered too extreme by lawmakers – not only for their potential eco-

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51,687 inhabitants, including 13,746 blacks (of whom 10,059 were free). In 1860 DC had grown to 75,080 inhabitants, including 14,316 blacks (11,131 were free).

<sup>31</sup> Petition of John McHenry, 31 October 1820, Habeas Corpus Case Records, US Circuit Court for the District of Columbia, 1820–1863, Reel #1, NARA; Petition of Wm Sammon, 21 April 1822, Habeas Corpus Case Records, US Circuit Court for the District of Columbia, Reel #1, NARA; Petition of John Lee, 3 August 1842, District of Columbia, RSPP, Series 1: Legislative Petitions, Accession #20484203 (original location: Records of the United States District Court, Segregated Habeas Corpus Papers, NARA).



conomic repercussions, but also because of logistical impracticalities and the risk of rebellion – it is significant that the internal fugitive slave issue caused white southerners to redirect their dissatisfaction onto the very existence of black freedom, which made defections within the South possible in the first place. White residents of Wilmington, Delaware, who were concerned about the expanding free black population, petitioned their state legislature in 1827 for “the removal of these people” to the “coast of Africa.” A group of frustrated citizens of South Carolina petitioned the state legislature in 1858 to force free blacks out of the state or reduce them to slavery, due to the problems that arose from the “association of slaves and free Negroes.” In the northern Virginia counties that bordered the District of Columbia white residents became so fed up with the free black population that a group of them petitioned the state legislature in 1847 to “rid the State of this growing fungus,” either by deporting them to Africa or remanding them to slavery. Fifty-one residents of North Carolina complained to their state legislature that free blacks were a “perfect Nuisance, to civilized Society,” and that their “communications with the slave population” rendered the latter “disobedient and turbulent.” They recommended the government “compel [free blacks] to emigrate,” either to Africa or to “a location for them in the far West.”<sup>32</sup>

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<sup>32</sup> Petition of the Wilmington Union Colonization Society to the State of Delaware, 11 January 1827, RSPP, Series 1: Legislative Petitions, Accession #10382701; Petition of Philip McElveen et al. to the General Assembly of South Carolina, 1858, RSPP, Series 1, Legislative Petitions, Accession #11385913; Petition of James Rose et al. to the Senate of South Carolina, 1860, RSPP, Series 1, Legislative Petitions, Accession #11386004; Petition of Loudoun County residents to General Assembly of Virginia, 10 December 1847, RSPP, Series 1: Legislative Petitions, Accession #11684708 (<http://library.uncg.edu/slavery/petitions/details.aspx?pid=2881>); Petition of Sampson County residents to the General Assembly of North Carolina, 22 November 1852, RSPP, Series 1: Legislative Petitions, Accession #11285206; John Hope Franklin and Loren Schweninger, *Runaway Slaves: Rebels on the Plantation* (New York: Oxford University Press, 1999), 110.

## Conclusion

The growth of free black communities within towns and cities across the antebellum South, largely as a result of a substantial wave of manumissions in the revolutionary era, broke the automatic link between visible blackness and slavery upon which the entire institution of southern – and Atlantic – slavery was based. Enslaved people who sought to escape bondage in the era of the second slavery exploited this transformation by attempting to “pass for free” in urban spaces. Their strategies entailed “performances” of freedom – looking, dressing, and acting like free blacks. Runaways dressed like free blacks; settled in free black communities; hired out their labor as if they were free blacks; and acquired false documentation to “prove” they were free blacks. Freedom seekers’ subversion and attempted erasure of visible markers that signified their enslavement to the wider public not only facilitated their own personal escapes from slavery, but also confronted antebellum southern whites with the poignant gaps in their own enforcement of racial slavery, one that increasingly led to calls to curb manumission and “get rid of” free blacks from their midst by the time the Civil War broke out.

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“Performing Freedom” examines the attempts by enslaved African Americans living in the nineteenth-century US South to escape slavery by fleeing to towns and cities within the slaveholding states and disguising themselves as free blacks. Going to great lengths to “look” and “act” free—often even acquiring forged free papers—thousands of enslaved people “passed for free” in urban areas with large free black communities. Such strategies of escape underscore the importance of *visibility* to the successful development of slavery as an institution, and reveal how enslaved people attempted to erase visible markers of enslavement to live in freedom.

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