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IRVINE

Slavery, Surveillance, and Carceral Culture in Early New York City

DISSERTATION

submitted in partial satisfaction of the requirements  
for the degree of

DOCTOR OF PHILOSOPHY

in History

by

Max Speare

Dissertation Committee:  
Professor Sharon Block, Chair  
Associate Professor Jessica Millward  
Professor Terri L. Snyder

2022



## **DEDICATION**

To

Kacey, Mom and Dad, and Sharon

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way. In addition to Sharon, I dedicate this dissertation to my parents, Barbara and Marc Speare, who have been my greatest supporters over the course of my lifetime, and more immediately to my pursuit of History as a profession. My parents have provided financial assistance whenever I needed it for research, living expenses, and for just plain survival. They have never once required me to jump through a single bureaucratic hoop or asked for an accounting of where their funds went, and they have always been my biggest supporters, even when they didn't exactly know what I was doing.

Finally, my dissertation is dedicated to my partner, Kacey Calahane. This dissertation belongs to her as much as it belongs to me. I met Kacey on our first day of graduate school at SFSU, and she has been on this journey to complete our respective dissertations together ever since. She has read nearly every word of this project, as well as every book review, research paper, historiographic essay, and listened to every presentation for a conference I have given. My skills as a historian were honed under her tutelage. Kacey has made me a better writer, editor, researcher, historian, and person. Her editorial notes and willingness to listen to me work through a problem and provide feedback—no matter how big or small—are among the most immediate contributions she has made to the completion of this project. More than that, however, Kacey has given me a life and a family I never thought I would have. The life we have created together with Kelly, Ella, and Maggie has been a respite and a boon, without which completing this dissertation would have likely been much too difficult to finish.

## VITA

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History of Slavery, Race, and Gender in Colonial America

## PUBLICATIONS

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Co-Author with Kacey Calahane and Jessica Millward, "Scholars do Bravo Too: Reality Television, Public History, and the Historians on Housewives Podcast," *The Journal of Women's History* 32 no. 4 (Winter 2020): 135-158.

## **ABSTRACT OF THE DISSERTATION**

Slavery, Surveillance, and Carceral Culture in Early New York City

by

Max Speare

Doctor of Philosophy in History

University of California, Irvine, 2022

Professor Sharon Block, Chair

This dissertation examines enslaved people's navigation of the spatial power that shaped New York slave society between the seventeenth and eighteenth centuries. From their inception into the Middle Passage until their deaths in the New York area, enslaved people experienced a panoply of intense violence, surveillance, coercion, and punishment, more pervasive than scholarship has previously suggested. By the mid-eighteenth century, I argue that European ideas about gender informed how enslavers, officials, slave merchants, and non-slaveholders pursued and policed the colony's racial hierarchy. My sources including letters, wills, journals, court documents, coroners' inquests, half-freedom grants, land deeds, and newspapers, which provide evidence for the ways gender divisions of labor became significant mechanism for policing the bodies and mobilities of African-descended men and women.

Each of the four chapters in this dissertation centers around one of four spaces (slave ships, the domestic sphere, public punitive spaces, and death) where enslaved people, enslavers, and non-slaveholding overseers defined the contours of power in New York City and the Atlantic world. African-descended people entered New York City shaped by surveillance, discipline, and punishment suffered in the Middle Passage, thus a close analysis of slave traders' representations

of carceral strategies in the transatlantic slave trade opens this dissertation. Once in New York City, an enslaved person's ability to escape their enslavers' oversight hinged on the time, place, and the productive and reproductive labor they performed.

Gender divisions of labor undergirded enslavers' ability to control the movement and activities that enslaved men and women pursued in households, taverns, bawdy houses, and other leisure spaces. Enslaved women suffered increased legal and social oversight on their mobility compared to enslaved men because they worked in much closer quarters with enslavers and overseers. Indentured and enslaved servants were also informants for officials who wanted to surveil enslaved people's activities, as testimony given during the 1741 Slave Conspiracy Trials reveals. Furthermore, this episode demonstrates the critical role that non-slaveholding white women like Mary Burton played in uniting white inhabitants across class lines to police, surveil, and prosecute enslaved and free people of color. The racial hierarchies and social alienation that characterized New York slavery in life shaped the deaths of African-descended people. Coroners' investigations into untimely deaths and early modern anatomists' dissections helped crystalize white supremacy through the criminalization of both enslaved people and Black cadavers culminating in the Doctor's Riots of 1788.

Taken together, these chapters foreshadow the rise of carceral culture and the penitentiary system that arose in the post-Revolutionary North as slavery declined. In colonial New York, enslavers, officials, and non-slaveholders participated in creating and managing a system that sought to confine, surveil, and impose control over the bodies and movements of enslaved people in multiple spaces of captivity. Enslavers' and slave merchants' tight management of enslaved people in households and slave ships, colonial lawmakers' deliberate restrictions on slave mobility, manumission, and free(d) people owning land; officials' encouragement of non-

slaveholding whites to inform on enslaved people; and the criminalization of African-descended people and cadavers during periods of social turmoil in New York City suggest that aspects of urban slavery were revitalized under the penitentiary system.

## INTRODUCTION

“Slavery, Surveillance, and Carceral Culture in Colonial New York City” arose from questions around how enslavers methods of controlling enslaved people developed in the North, and the ways that race, class, and gender dynamics influenced urban carceral culture. It recovers enslaved women and men’s experiences navigating and negotiating the surveillance and carceral continuities that shaped their lives every day in the seventeenth and eighteenth-century New York City and the Middle Passage. Utilizing letters, wills, journals, court records, coroner’s reports, and other colonial-era primary sources, I challenge the notion that enslaved people’s relative mobility in the urban North equated more freedom than is assumed in more rural, plantation-based slave societies. Enslaved people encountered and contested a range of subtle and overt forms of violence requiring contextualization. I argue that race and gender shaped enslavers’ methods of exerting control and power aboard slave ships, inside households and taverns, and in the deaths of people they enslaved.

Surveillance and carceral culture were central to social order and conflict in colonial New York. Enslaved people derived meaning and power from the practices associated with enslavers’ close observation, and carceral culture, a term initially defined by social theorist Michel Foucault to describe the “polyvalent” diffusion of the Panopticon across modern society.<sup>1</sup> An eighteenth-century English philosopher, Jeremy Bentham, designed the Panopticon to displacing previous generations’ more public methods of punishment. In practice, the Panopticon allowed a single guard to observe all prisoners at once without the inmates’ knowledge of when they were specifically under surveillance thus encouraging prisoners’ self-discipline.<sup>2</sup> Foucault argued that

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<sup>1</sup> Michel Foucault, *Discipline and Punish: The Birth of the Prison*, trans. Alan Sheridan (New York: Vintage-Random House, 1995), 205.

<sup>2</sup> Jeremy Bentham, *The Works of Jeremy Bentham*, vol. 4 (Edinburgh: William Tait, 1843).

the Panopticon symbolized the social transformation of punishment from “an art of unbearable sensations” to “an economy of suspended rights” in the post-Revolutionary era.<sup>3</sup> From 1786 onward, Foucault extrapolated, the Panopticon diffused across society transforming the prison’s hierarchies into other institutions including “hospitals, workshops, schools, prisons. Whenever one is dealing with a multiplicity of individuals on whom a task or a particular form of behavior must be imposed, the panoptic schema may be used.”<sup>4</sup>

I use the term carceral culture to describe how enslavers hoped to organize New York slave society prior to the advent of the penitentiary. Recovering enslaved people’s predicament within the colony over the course of roughly two centuries offers a window into precedents for the invention and institutionalization of the modern prison. Systemic physical, psychological, and emotional abuse, as well as enforced social isolation, attempted to maintain both constant and indeterminate oversight, and prolonged captivity were deeply rooted in urban slavery long before the advent of the penitentiary in the early nineteenth century. The notion of a slave society imposing forced obedience upon enslaved people away from the prying eyes of the public was not a foreign concept to the thousands of African-descended people who lived in New York City and other North American colonies in the seventeenth and eighteenth centuries.

### **Historiography of Slavery and Carceral Culture**

Historians locate carceral culture’s institutionalization around the early national period of the United States when the penitentiary system was in its infancy. Scholarship on the penitentiary has focused on overwhelmingly Philadelphia, the birthplace of American prisons,

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<sup>3</sup> Foucault, *Discipline and Punish*, 11

<sup>4</sup> Foucault, *Discipline and Punish*, 205.



and until very recently, treated legacies of mass incarceration as divorced from slavery.<sup>5</sup> This changed when historian Jen Manion demonstrated that slavery's waning in the post-Revolutionary North made room for the prison to become its institutional replacement, connecting the two together in the joint project of restricting the lives and opportunities of newly emancipated people of color and others from the poorest classes. Prison reformers built upon enslavers methods of social dislocation, forced isolation, hard labor, and punitive discipline in households.<sup>6</sup>

Within the field of slavery scholarship, scholars have mostly confined the history of the modern carceral state to the South's predominantly rural plantation system, and for good reason. On the eve of the Civil War, slavery was the mode for planters' wealth creation and economic production for more than two hundred years. They erected a constellation of local, state, and federal institutions embedding slave controls into the foundations of colonial society through slave laws, curfews, slave patrols, fugitive advertisements, overseers, and passes, among other mechanisms. Planter customs delegated their power across society to keep enslaved people captive on plantations: regulating their daily work routines, enforcing their collective and

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<sup>5</sup> David Rothman, *Discovery of the Asylum: Social Order and Disorder in the New Republic* (Boston: Little, Brown, 1971). Historian David Rothman's foundational study *The Discovery of the Asylum* shows that Pennsylvanian reformers exerted greater control over criminals, the infirm, and poor and marginalized persons through several institutions including penitentiaries, poorhouses, asylums and hospitals. Foucault, *Discipline and Punish*; Adam J. Hirsch, *The Rise of the Penitentiary: Prisons and Punishment in Early America* (New Haven: Yale University Press, 1992); Michael Meranze, *Laboratories of Virtue: Punishment, Revolution, and Authority in Philadelphia, 1760-1835* (Chapel Hill: The University of North Carolina Press, 1996); Simon P. Newman, *Embodied History: The Lives of the Poor in Early Philadelphia* (Philadelphia: University of Pennsylvania Press, 2003); Rebecca M. McLennan, *The Crisis of Imprisonment: Protest, Politics, and the Making of the American Penal State, 1776-1941* (New York: Cambridge University Press, 2008); Jennifer Graber, *The Furnace of Affliction: Prisons and Religion in Antebellum America* (Chapel Hill: University of North Carolina Press, 2011); Michele Lise Tarter and Richard Bell, eds., *Buried Lives: Incarcerated in Early America* (Athens: University of Georgia Press, 2012); for a fuller discussion on northern prisons, see Jen Manion, *Liberty's Prisoners: Carceral Culture in Early America* (Philadelphia: University of Pennsylvania Press, 2016), 4-5, 210n17, 211n18.

<sup>6</sup> Jen Manion, *Liberty's Prisoners*, 9.

individual isolation, permanent familial separation, and seeking to dictate mobility.<sup>7</sup> Following the abolition of slavery and federal emancipation of four million enslaved people in 1865, southern elites exploited a provision in the Thirteenth Amendment allowing for “involuntary servitude” once someone is convicted of a crime, thus leaving a legal loophole to effectively re-enslave thousands of freedmen and women. Aspects of this system continue to inform the present-day criminal justice system.<sup>8</sup> On both sides of the Mason-Dixon Line, people participated in slavery’s expansion and the policing of enslaved peoples nearly every day of every decade of British and American colonial development. Despite slavery’s end in the North three decades prior to the Civil War, New York officials and financiers routinely abducted and trafficked free people of color to the South and Cuba until after the end of the war.<sup>9</sup>

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<sup>7</sup> Carceral culture’s connection to southern slaveholding practices has been discussed at length by Kelly Lytle Hernández, Khalil Gibran Muhammad, Heather Ann Thompson, “Introduction: Constructing the Carceral State,” *Journal of American History*, Volume 102, Issue 1, 1 (June 2015): 21; Robert T. Chase, “Rethinking the Rise of the Carceral States” *Journal of American History*, Volume 102, Issue 1, 1 (June 2015): 76-77; Douglas A. Blackmon, *Slavery By Another Name: The Re-Enslavement of Black Americans from the Civil War to World War II* (New York: Anchor Books, 2008), 40; Heather Ann Thompson, “Why Mass Incarceration Matters: Rethinking Crisis, Decline, and Transformation” *Journal of American History* 97, no. 3 (December 2010): 703-34. Angela Davis, *Are Prisons Obsolete?* (New York: Seven Stories Press, 1995), 29; Dan Berger and Toussaint Losier, *Rethinking the American Prison Movement*, 6-7; Kali Gross, “African American Women, Mass Incarceration, and the Politics of Protection,” *Journal of American History*, Volume 102, Issue 1, 1 (June 2015): 27-28; Gail L. Thompson, “African American Women and the U.S. Criminal Justice System: A Statistical Survey, 1870-2009,” *Journal of African American History* 98, no. 2 (2013): 291-303. For historical linkages between modern policing and antebellum slavery see: A. Leon Higginbotham, *In the Matter of Color: Race and the American Legal Process: The Colonial Period* (New York: Oxford University Press, 1978); Sally E. Hadden, *Slave Patrols: Law and Violence in Virginia and the Carolinas* (Cambridge: Harvard University Press, 2001); Loïc Wacquant, “Deadly Symbiosis: When Ghetto and Prison Meet and Mesh” *Punishment & Society*, 3, no. 1 (2001): 95-133; Roxanne Dunbar-Ortiz, *Loaded: A Disarming History of the Second Amendment* (San Francisco: City Lights Books, 2018). For a historiographic treatment of many of these studies, see K. B. Turner; David Giacomassi; Margaret Vandiver, “Ignoring the Past: Coverage of Slavery and Slave Patrols in Criminal Justice Texts,” *Journal of Criminal Justice Education* 17, no. 1 (April 2006): 181-195.

<sup>8</sup> Ruth Wilson Gilmore, *Prisons, Surplus, Crisis, and Opposition in Globalizing California* (Berkeley: University of California Press, 2007); Michelle Alexander, *The New Jim Crow: Mass Incarceration in the Age of Colorblindness* (New York: The New Press, 2012); David Oshinsky, “Worse than Slavery”: *Parchmann Farm and the Ordeal of Jim Crow Justice* (New York: The Free Press, 1996); Talitha LaFleur, *Chained in Silence: Black Women and Convict Labor in the New South* (Chapel Hill: The University of North Carolina, 2015); Douglas A. Blackmon, *Slavery By Another Name: The Re-Enslavement of Black Americans from the Civil War to World War II* (New York: Anchor Books, 2008).

<sup>9</sup> John Harris, *The Last Slave Ships: New York and the End of the Middle Passage* (New Haven: Yale University Press, 2020); Jonathan Daniel Wells, *The Kidnapping Club: Wall Street, Slavery, and Resistance on the Eve of the Civil War* (New York: Bold Type Books, 2020).

Scholars have paid less attention to carceral culture in the North and Manhattan between the seventeenth and eighteenth centuries. British and Dutch enslavers practiced a myriad of surveillance and disciplinary strategies, some of which overlapped with southern colonial methods including reliance on published runaway advertisements for capturing and returning fugitives from slavery, passes allowing enslaved people to travel around the colony, and imposing city-wide curfews on African-descended servants afterhours. Members of the New York Assembly, many of whom owned slaves themselves, buttressed enslavers' powers with litanies of laws designed to keep enslaved people controlled across the city banning slaves from social gatherings, outlawing slave mobility afterhours without white chaperones, exiling free people of color to the city's outskirts, and punishing enslaved people found breaking colonial edicts or social etiquette.

By the mid-eighteenth century, elite New Yorkers relied heavily on enslaved labor.<sup>10</sup> Upwards of twenty percent of the colony was enslaved and more than forty percent of the colony's households enslaved at least one person. The only contemporary city outpacing New York City's number of slaves per capita was Charleston, South Carolina.<sup>11</sup> Enslaved men, women, and children worked in nearly every industry, and were integral to the colony's founding. They constructed the colony's buildings, streets, and fortifications. They shuttled ore, iron, and brick up and down the avenues. They cleaned houses, prepared meals, cleaned enslavers clothes, and cared after their children. They worked the dockyards as cordwainers, joiners, carpenters, and shipbuilders alongside free and indentured people. They sold goods at

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<sup>10</sup> Until quite recently, many historians categorized New York City as a society with slaves rather than a slave society, meaning that slavery seemed to not stand at the center of the colony's economic, social, and political functions, a notion since challenged and mostly dispelled since historian Ira Berlin's monumental work *Many Thousands Gone*. For further discussion of slave society v. society with slaves, see, Ira Berlin, *Many Thousands Gone: The First Two Centuries of Slavery America* (Cambridge: The Belknap Press of Harvard University, 1998), 8

<sup>11</sup> Jill Lepore, "The Tightening Vise" in *Slavery in New York*, edited by Ira Berlin and Leslie M. Harris (New York: The New Press, 2005), 60.

market and sailed out to sea. They watched their enslavers while they slept. The largest number of the enslaved people lived outside the city limits raising foodstuffs like grains, corn, and livestock for export to slave plantations in the West Indies. They worked on plantations in the Lower Hudson River Valley, Bronck's Land (The Bronx), Westchester County, Long Island, Staten Island, northern New Jersey, and the estates' slaveholders built on the small islands in the surrounding areas including Sylvester Manor on Shelter Island.<sup>12</sup>

Taken as a whole, the historiography of New York slavery shows its fundamental role to Manhattan's social, cultural, and economic development from the earliest years of colonization. Scholars re-centered the roles that race, class, and institutional power played in the lives of African-descended people.<sup>13</sup> A crucial turning point came with historians Thelma Wills Foote's and Jill Lepore's pathbreaking works, each made significant departures from previous

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<sup>12</sup> H. Arthur Bankoff and Frederick A. Winter, "The Archaeology of Slavery at the Van Cortlandt Plantation in the Bronx, New York," *International Journal of Historical Archaeology* 9, no. 4 (2005): 292-293; Katherine Howlett Hayes, *Slavery Before Race: Europeans, Africans, and Indians at Long Island's Sylvester Manor Plantation, 1651-1884* (New York: New York University Press, 2013).

<sup>13</sup> Beginning in the 1960s and into the 1970s, scholars' earliest investigations into New York slavery revealed the centrality and importance of the institution to the development of the city, and the violent methods that characterized the city's slave culture. These studies include Kenneth Scott, "The slave insurrection in New York in 1712," *New York Historical Society Quarterly*, 45 (1961): 43-74; Edgar J. McManus, *A History of Negro Slavery in New York* (Syracuse: Syracuse University Press, 1966). Over the next two decades, historians focus shifted towards recovering African-descended people's culture, communities, and seeking to show enslaved people's agency as they struggled for autonomy in the eighteenth century. These works include Vivienne L. Kruger, "Born to run: the slave family in Early New York, 1626 to 1827," Columbia University, Ph.D. dissertation, 1985; Joyce D. Goodfriend, *Before the Melting Pot: Society and Culture in Colonial New York City, 1664-1730* (Princeton: Princeton University Press, 1992); Ira Berlin, *Many Thousands Gone: The First Two Centuries of Slavery in North America*; Ira Berlin, "From Creole to African: Atlantic Creoles and the Origins of African-American Society in Mainland North America," *The William and Mary Quarterly* 53, no. 2 (1996): 251-88; Graham Russell Hodges, *Root & Branch: African Americans in New York and East Jersey, 1613-1863* (Chapel Hill: University of North Carolina Press, 1999); An offshoot of this 'agency' school of inquiry, there has been a number of scholars invested in recovering the spiritual and social customs of enslaved people following the archaeological discovery of the African Burial Ground in Lower Manhattan in 1991. For examples of these works, see: Shane White, "'It was a proud day': African Americans, Festivals, and Parades in the North, 1741-1834," *Journal of American History*, 81 (1994), 13-50; Sterling Stuckey, 'African spirituality and cultural practice in colonial New York, 1700-1770,' in *Inequality in Early America*, edited by Carla Gardina Pestana and Sharon V. Salinger (Hanover: University Press of New England, 1999); Craig Steven Wilder, *In the Company of Black Men: The African Influence on African American Culture in New York City* (New York: New York University Press, 2001); Edna Greene Medford, *The New York African Burial Ground: History Final Report* (Washington, DC: The African Burial Ground Project, Howard University, 2004); Walter Rucker, *The River Flows On: Black Resistance, Culture, and Identity Formation in Early America* (Baton Rouge: Louisiana State University Press, 2006).

interpretations by showing how Black and white people's lives were deeply enmeshed together. Foote argues that white New Yorkers fashioned a joint identity despite economic inequality and social transgressions through increasing racial stigmatization of African-descended people.<sup>14</sup> Lepore focuses her attention on what New York inhabitants' everyday experiences reveal about Dutch and British colonists fears of slave conspiracy, arguing that American liberty was contingent on slavery's re-entrenchment.<sup>15</sup> Subsequently, Kelly A. Ryan emphasized how "legally and socially dependent peoples" experienced corporal punishment in New York and Massachusetts. She demonstrated that enslaved people, white wives, and young apprentices were unevenly vulnerable to husbands', masters', and enslavers' abuse in the domestic sphere.<sup>16</sup> As the English stabilized colonial institutions and deepened ties to the transatlantic slave trade, enslaved people were left with the least ability to seek redress from the courts. Most recently, Andrea C. Mosterman documents the crucial role that spatial control played in the development of Dutch American slaveholding practices and enslaved people's endless strategies to circumvent their enslavers' oversight over the long eighteenth century.<sup>17</sup>

My research builds on the momentum of this canon of scholars moving carceral culture from the periphery of social life to the center of enslaved people's daily existence. Going further, it anchors this historical narrative within the locus of enslaved people's experiences based upon a matrix of terrifying and liberatory situations. Enslaved people negotiated a wide array of social control mechanism that too often escape documentation in the colonial archive. Yet interrogating

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<sup>14</sup> Thelma Wills Foote, *Black and White Manhattan: The History of Racial Formation in Colonial New York City* (New York: Oxford University Press, 2004), 6-7.

<sup>15</sup> Jill Lepore, *New York Burning: Liberty, Slavery and Conspiracy in Eighteenth-Century Manhattan* (New York: Alfred A. Knopf, 2005).

<sup>16</sup> Kelly A. Ryan, *Everyday Crimes: Social Violence and Civil Rights in Early America* (New York: New York University Press, 2019), 1.

<sup>17</sup> Andrea C. Mosterman, *Spaces of Enslavement: A History of Slavery and Resistance in Dutch New York* (Ithaca: Cornell University Press, 2021), 3-4.

the predicaments that enslaved people found themselves navigating while they worked, were sold, bought, hired out, manumitted, punished, ran away, frolicked, or leading to their death helps crystalize how they endured and succumbed slaveholders' exhaustive racializing and gendering methods of surveillance, control, and discipline. Incorporating the concept of "carceral culture" into the lexicon for studies of New York slavery makes meaning out of this process to address enslaved people's ability to move about the porous city in what scholarship has deemed seemingly unimpeded. Yet, for most men and women finding an escape route from slavery was simply unobtainable. Methods of confinement factored into households, courtrooms, taverns, on street corners, and around burial and death site geographies.<sup>18</sup> As a term, carceral culture introduces enslavers', merchants', authorities', and other non-slaveholders' socially constructed world to keep enslaved people managed within a variety of spaces including in domiciles and aboard slave ships, at waterfront taverns and bawdy houses, courtrooms, jails, the city itself, and gravesites. Colonists instituted subtle and overt mechanisms for dictating how the enslaved were commodified in life and death.

### **Methods and Sources: Interrogating Slavery's Carceral Culture**

I consulted a diverse range of primary sources to reconstruct the surveillance and carceral networks that enslavers and slave traders built. At the New-York Historical Society and the New York Public Library, I found evidence from enslavers' letterbooks and logbooks, travel journals, estate records, wills, servant contracts. The major collections I spent time investigating were the Court of Quarter Sessions records, the John Tabor Kempe papers, the Alexander papers. I also

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<sup>18</sup> In this respect, I incorporate Stephanie M.H. Camp's term "geographies of containment" to identify the multiple spaces and multifaceted methods of control enslaved people encountered, suffered, and challenged. For discussions about geographies of containment, see: Stephanie M. H. Camp, *Closer to Freedom: Enslaved Women & Everyday Resistance in the Plantation South* (Chapel Hill: The University of North Carolina Press, 2004), 7.

conducted comparative analysis of more than 60 coroner inquests produced 1712 and 1758 housed at Columbia University and the New York Public Library. Searchable historic databases, including *Historical Imprints*, *HathiTrust*, and *HeinOnline* have been invaluable online archives for researching colonial newspapers, slave trading sailors' testimonies and diaries, laws passed through the New York Assembly, and colonial officials' letters.

The experiences documented in this dissertation show the open-ended conundrum that enslaved people struggled and suffered with. New York slavery was distinct because the effectiveness of enslavers' control methods fluctuated depending on where and under what conditions a person was enslaved. In the city, for instance, enslaved people labored alongside other unfree and free labor systems, which meant that they could resist and undermine more overtly restrictive forms of slaveholding. Though authorities, enslavers, and their allies sought to institute total control over the people they held captive, surveillance and discipline were enforced at the situational discretion of those in power. The mobility required of some enslaved people, particularly men, to traverse the city working along the dockyards. Their ability to travel unimpeded meant that those enslaved people had less restrictions placed upon them than enslaved domestic servants, who were watched much more closely. Yet, no matter how mobile enslaved people were, they nevertheless lived with the historic legacies of multigenerational traumas wherever they went in the African Diaspora.

Enslavers, authorities, and non-slaveholding allies produced carceral culture within a constellation of landed and oceanic sites of exploitation—workhouses, houses, fields, and ships—all of which were dependent upon enslaved men and women's productive and reproductive capacities for profits. Enslavers and enslaved people manipulated these spatial boundaries for their own advantage, which continues to inform research into the impact of

slavery on African-descended people across the Diaspora.<sup>19</sup> Historian Vincent Brown's analysis of sociologist Orlando Patterson's concept "social death" was critical in reconstructing how enslaved people passed through and existed within these carceral environments. Patterson's term explained the ruinous and isolating effect slavery had on Africa captives kidnapped to the Americas, but Brown argues that "social death" highlights slaveholders' intention to make "an ideal-type slave, shorn of meaningful heritage."<sup>20</sup> From enslaved peoples' perspectives, Brown explains, social death was the "productive peril" shifting focus from seeing slavery as an essentialized state of being to "viewing enslavement as a predicament" that African-descended people constantly struggled against despite slaveholders best efforts to dominate every aspect of their lives.<sup>21</sup> Enslaved people understood their predicament within the context of shifting power relations overlapping and moving through the African diaspora both in time and space.

The longer traumas of enslavement began with sailors' forcible methods of taking captives into the Middle Passage, the apex of slavers' control. Sailors' carceral tactics ebbed and flowed across the ocean towards Manhattan's coastline Africans experienced a sliding scale of surveillance and confinement. The port town in the previous century retained an enslaved population mostly made up of people who came from elsewhere until at least the 1760s.<sup>22</sup> Transoceanic captivity played a key role in the imprisonment, commodification, and psychological outlook of African arrivals to New York. They came to the urban northeast with memories, traumas, and changing ideas about reconstituting community among anomalous

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<sup>19</sup> Camp, *Closer to Freedom*, 7, 16; Rashauna Johnson, *Slavery's Metropolis: Unfree Labor in New Orleans during the Age of Revolutions* (Cambridge: Harvard University Press, 2016), 6-7.

<sup>20</sup> Orlando Patterson, *Slavery and Social Death: A Comparative Study* (Cambridge: Harvard University Press, 1982), 5; Vincent Brown, "Social Death and Political Life in the Study of Slavery," *American Historical Review* 114, no. 5 (December 2009): 1233.

<sup>21</sup> Brown, "Social Death and Political Life in the Study of Slavery," 1248.

<sup>22</sup> Evarts B. Greene and Virginia D. Harrington, *American Population Before the Federal Census of 1790* (New York: Columbia University Press, 1932), 88-112.



peoples they encountered in captivity. When they disembarked in New York Harbor or downstream at Perth Amboy, they understood their predicament within the context of a much longer journey. Between 1715 and 1764, enslaved captives came forcibly in droves from West Africa more than anywhere else in the Diaspora, except Jamaica.<sup>23</sup> For overwhelming numbers of captives coming to New York City, they remembered the horrors of sea life. To start this story with trauma, however, also negates another important facet of African-born people's experiences. They remembered life prior to captivity; they remembered freedom.

There are few, if any, sources produced in British North America or during the Middle Passage that scholars have not excavated and interrogated. "Slavery, Surveillance and Carceral Culture" treks much of the same archival grounds but comes away with different conclusions. By probing the triangulation of violence, discipline, and oversight in the documentation of enslaved men, women, and children, this dissertation pauses to assess how control was extended through time and space to keep the enslaved in place. Slave surveillance and carceral culture were multidimensional tools in slavers' arsenals that allow for rethinking how the possibilities of power manifested in the psyches of the enslaved as they did in the physical worlds they inhabited. A paradox sitting uneasily at the heart of using such records is that slave surveillance, for all intents and purposes, was defined as documenting, overseeing, reporting, and marking enslaved people for future reference. Merchants, surgeons, coroners, officials, and enslavers all deliberately silenced references to this violence for a multitude of reasons, not least of which that their records had the capacity to spur on anti-slavery sentiment.<sup>24</sup>

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<sup>23</sup> James G. Lydon, "New York and the Slave Trade, 1700 to 1774," *The William and Mary Quarterly* 35, no. 2 (1978): 383.

<sup>24</sup> For studies grappling with historical subjects' archival silences and the power of historical production, particularly as they relate to Atlantic slavery, see: Michel-Rolph Trouillot, *Silencing the Past: Power and the Production of History* (Boston: Beacon Press, 1997); Saidiya V. Hartman, *Scenes of Subjection: Terror, Slavery, and Self-Making in Nineteenth Century America* (New York: Oxford University Press, 1997); Saidiya V. Hartman, "Venus in Two Acts," *Small Axe* 12 no. 2 (2008): 1-14; Ashley Glassburn-Falzetti, "Archival Absence: The Burden of History,"

I challenge some of these historical silences by interrogating colonial documents for the euphemistic language used to describe slaveholding. This means analyzing the rhetoric that enslavers, merchants, and officials deployed to mask the violence of slavery, and reading “along the bias grain,” as historian Marisa J. Fuentes terms it.<sup>25</sup> Inspecting the social implications behind enslavers and authorities’ seemingly innocuous turns-of-phrase such as “kind usage,” “half-freedom,” and “Visitation from God.” These terms helped erase how they organized slavery by understating and decontextualizing the abuses enslaved people suffered. In positioning softened signifiers against the contexts that enslaved people were subjected to, enslavers’ networks of power emerge. These vague terms act as beacons in darkness for recovering enslaved people’s experiences. Paying attention to these documentary imbalances deconstructs subtle nods to enslavers control, violence, and manipulation, and were much more significant to enslaved women, men, and children than words could say.

Closely scrutinizing the words of enslavers and merchants has led me to question a longstanding argument within the historiography of New York slavery. For decades, scholars have argued that enslaved people’s mobility for work necessarily made officials and enslavers’ task of policing slaves near impossible. Routine violations against community edicts, slave-run theft rings, rumors and evidence of two large-scale slave rebellions in 1712 and 1741, dozens of smaller revolts documented, hundreds of runaway advertisements, all of which seem to show a city of slaveholders and non-slaveholding allies unable and unwilling to monitor and intercede

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*Settler Colonial Studies* 5, no. 2 (April 2015): 128–44; Laura Helton, Justin Leroy, Max A. Mishler, Samantha Seeley, and Shauna Sweeney, "The Question of Recovery: Slavery, Freedom and the Archive," *Social Text* 33 (December 2015), 1-18; Anjali Arondekar, "What More Remains: Slavery, Sexuality, South Asia." *History of the Present* 6, no. 2 (2016): 146-54; Brian Connolly, and Marisa Fuentes, "Introduction: From Archives of Slavery to Liberated Futures?" *History of the Present* 6, no. 2 (2016): 105-16. Marisa J. Fuentes, *Dispossessed Lives: Enslaved Women, Violence, and the Archive* (Philadelphia: University of Pennsylvania Press, 2016).

<sup>25</sup> Fuentes, *Dispossessed Lives*, 7.

into disciplining enslaved people.<sup>26</sup> Nevertheless as historian Rashauna Johnson reminds in her study of Post-Revolutionary New Orleans, mobility did not equate to freedom.<sup>27</sup> Focusing on the limits of movement among a highly mobile population has borne out in demarcating who was and was not mobile, and why some people were able to move more freely than others.

From the moment Dutch colonists imported the first captives African to Manhattan's shores, gender played a key role in the regulation of laborers and the politics of surveillance. The most pervasive and vituperative methods of enslavers' oversight and control were experienced in the domestic sphere, where women and children made up the overwhelming majority of those enslaved. This was also the least documented place that slaveholders maintained their control. Slaveholders adhered to the sexual division of labor, which aided in codifying a gendered system of surveillance in the city. By the mid-eighteenth century, enslaved women were either equal to, or during some years, slightly outnumbered by their male counterparts.<sup>28</sup> While most enslaved men and women were domestic servants, women and girls were overwhelmingly bought and sold for the sole purpose of household drudgery. Sources such as sales advertisements, architectural designs, logbooks, indentured contracts, and coroner's inquests give some indication as to how enslaved women and men were brought into enslavers' oversight. Attention to the daily rhythms of drudgery, the subtle and overt constrictions placed on enslaved women's mobility, terms

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<sup>26</sup> Foote, *Black and White Manhattan*, 189; Foy, "Seeking Freedom in the Atlantic World, 1713—1783," 46-77; Lepore, "The Tightening Vise: Slavery and Freedom in British New York," 76-78; Hodges, *Root & Branch*, 51, 111, 130-138; Peter Linebaugh and Marcus Rediker, *The Many-Headed Hydra: Sailors, Slaves, Commoners, and the Hidden History of the Revolutionary Atlantic* (New York: Verso Books, 2000), 178-179; For a complete run of colonial New York and New Jersey runaway advertisements, see: Graham Russell Gao Hodges and Alan Edward Brown, ed., *"Pretends to Be Free": Runaway Slave Advertisements from Colonial and Revolutionary New York and New Jersey* (New York: Fordham University Press, 2019).

<sup>27</sup> Johnson, *Slavery's Metropolis*, 8

<sup>28</sup> E.B. O'Callaghan, *The Documentary History of the State of New-York* (Albany: Weed, Parsons, and Company, 1851), 4:186.

servitude, and the living and dying conditions that enslaved and free people of color suffered and resisted undercutting claims that the necessity of foot traffic undercut enslavers' power.

To accomplish this recovery project, I focus on how four circles of carceral culture filtered across colonial society. I pose that New York society—and by extension the Atlantic world—was structured around intersecting, interdependent, and independent systems of organization that surrounded enslaved people. The coerciveness within each of these circles tightened or loosened depending upon how much power enslavers exhibited across each domain of that they sought to influence. For this reason, slave ships and households served as the first ring of enslavers and slave traders' power where their control was most absolute. The second circle includes public spaces such as taverns, streets, worksites, the woodlands, and other built and natural environments. These were spaces where enslaved people had the most say in their own destinies since enslavers had little influence over whether non-slaveholders and officials effectively policed enslaved people who were pursuing pleasure. The third circle is public punitive spaces such as jails, courtrooms, the legislature, and the gallows. This segment was separated from other less restricted public spaces since magistrates, constables, and other authorities—many of whom were enslavers in their own right—who did exert maximum force on enslaved men and women accused of crimes.

The fourth circle, death, intersects with all these other points of inquiry, but had distinct meanings for everyone involved, especially when an enslaved person met their end. For enslavers, the death of the enslaved represented the loss of market value. However, some enslavers welcomed death for elderly slaves who had become more of a financial burden in old age rather than a commercial asset. For the colony's burgeoning medical and legal institutions, an enslaved person's death usually represented justice served. Whether executing alleged slave

conspirators or inquiring into the mysterious deaths of enslaved people, government authorities viewed an enslaved person's untimely death as a moment to reinscribe the criminality of African-descended people more broadly. In the former, their deaths represented enslaved people's willingness to subvert the colonial order and conspire against their captors. In the latter, coroners ruled mysterious deaths of enslaved people as suicides or as accidental deaths, both designations were always the fault of the deceased and never the external factors of enslavers abuse or the dangerous working conditions that led to their demise. For the surgeons and medical students, an enslaved cadaver became an opportunity to dissect a body, and to seek the mastery of anatomical knowledge. From the records that exist, death seems less like a relief from the bonds of servitude, and instead more of an extension of slavery past the end of life. Death served as extensions of enslaved people's precarious place in colonial society.

The death of an enslaved person held multiple meanings for New York society. For the men and women of the African-descended community's death served as a space for expressing grief, spiritual belonging, and resisting their enslavers and the system that attempted to keep them isolated from one another. This was, in the words of historian Daina Ramey Berry, example of enslaved people's "soul value" as praxis.<sup>29</sup> To meet under cover of darkness, to grieve semi-publicly with close family and friends, and to share in West African religious traditions, enslaved people challenged the entire eco-system of social death.

Probing enslaved men and women's relationships to each of these four sites recovers how they experienced, resisted, and navigated violence and surveillance across a multitude of carceral

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<sup>29</sup> Daina Ramey Berry, *The Price for Their Pound of Flesh: The Value of the Enslaved, from Womb to Grace, in the Building of a Nation* (Boston: Beacon Press, 2017), 6-8. Berry writes about enslaved people of the antebellum as possessing ghost value to participants of the cadaver slave trade. This dissertation extends this work to the earliest origins of the cadaver slave trade in British North America that coalesce around the colonial northeast. Berry, *The Price for Their Pound of Flesh*, 148-193.

landscapes. The lash was not the only means for institutionalizing slavery. How enslaved people interacted with the world around them as domestic and public workers; as accused and convicted subjects; as shipboard captives; as impoverished inhabitants needing food, clothing, and shelter; as family members with kin to protect; as eventually the deceased shifted based on where they were within the Atlantic world. It is thus imperative to place New York slavery within a larger context about how enslaved people adjusted to changes in enslavers' management and surveillance techniques across time and space.<sup>30</sup> This was the process of enslavers and enslaved each defining the colonial society they inhabited. Each person made daily reconciliations about when, how, and, most importantly under what parameters were the limits of freedom, comradery, and pleasure understood in colonial New York society.

### Chapter Overview

The first chapter, "Captain William's "Kind Use" of Captive Africans: Slave Ship Surveillance Aboard the *Katherine* and the Middle Passage," explores the most violent forms of racialized surveillance and carceral culture in the British Atlantic world to establish a framework for understanding how enslaved people reconciled their histories and predicament in colonial America. Here I examine William Snelgrave's *A new account of some parts of Guinea, and the slave-trade* as an entry point to discuss the contours of trauma and power that African captives experienced in West Africa and the Middle Passage. Many historians have interrogated Captain Snelgrave's journal for his exhaustive discussions of the slave trade, but seldom has it been utilized to interrogate the systems of slave ship surveillance that he and his crew channeled aboard the galley *Katherine*. He shied away from discussing violence to avoid anti-slavery

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<sup>30</sup> Walter Johnson, "On Agency," *Journal of Social History* 37 (2003): 118-119

criticism. Because carceral culture was embedded into every sinew and fiber of the transatlantic slave trade, Captain Snelgrave could not help but reference this system's organization in his text, which lies just beneath the surface of his polemic. Following his and the five-hundred captives he travelled with from the Kingdom of Dahomey to the West Indies, numerous examples of slave surveillance help make historical meaning out of enslaved peoples' memories of carceral culture when they disembarked in New York City as well as other parts of the British colonized Americas. Using the social dynamics aboard the *Katherine* as a jumping off point for interrogating the broader transoceanic surveillance system helps access captives' experiences of comradery, intimacy, and resistance, and contextualizes the world survivals left when they disembarked in the British colonies.

Chapter two, "Slavery, Racial Surveillance, and Carceral Power in Colonial Manhattan," investigates how enslavers in New Amsterdam and New York City organized slaveholding in the seventeenth and eighteenth centuries. Focusing on how Dutch and English enslavers utilized a panoply of methods to keep enslaved people, particularly women, in place as domestic servants. Once the English took control of Lower Manhattan, officials and enslavers methods for racializing enslaved people lurched towards legal and social calcification. Slaveholders used the law to identify African from European ancestries to perpetuate slavery and keep people of color locked in cycles of dependency to colonial elites. At the same time, racial distinctions between Indigenous and African peoples became paradoxically blurred. Inside enslavers' households, racial and labor hierarchies included incorporating free white people into the job of overseeing enslaved people expanded enslavers' power. The informal hiring out system and formal curfew laws sought to circumscribe slave mobility both day and night. Enslaved people could subvert their captors through a variety of measures including temporary escape to the fringes of elite life.

Such stolen moments undercut the dependency enslavers sought to impart and encourages historians to reconsider the choices enslaved people made to skirt social control and surveillance.

Chapter three, “Racial and Gender Politics of Informants and Surveillance in the 1741 Slave Conspiracy,” looks at one of the most famous court cases in the history of British North America, the 1741 New York Slave Conspiracy Trials. It does so through an interrogation of the role that white women played as informants of the enslaved. White female informants reinforced colonial power over people of color and were a significant factor in the prosecution of nearly two-hundred enslaved people, overwhelmingly men. In this chapter, several women’s actions, including Mary Burton, the star witness of the trials, and Peggy Kerry, an Irish woman accused of having intimate relationships with enslaved men symbolized what the court and elites more broadly feared most: white women allying and bearing mixed-race children with Black men. As an indentured servant in a tavern serving enslaved men, Mary Burton was in a key position to surveil a world that officials had long sought to police but found intensely difficult to pursue. Thus, she testified and played a crucial role in cementing white alliances across class differences through the prosecution, execution, and exiling of almost 150 African-descended men and women.

In chapter four, “Coroners, Anatomists, And Racialized Death In New York City,” I trace the transition of coroners’ increased government regulation between the colonial period and the first decades of New York statehood. By interrogating coroners’ inquests for the untimely deaths of unfree and free people of color, I show how coroners shaped state power, law enforcement, medicine, and ideas about race postmortem. Coroners determined how enslaved people died, which they usually found to have been accidental. Death investigations of cadavers of color were informed by the racial hierarchies of the living, and as a result obfuscated the factors of slavery



that likely led to their premature demises. Once buried, cadavers of color could hardly find rest as the nascent doctors and surgeons of the mid and late-eighteenth century continued to exploit their bodies in pursuit of medical knowledge. Before and after the American Revolution, doctors and students habitually robbed African burial grounds for cadavers to practice anatomical dissection. Graves were left disturbed, dismembered bodies of deceased loved ones were left in full view for family members to see thereby preserving cultures of trauma and social death that New York enslavement and the Middle Passage encouraged. In the aftermath of the Doctor Riots of April 1788, policymakers responded by enshrining Black body dismemberment and grave desecration at the African Burial Ground into law. They outlawed autopsies of free white people, and formally sanctioned autopsies for African Americans' cadavers along with convicted felons. Thus, New Yorkers tied people of color's deaths both to criminality and to the institutionalization of race, law enforcement, and medicine.

This narrative historicizes surveillance and carceral culture as products of the colonial urban society as much as they were conditions of rural plantation. Investigating the forced migration of enslaved people from West Africa to the households of New York enslavers, into taverns and courtrooms, and finally into the graveyards around the colony, this dissertation demonstrates that surveillance and cultures of incarceration travelled with people of African descent throughout the course of their lives and into the afterlife. It demonstrates the legacies of these systems past slavery's demise in New York.

### **A Note on Terminology**

At its heart, this dissertation presents a story about power relations in colonial society. Throughout, I have had to make difficult choices about how to reference the people and practices

that gave meaning to carceral culture. Racial labels and their significance to historical processes shifted with relative ease and without any seeming rationality, even within the internal logic of preserving slaveholding. For example, white and Black were not widely used terms in New York City until the mid-eighteenth century. Likewise, the monikers “Negro,” and “Molatto,” that New York slaveholders and merchants ascribed to them instead, sought to obliterate the identities, ancestry, and kinship ties as they brought enslaved people into greater visual scrutiny. Even European records produced in West Africa tend to undo African ancestries with the racial monikers mentioned above. Part of my work as a historian has been to recover people of colors’ experiences to the best of my ability within the limited evidence available knowing that African-descended and Indigenous people likely carried with them whole histories, and self- and community identifications that are mostly closed off to me and other historians of the colonial period.

Where available, I reference people of color by their ancestral identities. When that is impossible, I instead describe people of color by their places of origin as best I can, such as “African-born,” or use terms to describe what is likely to have been an individual’s heritage “Indigenous,” “Native American,” and “African-descended.” For people of European ancestry, I either reference their country of origin or “Europeans.” Using these clunky, sometimes generalizing terms is not ideal, but neither is the ways colonial archives reference these people in the first place. By the mid-eighteenth century, the term “Black” and “white” were routinely used in colonial documents, and so when they are mentioned I will use them, though sparingly, since connoting racial identities under these monikers in the seventeenth and eighteenth century can have the effect of flattening individuals’ complex identities and ancestries.<sup>31</sup>

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<sup>31</sup> Historical discussions of racial identification that have influenced my methods of naming and identifying people are Sharon Block, *Colonial Complexions: Race and Bodies in Eighteenth-Century America* (Philadelphia:

Where I include stories of Indigenous communities and individuals, I have tried to find out as much about their heritage as is available, particularly when I discuss communities and individuals living in and around New York colony. These groups include the Munsee-speaking Wappingers and other tribal members of the Unami-, Munsee-, and Algonquian-speaking Leni Lenape, as well as members of the Iroquoian-speaking Haudenosaunee Confederacy (Seneca, Onondagas, Cayugas, Mohawk, Oneidas, and Tuscaroras). I have attempted to connect the individuals and groups discussed in this dissertation to the languages they spoke since that was one of the more common means of identifying individuals' tribal affinities. However, due to New Yorkers' restrictions on enslaving Indigenous people, enslavers were often unwilling to even reference the heritages of Native people who served them.

I have tried to carefully reference the proprietors and victims of slavery. I use the terms "slaveholders" and "enslavers," mostly to make the prose more readable. On a few occasions I used the term "slave" to reference laws or how enslaved people were identified within the colony. This was done also to make my prose more readable at times, but never at the expense of the individuals and groups I am writing about. If given the choice, I prefer to reference people who own enslaved individuals as "enslavers." To paraphrase the historian Stephanie M.H. Camp, I am acknowledging the active historical process of subjugating individuals taking place inside enslavers households. This is the reason I refer to enslaved people or the enslaved, as a collective identification, to avoid language that risks essentializing their existence to a state of being rather than a series of predicaments I am analyzing.<sup>32</sup> I also never reference enslavers as "masters" because the predicament of slavery was just that, and terms like master imply what slaveholders

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University of Pennsylvania Press, 2018); A.B. Wilkinson, *Blurring the Lines of Race and Freedom: Mulattoes and Mixed Bloods in English Colonial America* (Chapel Hill: University of North Carolina Press, 2020).

<sup>32</sup> Camp, *Closer to Freedom*, 143n2

hoped to do, not what they were. They never could completely dominate the people they subjugated.

## CHAPTER 1: CAPTAIN WILLIAM'S "KIND USE" OF CAPTIVE AFRICANS: SLAVE SHIP SURVEILLANCE ABOARD THE *KATHERINE* AND THE MIDDLE PASSAGE

In 1734, a veteran slave trader named William Snelgrave published *A New Account of Some Parts of Guinea and the Slave Trade*. Snelgrave captained and crewed multiple slave-trading outfits between West Africa, Europe, and the Caribbean for nearly thirty years. Now fifty-three, he hoped his lengthy account would serve as a polemical defense of the Middle Passage. Captain Snelgrave's 1727 voyage left London for the Bight of Benin to kidnap and enslave Africans to sell them to enslavers on Antiguan sugar plantations. Writing his version of events, Snelgrave hoped his anecdotes from this trip would convince those persistent and persnickety Quakers of the efficacy of the slave trade. According to Snelgrave, slavers rescued captive Africans from the chaos of war-torn countries, cannibalism, and human sacrifice. Therefore, the slave trade was a moral and ethical rescue mission. He nevertheless refused to speak on his and his crew's management of the thousands of captive Africans they transported across the diaspora. Snelgrave suggested divulging this information served the interests of abolitionist Quakers "object[ing] against the lawfulness of that Trade," from where he and thousands of other sailors derived profits in the seventeenth and eighteenth centuries.<sup>1</sup>

Scholars have uncovered a great deal about Captain Snelgrave's voyage in the spring and summer of 1727. Historical discussions have analyzed his financial dealings and political maneuverings with the reigning king of Dahomey (part of modern-day Ghana), Agaja; the monarch's participation in human trafficking the prisoners of war from his conquest of the surrounding African nations, the influence his *Account* had on budding readers who longed for financial success in the slave trade, and proslavery arguments to defend enslavement on the ships

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<sup>1</sup> William Snelgrave, *A new account of some parts of Guinea, and the slave-trade* (London: Printed for P. Knapton, 1734), Preface.

and plantations involved in this global human manufacturing system.<sup>2</sup> Nevertheless, William's *Account* mentions of capturing, enslaving, and surveilling Africans onboard *Katherine* offers a springboard for discussing carceral culture in the Atlantic. This chapter builds on the recent scholarship moving the Middle Passage from the periphery of plantation slavery's sphere of influence to the center. Captives responded to the most invasive forms of violence and carceral power in the diaspora. Moreover, they conducted resistance in kind that shaped their future relations with enslavers, authorities, and the enslaved people they encountered in the Americas.<sup>3</sup> Utilizing Snelgrave's *Account* as an entry point foregrounds captive Africans' experiences onboard the slave ship and the imprint that racialized surveillance and carceral culture left on them in the New World.

Closely attending to William's text challenges specific silences that this slave merchant enforced in producing his popular travel log. For all that William revealed about his participation in a lucrative slave-trading business, he said very little about the "Management of [Africans] when on Shipboard." He believed public opinion would not respond favorably to the horrific

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<sup>2</sup> David Henige and Marion Johnson, "Agaja and the Slave Trade: Another Look at the Evidence," *History in Africa* 3 (1976): 57-67; Robin Law, "Slave-Raiders and Middlemen, Monopolists and Free-Traders: The Supply of Slaves for the Atlantic Trade in Dahomey C. 1715-1850," *The Journal of African History* 30, no. 1 (1989): 45-68; Paul Lovejoy and Dave Richardson, "The Business of Slaveing: Pawnship in Western Africa, 1600-1810," *Journal of African History* 42, no. 19 (2001): 67-89; J. Cameron Monroe, "Continuity, Revolution or Evolution on the Slave Coast of West Africa? Royal Architecture and Political Order in Precolonial Dahomey," *The Journal of African History* 48, no. 3 (2007): 349-73; Neal D. Polhemus, "A Dialogue with King Agaja: William Snelgrave's 1727 Ardra Diary and the Contours of Dahomian-European Commercial Exchange," *History in Africa*, 43 (2006): 29-62.

<sup>3</sup> Jennifer L. Morgan, "Accounting for 'The Most Excruciating Torment': Gender, Slavery, and Trans-Atlantic Passages," *History of the Present* 6, no. 2 (2016): 184-207; Sowande' M. Mustakeem, *Slavery at Sea: Terror, Sex, and Sickness in the Middle Passage* (Urbana: University of Illinois Press, 2016); David Wheat, *Atlantic Africa and the Spanish Caribbean, 1570-1640* (Chapel Hill: University of North Carolina Press, 2016); Roquinaldo Ferreira, *Cross-Cultural Exchange in the Atlantic World: Angola and Brazil during the Era of the Slave Trade* (New York: Cambridge University Press, 2012); John K. Thornton, *A Cultural History of the Atlantic World, 1250-1820* (Cambridge, UK: Cambridge University Press, 2012); David Richardson, "Cultures of Exchange: Atlantic Africa in the Era of the Slave Trade," *Transactions of the Royal Historical Society*, Sixth Series, 19 (2009): 151-79; Stephanie Smallwood, *Saltwater Slavery: A Middle Passage from Africa to American Diaspora* (Cambridge: Harvard University Press, 2008); Alexander X. Byrd, *Captives and Voyagers: Black Migrants across the Eighteenth-Century British Atlantic World* (Baton Rouge: Louisiana State University Press, 2008); Marcus Rediker, *The Slave Ship: A Human History* (New York: Penguin Press., 2007); Eric Taylor, *If We Must Die: Shipboard Insurrections in the Era of the Atlantic Slave Trade* (Baton Rouge: Louisiana State University Press, 2006).

scenes that he and his crew subjected captive people.<sup>4</sup> Despite omitting evidence, surveillance was a critical feature of all slave ship voyages.<sup>5</sup> Slave ship surveillance describes the close observational tactics crewmen used at sea to govern the lives of the men, women, and children brought onto the slave ship. Slave ship surveillance was a capacious concept that sailors deployed. Merchants and sailors collected data to commodify captive people's bodies and incorporated Africans into positions of authority to encourage their policing of the human cargo. Slave ship captains and crew members used the constant oversight of captive Africans to keep them fearful, anxious, vulnerable, and compliant for months at sea.

The Middle Passage was the apex of carceral power that Euro-Americans inflicted upon the millions of captives who they trafficked to the Americas, which left long-term psychological and physical traumas for the survivors.<sup>6</sup> Yet, very few first-hand survivor accounts exist. Those who have documented their horrific crossings do not speak to the daily, often unspeakable terrors visited upon them and other captives.<sup>7</sup> In light of these absences, how did captive Africans negotiate William Snelgrave and other captains' surveillance methods? In the words of theorist Michel-Rolph Trouillot, this chapter works to disentangle the history of "what happened and that which is said to have happened" from the ambiguities in William Snelgrave's text to recover captive Africans' relationships to the day-to-day social violence and surveillance that undergirded

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<sup>4</sup> Snelgrave, *A new account*, Preface.

<sup>5</sup> Simone Brown, *Dark Matters: On the Surveillance of Blackness* (Durham: Duke University Press, 2015), 31-62.

<sup>6</sup> Rinaldo Walcott, "Middle Passage: In the Absence of Detail, Presenting and Representing a Historical Void," *Kronos*, no. 44 (2018): 61; Sylvia Wynter, "1492: A New World View," in *Race, Discourse, and the Origin of the Americas: A New World View*. Ed. Sylvia Wynter, Vera Lawrence Hyatt, and Rex Nettleford (Washington D.C.: Smithsonian Institution Press, 1995), 6-8.

<sup>7</sup> Examples of this sort of narrative ambivalence can be found in Olaudah Equiano, *The Interesting Narrative of the Life of Olaudah Equiano, or Gustavus Vassa, the African. Written by Himself*, vol. 1 (London: Printed for the Author, [1789]); John Jea, *The Life, History, and Unparalleled Sufferings of John Jea, the African Preacher. Compiled and Written by Himself* (Portsea, England: Printed for the Author, 1811); James Albert Ukawsaw Gronniosaw, *A Narrative of the Most Remarkable Particulars in the Life of James Albert Ukawsaw Gronniosaw, an African Prince, as Related by Himself* (Bath: Printed by W. Gye, 1770).

their forced migration to the British Caribbean and beyond.<sup>8</sup> With an eye towards the ways slavers embedded disciplinary and surveillance practices into all aspects of captives' experiences, this chapter interrogates William Snelgrave's writing in conjunction with some other captains', sailors', and surgeons' travel logs.

In the modern context, surveillance has come to define the tools at sovereign entities' disposal utilized to record, simplify, and categorize individuals' life stories and behavioral patterns to affect subjects' future practices.<sup>9</sup> Before the advent of specialized state bureaucracies manifesting in more recent institutions like prisons and police, surveillance was based predominantly upon the relationships that authorities in law and in the community maintained with the people they sought to control.<sup>10</sup> Sailors' surveillance was far more crystalized aboard slave ships than in the colonial towns of the British-occupied northeast. They observed, prodded, and exploited Africans to isolate all commodifiable data about their bodies and labor. They grouped individuals and ethnic communities based on European perceptions about Africans' physical capabilities, gendered understandings about men's and women's bodies, and other assumptions about physiological and psychological variations among individuals that they gleaned. Europeans considered these types of data valuable for selling enslaved people at the slave market. The information slave merchants documented was based on biases towards Africans' regional origins, possible linguistic capabilities, women's and children's potential fertility, familial connections to other captives, and stereotypes about ethnic groups. Slavers did this to expose possible threats to the success of a given slaving voyage. These markers

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<sup>8</sup> Michel-Rolph Trouillot, *Silencing the Past: Power and the Production of History* (New York, Beacon Press, 1995), 3.

<sup>9</sup> Kevin G. Haggerty, "Tear Down the Walls: On Demolishing the Panopticon" in *Theorizing Surveillance: The Panopticon and Beyond*, ed. David Lyon (London: Routledge Publishing, 2006), 40.

<sup>10</sup> Christopher Dandeker, *Surveillance, Power and Modernity: Bureaucracy and Discipline from 1700 to the Present Day* (New York: St. Martin's Press, 1990), 114.



demonstrated enslavers' attachment to exploiting all commodifiable information they found in the bodies and work of African people.<sup>11</sup>

Highlighting the central role of surveillance on slave ships like the *Katherine* opens space for discussing captives' more intimate experiences with violence and resistance to lifelong slavery. The *Katherine's* cargo holding six-hundred people outnumbered the modestly sized crew of several dozen sailors. Sailors' daily work to chill captives' abilities to organize rebellions and prevent suicides was built around maintaining relationships between captors and captives. The guardian system offered incentives to captives willing to spy on others and report back to the crew. Those who participated in disrupting captives' abilities to communicate with one another also left imprints about the unlikeliness of successful insurrections and the potentially futile struggles for freedom, informing most African-descended peoples' experiences forced into Atlantic slavery. African and African-descended survivors of the Middle Passage carried these scars into the slave societies of the Caribbean and British North America. These forms of power gave meaning to the verbal, emotional, and carceral networks that survivors reckoned with daily for their lifetimes afterward.<sup>12</sup>

### **A Praxis for Slave Ship Surveillance**

In April 1727, the three-hundred-ton gargantuan galley *Katherine* sailed from London for the shores of West Africa. It is unclear how many sailors worked for Captain William. Likely, dozens were hired to confine and watch over the human cargo of "above 600 Negroes" when the

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<sup>11</sup> Smallwood, *Saltwater Slavery*, 101-121.

<sup>12</sup> Terri L. Snyder, *The Power to Die: Slavery and Suicide in British North America* (Chicago: The University of Chicago Press, 2015), 25-26; Laura Murphy, "The Curse of Constant Remembrance: The Belated Trauma of the Slave Trade in Ayi Kwei Armah's *Fragments*," *Studies in the Novel* 40, no. 1/2 (2008): 53.

vessel departed the port of Jacquin for Saint John, Antigua.<sup>13</sup> Upon arriving in the Bight of Benin, Snelgrave set out to broker captives from King Agaja of Dahomey, who had recently conquered the state of Ardra in March.<sup>14</sup> To Snelgrave, the Caribbean sugar plantation was a much better deal for African captives than the “fierce brutish Cannibals” he claimed were among the Dahomean people. He used his first meeting with the African monarch to illustrate why. He later emphasized that slave ships were first and foremost on civilizing missions to take Africans from this hostile environment into slavery.<sup>15</sup> The scenes that Snelgrave constructed reveal the hypervisibility of slave ship captains and sailors placed upon captive people, particularly African women, and children.

Snelgrave’s defense for transatlantic slavery came from comparing European participation in the institution with Dahomean practices of sacrifice and servitude. He intentionally misrepresented English notions of commercialization and the subjugation of captives on the *Katherine* to morally justify the Middle Passage. Snelgrave echoes the sentiments of many mercantilist contemporaries championing the political capitalist economy, trade, and the morality of Atlantic slavery and the plantation economy of the Caribbean.<sup>16</sup> The slave trade became the filter through which Snelgrave and other slave merchants interpreted their own sense of gentility and social mores in dealings with African brokers and monarchs.<sup>17</sup> When Snelgrave

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<sup>13</sup> Snelgrave, *A new account*, 106; David Eltis, Stephen D. Behrendt, David Richardson, and Herbert S. Klein, *The Trans-Atlantic Slave Trade Database*, #75248, accessed April 8, 2022, [slavevoyages.org/voyage/database#](http://slavevoyages.org/voyage/database#).

<sup>14</sup> Robin Law, “Trade and Politics behind the Slave Coast: The Lagoon Traffic and the Rise of Lagos, 1500-1800,” *The Journal of African History* 24, no. 3 (1983): 337.

<sup>15</sup> On the distortions of human sacrifice in African countries compared to European countries, see: Akpojevbe Omasanjuwa, “Intractable Pernicious Practices in West Africa,” *Ethnologia Actualis* Vol. 18, no. 1 (2018): 21; Robin Law, “Human Sacrifice in Pre-Colonial West Africa,” *African Affairs* 84–2 (1985): 60; Beth A. Conklin, “Consuming Images: Representations of Cannibalism on the Amazon Frontier” *Anthropological Quarterly*, Vol. 70, No. 2 (1997): 68.

<sup>16</sup> Hilary McD. Beckles, “Capitalism, Slavery and Caribbean Modernity,” *Callaloo* 20, no. 4 (1997): 778.

<sup>17</sup> Jennifer L. Morgan, *Reckoning with Slavery: Gender, Kinship, and Capitalism in the Early Black Atlantic* (Durham: Duke University Press, 2021), 56-57.

saw a small Igbo-speaking boy, about eighteen months old, “tied by the Leg to a Stake driven in the Ground,” he believed the child would be sacrificed later that evening. Snelgrave claims he attempted to “take the Child... to preserve him.” The King’s guards and *Katherine*’s crew drew weapons upon each other when, Snelgrave asserted, he rebuked Agaja for “breaking the Laws of Hospitality, in permitting one of his Guard to threaten my Man with his Lance.” King Agaja responded, pointing out the slave merchant’s hypocrisy stating that the “Child, it being his property,” was no concern to Snelgrave. The merchant persuaded Agaja to sell the child to him in exchange for “sky colored beads,” which he valued at “about half a Crown Sterling.”<sup>18</sup> In Snelgrave’s retelling of events, the salvation of the Igbo-speaking boy was only made possible through commodification and enslavement to English planters.

Captain Snelgrave’s discussion of brokering the child’s release into his custody underscored the importance of sailors, the surgeon, and the sea captain in capitalizing on data they had created about the Africans already in their possession. Captain Snelgrave consulted with the ship’s crew about finding an African woman who could nurse the boy. What the sailors knew about the captives was gleaned from the ship’s surgeon, who was responsible for assessing their bodies, treating those who were sick, and preserving their health long enough to reach Antigua’s littoral. When the sailors brought a suitable woman to the deck, William claims she recognized the child as her son, “with great eagerness, and snatched him out of the white Man’s Arms.” “The singular Circumstances” of this mother and child’s reunification, William thought, could strike a sympathetic tone with both pro-and anti-slavery readers. More importantly to the slave ship captain, he had found a woman who could nurse the child, calm him when he cried, and help in raising the next generation of enslaved workers.<sup>19</sup>

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<sup>18</sup> Snelgrave, *A new account*, Introduction.

<sup>19</sup> Snelgrave, *A new account*, Introduction.

The surgeon's recollection of the breastfeeding woman signaled the ways sex, race, and gender intersected in the surveillance of captives. Surgeons were responsible for examining all captives when they came aboard a slaving vessel. They conducted intrusive inspections of their bodies to filter out those they deemed diseased or disabled.<sup>20</sup> A few years before William published *A New Account*, Thomas Aubrey offered advice to fellow sea surgeons from his experiences in Guinea, stating, "I hold it absolutely necessary that you visit all the Slaves, before you suffer them to be bought." Doctor Aubrey focused on the sexual health of all captives he examined, citing that "the Men [often] have *Gonorrhoeas*, or *Ulcers* in the *Rectum* or *Fistulas*, and the Women *Ulcers* in the Neck of the *Matrix* [womb]."<sup>21</sup> Focusing mainly on the health of captives' reproductive organs, Doctor Aubrey underscored the importance that slave merchants placed on interrogating captives' bodies. Documenting vaginal "ulcers," rectal "fistulas," and other maladies, surgeons produced mangled racialized and sexual histories of captive Africans to speculate about their survivability during long-distance oceanic travel and clarify merchants' valuation of these bodies sold at the slave market in Antigua.

The glimpse of the Igbo-speaking mother and child Captain Snelgrave described reveals the captain's reliance on surgeons' knowledge of captives' bodies. *Katherine's* surgeon conducted similarly gendered exams on three-hundred captives the previous day and shared with the gunner that a woman was among them with "much Milk in her Breasts" and without a child to suckle.<sup>22</sup> The surgeon and sailors may have reunified a parent and her child together. The Igbo woman may have asserted protection of the child to protect the orphan from starvation or another

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<sup>20</sup> Mustakeem, *Slavery at Sea*, 45.

<sup>21</sup> Thomas Aubrey, *The sea-surgeon, or The Guinea man's vade mecum.: In which is laid down, the method of curing such diseases as usually happen abroad, especially on the coast of Guinea; with the best way of treating Negroes, both in health and in sickness* (London: Printed for John Clarke at the Bible under the Royal-Exchange, 1729), 118.

<sup>22</sup> Snelgrave, *A new account*, Introduction.

kind of death. Fashioning fictive kinship ties were first furnished aboard the slave ship and suggested how survivors of the Middle Passage forged communities throughout the Americas.<sup>23</sup> For the sailors, this woman taking responsibility for the child's wellbeing lined up with their commercial goals to preserve the profits that the slave cargo would derive in the Americas. Had the baby's mother not been unintentionally purchased the previous day, he may have had no one else to caretake or nourish him with the dietary nourishment his mother's breastmilk provided and likely would have perished on the journey.

For all Snelgrave's boastfulness over his proper treatment of these captive Africans, he was constantly concerned about an insurrection taking over the ship. He could not pretend his 'rescue' of the Igbo-speaking boy from human sacrifice was truly altruistic rather than a ploy to quell any talk of mutiny among the captives. Reflecting upon the incident later, William had convinced himself that "This affair proved of great service to us, for it gave [the African captives] a good Notion of white Men so that we had no Mutiny in our Ship, during the whole Voyage."<sup>24</sup> Once the *Katherine* anchored in Antigua, Captain Snelgrave was relieved of posturing his hope to maintain captives' genealogical or fictive ties. He sold the mother to "Mr. Studeley" but does not again mention the child's fate.<sup>25</sup> Possibly the boy was sold to the same plantation owner, sold to a different enslaver, or perished on the journey. In any of these scenarios, the seeming reunification of mother and child had long served its purpose to quell potential mutinies once the ship docked along the Antiguan littoral.

While Captain Snelgrave hoped to convince readers and captives he was a good-natured slave trader, he simultaneously believed that "over-care" of captives could lead to a slave

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<sup>23</sup> Smallwood, *Saltwater Slavery*, 198.

<sup>24</sup> Snelgrave, *A new account*, Introduction.

<sup>25</sup> Snelgrave, *A new account*, Introduction; Jennifer Morgan, *Laboring Women: Reproduction and Gender in New World Slavery* (Philadelphia: University Pennsylvania Press, 2004), 41.

insurrection. He later criticized fellow Captain Francis Messervey for his “too great Kindness to the Negroes on board his Ship, was destroyed by them, and the Voyage at last came to nothing.”<sup>26</sup> Slavers’ policing was, in Captain Snelgrave’s words, a delicate balance of “kindly us[ing]” captives, an oxymoronic term he references to indicate the balance that his crews attempted to strike in their process of maintaining control over enslaved captives at sea.<sup>27</sup> So how were captives “kindly used” aboard the *Katherine*? The Middle Passage was a system of observation, trammel, and torture amplified to its most extreme at sea to isolate captives from one another and impede any attempts to overthrow the ship’s hierarchy and prepare them for sale once stationed along Antigua’s littoral. Captains and crews referenced individuals in the human cargoes by linguistic backgrounds, regions of origin, and as numbers in recordkeeping for assessing threats and the dead.<sup>28</sup>

At the same time, the captain made apparent to readers, at least, that the crew was to make the prison conditions of the slave ship appear more accommodating to the arriving captives. Shortly after departing West Africa, they removed women’s and children’s shackles, who could move around the deck with fewer iron impediments than fellow male captives. Feedings for both men and women were supposed to be plentiful. Africans could massage this system to blunt the crew’s practices of “kind usage.” Some captives joined in the slave ship’s carceral culture as guardians, cooks, linguists, mechanics, domestic duties such as cleaning and washing clothes, and other positions that were necessary for completing the daily tasks associated with operating a ship for months at sea. Some of these captives were rewarded for participating in the shipboard economy by receiving larger rations of food, tobacco, and drams of

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<sup>26</sup> Snelgrave, *A new account*, 185.

<sup>27</sup> Snelgrave’s usage of the term “kind usage” or “kindly used” can be found in Snelgrave, *A new account*, 162, 168, 184, 212.

<sup>28</sup> Rediker, *The Slave Ship*, 268; Smallwood, *Saltwater Slavery*, 178

brandy.<sup>29</sup> For sailors, however, this sort of “kind usage” attempted to inspire allyship with African men and women who, they hoped would serve as surveillants against the greater mass of captive Africans who sailors feared could conspire to overturn control of the ship.<sup>30</sup>

Sailors and merchants incorporated mechanisms for keeping captives imprisoned at every stage of the journey from West Africa to the Americas. Surveillance started immediately as newly arriving Africans were brought aboard the ship. Captain Snelgrave gathered them around the deck for a brief announcement spoken through a translator. He told them that they could expect to be treated “with Humanity and Tenderness.” Dialogue between captives and captain should remain open, he told them, “that if any one [of the white men] abuses them, they are to complain to the Linguist, who is to inform me of it, and I will do them Justice.”<sup>31</sup> This type of speech was performed to put incoming new captives at greater ease, “kee[p] them from mutinying, and preserv[e] them in health.”<sup>32</sup> Some captives listening may have understood what Snelgrave said through the translator, but no surviving records mention the ethnic backgrounds of the Africans on this particular voyage.

The ability to segregate and isolate Africans based on assumed linguistic backgrounds was part of the reason West Africa was an advantageous location for slave traders to purchase captives. West Africa remains one of the most linguistically diverse regions in the world.<sup>33</sup> Sea

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<sup>29</sup> Rediker, *The Slave Ship*, 268-270.

<sup>30</sup> Slave merchants’ tactic of incorporating African guardians—those captives that crewmembers appointed to specifically police the human cargo—was replicated in the form of Black overseers in the Americas. For discussions of the role of Black overseers see: William E. Wiethoff, “Enslaved Africans’ Rivalry with White Overseers in Plantation Culture: An Unconventional Interpretation,” *Journal of Black Studies* 36, no. 3 (2006): 429–55; Jacqueline Jones, *American Work: Four Centuries of Black and White Labor* (New York: W.W Norton & Company, 1998), 210; Eugene D. Genovese, *The World the Slaves Made* (New York: Pantheon Books, 1974), 366-367, 381.

<sup>31</sup> Snelgrave, *A new account*, 163.

<sup>32</sup> Snelgrave, *A new account*, 162.

<sup>33</sup> Mustakeem, *Slavery at Sea*, 69, 120, 148; Smallwood, *Saltwater Slavery*, 101-121; Rediker, *The Slave Ship*, 276-279; John Thornton, *Africa and Africans in the Making of the Atlantic World, 1400-1800* (Cambridge: Cambridge University Press, 1992; 2nd editions, 1998), 19-20, 183-205; Philip D. Morgan, “The Cultural Implications of the Atlantic Slave Trade: African Regional Origins, American Destinations and New World Developments,” *Slavery & Abolition* (1997): 122-145.

surgeon John Atkins marveled “So there is none I believe, wherein that Difference can be found, so much as [Africa in general]. A Colour, Language and Manners, as wide from ours, as we may imagine we should find in the planetary Subjects above.”<sup>34</sup> Similarly, William Smith, a surveyor for the Royal African Company, simply wrote, “As for the regions of the Gambia, they are so many and so different.”<sup>35</sup> Captain Snelgrave sought to fill *Katherine* with captives from an abundance of linguistic backgrounds to better tamp down on the free flow of information between them. He understood it was necessary to limit the “Likelihood of their succeeding in a Plot, than of finishing the Tower of *Babel*,” and Snelgrave cautioned other captains to follow suit.<sup>36</sup> After speaking with Captain Messervy, who had succumbed to a recent slave insurrection, Snelgrave reflected later, “[H]e had on board so many Negroes of one Town and Language, it required the utmost Care and Management to keep them from mutinying.”<sup>37</sup> The lesson Snelgrave drew from his exchange with Messervy was that to instill order, crews needed to break up “the body” of captives organizing efforts, first and foremost by minimizing their ability to communicate with one another.<sup>38</sup>

Despite close confinement with hundreds of people, Africans experienced isolation, sometimes to a lethal effect, due to the linguistic diversity of captives taken from West Africa. The surgeon Ecryode Claxton testified to the House of Commons of “one man who spoke a language that was unknown” to any of the other captives on the brig *Young Hero*. Without the

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<sup>34</sup> John Atkins, *A voyage to Guinea, Brasil and the West Indies; in His Majesty's ships, the Swallow and Weymouth: describing the several islands and Settlements, viz, Madeira, the Canaries, Cape de Verd, Sierraleon, Sesthos, Cape Apollonia, Cabo Corso, and others on the Guinea coast...* (London: printed for Caesar Ward and Richard Chandler, 1735), 34.

<sup>35</sup> William Smith, *A new voyage to Guinea: describing the customs, manners, soil, manual arts, agriculture, trade, employments, languages, ranks of distinction climate, habits, buildings, education, habitations, diversions, marriages, and whatever else is memorable among the inhabitants* (London: J. Nourse, 1744), 28.

<sup>36</sup> Smith, *A New Voyage to Guinea*, 28; Rediker, *The Slave Ship*, 271.

<sup>37</sup> Snelgrave, *A new account*, 187.

<sup>38</sup> Snelgrave, *A new account of some parts of Guinea, and the slave-trade*, 190.



ability to converse and understand those he shared space with, “his condition [was] truly lamentable, and made him look very much dejected.” He watched as people suffered and died around him from “the flux,” a disease believed at the time to spread through mucus discharges and exacerbated by overcrowding.<sup>39</sup> More than half of the captives around him died over the course of several months at sea.<sup>40</sup> The man was not among the afflicted. Instead, his enforced isolation “produced a state of insanity,” and as a result, Ecroyde concluded, causing him to commit suicide when the *Young Hero* brig reached Trinidad.<sup>41</sup> The heat of bodies smattered together, the smells of death, and the other horrific sensations he was exposed to contributed to his final decision to take his own life.<sup>42</sup>

The diversity of ethnicities among West Africans also served as the basis for slave ship captains’ surveillance and control of captives. Europeans categorized captives along a continuum of potential threats to their whole slaving operation. Based on where captives were taken, some were subjected to more scrutiny for longer periods. Captain James Fraser shackled captives from the Bight of Bonny “in the [same manner] in which the Windward and Gold Coast Slaves are secured” for the entire voyage. When land was out of sight, however, his crew removed the handcuffs binding captives from the Gold Coast, while captives from Angola were hardly chained because the crew believed them “very peaceable.”<sup>43</sup> In 1682, Captain Jean Barbot

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<sup>39</sup> Testimony of Ecroyde Claxton, 1791, in *House of Commons Sessional Papers*, edited by Sheila Lambert (Wilmington, Del.: Scholarly Resources, 1975), 82:32.

<sup>40</sup> For the specific voyage that Ecroyde Claxton is referencing, see: David Eltis, Stephen D. Behrendt, David Richardson, and Herbert S. Klein, *The Trans-Atlantic Slave Trade Database*, #84092, <https://www.slavevoyages.org/voyage/database#>.

<sup>41</sup> Testimony of Ecroyde Claxton, 1791, 82:36.

<sup>42</sup> Snyder, *Power to Die*, 34; Taylor, *If We Must Die*, 28-31; Nicolas J. Duquette, “Revealing the Relationship Between Ship Crowding and Slave Mortality,” *The Journal of Economic History* 74, no. 2 (2014): 535–552; Mallipeddi, Ramesh. “‘A Fixed Melancholy’: Migration, Memory, and the Middle Passage,” *The Eighteenth Century* 55, no. 2/3 (2014): 241; Kenneth F. Kiple and Brian T. Higgins, “Mortality Caused by Dehydration during the Middle Passage,” *Social Science History* 13, no. 4 (1989): 427-428.

<sup>43</sup> Testimony of James Fraser, 29 January 1790, *House of Commons Sessional Papers*, 71:26, 36.

warned readers that “Fida and Ardra slaves are of all the others, the most apt to revolt aboard ships,” while another spectator later lamented that though “A Coromantee”—a term European colonists called Akan-speaking groups who were at war in the Gold Coast region—may be more likely to have been bought “young,” they “will either destroy himself or murder his master.”<sup>44</sup> More than a century later, an English slave trader named John Adams warned that “the Ibbibby, or Quaw” appeared to carry a “disposition [that] would cause a person to suppose, that in their own country they lead a wild, predatory life... [and] have always been found to be the ringleaders” of shipboard insurrections.<sup>45</sup>

Notwithstanding ship captains’ misgivings about kidnapping certain ethnic groups, English colonists were willing to pay top dollar to enslave captives from the regions European slavers considered more hostile to the slave trade. For example, despite slavers’ misgivings about trafficking Akan-speaking captives from the Gold Coast, exports of humans from that region ranked third in popularity among English slave exports in the first half of the eighteenth century.<sup>46</sup> A reverend living on the island of Nevis lauded the Akan-speaking Africans from the Gold Coast for being “the most valuable and hardy,” and claimed that “those of Congo and Angola” are less reliable as slaves “because the Plenty of Provisions in their own, more temperate, and cool countries renders them lazy, and consequentially, not so able to endure Work

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<sup>44</sup> Jean Barbot, *Description of Guinea*, 1682, in *Documents Illustrative of the History of the Slave Trade to America*, edited by Elizabeth Donnan (Washington D.C.: Carnegie Institution of Washington, 1930), 1:295.

“A History of the SUGAR-CANE, and practical Instructions for Successfully cultivating it; from a Poem called the SUGAR CANE” in *The Gentleman’s Magazine and Historical Chronicle*, XXXIV, edited by Sylvanus Urban (London: Printed for D. Henry and R. Cave, 1764), 487; Vincent Brown, *Tacky’s Revolt: The Story of an Atlantic Slave War* (Cambridge: Harvard University Press, 2020), 9-10.

<sup>45</sup> John Adams, *Remarks on the Country Extending from Cape Palmas to the River Congo, Including Observations on the Manners and Customs of the Inhabitants: with an Appendix Containing an Account of the European Trade with the West Coast of Africa* (London: Printed for G. and W.B. Whittaker, Ave-Maria Lane, 1823), 132; David Richardson, “Shipboard Revolts, African Authority, and the Atlantic Slave Trade,” *The William and Mary Quarterly* 58, no. 1 (2001): 79-80.

<sup>46</sup> Smallwood, *Saltwater Slavery*, 3; David Richardson, “Slave Exports from West and West-Central Africa, 1700-1810: New Estimates of Volume and Distribution,” *Journal of African History* 30 (1989): 13.

and Fatigue.”<sup>47</sup> These examples also illustrate a tension between what the American and Caribbean slave markets demanded in terms of the ethnic makeup of their enslaved workforce, and what containment strategies slavers took to ensure security while trafficking Akan-speaking Africans.

Captive Africans broke down communication barriers, nevertheless, through cultural sharing and mutual intelligibility. In West Africa, they held extensive kinship networks, familial ties, and a deep understanding of home, but now aboard the slave ship were forced into unprecedented intimacy with strangers.<sup>48</sup> Shackled, lying body-to-body for weeks on end created the foundation for a new configuration of diasporic identification between Africans in the Americas.<sup>49</sup> Ecroyde recalled hearing singing from beneath the decks of a ship, which he took to mean as an expression of contempt for their condition: “Madda! Madda! Yiera! Yiera! Bemini! Bemini! Madda! Ausera!” which he translated later to mean, “[T]hey were all sick, and by and by they should be no more.” Other times, singing was used to demand food, protest crew members abuse, and express fears about “never returning to their own country.”<sup>50</sup> Snelgrave was unwilling to acknowledge such sociality was taking place on *Katherine*, maintaining that “the Negroes...being bought to Windward, did not understand a word of the Gold-Coast Language.”<sup>51</sup>

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<sup>47</sup> William Smith, *A natural history of Nevis, and the rest of the English Leeward Charibee islands in America...* (Cambridge: Printed by J. Bentham, [1745]), 225; For a similar distinction between Akan-speaking people and other captives as “hardy,” see: *The Alarm-Bell: Or, Considerations on the Present Dangerous State of the Sugar Colonies* (London: Printed for W. Owen, 1749), 8; Darold D. Wax, “Preferences for Slaves in Colonial America,” *The Journal of Negro History* 58, no. 4 (1973): 392.

<sup>48</sup> Mustakeem, *Slavery at Sea*, 128; Historian T.C. McCaskie writes that Akan-speaking women, for instance, maintained a sense of “[c]fie meaning the house(hold), or alternatively as [o]yafunu koro, meaning (the offspring of) a single womb” despite their dislocation from their homes. For discussions about family and kinship among Akan-speaking communities, see: T. C. McCaskie, “KonnurokusΣ M: Kinship and Family in the History of the O Yoko KOKOO Dynasty of Kumase,” *The Journal of African History* 36, no. 3 (1995): 357-389; For the durability of African cosmologies across the Middle Passage, see: John S. Mbiti, *African Religions and Philosophies* (Portsmouth: Heinemann, 1969), 30-31.

<sup>49</sup> Smallwood, *Saltwater Slavery*, 101.

<sup>50</sup> Testimony of Ecroyde Claxton, 1791, 82:36; Smallwood, *Saltwater Slavery*, 101.

<sup>51</sup> Snelgrave, *A new account*, 179.

The success of *Katherine's* voyage rested on captives never challenging Captain Snelgrave or his crew to combat. As a result, he instructed the crew that they needed to carry a “well inclined” disposition at all times to dissuade captives from talk of mutiny and maintain “kind use” of the captives they enslaved. This meant captives were fed twice daily (though likely not enough sustenance), tobacco and pipes were passed around every Monday morning, and crew members allegedly “cleaned every day” captives’ “lodg[ings].”<sup>52</sup> Snelgrave’s ‘kind usage’ rhetoric masked the violence that he and his crew enforced. If captives were not persuaded against challenging his authority, the crew did have guns, cannons, shackles, and swords to police captives. However, captains preferred to minimize using physical force against human cargoes. The next section analyzes the role of enslaved captives working as spies, cooks, chambermaids, sailors, and in other capacities participating in the surveillance and policing of other members of the human cargo.

### **The Guardian System and Captive Hierarchies**

Towards the end of trade negotiations, a Dahomean royal linguist brought “two [additional] Female Negroes,” who Agaja “desired” Captain Snelgrave would purchase. The Dahomean monarch “highly oblige[d]” the slave ship captain to take the two women, though he would not explain why. Snelgrave asserted that a linguist had explained that one of the women “assist[ed] some of the King’s Women in their Amours,” claiming that one of the women had sexual relations with a female member of King Agaja’s court.<sup>53</sup> Initially, Snelgrave agreed to enslave one of the women whom he thought was “about twenty Years old,” but the other woman

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<sup>52</sup> Snelgrave, *A new account*, 164.

<sup>53</sup> Snelgrave, *A new account*, 105.

had recently turned fifty and he refused to take her.<sup>54</sup> As another interpreter revealed that evening, King Agaja ordered the elder woman executed as a result of Snelgrave's decision to leave her behind. Though the interpreter relayed that she drowned, she escaped and ended up aboard *Katherine* before the final departure west. In a plea for her freedom from immediate death, the elder woman offered her services to the slave ship captain as a guardian. Like other slave merchants, Snelgrave utilized the guardian system to spy on other captives, undermine efforts among captives to revolt, shore up loose ends of the crew's power, and enslave captive Africans into a maritime workforce.

Captain Snelgrave's version of events gestures to the broader predicaments of seafaring captivity that female guardians and African women negotiated in the transatlantic slave trade. Spying on African captives offered the elder woman a means for survival. Regardless of her advanced age, she had very few options to escape if crewmembers decided to commit sexual violence and molestation against her, and so deciding to spy for the crew protected against sailors' advances. Another more effective strategy was the assumed danger captives posed to sailors who participated in rape and sexual violence against women and girls. In the 1770s, Captain Phillippe Liot became notorious for "mistreat[ing] a very pretty Negress" who died "two weeks" following one of his assaults. Shortly thereafter, "he pushed his brutality to the point of violating a little girl of eight to ten years, whose mouth he closed to prevent her from screaming."<sup>55</sup> Later in the eighteenth century, Captain James DeWolf pursued a similar tactic when he placed a mask over the mouth of a middle-aged woman who he suspected of contracting smallpox. He condemned her to drown somewhere in the Atlantic to stop the spread of the

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<sup>54</sup> Snelgrave, *A new account*, 97-98.

<sup>55</sup> Quoted in Robert Stein, *The French Slave Trader in the Eighteenth Century: An Old Regime Business* (Madison: University of Wisconsin Press, 1979), 101.

contagion and to stave off the potential that captives would foment an insurrection if they became aware of the woman's execution.<sup>56</sup>

In exchange for her life, the elder woman agreed to augment the power of Captain Snelgrave and the sailors to extend their surveillance capabilities into the more intimate quarters of the Africans' interior world. Men and women who captains made guardians maintained more leeway to move around the ship, potentially received larger rations of food and water, and generally escaped the scrutiny of crew members. Guardians were nevertheless enslaved labor on board seafaring vessels. Crewmembers forced them to cook meals, clean the exterior and interior of the ship, and most importantly to the captain, to spy on and sometimes discipline the human cargo.<sup>57</sup> The dynamic that crew members struck with guardians attempted to reinforce social divisions among captives, dissuading social cohesion among the captives, and inspiring enmity and distrust for other Africans who may utilize the captain's whip or share secret conversations.<sup>58</sup>

Bestowing such privileges on some captives had the potential to backfire if guardians ever decided to assist in a slave mutiny, but there is no recording of guardians ever assisting in capturing the ship.<sup>59</sup> Instead, sailors found this system reliably effective. "Besides, when [captives] hide themselves so, it's for fear of being ill treated," explained surgeon Thomas Aubrey, "Indeed so they are, notwithstanding; for either Sailors, or Guardians...will go down to

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<sup>56</sup> Sowande' M. Mustakeem, "'She must go overboard & shall go overboard': Diseased Bodies and the Spectacle of Murder at Sea," *Atlantic Studies* 8, no. 3 (September 2011): 305

<sup>57</sup> Stephanie Smallwood, "African Guardians, European Slave Ships, and the Changing Dynamics of Power in the Early Modern Atlantic," *The William and Mary Quarterly* 64, no. 4 (2007): 696; W. Jeffrey Bolster, *Black Jacks: African American Seamen in the Age of Sail* (Cambridge: Harvard University Press, 1997), 51-52; Joseph C. Miller, *Way of Death: Merchant Capitalism and the Angolan Slave Trade, 1730-1830* (Madison, Wis.: University of Wisconsin Press, 1988); James Roberston, "A 1748 'Petition of Negro Slaves' and the Local Politics of Slavery in Jamaica," *The William and Mary Quarterly* 67, no. 2 (2010): 319-46; Laura Sandy and Gervase Phillips, "Known To Be Equal to the Management": The Modernising Planter and the Enslaved Overseer, *Journal of Global Slavery* 6 (2021): 156-178.

<sup>58</sup> Smallwood, "African Guardians, European Slave Ships, and the Changing Dynamics of Power in the Early Modern Atlantic," 685.

<sup>59</sup> Simon P. Newman, *A New World of Labor: The Development of Plantation Slavery in the British Atlantic* (Philadelphia: University of Pennsylvania Press, 2013), 202.

fetch them out, and force them to eat, and kick, punch them, and beat them so unmercifully.”<sup>60</sup>

More than a century later, Captain Thomas Canot cited a similar tactic when a “slave is chosen as constable from every ten, and furnished with a ‘cat’ [o-nine-tails] to enforce commands during his watch.”<sup>61</sup> The guardianship position, thus, undermined assumptions that captive Africans’ ethnic backgrounds, language, other shared culture, or even that they shared space meant that they shared an affinity for one another. Slave traders exploited “[c]ontinual enmity” between African communities.<sup>62</sup>

African guardians agreed to oversee other captives under great duress and could have meant the difference between life and death for those who refused to spy. The elder woman’s fate seemed sealed when King Agaja sentenced her to execution. Unlike the suckling Igbo-speaking infant or the twenty-year-old woman Snelgrave enslaved, the slave merchant did not think that the elder woman’s “Sacrifice into the Sea” warranted a similar bid for clemency.<sup>63</sup> Neither the elder woman nor the infant were regarded as productive laborers. That Snelgrave purchased the youth and refused the elder had all to do with the assumed potential productivity enslavers ascribed to captive people’s ages and the disposability of Black life. Captains tended to view infants as drains on potential profits, and so many mothers witnessed the horrifying sights of sailors throwing newborns overboard rather than risk losing out on a premium price at the slave market. The presence of nursing infants meant longer-term investments in slaveholding before

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<sup>60</sup> Aubrey, *The sea-surgeon, or The Guinea man's vade mecum*, 129-130.

<sup>61</sup> Theodore Canot, *Captain Canot: Or, Twenty years of an African Slaver; Being an Account of His Career and Adventures on the Coast, in the Interior, on Shipboard, and in the West Indies* (New York: D. Appleton and Company, 1854), 104-5.

<sup>62</sup> Smallwood, *Saltwater Slavery*, 119; Slave merchant Alexander Falconbridge referenced the inter-tribal hostilities that he and other slave merchants seized on writing, “It frequently happens, that those who kidnap others, are themselves, in their turns, seized and sold. A negroe in the West-Indies informed me, that after having been employed in kidnapping others, he had experienced this reverse. And he assured me, that it was a common incident among his countrymen.” Alexander Falconbridge, *An Account of the Slave Trade on the Coast of Africa* (London: Published by J. Phillips, 1785), 9-10.

<sup>63</sup> Snelgrave, *A new account*, Preface.

enslavers expected to return a profit on their earnings from that labor.<sup>64</sup> Snelgrave wondered aloud to some crewmen whether there was “some motherly Woman, to take care of this poor Child,” if there was not, the child would more than likely not survive the voyage.<sup>65</sup>

Captain Snelgrave speculated the elder-guardian woman lacked the productive or reproductive capacity to provide use-value to potential buyers, and thus he saw no financial benefit to her saving her life. Within this vein of market-driven reasoning, Africans older than forty years of age were similarly discriminated against.<sup>66</sup> He reckoned that she “might be...an useless Person to us, on account of her Age.”<sup>67</sup> By contrast, Snelgrave purchased the twenty-year-old woman because he thought she had many years ahead to birth future generations of enslaved workers and was believed to have a better chance at surviving the voyage.<sup>68</sup> In the first half of the eighteenth century, English slavers were among the deadliest vessels for African captives, and mortality rates for captives in the Middle Passage were similarly abysmal to those whose lives ended on land. Elderly captives would have suffered greatly during the grueling journey from West Africa to the British Caribbean.<sup>69</sup>

Captain Snelgrave’s speculation about whether prospective buyers would purchase the suckling infant, mothers, wetnurses, the youthful twenty-year-old, the men and boys, and the

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<sup>64</sup> Jennifer L. Morgan “Women in Slavery and the Transatlantic Slave Trade,” in *Transatlantic Slavery: Against Human Dignity*, ed. Anthony Tibbles (Liverpool: Liverpool University Press, 2005), 62.

<sup>65</sup> Snelgrave, *A new account*, Introduction.

<sup>66</sup> On enslaved peoples’ values associated with their ages in the antebellum slave market see: Daina Ramey Berry, *The Price for Their Pound of Flesh: The Value of the Enslaved, from Womb to Grave, in the Building of a Nation* (Boston: Beacon Press, 2017), esp. 129-145.

<sup>67</sup> William Snelgrave, *A new account*, 105

<sup>68</sup> For discussion of the projection of enslavers’ projections of productive and reproductive value, see: Morgan, *Laboring Women*.

<sup>69</sup> Nicholas Radburn and Justin Roberts, “Gold versus Life: Jobbing Gangs and British Caribbean Slavery,” *The William and Mary Quarterly* 76, no. 2 (2019): 223-256; Michael Tadman, “The Demographic Cost of Sugar: Debates on Slave Societies and Natural Increase in the Americas,” *The American Historical Review* 105, no. 5 (2000): 1534-1575; James C. Riley, “Mortality on Long-Distance Voyages in the Eighteenth Century,” *The Journal of Economic History* 41, no. 3 (1981): 651-656; Herbert S. Klein, Stanley L. Engerman, Robin Haines, and Ralph Shlomowitz, “Transoceanic Mortality: The Slave Trade in Comparative Perspective,” *The William and Mary Quarterly* 58, no. 1 (2001): 15, table v.



elder woman enlarges the scope of who is understood to have been members of the ‘human cargo’ in colonial documents. Such individuating distinctions undermine assumptions of what it meant to have been an ‘adult’ trapped in the Middle Passage. Captives spanned the human life cycle and included people who were infants, adolescents, teenagers, pregnant and nursing women, adults, elderly, healthy and infirmed. Buyers and sellers inspected Black bodies for the quality of their fitness. They ran hands across captives’ musculature, appraising each for possible blemishes, assessing their commercial value, and inscribing into logbooks reductive descriptors such as “Negro Woman” or “Negroe Man.” Sailors relied upon unwritten information they had gleaned to maximize profit for enslavers and merchants alike.<sup>70</sup>

The elder woman reappears aboard the *Katherine*, but the means with which she ended up on the ship are difficult to discern from Captain Snelgrave’s account. After he rejected King Agaja’s offer, the Dahomean monarch ordered servants to bound the woman’s feet and hands, take her “half a Mile from the Shore,” and throw her into the ocean. Although a translator told Snelgrave he had witnessed “her torn to pieces” by sharks, soon crew members spotted her floating in the ocean on her back still bound, sputtering water, and probably contemplating her dire circumstances. In the version Snelgrave tells readers, the captain and crew hid her from the other captives because if Agaja learned of her survival, his access to purchasing enslaved people in the region would have been put in jeopardy.<sup>71</sup> More likely, she may have catalyzed the men to rise, while the ship was still near shore. Slave merchants feared a slave mutiny might occur since the number crewmembers dwindled tended to dwindle while sailors left to purchase provisions for the long voyage.<sup>72</sup>

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<sup>70</sup> Mustakeem, *Slavery at Sea*, 41-42.

<sup>71</sup> Snelgrave, *A new account*, 102-105.

<sup>72</sup> Taylor, *If We Must Die*, 43-45.

Captain Snelgrave's initial concerns quickly waned as the coastline faded away from the horizon. However, the fear of losing freedom left several captives seemingly visibly upset "in their Mind."<sup>73</sup> In this moment, they likely understood their situation as a condition of greater permanence as escaped seemed less and less possible, isolated from their webs of kin and brought into the futures their captors destined for them.<sup>74</sup> The elder woman could not return to Dahomey fearing reprisal, and what laid ahead of her was unknown and terrifying. Guardianship offered her more material advantages and may have seemed to offer some semblance of control over her destiny. She proposed to the captain to act as a safety valve quelling any talk about insurrection even as coercion was baked into every moment of the voyage and every decision she made. She could not escape the vessel once aboard, and she was surrounded by men with guns, swords, and shackles. Thus, Snelgrave's claim that she volunteered to police these captives is less likely under these circumstances. She may have offered to Snelgrave her services because "she was known to several of the Negroes on board." Enslaved to Agaja, possibly as a palace guard, she may have been on acrimonious terms with some of the victims of the king's recent conquest.<sup>75</sup>

Her possible enmity with fellow captives is a reminder that West Africans went into the diaspora with previous histories. Their goals of freedom may not have overlapped despite the cramped, cloistered, and incredibly intimate sharing of space that took place within the slave ship's cargo holds. Kinship in Akan-speaking societies was organized around two systems of social integration: the matriclan, or extended communities that facilitated the incorporation of

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<sup>73</sup> Snelgrave, *A new account*, 105.

<sup>74</sup> Orlando Patterson, *Slavery and Social Death: A Comparative Study* (Cambridge, Mass.: Harvard University Press, 1982), 5.

<sup>75</sup> Snelgrave, *A new account*, 105. For discussions of women's roles in Dahomean society, see: Robin Law, "The 'Amazons' of Dahomey," *Paideuma: Mitteilungen zur Kulturkunde*, 1993, Bd. 39 (1993): 245-260; Stanley B. Alpern, "On the Origins of the Amazons of Dahomey," *History in Africa* 25 (1998): 9-25.

multiple lineages into a more cohesive community; and the matrilineage, or the more intimate genealogies Africans structured around a person's immediate proximity. They did not necessarily identify with all the Akan-speaking captives with whom they shared space.<sup>76</sup>

Perhaps, the most important role captains utilized African guardians for was in their capacity to stop slave insurrections, escapes, or suicides. Captain Snelgrave told the elder woman to redirect women's conversations if they turned towards slave rebellions. He pressured her to emphasize his role in her rescue from the sea whenever she told the others how she was brought on board. Her anecdote, Snelgrave believed, had the potential to convince the other women she surveilled that the captain was a merciful slave merchant writing, "[They] were much better people than their own Countrymen; and that the strong Stories they had been formerly told of white People, must be false."<sup>77</sup> The elder woman may have obliged Snelgrave's demands for her own survival. Offering her spy services to the crew gave her a material advantage aboard the slave ship and when the *Katherine* made landfall in Antigua. Though sold into abject slavery, the elder woman had influenced Snelgrave's decision over her sale to Charles Dunbar. Snelgrave probably shared the spy work she participated in during the voyage to upsell her market value to the buying plantation owner. She would have benefited from a supervisory position, or work in the household as a cook, nurse, childcare, or other similar position from when she was Snelgrave's captive.<sup>78</sup>

Captain Snelgrave's preoccupation with slave rebellions gestures to the general uneasiness sailors felt with the presence of a large population of women and children among them on the deck. Sometimes, guardians were unsuccessful, no matter how steadfastly they

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<sup>76</sup> Smallwood, *Saltwater Slavery*, 109-114; James A. Rawley, *The Transatlantic Slave Trade: A History, revised edition*, with Stephen D. Behrendt (Lincoln: University of Nebraska Press, 2005 [1981]), 134-135.

<sup>77</sup> Snelgrave, *A new account*, 105-106.

<sup>78</sup> Newman, *New World of Labor*, 201.

oversaw their charges. Captive women and children passed information and supplies to men and could use their mobility around the deck to survive. Sometimes captive women communicated without words. Sometimes they whispered in small groups of two or three when they found a moment late in the night. All they may have needed to communicate between them were knowing glances that the time was right to use some stolen metal scraps to pick the locks and break out of their irons. These moments escape documentation, but women's roles in slave ship insurrections were nevertheless integral to undermining their overseers' close monitoring and acts of violence.

### **The Gender Paradox of Slave Ship Surveillance and Insurrection**

When Captain Snelgrave's *Henry* anchored at a port along the Gold Coast in 1721 with around six-hundred Akan-speaking captives, he took note of the "three hundred of which were men," all of whom were kept "secure[d]... very well in Irons, and watch[ed] them narrowly."<sup>79</sup> Only fifty sailors made up *Henry's* security forces. Captain Snelgrave tasked most of them with closely monitoring the three hundred men, leaving hundreds of women and children onboard much freer to their own devices. At the time, crew members seemingly ignored this large group of potential rebels. It was past midnight when the uprising happened. Eight men flanked two of the sailors after their captors neglected to return a security grate over the fore hatch, an architectural stopgap for keeping the prisoners confined. Several of the eight men took the moment to escape and jumped ship, while the others were seized, restrained, and returned below deck where they plotted another insurrection before a linguist told crew members.<sup>80</sup>

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<sup>79</sup> Snelgrave, *A new account*, 168; David Eltis, Stephen D. Behrendt, David Richardson, and Herbert S. Klein, *The Trans-Atlantic Slave Trade Database*, #76398, [slavevoyages.org/voyage/database#](http://slavevoyages.org/voyage/database#).

<sup>80</sup> Snelgrave, *A new account*, 168-172.

Snelgrave's recollections about the midnight insurrection reveal a gender paradox undergirding the methods of surveillance that slave ship captains employed. Like other captains, Snelgrave enforced a strict policy of sex segregation among the prisoners. Men were chained and carefully watched down in the hold, but he complained to readers that "[W]e suffer the Women and Children to go freely about [the deck]."<sup>81</sup> Sailors did this in order to prevent plotting between the sexes, and exposed female captives to sexual violence.<sup>82</sup> Barricades were sometimes erected in the ship's cargo hold to separate men, women, and children.<sup>83</sup> Nevertheless, women and children had more mobility, and access to more quadrants of the ship than men had, unless they broke free of shackles. Thus, women were key in the planning and fomenting of shipboard slave insurrections.<sup>84</sup>

Paradoxically neither the *Henry's* crew nor other contemporary slaving vessels tended to police captive women and children with the same intensity. The captain of the *Fredensborg* instructed crewmen to lock all the guns in locks, but women could still walk near them. Male captives were never allowed in their vicinity.<sup>85</sup> On other voyages where co-ed commingling was permitted, captains increased surveillance of male and female couples. Slaver Robert Norris recalled that men and women on his rig often wished "to speak to each other but seldom [would]" due to the uncomfortableness of an interpreter listening to their conversations.<sup>86</sup> Only a small fraction of the several hundred women and children needed to open locks, pass knowledge

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<sup>81</sup> Snelgrave, *A new account*, 163.

<sup>82</sup> Taylor, *If We Must Die*, 88-89; Morgan, "Women in Slavery and the Transatlantic Slave Trade," 61-62.

<sup>83</sup> Stephanie Smallwood, *Saltwater Slavery*, 76.

<sup>84</sup> Deborah Gray White, *Ar'n't I a Woman?: Female Slaves in the Plantation South* (New York: W.W. Norton, 1985), 63-64.

<sup>85</sup> Leif Svalesen and Karin Barber, *The Slave Ship Fredensborg* (Bloomington: Indiana University Press, 2000), 105.

<sup>86</sup> Testimony of Robert Norris, 1789, *House of Commons Sessional Papers*, 68:12.

about the organizational rhythms of the ship to the male rebels, or steal weaponry for the men, in this case, to attack their captors.<sup>87</sup>

The absence of captive women and children from Captain Snelgrave's account outlines the edges of the slave ship's limitations as a panoptic entity at sea.<sup>88</sup> The liberatory possibilities women and children exploited were often the result of sailors' gendered restrictions and expectations imposed on this group of captives. However, greater mobility was not necessarily advantageous for women or children. The time they spent on the open deck meant that they were under more constant threats of sexual violence at the hands of a crew member or captain, with very few, if any, restrictions against these practices.<sup>89</sup> Robert Norris claimed that sometimes captains sought to prevent "Intercourse between the White Men and the Black Women," but in practice captains encouraged crew members' sexual assaults: "[I]n some ships, perhaps in the most, the license allowed, in this particular, was almost unlimited."<sup>90</sup> The rampant nature of sexual violence against captive women and children reflected how intimacy was routinely weaponized during a slaving voyage.<sup>91</sup> Some captains encouraged sailors "to indulge their

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<sup>87</sup> Testimony of John Ashley Hall, March 1790, *House of Commons Sessional Papers*, 72: 259; Byrd, *Captives and Voyages*, 39-40; Morgan, "Women in Slavery and the Transatlantic Slave Trade" 62; Taylor, *If We Must Die*, 92-3

<sup>88</sup> The Panopticon has been used as an analytical framework for interrogating how social control operates on certain people in prisons, schools, and other institutions. In recent years, some scholars in surveillance studies have questioned whether this has led to an overreliance on the role that visibility has played in the practice of surveillance. For a historiographic and critical analysis of the Panopticon as it relates to slavery institutions, see: Simone Browne, *Dark Matters*, 38-42; Roy Boyne, "Post-Panopticism, Economy and Society," 29:2 (2000): 285-307; John Gilliom and Torin Monahan, *SuperVision: An Introduction to the Surveillance Society* (Chicago: University of Chicago Press, 2012); Kevin G. Haggerty, "Tear Down the Walls: On Demolishing the Panopticon" in *Theorizing Surveillance: The Panopticon and Beyond*, ed. David Lyon (London: Routledge Publishing, 2006), 23-45; The most important study on panopticism and surveillance is Michel Foucault's *Discipline and Punish: The Birth of the Prison*. The panopticon according to Foucault is a "piece of machinery" used in carceral spaces to allow overseers and other surveillants the ability to have "the uninterrupted play of calculated gazes" on prisoners. For full context, see: Michel Foucault, *Discipline and Punish: The Birth of the Prison* (New York: Vintage, 1979), 170-189, esp. 177.

<sup>89</sup> Morgan, "Women in Slavery and the Transatlantic Slave Trade," 62.

<sup>90</sup> Testimony of Robert Norris, 1789, *House of Commons Sessional Papers*, 68:9; John Newton, *Thoughts Upon the African Slave Trade* (London: Printed for J. Buckland, in Pater-Noster-Row; and J. Johnson, in St. Paul's Church-Yard, 1788), 11.

<sup>91</sup> Jessica Marie Johnson, *Wicked Flesh: Black Women, Intimacy, and Freedom in the Atlantic World* (Philadelphia: University of Pennsylvania Press, 2020), 87.

passions among them at pleasure, and sometimes are guilty of such brutal excesses, as disgrace human nature.”<sup>92</sup> Some sailors may have joined slaving outfits expressly to participate in this type of sexual coercion, as the author Thomas Boulton suggested in his 1768 play, *The Sailor’s Farewell*. During one scene involving a sailor who was advertising reasons to travel to Guinea to a potential crew, he included the caveat that the young man might enjoy “to lay your head on the knee of a delicate soft [African] wench.”<sup>93</sup> To exert that intimate power over captive females, sailors used African women and girls’ bodies as deliberate objects on which to inflict maximum pain and suffering.<sup>94</sup>

In 1788, John Newton published a pamphlet entitled *Thoughts Upon Thoughts Upon the African Slave Trade* where he devoted several passages to articulating how and why captains encouraged sailors to use sexual violence to stymie attempts at a men and women joining together to foment shipboard insurrections. Newton was a captain of three slaving vessels in the early 1750s who became an abolitionist later in life, publishing works opposing the transatlantic slave trade, and testified before committees in the House of Commons Sessions in 1789 and again in 1790. He became most famous for writing the song “Amazing Grace.”<sup>95</sup> As captain,

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<sup>92</sup> Falconbridge, *An account of the slave trade on the coast of Africa*, 23-24.

<sup>93</sup> Thomas Boulton, *The sailor’s farewell; or, the guinea outfit. A comedy, in three acts* (Liverpool: printed for the author, 1768), 31.

<sup>94</sup> Mustakeem, *Slavery at Sea*, 88.

<sup>95</sup> Marcus Rediker devotes a chapter of his book to the biography of John Newton as a slave ship captain, see: Rediker, *Slave Ship*, 157-186. The historiography of British abolitionism and antislavery activism is voluminous, and spans decades of scholarship and debate on the topic, including: Christopher Leslie Brown, *Moral Capital: Foundations of British Abolitionism* (Chapel Hill: University of North Carolina Press, 2006); Catherine Hall, *Civilising Subjects: Colony and Metropole in the English Imagination* (Chicago: Chicago University Press, 2002); Seymour Drescher, *The Might Experiment: Free Labor versus Slavery in British Emancipation* (Oxford: Oxford University Press, 2002); Howard Temperley, *White Dreams, Black Africa: The Anti-slavery Expedition to the River Niger, 1841-1842* (New Haven: Yale University Press, 1991); Paul Michael Kielstra, *The Politics of Slave Trade Suppression in Britain and France, 1818-48: Diplomacy, Morality, and Economics* (Basingstoke: Macmillan, 2000); Charlotte Sussman, *Consuming Anxieties: Consumer Protest, Gender, and British Slavery, 1713-1833* (Stanford, CA: Stanford University Press, 2000); J.R. Oldfield, *Popular Politics and British Anti-Slavery: The Mobilization of Public Opinion against the Slave Trade, 1787-1807* (London: Cass, 1998); Lawrence C. Jennings, *French Reaction to British Slave Emancipation* (Baton Rouge: Louisiana State University, 1988); Seymour Drescher, *Capitalism and Antislavery: British Mobilization in Comparative Perspective* (New York: Oxford University Press, 1986); Douglas A. Lorimer, *Color, Class, and the Victorians: English Attitudes to the Negro in the Mid-Nineteenth Century* (New

Newton encouraged the regimentation of sexual violence against African women to discourage captives organizing shipboard rebellions. Women were considered “no danger of [committing an] insurrection” precisely because sailors spent so much time watching over and abusing them during the voyage. Captain Newton remarked that women and girls were “carefully kept” away from the captive men, who were either chained upon the deck or “confined below,” and less closely monitored.<sup>96</sup> When men, women, and children were first brought aboard the slave ship, Captain Newton immediately “divided [the women and girls], upon the spot” and exposed to “the wanton rudeness of white savages.”<sup>97</sup> By supporting sexual violence, sailors like Captain Newton organized a gendered surveillance system that made female captives the center of their unwanted attention and oversight. Simultaneously used most of their metal implements such as irons, chains, manacles, and fetters to physically confine the men and boys—who were segregated from female captives and each other—to divide and isolate captive in order stymie men, women, and children from moving unimpeded about the ship.<sup>98</sup>

The process of capturing, enslaving, and overpowering African-born and -descended women and girls was often reinforced through sexual violence in conjunction with a range of other abuses against the diasporic community.<sup>99</sup> When John Newton was a captain, he noted that sailors were given “almost unlimited” access to women’s and girls’ bodies since that the cost of

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York: Holmes and Meier, 1978); Betty Fladeland, *Men and Brothers: Anglo-American Antislavery Cooperation* (Urbana: University of Illinois Press, 1972); Reginald Coupland, *The British Anti-Slavery Movement* (New York: Frank Cass & Co Ltd., 1964); George Radcliffe Mellor, *British Imperial Trusteeship* (London: Faber & Faber, 1951); Eric Williams, *Capitalism & Slavery* (Chapel Hill: University of North Carolina Press, 1944); Frank J. Klingberg, *The Anti-Slavery Movement in England: A Study in English Humanitarianism* (New Haven: Yale University Press, 1926).

<sup>96</sup> Newton, *Thoughts Upon the African Slave Trade*, 14-15, 19.

<sup>97</sup> Newton, *Thoughts Upon the African Slave Trade*, 20; Mustakeem, *Slavery at Sea*, 86.

<sup>98</sup> Newton, *Thoughts Upon the African Slave Trade*, 15.

<sup>99</sup> Sharon Block, *Rape and Sexual Power in Early America* (Chapel Hill: The University of North Carolina Press, 2006), 67.



doing “the ship’s business.” Crewmembers tended to “do what they pleased.”<sup>100</sup> Sailors who coerced captive women into intimate relationships may have taken far fewer precautions to confine and surveil them as closely, but they did take more possession of them since they considered captive women their property. Compulsory intimacy placed women and children in positions where they gained unrestricted access to their captors’ private quarters, the galley, the deck, and other portions of the slave ship.

Men did not have similar latitude to move about the ship as women. Fearing male captives orchestrating an insurrection meant, sailors took far more precautions to restrain them in the hull or on the deck. That did not mean that sailors did not also threaten and act out same-sex sexual assault on captive men. Though documentary evidence of such instances is far less extensive, the conditions for sexual violence to take place against men were nevertheless encouraged. Abuse was rampant throughout the ship’s hierarchy: captains and crewmembers abused other sailors and captives, and captive guardians abused other captives. Thus, men likely suffered sexual abuse in tandem with a host of other forms of physical and psychological violence.<sup>101</sup>

Captive women could use this sexual and gender dynamics to their advantage to create opportunities to undermine the immense power sailors held over their lives.<sup>102</sup> The story of an Igbo-speaking woman’s instigation of a shipboard insurrection illuminates how captive women could undermine previously interrogated surveillance systems reinforcing the captain’s and crews’ power. At the same time, this story borrowed significant elements from Snelgrave’s *Account*, suggesting that pro-slavery advocates used a series of tropes to discuss captive

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<sup>100</sup> Newton, *Thoughts Upon the African Slave Trade*, 11.

<sup>101</sup> Thomas A. Foster, *Rethinking Rufus: Sexual Violations of Enslaved Men* (Athens: University of Georgia Press, 2019), 93.

<sup>102</sup> Morgan, *Reckoning with Slavery*, 212.

women's potential to instigate shipboard rebellions. In 1785, she boarded the *Hudibras* with her mother off the coast of Calabar, a slaving port in the Bight of Biafra. She was permitted to move unshackled around the deck. One of her captors, a seventeen-year-old sailor named William Butterworth recalled in an 1831 memoir seeing the whole crew obsessively monitor her, while they fantasized that she sought this unwanted attention. William wrote extensively about the benefits of lifelong slavery compared to the captives remaining in Africa. When the Igbo-speaking woman came into his story, he asserted that she was grateful to have been kidnapped. In his estimation, she was “Ever lively! ever gay” to “boun[d] over the quarter-deck, to the rude strains of African melody,” the best singer and dancer he had witnessed. She participated in the twice-daily exercises, though likely making herself “universally respected by the ship’s company” tactfully allowed her to undercut the scrutiny of crewmen who did not police her as closely as other captives.<sup>103</sup> She existed simultaneously at the center of slave ship carceral culture and on the peripheries of her captors’ oversight.

From the moment she was on board, Butterworth centered her in his narrative to promote the idea that she was “cheerful” to have been a captive. The other women and men were restrained, but she was not. Moreover, the sailors took her happiness at reconnecting with her mother on the deck of *Hudibras* as another sign the woman may have been an asset to the voyage. When the mother and daughter embraced “like two waves commixing,” a sign they likely thought they would never see one another again and so “rushed at once into each other’s arms!” During their reconnection, the daughter caught the attention of Captain Jenkin Evans. The captain enslaved her to himself along with another woman. She was named “Sarah,” and Captain Evans made her one of his “favourites,” a term simultaneously marking and masking the sexual

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<sup>103</sup> William Butterworth, *Three years adventures of a minor, in England, Africa, the West Indies, South-Carolina and Georgia* (Leeds: Printed by Thomas Inchbold, 1831), 80, 82, 108; Marcus Rediker, *The Slave Ship*, 19-20.

coercion she endured due to her station among captives.<sup>104</sup> The intimacy and immediacy of racial and sexual terror Captain Evans inflicted opened doorways of opportunity for her to move around the slave ship less scrutinized, and therefore less likely to receive physical violence other sailors might have otherwise committed.

One day around four in the afternoon, male captives attempted an insurrection. The men wielded scrap materials they fashioned into weapons like wood planks, handspikes, and shards of bricks. However, their captors were much better equipped for battle with muskets, pistols, swords, and a more in-depth knowledge of the ship's architectural schematics, all but ensuring they would succeed in quelling the rebellion. Butterworth ascribed the saving of the ship and human cargo to two factors. First, the captives' chose an inopportune time to rise. There was still light on the horizon, but the rebels worried that if they waited longer, they would have lost "sight of land, which they dreaded, as, in that case, they would not know in what direction to steer their course." The second factor was the apparent lack of women and children participating in the uprising. When the fighting commenced, the women seemed "retired below, and were properly secured," until the sailors arrested the remaining rebels. While William assumed the women seemed "alarmed," their decision to return to the ship's hull may have been calculated to keep them safe from the sailors during the fighting.<sup>105</sup>

Despite their confinement, crew members suspected that women participated in the rebellion's planning. The sailors brought the women who they thought were "principal" in the plot, including Sarah and her mother to the quarter deck for questioning.<sup>106</sup> Sarah and the other women denied any part in the conspiracy, but their apparent nervous "countenances" during the

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<sup>104</sup> Butterworth, *Three years adventures of a minor*, 82, 108.

<sup>105</sup> Butterworth, *Three years adventures of a minor*, 108.

<sup>106</sup> Butterworth, *Three years adventures of a minor*, 111.

frightful interrogation suggested to their captors that they were guilty. Later that evening, a guardian boy overheard shouting between the male and female captives about the failures of the insurrection. He told members of the crew that the men “charg[ed] the females with cowardice and treachery, in not assisting them to regain their liberty,” abandoning the revolt to the lower levels of the ship possibly in a last-minute attempt to save themselves from sailors looking to punish the organizers. Sarah, her mother, and the other woman enslaved to the captain were all implicated in the conspiracy.<sup>101</sup> Perhaps the greatest suffering Sarah experienced was not the plot’s failure. Rather, when the *Hudibras* reached Grenada’s littoral, Captain Evans decided that he would buy her back from the plantation owner to whom she was initially sold. Separated from her mother, Sarah left William’s travel log enslaved with “the other favorite female of the captain,” to the man she so desperately wanted to escape.<sup>107</sup>

Sarah’s episode helps to contextualize the tactical consciousness of African-born captives reconciling the parameters of their futures’ narrowing. To Sarah and the other plotters on *Hudibras*, they possibly believed that the prospect of losing sight of the African coastline required immediate action, even when such a decision meant a less certain, and therefore more deadly outcome than had the insurrection been conducted when conditions were ideal. For Sarah, the intimacy of racial violence emerged as the latest in a series of predicaments she needed to overcome in her failed attempts to guard her and her mother’s freedom.<sup>108</sup> She had already made herself available to her captors to specifically call attention to herself through what theorist Saidiya Hartman has termed “coerced spectacles.”<sup>109</sup> What appeared to captains and crew

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<sup>107</sup> Butterworth, *Three years adventures of a minor*, 136.

<sup>108</sup> Vincent Brown, “Social Death and Political Life in the Study of Slavery,” *The American Historical Review* 114 no. 5 (December 2009): 1248.

<sup>109</sup> Saidiya Hartman, *Scenes of Subjection: Terror, Slavery, and Self-Making in Nineteenth Century America* (Oxford: Oxford University Press, 1997), 22.

members like a woman gleeful to enter into Atlantic slavery and willfully dancing to rhythms her enslavers commanded may have also increased the prospect that she would become the victim of sexual violence or some other forms of physical and psychological trauma.

While slave ship crew members defined the parameters of captivity on the high seas, Sarah's brief story alludes to the ways captive women consciously or unconsciously undercut what limited commodifiable knowledge her captors formulated about her potential to upset the ship's racial hierarchy. The ability to denote the limits of slave ships' methods of imprisonment and surveillance was pertinent information that captors and captives each sought to exploit. If the time came, captive Africans weighed the costs of plotting an insurrection or assisting in the policing of the human cargo. Captains sought African-descended overseers, translators, and spies to shore up potential blind spots in the slave ships and plantation fields. They coveted crew members who kept data on individual captives that were commodifiable or could be used in calculating risks to the whole slaving operation.<sup>110</sup>

### **The Memory of Slave Ship Surveillance and Carceral Culture in the British Colonies**

In July 1726, the wealthy landowner John Leonard received an unexpected guest at his estate on the east side of Perth Amboy, New Jersey. He was a man who called himself "PoPaw," a comment likely referencing his tribal affiliations in West Africa. Looking over his body, John found some distinct marks, possibly signs of scarification, which signaled to the propertyholder that the man was probably born in Africa. His teeth "seem[ed] to be Filled or Whet Sharp" and spoke no English. The man said that he had been "forced to the said House for want of Sustenance," and John assumed he was a fugitive from one of the neighboring slaveholding

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<sup>110</sup> Jennifer L. Morgan, "Partus Sequitur Ventrem: Calculating Intimacies in Colonial Slavery," *Small Axe* 22, no. 1 (2018): 15-17.

plantations. The captive man was hungry and had been without nutrition for quite some time. This may have been the result of his transoceanic travel. John used these pieces of evidence to identify the man for slaveholding neighbors in the Lower Manhattan-East New Jersey region. As a result, John published a found notice in *The American Weekly Mercury* asking that “Whoever Ownes the said Negroe may have him from the said Leonard on coming or sending for [him].” If his enslaver did not “com[e] or sen[d] for” the man, John stated he would turn him over to the town’s workhouse. Unfamiliar to the world of slavery in the colonial northeast, the man was possibly more willing to approach a neighboring enslavers’ household, without sensing the potential danger of capture such a decision posed to him. Had he known; he might have instead run deeper into the woods.<sup>111</sup>

It is unknown whether an enslaver claimed the African man, or even if he was enslaved to someone in New Jersey. It seems just as likely that he had entered the port in recent days. Prior to the 1740s, enslavers in the Mid-Atlantic colonies purchased most captives from Antigua, Jamaica, and other British colonies in the Caribbean. Yet John identification of the man’s teeth and scars suggests that survivors of the Middle Passage suffered many oceanic and landed hardships prior to arriving in British North America. They came to New York colony struggling with chronic malnutrition, pained with physical and psychological impacts of routine beatings, and histories of their dislocation from their previous lives.<sup>112</sup> The praxis of shipboard carceral tactics that slavers utilized left a residue of memories on captive people who spent months at sea. Captains and crewmembers sought to hide histories of captives’ brutalization once they reached

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<sup>111</sup>*The American Weekly Mercury*, July 14, 1726.

<sup>112</sup> For discussions about African-descended peoples’ experiences of “social death,” see Orlando Patterson, *Slavery and Social Death*. For a discussion about the regenerative analytical possibilities of African-descended people’s social deaths, see: Brown, “Social Death and Political Life in the Study of Slavery.” For shipment trends of enslaved captives, see: James G. Lydon, “New York and the Slave Trade, 1700 to 1774,” *The William and Mary Quarterly* 35, no. 2 (1978): 378, 388.

the other side of the Atlantic. Much in the same way Captain Snelgrave hid the management of captives from readers, crewmen hid the physical traumas of the slave ship from potential buyers at the port of delivery. Captive Africans were made to seem youthful and fit enslavable commodities for sale. Shackles were removed several days ahead dropping anchor to allow time for the abrasions on men's wrists and ankles to heal.<sup>113</sup> Captives' hair was cleaned, shaved, and dyed "with a well-primed blacking brush." Finally, crewmen greased Black bodies in palm oil to enhance their musculature and hide any other hints of potential sickliness.<sup>114</sup> In sales notices advertising "Parcel[s] of Likely Negro Men and Women also Negro boys and girls" slave merchants touted their power over the enslaved, and displayed their ability to commodify Black bodies in language that diminished the deteriorating effects of the slave ship.<sup>115</sup>

Enslaved people bore the scars of their trauma in the Americas in ways that eluded merchants' assumptions about captives' healthfulness. The Africans sold into Atlantic slavery endured litanies of terrors that stayed with them long after disembarking from the thousands of slaving vessels docking all over the eastern shores of the American coast. The physical traumas of seafaring captivity slavers subjected African and African-descended people to left behind echoes of suffering for years and decades to come. Sarah, the elder woman, the Igbo-speaking mother and infant, and PoPaw lived with their pains and aches, anxieties about survival, first induced in the slave dungeons and ships, and then reimagined, commodified, and exploited in the households of their new enslavers. Each captive forcibly taken from West Africa came to their own conclusions about surviving each of their predicaments, some of whom participated in policing and surveilling captives, others organized shipboard rebellions against the slave ship's

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<sup>113</sup> Rediker, *The Slave Ship*, 239.

<sup>114</sup> Butterworth, *Three years adventures of a minor*, 132.

<sup>115</sup> *New-York Weekly Post-Boy*, July 31, 1749.

hierarchy. The children, women, and men brought into Snelgrave's business of human manufacturing each made decisions that attempted to respond to the terrifying possibilities that lay ahead of them on the open sea. The slave ship was a doorway to a panoply of new social and carceral formations in the Americas that enslaved people continued to adapt, contest, accept, and resist.



## CHAPTER 2: SLAVERY, RACIAL SURVEILLANCE, AND CARCERAL POWER IN COLONIAL MANHATTAN

Amid England's seizure of New Netherland in 1664, Colonel Richard Nicholls issued "a warrant for a Negroe run away."<sup>1</sup> On September 26, he received information that a servant of African descent escaped from Thomas Mathews' farm in Yarmouth. Quite some time passed since anyone reported seeing the fugitive in Massachusetts, causing some to think they traveled to Manhattan or west to one of the Indigenous tribes residing around the region.<sup>2</sup> Thomas pled with colonial authorities in New York to hunt and return the fugitive from slavery. They probably escaped since there was no system for recapturing and prevention.<sup>3</sup> Colonel Nicholls' hue and cry notice spoke to English imperialists' intentions. Under the New York government, colonists would seek to bring the lands between the Delaware and Connecticut Rivers into "entyre submission and obedience." Colonial Nicholls intended for New York colonists to command a "Government" capable of "ayding and assisting" in recapturing fugitives from slavery.<sup>4</sup>

The fugitive's flight symbolized the limits of enslavers' ability to master the labor, bodies, and destinies of the people they kept captive. Scholars of slavery in New Amsterdam and New York use stories like this one to show the general ineffectiveness of Dutch and English colonists' control over enslaved people.<sup>5</sup> Because New York's economy required men to circulate

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<sup>1</sup> "A warrant for a Negroe run away" in *Pretends to be Free: Runaway Slave Advertisements from Colonial and Revolutionary New York and New Jersey*, edited by Graham Russell Hodges and Alan Edward Brown, (New York: Garland Publishing, Inc., 1994), 323; Edwin G. Burrows and Mike Wallace, *Gotham: A History of New York City to 1898* (New York: Oxford University Press, 1998), 73.

<sup>2</sup> Robert S. Grumet, *First Mannhattans: A History of the Indians of Greater New York* (Oklahoma: University of Oklahoma Press, 2011), 19.

<sup>3</sup> Sally Hadden's research on southern slave patrols demonstrates that even contemporaneous southern colonies where slavery was more deeply entrenched in the local economy did not experiment with explicitly controlling enslaved people's behavior and mobility through a dedicated law enforcement until 1690, see: Sally Hadden, *Slave Patrols: Law and Violence in Virginia and the Carolinas* (Cambridge: Harvard University Press, 2003), 17-18

<sup>4</sup> Edwin G. Burrows and Mike Wallace, *Gotham*, 72; "A warrant for a Negroe run away" in *Pretends to be Free*, 323.

<sup>5</sup> Jill Lepore, *New York Burning: Liberty, Slavery, and Conspiracy in Eighteenth-Century Manhattan* (New York: Alfred A. Knopf, 2005), 86, 88; Thelma Wills Foote, *Black and White Manhattan: The History of Racial Formation*

the city, the notion that enslavers kept enslaved people under constant surveillance was unlikely since urban economy and industries did not exclusively rely on slave labor the way that the South did. Slaveholders on more isolated, southern plantations managed pronounced “geographies of containment,” a concept historian Stephanie M.H. Camp employed to describe how enslavers exercised control over enslaved women in fields, housing, and other spaces within their purview.<sup>6</sup> More recent studies have reinterpreted Camp’s framework to incorporate metropolitan sites of slavery and resistance, most notably Rashuana Johnson’s study of slavery in Revolutionary-era New Orleans, which forces a rethinking of how enslaved women experienced control and contested their captivity within transnational contexts.<sup>7</sup>

New York City, nevertheless, was a slave society that did utilize social control mechanisms to police the city’s growing enslaved population. Slaveholders incorporated a variety of dependency, discipline, and surveillance tactics to police enslaved men, women, and children behind closed doors. Historians have told dramatic stories of slave resistance in New York City’s public sphere. Fugitives ran to neighboring colonies, Indigenous villages, the waterfront, and into what settler-colonists saw as the woods. Enslaved servants conspired to revolt, frolicked in fields, mourned in graveyards, and partied at taverns. They consistently found creative measures to skirt colonial edicts.<sup>8</sup> Focusing on resistance narratives produced a lopsided,

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*in Colonial New York City*, (New York: Oxford University Press, 2004), 189-209; Graham Russell Hodges, *Root & Branch: African Americans in New York and East Jersey, 1613-1863* (Chapel Hill: University of North Carolina Press, 1999), 67.

<sup>6</sup> Stephanie M.H. Camp, *Closer to Freedom: Enslaved Women & Everyday Resistance in the Plantation South* (Chapel Hill: University of North Carolina Press, 2004), 6-7.

<sup>7</sup> Rashuana Johnson, *Slavery & Metropolis: Unfree Labor in New Orleans during the Age of Revolutions* (Cambridge: Cambridge University Press, 2016), 6.

<sup>8</sup> Jason T. Sharples, *The World That Fear Made: Slave Revolts and Conspiracy Scares in Early America* (Philadelphia: University of Pennsylvania Press, 2020), esp. 105-147; Cassandra Pybus, *Epic Journeys of Freedom: Runaway Slaves of the American Revolution* (Boston: Beacon Press, 2006); Peter Linebaugh and Marcus Rediker, *The Many-Headed Hydra: Sailors, Slaves, Commoners, and the Hidden History of the Revolutionary Atlantic* (Boston: Beacon Press, 2000), esp. 174-210. For historical analysis on Eurocentric ways of interpreting colonial space, see: James H. Merrell, “Second Thoughts on Colonial Historians and American Indians,” *The William and Mary Quarterly* 69, no. 3 (2012): 451–512.

often male-centered analysis of carceral culture and surveillance that seems less restrictive than plantation counterparts. Yet women made up the majority of unfree servants in the colony as early as 1703 but resided predominantly in the domestic sphere, where most enslaved people spent their days.<sup>9</sup> Recovering this facet of carceral culture that enslavers enforced in the domestic sphere nuances enslaved people's experiences in eighteenth-century New York City. Moreover, enslaved women and men experienced and resisted carceral culture primarily behind closed doors and unrecorded in documentary evidence. The private sphere produced its own cultures of violence that informed female and male domestic servants' daily work.<sup>10</sup> Recovering the specific methods of carceral power and surveillance that Dutch and English enslavers enforced reveals a more rounded and distinctly gendered picture of surveillance shaping the lives of enslaved and free women of color in and around the colony in the seventeenth and eighteenth centuries.

Between the Dutch and English periods of colonization, enslavers' and authorities' restrictions existed on a continuum of strategies to encourage compliance from enslaved, indentured, and free(d) people through the policing of free and enslaved women of color and the children they reproduced. Under the half-freedom system, the Dutch rewarded enslaved men for participating in settler-colonial violence against the Wappingers with manumission and generous parcels of land. However, the Dutch West India Company continued to exploit the labor of the free(d) Africans through the re-enslavement of their children. Under the English, African-

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<sup>9</sup> Graham Russell Hodges, *Root & Branch*, 111.

<sup>10</sup> This chapter's focus on the role of domesticity, surveillance and carceral culture expands on the work of slavery scholars research into the antebellum household, specifically, Thavolia Glymph, *Out of the House of Bondage: The Transformation of the Plantation Household* (New York: Cambridge University Press, 2008); John Michael Vlach, *Back of the Big House: The Architecture of Plantation Slavery* (Chapel Hill: University of North Carolina Press, 1993); Elizabeth Fox-Genovese, *Within the Plantation Household: Black and White Women of the Old South* (Chapel Hill: University of North Carolina Press, 1988); Deborah Gray White, *Ar'n't I a Woman?: Female Slaves in the Plantation South* (New York: W.W. Norton & Co., 1985).

descended inhabitants suffered far more scrutiny from elites. They had less control over their lives within a matter of decades as English lawmakers chipped away at the legal privileges they gained in New Amsterdam. Domestic servitude became the predominant mode of labor for women and some men of color. Colonists enforced racial and labor hierarchies with the chores they delegated, the designated spaces for sleep and work, and the free people they incorporated into their managerial practices through the hiring-out system. The third section turns to the streets, taverns, and wooded areas around the city to discuss how gender and race were policed and surveilled during the brief moments when enslaved people found time for themselves away from toil. Temporary rest, rejuvenation, and frolics were a privilege of gender as much as race in New York City.

Women's struggles to escape the confinement of domestic servitude were fundamentally different from their male counterparts, who could more easily access taverns and other bawdy spaces. Surveillance and carceral culture in colonial Manhattan took on a distinctly gendered shape in urban slave societies where men's mobility was a requirement of the local economy. Tracing the transition from the seventeenth century to eighteenth-century systems of racialized servitude around a burgeoning port town recovers a more intimate picture of enslaved women's day-to-day existence and challenges scholarship to rethink how power was shaped behind closed doors.

### **Half-Freedom and Social Control in New Amsterdam**

Mayken van Angola was in the twilight of her life when she sought legal freedom. On December 28, 1662, she walked across New Amsterdam's entire settlement to court at the

southern end through the snow.<sup>11</sup> Mayken felt the cold, frigid air in her bones most likely exacerbated from an “an injury [she suffered] from a long ago accident.”<sup>12</sup> Two other elder women, Lucretia van Albiecke van Angola and a woman whose name went unrecorded joined Mayken to petition New Amsterdam’s Council of Twelve for manumission from the Dutch West India Company. All three women spent nearly thirty-five years in slavery. Mayken was among the first cargo of captives the Company brought to New Amsterdam from Angola in 1626.<sup>13</sup> Councilmen described Mayken as “an old and sickly negress,” whose more than three decades of domestic servitude and field labor took a severe toll on her body.<sup>14</sup>

Mayken obtained her freedom, but not without a two-year legal battle that left her dependent on her former enslavers. Her multiple petitions caused debates among colonists over whether and to what degree captives of color would enjoy freedom from involuntary servitude. Her bid for freedom challenges assumptions that Dutch practices in New Amsterdam were less punitive than in other contemporary colonial slave societies.<sup>15</sup> Manumission did not equate to freedom necessarily and often led to more subtle forms of coercion than freed people experienced under slavery. Despite her legal freedom from enslavement, the Council encouraged

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<sup>11</sup> Petition, December 28, 1662, Dutch Colonial Council Minutes, 1638-1665, New York Colonial Manuscripts, Series A1809, Volume 10, Translation by Eric Ruijssenaars, New York State Archives, Albany, New York, accessed November 8, 2021. <https://wams.nyhistory.org/early-encounters/dutch-colonies/fighting-for-freedom-in-new-amsterdam>.

<sup>12</sup> Petition, 19 April 1663, Dutch Colonial Council Minutes, 1638-1665, New York Colonial Manuscripts, Series A1809, Volume 10, Translation by Eric Ruijssenaars, New York State Archives, Albany, New York, accessed November 8, 2021. <https://wams.nyhistory.org/early-encounters/dutch-colonies/fighting-for-freedom-in-new-amsterdam>.

<sup>13</sup> Elizabeth Donnan, ed., *Documents Illustrative of the History of the Slave Trade to America* (Washington D.C.: Published by the Carnegie Institution of Washington, 1932), 3:444; Hodges, *Root & Branch*, 9.

<sup>14</sup> I. N. Phelps Stokes, *Iconography of Manhattan Island* (New York: Robert H. Dodd, 1915), 4:224.

<sup>15</sup> This argument adds to a growing field of scholarship. Most recently, Andrea Mosterman’s study on Dutch New York has also challenged claims about the Dutch system as less pervasive and violent than other contemporary colonial slaveholding system, see: Andrea C. Mosterman, *Spaces of Enslavement: A History of Slavery and Resistance in Dutch New York* (Ithaca: Cornell University Press, 2021), esp. 13-30. Mosterman discusses Mayken’s petition within the context of forging community relations with other free Africans and the Dutch Reform Church, see: 31-32, 50.

Mayken's dependency on the Company. Under the half-freedom system, the Dutch West Indian Company permitted some Africans to live independently from whites on farmsteads. Still, Company law, imperial relationships, geography, and gender divisions of labor kept newly free people under colonial management.

Exploiting enslaved and manumitted people of color's social precarity in the New World proved advantageous to Companymen who incorporated Africans into the colonial project of seizing Native lands, curtailed freed parents' newfound independence by enslaving their children. In exchange for giving time, labor, and kin to the Company, half-freed Africans did create some economic and social distance from their former enslavers. Placing Mayken's fight for manumission within the context of Dutch colonial efforts demonstrates how colonial carceral techniques extended to Africans under the half-freedom system.

Enslaved and free people of color made up a fraction of New Amsterdam's population, but they made up a significant portion of the colony's labor force. About fifteen percent, or three-hundred seventy-five people out of two-thousand inhabitants, were African-born or African-descended.<sup>16</sup> Despite their demographic marginality, Africans worked in all industries with very little sex segregation. Two years after the founding of New Amsterdam, a Dutch ship imported the first three enslaved women to the settlement. Mayken was one of the three women sold to "comfort the Company's Negro men" and reproduce the next generation of enslaved workers.<sup>17</sup> As a result, women and men labored together. They cleared and enclosed the land, harvested staple crops, and tended to the six farms, or *bouweries*, and households the Company owned.

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<sup>16</sup> Rik van Welie, "Slave Trading and Slavery in the Dutch Colonial Empire: A Global Comparison," *NWIG: New West Indian Guide / Nieuwe West-Indische Gids*, 82 (1/2): 76; In New Netherlands, enslaved men, women, and children made up roughly a quarter of the total population. Christopher Moore, "A World of Possibilities: Slavery and Freedom in Dutch New Amsterdam," in *Slavery in New York* (New York: The New-York Historical Society, 2005), 38.

<sup>17</sup> Leslie Harris, *In the Shadow of Slavery: African Americans in New York City, 1626-1863* (Chicago: University of Chicago Press, 2003), 21.

They worked for and sometimes with European artisans in carpentry and bricklaying to construct the gable roofs atop the tall, narrow Dutch façades facing onto streets throughout Manhattan.<sup>18</sup> Enslaved men and women also produced goods and commodities on the vast estates around the Hudson River Valley and Long Island and brought them to market to ship from the burgeoning port town in the 1620s and 1630s.<sup>19</sup>

Commercial prosperity was of the utmost importance to the Dutch residents who formalized the colony's developing two-tiered system of social privileges for enslaved and free laborers. The merchants who helmed the Company established and ran the municipal government, controlling all institutions at least locally. By 1653, the colony's charter established the *Burgerrecht*, a privileged form of citizenship restricting trade to stakeholders and other members of the merchant elite, who appointed a company officer known as the "Overseer of Negroes."<sup>20</sup> In carving out this position within the West India Company, Dutch colonists' management of enslaved labor tied policing of enslaved people to the building of the colony's infrastructure. For example, Jacob Stoffelson oversaw enslaved men constructing the Company's headquarters, Fort Amsterdam.<sup>21</sup> Paulus Heyman watched seven enslaved men on a chain gang felling trees and erecting fortifications around the village to separate New Amsterdam from the Munsee-speaking Wappingers living along the Hudson River Valley's eastern shoreline.<sup>22</sup>

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<sup>18</sup> Jeroen Van Den Hurk, "The Architecture of New Netherland Revisited," *Perspectives in Vernacular Architecture* 10 (2005): 135. For the continuity between Dutch and English architectural facades, see: Dr. Benjamin Bullivant, "A Glance at New York in 1697: The Travel Diary for Dr. Benjamin Bullivant" Walter Andrews, ed., (New York: New-York Historical Society, [n.d.]), 65.

<sup>19</sup> Donnan, ed., *Documents Illustrative of the History of the Slave Trade to America*, 3:444.

<sup>20</sup> Joyce Goodfriend, "Writing/Righting Dutch Colonial History," *New York History* (January 1999): 10; Dennis J. Make, "Commerce and Community: Manhattan Merchants in the Seventeenth Century (Ph.D. diss, New York University, 1995); Morton Wagman, "Corporate Slavery in New Netherland," *The Journal of Negro History* 65, no. 1 (1980): 35; Stokes, *Iconography of Manhattan Island*, 4:67.

<sup>21</sup> Stokes, *Iconography of Manhattan Island*, 4:67.

<sup>22</sup> E. B. O' Callaghan, ed., *The Documentary History of the State of New-York* (Albany, N. Y.: Weed, Parsons & Co., 1849), 1:643, 647; Foote, *Black and White Manhattan*, 38.

Africans were newcomers to the colonial northeast. Though enslaved to the Dutch, they depended on the survival of the colonial state to protect against groups they considered foreign adversaries.

For centuries, Wappingers' uses of Manhattan Island varied based on their changing subsistence needs. They moved more freely about the region than the European system of conquering and settling land allowed them to pursue. Dutch colonist Adriaen van der Donck described the Wappingers as "Of all the rights, laws, or maxims that are to be found somewhere in the world, there is not one that these people honor as much as the right of nature or the right of nations. They take this to include the wind, rivers, woods, plains, sea, beaches, and banks. All these are open and freely accessible to every individual of all the nations with which they are not publicly engaged in quarrels."<sup>23</sup> Wappingers hunted, fished, and farmed communally within a more extensive, loosely organized network of Lenape. Seeing Dutch and African settlers felling trees and enclosing the land probably perplexed Wappinger witnesses. When Director-General Peter Minuit believed he bought Manhattan Island for beads, beaver pelts, and other items the Wappingers valued, the sachems likely did not conceptualize land as commodifiable. Thus, when Companymen tried to charge Wappingers rent to reside on their ancestral lands, sporadic violence and massacres broke out across the region for the next twenty years.<sup>24</sup>

In taking possession and enlisting Africans in the wars against the Wappingers, the Company expedited the colonization of Native land. Failure to comply with overseers' demands for labor and conquest could have resulted in life-threatening punishment. Therefore, Africans had little choice when the Director-General directed private enslavers and the Company to send

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<sup>23</sup> Ada van Gastel, "Van Der Donck's Description of the Indians: Additions and Corrections," *The William and Mary Quarterly* 47, no. 3 (1990): 418-419.

<sup>24</sup> Grumet, *First Mannhattans*, 31-43.



“the strongest and most active of the negroes [they could] conveniently spare” to augment the measly forty Dutch soldiers’ conquest of the island.<sup>25</sup> Between 1641 and 1644, the Company provided African men “with a small ax and half-pike” to bring into battle against the Wappingers around Manhattan.<sup>26</sup> This scene supports historian Tiya Miles’ argument that African-descended people occupied “a third category separate from native and settler” and prefigures a more complex “spectrum of relations” within colonial society.<sup>27</sup> As soldiers for Dutch settlers, Africans participated in the settler project of Native extermination and exile, yet elites did not remotely consider them participants in New Amsterdam society. At the same time, African men’s tacit acceptance of the Director-General’s command suggests they became invested in preserving some security and stability for themselves and their kin within the colonial state.

Despite the restrictions Companymen and private enslavers placed on the lives of enslaved people and their spouses, some men and women successfully took advantage of New Amsterdam’s obtuse legal system to negotiate a compromise with their enslavers.<sup>28</sup> In 1644, Director-General William Kieft issued conditional manumissions or “half-freedoms” to ten African men and their “wives” after “18 or 19 years” of enslavement to the Company. These individuals petitioned manumission for their years of service to the colony and participation in massacres against the Wappingers.<sup>29</sup> During four years of warfare, the Dutch never successfully removed or destroyed the Wappingers from the land. The protracted battles between Fort Amsterdam and Wappinger warriors exposed Dutch military weaknesses. After several losses,

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<sup>25</sup> E. B. O’ Callaghan, ed., *Documents Relative to the Colonial History of the State of New York* (Albany, N.Y.: Weed, Parsons & Co., 1856), 1:304.

<sup>26</sup> For William Kieft’s policy of arming people of color quoted, see: Ansel Judd Northrup, *Slavery in New York: A Historical Sketch* (New York: University of the State of New York, 1900), 251.

<sup>27</sup> Tiya Miles, “Beyond a Boundary: Black Lives and the Settler-Native Divide,” *The William and Mary Quarterly* 76 no. 3 (2019): 423, 425.

<sup>28</sup> Stokes, *Iconography of Manhattan Island*, 4:229.

<sup>29</sup> Arnold J.F. Van Laer ed., *New York Historical Manuscripts Dutch: Council Minutes, Volume IV, 1638–1649: Council Minutes, Volume IV, 1638–1649* (Baltimore: New York State Archives, 1974), 4:212-213.

Dutch settlers who lived outside the palisades retreated from their unprotected farmsteads, leaving what one historian called “a desolate no man’s land” separating Fort Amsterdam from the Wappinger villages on Manhattan’s northern end.<sup>30</sup>

Director-General Kieft decision to grant African veterans and their families individual plots of land on one-hundred thirty acres held multiple meanings for African men and women who moved to the outskirts of the fort. Families established houses around the freshwater pond. Colonists hoped these farmsteads would serve as a buffer between their former enslavers and the Wappingers.<sup>31</sup> Settling in this region may have been a welcome reward for the freedmen and women after decades of toil. There, African families relied upon one another for survival, friendship, and community. They observed the sacred in shared religious spaces and built intergenerational wealth through farming for their families undeterred by the daily oversight of their former enslavers. Within a generation, the Dutch theologian Jasper Danckaerts observed that the freedmen and women who inhabited this area prospered, writing, “They have ground enough to live on with their families.”<sup>32</sup> At the same time, exile to the colony’s edge likely reminded the African settlers (if they needed such a reminder) that they did not belong in colonial society. They probably did not expect protection from nor access to the social and political institutions of New Amsterdam they defended.

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<sup>30</sup> Christopher Moore, “A World of Possibilities: Slavery and Freedom in Dutch New Amsterdam,” in *Slavery in New York* (New York: The New-York Historical Society, 2005), 42; Murray Hoffman, *Treatise upon the estate and rights of the corporation of the city of New York, as proprietors* (New York: E. Jones & co., printers, 1862), 2:214.

<sup>31</sup> Van Laer ed., *Council Minutes, Volume IV, 1638–1649*, 4:213; Stokes, *The Iconography of Manhattan Island*, 6:123-124; Murray Hoffman, *Treatise upon the estate and rights of the corporation of the city of New York, as proprietors* (New York: E. Jones & co., printers, 1862), 2:214; The names of the ten men listed in the document hinted at some of their origins in West Africa and connections to Dutch enslavers: Paulo Angolo, Big Manuel, Little Manuel, Manuel de Gerrit de Reus, Simon Congo, Antony Portuguese, Gracia, Piter Santomee, Jan Francisco, Little Antony and Jan Fort Orange.

<sup>32</sup> Jasper Danckaerts and Peter Sluyter, *Journal of a Voyage to New York and a Tour in Several of the American Colonies in 1679-80*, edited by Henry C. Murphy (Brooklyn: The Long Island Historical Society, 1867), 136.

The half-freed men and kin had arranged some degree of social and economic autonomy. For example, they could earn wages, testify in court, even against Dutch settlers. However, these privileges legally extended to enslaved Africans too. The Company continued to profit and control half-freed peoples' bodies and labor, and impose restrictions designed to bind them back to the land. First, the Company retained the right to conscript freedmen into military service whenever authorities deemed it necessary. Second, freedmen and women could work only within the contiguous boundaries of Fort Amsterdam, and greatly restrict their mobility. Third, the Company obligated the freed people to make annual payments of "30 schepels of maize, or wheat, pease, or beans, and one fat hog valued at 20 guilders" to remain free from slavery. Moreover, most European artisan industries were closed off to the half-freed people. A supplement to half-freedom "permitted [these former slaves] to earn their livelihood [only] by agriculture on the land."<sup>33</sup> Imposing these conditions on the freedpeople ensured that artisans and merchants never dealt with African competitors and helped Dutch settlers maintain a surplus food supply during the years when harvests were leaner.

The final stipulation the Company included had longer-lasting implications for ideas about race, reproduction, and gender hierarchies in New Amsterdam and the Atlantic world. The Council presumed that parents were less inclined to leave the colony if any of their children remained enslaved in the colony.<sup>34</sup> The children "yet to be born" from free African women remained the property of the Company. Colonists had not yet made race an inheritable condition in North America. Still, the Council recognized the use-value that commodifying African women's wombs brought to enslavers who wanted to prolong servitude following manumission.

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<sup>33</sup> Van Laer ed., *Council Minutes, Volume IV, 1638–1649*, 4:213.

<sup>34</sup> Jennifer L. Morgan, *Reckoning with Slavery: Gender, Kinship, and Capitalism in the Early Black Atlantic* (Durham: Duke University Press, 2021), 238-239.

The Company's manumissions in 1643 and 1644 resembled colonial Virginia's later 1662 law binding the children of the enslaved to the condition of mothers.<sup>35</sup> By the mid-eighteenth century, policymakers imposed forms of these mandates in virtually all slave societies in British North America, including New York in 1706, tying property rights to matters of intimacy and reproduction.<sup>36</sup> The process of binding African-descended, Indigenous, or mixed-ancestry children to the condition of their mothers helped turn Atlantic slavery into a reproductive system that laid the legal bedrock for ensuring a servile labor force across multiple generations.

This Dutch system did not yet wholly codify this form of racialized labor into law, so some African mothers sent children into domestic apprenticeships and indentures rather than lifelong slavery.<sup>37</sup> Parents used their limited power to help children escape servitude in these cases. Maria Portogys, for instance, helped her daughter "[go] away before her time" as a domestic servant ended.<sup>38</sup> In 1648, Dorothy Angola adopted "Little Antonio" after his half-free parents died prematurely and was dedicated to protecting him from falling into bound servitude. In 1661, Dorothy and her husband, Emmanuel, petitioned the Director-General to have Antonio manumitted "so that he could inherit by last will and testament."<sup>39</sup> Despite the Company

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<sup>35</sup> "Negroe Women's Children to Serve according to the Condition of the Mother," Act XII, in William Hening, *The Statutes at Large: Being a Collection of All the Laws of Virginia from the First Session of the Legislature, in the Year 1619* (Richmond, VA: Printed by and for Samuel Pleasants, junior, 1819) 2:170.

<sup>36</sup> Charles Z. Lincoln, et al., *The Colonial Laws of New York from the Year 1664 to the Revolution...* (Albany: J. B. Lyon, state printer, 1894), 1:598; Morgan, *Reckoning with Slavery*, 3-4; For scholarship on the significance of partus sequitur ventrum to the production and reproduction of enslavement and ideologies about race, see: Jennifer L. Morgan, "Partus Sequitur Ventrem: Calculating Intimacies in Colonial Slavery," *Small Axe*, 55:3 (March 2018): 1-17; Christopher Tomlins, *Freedom Bound: Law, Labor, and Civic Identity in Colonizing English America, 1580-1865* (Cambridge: Cambridge University Press, 2010), 455-457; Jennifer L. Morgan, *Laboring Women: Reproduction and Gender in New World Slavery* (Philadelphia: University of Pennsylvania, 2004), 43-49; Thomas D. Morris, *Southern Slavery and the Law, 1619-1860* (Chapel Hill: University of North Carolina Press, 1996), 43-49.

<sup>37</sup> Harris, *In the Shadow of Slavery*, 26.

<sup>38</sup> "Maria Becker pltf. v/s Maria Portogys, deft." in Berthold Fernow, ed., *The Records of New Amsterdam: From 1653 To 1674 Anno Domini* (New York: Knickerbocker Press, 1897), 3:242.

<sup>39</sup> Peter R. Christoph, "The Freedmen of New Amsterdam," in *A Beautiful and Fruitful Place: Selected Rensselaerswijck Seminar Papers*, edited by N. A. McClure Zeller (Albany: New Netherlands Publishing, 1991), 1:161.

relegating freedpeople to marginal social and economic status, Dorothy and Emmanuel's struggle suggests that some freed Africans did achieve financial success under the colonial system to pass down intergenerational wealth to their children and community.

Freed Africans negotiated status and privilege to varying degrees of success. The Company's ability to grant half-freedom emerged in New Amsterdam when elites were concerned with shoring colonial state power over Indigenous and European rivals, not primarily reinforcing social control to keep subjects in line.<sup>40</sup> Therefore the Company allowed some Africans like Dorothy, Emmanuel, Mayken, as well as the ten freedmen of color and their kin to seek greater autonomy from private enslavers and the Company, but forced them to forego the military protections of the settler-colony behind Fort Amsterdam's palisades. Outside the colony, freed people could only rely on one another for protection from hostile Native people or Europeans who may have kidnapped and sold them or their kin into slavery again.<sup>41</sup>

Considering the range of terrifying outcomes that half-or full- freedom could bring, Mayken and her two female friends may have thought twice about petitioning for manumission until the three women joined together. Without a male companion mentioned in the records, they may have felt more vulnerable without the protection of a larger African community awaiting their arrival on the fort's outskirts. After nearly forty years of servitude, Mayken may have waited until multiple generations of free Africans from those first 1640's manumissions established more stable community ties before she petitioned the colonial government in December 1662.<sup>42</sup> In her old age, she needed to ensure that she could depend on the community

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<sup>40</sup> Edward Higgs, "The Rise of the Information State: The Development of Central State Surveillance of the Citizen in England, 1500–2000," *Journal of Historical Sociology*, 14 (2001): 175-197.

<sup>41</sup> John Henderson, Joseph Watson, Job Brown, Thomas Bradford, R. L. Kennon, Joshua Boucher, H. V. Somerville, and Eric Ledell Smith, "Notes and Documents: Rescuing African American Kidnapping Victims in Philadelphia as Documented in the Joseph Watson Papers at the Historical Society of Pennsylvania," *The Pennsylvania Magazine of History and Biography* 129, no. 3 (2005): 317–45.

<sup>42</sup> Mosterman, *Spaces of Enslavement*, 31-32, 50.

to caretake her since no record of her bearing any children appears to exist. Mayken's quality of life had severely deteriorated over the last several years, and so she may have sought reprieve from the grueling domestic service that had shaped most of her life.

The benefits these three older women may have enjoyed from living independently of their enslavers were utterly incidental to the Company. They offered Mayken, Lucretia, and the third unknown female compatriot's half-freedom "permit[ting]... Mayken [et al. to] make her living in an honest way like any free black person," and agreed to perform "housework...one day every week" at Director-General Stuyvesant's household in order to remain half-free.<sup>43</sup> The Company's decision to end Mayken's enslavement stemmed from their speculation about her diminished use-value to the slave market, and required her struggling for months in advance to achieve her manumission.<sup>44</sup> When Lucretia and the third woman died before the following spring, Mayken petitioned for full freedom in April 1663, explaining that "she is an old, weak woman... [and] requests that the government take pity on her and allow her to live the rest of her remaining time in freedom with the other free blacks of New Amsterdam."<sup>45</sup> She waited nearly one full year from the Council before unconditional freedom came.

Mayken's bid for freedom was one of the last manumissions the Council granted. If she lived to see September 1664, she might have heard a new language emitting from some strangers in Fort Amsterdam. Had she lived into the latter part of the seventeenth century, Mayken may have experienced the beginning of English colonists' tamping down on free people of color's

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<sup>43</sup> *Certificate*, 17 April 1664, New York State Archives, Translation by Eric Ruijssenaars; *Petition*, 28 December 1662, New York Colonial Manuscripts.

<sup>44</sup> Daina Ramey Berry, *The Price for Their Pound of Flesh: The Value of the Enslaved, from Womb to Grave, in the Building of a Nation* (New York: Beacon Press, 2017), 131; Charles R. Foy, "Seeking Freedom in the Atlantic World, 1713—1783," *Early American Studies* 4, no. 1 (2006): 70; For how use-value is created in a capitalist marketplace, see: Karl Marx, *Das Kapital: A Critique of Political Economy* (Moscow: Progress Publishers, 1859), ch. 1.

<sup>45</sup> *Petition*, 19 April 1663, New York Colonial Manuscripts.

land ownership. Had she lived long enough, this legal change would have constricted the growth of her support network and potentially isolated her further in her old age.<sup>46</sup> Enslaved people manumitted after 1702 could not own land under a new English ordinance designed to tie free people of color back to domestic servitude and other industries run by whites.

Colonists' curtailing of the free African community's access to owning farming land reinforced the spatial power that Europeans sought to cast over Lower Manhattan. Since fewer enslavers were manumitting enslaved servants, the number of people of color who could legally produce subsistence agriculture precipitously decreased. Therefore, freemen and women were economically pressured to seek work from English and Dutch colonists. The New York Assembly's decision encouraged African-descended people dependency on white property holders for work, wages, and shelter. New York in the early eighteenth century was characterized by elites' reclaiming their authority over people of color's economic and social lives. In this scenario, elites benefited from authorities outlawing opportunities for African-descended people could pursue independent of white people's oversight. These legal transformations most impacted women of color, particularly as enslaved women, who predominantly found work as domestic servants. In households all over the colony, propertyholders manifested the most intense and pervasive forms of confinement, surveillance, and punishment.

### **Gender and the Carceral Management of the New York Household**

In New York City, the historian Thelma Foote argued, "the disciplinary mechanisms of surveillance remained limited in scope and therefore could not guarantee the effective

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<sup>46</sup> Andrea Frohne, *The African Burial Ground in New York City: Memory, Spirituality, and Space* (Syracuse: Syracuse University Press, 2015), 38.

penetration of power into the colonial port town's dense and opaque subaltern population."<sup>47</sup>

The bustle of foot traffic and the porous port hindered slaveholders' attempts to police their servants. Enslaved people moved about streets and waterways, seemingly unencumbered and outside the consistent monitoring of enslavers. Enslaved men worked alongside free and indentured sailors aboard vessels, loading and unloading large cargoes from Europe, the Caribbean, the mainland colonies, and Africa in warehouses, shops, and dockyards every day.<sup>48</sup> Cartmen hauled brick, timber, and ore up and down the avenues.<sup>49</sup> Enslaved women traveled to and worked in different households all over the city, made weekly trips to markets for their enslavers, and peddled food from carts on street corners.<sup>50</sup> Given the organization of the local economy, it may have seemed as though enslaved people moved more freely and could have easily made themselves scarce, blended into the waterfront, and escaped.<sup>51</sup>

However, depicting New York City as a challenging society for enslavers to police misses how urban enslavers imposed control over the men and women they enslaved. Analyzing a sales advertisement published in 1734 gives clues about the nature of enslavers' carceral practice in New York City. Near the Wall Street Sloop, "A Young Negro Woman, about 20 Year Old" was auctioned. The seller described the parts of her biography that were of use-value to the slave market. According to the advertisement, she performed "all sorts of House work" including "Brew, Bake Boile toast Wash, Iron & Starch; and is a good dairy Woman she can Card and Spin at the Wheel, Cotten, Lennen, and Wollen... she can Cook pretty well for Rost and Boyld." In

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<sup>47</sup> Foote, *Black and White Manhattan*, 182.

<sup>48</sup> On African-descended men working in New York's ports and the Atlantic maritime economy, see: Foy, "Seeking Freedom in the Atlantic World, 1713-1783," 46-48, 59-60; W. Jeffrey Bolster, *Black Jacks: African American Seamen in the Age of Sail* (Cambridge: Harvard University Press, 1997); Edgar McManus, *A History of Negro Slavery in New York* (Syracuse, N.Y.: Syracuse University Press, 1966), 105.

<sup>49</sup> Graham Russell Gao Hodges, *New York City Cartmen, 1667-1850* (New York: NYU Press, 2012), 26.

<sup>50</sup> Leslie Harris, "Slave Labor in New York," in *Workers in the City of Commerce*, edited by Joshua B. Freeman (New York: Columbia University Press, 2019), 36.

<sup>51</sup> Foy, "Seeking Freedom in the Atlantic World, 1713—1783," ): 49



addition, the seller noted that she abstained from “drin[king] Rum [and smoking] Tobacco,” suggesting that she would remain a reliable worker and thus “a strong... healthy Wench,” who would make a “good Property.”<sup>52</sup> Not much else is known about this woman’s life, but the list of chores in this advertisement suggested how she spent most of her days as a domestic servant for her enslavers and how her enslavers managed her time.

In *Discipline and Punish: The Birth of the Prison*, theorist Michel Foucault argues that one marker of modernity was the move away from “the great spectacle of physical punishment” in the late-eighteenth century. At that time, authorities reformed the once “public hangings, whippings, and beheadings [, and] transitioned to the more genteel, hidden world of the penitentiary.”<sup>53</sup> However, to take a closer look at pre-Revolution New York slave society reveals a more complicated change over time. Enslavers' methods inside households foreshadowed conditions found in early modern penal spaces. Analysis of slavery in domestic spaces demonstrates enslavers exerted control over enslaved people in ways that echoed the “imprisonment, confinement, forced labor, penal servitude, prohibition from entering certain areas, [and] deportation” that later characterized southern slavery and the penitentiary system.<sup>54</sup>

Enslaved domestic servants were most exposed to slaveholders’ surveillance. In households, slaveholders’ practices deprived enslaved people and the enslaved body of freedom in ways that have escaped examination in studies of New York City. Enslaved men moved significantly more freely than their female counterparts, who could expect to travel outside their enslavers’ households once or twice a week. Women’s circumscription to the household was due to the gendered division of labor. While African men worked as artisans, sailors, cartmen, farm

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<sup>52</sup> *The New-York Weekly Journal*, April, 15, 1734.

<sup>53</sup> Michel Foucault, *Discipline and Punish: The Birth of the Prison* (New York: Random House, 1977), 14.

<sup>54</sup> Foucault, *Discipline and Punish*, 11.

laborers, domestic servants, and other industries between the public and private spheres, women's work generally did not involve as much variability. As the 1734 sales advertisement suggests, domestic duties required a lot of skill but very little mobility outside the household.

By 1756, the sex ratio of enslaved men and women had been roughly equal for nearly half a century. Within a few years, census records indicate women slightly outnumbered men.<sup>55</sup> To focus, then, on the experiences of the enslaved men, women, and children in the domestic sphere means highlighting the conditions most enslaved people worked in New York City. Analyzing the carceral aspects of city-dwelling architecture, the litanies of chores slaveholders demanded, and the contours of the hiring-out system to control and discipline the people who served them forces a shift in how historians interpret antecedents to the nineteenth-century penitentiary system.

Urban slaveholders delineated social difference and hierarchy by allocating marginal spaces to the enslaved for personal use. New York's houses were often two-story, divided into two rooms on each floor. Enslavers lived with their families and had to find space for, on average, one or two enslaved and indentured people, sailors, and other travelers who sometimes sought temporary lodgings.<sup>56</sup> Enslaved servants primarily found attics and cellars most readily available for themselves and their personal belongings. Both rooms had shallow ceilings. With low hanging beams to knock into regularly, enslaved people found painful reminders of their subservient status. Moreover, these rooms were freezing in the winter and unbearably hot in the summer. On nights when the heat rose from the kitchen into the attics, the people living in these

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<sup>55</sup> For a ward-by-ward analysis of the population of New York City based on age, ward, and black/white demographics, see: O'Callaghan ed., *The Documentary History of the State of New-York*, 4:186; Hodges, *Root & Branch*, 111.

<sup>56</sup> Carl Bridenburgh, *Cities in the Wilderness: The First Century of Urban Life in America 1625-1742* (London: Oxford University Press, 1971), 308.

cramped spaces struggled to breathe. The rooms were dark except for crevices where natural light crept through or if somebody had a candle on hand. When the enslaved found time to sleep, they rested wherever available: attics, kitchens, lofts, cellars, hallways, service wings, in horse stables, sheds, or outhouses called “Negro kitchens.”<sup>57</sup>

However, the concept of rest and downtime in any of these spaces was incredibly gendered in their application. When enslaved women finished caretaking enslavers’ families for the day, they more than likely took care of the other enslaved people in the household after hours. Enslaved women needed to take care of themselves and their kin, cooking, cleaning, sewing, and washing for their families, and were responsible for sewing their enslavers’ goods once everyone was asleep. By contrast, men’s work in dockyards and artisan shops ended around sundown, leaving time to commute “abroad” to visit family, intimate partners, and children who lived across town or at a nearby plantation.<sup>58</sup>

When they were not whispering before sleep, working in the “Negro Kitchens” were some of the only places where men, women, and children could steal time for themselves to enjoy each other’s company. On estates outside the city, enslaved people designated “Negro kitchens” as the center of their social lives.<sup>59</sup> Usually, slaveholders constructed these dwellings

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<sup>57</sup> John Michael Vlach, “Appropriated to the Use of the Colored People:’ Urban Slave Housing in the North,” in *Slavery in the City: Architecture and Landscapes of Urban Slavery in North America*, edited by Ellis Clifton and Rebecca Ginsburg (Charlottesville: University of Virginia Press, 2017), 64-65; “Rosalie Fellows Bailey, *Pre-Revolutionary Dutch Houses and Families in Northern New Jersey and Southern New York* (New York: Dover Publications, 1968), 31, 297, 448, 464, 457, 548.

<sup>58</sup> Daniel Horsmanden, *A journal of the proceedings in the detection of the conspiracy formed by some white people, in conjunction with Negro and other slaves, for burning the city of New-York in America, and murdering the inhabitants. ...* (New-York: Printed by James Parker, at the new printing-office, 1744), 33, 48, 94; Runaway advertisements published in New York papers are littered with examples of men traveling abroad to visit family. For examples, see: *The New-York Gazette; or, The Weekly Post-Boy*, August 26, 1762, *The New-York Gazette* (Weyman’s), July 23, 1764, *The New-York Gazette; and the Weekly Mercury*, January 11, 1773 Other examples of the ways rest and downtime were gendered stratified throughout the Atlantic world, see: Marietta Morrissey, *Slave Women in the New World: Gender Stratification in the Caribbean* (Lawrence, Kan.: University Press of Kansas, 1989), 47, 49-54, 61.

<sup>59</sup> For examples of “Negro Kitchens,” in New York City and the surrounding regions, see the real estate sales advertisements: *New-York Weekly Post Boy*, December 19, 1748; *The New York Gazette, Revived in the Weekly Post*

in backyards. Segregated from the rest of the household meant enslaved workers could grab their own “Victual[s] at certain Hours” if allowed, or if necessary, could steal scraps from slaveholders’ meals later.<sup>60</sup> But the kitchen also encouraged enslaved servants to pause work routines, at least briefly, to enjoy their exile from the main household and find temporary intimacy with each other. As the primary gathering space during work hours, kitchens served to bring the enslaved together in between the chores they performed for their enslavers. For enslaved women, cooking in kitchens served as a means for maintaining contact with people of color outside their enslavers’ four walls. They swapped stories, gossiped about comrades, enslavers, and the neighborhood, shared a secret laugh, danced, played music, got warm around the cauldron’s fire, and ignored chores.<sup>61</sup>

Some enslavers expressed disturbance at the insubordination and dereliction of slave duties away from their immediate oversight. They innovated methods to enforce how enslaved servants spent their days and scheduled rigorous chore routines to fill enslaved peoples’ workdays. On Arent Schuyler’s plantation in New Barbados, East Jersey, overseers “regularly call[ed the fifty to sixty enslaved] by a Bell, which Rings in the Morning for the Servants to turn out to their Work, and at 7 for Breakfast, at 12 for Dinner, at a proper Time for them to leave their Work, & again at 8 in the Evening for each to repair to their House after which no Noise is heard.”<sup>62</sup> Overseers instituted a workday to keep enslaved servants on their toes, anxious and terrified that they were not meeting the demands of their enslavers. Ringing a scheduled bell also

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Boy, January 21, 1751; November 11, 1751; *New York Mercury*, June 16, 1755; Foote, *Black and White Manhattan*, 79; Hodges, *Root & Branch*, 113; Lepore, *New York Burning*, 148-149.

<sup>60</sup> Isaac Bangs, *Journal of Lieutenant Isaac Bangs, April 1 to July 29, 1776*, edited by Edward Bangs (Cambridge: John Wilson and Son, 1890), 51.

<sup>61</sup> “Slave Housing in Old New York,” *Harper’s Monthly Magazine*, 1876 in Graham Russell Hodges, *Root & Branch*, 113

<sup>62</sup> Bangs, *Journal of Lieutenant Isaac Bangs, April 1 to July 29, 1776*, 51.

served to circumvent needing to watch enslaved people at all times of the day but instead focus on specific times when they were required to appear.

Other enslavers took more invasive measures to remove some of the visual impediments enslaved people took advantage of in kitchens and other hidden places. In neighboring Closter, slaveholding Huguenot Abram Demaree separated his family from the enslaved servants' quarters behind two doors connected by two spiral staircases. Constructing the slave wing of the house using a different, cheaper form of stonework, Abram also created eye holes in each to spy on his servants.<sup>63</sup> Abram's constructed this novel invention nearly fifty years before English philosopher Jeremy Bentham wrote about the Panopticon, which offered a similar effect for correctional officers to observe prisoners without subjects' knowledge of when they were and were not under observation. Like Abram's peepholes, Bentham's design emphasized self-discipline among prisoners. In Bentham's words, the Panopticon was "A new mode of obtaining power of mind over mind" that Abram harnessed.<sup>64</sup> Abram and other overseers could observe as many enslaved workers as possible in the slave quarters who passed through their line of sight. The square-cut holes filtered light into the hallway at the back of the house, but when Abram blew out the oil lamps, enslaved servants had no way of knowing when someone was watching.<sup>65</sup> This method likely deterred enslaved people from neglecting their duties, stopped kin from entering the slave quarters, or having conversations the enslaved would not want their enslavers

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<sup>63</sup> Rosalie Fellows Bailey, *Pre-Revolutionary Dutch Houses And Families In Northern New Jersey And Southern New York* (New York: Dover Publications, Inc., 1936), 288.

<sup>64</sup> For Jeremy Bentham's architectural design and potential uses he envisioned for the Panopticon, see: Jeremy Bentham, *A View of the Hard-Labour Bill : Being an Abstract of a Pamphlet, Intituled 'Draught of a Bill, to Punish by Imprisonment and Hard-Labour, Certain Offenders; and to Establish Proper Places for Their Reception'/ Interspersed with Observations Relative to the Subject of the Above Draught in Particular, and to Penal Jurisprudence in General* (London : Printed for T. Payne and Son, 1778) in *The Works of Jeremy Bentham, vol. 4*, edited by John Bowring (Edinburgh: William Tait, 1838-1843), 39.

<sup>65</sup> Graham Russell Gao Hodges, *Slavery, Freedom and Culture Among Early American Workers* (London: Routledge, 1998), 40.

to hear. For enslaved women whose lives revolved more closely around enslavers' bedrooms, these examples of more invasive surveillance practices meant they were isolated more often from the kin and friends who enriched their lives.

Enslavers designed workplace surveillance to constantly keep domestic servants on their feet. The litany of skills that enslavers advertised domestic servants to possess reveals less about what tasks enslaved people excelled at performing, or what tasks they struggled to complete, or even which chores could be completed in a day or week. Instead, overseers designed chores to keep the enslaved busy from early morning into well after dark.<sup>66</sup> In the 1734 advertisement that opened this section, enslavers expected the enslaved woman to complete a whole host of additional chores in a single day that went unmentioned, possibly because they were assumed practices. She may have cared for her enslavers' children (as well as her own if she had any), cleaned the household from top to bottom, picked up food from the market once a week, and ran other errands for her enslavers' family.<sup>67</sup>

Though most enslavers considered domestic servitude monotonous and unskilled labor, the tasks enslaved women completed were exhausting and often required immense skill to avoid injury. For example, laundresses cleaned clothing, stirring a large stick into vats of homemade soap made from boiling lye and animal fats. Once soaked and cleaned, she would beat the excessive lye and ash from the clothing before ironing her enslavers' clothes over coals in an oven. An analysis of one African-descended woman's skeleton reveals the debilitating pain associated with completing this task weekly. Archaeologists found lesions along an enslaved

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<sup>66</sup> *New-York Gazette*, April 17, 1727.

<sup>67</sup> *Minutes Of The Common Council Of The City Of New York, 1675-1776*, edited by Herbert L. Osgood, Frederic W. Jackson, Robert H. Kelby, Hiram Smith (New York: Dodd, Mead, 1905), 1:139-40; Thomas F. De Voe, *The Market Book, Containing a Historical Account of the Public Markets of the Cities of New York, Boston, Philadelphia and Brooklyn...* (New York: Printed for the author, 1862), 1:242-335; Nan A. Rothschild, *New York City Neighborhoods: The 18th Century* (San Diego: Academic Press, 1990), 56-66.

woman's longer bones from severe burns caused by lye on her skin. In addition, her vertebrae stiffened up. Osteoarthritis was a common phenomenon in women's shoulders from repeatedly stirring the vats of hot liquid.<sup>68</sup> The physical tolls of domestic servitude left long-lasting markings, memorializing the conditions of enslavement into the afterlife.

Enslaved women retrieved water from a neighborhood water pump between washing her slaveholders' clothes or putting the boiling cauldron over a fire pit before making her enslavers' favorite meat dish. In fact, before doing most tasks, enslaved servants had to travel to gather water. Archaeological analysis of several African-descended women's and children's skeletons excavated from the African Burial Ground reveals fractures ranging from the minute to severe at the base of their skulls and necks. Most likely, these ailments resulted from balancing heavy jugs on their heads as they traveled between the house and the neighborhood water pumps.<sup>69</sup> Carrying water in large vessels on their heads could debilitate their ability to escape slavery. However, enslaved women held onto these carrying methods that were widely practiced in Africa and the Americas and demonstrated their insistence on tying their daily practices to their identities and lives before entering the diaspora.<sup>70</sup> They remembered freedom before enslavement.

Gathering water from the pump was not just a burdensome task for the enslaved to complete throughout the day. Most enslaved men and women probably looked forward to this activity. Water pumps served as the meeting places for the African-descended community to get

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<sup>68</sup> Skeletal Biology of the New York African Burial Ground: Burial Descriptions and Appendices" in *The New York African Burial Ground: Unearthing the African Presence in Colonial New York*, edited by Michael L. Blakey and Lesley M. Rankin-Hill (Washington D.C.: Howard University Press, 2009) 2:13, 36, 40, 56; William E. Burns, *Science and technology in colonial America* (Westport, CT: Greenwood Publishing Group, 2005), 59.

<sup>69</sup> Mark E. Mack and Michael L. Blakey, "The New York African Burial Ground Project: Past Biases, Current Dilemmas, and Future Research Opportunities" *Historical Archaeology* 38, No. 1 (2004): 12.

<sup>70</sup> Ayo A. Coly, *Postcolonial Hauntologies: African Women's Discourses of the Female Body* (Lincoln: University of Nebraska Press, 2019), 44; Mary Jo Arnoldi and Christine Mullen Kreamer, "Crowning Achievements: African Arts of Dressing the Head," *African Arts* 28, no. 1 (1995): 22-98; Otis T. Mason, "The Beginnings of the Carrying Industry," *American Anthropologist* 2, no. 1 (1889): 21-46.

news about what happened the night before, make plans to see each other in the coming hours and days, and more generally, was an activity that got enslaved women away from an enslavers' households. Outside an enslavers' immediate oversight meant that an enslaved woman could take her time while she completed this necessary errand, which was something staying indoors would not allow. The New York Assembly set up water pumps in each ward to cut travel time. Still, enslaved men and women walked further around the city depending on who they wanted to meet or avoid, such as other servants, enslavers, or overseers.<sup>71</sup> The water pumps were where enslaved men and women deepened relationships, met to exchange gossip, and enriched their lives away from enslavers' immediate management, breaking up the monotony of their workloads, and leaving with new stories to share with those they left behind in the house.

Authorities believed that wells had the potential for enslaved people to incite an insurrection following rumors that some of them conspired against elites in the spring of 1741.<sup>72</sup> The New York Assembly appointed non-slaveholding overseers to each ward's pump to foil possible talk of slave rebellions. Later they banned "Negro Molatto or Indian Slave[s] from]...fetch[ing] any water: other than from the Next well or pump: to the place of their Abode," on pain of public flogging.<sup>73</sup> The Assembly curbed slave mobility further by appointing "certain [white] people," as one observer wrote, "to sell water in the streets, which they carry on a sledge in great casks and bring it from the best springs about the city, for it was when the negroes went for tea; water; that they held their cabals and consultations."<sup>74</sup> The New York

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<sup>71</sup> *Minutes of the Common Council of the City of New York, 1675-1776*, 5:50.

<sup>72</sup> Lepore, *New York Burning*, 149-150; Horsmanden, *A journal of the proceedings in the detection of the conspiracy*, 33, 35, 74.

<sup>73</sup> *Minutes of the Common Council of the City of New York, 1675-1776*, 5:50.

<sup>74</sup> Alexander Hamilton, *Hamilton's Itinerarium: being a narrative of a journey from Annapolis, Maryland, through Delaware, Pennsylvania, New York, New Jersey, Connecticut, Rhode Island, Massachusetts and New Hampshire, from May to September, 1744* (Saint Louis, Mo.: Printed only for private distribution by W.K. Bixby, 1907), 107.



Assembly attempted to construct legislation that circumscribed enslaved people to predictable spaces in the city, and incorporate non-slaveholding inhabitants to enforce these laws.

Behind closed doors, enslavers incorporated non-slaveholding people into their containment strategies through the hiring-out system. Free people who agreed to enslave someone else's servant sought to benefit from slave labor without the financial burdens of investing in keeping an enslaved person captive long term.<sup>75</sup> Enslavers still controlled the arrangements between these temporary slaveholders and enslaved servants since they entrusted someone with overseeing the embodiment of their wealth. The people they chose to do business with had a vested interest in protecting their financial investments, and enslavers expected them to police accordingly.

Hiring out was a complex and disruptive arrangement that upended enslaved people's lives, moving from one household to another and learning a new set of work routines and duties. The prospect of being hired out held both benefits and challenges for domestic servants to overcome. Why an enslaved person may have welcomed their enslavers hiring them out meant a change of scenery from the carceral environment they experienced every day. Frequently enslaved families were spread out across Manhattan, Long Island, East Jersey, and everywhere in between. Thus, maintaining family cohesion could prove an obstacle based on where and how long an enslaved person worked for another family. In this regard, location mattered immensely. On more rural plantations, enslaved people likely experienced far more anxiety about being sent far away from family and friends they worked alongside. If they were from a more urban area

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<sup>75</sup> Daina Ramey Berry, "*Swing the Sickle for the Harvest Is Ripe*": *Gender and Slavery in Antebellum Georgia* (Champaign: University of Illinois Press, 2010), 118; For examples of hired out advertisements, see: *New York Gazette, or Weekly Post-Boy*, March 27, 1749; September 9, 1751.

and sent to another household in the city, enslaved men and women might not have noticed much disruption to their social lives.<sup>76</sup>

Leaving the household meant establishing spatial distance from their primary captors' families. Traveling to a new place meant that enslaved men and women were moving into a possibly unknown household, sometimes away from their familial connections for days, weeks, months, even years at a time. As a result, enslaved domestic workers may have been relieved to enter a new household and escape their enslavers, at least temporarily; or working for a new overseer could result in trepidation. They may have wondered what kinds of disciplinary and interpersonal relationships their temporary enslavers would enforce. For example, when Henry Lloyd brought a business acquaintance, Edward Antill, to facilitate Aurelia's "hyreing" to someone near the Lloyd family estate in Long Island, one of his concerns was that she was sent "into some good family." What 'a good family' meant to Aurelia differed from what Henry wanted in a temporary slaveholder. Good for Henry meant someone was paying "Nine Pounds per Annum" to the merchant and mentioned nothing of the treatment he expected for her. Henry himself was not in Long Island at all, but instead was based out of Boston at the time, and as a result, cared very little about Aurelia's wellbeing. His brother was Aurelia's primary enslaver, but he died shortly before the fall of 1725. Henry was tasked with settling his brother's affairs, which included "Dispos[ing]" Aurelia into someone else's home since he had "no business for her [in Long Island]."<sup>77</sup> The grave situation unfolding around Aurelia meant her social connections with other enslaved servants she knew in Long Island.

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<sup>76</sup> Abraham Evertse Wendell, Day Book, April 9, 1762, July 9, 1767; April 7, 1769, MS Collection, New-York Historical Society, New York.

<sup>77</sup> Henry Lloyd, Letter to Mrs. Smith, 13 September 1726 in *Papers of the Lloyd Family of the Manor of Queens Village, Lloyd's Neck, Long Island, New York, 1654-1826*, edited by Dorothy C. Barck (New York: Printed for the New York Historical Society, 1926) 1:282, 283.

Leaving Lloyd Manor for New York City presented predicaments, challenges, and opportunities otherwise closed off to her had she stayed captive on the rural plantation. Aurelia may have desired distance from Long Island, possibly because she had a fifteen-month-old child in tow exposed to the same violent and hostile conditions at the Long Island estate. Like some other New York enslavers, Henry believed children took mothers' attention away from their chores.<sup>78</sup> Henry and Edward disagreed over the price Edward would charge for Aurelia because of the presence of her tiny infant. Edward felt that Henry's price was too high, so he rented her time and labor out for "a lower rate" of eight pounds.<sup>79</sup> However, Aurelia's infant was unlikely an asset working a slaveholders' house at fifteen months old.

Analysis of other sellers' advertisements shows that New York City sellers used the presence of enslaved children as something of a backhanded attraction to potential buyers looking to purchase a female domestic servant. For example, a seller in a 1742 edition of the *New-York Weekly Journal* advertised that an enslaved woman and her three-year-old child were "both healthy" and were "fit for Town or Country Business."<sup>80</sup> Similarly, in 1768, Hugh Gaines seemed to take issue with the "excellent Negro Wench" who cooked all of his meals "for no other Fault than being too fruitful."<sup>81</sup> Nevertheless, an enslaved mother with children did not seem to deter him five years later, when again Hugh sold another enslaved cook "with two children, both boys, one of three years old, and the other better than one."<sup>82</sup> Hugh's use of the term "fruitful" woman may have had less to do with a commentary on her fertility than the additional labor small children offered at a fraction of the price. However, Aurelia's child was

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<sup>78</sup> Henry Lloyd, Appraisal of Joseph Lloyd's Slaves, 1730, *Papers of the Lloyd Family*, 1:311.

<sup>79</sup> Edward Antill, Letter to Henry Lloyd, 5 October 1725, in *Papers of the Lloyd Family*, 1:258.

<sup>80</sup> *New-York Weekly Journal*, December 20, 1742.

<sup>81</sup> *The New-York Mercury*, January 25, 1768.

<sup>82</sup> *The New-York Gazette; and the Weekly Mercury*, August 11, 1773.

likely too young to perform even the simplest tasks she was responsible for completing, thus better rationalizing Henry and Edward and other New Yorkers' devaluation of enslaved mothers' labor.

Distance from the Lloyd plantation meant Aurelia could enjoy a little more time with her child, possibly in a household that welcomed the additional labor. Setting off to a new household may have been something Aurelia accepted insofar as her overseers purchased her labor knowing she had an infant. She successfully used this newfound spatial freedom from the Lloyd estate to keep her distance between herself and her enslavers. She rebuffed him when Edward traveled into Manhattan to take her back to Long Island. He did not explain Aurelia's tactics in his letter to his business partner. Nevertheless, she did utilize the limited range of choices at her disposal, at least temporarily. To return to Lloyd manor meant that Aurelia and her infant may have experienced more precarity and instability in their lives, causing her to become "obstinate in refusing to come."<sup>83</sup> In the city, she may have been able to rely on the local African-descended community for help when she needed it, a more dynamic support system, and possibly even childcare from neighbors with a vested interest in her protection. Outside the households of enslavers, the city offered greater mobility and opportunities for socializing with peers, both free and enslaved.<sup>84</sup>

While Henry and the overseers of the Lloyd Manor could discipline Aurelia's insubordination, they could not trust that they were necessarily safe in the house with her. Rumors swirled around New York City, the colonial British eastern seaboard, and the Atlantic

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<sup>83</sup> Lloyd, Letter to Mrs. Smith, 13 September 1726, *Papers of the Lloyd Family*, 1:282.

<sup>84</sup> Emily West and Erin Shearer, "Fertility control, shared nurturing, and dual exploitation: the lives of enslaved mothers in the antebellum United States," *Women's History Review*, 27:6 (2018): 1007; West and Shearer are building their analysis on Stephanie Camp's concept of the three bodies. For Camp's original analysis, see: Camp, *Closer to Freedom*, 62-68.

world about enslaved servants who murdered enslavers, which could keep slaveholders on edge around those who were outwardly discontent like Aurelia. Henry may have known about the 1712 Slave Conspiracy Trials nearly two decades earlier when authorities alleged that some twenty-three African-born men and women conspired to set New York City aflame and murder their enslavers.<sup>85</sup>

More relevant to the Lloyd family may have been knowledge of the Hallet family murders in 1708. The intense response from the colonial government resulted from a murder four years prior in Queens County, where Henry's sister lived. Magistrates accused an enslaved Indigenous man named Sam and an unidentified woman of African descent of murdering their enslaver, William Hallet Jr., and his family. The Hallet patriarch "restrained [them] from going abroad" on the Sabbath, so the enslaved couple took their revenge.<sup>86</sup> Panicked colonists called for greater policing of enslaved people across the northeastern seaboard.<sup>87</sup> By autumn, New York policymakers introduced "An Act for preventing the Conspiracy of Slaves." The Assembly provided compensation to enslavers if the court convicted and executed an enslaved person for a crime, thus encouraging slaveholders to turn the enslaved over to authorities for punishment.<sup>88</sup> Possibly fearing a similar fate as the Hallet, he did not initially force her to return with him to Long Island. Like Sam and his partner, it was not a far-gone assumption for Henry and Edward to think that Aurelia would seek violent revenge on her enslavers and overseers, so they set out to find another household to send Aurelia to work inside.

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<sup>85</sup> A fuller treatment of legacies and impacts of the 1712 Slave Revolt is the subject of chapter four in this dissertation.

<sup>86</sup> James Riker, *The Annals of Newtown, in Queens County, New York; Containing Its History from Its First Settlement, Together With Many Interesting Facts Concerning the Adjacent Towns* (New York: D. Fanshaw 1852), 142; O'Callaghan, *Documents Relative to the Colonial History of the State of New-York*, 5:39.

<sup>87</sup> *The Boston News-Letter*, February 10, 1708.

<sup>88</sup> "An Act for preventing the Conspiracy of Slaves" (1708) in *The Colonial Laws of New York from the year 1664 to the Revolution...*, 1:631.

Aurelia's ability to rebuff Edward lasted only so long, however. In general, the hiring-out system was perilous for enslaved men and women. At a moment's notice, business partners could take enslaved people out of their new surroundings and move them far away to other parts of Manhattan or beyond. Ultimately, Henry held power over the community and friendships Aurelia could form and maintain in New York City when he decided that sending her and her infant to work for Henry's sister in Queens was "far more agreeable...than to have her with me." Without a means for directly communicating with the Black community she met in Manhattan, Aurelia was likely heartbroken but undeterred from surviving her circumstances. In Queens, she found ways to leave her new enslavers' household. Aurelia "earn[ed] considerable" due to her needlework and paid her profits directly to Henry's sister. This arrangement between Aurelia and the sister "F. Lloyd" allowed her to establish connections with people living on the surrounding farmsteads, leave the household, and keep herself and her infant away from the scrutiny of her temporary slaveholders.<sup>89</sup>

Domestic servitude formed the backbone of New York slavery. Enslaved women and men jointly supported the household economies of New York's most prominent elites and merchants. The carceral dynamics of urban servitude were conducted mainly away from public view. Law enforcement had less to do with the surveillance and discipline of enslaved people. Instead, focusing on the experiences of enslaved men and women who worked as domestic servants demonstrates the creative methods of coercion enslavers pursued and the more intimate struggles and joys enslaved servants sought, often undocumented, behind closed doors and always fleeting.

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<sup>89</sup> Henry Lloyd, Letter to Mrs. Joseph Lloyd, 18 July 1726, in *Papers of the Lloyd Family*, 1:277; Lloyd, Letter to Mrs. Smith, 13 September 1726, 1:282.

## Gender, Frolics, and Policing Pleasure in New York City

On June 28, 1741, Cajoe (alias Africa) testified before the New York Supreme Court against several African-descended men suspected of conspiring in a city-wide slave revolt. According to Cajoe, John Jeffery, James, and Frank eagerly awaited the arrival of Ben at John Hughson's tavern in the city's West Ward. When Ben eventually arrived, he brought his wife with him, saying, "*How d'ye do, How d'ye do, my Friends? I hope you'll all be my Men in a short Time.*" Ben and his wife explained they were late because they had "some Business to do down by the Water-side."<sup>90</sup> On another day, prosecutors heard other enslaved men testify that Caesar left his enslaver's, John Vaarck's house on most nights to visit his partner, an Irish indentured servant named Margaret Kerry.<sup>91</sup> Quack visited his wife, Barbara, at the Governor's mansion where she was enslaved to the disappointment of some of his friends who were left waiting at John Hughson's tavern.<sup>92</sup> On holidays, Will attempted to fit as many events into his busy schedule as possible, asking friends "to drink a Dram with him at Mrs. Wendell's." Afterward, he snuck off to visit his wife, Cora, at her enslaver's household. Unfortunately, Cora's enslaver "would not allow him to [visit]," so he needed to sneak into the house in the evening and probably leave before anyone else awoke.<sup>93</sup>

These scenes revealed a critical component of the sexist and gendered dynamics of slavery surveillance. Except for Ben's wife's who accompanied him to the waterside tavern, colonists documented enslaved men traversing the city to meet up with their female companions exclusively. Despite laws banning enslaved people from leaving households after hours, men enjoyed significant mobility when darkness fell upon the city. They crisscrossed the streets and

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<sup>90</sup> Horsmanden, *A journal of the proceedings in the detection of the conspiracy*, 111.

<sup>91</sup> Horsmanden, *A journal of the proceedings in the detection of the conspiracy*, 3.

<sup>92</sup> Horsmanden, *A journal of the proceedings in the detection of the conspiracy*, 26, 45.

<sup>93</sup> Horsmanden, *A journal of the proceedings in the detection of the conspiracy*, 94.

alleyways, headed for forested areas on the colony's outskirts, searching for frolics, taverns, brothels, tippling houses, and other secret meetup spots often, outside the purview of white overseers in search of enjoyment and pleasure. As the last section documented, women had more restrictions on their ability to temporarily leave for these cheap amusements. Yet, socializing was crucial and a source of enslaved men and women's political creativity. Just as gender shaped divisions of labor and carceral culture in the workplace, gender shaped enslaved people's responses to carceral culture in the public sphere, and who was able to escape the oversight of captors and drudgery.

Enslaved people cherished jaunts outside the household and enslavers' oversight whenever they found time. The frolics were the most liberating and exhilarating of these temporary absences. Often taking place outdoors, frolics were where they were less likely to find scrutiny from whites looking to return them to their enslavers or police their behavior. In leaving enslavers' households, they escaped the oversight of enslavers and authorities and, most of the time, escaped whites' oversight altogether. Unlike rural frolicking that gentry sanctioned around the plantation, frolics in the city usually coalesced on seemingly spontaneous occasions.<sup>94</sup> Around plantations, especially in the southern colonies, whites participated in constructing a more institutionalized infrastructure for policing enslaved people's activities. In urban settings, law enforcement buttressed enslavers' power, but the primary responsibility for policing enslaved people and surveilling their activities fell on the shoulders of slaveholders themselves. African-descended people, particularly men, worked alongside people of various labor statuses including

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<sup>94</sup> Shane White, "Slavery in New York State in the Early Republic," *Australasian Journal of American Studies* 14, no. 2 (1995): 17; Stephanie M. H. Camp, "The Pleasures of Resistance: Enslaved Women and Body Politics in the Plantation South, 1830-1861." *The Journal of Southern History* 68, no. 3 (2002): 546.



indentured, free, and apprenticed people, who had less economic or political stakes in perpetuating slavery.

Enslaved men had far more freedom to socially gather, drink, dance and seek other forms of unsanctioned leisure than enslaved women. For example, Adam recalled that on one Sunday morning in 1740 he had time to leave their enslavers' households to "tak[e] a Walk" with his friend Pompey. They headed towards the well near the New Dutch Church when they ran into Othello and Braveboy, "who were both very drunk." Adam asked, "Where they had been?" The men responded that "they had been a frolicking in the Fields" around Bowery Lane with their friends Robin, Sussex, and Curacoa Dick.<sup>95</sup> While the New York Assembly passed a law in 1700 imploring enslavers to "Restrain their Indian and Negro Slaves...and Keep within Doors" on the Sabbath day, slaveholders were also drawn outside on Sundays for religious worship and other routine leisure activities.<sup>96</sup> With enslavers' attention elsewhere, enslaved men who were not domestic servants had far more autonomy because they were not burdened with the same chores on the Sabbath that domestic servants were responsible for completing.

Enslaved women seldom found time in their busy schedules to escape to the fields for a frolic, so when an unsanctioned gathering came around to leave the household enslaved women leapt at the opportunity to join. Missing one such event could traumatize a servant stuck working indoors while her friends were taking advantage of the sunshine and absence of their enslavers to pursue pleasure. A coroner suspected how Mary-Ann died after he and a jury assembled around her body along the shore at Turtle Bay. At the time, the coroner could not tell whether the adolescent girl "destroy[ed] herself" in the bay intentionally or if she met her end by accident. However, he determined that her sisters went for a frolic at Turtle Bay, and left her at the estate

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<sup>95</sup> Horsmanden, *A journal of the proceedings in the detection of the conspiracy*, 104.

<sup>96</sup> *Minutes Of The Common Council Of The City Of New York 1675-1776*, 1:102.

to continue cleaning, laundering, and cooking for their enslavers. The two sisters suspected that Mary-Ann had felt great “Disappointment” that she attempted to follow her sisters when she drowned.<sup>97</sup>

Frolics were only one of many activities that enslaved men and women found pleasure in pursuing, no matter the cost of their insubordination. Taverns, brothels, and bawdy houses served as another cover for enslaved people to find enjoyment in the city away from the prying eyes of authorities and enslavers. In these clandestine spaces, enslaved people purchased alcohol, a plentiful beverage due to the lack of potable drinking water in the city, and a source of consternation for colonists. The New York Assembly and magistrates often heard complaints from well-to-do neighbors about enslaved people “playing[,] hooting [and other] disorderly noise[s]” on the streets and at these public houses, disturbing the pious quiet that their enslavers sought during church services.<sup>98</sup> Catechist Elias Neau complained that on Sundays, the streets were “full of Negroes who dance & divert themselves.”<sup>99</sup> Neau was a missionary of the Society for the Propagation of the Gospel and taught night classes to enslaved people. His disturbance at the sights of African-descended people seeking pleasure outside the confines of religious study reinforced his belief that they were also engaging in sacrilegious behavior.

When enslaved, indentured, and free people of color met casually, they drew the ire of colonists wary of the purpose of their gatherings, particularly whenever alcohol was assumed present. Colonists suspected that mischief and conspiracy would soon follow when people of color drank together. In June 1738, for instance, New Yorkers heard about a potential “Plot

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<sup>97</sup> *The New-York Journal, or the General Advertiser*, May 30, 1771.

<sup>98</sup> Horsmanden, *A journal of the proceedings in the detection of the conspiracy*, 104; *Minutes of the Common Council of the City of New York, 1675-1776* I:276-277.

<sup>99</sup> Elias Neau, Letter to Mr. John Hodges, New York, 10 July 1703, Microfilm Reel 13, The Society for the Propagation of the Gospel in Foreign Parts Papers, 1701-1750, Lambeth Palace Library, London, England.

concerted by the Negroes at Kingston,” a colonial outpost about a day’s journey north along the Hudson River. The editor wrote, “Several People have ‘been amus’d here with Relation of [the] Discovery” after concerned neighbors reported that the party of African-descended people gathered “to drink.” Perhaps enslavers, a neighbor, or the magistrates interrogated one or two of the people, and upon hearing of some “good Information, we find it to be no more than an intended Meeting [to honor] the Memory of an old Negro Fellow, dead some Time agoe, whom they used to call their King.”<sup>100</sup> Colonists made similar claims in 1741 that enslaved men gathered at waterfront taverns with other laborers, including sailors, soldiers, and indentured servants, to complain late into the evening about conditions around the waterfront over “drams, punch, and other strong liquors.”<sup>101</sup> The imbibing of illicit alcohol seemed to prove to authorities enslaved people intended to make more devious mischief and lead to broader disorders throughout colonial society.

Elites blamed cheap spirits and the people who provided them for enslaved people’s willingness to ignore their chores and duties and engage in public displays of frivolities. In the words of Virginian enslaver William Byrd II, enslaved people who drank strong liquors would “break [their own] constitutions” and “ruin [their] industry,” making them lazy and thus unprofitable workers.<sup>102</sup> The New York Assembly operated under a similar assumption when they passed local ordinances to curb enslaved people’s alcohol consumption dating back to the first few years of England’s seizure of Manhattan. In 1669 and later in 1680, assemblymen outlawed Indigenous and African-descended people from imbibing liquor.<sup>103</sup> In addition,

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<sup>100</sup> *New-York Weekly Journal*, June 12, 1738.

<sup>101</sup> Horsmanden, *A journal of the proceedings in the detection of the conspiracy*, 22.

<sup>102</sup> William Byrd, *The Westover Manuscripts: Containing the History of the Dividing Line Betwixt Virginia and North Carolina* (Petersburg: Printed by Edmund and Julian C. Ruffin, 1841), 10.

<sup>103</sup> New York Assembly, *Documents of the Assembly of the State of New York* (Albany: J.B. Lyon Company, 1910), 31: 271; Oscar Reiss, *Blacks in Colonial America* (Jefferson: McFarland & Company, Inc., 1997), 81.

tavernkeepers were fined six shillings for hosting enslaved patrons. Constables patrolled the six wards, ensuring that fined enslaved people did not return.<sup>104</sup> In 1695, the Assembly once again tried to prevent enslaved people from “frequenting of tippling houses” and then again, in 1702, attempted to ban them from gatherings of more than three individuals.<sup>105</sup> In 1709, in 1712, and later in 1741, lawmakers outlawed tavern owners from selling liquor to enslaved people.<sup>106</sup> However, without dedicated police, the Assembly could not enforce these laws effectively, even when they had knowledge of enslaved men and women and tavernkeepers they suspected of violating these colonial ordinances.

Authorities arrested a few enslaved individuals due to intoxication, and all of the surviving cases confirmed the gender disparities in mobility. Men were much more readily able to locate intoxicants and seek pleasure at taverns. In 1723, magistrates arrested and jailed Wan and Tom “for being Drunk [on the] Sabbath Day” because inhabitants claimed to witness the duo committing “Severall Misdemeanors” under the influence of alcohol. The court ordered both enslaved men “Whipped at the Public Whipping post,” and their enslavers compensated for labor loss.<sup>107</sup> In 1772, “Montonny’s negro man” was set to receive “a plentiful dose of warm water (three quarts) and salt...with a portion of lamp oil to act as a purge” from the alcohol he consumed. The unnamed man died from this torture. Authorities found him in his cell on their way to administer another dose of “the usual punishment” to him.<sup>108</sup>

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<sup>104</sup> Albany City Records. Sabbath Observance, 1704, in *Ecclesiastical Records: State of New York* (Albany: J.B. Lyon Company, State Printers, 1902), 1574; Oscar Reiss, *Blacks in Colonial America* (Jefferson: McFarland & Company, Inc., 1997), 81.

<sup>105</sup> *The Colonial Laws of New York from the Year 1664 to the Revolution...* 1:356, 519.

<sup>106</sup> *The Colonial Laws of New York from the Year 1664 to the Revolution...* 1:666, 761, 788; 3:154-155

<sup>107</sup> “Dom Rex v. Wan and Tom” *Minutes of the General Quarter Sessions of the Peace for the City and County of New York*, November 6, 1717.

<sup>108</sup> John F. Watson, ed., *Annals and occurrences of New York city and state, in the olden time: being a collection of memoirs, anecdotes, and incidents concerning the city, country, and inhabitants, from the days of the founders* (Philadelphia: Printed by H.F. Anners, 1846), 286; For a comprehensive discussion of the infrequent prosecutions

Despite their failures to punish enslaved people into sobriety, authorities maintained surveillance on town dwellers they regarded as repeat offenders and troublemakers, who encouraged enslaved people to neglect their duties. Between April and June 1712, authorities raided houses and interrogated seventy-one suspects they believed were involved in a slave conspiracy. Among those pulled into officials' dragnet was Doctor Peter, a free man of color who was acquitted from all charges but was considered a social pariah to elites. Officials and neighbors complained about Doctor Peter's parties for "diverse days and nights." Two years later, authorities raided Doctor Peter's house again. He was arrested and convicted for providing "Harbour [to fugitives] and Entertain[ing] diverse Negroes," explicitly mentioning one enslaved woman Sarah who was accused of leaving her evening chores unattended to attend Doctor Peter's frolic. This time, authorities made Doctor Peter pay a fine amounting to £10 as punishment.<sup>109</sup>

Charges of "entertaining Sundry Negro slaves" repeatedly come up in reams of seventeenth and eighteenth-century court records, confirming the ineffectiveness of authorities policing taverns. The Court of General Sessions prosecuted many tavern keepers, fifty-five in total, between 1683 and 1772 for selling enslaved men and women alcohol. Targeting tavernkeepers who specifically "entertain[ed] Negroes" was unique in New York City.<sup>110</sup> Neighboring colonies had many reasons for regulating the sale of alcohol that, like New York, sought to curb what they feared was helping to disorganize colonial society. Philadelphia's magistrates were most concerned with shutting down unlicensed taverns to deter prostitution,

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for drunkenness, see: Douglass Greenberg, *Crime and Law Enforcement in the Colony of New York, 1691-1776* (Ithaca, N.Y.: Cornell University Press, 1974), 38-39.

<sup>109</sup> "Dom Rex v. Peter, Negro Man," Minutes of the General Quarter Sessions of the Peace for the City and County of New York, February 2, 1714.

<sup>110</sup> Minutes of the General Quarter Sessions, May 2, 1693, August 1, 1693; November 6, 1696; August 3, 1698; August 6, 1706.

drunkenness, theft rings, and fighting. In Boston, Puritan theocrats saw the taverns and alcohol consumption leading to sinfulness, crime, and social unrest.<sup>111</sup> The chaos authorities ascribed to the tavern in the other cities took on a distinctly racialized caricature in New York City. Evidence of disorder or drunken bawdiness reflected a lack of orderliness in the policing of enslaved men and women. Magistrates, in other words, considered the proper order of colonial society to keep slavery intact and the power over enslaved people's activities at all times of the day and night.

While policing tavernkeepers serving alcohol to enslaved people proved futile, authorities nevertheless persisted in performing public spectacles of violence to dissuade and deter enslaved people from attending frolics. In 1767, authorities suspected "20 negroes" were planning a frolic at "a poor white man's house in the Out-Ward." *The Weekly Post-Boy* reported that officers had been surveilling the household beforehand, and "though the Proofs were not positive, they were such as left the Design out of Doubt." Sighting "two pigs ready for the fire and two gallons of wine," officials concluded that these items were intended for the enslaved visitors to enjoy. They conducted a raid around the house without provable evidence, arresting all enslaved people around the property and sentencing them to "receiv[e] the Discipline of the Whip, at the publick Post." The editor's concluding comments encapsulated elites' goals with conducting these raids and public spectacles of violence. They claimed that an example made of these twenty people would dissuade whites and others from opening houses "that ruins Servants, as the Receiver is as bad as the Thief."<sup>112</sup>

Gender, race, and class status determined whether an enslaved person could temporarily escape their servitude to one of the city's "many Little dram shops" for an evening. Sarah's place

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<sup>111</sup> Sharon V. Salinger, *Taverns and Drinking in Early America* (Baltimore: John Hopkins University Press, 2002), 137, 145, 147.

<sup>112</sup> *New-York Weekly Post-Boy*, November 19, 1767.

in Doctor Peter's household was an oddity. Usually, tavern frolics were privileges reserved for men who enslavers did not compel to work at night as they did for women.<sup>113</sup> Enslaved women struggled to leave their evening chores to attend one of these taverns. When they did, enslavers would deride them for what they perceived as contemptuous behavior. In 1752, an enslaved mother frequented taverns and penny drams in New York City whenever she could find time to leave Robert Livingston's household. Drinking into the evening, she likely found friendship among a predominantly male cast of patrons, where she could ignore evening needlework and other caretaking duties her enslaver demanded. In response to these temporary leaves of absence, Robert planned to sell the mother and her children to the countryside claiming alcohol gave her "a devilish tongue" and made her rebellious. She wanted to enjoy a temporary absence after a day of hard work and "Could [not] bridle her passions" whenever Robert attempted to keep her captive in the household. Fearing she would attack him or his wife, Robert told her that he planned to hire her out nearby, "To amuse her." Only after Robert sold her did he tell her the truth to minimize the possibility that she would run away to one of her comrades' refuges.<sup>114</sup> As one of the few enslaved women in attendance on a given evening at a tavern, her absence was likely noticed by the other enslaved patrons around the taverns and penny drams. Perhaps, the day after she and her child were sold off to a plantation, men and women who frequented her favorite haunts raised a toast in her memory around the city.

## Conclusion

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<sup>113</sup> "An Act for Regulating Slaves, [1702]," in *Acts of Assembly Passed in the Province of New York, from 1691 to 1718*. Printed by John Baskett, printer to the Kings most excellent Majesty, and by the assigns of Thomas Newcomb, and Henry Hills, MDCCXIX [1719]), 58; Foote, *Black and White Manhattan*, 204.

<sup>114</sup> Robert G. Livingston, Letter to Henry J. Livingston, 18 June 1752, MS. Collection, New-York Historical Society, New York.

During the seventeenth and eighteenth centuries, men and women of African descent living in and around New York City experienced immense upheaval and social challenges. The transition from Dutch to English slave societies brought on increasingly racialized and gendered methods of policing people of color's presence, labor, and bodies. Enslaved women suffered the brunt of these social and legal policies. Though demographics between men and women stayed roughly equal for most of the eighteenth century, enslaved women represented the demographic makeup of most domestic servants. They struggled against the most invasive forms of surveillance and discipline inside enslavers' households. As the backbone of the enslaved workforce, African women's struggles for autonomy, camaraderie, and sustenance shaped how men circumnavigated the city. Interrogating the carceral makeup of the domestic sphere suggests a rethinking of the contours and effectiveness of enslavers, which existed outside the institutional power dynamics that characterized plantation slavery.



### CHAPTER 3: RACIAL AND GENDER POLITICS OF INFORMANTS AND SURVEILLANCE IN THE 1741 SLAVE CONSPIRACY

In April 1741, Mary Burton, a sixteen-year-old Irish indentured servant, sat in the witness box awaiting two Supreme Court justices' questions. That morning, she had testified against her masters, John and Sarah Hughson; three enslaved men, Cuffee, Caesar, and Prince; and an Irish border named Peggy Kerry. Mary accused them of plotting to "burn the whole Town," "*murde[r] the white People*," and "when all this was done, *Caesar* [an enslaved man] should be Governor, and *Hughson* her Master should be King" of New York City.<sup>1</sup> Authorities believed Mary's claims, and between April and August, she accused many more alleged conspirators. Justices would almost exclusively rely on Mary's testimony to arrest and interrogate 172 enslaved people and their alleged white allies. By the end of the 1741 Conspiracy Trials, justices executed thirty-four enslaved men and four whites, deported another eighty-four enslaved people to the Caribbean, Madeira, and Nova Scotia, and exiled another seven whites from the colony.

Until the 1980s, historians treated the findings of the New York Supreme Court with suspicion. In more recent years, however, historians treated Mary's central assertions of a slave conspiracy as an entry point for recovering enslaved people's culture of resistance and pleasure in mid-eighteenth-century New York City. This wave of scholarship took the prospect of a slave plot seriously.<sup>2</sup> Credit for this voluminous historiography is due to the existence of a single

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<sup>1</sup> Daniel Horsmanden, *A journal of the proceedings in the detection of the conspiracy formed by some white people, in conjunction with Negro and other slaves, for burning the city of New-York in America, and murdering the inhabitants*. ... (New-York: Printed by James Parker, at the new printing-office, 1744), 1, 28.

<sup>2</sup> Thomas J. Davis, *A Rumor of Revolt: The "Great Negro Plot" in Colonial New York* (New York: Free Press, 1985); Thelma Foote, *Black and White Manhattan: The History of Racial Formation in Colonial New York* (Oxford: Oxford University Press, 2004), 168-173; Jill Lepore, *New York Burning: Liberty, Slavery, and Conspiracy in Eighteenth-Century Manhattan* (New York: Knopf, 2005); Peter Linebaugh and Marcus Rediker, *The Many-Headed Hydra: Sailors, Slaves, Commoners, and the Hidden History of the Revolutionary Atlantic* (Boston: Beacon Press, 2000), 174-210; Richard E. Bond, "Shaping a Conspiracy: Black Testimony in the 1741 New York Plot," *Early American Studies* 5, no. 1 (2007): 63-94; Serena Zabin, *Dangerous Economies: Status and Commerce in Imperial New York* (Philadelphia: University of Penn Press, 2011), 132-158.

pamphlet that the Third Justice Daniel Horsmanden published in 1744 amid detractors' accusations that the Supreme Court executed thirty-eight innocent people. In *A Journal of the Proceedings in the Detection of the Conspiracy*, Horsmanden hoped to convince readers of "the Justice" of the proceedings and to warn "every One that has Negroes, to keep a very watchful Eye over them, and not to indulge them with too great Liberties."<sup>3</sup> His account remains one of the only surviving records, along with several personal letters and newspaper columns. Unfortunately, the Supreme Court's minutes were lost during the American Revolution, and a fire in 1911 destroyed what remained of the court documents.<sup>4</sup>

Mary's motivations have mostly escaped historical discussion. Scholarship has largely relegated her testimony's efficacy to lies or embellishments she concocted. Sidestepping the question of the validity of Mary's claims, this chapter instead looks at the essential role women, witness testimony, as well as the role informants played in colonial society. First, Mary's testimony drew together a confluence of ideas that reinforced how elites saw the world around them. Second, justices lacked observable information that informants provided, so witness testimony supplemented officials' oversight of enslaved people. Elites welcomed informants who could tell them what they wanted to know about what enslaved people did behind closed doors. Gender and racial attitudes colonists held towards interracial fraternizing influenced their strategies for policing inhabitants' activities. Recovering the carceral networks of non-slaveholding people shows the significant role of class, race, sexual, and gender politics in the trial's trajectory. New York City did not have a regulated, organized police force to conduct constant surveillance of the people who came and went from the Hughsons' tavern. Instead,

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<sup>3</sup> Horsmanden, *A journal of the proceedings in the detection of the conspiracy*, v, 204-205. Lepore, *New York Burning*, 200-202.

<sup>4</sup> Lepore, *New York Burning*, 93.

Mary's witness testimony was indicative of the means with which authorities attempted to conduct racialized surveillance. Unable to watch what enslaved people did at all times of the day, enslavers, elites, and non-slaveholding whites across class lines cemented ideas about racial difference to the dual projects of policing enslaved people, and defining and protecting white womanhood in opposition to Black manhood.

This chapter also highlights the significant role non-slaveholding white women played in policing the city's lower classes, particularly the enslaved community. Mary Burton may have been the most well-known informant, but white women's impetus to investigate slave spaces made her testimony possible and helped forge cross-class poor and wealthy whites' alliances. In taking Mary's claims seriously and subsequently freeing her from Hughson's contract, elites allied with poor whites for the first time in New York City history to police African-descended inhabitants. More broadly, the trajectory of the 1741 Conspiracy Trials followed a line of judicial inquiry that sought to police the boundaries of gender and sexuality as much as it attempted to punish and discipline white and Black people for violating the colony's laws around race. Analyzing Mary's motivations and the leadup to the trials as a case study exposes how women moved between private and public spaces to pursue suspected crimes and uphold the carceral power over enslaved people.

In recovering the overt and subtle practices of power relations, this chapter shows how colonial criminal justice and slavery incorporated non-slaveholding people and inconspicuous spaces into the project of controlling and disciplining enslaved people. First, enslavers utilized the natural landscape, similar to the built environment of the previous chapter, in order to control the movements of the men they enslaved. Enslaved people experienced a significant slowdown in work and mobility during colder months, particularly the men, who traversed the city more

often than their female counterparts. Forced indoors for many days, weeks, and months out of the year, brought enslaved men under more intense surveillance. With snow battering the northeastern seaboard came the potential for more out-of-control fires to burn parts of the city. In March and April, first responders to thirteen mysterious fires became increasingly suspicious of the enslaved who they claimed plotted these arsons. Whites used the nascent firefighting and policing systems to conduct city-wide surveillance, and through these actions, they reinforced Mary's accusations of a slave conspiracy.

### **Women's Surveillance and the Sexual Politics of Interracial Mixture**

On Tuesday, March 3, 1741, Mary became the primary witness in an investigation into a robbery. It took place at Robert and Rebecca Hoggs' shop, near Hughson's tavern in New York's West Ward. That evening, John or Sarah sent Mary to Ann Kannady's home "to buy a Pound of Candles." Under normal circumstances, purchasing candles from the shop owner was an ordinary chore for a female servant, but Ann later recalled something amiss about Mary's demeanor. Ann's husband, James, a constable and a wigmaker, was investigating John Hughson regarding the recent robbery at the Hoggs' shop. Ann took the opportunity to give Mary "motherly good Advice," asking her "if she knew any Thing" about it. If Mary confirmed Ann's suspicions, she offered to "get her freed from her Master." However, Mary did not reveal anything to her at that moment, but did say, "*she would tell her Tomorrow*; but that her Husband was not cute enough, for that he had trod upon them."<sup>5</sup> Mary indicated that James Kannady had, at one time, investigated criminal activities in the Hughsons's tavern, but that he was not quick-witted enough to discover a plot without the help of an informant.

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<sup>5</sup> Horsmanden, *A journal of the proceedings in the detection of the conspiracy*, 3.

Ann Kannady and other women were not allowed to formally initiate legal proceedings in early America, but they could inspire the men in their communities to action. However, Ann did not wait to find out whether Mary would take her motherly advice. Her suspicions about John and Sarah's "cute" business caused her to share the information with her husband, the Hoggs, and the deputy sheriff James Mills and his wife, who were concerned about a possible theft ring in their midst. The couples formed a posse and walked over to Hughson's tavern to seize Mary. Ann told the deputy "to go in first, and bring Mary...out to her," but after waiting a few moments, she "charged [the] home" to find the Hughsons, some enslaved men, and the female servant in the parlor. Mary refused to say anything but left with the visitors to show silver coins from her pocket, and the posse of couples took her into protective custody. In taking Mary from Hughson's household to City Hall, these free women challenged the gender separation that kept them from participating in eighteenth-century policing expeditions and were active participants in extending the power of the law and the courts into taverns to intercede in stopping suspected of criminal activity.<sup>6</sup>

Mary accused Caesar, Cuffee, and Prince of taking items amounting to sixty pounds from the Hoggs to pawn them at Hughson's, but investigators made little initial headway in proving her claims. The Hughsons, Caesar, Peggy Kerry, and Prince denied everything. John became despondent hearing Mary's testimony, declaring his servant "was a vile, good-for-nothing Girl" and was not trustworthy since "she had been got with Child by her former Master." The jurors and justices assumed John was disciplining his servant and did not take steps to intercede in his

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<sup>6</sup> This analysis prefigures historian Stephanie Jones-Rogers' argument that slaveholding women in the antebellum South were key to the upholding and sustaining "white supremacy and oppression...they were not passive bystanders. They were co-conspirators." Stephanie Jones-Rogers, *They Were Her Property: White Women as Slave Owners in the American South* (New Haven: Yale University Press, 2019), 205.

verbal battery. However, Mary revealed to an alderman that she feared her master or the accused enslaved men would poison her.<sup>7</sup>

This courtroom exchange revealed how sex and sexual violence opened and closed avenues of juridical inquiry for poor women. Status played a crucial factor in determining whether a court tied a man's behavior to any sexual coercion. The Supreme Court did not take time to investigate whether Mary's previous master committed sexual abuse against her, or if she had been pregnant. In general, mid-eighteenth-century colonial Americans characterized men as naturally sexually aggressive, while women and girls were supposed to remain chaste and virtuous. The court likely viewed his advances as consensual.<sup>8</sup>

Still, free people of color and the enslaved never had the option to define their own sexual encounters in a court of law. Moreover, there were no explicit anti-miscegenation laws in colonial New York City as in neighboring Massachusetts (1705) or Pennsylvania (1725). Still, accusations about white women and enslaved men nevertheless upset the racial mores of elites committed to protecting against interracial mixture to ensure the spread of white genealogies.<sup>9</sup> Inspectors believed that whites' demographic supremacy in the settlement was in jeopardy and that interracial liaisons had the potential to diminish their power within a generation or two significantly. By 1740, African-descended people made up twenty percent of the city's

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<sup>7</sup> Horsmanden, *A journal of the proceedings in the detection of the conspiracy*, 1, 3, 4.

<sup>8</sup> Sharon Block, *Rape and Sexual Violence in Early America* (Chapel Hill: University of North Carolina Press, 2006), 12.

<sup>9</sup> A.B. Wilkinson, *Blurring the Lines of Race & Freedom: Mulattoes & Mixed Bloods in English Colonial America* (Chapel Hill: University of North Carolina Press, 2020); Loren Schweninger, *Families in Criss in the Old South: Divorce, Slavery and the Law* (Chapel Hill: University of North Carolina Press, 2012), 22-27; Kirsten Fischer, *Suspect Relations: Sex, Race, and Resistance in Colonial North Carolina* (Ithaca: N.Y.: Cornell University Press, 2001), 164; Martha Hodes, *White Women, Black Men: Illicit Sex in the Nineteenth Century South* (New Haven, Conn.: Yale University Press, 1999). For historical contextualization of the spread of antimiscegenation laws west in the nineteenth and twentieth centuries, and which included bans on a number of ethnicities including Chinese, Japanese, Indigenous, and South Asian people, see: Peggy Pascoe, *What Comes Naturally: Miscegenation Law and the Making of Race in America* (New York: Oxford University Press, 2009).

population, with slave traders bringing new captives from the West Indies and Africa every year.<sup>10</sup> Mary's accusations seem to make the most headway with prosecutors when she accused Caesar and Peggy of a sexual relationship and birthing "a Babe largely partaking of a motley Complexion."<sup>11</sup> Caesar and Peggy tried to hide their relationship and avoid punishment. Waiting until darkness, Caesar snuck into her room "at the window," bringing linens, silver pieces, and other items to support his family.<sup>12</sup> Peggy probably feared authorities sending her to the city's poorhouse for the "parents of Bastard Children," where she would have been subject to punishment such as whipping and fettering.<sup>13</sup>

Peggy's treatment in the courtroom reveals how colonial authorities linked women's sexuality to criminality. Reflecting on the reputation he knew of Peggy, Judge Horsmanden described her as a "*Newfoundland Irish Beauty*, a young Woman about One or Two and Twenty," whose sexual liaisons with an enslaved man corrupted her. She was described as "A notorious Prostitute, and also of the worst Sort, a Prostitute to Negroes."<sup>14</sup> In using this language, Judge Horsmanden denoted her willfulness to eschew racists' sensibilities about interracial sex. Such characterizations reinforced the notion that when white women and African-descended men reproduced, they challenged patriarchal and racial customs that pressured poor and wealthy white women alike to reproduce a racially pure next generation.<sup>15</sup> Peggy exposed colonists'

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<sup>10</sup> E.B. O'Callaghan, *The Documentary History of the State of New-York* (Albany: Weed, Parsons, and Company, 1851), 4:186.

<sup>11</sup> Horsmanden, *A journal of the proceedings in the detection of the conspiracy*, 2; Stephanie Jones-Rogers, "Sexual Violence and the Market Place of Slavery" in *Sexuality & Slavery: Reclaiming Intimate Histories in the Americas*, edited by Daina Ramey Berry and Leslie Harris (Athens: University of Georgia Press, 2018), 114; Foote, *Black and White Manhattan*, 155; "For the Better Preventing of a Spurious and Mixt Issue, &c.," in *The Charters and General Laws of the Colony and Province of Massachusetts Bay* (Boston: T.B. Wait and Co., 1814), 747-48; "An Act for the Better Regulations of Negroes in This Province," in James T. Mitchell and Henry Flanders, *The Statutes at Large of Pennsylvania from 1682-1801*, vol. 4, 1724-1744, chapter 222, [1725-26] section 8 ([Harrisburg]: Clarence M. Busch, State Printer of Pennsylvania, 1896), 62-63.

<sup>12</sup> Horsmanden, *A journal of the proceedings in the detection of the conspiracy*, 2.

<sup>13</sup> *Minutes of the Common Council of the City of New York* (New York: Dodd, Mead, 1905), 4:309-310.

<sup>14</sup> Horsmanden, *A journal of the proceedings in the detection of the conspiracy*, 2.

<sup>15</sup> Foote, *Black and White Manhattan*, 155.

concerns about white women's sexuality untethered from English ideals of female chastity. As a result, they considered her "a Person of infamous Character," who carried "wicked Secrets."<sup>16</sup>

Scholars of the 1741 Conspiracy Trials have taken Judge Horsmanden's claim that Peggy was a prostitute at face value and have not sufficiently questioned the rationale behind this accusation.<sup>17</sup> For Judge Horsmanden, prostitution was synonymous with what he considered promiscuous sexual behavior, particularly with men of color. Justices claimed that Peggy violated the colony's racial and gender mores around interracial sex under charges of prostitution and bastardy. Until the American Revolution, New Yorkers prosecuted very few cases against white women for sex with African-descended men. The first-time officials in court documents accused a woman of being a "common prostitute" was just three years before Peggy was accused. On May 4, 1738, magistrates sentenced Mary Lawrence and Bridget Williams to thirty-one lashes at the whipping post and one year of hard labor in the poorhouse for having sex outside of wedlock and giving "birth to a male child and will not disclose the name of the father."<sup>18</sup> Bastardy served as the evidence of their sexual promiscuity.

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<sup>16</sup> Horsmanden, *A journal of the proceedings in the detection of the conspiracy*, 2; Clare Lyons, *Sex Among the Rabble: An Intimate History of Gender and Power in the Age of Revolution, Philadelphia, 1730-1830* (Chapel Hill: University of North Carolina Press, 2006), 103-109.

<sup>17</sup> For Daniel Horsmanden's use of the word of "Prostitute" as a slur, see: Horsmanden, *A journal of the proceedings in the detection of the conspiracy*, 2. For scholars of 1741 who have not questioned Horsmanden's use of the term "Prostitute" to describe Peggy, see: Ferenc M. Szasz, "The New York Slave Revolt of 1741: a Re-Examination," *New York History* 48, no. 3 (1967): 219; Leopold S. Launitz-Schurer, "Slave Resistance in Colonial New York: An Interpretation of Daniel Horsmanden's New York Conspiracy," *Phylon* (1960-) 41, no. 2 (1980): 138, 146; Edwin G. Burrows and Mike Wallace, *Gotham*, 160; Eric W. Plaa, "New York's 1741 Slave Conspiracy in a Climate of Fear and Anxiety," *New York History* 84, no. 3 (2003): 278; Jill Lepore, *New York Burning*, 37; Jeroen Dewulf makes an important distinction about Kerry by referring to her as "a white, allegedly Irish, prostitute." It is unclear if Dewulf is referring to Kerry's nationality only or if he's also calling her line of work into question. For full quote see, Jeroen Dewulf, *The Pinkster King and the King of Kongo: The Forgotten History of America's Dutch-Owned Slaves* (Jackson: University Press of Mississippi, 2017), 143.

<sup>18</sup> Kelly A. Ryan, *Regulating Passion: Sexuality and Patriarchal Rule in Massachusetts, 1700-1830* (Oxford: Oxford University Press, 2014) 218, n. 29; Kenneth Scott, *New York City Court Records, 1684-1760: Genealogical Data from the Court of Quarter Sessions* (Washington, D.C.: National Genealogical Society, 1982), 51; For examples of prosecutions for keeping bawdy houses see: *The New York Weekly Post-Boy*, August 11, 1755; Richard B. Morris, ed. *Select Cases of the Mayor's Court of New York City 1674-1784* (Washington, D.C.: American Historical Association, 1935), 2:26.



Officials considered white women's sex with African-descended men a violation of the colony's racial and gender code of conduct. Just a month before these cases, officials banished Elizabeth Martin for the crime of being "a common whore with Negro slaves as with others."<sup>19</sup> Likewise, Peggy acted outside the paternalistic boundaries of white women's sexuality with African-descended men in ways that authorities assumed was illegal. Peggy and Caesar's willingness to deliberately break the colonial laws governing interracial sex signaled to authorities that Mary's other claims about a slave conspiracy seemed credible. Officials jailed the mother, father, and child in the dungeon beneath City Hall, awaiting trial and sentencing within this legal context. Peggy and Caesar's child was not mentioned again in Judge Horsmanden's narrative, so it is unclear if the baby died in jail or someone carried the child away to a haven. Both scenarios have seemed plausible to other historians.<sup>20</sup>

As Peggy and Caesar awaited their fates, something or someone started a fire that burned down significant portions of Fort George, a military fortress on the south end of Manhattan.<sup>21</sup> The day after a hectic St. Patrick's Day celebration, flames engulfed the roof of Lieutenant-Governor George Clarke's mansion. Initially, New Yorkers thought that a plumber fixing a leak started the fire when some loose coals in a bucket tipped over and lit the roof ablaze.<sup>22</sup> Then, a gale blew fire across the cedar shingles and onto the neighboring chapel.<sup>23</sup> New Yorkers from

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<sup>19</sup> Scott, *New York City Court Records, 1684-1760*, 51.

<sup>20</sup> Lepore, *New York Burning*, 37; Linebaugh and Rediker, *The Many-Headed Hydra*, 177. When infants are mentioned in the rest of the narrative they are divorced from their parentage in the text further highlighting the close association the Third Justice sought to connect between mixed-race children and criminality. For example, John's wife, Sarah Hughson was recorded as bringing "thither a Sucking Child at her Breast, which was ordered to be taken away" and possibly sent to the poorhouse. But there was no mention if the infant was her own, as Judge Horsmanden assumed, or if Sarah was a wet-nurse to her grandchild since her daughter, Sarah, recently gave birth too, or Peggy and Caesar's infant. Horsmanden, *A journal of the proceedings in the detection of the conspiracy*, 2

<sup>21</sup> Horsmanden jumps from March 4 to March 18 when the first fire starts. He does not write about Caesar or Peggy in any record until April 22 when Mary Burton makes her first accusations about the Conspiracy.

<sup>22</sup> *The Boston Evening-Post*, April 13, 1741.

<sup>23</sup> E.B. O'Callaghan., ed. *Documents Relative to the Colonial and Revolutionary History of New-York* (Albany: Weed, Parsons and Company, 1855), 6:186.

around the colony arrived at the scene in droves and were “very active and diligent upon these Occasions.” First responders saved George and his family, most of their household items, and a significant number of records held in the Secretary’s office. Still, the blaze devastated the building’s foundation. Three years later, the fort was still “in ruins,” and officials were still only “talk[ing] of repairing it” with no progress made.<sup>24</sup> Over the next three weeks, six more fires raged. Inhabitants explained some away as accidents. The roof of Captain Peter Warren’s house went up “in Flames” near the Long Bridge in southwest Manhattan, and it was initially supposed that the “Firing of a Chimney” caused the blaze to spread. A week later, a fire burned the blockmaker Winant Van Zant’s house to the ground, and first responders blamed “a Ma[n] smoking a Pipe” for setting fire to hay stored in the “Old Wooden Building.”

But other fires seemed much more suspicious. On Saturday, April 4, two fires started in the East and West Wards, one “in the loft of the Kitchen” where it was rumored “a Negro slept.”<sup>25</sup> After this fire, New Yorkers began to suspect people of color of arson. Sunday, April 5, was a turning point for inhabitants’ suspicions about who was causing the fires. Early that morning, smoldering coals “singed some Part of the Hay” in Joseph Murray’s Coach-House along Broadway, “but the Coals went out of themselves.” Witnesses said they followed a trail of “Coals and Ashes... along from the Fence to a neighboring House” and into the adjoining horse stables, “which caused a Suspicion of the Negro that lived there” but did not know the origin of the fires.

Later that day, another white woman’s surveillance of several African-descended men led to the arrests of the first suspect, an enslaved man named Quaco. Abigail Earle looked out her

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<sup>24</sup> Alexander Hamilton, *Hamilton's Itinerarium: being a narrative of a journey from Annapolis, Maryland, through Delaware, Pennsylvania, New York, New Jersey, Connecticut, Rhode Island, Massachusetts and New Hampshire, from May to September, 1744* (Saint Louis, Mo.: Printed only for private distribution by W.K. Bixby, 1907), 55.

<sup>25</sup> Horsmanden, *A journal of the proceedings in the detection of the conspiracy*, 6.

window when she noticed three men walking along Broadway. Abigail was dismayed to see what she claimed was an “an Air” of pompous boasting and “vapouring” as they laughed and sang together. She overheard one of them exclaim, “*Fire, Fire, Scorch, Scorch, A LITTLE,—Damn it, BY-AND-BY.*”<sup>26</sup> About an hour passed when she saw the men walking again in the opposite direction. Abigail pointed them out to another white woman, asking for information about the men. Her neighbor, Mrs. George, identified one of them as “*Mr. WALTER’s Quaco.*” On a hunch that Quaco’s apparent arrogance signaled his complicity in the fire, Abigail caught the attention of an alderman who arrested him. Later, the two women positively identified him at City Hall.<sup>27</sup>

Authorities’ power over the precariat primarily relied on ordinary people’s willingness to act as informants. Mary, Abigail, and Mrs. George provided information about several enslaved men and spurred authorities to investigate further. Claims about men of color and about Peggy violating the city’s social mores around race, sex, and public behavior instigated a deeper exploration into the happenings at the Hughsons’ waterfront tavern and about the behaviors of enslaved men with white women. Nevertheless, Mary’s testimony against her master and his patrons could have backfired. Though unlikely, she may have been forced to return to work for the Hughsons, serving her masters and their guests, fearful that they would poison her out of a need for revenge. To understand the motivations of the New York Supreme Court to take up the case and charge hundreds of African-descended men and women with conspiracy, it is important to underscore what racial, gender, and environmental factors motivated Mary towards accusing the Hughsons, Peggy, and the enslaved male patrons in the winter of 1741.

### **Race, Gender, and Environmental Politics at Hughson’s Tavern**

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<sup>26</sup> Horsmanden, *A journal of the proceedings in the detection of the conspiracy*, 7.

<sup>27</sup> Horsmanden, *A journal of the proceedings in the detection of the conspiracy*, 8.

As an indentured servant at Hughson's tavern, Mary witnessed the ways that New York's rigid racial hierarchy was only an imagined construct by Judge Horsmanden. The waterfront tavern was "a world turned upside down." Poor and unfree people of African, Irish, West Indian, and Spanish heritage regularly met to drink, fenced goods, procreated, and enjoy each others' company and camaraderie. These acts of sharing in the spoils seemed to some scholars characteristic of "a simple communism."<sup>28</sup> However, glossing over the paternalistic power relations inside Hughson's tavern misses how gender divisions of labor were crucial to the family economy of colonial households, yet often went undocumented in early America.<sup>29</sup> The Hughsons likely compensated Mary Burton's time and labor for several years of servitude with food, lodgings, and washing quarters. In addition, they may have occasionally taught her to read and write in exchange for "any sort of Housework." Labor inside a bawdy tavern was never without work, including cleaning rooms, preparing and serving food and alcohol to patrons, fetching water, caretaking infants, including preparing meals, sewing, and anything else her masters demanded.<sup>30</sup>

As common as these chores may have been for indentured and enslaved domestic servants, Mary labored in a world of contradictions. Her status as a white person in colonial society with a modicum of legal privileges above slaves in the city contradicted her position as her masters' servant waiting on enslaved people. For Mary, reconciling these two statuses may have caused her "Temper" to flair and seek revenge against her masters, according to Judge Horsmanden. He would claim that the primary resentment that Mary held towards the Hughsons, Caesar, and Peggy was that they had demanded she hide the infant's parentage from nose

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<sup>28</sup> Rediker and Linebaugh, *The Many-Headed Hydra*, 176.

<sup>29</sup> Laurel Thatcher Ulrich, "Martha Ballard and Her Girls: Women's Work in Eighteenth-Century" in *Work and Labor in Early America*, edited by Stephen Innes (Chapel Hill: University of North Carolina Press, 1988): 70-105.

<sup>30</sup> *Collections of the New-York Historical Society*, 42 (1909): 115, 158; *New-York Gazette*, June 1, 1747.

neighbors. Working under contract, John and Sarah Hughson required Mary to serve the tavern's many enslaved and free patrons and boarders. When she went to the Kannady's shop, Ann asked to know the newborn's racial identity and who the father was. Mary told her "it was as white as any of her Children" and stated specifically that Caesar "was not the Father of that Child."<sup>31</sup> Over time this arrangement seems to have soured for Mary as her racial resentments manifested. When Caesar tried to pay the indentured servant with "*a Piece of Silver*" to look after Peggy and his child while he was off serving his enslaver, Mary rebuffed him. She refused to care for a "*black Child, but perhaps she might have submitted to have look'd after White People's.*" The additional workload of caretaking a newborn might not have bothered Mary since either Sarah Hughson or her daughter (also named Sarah) was with child too. Instead, she refused to serve Caesar's child since they were "Babe largely partaking of a motley Complexion."<sup>32</sup>

Mary's racially informed animosity towards Caesar, Peggy, and their child was not isolated. Instead, her issues with the interracial family seemed to have been the culmination of a long time of "attending and serving upon Slaves, and such a Band of *black and white Ruffians*; which, it seems, was the Service enjoined her."<sup>33</sup> Possibly hearing and seeing enslaved men and her masters seated around tables declaring revolutionary violence against whites "added to [her] Terrors."<sup>34</sup> During the trial, Judge Horsmanden's claims, Mary testified that Cuffee threatened "to have her for a Wife" if she told anyone about the plot.<sup>35</sup> In these sorts of scenes, Judge Horsmanden conjured images of an innocent, young, white female sixteen-year-old serving

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<sup>31</sup> Horsmanden, *A journal of the proceedings in the detection of the conspiracy*, Appendix, 1.

<sup>32</sup> Horsmanden, *A journal of the proceedings in the detection of the conspiracy*, 2, 5, Appendix.

<sup>33</sup> Horsmanden, *A journal of the proceedings in the detection of the conspiracy*, 201

<sup>34</sup> Horsmanden, *A journal of the proceedings in the detection of the conspiracy*, 201

<sup>35</sup> Horsmanden, *A journal of the proceedings in the detection of the conspiracy*, 38.

African-descended men to create a dichotomy in readers' minds that juxtaposed their desire to protect white womanhood against unrestrained Black men, who would run amok if uncorrected.

Mary's testimony to the court resonated with how white justices, jurors, elites, and other authorities already felt about Hughson's tavern and, more generally, enslaved men's character. For years, John's neighbors "frequent[ly] complain[ed] of Hughson entertaining Negroes," until authorities launched an investigation in the summer of 1740. Mary had been working for the Hughsons for a few weeks when constables Joseph North, Peter Lynch, and John Dunscomb "went down thither to disperse a Cabal of Negroes at Hughson's last Whit[s]ontide," or Pentecost to celebrate the change of seasons. African-descended people embraced, coopted, and reappropriated elements of this traditionally Dutch holiday with Afro-Dutch customs.<sup>36</sup> Harmonies of African drums, freshly-tuned banjos called "Bangers," fiddles, and other instruments filled Hughson's tavern, alerting the authorities to the illicit party's location.<sup>37</sup> Inside, the constables found a "Room where the Negroes were round a Table, eating and drinking, for there was Meat on the Table, and...Forks," but they were most distraught when they saw a white woman, Peggy, serving them with "a Tumbler in her Hand for them to drink in."<sup>38</sup> Thus, it was

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<sup>36</sup> Horsmanden, *A journal of the proceedings in the detection of the conspiracy*, 55; Ira Berlin, "From Creole to African: Atlantic Creoles and the Origins of African-American Society in Mainland North America," *The William and Mary Quarterly* 53, no. 2 (1996): 255, 263; Shane White, "Pinkster: Afro-Dutch Syncretization in New York City and the Hudson Valley," *The Journal of American Folklore* 102, no. 403 (1989): 68. White voiced skepticism about whether Pinkster was practiced in large part by people of African descent prior to the early nineteenth century. However, enslaved people make multiple confessions in Horsmanden's Journal that refer to learning about the plot during Whitsuntide/Pinkster. Historians since have since challenged this interpretation that enslaved people did celebrate Pinkster and that it was a holiday adopted and made African tradition as much as it was a European one. For more information, see: Hodges, *Root & Branch*, 87-88; Harris, *In the Shadow of Slavery*, 40-41 and Lepore, *New York Burning*, 158-159. More broadly, historian Jeroen Dewulf has argued that the custom was not even Dutch originally, but instead came from the Congo. Jeroen Dewulf, *The Pinkster King and the King of Kongo*. For other scholarship about Pinkster festivities see: Joseph P. Reidy, "'Negro Election Day' & Black Community Life in New England, 1750-1860," *Marxist Perspectives* 1 (Fall 1978), 102-117; A.J. Williams-Myers, "Pinkster Carnival: Africanisms in the Hudson River Valley," *Afro-Americans in New York Life and History* 9 (1985), 7-17; Sterling Stuckey, *Slave Culture: Nationalist Theory and the Foundations of Black America* (New York: Oxford University Press, 1987); Shane White, "'It Was a Proud Day': African Americans, Festivals and Parades in the North, 1741-1834," *Journal of American History* 81 (June 1994), 13-50.

<sup>37</sup> *New-York Weekly Journal*, March 7, 1736.

<sup>38</sup> Horsmanden, *A journal of the proceedings in the detection of the conspiracy*, 55.

not a massive stretch for justices to believe Mary's accusations, who already assumed enslaved people met at Hughson's taverns to plot murder, arson, and transform this slave society into chaos.

Mary's allegations linked collective memories of the 1712 Slave Revolt to white New Yorkers who were alive thirty years earlier. Her initial accusations fit the *modus operandi* of the accused enslaved conspirators in 1712. Justices may have found too many coincidences. Some of the participants in the 1741 investigation included Adolph Phillipse, Rip Van Dam, and Jacobus Vaarck, who were themselves enslavers to accused plotters in 1712. Moreover, their relatives also participated in the trial proceedings, including the juror Isaac Van Dam, the Second Supreme Court Justice Frederick Phillipse, and the witness Jacobus Vaarck.<sup>39</sup> The Grand Jury was left "most astonish[ed]" when Mary told justices, "*That when [Caesar, Cuffee, and Prince] set Fire to the Town, they would do it in the Night, and as the white People came to extinguish it, they would kill and destroy them.*"<sup>40</sup> In connecting her deposition to the 1712 Conspiracy Trials, Mary made her story believable to authorities who seldom went inside Hughson's tavern. Mary's depicted a world to justices that reinforced their racist obsessions about her account of Caesar and Peggy's relationship, and what they thought enslaved people did at secret gatherings.

Freezing weather in the months preceding the trials likely catalyzed what may have remained an isolated case of an indentured servant accusing her masters of hosting a theft ring. Colder weather kept people inside longer in cloistered spaces with more finite resources than in warmer months, and masters and enslavers often relied on servants' unfree labor. Wintertime took on multiple meanings for the people who inhabited New York City, and particularly those who entered John Hughson's tavern. The hustle and bustle of the summer considerably slowed in

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<sup>39</sup> Plaag, "New York's 1741 Slave Conspiracy in a Climate of Fear and Anxiety," 293-296.

<sup>40</sup> Horsmanden, *A journal of the proceedings in the detection of the conspiracy*, 13.

colder months when heavy snows fell, waterways froze over, and inhabitants strained to make provisions last through the winter. The cold tended to push men and women indoors for long stretches of time.

For the enslaved, the months between November and February marked a dramatic shift in what activities they could do to occupy their time away from their enslavers' oversight, let alone escape slavery. Running away, frolics, and other similar outdoor activities that enslaved people performed in warmer months dramatically lessened. Taverns, however, remained one place New Yorkers of all social statuses could seek pleasure at all times of the year. For the enslaved, bawdy houses were hubs for temporarily absenting themselves from the drudgery of their devalued labor in households, the dockyards, and on the streets. John Hughson's tavern was one such gathering spot since he was willing to break local laws that banned tavernkeepers from selling and serving alcohol to enslaved people.<sup>41</sup>

If John violated the racial order by hosting enslaved men and women, he nevertheless upheld the gender division of labor within his waterfront tavern. In addition to Mary Burton, John and Sarah (né Luckstead) Hughson had at least four daughters, including nineteen-year-old Sarah and sixteen-year-old Mary, to shoulder some of the domestic burdens of operating a busy bawdy house.<sup>42</sup> Wintertime tended to exacerbate these tensions. As more evening were spent inside the two-story house, Mary had few moments when she was not completing some chore, waiting on some group of enslaved patrons with other members of the Hughson clan, and sometimes Peggy Kerry. Mary stated to the Grand Jury she left the household rarely for errands "dress[ed] in Man's Cloaths, put on Boots, and went with [Hughson] in his Sleigh in the deep

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<sup>41</sup> Albany City Records. Sabbath Observance, 1704, in *Ecclesiastical Records: State of New York* (Albany: J.B. Lyon Company, State Printers, 1902), 1574.

<sup>42</sup> Davis, *A Rumor of Revolt*, 63, 235, 317.



Snows into the Commons, to help him fetch Firewood for his Family.”<sup>43</sup> Even in the brief moments when Mary did leave the waterfront tavern, John Hughson was overseeing her work and movements.

The multiple meanings that New Yorkers held for cold weather and the impact of winter on the lives of the poor and unfree people remains understudied in the historiography of early America.<sup>44</sup> Wintertime exacerbated the carceral conditions the enslaved and the indentured experienced.<sup>45</sup> British North America was subject to ice and snowfall for most of the year from the fourteenth to the mid-to-late nineteenth century.<sup>46</sup> Climate scientists have called this period the Little Ice Age. On average, annual temperatures dropped towards lower extremes.<sup>47</sup> From November 1740 and the end of March 1741, New Yorkers provide evidence that the city’s inhabitants were grappling with especially harsh weather conditions.

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<sup>43</sup> Horsmanden, *A journal of the proceedings in the detection of the conspiracy*, 4.

<sup>44</sup> Tony C. Perry, “‘In bondage when cold was king’: The Frigid Terrain of Slavery in Antebellum Maryland,” *Slavery & Abolition* 38:1, 23-36; Max L. Grivno, *Gleanings of Freedom: Free and Slave Labor along the Mason-Dixon Line, 1790–1860* (Urbana: University of Illinois Press, 2011); Christopher Morris, “A More Southern Environmental History,” *The Journal of Southern History* 75, no. 3 (2009): 581–98; Darrett B. Rutman, Charles Wetherell, and Anita H. Rutman, “Rhythms of Life: Black and White Seasonality in the Early Chesapeake,” *Journal of Interdisciplinary History* 11, no. 1 (1980): 29–53; Mart A. Stewart, “‘Let Us Begin with the Weather’: Climate, Race and Cultural Distinctiveness in the American South,” in *Nature and Society in Historical Context*, ed. Mikulas Teich, Roy Porter, and Bo Gustafsson (Cambridge: Cambridge University Press, 1997); Ulrich Bonnell Phillips, *Life and Labor in the Old South* (Boston, MA: Little, Brown, and Company, 1929).

<sup>45</sup> In general, scholars of the 1741 Conspiracy Trials have discussed the harsh winter of the preceding months as one factor that may have led to the proliferation of fires in March and April, but little historical discussion has focused on the ways the cold both encouraged and disempowered enslaved people from conspiracy. See: Lepore, *New York Burning*, 15-39; Davis, *Rumor of Revolt*, 27-32.

<sup>46</sup> Sam White, “The Real Little Ice Age,” *Journal of Interdisciplinary History* 44, no. 3 (Winter 2014): 346.

<sup>47</sup> Sam White, *A Cold Welcome: The Little Ice Age and Europe’s Encounter with North America* (Cambridge: Harvard University Press, 2017); Anya Zilberstein, *A Temperate Empire: Making Climate Change in Early America* (New York: Oxford University Press, 2016); Thomas Wickman, “‘Winters Embittered with Hardships’: Severe Cold, Wabanaki Power, and English Adjustments, 1690–1710,” *The William and Mary Quarterly* 72, no. 1 (2015): 57–98; Wolfgang Behringer, *A Cultural History of Climate*, trans. Patrick Camiller (Cambridge, UK: Polity, 2010), 121–67; Geoffrey Parker, *Global Crisis: War, Climate Change and Catastrophe in the Seventeenth Century* (New Haven: Yale University Press, 2013); John F. Richards, “Climate and Early Modern World Environmental History,” in *The Unending Frontier: An Environmental History of the Early Modern World*, edited by John F. Richards (Berkeley: University of California Press, 2003); Brian Fagan, *The Little Ice Age: How Climate Made History, 1300–1850* (New York: Basic Books, 2000).

For many, traveling into and outside of the city without proper provisions to make it through the lean months could mean certain death. Ice froze over the Hudson River so thoroughly “no Vessels can stir” for thirty miles. As the waterlines became too low to navigate, captains abandoned stopped ships. Six vessels “froze up in the Sound bound to this Place.”<sup>48</sup> Snow battered the eastern seaboard and covered the city streets so high that a correspondent for *the New-York Weekly Journal* complained, “Lovers of Sled-riding could scarcely use them without Danger.”<sup>49</sup> On December 22, editor John Zenger let readers of the *New-York Weekly Journal* know he enjoyed “a Warm Room by a good Fire Side” but had to keep his words brief because “the Ink Freezes in the Pen.”<sup>50</sup>

While all New Yorkers were subjected to cold, only the fortunate few successfully escaped the weather’s harshest elements. A person’s status determined their ability to escape the cold. Despite some affluent New Yorkers’ altruism, the blizzard of 1740-1 was especially deadly for the poor. Judge Horsmanden noted, “the cold Weather ...reduced many Families to Extremity,” while another author wrote that many were “[driven] to the greatest extremities for Want of Wood.”<sup>51</sup> New Yorkers suffered further as prices fell and goods grew scarce.<sup>52</sup> While municipal authorities dabbled in poverty relief programs, few New Yorkers collected. Between 1721 and 1725, roughly two-hundred New Yorkers appear on municipal relief rolls as boarders, in the almshouse, or even qualified.<sup>53</sup> Some relied on the wealthy’s charity. Sometimes when elite individuals died, they left behind “a large Quantity of Coals...to be distributed among the Poor,”

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<sup>48</sup> *The New-York Weekly Journal*, January 7, 1740; *The New-York Weekly Journal*, January 12, 1740; *The New-York Weekly Journal*, February 16, 1740.

<sup>49</sup> *The New-York Weekly Journal*, December 22, 1740.

<sup>50</sup> *The New-York Weekly Journal*, December 22, 1740.

<sup>51</sup> Horsmanden, *A journal of the proceedings in the detection of the conspiracy*, 27; *The New-York Weekly Journal*, January 5, 1740.

<sup>52</sup> William Smith, Jr., *History of the Province of New York, 1757* (Cambridge, MA: Harvard University Press, 1972), 2:49; Lepore, *New York Burning*, 5.

<sup>53</sup> Burrows and Wallace, *Gotham*, 145.

while other charitable New Yorkers collected “upwards of Five Hundred Pounds” for the needy.<sup>54</sup> Food and fuel for warmth were scarce. Deer, cattle, squirrels, birds, sheep, and other animals died off because the “Cold had been so severe,” and starvation among poorer inhabitants rose precipitously in the lean months.<sup>55</sup>

The few free African-descended New Yorkers living inside the city had specific challenges in colder weather that outlined the limits to their freedom. Before George Norton died in September 1717, he manumitted Robin, an enslaved man. The will’s executor, Ebenezer Wilson, refused to pay Robin his freedom dues amounting to “Thirty Pounds” because Norton had not “Inventory’d s[ai]d negro Robin as part of s[ai]d George Nortons Estate.”<sup>56</sup> Without the record of his enslavement and therefore no dues legally owed to him, he found leaving the immediate vicinity of his former enslaver’s estate quite difficult. “In the Winter,” Robin returned to George’s estate, where Sam, another enslaved man, provided him with clothes and shelter. As Sam’s petition reveals, “When he is sick or Lame,” Robin was “lain upon [Sam] for a month at a time” until he recovered, “But so soon as he is well and able to work Mr. [Ebenezer] Wilson takes him away and Imploys him in his own services.”<sup>57</sup> Robin’s precarious situation, between poverty, ill health, and harsh weather all keeping him near the estate led to further exploitation from white people like Mr. Wilson, who forced Robin to return to harsh, exploitative types of servitude he suffered before manumission. The cold and the power of slaveholders in colonial society ensured that survival outside of slavery was difficult, even with the help of free(d) and enslaved communities.

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<sup>54</sup> *The New-York Weekly Journal*, January 12, 1740; *The New-York Weekly Journal*, January 15, 1741.

<sup>55</sup> *The New-York Weekly Journal*, February 23, 1740.

<sup>56</sup> E.B. O’Callaghan ed., *Journal of the Legislative Council of the Colony of New-York, 1691-1775* (Albany: Weed, Parsons & Co., printers, 1861), 1: 410.

<sup>57</sup> O’Callaghan ed., *Journal of the Legislative Council of the Colony of New-York, 1691-1775*, 1:410.

For enslaved New Yorkers, the wintertime could also mean a death sentence. Adequate coverings were a luxury to come across. During Antonio de St. Bendito's thirty-mile trek through dense forests on foot towards his slaveholder's plantation in Westchester County, his feet froze. Born a free man of Spain, Antonio was among five Spanish prisoners of war who were sold into slavery in 1740 and protested their freedom.<sup>58</sup> He may have used the "first great Snow" to escape his enslaver Peter De Lancey, or at the very least made himself "unable to walk" due to frostbite, which temporarily allowed some respite from his burdensome duties.<sup>59</sup>

For this reason, enslaved people made fewer escape attempts in the cold than they did in the summer.<sup>60</sup> Men tended to run away more often than women during most days of the year, but with slaveholders' families stuck indoors, enslaved and indentured domestic servants rarely found a moment's rest, let alone to leave.<sup>61</sup> However, cold weather did serve as cover for the most desperate measures enslaved people took to escape enslavers. For example, after Mrs. Machado verbally abused her enslaved servant, Diana "*took her own young Child from her Breast, and laid it in the Cold, that it froze to Death.*"<sup>62</sup>

Because escaping slavery was less likely in the winter, enslavers' surveillance slackened. With fewer people on the streets to sound the alarm or notice an absence in the workforce, some opportunities did present themselves for enslaved people to run away, especially around Christmastime. They would have a few days' head start.<sup>63</sup> During the holiday, fugitives could make their way to neighboring plantations to find family or enlist in the British military to ensure

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<sup>58</sup> Horsmanden, *A journal of the proceedings in the detection of the conspiracy*, 81; Burrows and Wallace, *Gotham*, 159.

<sup>59</sup> Daniel Horsmanden, *A journal of the proceedings in the detection of the conspiracy* 73, 81; Robert Bolton, Jr., *History of the County of Westchester from its First Settlement to the Present Time* (New York: Printed by Alexander S. Gould, 1848), 2:331.

<sup>60</sup> Hodges and Brown, *Pretends to Be Free, Appendix*.

<sup>61</sup> Camp, *Closer to Freedom*, 81-82.

<sup>62</sup> Horsmanden, *A journal of the proceedings in the detection of the conspiracy*, 35.

<sup>63</sup> Perry, "In bondage when cold was king," 29-31

access to some sustenance.<sup>64</sup> Nights became longer too, leaving more opportunities to learn to read and write from willing clergy members. The catechist Elias Neau, who opened a baptismal school in his house for enslaved women and men, noted that he was “obliged to keep my school by candle light in the winter; because in the daytime they are employed in working.”<sup>65</sup> The long winter evenings provided more time to socialize without the close oversight of enslavers and overseers.

Socializing with friends late into the evening, finding warmth around a fireplace, enjoying live entertainment, and eating hardy meals of “Veal, Ducks, Geese, a Quarter of Mutton, and Fowls” made Hughson’s tavern an appealing place to New York’s enslaved inhabitants during the winter of 1740/1741. Bastion recalled fond memories of nights spent just this way at the waterfront.<sup>66</sup> Yet, someone was pouring more ale into their flagons, fetching more firewood to reinvigorate the smoldering embers, cooking the meat, and cleaning the household from top to bottom. Judge Horsmanden leaves only the shadow of Mary’s presence in Hughson’s tavern. Mary was responsible for much of this domestic work, and it was probably made more difficult in the weeks after she had accused her master of robbing the Hogg’s household. Mary was probably responsible for some of these chores along with the other women and adolescent Hughson girls who lived at the tavern.

The evidence that Judge Horsmanden recorded from Mary’s testimony regarding white women serving Black men drove anti-Black racism during the Conspiracy Trials just as the specter of white women baring African-descended men’s children confirmed to authorities that enslaved men and white allies designed to upend the racial order of colonial society. Mary

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<sup>64</sup> *The New-York Gazette: or, The Weekly Post-Boy*, December 13, 1756, January 31, 1757, December 12, 1765.

<sup>65</sup> Elias Neau, Letter to John Chamberlayne, 22 July 1707, in Frank J. Klingberg, “The S. P. G. Program for Negroes in Colonial New York,” *Historical Magazine of the Protestant Episcopal Church* 8, no. 4 (December 1939): 314.

<sup>66</sup> Horsmanden, *A journal of the proceedings in the detection of the conspiracy*, 70

established credibility to the Grand Jury not because she fabricated a fantastical story, but instead that the testimony she did provide seemed to confirm what authorities already suspected enslaved people did, whether she told the truth or not about their intentions to carry out a citywide slave rebellion. If it is unknowable what enslaved men did indeed discuss inside Hughson's tavern all those days and nights, analyzing the ways winter, race, and gender intersected complicates how histories of the 1741 Slave Conspiracy get told. Who held power and privilege inside Hughson's tavern did not match the imagined hierarchies that enslavers and authorities projected into colonial documents. Interrogating the complex social dynamics between Mary, the Hughsons, and the enslaved patrons at the waterfront tavern reveals how surveillance and carceral culture ebbed and flowed with the changing environmental conditions that shaped the colony throughout the year.

### **Mob Surveillance and the Racial Politics of Fear During the Great Fires of 1741**

If the harsh winter of 1740 and 1741 fueled poor, indentured, and enslaved town-dwellers' discontent with the social system, the mysterious fires catalyzed white inhabitants' hostilities towards the lower classes. Fires commonly occurred in mid-eighteenth-century towns constructed almost entirely out of wood.<sup>67</sup> For example, on February 4, 1733, a fire broke out in Captain Ricket's kitchen at four o'clock in the morning, "which was soon reduced to ashes."<sup>68</sup> Two weeks later, carpenter Johannes Van Gelder died in his own house when investigators suspected "he was taken with an Apoplexy, and so fell into the Fire."<sup>69</sup> On September 13, 1736,

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<sup>67</sup> For a list of laws passed for the prevention of fire, see: *The America Weekly Mercury*, October 29, 1730 (purchased two more fire engines); *The New-York Weekly Journal*, February 20, 1737 (increase chimney inspections); *The Colonial Laws of New York from the year 1664 to the Revolution...* (Albany: J. B. Lyon, state printer, 1894), 3:181-184.

<sup>68</sup> *The New-York Weekly Journal*, February 4, 1733.

<sup>69</sup> *The New-York Weekly Journal*, February 18, 1733.

*The Boston Evening Post* reported “the melancholy News” that John Foster’s home and warehouse on Flushing, Long Island “were consumed to Ashes, and little or nothing saved,” totaling around £2000 in damages.<sup>70</sup> Because of how often fires happened, Judge Horsmanden initially recalled, “No one imagined [the fire at Fort George] was done on Purpose.”<sup>71</sup>

While fires could turn portions of the city to ash, New Yorkers collectively sought warmth for survival. In wintertime, New Yorkers gathered, huddled around fireplaces or outside near the fort, along Broadway, the South Ward, and the East River.<sup>72</sup> Sled drivers and fleets of boats from Connecticut and Long Island annually transported wood into New York City each fall.<sup>73</sup> In 1761, Cadwallader Colden estimated that in a city of 2,000 inhabitants, over 20,000 cords were burnt annually, or roughly ten per house per year. Cadwallader boasted, “Owners gladly give the wood to [those] who will burn it or clear the soil of it.”<sup>74</sup> Fires brought New Yorkers together. For the 1741 Conspiracy Trials, the tasks associated with fire prevention and firefighting influenced the contours of the colony’s policing would-be arsonists and led to white mobs performing surveillance duties for authorities looking for the culprits.

As early as the 1730s, officials centralized and regimented the city’s protection services to ensure property holders took proper precautions against an out-of-control blaze. They encouraged inhabitants to band together to protect property from immolation. In 1731, The Common Council passed “A Law for the Better Preventing of Fire.” Fire prevention was a massive undertaking for a colonial government in the mid-eighteenth century. They appointed

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<sup>70</sup> *The Boston Evening Post*, September 13, 1736; *The Boston News-Letter*, October 7, 1736.

<sup>71</sup> Horsmanden, *A journal of the proceedings in the detection of the conspiracy*, 6

<sup>72</sup> Francis J. Sypher, Jr., ed., *Minutes of Coroners Proceedings, City and County of New York, John Burnet, Coroner, 1748-1758* (New York: New York Genealogical and Biographical Society, 2004), xxv.

<sup>73</sup> Blake McKelvey, *Snow in the Cities: A History of America's Urban Response* (Rochester, N.Y.: University of Rochester Press, 1995), 11.

<sup>74</sup> “*The Colden Letter Books*, vol. 1, 1760-1765” in *Collections of the New-York Historical Society*, vol. 9 (New York: New-York Historical Society, 1877), 61.

chimney inspectors to each ward to survey every household for anything “defective” every month, purchasing two new fire engines, and instituting a bucket mandate requiring property-owners to hang leather buckets with the owner’s name outside. Authorities determined the number of buckets a proprietor was required to have based on the number of chimneys that were at the residence. Bakeries needed to keep three buckets, and breweries posted six at the front door. In the event of a fire, the occupants inside would bring these buckets to the street, where first responders ran the buckets to the closest water source, which was either the neighborhood’s nearest well-pumps or the Hudson River.<sup>75</sup>

Most New Yorkers understood firefighting as a community effort cutting across racial and labor status lines. Bells ringing sounded the alarm to the colony that there was an active fire and that all inhabitants needed to respond to the scene. Joining a bucket brigade, colonists hastily formed two columns and rallied buckets of water back and forth between the source and the fire.<sup>76</sup> During the fire at Fort George, one witness recalled seeing “Negroes as well as white Men, from the Water Side thro’ the Sally Port, in order to hand Water along to the Fire.”<sup>77</sup> In these chaotic moments, however, whites scrutinized the enslaved far more closely, possibly due to their memories and fears of possible slave insurrections.

Colonists commonly ascribed fire to the opening salvos of slave insurrection. In the 1730s, avid readers of the *New York Gazette*, *The Boston Evening-Post* and the *New-York Weekly*

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<sup>75</sup> Minutes of the Common Council of the City of New York, 4:82-83; David T. Valentine, *Manual of the Corporation of the City of New-York for 1856* (New York: McSpedon & Baker, 1856), 525-529; Jill Lepore, *New York Burning*, 42-43; On firefighting in the eighteenth-century more generally, Benjamin L. Carp, “Fire of Liberty: Firefighters, Urban Voluntary Culture, and the Revolutionary Movement,” *William and Mary Quarterly* 58 no. 4 (2001): 781-818.

<sup>76</sup> “Firefighting in New York, Engraver Henry Dawkins, Certificate of the Hand-in-Hand Fire Company, ca. 1753,” I.N. Phelps Stokes Collection, Miriam and Ira D. Wallach Division of Art, Prints and Photographs, The New York Public Library, Astor, Lenox, and Tilden Foundations, <https://nypl.getarchive.net/media/certificate-of-the-hand-in-hand-fire-company-new-york-ada2e1> Date accessed, November 27, 2021.

<sup>77</sup> Horsmanden, *A journal of the proceedings in the detection of the conspiracy*, 39



*Journal* would have taken notice of reports of fires used in slave uprisings in Virginia, Antigua, Jamaica, Danish St. John's, St. Kitts, and South Carolina were openly revolting against the institution of slavery.<sup>78</sup> It was not a logical stretch to assign such meaning to the fires in 1741 Manhattan. The specter of dozens of ominous fires mixed with rumors of jubilant enslaved men celebrating the blazes stirred up explicit memories of conspiracy and arson for the court and inhabitants. Cordwainer Isaac Gardner recalled that he stopped feeding buckets to watch Cuffee, who was also not participating in preventing the fire in the fort's garden. He remembered, "When the Buckets come to *Cuffee*, instead of handing them along to the next Man, he put them upon the Ground, and overset them, by which Means the Ground which was at first dry and hard, became so wet, that the Witness, who stood next to him, was almost up to the Ankles in Mud." Isaac chided Cuffee as a "black Dog." Still, the enslaved man continued to "huzzah'd, danced, whistled and sung" with his friend and fellow slave Albany. According to Isaac, he then walked up to Colonel Moore to intercede, who did nothing to intervene.<sup>79</sup> To Isaac, however, Cuffee's exultation was a grave sign that a slave insurrection was imminent.

By mid-April 1741, New Yorkers gave a plethora of rationales for who started the fires and why, ranging from the plausible to the unlikely. First, some thought that the fires signaled an imminent slave insurrection. Later, they believed that enslaved men and women joined with poor whites in orchestrating the numerous arsons. By the end of the trials, some New Yorkers worried these fires signaled a Catholic-orchestrated attack of the port with the backing of the Spanish Crown. The point here, though, is not to confirm otherwise spurious claims found within Judge Horsmanden's *Journal*. That did not mean every instance of claims of slave insurrection were

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<sup>78</sup> *New York Gazette*, November 30, 1730; *The Boston Evening-Post*, June 28, 1736; *The New-York Weekly Journal*, March 28, 1737; Hodges, *Root & Branch*, 91.

<sup>79</sup> Horsmanden, *A journal of the proceedings in the detection of the conspiracy*, 39-40.

valid. Instead, the ominous fires justified white inhabitants' bubbling racial hostilities and violence against enslaved and free people of color.

If there was a rebellious plot in 1741, does that also give credence to white fears and rationalize the executions of thirty-four enslaved men, four free white people, and exile of nearly eighty others to parts spanning the diaspora? In other words, why does the necessary work of recovering enslaved people's experiences mean that scholars write histories of enslaved people resisting captivity? Can whites not have acted brutally for arbitrary reasons and flimsy accusations? For these reasons, it seems implausible that a massive slave rebellion to overthrow the colonial government of Manhattan and install Caesar as king and John Hughson as governor was ever seriously planned. To make such claims does not discount that enslaved people resisted their captivity. Enslaved men and women ran away, committed suicide, and murdered enslavers. Instead of justifying whites' more outlandish claims in order to make the obvious point that enslaved people had agency, it seems more fruitful to consider how white informants interpreted surveillance of enslaved people's activities in the weeks leading up to the trials since those testimonies formed the basis of the Grand Jury's case against the accused.<sup>80</sup>

The list of fires was beginning to stack up, and the bucket brigadiers doubted each of these was random. The day after Abigail Earle accused Quack, four more fires erupted in the city.<sup>81</sup> The first alarm sounded at ten o'clock to alert inhabitants to a blaze along with the chimney of George Burn's house. Another witness called out a "fire" that was burning at Mrs. Hilton's house just before noon. Before nightfall, another two fires would consume "old Timber-Buildings, and the Shingles... like Tinder."<sup>82</sup>

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<sup>80</sup> Richard E. Bond is focused on how African-descended people shaped the trajectory of the trial, see: Richard E. Bond, "Shaping a Conspiracy," 113–24.

<sup>81</sup> April 6 was also the anniversary of the 1712 slave revolt.

<sup>82</sup> Horsmanden, *A journal of the proceedings in the detection of the conspiracy*, 6-7

The fire at Mrs. Hilton's led some whites to suspect Juan de la Silva of arson, a Spanish sailor who an English privateer in war captured and sold to Mrs. Hilton's neighbor, Captain Jacob Sarly. The mob's assumption stemmed from England's trade war with Spain the previous summer in the Caribbean and conscripted the city's six-hundred troops into the British navy, leaving colonists feeling more vulnerable to a potential attack.<sup>83</sup> To colonists, "the Fact was plain" that saboteurs were hiding among them in this imperialist war. A mob of white New Yorkers formed when "a Cry among the People [went up] *The Spanish Negroes; The Spanish Negroes; Take up the Spanish Negroes.*"<sup>84</sup> Before the mob could get their hands on the men, one alderman ordered constables to arrest and interrogate Juan along with four other men in the East Ward, Antonio de la Cruz, Augustine Gutierrez, Pablo Ventura Angel, and Antonio de St. Bendito, who was likely still recovering from frostbite.<sup>85</sup>

The white vigilantes wanted revenge for this destruction. The grim winter had shut down the city for months. Food, shelter, and firewood were in desperate need for those not counted among the well-stocked and wealthy. In addition, England's war with Spain meant that poorer New Yorkers suffered from scarcity due to disruptions and limitations placed on provisions from the West Indies. During bountiful harvests, leaders complained about the "markets for your flour...are already so much overdone by the great importation that... unless some manufactures [leave for] Great Britain, or do not interfere with theirs, there will be no way to employ the people to any advantage."<sup>86</sup> With inadequate provisions, trade all but stymied due to war and ice, significant losses to merchants' profits, cuts in wages, and rising unemployment, working whites

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<sup>83</sup> Lepore, *New York Burning*, 40; Burrows and Wallace, *Gotham*, 159.

<sup>84</sup> Daniel Horsmanden, *A journal of the proceedings in the detection of the conspiracy*, 7.

<sup>85</sup> Davis, *Rumor of Revolt*, 35.

<sup>86</sup> *Messages from the governors, comprising executive communications to the Legislature and other papers relating to legislation from the organization of the first colonial Assembly in 1683 to and including the year 1906, with notes*, edited by Charles Z. Lincoln (Albany : J. B. Lyon company, State printers, 1909), 1:256.

looked for a scapegoat, and they did not need to look far.<sup>87</sup> Enslaved people worked in almost every industry, from menial labor to specialized crafts, and competed with white workers for these jobs.

White anti-Black hostilities were percolating beneath the surface, and politicians were apt to take advantage. Since almost the colony's founding, council members protected white workingmen's profits from being undercut by enslaved laborers. In 1684, for instance, the Common Council barred enslaved people from "driv[ing] any Cart," used to haul goods and building materials.<sup>88</sup> Nearly half a century later, racial dynamics continued to influence local politics. Lieutenant-Governor George Clarke was a Crown-appointed official, but beginning in 1736, the New York Assembly paid his salary. This realignment of governmental powers meant that the Crown accounted for and appealed to political factions following rivals merchants' decisive electoral victory in the New York Assembly.<sup>89</sup> In the years to come, Lieutenant-

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<sup>87</sup> Davis, *Rumor of Revolt*, 31.

<sup>88</sup> *Minutes of the Common Council of the City of New York*, 1:135-137; Graham Russell Gao Hodges, *New York City Cartmen, 1667-1850* (New York: New York University Press, 1986), 25.

<sup>89</sup> Elite New Yorkers' political consensus had increasingly fractured along party lines over the previous decade. In 1732, the provincial governor William Cosby hired Horsmanden and Joseph Murray to represent him in a minor-salary dispute against his predecessor Rip Van Dam. When the case came before the Supreme Court the following year, Cosby-appointed Chief Justice Lewis Morris sided with Van Dam, but the other justices, James DeLancey and Frederick Philipse, dissented. Incensed, Morris gave his verdict to the editor at *The New-York Weekly Journal*, the colony's first recurring newspaper, to publish. John Peter Zenger printed Morris' "Opinion and Argument" with the financial backing of the former New Jersey attorney general, James Alexander. Cosby vindictively dismissed Morris from the bench and promoting DeLancey and Philipse for their loyalty. Zenger continued to print editorials attacking against the government until he was indicted for sedition and offered a reward for the name of the author of the articles critical of his administration. Hostilities between the political factions flared again three years later when a power vacuum opened after Cosby died of tuberculosis. Van Dam claimed the post of interim governor, but an acolyte of Governor Cosby, George Clarke, made his own bid for the coveted position. Ultimately, the Crown appointed Clarke, but the monarchy's powers to control New York's government waned. The Crown appointed Clarke in 1736, elected officials in the New York Assembly controlled his salary thus shifting the balance of power to favor politicians over Crown officials. See: Lewis Morris, *The Opinion and Argument of the Chief Justice of the Province of New-York, concerning the Jurisdiction of the supream Court of the said Province, to determine Causes in a Course of Equity* (New-York: Printed and sold by John Peter Zenger, in Smith Street, 1733); O'Callaghan, ed., *Calendar of New York Colonial Commissions, 1680-1770* (New York: New-York Historical Society, 1929), 33; *The Colonial Laws of New York from the year 1664 to the Revolution...* (Albany: J. B. Lyon, state printer, 1894), 1:74. For historical significance of the Zenger Trial and the splintering of political factions in the 1730s, see: Foote, *Black and White Manhattan*, 161-2; Lepore, *New York Burning*, 70-78.

Governor Clarke warned the Lords of Trade that if the city were not “soon replenished with white people,” the neighboring northern colonies would soon eclipse New York’s profitable shipbuilding industries and possibly lose control of the territory to their French and Indigenous rivals.<sup>90</sup> His appeal sought to simultaneously address elite and merchant concerns with protecting the profits they made from trading with the Haudenosaunee as well as white workingmen from the competition with enslaved men. He claimed, “The artificers complain...of breeding slaves to trades, whereby the honest and industrious tradesmen are reduced to poverty for want of employ, and many of them forced to leave us to seek their living in other countries.”<sup>91</sup> The colony’s governing bodies for nearly fifty years had worked to connect the economic interests of poorer whites with elites in order to garner more political influence, and weaken the possibility of a multiracial union from below.

When the fires started, enslaved people became the prime suspects for the colony’s troubles, and authorities quickly sought to centralize their efforts in locating possible culprits. Officials met secretly to hatch a “Scheme” that mobilized the city’s various policing apparatuses. They searched every household and surveilled every street corner for possible perpetrators, stopping all “Strangers lurking about the City.” The Lieutenant-Governor offered a reward for informants to come forward. Night watchmen patrolled the city after dark through the summer. During the daytime, the militia and magistrates “posed at the Ends of the Streets to guard all Avenues, with Orders of stop all suspected Persons that should be observed carrying Baggs or Bundles, or removing Goods from House to House.” No evidence pointed directly to enslaved people’s participation in starting any of the fires, “nor was there any strange Lodger[s]...

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<sup>90</sup> “Lieutenant-Governor Clarke to the Lords of Trade” in *Documents relative to the colonial history of the state of New-York: procured in Holland, England, and France*, ed. E. B. O’Callaghan, Berthold Fernow, and John Romeyn Brodhead, eds. (Albany: Weed, Parsons and Company, 1855), 6:112.

<sup>91</sup> *Messages from the governors*, ed. Charles Z. Lincoln (Albany: J. B. Lyon company, State printers, 1909), 1:260.

detected” in any of their searches, but an alderman did find “Things” in possession of an enslaved couple, Robin and Cuba, “unbecoming the Condition of Slaves,” and brought them into custody.<sup>92</sup>

White mobs directed authorities’ investigation toward the enslaved people seemingly most suspicious to them. For example, when Isaac Gardner described to the Grand Jury how Cuffee danced and sang at the Fort George fire, he offered a character sketch of someone most whites assumed was guilty, but authorities did not arrest him that day. This may have been because Isaac Gardner projected why he believed Cuffee was disrupting the flow of water buckets towards the fort’s garden, not that Cuffee himself lit the fires. Perhaps the chaos of putting the blazes out necessitated the authority ignoring what may have been suspicious behavior from Cuffee. While authorities did not arrest Cuffee that day, white informants remembered that he was nevertheless a suspect. A few weeks later, on April 6, when colonists “almost mastered” a fire at Frederick Philipse’s warehouse, Jacobus Stoutenburgh claimed he spied an African-descended man leap “out at the End Window.” Hooked on a nail “catching...his Breeches,” Jacobus alerted the neighborhood shouting, “*A Negro, A Negro... the Negroes were rising.*” Soon a white mob formed to hunt the man down. Along the way, members of the mob chanted “Cuff Philipse, Cuff Philipse,” which signaled the crowd where to locate the fugitive. They seized Cuffee from his enslaver’s household and took him to “Goal, borne upon the People’s Shoulders.” The mob arrested any other Black men along the way, even if they “assist[ed putting out] the Fire at the Storehouse.”<sup>108</sup> Cuffee was interrogated over the next several weeks, though he “denied know[ing] anything.” Cuffee presented witnesses and alibis to

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<sup>92</sup> Horsmanden, *A journal of the proceedings in the detection of the conspiracy*, 8-10.

the court, but whites' eyewitness testimony trumped any legal defense the Black defendant could muster. The Grand Jury convicted Cuffee and Quack together.<sup>93</sup>

Fires sparked the panic of 1741 about possible arsonists, but they also served as solutions to the court and white New Yorkers' problems. On Saturday afternoon, the sheriff brought Cuffee and Quack from the dungeon to the edge of the African Burial Ground and chained them to tall wooden stakes "ready for setting Fire, which People were very impatient to have done, their Resentment raised to the utmost Pitch against them."<sup>94</sup> Authorities lied to both men that the other person had already confessed, pressuring both men to do the same. Attempting for a last-minute reprieve, or possibly a reduced sentence: hanging was considered a lesser sentence than a public burning. The two men named almost thirty additional male co-conspirators, including John Hughson. Cuffee admitted to setting charcoal on fire at Frederick Philipse's warehouse, while Quack claimed he set fire to the fort. The sheriff judged that bringing them back to the dungeon was "impracticable...without a strong Guard." The crowd grew hostile and restless. They wanted blood. The sheriff and deputy lit the sticks, and soon Cuffee and Quack were dead.<sup>95</sup>

### Conclusion

In late summer of 1741, somebody penned an anonymous plea to Cadwallader Colden, a member of the New York governor's provincial council, so that he should put an end to "the bloody Tragedy."<sup>96</sup> Almost immediately, New Yorkers and New Englanders drew parallels

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<sup>93</sup> Horsmanden, *A journal of the proceedings in the detection of the conspiracy*, 10, 45.

<sup>94</sup> Horsmanden, *A journal of the proceedings in the detection of the conspiracy*, 45.

<sup>95</sup> Horsmanden, *A journal of the proceedings in the detection of the conspiracy*, 45-47.

<sup>96</sup> Anonymous, Letter from Massachusetts Bay Colony, 8 August 1741, in *Letters and Papers of Cadwallader Colden* (New York: Printed for the New-York Historical Society, 1937), 9:391.

between the conspiracy and witchcraft trials just fifty years earlier. The public spectacle of Cuffee, Quack, and other “Bonfires of Negros” reminded the author “of our New England Witchcraft in the year 1692 Which if I dont mistake New York justly reproached us for, & mockt at our Credulity about.”<sup>97</sup> The author suspected “that your present case & ours heretofore are much the same, and that Negro & Spectre evidence will turn out alike.”<sup>98</sup> The letter was one of the first documented instances of colonists questioning the trials’ efficacy after its author became unnerved after reading that the sheriff hanged five enslaved people in a single day in early July, and another person was burnt at the stake the following day.

As the author suggests, the Salem Witch Trials and the 1741 Conspiracy Trials bear some resemblance. The crises in New York and Puritan societies were rooted in the separate crises of their periods. The fires, the winters, the war, and the mobs created an environment that made the city a powder keg. Whether or not there was an actual plot, this specific combination of factors exploded in particular ways that fortified New York’s racial hierarchy under the guise of protecting white men and women against predominantly enslaved Black men. Under greater surveillance, African-descended people may have conspired against their enslavers and the town that collaborated in their captivity. Yet, Mary Burton’s role in the proceedings demonstrates white women’s decisive role in early modern policing as informants, networkers, and the colonial task of racialized surveillance efforts. Whether or not there was a conspiracy, Mary’s testimony sought to police the boundaries of race through a defense of white womanhood against

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<sup>97</sup> Anonymous, Letter from Massachusetts Bay Colony, 8 August 1741, 9:391; *The New-York Weekly Journal*, July 6, 1741; *The Boston News-Letter*, July 13, 1741; While little evidence remains regarding who wrote the letter, the author was likely Massachusetts-based judge and slaveholder, Josiah Cotton. For evidence, see: Douglas L. Winiarski, “Josiah Cotton, Native Christians, and the Quest for Security in Eighteenth-Century Plymouth County,” *The New England Quarterly*, Vol. 77, No. 3 (September 2004): 399; Anonymous Letter to Cadwallader Colden, Boston (n.d.), in *Letters and Papers of Cadwallader Colden* (New York: New-York Historical Society 1934), 8:270-271. Can also be found reprinted in Serena Zabin, ed., *The New York Conspiracy Trials of 1741* (Boston: Bedford/St. Martins, 2004).

<sup>98</sup> Jarvis M. Morse, “Colonial Historians of New York,” *New York History* 23, no. 4 (1942): 399.



enslaved men and Black masculinity more broadly. She and the other female informants bridged social and gender differences among whites to influence arrests, trials, executions, and banishments of dozens of primarily enslaved men.

## CHAPTER 4: CORONERS, ANATOMISTS, AND RACIALIZED DEATH IN NEW YORK CITY

“I rather believe, that the only subjects procured for dissection, are productions of Africa, or their descendants, and those too, who... have been transmited to gaols...for having been guilty of burglary and other capital crimes; and if those characters are the only subjects of dissection surely no person can object.”

—Anonymous, *The Daily Advertiser*, April 23, 1788.

In November 1763, an enslaved man named Tom was “condemned ... for attempting a Rape on Mary Ryan, a child.” Like others convicted in a New York City courtroom, authorities brought him to the Fresh Water Pond for his execution. As he clung to his last few moments of life, an “incensed” mob of angry whites formed, believing that his sentence was too light for assaulting a white girl. The mob pelted Tom with “Snow-Balls, Stones, &c.” The executioner and other officers ran from their positions and “were obliged to lea[v]e him to their Brutality.” Whites cut Tom down, and dragged his body through the streets. When Tom was dead, “a single Gentleman” from the medical school at King’s College pleaded with the crowd to preserve what remained of the man’s corpse. He offered to take Tom’s body to be “interr’d” and ensure that “the Law was fulfilled.”<sup>1</sup> The crowd maniacally cheered the prospect of turning Tom over to “our Tribe of Dissectors” to be reduced to “a Raw-Head and Bloody-Bones.”<sup>2</sup>

Tom’s death scene reflected broader trends overseas. In England, the Crown had been invoking anatomical dissection to inflict punishment on the deceased more regularly in the last decade. Under the 1752 Act for “better Preventing the horrid Crime of Murder,” Parliament allowed for surgeons to dissect convicted murderers for the ostensive purpose of anatomical research and for extending “further Terror and peculiar Mark of Infamy,” and that “murderers shall [never] be suffered to be buried.” Before the 1752 Act, Parliament limited surgeons to six dissections of criminals per year. When the law passed, English authorities routinely executed

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<sup>1</sup> *The New-York Gazette*, November 8, 1763.

<sup>2</sup> *The New-York Gazette*, November 28, 1763.

people for petty crimes. So, dissection became an additional punishment for people convicted of murder after authorities conducted an execution.<sup>3</sup> Throughout the British Atlantic, Parliament added surgeons to the ranks of municipal authorities to enforce the Crown's laws.<sup>4</sup> Few in number in the mid-eighteenth century, surgeons, physicians, and medical students would grow precipitously over the next century, performing collectively between 4,200 and 8,000 dissections in the British North American colonies and the United States before the American Civil War.<sup>5</sup>

Scholars have attributed the unprecedented growth in postmortem exams to several factors that correspond with the popularization of anatomical education and the rise of medical facilities and anatomy courses offered in New York, Boston, Baltimore, and Philadelphia. By the end of the eighteenth century, anatomists more routinely committed bodysnatching, preying on cadavers from the least protected and thus most precarious groups, including African American and Indigenous communities, the poor, immigrants, and convicted criminals. These marginalized bodies formed the basis for surgeons and students' anatomical study.

Drawing on coroners' inquests, postmortem exam records, letters, newspaper editorials, petitions, and court documents to discuss early modern death examinations' role in medical jurisprudence and early U.S. history, this chapter argues that such examinations erased the embodied conditions of urban slavery from historical records. In practice, however, elites, authorities, anatomists, and non-slaveholding whites were effective in perpetuating a carceral culture over the death. By redefining the terms with which enslaved and free people of color died, coroners helped criminalize the deceased Black body and undermine the conditions that led

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<sup>3</sup> Ruth Richardson, *Death, Dissection, and the Destitute* (Chicago: University of Chicago Press, 2000), 35-36.

<sup>4</sup> "An Act for better preventing the horrid crime of Murder" (25 Geo II c. 37) in *The Statutes at Large: from the 23<sup>d</sup> to 26<sup>th</sup> Year of King George II. To which is prefixed, A Table containing the Titles of all the Statutes during the Period*, edited by Danby Pickering (Cambridge: Printed by Joseph Bentham, Printer to the University, 1765), 380-382.

<sup>5</sup> Suzanne M. Shultz, *Body Snatching: The Robbing of Graves for the Education of Physicians in Early Nineteenth Century America* (Jefferson: McFarland & Company, 1992), 14.

to African-descended people's untimely deaths. Drawing on early modern European values concerning the proper treatment of the dead, anatomists practices of body snatching and dismembering primarily Black cadavers further alienated the deceased from their kin, thus extending the violence of slavery to all cadavers and their families who came under the surgical knife. By the end of the eighteenth century, white rioters perpetuated medical and legal exploitation of Black bodies by encouraging anatomists to maintain two-tiered racial hierarchy for harvesting and dismembering the dead.

The coroners' inquests and the anatomists' records imagined a different, often tangential set of reasons enslaved people met their premature demises. Coroners practiced dissection to peer into the past to settle what seemed like a violent or suspicious death to assist law enforcement in pursuing colonial justice. Anatomists (who included surgeons, physicians, and students) dissected to study the workings of the human body. Both professionals obfuscated the social factors leading to enslaved and free people of color's untimely deaths and reinscribed racial difference onto the dead. Attending to social theorist Saidiya Hartman's challenge to undercut 'accepted wisdom' of the archive, this chapter questions the "history, narrative, event, and fact, to topple the hierarchy of discourse." It troubles the accepted authority of these medical records to reconcile how coroners and anatomists reinforced racial subjugation and colonial power in life and death.<sup>6</sup>

This story is told across three periods in New York City's colonial history to track the ways dissection and criminality became synonymous by the end of the eighteenth century. In the

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<sup>6</sup> Saidiya Hartman, "Venus in Two Acts" *Small Axe* 26 Volume 12, Number 2 (June 2008): 11; I am also building upon the work of slavery scholars frameworks for ethically writing about the experiences of the enslaved as well as problematizing concepts of agency including, Michel-Rolph Trouillot, *Silencing the Past: Power and the Production of History* (Boston: Beacon Press, 1995); Jenny Sharpe, *The Ghosts of Slavery: A Literary Archaeology of Black Women's Lives* (Minneapolis: University of Minnesota Press, 2003); Walter Johnson, "On Agency" *Journal of Social History* 37 (2003): 113-124; Marisa J. Fuentes, *Dispossessed Lives: Enslaved Women, Violence, and the Archive* (Philadelphia: University of Pennsylvania Press, 2016).

early eighteenth century, colonial administrators utilized coroners and surgeons as a primary weapon for tamping down on resistance to slavery. During the New York Slave Conspiracy Trials of 1712, the coroner and the attending juries who performed autopsies on three slaveowners shaped the narrative used to convict nearly two dozen enslaved men and women. The attending coroner produced at least three inquests that named alleged plotters, victims, and ultimately had a profound impact on the ways colonists and later historians told the events in April 1712.<sup>7</sup> The following section picks up in the 1750s, comparing inquests involving free and enslaved women's deaths to contextualize the social and racial conditions of white enslavers' and employers' abuse in the mid-eighteenth century. Coroners and surgeons tended to overlook environmental and social conditions that may have contributed to enslaved and free peoples of colors' deaths. Instead, they guided questions to scrutinize people of color's behavior as the leading cause of untimely deaths.

The final section picks up at the end of England's occupation of North America when dissection and anatomy became popularized in European and American medical schools. Anatomy students around the eastern seaboard hunted for cadavers to dissect and settled upon the least protected cemeteries, including New York's African Burial Ground and neighboring Pottersfield, to satisfy the exploding demand. For years, free and enslaved African Americans

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<sup>7</sup> For historians varied interpretations of the 1712 New York Slave Revolt, see: Kenneth Scott, "The Slave Insurrection in New York in 1712," *New York Historical Society Quarterly Report* v. 45 1 (1961): 43-74; Graham Hodges, *Root & Branch: African Americans in New York and East Jersey, 1613-1863* (Chapel Hill: University of North Carolina Press, 1999), 63-68; Walter Rucker, "Conjure, Magic, and Power: The Influence of Afro-Atlantic Religious Practices on Slave Resistance and Rebellion" *Journal of Black Studies* 32, no. 1 (2001): 84-103; Thelma Foote, *Black and White Manhattan: The History of Racial Formation in Colonial New York City* (New York: Oxford University Press, 2004), 124-158; Jill Lepore, "The Tightening Vise: Slavery and Freedom in British New York" in *Slavery in New York*, ed. Ira Berlin and Leslie Harris (New York: The New Press, 2005), 57-90; Rebecca Hall, "Not Killing Me Softly: African American Women, Slave Revolts, and Historical Constructions of Racialized Gender," *Freedom Center Journal*, Vol. 2 (2010): 1-47; Anne-Claire Faucquez, "'A Bloody Conspiracy': Race, Power and Religion in New York's 1712 Slave Insurrection," *Fear and the Shaping of Early American Societies* 4 (January 2016): 204-225.

protested graverobbing of the African Burial Ground. City officials decided to intercede only when poor and middling whites protested and rioted when medical students expanded their search to white cemeteries. Finally, in the aftermath of the Doctors Riot of 1788, policymakers passed sweeping reforms that legally connected the racial category of Blackness with criminality and dissection.

The eighteenth-century had grave implications for the dead. Coroners and anatomists imposed racial meanings onto enslaved and free(d) people's bodies. With institutional legitimacy, coroners and anatomists supplemented the colonial ideology that treating African-descended deceased in the new nation followed the punishment meted out to criminals. In this way, race and class became reinforced through the deceased. Resting in peace was a privilege few African Americans could enjoy once New York became a state. Anatomists extended captivity of the living into the afterlife. They subjected Black cadavers to dissection, dismemberment, and trafficked them far away from the gravesites their kin visited to medical schools for anatomical research.

### **The Coroner and the Conspiracy**

On April 9, 1712, Henry Wildraan was the busiest he had ever been since the New York Assembly appointed him coroner.<sup>8</sup> The inquest he was taking that day was investigating the body of enslaver William Asht and eight other white men who were murdered in a slave revolt three days earlier. Colonial authorities accused “Twenty Slaves or More...[of using] Guns pistols

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<sup>8</sup> Not many records exist regarding Henry Wildraan's appointment. The first record he produced as coroner were the 1712 inquests. The previous coroner was appointed in 1702. He had likely been appointed soon thereafter, but was not routinely called upon to perform autopsies and so routine administrative records are not kept concerning this period of the coroner's history. see: *Minutes Of The Common Council Of The City Of New York, 1675-1776* (New York: Dodd, Mead, 1905), 2:202, Isaac Newton Phelps Stokes, *Iconography of Manhattan Island, 1648-1909* (New York: R.H. Dodd, 1922), 4:487.

Clubbs Swords [to] beat and mortally wound” white colonists. Coroner Wildraan’s inquest made the events of April 6 legible to magistrates at the Court of General Sessions and Supreme Court of the Judicature. Municipal authorities documented very little during official court proceedings. Instead, minutes were produced after the trials had concluded in the form of “memoranda,” usually hastily jotted down notes authorities left behind. As a result, the coroner inquests served as the only record of material evidence written contemporaneously with the investigation into the alleged uprising and wielded immense state power.

The centrality of coroners’ inquisitions in prosecuting the 1712 Slave Conspiracy Trials amplified the power of colonial administrators, not least among them coroners, who had long worked on behalf of the Crown’s interests. Coroners inspected cadavers who died suddenly, untimely, or mysteriously under suspicious circumstances. Dating back to Medieval England, “the crowner” traveled the countryside along the monarchy’s judicial circuit (or Eyre) to inspect villages, convened court proceedings, settled financial disputes, and levied fines against subjects on behalf of the royals. They confiscated the property and estates of convicts for the Crown. When coroners ruled a death an accident or suicide, transfer the property for the appropriate heirs. They interviewed potential witnesses and reported findings to the justices of the peace, with a jury made up of prominent white men in tow. All the seemingly mundane tasks the coroner completed legitimized the Crown’s monopoly on violence by determining when a suspicious death resulted from a crime such as homicide or suicide.<sup>9</sup>

On this occasion, the coroner’s duties took on a more central role in prosecuting dozens of enslaved and free(d) people of conspiracy, murder, and accessories. To mark the special

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<sup>9</sup> Matthew Lockwood, *The Conquest of Death: Violence and the Birth of the Modern English State* (New Haven: Yale University Press, 2017), 21-23; 50-59; Paul F. Mellen, “Coroners’ Inquests in Colonial Massachusetts,” *Journal of the History of Medicine and Allied Sciences* v. 40 4 (October 1985): 462-3.

occasion, Coroner Wildraan produced a huge set of three inquests, each approximately 13” x 16” height and width, nearly double the size of inquisitions produced contemporaneously.<sup>10</sup> Moreover, while there were seven bodies, only three inquests survived time and decay in the archive. To better understand why the inquest took on such salience, it is critical to attend to the evidence for the alleged slave conspiracy that put these inquests in motion prior to the coroner’s factfinding mission.

In the immediate hours after the uprising, the town was in chaos. Governor Robert Hunter mobilized the slave patrol in New York and Westchester to flank the rebels from the southern and northern sides of the island. Throughout the day, elites were at war with New York’s enslaved. The enslaved conspirators evaded hostile colonists almost a mile from Maiden Lane, where the fires started. Some returned gunfire and dodged militia members hunting for them. Some suffered casualties in the melees while several others successfully “made their retreat into the woods.” The enslaved fugitives’ knowledge of the local terrain came in handy as they steered the search party deeper and deeper into the woods as night fell. The enslaved rebels survived into the morning. Six of the conspirators took their own lives before succumbing to capture, probably anticipating another day of hard fighting with low ammunition and few other weapons to defend themselves.

The New York Slave Revolts kicked off an intense search for the plotters. Magistrates and policymakers brought the enslaved under greater surveillance and scrutiny from colonial

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<sup>10</sup> Special thanks to Archivist Ted O’Reilly at the New-York Historical Society for help obtaining the dimensions of this source; The quotes come from the inquest of William Asht, however, all three surviving coroners’ inquests are formulaic in their structure and follow similar narrative structures. See: William Asht and Augustus Grasset Coroner’s Inquisition, April 9, 1712, MS. Mss Collection, New-York Historical Society; Adrian Hooglandt Inquest, “Verdict of the jury that Adrian Hooglandt died...” April 9, 1712, Box 3, Folder 14, New York City Miscellaneous Collection, New York Public Library, New York. For examples of previously produced coroner’s inquests, see: *The Andros Papers, 1677-1678* edited by Peter R. Christoph and Florence A. Christoph (Syracuse: Syracuse University Press, 1990), 241-242, 348-349, 385, 452.



officials than in the past when an accusation of slave conspiracy arose. Governor Hunter enacted martial law and ordered militias from the north and the south to “drive the Island.” Sentries posted at street corners were charged with stopping and questioning all people of African descent who they encountered. The militias also performed “strict searches” in the households of enslavers thought harboring the conspirators.<sup>11</sup> The militia made twenty-seven arrests of enslaved and free people of color.

Despite enslavers and elites instituting legal and social impediments to slave movements about the city, colonial law enforcement was disorganized and ineffectual long term. Enslaved people routinely skirted curfews, meeting secret locations like houses and gardens to plot.<sup>12</sup> Enslaved people’s guilt seemed self-evident to these inspectors. For years authorities had sought to shut down taverns and other bawdy locales where enslaved people were assumed to have “to revenge themselves, for some hard usage their masters inflicted.”<sup>13</sup> Yet, enslaved conspirators found rival spaces to contemplate vengeance on their enslavers. In 1712, prosecutors claimed a cabal met in an orchard before setting fire to parts of the town.

It was within this context that the coroner and magistrates determined who was responsible for the murders. They subjected the enslaved to the most stringent forms of interrogation. Suspects were segregated in a dungeon beneath City Hall and questioned within earshot of one another. Authorities, including coroners, relied almost exclusively upon eyewitness testimony to reconstruct how bodies met their violent deaths. The coroner learned the names of the accused, compared murder weapons to wounds. In documenting how enslaved

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<sup>11</sup> E.B. O’Callaghan, ed., *Documents Relative to the Colonial History of the State of New-York* (Albany: Weed, Parsons, and Company, 1855), 5:344-45.

<sup>12</sup> For colonial authorities process of arresting people suspected of crimes, see: Bradley Chapin, *Criminal Justice in Colonial America, 1606-1660* (Athens: University of Georgia Press, 1983), 31. For the location of the jails in City Hall, see: David Grim, “Plan of City Hall, c. 1740,” 1776, MS Collection, The New-York Historical Society, New York, New York.

<sup>13</sup> O’Callaghan, ed., *Documents Relative to the Colonial History of the State of New-York*, 5:341.

people might have used these weapons, the coroner shaped these stories into a concise narrative with other municipal authorities before turning to the cadavers. They may have waited to inspect the corpses because rigor mortis needs time to subside so bodies become more pliable.<sup>14</sup> Jurors located “severall places” attributed to the men’s premature deaths. On Adrian’s and William’s corpses, they found bruising from being “beat and mortally wound[ed].” William’s and Augustus’ throats were cut and lacerations found on Augustus’ “head and fingers.” Authorities charged Robin with using “a Dagger...then and there had in Right hand [to strike his enslaver] Adrian Hooglandt in the back.”<sup>15</sup> The coroner measured one of Augustus’ knife wounds “the breadth of two Inches and of the depth of three Inches,” and blamed Toby for landing the killing blow.<sup>16</sup>

For all early modern forensic sciences inadequacies in interpreting how violent deaths occurred, coroners nevertheless relied heavily on informants to find the perpetrators of the homicides. In the examinations of Adrian’s and Augustus’s cadavers, informants placed Robin and Toby at the scene of the murder. Thus, Coroner Wildraan assigned those two men with holding the dagger that killed the two enslavers. However, no informants came forward with testimony about who killed William Asht, no single conspirator was found responsible. Instead, the coroner charged all two-dozen people with William’s murder.<sup>17</sup>

Troubling the archival portrayal of the 1712 Conspiracy Trials is not easy. Scrutinizing representations of enslaved people in court documents, coroners’ inquests, and other official

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<sup>14</sup> Lockwood, *The Conquest of Death*, 106-7; Elizabeth T. Hurren, *Dissecting the Criminal Corpse: Staging Post-Execution Punishment in Early Modern England* (London: Palgrave MacMillan, 2016), 83.

<sup>15</sup> Dom Regina v. Clause, Robin, Quaco, and Sam, 1712, Minutes of the General Quarter Sessions of the Peace for the City and County of New York, August 7, 1694, to 1733, Archives of the City of New York, New York Surrogate’s Court Building, New York, New York.

<sup>16</sup> Dom Regina v. Clause, Robin, Quaco, and Sam, 1712, Minutes of the General Quarter Sessions of the Peace for the City and County of New York, August 7, 1694, to 1733.

<sup>17</sup> Coroner’s Inquisition, 9, April, 1712, New-York Historical Society.

records illustrates the limitations available to enslaved men and women in their attempts to navigate what seemed like inevitable executions. Yet, even in this dire situation, enslaved people negotiated their situation within the confines of the court system, some more successful than others. The most successful campaign to escape the gallows was an enslaved boy named Dick. Most of the enslaved brought to court did not know English nor Dutch.<sup>18</sup> Dick, on the other hand, parlayed his linguistic capabilities to act as one among the few arrested who interpreted for the prosecution in exchange for his immunity from standing trial. He spoke multiple languages probably because he was a member of the Akan from West Africa, a diverse community of West African linguistic clusters.<sup>19</sup> As he encountered more people in his travels, he picked up and retained several new languages including Mandingo, English, Dutch, French, and Spanish. For his service, authorities never charged Dick with a crime.<sup>20</sup>

The enslaved women, Sarah, Abigail, Amba and Lilly, present much more elusive stories to recover from the archival material fragments. Their negotiations with authorities indicate the power they and their captors wielded in the courtroom. Of the four women charged with conspiracy and accessories to the plot, authorities convicted two of them and executed one. The other “one being a woman with child, her execution by that means suspended.” Magistrates discharged Amba and Lilly without explanation. They may have experienced public estrangement. They might have feared retribution from white inhabitants, or possibly sold off by

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<sup>18</sup> Letter from Elias Neau to the Secretary New York, 1, March, 1705-6, Microfilm, *Letterbooks of the Society for the Propagation of the Gospel in Foreign Parts*, Widener Library, Harvard University, Cambridge, Massachusetts. In 1744, Dr. Alexander Hamilton would comment in his *Iteranium* about a frustrating encounter between a Dutch-speaking servant girl on Long Island who his English-speaking enslaved servant, Dromo, was unable to understand. Alexander Hamilton, *Hamilton's Itinerarium: being a narrative of a journey from Annapolis, Maryland, through Delaware, Pennsylvania, New York, New Jersey, Connecticut, Rhode Island, Massachusetts and New Hampshire, from May to September, 1744* (Saint Louis, Mo.: Printed only for private distribution by W.K. Bixby, 1907), 50.

<sup>19</sup> D. Kiyaga-Mulindwa, “The ‘Akan’ Problem,” *Current Anthropology* 21, no. 4 (1980): 503.

<sup>20</sup> *Dom Regina v. Dick, 1712, Minutes of the Court of Quarter Sessions, August 7, 1694 to 1731.*

their enslavers. Despite freedom from prosecution 1712, those who were assumed guilty may have still been subject to public attacks after they were exonerated.

The other two women, Sarah and Abigail, are likewise a mystery to historical interpretations. Either Sarah or Abigail was the pregnant woman Governor Hunter referenced in a petition to the Lords of Trade. The governor asked for this unknown person's pardon and several other alleged conspirators. He wrote, "In that court were twenty seven condemned, whereof twenty one were executed, one being with child, he[r] execution by that means suspended."<sup>21</sup> This statement is the only glimpse administrators give of this unknown woman in the historical record. Interrogating the pregnant woman's predicament with the absences surrounding how she earned her stay-of-execution highlights how courts and female defendants appropriated Black women's bodies, wombs, and ideas of enslaved motherhood for counter-political purposes.

According to Governor Hunter, the pregnant woman "plea[d] her belly, [and] was [eventually] reprieved." The court did not decide to pardon her because they were sympathetic to her predicament or to protecting her fetus.<sup>22</sup> The Quarter Sessions Court passed judgement on Abigail and Sarah, sentencing them to death by hanging based on the information presented in the coroner's inquest. The jury almost immediately handed down "Guilty of Murder" verdicts, and the unnamed woman remained "in [a] woeful condition ever since [her sentencing]."<sup>23</sup> She was kept alive in jail, where she likely gave birth to her baby. She returns to the archive once more, a year later. On September 10, 1713, Governor Hunter wrote to the Lords of Trade that the

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<sup>21</sup> E.B. O'Callaghan, ed., *Documents Relative to the Colonial History of the State of New-York* (Albany: Weed, Parsons, and Company, 1855), 5:341.

<sup>22</sup> O'Callaghan, ed., *Documents Relative to the Colonial History of the State of New-York*, 5:341, 371.

<sup>23</sup> Dom Regina v. Amba Minutes of the Court of Quarter Sessions; E.B. O'Callaghan, ed., *Documents Relative to the Colonial History of the State of New-York*, 5:342.

unknown woman was still alive and surviving in a dungeon. The governor wrote that she had “suffer’d more than death by her long imprisonment.” There is no mention of her baby, who may have been sold or died in jail.<sup>24</sup> Nevertheless, what is clear from the limited information presented is that the unknown woman was resilient to survive under intense persecution, brutalization, and captivity.

Following the 1712 Conspiracy Trials, New York and New Jersey authorities sought to control enslaved people “under better Regulation by Some good Law.”<sup>25</sup> Policymakers designed the new laws to influence enslavers to place more stringent restrictions over who enslaved people shared space with. Lawmakers prohibited enslaved people from bartering, buying, and selling commodities without their enslavers’ consent. Worse yet, they made slavery increasingly inescapable after restrictions were placed on when and how enslaved people could become manumitted. Enslavers were required to pay £200 to manumit and pay freed people a yearly sum of £20 so they did not become public charges. Finally, the new laws also expanded enslavers powers over the bodies of the enslaved. Enslavers now had legal authority to punish the enslaved at their discretion short of willful murder or dismemberment.<sup>26</sup>

The New York Assembly made every possible effort in the years to come to control the socialization of enslaved people within the city, particularly after nightfall. As a result, authorities regarded enslaved people’s night activities with suspicion. Among the more transformative pieces of legislation in New York’s embryonic surveillance system was the “lantern laws.” Lantern laws were an explicit attempt to create a visual shorthand for whites to

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<sup>24</sup> Governor Robert Hunter, Letter to Secretary Popple, 23 June 1712, in *Documents Relative to the Colonial History of the State of New-York*, edited by E.B. O’Callaghan (Albany: Weed, Parsons, and Company, 1855), 5:371.

<sup>25</sup> E. B. O’Callaghan, ed., *Journal of the Legislative Council of the Colony of New-York, 1691-1775* (Albany: Weed, Parsons & Co., printers, 1861), 1:333.

<sup>26</sup> *The Colonial Laws of New York from the year 1664 to the Revolution*, 1:761-767.

determine the boundaries and restrictions socially placed upon people of colors' movements. However, policymakers also believed specific locations like the weekly nighttime meetings Elias Neau held "in the upper floors of his house" was responsible for "the cause of the mischief."<sup>27</sup> For nearly ten years this catechist from the Society for the Propagation of the Gospel taught English to enslaved people. Shutting down Elias' night school served to sever an important community space for African and African-descended people to learn to communicate amongst one another without the oversight of an enslaver or other white overseer.

The following March, the New York Assembly reasoned that since the plotters conceived their rebellion under cover of darkness, possibly at Neau's home, all of their perceived nighttime activities were circumspect. If caught "one hour after sun sett" without a lantern, all whites, not just the nightwatchmen, were required to jail offenders until enslavers paid an eight-shilling fine.<sup>28</sup> Successive colonial administrations passed addendums to the 1713 lantern law further calcifying racial discrimination granting movement explicitly a white-only privilege. Twenty years later, the Assembly mandated that, if a "White Person or White servant belonging to the family" accompanied an enslaved person, they could forgo carrying the lantern.<sup>29</sup>

The lantern laws bookended a juridical process that began with Coroner Wildraan's inquests. While the inquest sought to document how the community of rebels orchestrated the murder, the lantern laws attempted to stop enslaved people from planning plots in the future. Both recorded the ways colonists surveilled and criminalize enslaved inhabitants. However, unlike the coroner's inquests, the lantern laws remained more abstract about surveilling people of color than a particularly cohesive and effective policy. Very few arrests occurred due to enslaved

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<sup>27</sup> Rev. John Sharpe's Proposals, Etc., 1713, in *Collections of the New-York Historical Society for the Year 1880* (New York: New-York Historical Society, 1881), 14: 353-354.

<sup>28</sup> *Minutes Of The Common Council Of The City Of New York 1675-1776*, 3:30-31.

<sup>29</sup> *Minutes Of The Common Council Of The City Of New York 1675-1776*, 4:51.

people violating the lantern laws. Perhaps authorities patrolling the streets on a given evening had trouble spotting enslaved people without light shining upon them. The fact that an exemption for white servants was made two decades later suggests that authorities had difficulty enforcing the laws alone. Providing indentured whites privileges of movement more than anything attempted to garner support among possibly-lighter-skinned rabble in policing the enslaved population. But the lantern laws also represented a new system of oversight colonial administrators imagined possible. They encouraged scrutinization of people of color, whether enslaved, indentured, or free, based on literal observation of perhaps darker faces.

Policing enslaved people's socialization was difficult in a port town where hundreds of ships docked each year, where strangers were aplenty, and where free(d), enslaved, and indentured people cavorted daily. What followed was colonial administrators' developing and refining the bureaucratic tentacles of government institutions for the next several decades. Control over New York's enslaved population was constantly in flux over the next sixty-some years; however, the coroner was one of the more acutely effective offices for managing people of color's fate in life and death.

Coroner Wildraan's inquests were monumental to the history of slavery in New York City. To enslavers, these documents formalized and legitimized their own violence and the colonial state's violence against enslaved people. Coroner inquests created a judicial gravity pulling all other evidence into the story the coroner constructed with quill and paper. Nevertheless, the office of the coroner remained largely peripheral to the colony's legal system for nearly forty more years. Coroner Wildraan waited more than five years for payment for his 1712 inquests. Finally, the Assembly met in October of 1717 to "pra[y] he may have Satisfaction, for making nine Inquisitions on the Bodies of Persons murdered, in the horrid

Conspiracy and Insurrection of the Negroes in 1712.”<sup>30</sup> The inquests he produced were monumentous, though, since they established the first narrative of the 1712 Conspiracy. Moreover, the 1712 inquests moreover legitimized state-sponsored violence against enslaved people. Within thirty years, the office of coroner’s centrality to administering the colonial state was undeniable. Successive coroners’ death investigations helped monopolize the violence of the colonial state. They also legitimized slaveholders and employers’ violence against enslaved and free people of color.

### **Untimely Deaths, Coroners, and the Post-Mortem Racial Landscape**

After decades of little institutional reform in England, the coroner’s office underwent tremendous changes in a very short period. In 1752, Parliament reorganized the coroner’s system of payment to incentivize investigations into violent crimes.<sup>31</sup> This change held significant implications for New York City and other colonies in British North America. Coroner inquests were standardized because inquests could now receive reimbursements from the city. As a result, John Burnet’s inquests are an invaluable source because they are the first complete set of record of inquests produced during his tenure as coroner from 1748 and 1758.<sup>32</sup> Comparing inquests between cadavers of different racial, gender, and laboring statuses reveals how the culture of a slave society influenced the coroner’s interpretations of causes of death, and often determined whether inhabitants even called a coroner to investigate an untimely death at all. When the coroner’s gaze trained on Black cadavers, he obfuscated the reality of violence that shaped

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<sup>30</sup> Abraham Lott, *Journal of the Votes and Proceedings of the General Assembly of the Colony of New-York: Began the 9th Day of April, 1691; and Ended the [23d of December, 1765]* (New-York: Printed by Hugh Gaine, 1764-1766), 1:403.

<sup>31</sup> Douglas Greenberg, “The Effectiveness of Law Enforcement in Eighteenth-Century New York,” *The American Journal of Legal History* 19, no. 3 (1975): 173-207; Lockwood, *The Conquest of Death*, 293-299.

<sup>32</sup> For the complete set of John Burnet’s coroner inquests, see: Minutes of Coroner’s Proceedings in the City and County of New York, 1747-1758, Van Cortlandt Family Papers, 1664-1870, Columbia University, New York.



people of color's lives. Interrogating the silences and historical contingencies surrounding enslaved and free(d) people's deaths reflect the hazards of domestic servitude, the cycles of violence enslavers and employers subjected them to, and the environmental or otherwise systemic traumas that enslavers and employers inflicted upon them. However, interrogating these inquests also reveals how enslaved and free(d) people of color navigated the limited choices available to them, and the multiple meanings of death they found at the end of their lives. Thus, investigating these grim inquests help recover a richer understanding of people of color's end-of-life experiences in the colonial period.

Cadavers belonging to people of color represented a small fraction of the seventy-seven inquests produced during John Burnet's tenure as coroner. Only eight inquests reference the deaths of people of color, despite living, working, and routinely subjected to the most dangerous conditions in New York City. This was due to primarily two factors: first, as legal property, enslaved people's inquests were only called if a coroner determined someone murdered them. If they were convicted of a crime and executed, the city would reimburse their enslaver, and then the body would be dissected. Secondly, free people of color represented just fifteen percent of the city's African-descended population. However, the few inquests that John Burnet drew up show that Black life in freedom was still victim to many of the strictures that governed enslaved people's destinies.

This section works within the confines of inquests John Burnet produced for two deceased women: Isabella and Phillis. One of them died free and the other died enslaved. Both inquests reveal how their deaths became subjects for crafting racial difference and emboldening whites' power over them, even in the afterlife. They shared common struggles with social precarity and tragedies inside their enslavers and employers' households. Both Isabella and

Phillis challenged the conditions of their social marginality on their own terms. In a slave society committed to racial subordination, neither set of experiences would bode well for either of them. In reconstructing the timelines that Coroner Burnet created leading to their untimely deaths recovers the interior and intimate lives of people who did not leave personal records behind.

On a warm September morning in 1749, officials at City Hall summoned Coroner Burnet. He went down to the basement to view the body of an African-descended woman named Isabella. He described Isabella as “a free Molatto woman.” Officials imprisoned Isabella on suspicion of murdering her infant son. Coroner Burnet concluded that after several weeks of languishing in the jail cell, Isabella decided to take her own life. John remembered this woman. He conducted the inquest for her child the previous month in an attic that belonged to the merchant Daniel Shatford, and then arrested the young, bereft mother.<sup>33</sup> When authorities returned to the jail the following day, jurors took turns interrogating the grieving mother. They suspected she murdered her baby using some twine. Authorities did not introduce evidence from those interrogations into the courtroom, but rather utilized the inquest to condemn Isabella.<sup>34</sup>

Few biographical details from Coroner Burnet’s inquest reveal what animated Isabella’s decision. As a free mother of color in a city increasingly hostile to her and her child’s presence, larger social and legal forces contributed to her suffering. By 1749, authorities had instituted numerous policies for several generations that encourage free people of color to endure poverty and encourage dependency on whites for survival. The first reference to a free African community in New York City was from a surveyor in 1639. Living on the margins of colonial society, free(d) people of color purchased “Free Negro Lots,” from which they could generate

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<sup>33</sup> Inquest of Isabella a free Molatto Woman, 14 September 1749, Van Cortlandt Family Papers, 1664-1870, Columbia University, New York.

<sup>34</sup> Inquest of Male Infant, 20 August 1749, Van Cortlandt Family Papers, 1664-1870.

some wealth for their families. Male landowners passed property onto future heirs. Most importantly, free people of color carved out spatial distance and privacy away from elites, authorities, and other whites who sought to exploit their labor, though this was short lived.<sup>35</sup>

When Dutch settler-colonists officially transferred control of New Amsterdam to the English in 1674, the New York Assembly set out to restrict people of color from achieving any social mobility away from enslavement. Almost immediately, policymakers prohibited manumitted people of color from purchasing new land, communicating to new arrivals to the colony that New York would remain a slaveholder's port. After 1702, freed people of color were prohibited altogether from owning land, and after 1707 authorities disallowed freed people from inheriting land or passing land onto heirs.<sup>36</sup> Such trends also bore out in the dwindling numbers of manumissions following England's takeover. Between 1669 and 1712, enslavers manumitted eighteen enslaved people, and only four of those manumissions occurred after 1701.<sup>37</sup> By the late 1720s, white colonists pushed the last African-descended landowners off the land entirely.<sup>38</sup> Combined with the anti-manumission laws following the 1712 Conspiracy Trials, authorities hoped these policies would subject freed people to greater cycles of insecurity, indigence, and most importantly, dependency on elites no matter their social status. Thus, the city's freed

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<sup>35</sup> "Vingboons map of Manhattan, 1639: a facsimile from the Library of Congress," Lionel Pincus and Princess Firyal Map Division, The New York Public Library; Henry Hoff, "A colonial black family in New York and New Jersey: Pieter Santomee and his descendants," *Journal of the Afro-American Historical and Genealogical Society* 9, no. 3 (fall 1988): 101-34; Stokes, *Iconography of Manhattan Island* 4:99; Foote, *Black and White Manhattan*, 150.

<sup>36</sup> *The Colonial Laws of New York from the year 1664 to the Revolution...*, 1:519-21; Policymakers retooled their 1702 legislation London ruled against the New York statute to allow free Blacks to own land, but that formerly enslaved people could not inherit nor partition land to heirs, see: O'Callaghan, ed., *Documentary History of the State of New York*, 5:457; *The Colonial Laws of New York from the year 1664 to the Revolution*, 1:761-67.

<sup>37</sup> Hodges, *Root & Branch*, 36.

<sup>38</sup> Peter R. Christoph, "Freedmen of New Amsterdam," in *A Beautiful and Fruitful Place: Selected Rensselaerswijck Seminar Papers*, edited by N. A. McClure Zeller (Albany: New Netherlands Publishing, 1991), 1:164-165.

population never reached much more than one hundred individuals until after the American Revolution.<sup>39</sup>

For Isabella and other free women of color, dependency meant domestic servitude. With few options to consider, she likely conceded to living, working, and sleeping in the same house as her employer, Daniel Shatford to escape houselessness. In that house, she was consigned to live in the attic. Cold, drafty, poorly lit, and uncomfortable to stand, attics were not the spatially liberatory locations the free African community used for their religious services in the previous generations. Her employers likely knew where she was at nearly every moment of the day. If someone was not directly watching her work, they may have heard the wood creak as she paced between servicing them. However, the attic provided Isabella with some spatial distance from her employers' oversight, at least for fleeting moments when she was not attending to their rigorous schedule of chores and errands.

Finding enough privacy to subvert the daily surveillance of housework also meant enough time for servants to consider their options to escape servitude. In the weeks leading up to her son's death, the harsh living quarters, and long working hours probably contributed to Isabella seeking more desperate options to escape. She might have thought to set fire to the attic, which happened in Boston a few weeks earlier. *The New-York Evening Post* reported an African-descended female servant "put a Coal of Fire purposely...on the Cask in the Garret." If she did make such a plan, it was short lived. High above the street with kindling surrounding her, Isabella may have thought escape through the stairwell might have also alerted her employers of

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<sup>39</sup> Shane White, *Somewhat More Independent: The End of Slavery in New York City, 1770-1810* (Athens: University of Georgia Press, 1991), 153; O'Callaghan, ed., *Documentary History of the State of New York*, 4:186.

her plot and they could have stopped her from leaving. She also likely worried an explosion could leave her burned “to Such a Degree that her Life is in Great Danger.”<sup>40</sup>

Isabella probably found deliberate self-destruction a more plausible method than committing to arson or running away. Creating distance from the confines of the Shatford household might have been daunting. As a free woman of color, she did not have other employment opportunities in the city. She was also not the only domestic servant to contemplate these extreme measures. In the weeks after Isabella took her own life, a fifteen-year old enslaved servant girl in New York jumped “out of a Garret Window three Story...she was so Bruised, that she dyed in a few Hours.”<sup>41</sup> Another enslaved servant, Cate, also committed suicide in the attic by “strangl[ing] herself to death this morning in the Garret of the House” of her enslaver.<sup>42</sup> What seems clearest is that the freedom associated with Isabella’s social status did not necessarily equate to better living conditions. In sum, domestic servitude for free women of color and enslaved women could lead both to seek out self-destructive behavior in order to escape its conditions.

When Coroner Burnet entered the attic, he looked for items belonging to Isabella that could pay part of his salary. He did not collect anything from the room, possibly because he assumed she owned no property. Free women of color earned very little compensation for domestic service. If Isabella received a wage from the Shatfords, nothing in the inquest indicated as much, as the coroner cited “no goods or Chattells Lands and Tenements...to their knowledge.” Her room and board may have been her compensation. The only item John took

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<sup>40</sup> *The New-York Evening Post*, July 10, 1749.

<sup>41</sup> *The New-York Gazette: or, The Weekly Post-Boy*, September 25, 1749.

<sup>42</sup> Inquest of Cate, a Negro Woman, 6 October 1757, Van Cortlandt Family Papers, 1664-1870.

from Isabella was “a piece of Twine of the value of One Penny Current money,” which the jury suspected was the murder weapon.<sup>43</sup>

Whites’ consignment of free women of African-descent to hard, low-paying labor may have factored into the coroner’s analysis but did not reflect the reality for domestic servants. Isabella was not necessarily isolated from trans-Atlantic markets. Like many other enslaved and free servants, she may have found additional work along the docks, selling hot food, or trading her skills for some money on the side.<sup>44</sup> If the coroner’s inquest depicted Isabella’s sparse room accurately, then the Shatfords and other whites maintained much more significant control over her daily activities than even enslaved women. But, more likely, Coroner Burnet’s inquest demonstrates his lack of interest in confiscating items from this dead person to subsidize part of his fees from the New York Assembly. Similarly, when Sarah Fisher hanged herself, the coroner only found the “Rope of the Values of One half penny,” while for the other deceased women recorded in the collection of inquests, the coroner found nothing worth assigning a monetary value.<sup>45</sup>

The lack of material wealth for women of color resulted from poverty due to New Yorkers reliance on slavery for utilizing African-descended women’s labor. In the case of African-descended men, the coroner noted taking property upon death. When “the Body of a Negro” floated through New York Harbor in 1758, the coroner’s jury took “seven milled Dollars, a Silver Ring, one Pair of Silver Buttons, an old Key, and a Pair of Mettal Shoe Buckles,” to pay

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<sup>43</sup> Inquest of Male Infant, 20 August 1749, Van Corlandt Papers, 1664-1870.

<sup>44</sup> Nicolino Calyo, “*Hot Corn Seller*,” 1840–1844, Museum of the City of New York, New York, accessed June 30, 2021, <https://collections.meny.org/Collection/The-Hot-Corn-Seller-2F3XC548X5L.html>.

<sup>45</sup> Inquest of Sarah Fisher, 22 January 1747, Van Cortlandt Family Papers, 1664-1870; Inquest of Cate, a Negro Woman, 6 October 1757, Van Cortlandt Family Papers, 1664-1870; Inquest of Johanna Casebold, 2 December 1757, Van Cortlandt Family Papers, 1664-1870; Inquest of Female Bastard Child, 4 September 1758, Van Cortlandt Family Papers, 1664-1870; Inquest of Phillis Negro Wench, 22 October 1758, Van Cortlandt Family Papers, 1664-1870.

for Coroner Burnet's services.<sup>46</sup> The man ran away from his enslaver, a captain who had recently returned from Bermuda, and remained in the city for nearly ten weeks before someone discovered his body in the harbor. The money the coroner took from this dead man reflected the material value he placed in searching for compensation from an enslaved sailor, whose trans-Atlantic mobility paid off. In refusing to investigate Isabella's personal belongings, Coroner Burnet also commented on worthlessness he and the coroner's jury ascribed to the African-descended woman's personal belongings.<sup>47</sup>

As Isabella's story suggests, the coroner and jury could invalidate the conditions and spatial power that informed someone's death. The jury had the power to determine how and why someone suffered before they died based on the gender and racially informed considerations they made at a crime scene. On October 22, 1758, John came upon one of the more gruesome deaths during his tenure as coroner. An African-descended woman lay lifeless along a wall in the attic of her enslaver. Her name was Phillis, and her enslaver—referred to as “Lowder a Taylor”—starved her to death in the attic of his house after suspecting she had poisoned him. Lowder believed Phillis slipped him poison in her cooking and kept herself undetected.<sup>48</sup>

Poison was a common method domestic servants utilized to kill enslavers. Pehr Kalm was a contemporary Swedish botanist who theorized that conspirators may have used poison to subdue slaveholders and shirk suspicion due to the slow onset of effects. Phillis may have been one of those enslaved people whose knowledge of local botany included “a kind of poison” used in slave societies across North and South America. According to Kalm, this poison could take “a

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<sup>46</sup> *The New-York Mercury*, April 3, 1758.

<sup>47</sup> He may have seized freedom in the winter of 1757 when the climate was “not so severe as some of late have been.” He did not run far from his enslaver's ship, possibly because he found work and hiding along New York's crowded wharf, see: *Boston Evening-Post*, January 3, 1757; *The New-York Gazette: or, The Weekly Post-Boy*, October 3, 1757; *The New-York Mercury*, October 23, 1758; *The New-York Mercury*, January 31, 1757.

<sup>48</sup> Inquest of Phillis Negro Wench, 22 October 1758, Van Corlandt Papers, 1664-1870.

long time after the person has [ingested] it...sometimes the sick person dies some years after.”<sup>49</sup>

Suspecting such a plot, Lowder blamed Phillis for his illness and had her arrested for several weeks. The jailor may have agreed to imprison Phillis until Lowder presented more evidence of Phillis’s guilt, but that moment never came.<sup>50</sup>

The jail’s dilapidated conditions contributed to Phillis being “taken sick,” probably with smallpox.<sup>51</sup> Fearing an outbreak, the jailor requested Lowder retrieve Phillis, and officials encouraged her enslaver to punish her anyway he saw appropriate. He wasted no time recreating the carceral conditions of the jail, placing “a Chain round one of her arms made fast to the partition” of the room. Lowder starved Phillis for several days “so that she died.” He fed her minimal and usually inedible “supper” that “was full of Worms.” Lowder probably informed Susannah and Cornelius Roome, a couple renting a room in his house what he was doing to Phillis. More likely, the Roomes could not ignore Phillis’s pleas, “Call[ing] for Drink from Ten o’Clock one morning till three o’Clock in the afternoon that she was Confined.” Susannah took pity on the young woman and snuck “her Tea And then things to Nourish her” until Lowder found out. He became enraged and locked her out of the room reasserting his power over the life and death of his enslaved servant.<sup>52</sup>

Susannah was unsettled by what Lowder did to Phillis and attempted to convince the coroner that Lowder committed murder. However, the coroner refused to charge Lowder with a crime, and rendered Phillis’ cause of death an ambiguous narrative of her own doing. Despite finding remnants of torture: the chain, the locked room, the inedible food, and white

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<sup>49</sup> Pehr Kalm, *Travels into North America: containing its natural history, and a circumstantial account of its plantations and agriculture in general, with the civil, ecclesiastical and commercial state of the country, the manners of the inhabitants, and several curious important Remarks on various subjects* (London: Printed for T. Lowndes, 1772) 1:311.

<sup>50</sup> Inquest of Phillis Negro Wench, 22 October 1758, Van Corlandt Papers, 1664-1870.

<sup>51</sup> Inquest of John Denton, 17 June 1757, Van Corlandt Papers, 1664-1870.

<sup>52</sup> Inquest of Phillis Negro Wench, 22 October 1758, Van Corlandt Papers, 1664-1870.



eyewitnesses who claimed this was a murder, the coroner decided that Lowder's murder of Phillis was not only legal, but also her own fault.<sup>53</sup>

Phillis and Isabella's stories reveal how whites interpreted their treatment of African-descended people across labor statuses. The coroner's erasure reflected the conditions that defined the living to racialize the world of the dead. The coroner records for cause-of-death obscured the environmental violence that people of color faced. Despite her legal independence, Isabella's 'choice' to move into her employer's household informed by chronic poverty she and other free people of suffered. Isabella's decision to take her baby's life was an act of desperation that required investigation. The coroner assumed that she was not of sound mind, rather than interrogate the social conditions that forced her hand. Most enslaved women's premature deaths usually did not warrant an inquest, so the fact that Susannah called the coroner suggests that the quotidian violence of slavery did not disturb most whites. Lowder was quite public with his plans to authorities, who encouraged him. The inquisition of Phillis served to reaffirm city's racial hierarchy by obscuring the barbaric suffering and death of the enslaved. Yet, neither of these cases were full erasures, but rather a silencing of free(d) and enslaved people's perspectives. Overtime, this trajectory of death investigations obliterating people of color bled into the treatment of the cadaver itself. Whites increasingly came to view cadavers of color with the same ambivalence as the causes of death that put them in early graves in the first place.

### **Race, Dissection & the Origins of the Cadaver Slave Trade**

On June 22, 1756, Coroner Burnet described the sailor Samuel Bull as "a free Negro" who "Instantly Drowned" after rolling off the vessel of Captain James Ackland's docked vessel.

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<sup>53</sup> "Inquest of Phillis Negro Wench, 22 October 1758, Van Corlandt Papers, 1664-1870.

Little else is revealed about Samuel's untimely death because no witnesses came forward. In order to decide what caused Samuel to drown, the coroner decided to conduct a formal autopsy in the presence of three surgeons. They had not seen the event, yet Coroner Burnet believed that they could dissect Samuel's body for clues as to how he died.<sup>54</sup> The three surgeons looked over Samuel's wrinkled palms and pulled off aquatic debris that clung to his body such as silt, mud, and shell fragments. They saw his cadaver bloated, and his skin's discolored, but no "Wound Or the skin Broken Nor no Bruises whatever" were found.<sup>55</sup> But, Samuel's corpse did offer the surgeons a canvas for practicing dissection, and investigate the anatomical workings of the body.

Samuel's autopsy was significant because it was among the first autopsies a coroner had ordered in British North American history. Because the coroner did not rule Samuel's death a suicide or murder, authorities did not consider his death a crime.<sup>56</sup> So why did the coroner ask the surgeons to inspect Samuel's body? They suspected Samuel died of "some infectious Distempers," possibly smallpox, which was on the rise in the colony.<sup>57</sup> Surgeons inspected vessels entering the colony, though they did not formally interrogate anyone from the crew. Samuel was a sailor who travelled around the Atlantic world and may have been suspected of carrying a pathogen. Not finding any indication that Samuel died of an infection, they discharged his body to the African Burial Ground for immediate internment. This was the only time in

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<sup>54</sup> Inquest of Samuel Bull, 29 June 1756, Van Corlandt Papers, 1664-1870.

<sup>55</sup> Erica J. Armstrong and Kevin L. Erskine, "Investigation of Drowning Deaths: A Practical Review," *Academic forensic pathology* vol. 8 1 (2018): 8-43.

<sup>56</sup> The first recorded public dissection took place in Boston in 1733 on Julian, an Indigenous servant, who was convicted of murdering John Rogers. Julian sought council from several local preachers in hopes of a last-minute reprieve, however, none of his efforts worked, even as he "beg'd the Spectators to be warn'd by his untimely End." The court executed Julian within a month of his sentencing, and then "granted to several Students in Physick, Surgery, &c. at their Request... their critical Inspection." Julian's body was cut apart and all but his skeleton was disposed. see: *New-England Weekly Journal*, March 26, 1733; *Boston News-Letter*, March 30, 1733)

<sup>57</sup> *The Colonial Laws of New York from the year 1664 to the Revolution...* (Albany: J. B. Lyon, state printer, 1894), 3:1073; John Duffy, *History of Public Health in New York City, 1625-1866* (New York: Russell Sage Foundation, 1968), 56.

Coroner Burnet's inquest collection where a sailor was suspect of "being visited with any [virus]." In deciding this drowned sailor of color was possibly carrying smallpox (and not other white cadavers who drowned in the same period), surgeons reinforced racially motivated ideas about Black cadavers as dangerous to the health of colonial society. Use of Samuel's body in this context reinforced the clout with which surgeons sought to determine whether a cadaver was diseased.<sup>58</sup>

By the mid-eighteenth century, surgeons had long been the subjects of controversy for their continuing dissection practices. Europeans understood dissection primarily as a punishment, and so when early modern anatomists emerged in the sixteenth century, they came under reform quickly. Professional anatomists were first legally distinguished from other medical practitioners in England. Under "An Act concerning Barbers and Surgeons to be of One Company," (1540) the Crown defined dissection cadavers worthy of dissection as criminals but only allowed four bodies transported each year to surgeons "for Anatomies."<sup>59</sup> In 1752, Parliament passed "An Act for better preventing the horrid crime of Murder," which made more specific requirements that surgeons must only dissect cadavers of murderers.<sup>60</sup> These laws however only impacted

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<sup>58</sup> *The Colonial Laws of New York from the year 1664 to the Revolution...* (Albany: J. B. Lyon, state printer, 1894), 3:1073; For examples of similar circumstances involving white sailors, see: Inquest of William Hunter, 16 September 1755, Van Corlandt Papers, 1664-1870; Inquest of John Tilyou, 7 January 1756, Van Corlandt Papers, 1664-1870; Inquest of Charles Scott, 30 July 1758, Van Corlandt Papers, 1664-1870.

<sup>59</sup> *The Statutes at Large, of England and of Great Britain: From Magna Carta to the Union of the Kingdoms of Great Britain and Ireland*, edited by Sir Thomas Edlyne Tomlins and John Raithby (London: Printed by George Eyre and Andrew Strahan, 1811), 3:338-339; Such legal logics were brought to the colonies. Under Massachusetts's "Body of Liberties" passed a century later, colonists forbade anyone from exhuming bodies of executed convicts after twelve hours of a burial "unless it be in case of anatomic." Several years later, authorities passed an additional resolution that medical students were allowed once every four years to study anatomy and dissect "some malefactor" if permitted by a court to do so. *The Colonial Laws of Massachusetts Reprinted from the Edition of 1660, with the Supplements to 1672: Containing Also, The Body of Liberties of 1641*, edited by William Henry Whitmore (Boston: Printed by Rockwell & Churchill, 1889), 139; For the wording of the 1647 resolution, see: Francis Randolph Packard, *The History of Medicine in the United States* (Philadelphia: J.P. Lippincott Company, 1901), 35.

<sup>60</sup> Edward Mussey Hartwell, *The Study of Anatomy, Historically and Legally Considered* (Boston: Tolman & White, Printers, 1881), 8; Michael Sappol, *A Traffic in Dead Bodies: Anatomy and Embodied Social Identity in Nineteenth-Century America* (Princeton: Princeton University Press, 2002), 101.

Europeans. In the colonies, surgeons had different rules for harvesting bodies from African burial grounds. New Yorkers, for instance, placed far less limitations on dissecting cadavers of color.<sup>61</sup> Anatomists' decisions about whose bodies to dig up, exploit, dismember, export, and display for public and medical consumption reflected white colonists' belief that racial slavery supplemented punishment for criminality. The surgeon, like the coroner, helped to calcify increasingly institutionalized categories of racial difference through the destruction of cadavers of color, and extending the servitude of the enslaved into the afterlife.

For these reasons, New York emerged as a premier colony for anatomist research beginning in the 1750s and 1760s. Colonial physicians opened medical facilities in cities along the eastern seaboard, including Manhattan, Philadelphia, Boston, and Baltimore, where there were ample African burial grounds to rob. Among these anatomist migrants from England was Samuel Clossy. Almost immediately upon arrival in New York Harbor, Dr. Clossy worked fast to procure bodies for dissection.<sup>62</sup> He arrived in autumn when cooler months preserved the bodies that were freshly buried in the ground. During this time of year, incidences of grave robbing rose around the northeast.

Within two months of arriving in New York, Dr. Clossy purchased three cadavers for dissection: two who were likely Angolans and a third European-descended woman.<sup>63</sup> Writing to a colleague in Dublin, Dr. Clossy emphasized the racial, sexual, and commercial culture these three cadavers seemed to embody on his operating table. His first subject was a woman, "white, about twenty," who died of "Inflammation of the Bowels." His scalpel never left her "Stomach

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<sup>61</sup> Diana Ramey Berry refers to surgeons' procurement of Black bodies as a harvest, analogous to the harvest of cotton and other raw materials converted into commodities, see: Daina Ramey Berry, *The Price for Their Pound of Flesh: The Value of the Enslaved, from Womb to Grave, in the Building of a Nation* (Boston: Beacon Press, 2017), 154-155.

<sup>62</sup> Morris H. Safford, *The Existing Works of Samuel Clossy, with a Biographical Sketch...* (New York: Hafner Pub. Co; 1967), xxvii.

<sup>63</sup> Shultz, *Body Snatching*, 31.

[which] was almost black with blood extravasated into the interstices of its fibers; the small intestines quite black putrid and dry.” Dr. Clossy found her specific ailment unusual, and thought that her cadaver could provide insight into the “fibrous, vascular and nervous [systems] and every succeeding, their uses motions and diseases.” Very little was conveyed about the young white woman on Samuel’s operating table, particularly compared to racialized sexualization he read into the other two African bodies.<sup>64</sup>

When Dr. Clossy finished inspecting the white female cadaver, he turned next to “a female black.” He identified her cause of death as heart disease due to “a very large Polypus in right ventricle running into the pulmonary Artery.” Dr. Clossy spent little time dwelling on the woman’s polyps. Instead, he directed the surgical students to “the beautiful carving on the Neck, breast and belly which tis impossibly to describe verbally, Hieroglyphicks possibly of the Kingdom of Angola.” The third body, Samuel related only as “a Male Black,” was also the subject of intense scrutiny and befuddlement among the medical students. His penis had been “circumcised a custom (as I am informed) of natives of Angola.”<sup>65</sup> The presence of these scars reveal that these individuals travelled long distances before they ultimately reached Dr. Clossy’s operating table.

West Africans practices of scarification and other forms of body modification symbolized a cosmology of social and political meanings. Practically, ritualistic scars helped Angolans, Igbos, and other ethnicities identify themselves. They might have expressed various ideas, including social status, personal histories, and community heritage.<sup>66</sup> But within a diasporic

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<sup>64</sup> Samuel Clossy, Letter to Dr. George Cleghorn, 1 August 1764, in *The Existing Works of Samuel Clossy, with a Biographical Sketch*, edited by Morris H. Safford (New York: Hafner Pub. Co; 1967), xxx.

<sup>65</sup> Clossy, Letter to Dr. George Cleghorn, 1 August 1764, *The Existing Works of Samuel Clossy*, xxxi.

<sup>66</sup> Katrina H. B. Keefer, “Scarification and Identity in the Liberated Africans Department Register, 1814-1815,” *Canadian Journal of African Studies / Revue Canadienne Des Études Africaines* 47, no. 3 (2013): 538-539.

context, the presence of scars delineated and protected the two individuals' memories of life before captivity, the Middle Passage, and enslavement. In life, the two Angolans' scars were a reminder of freedom and worked against the totalizing domination and subsumption of their identities by the socially alienating system of slavery.

If the scars themselves worked against depersonalization inherent in chattledom, Dr. Clossy's dissection sought to reinforce slavery's erasure of their personhood. Referring to the Angolan man, Dr. Clossy noted that he "belonged to a friend of mine." His enslaver donated him for whatever purpose the anatomist needed from his body. Once he had ceased working to enrich his enslaver, the enslaved man's corpse became disposable, reinforcing the social death he endured in life. Dr. Clossy found dissecting him if only "for sake of the Skeleton." In death, the anatomist displayed the man's bones in perpetuity at the front of his classroom. The enslavers' ability to transfer ownership over the Angolan man to Dr. Clossy extended his use-value past the point of his physical demise.<sup>67</sup>

Even though people of color lacked social power to protect their dead, Dr. Clossy complained he could not find any other body to dissect. He told a colleague that "we could not venture to meddle with [another] white subject" for fear colonists would seek retribution, and no other slaveholding friend donated another "black or Mulatto" cadaver. It is unclear why the doctor did not take advantage of November's cold weather and early darkness setting over the city to disinter some bodies from the almshouse's Pottersfield or the adjacent African Burial Ground. Perhaps as a stranger to the colony, he was unaware that authorities were unlikely to have stopped him, his students, or hired ghouls from disinterring some cadavers belonging to the city's free Black and enslaved population. In any case, Dr. Clossy only taught forty-four days

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<sup>67</sup> Clossy, Letter to Dr. George Cleghorn, 1 August 1764, *The Existing Works of Samuel Clossy*, xxxi.

total, spending most of class removing and scrutinizing body parts of the two deceased Angolans before concluding his anatomy course.<sup>68</sup>

The violence of the American Revolution over the next two decades ushered in more social acceptance for dissection. Surgeons found obtaining bodies more readily available as large numbers of dead soldiers and civilians piled up around northeastern cities. For instance, Dr. Clossy taught anatomy to the Loyalist surgeon stationed in New York City.<sup>69</sup> Others like John Warren went to the battlefield for practice. Studying at Harvard Medical School in the 1760s, John was a member of a ghoul gang, The Spunker's Club. In college, he bemoaned "the continued bars we are meeting in our pursuits" for cadavers. When war with England broke out, Dr. Warren joined the Continental Army travelling around New York-New Jersey countryside between 1775 to 1777. He then returned to Boston to manage the Continental Army Hospital.<sup>70</sup> During this time, John's son recalled, the war brought ample opportunities to practice dissection and finding "a multitude of...bodies of soldiers who had died without relations."<sup>71</sup> The multitudes of bodies that anatomists could find during the war were short-lived.

When British forces withdrew from New York, social acceptance for dissection waned, and surgeons and physicians resumed "procuring... bodies" from graveyards in secret.<sup>72</sup> Doctors soon realized the ease with which they took bodies for experimentation during the war was now "very much diminished." In New York and New England, "watchers" and other police officials patrolled white cemeteries, preventing students from stealing corpses. As a result, Massachusetts physicians and students felt "resort[ed] to the most dangerous expedients, and finally [left for]

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<sup>68</sup> Clossy, Letter to Dr. George Cleghorn, 1 August 1764, *The Existing Works of Samuel Clossy*, xxx.

<sup>69</sup> Claude Heaton, "Body Snatching in New York City," *New York State Journal of Medicine* 43 (1943): 1862.

<sup>70</sup> William Eustis, Letter to John Warren, (n.d.), *John Collins Warren, M.D.: Compiled Chiefly from his Autobiography* edited by Edward Warren (Carlisle, Mass.: Applewood Books, 1860), 26.

<sup>71</sup> Edward Warren, *John Collins Warren, M.D.: Compiled Chiefly from his Autobiography* (Carlisle, Mass.: Applewood Books, 1860), 404.

<sup>72</sup> Edward Warren, *John Collins Warren, M.D.: Compiled Chiefly from his Autobiography*, 404.

the city of New York at a great expense of money.”<sup>73</sup> At the same time that students were deciding to travel across state lines for cadavers, the New York State legislature decided to fund King’s College and rename the college Columbia in honor of the new nation’s founding.<sup>74</sup> This funding helped facilitate and legitimize dissection under the assumption that dissected cadavers came from the poorest rungs of society. Classroom sizes grew, and more students attended anatomical study. Manhattan quickly became the epicenter for harvesting and trafficking bodies.<sup>75</sup>

New Yorkers linked burial grounds to the social standing of the city’s inhabitants. Where someone was buried was largely based upon their social, labor, and racial status, church attendance, and how they were interred. As a result, New Yorkers expected anatomists to gather bodies from two graveyards. The first was located behind the almshouse. Known as Pottersfield, this cemetery was populated with poor whites, unclaimed strangers, and orphaned children. The second was the nearby African Burial Ground. Until the Revolution, the African Burial Ground sat outside the city limits. As a result, grave-watchers left these sites unattended. Gone were the days when night watchmen prevented African-descended mourners of more than twelve from congregating as enforced in 1722 law. Even if they had stayed patrolling the gravesite, their charge was never to protect the burial ground from whites, but rather to protect the city’s whites from enslaved people who they suspected were plotting rebellion.<sup>76</sup>

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<sup>73</sup> Edward Warren, *John Collins Warren, M.D.: Compiled Chiefly from his Autobiography*, 406.

<sup>74</sup> *Laws of the State of New York: Comprising the Constitution, and the Acts of the Legislature, Since the Revolution, from the First to the [twentieth] Session, Inclusive...* (New York: Thomas Greenleaf, 1792), 1:441.

<sup>75</sup> Edward Warren, *John Collins Warren, M.D.: Compiled Chiefly from his Autobiography*, 406.

<sup>76</sup> Survey of Kalk Hook Farm, 1787, Microfilm, Manuscript Collection, New York Public Library, New York; “Bancker Plans” Ewart Bancker Jr., Box 1, Folder 44, Manuscript Collection, New York Public Library, New York; Andrea E. Frohne, *The African Burial Ground in New York Society: Memory Spirituality, and Space* (Syracuse: Syracuse University Press, 2015), 86-88.



Social status not only determined where someone was buried, but also how they were interred. Wealthy white cadavers were buried in manicured plots with headstones marking their identities. They were interred adjacent to one of the many fenced-in churches that someone of their status could attend throughout the city.<sup>77</sup> However, gravediggers usually interred them without coffins when burying a corpse in the Pottersfield. On the chance they procured a coffin, a simple pine box sufficed. When more than four hundred skeletons and grave plots were excavated from the African Burial Ground in 1991, archaeologists recovered just one coffin with any information about whose body laid to rest there. The lid of one hexagonally-shaped coffin bares the initials “H W” and the age “38,” scratched on with iron tacks, suggesting the difficult lengths African Americans went to scrawling this person’s initials on the coffin, and the limits of their literacy in the late eighteenth century.<sup>78</sup> The marginalization of these sites meant that surgeons, students, and professional grave robbers could desecrate those graves without leaving any record behind of whose bodies were stolen.

In general, early Americans stigmatized full-body dissections. Judicial dissections were considered worse penalties than capital punishment. By the 1790s, New York courts reserved such public displays of dismemberment for those individuals they convicted of murder. To dismember a body and exhibit its contents, rather than leave it resting intact in the ground, was considered antithetical to a Christian burial.<sup>79</sup> Considered even more sinister was exhuming a body already interred, denoting a corpse that had “become a subject of mirth to a licentious set of men and the laughter of fools who cut and mangle a body.”<sup>80</sup> When whites learned of anatomists

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<sup>77</sup> Steven Robert Wilf, “Anatomy and Punishment in Late Eighteenth-Century New York,” *Journal of Social History* 22, no. 3 (1989): 511.

<sup>78</sup> Warren R. Perry, Jean Howson, Augustin F. C. Holl, “New York African Burial Ground Archaeology Final Report, Volume 1. Chapter 8. The Late-Middle Group” in *New York African Burial Ground Archaeology Final Report* (Washington, D.C.: Howard University, 2006), 1:223.

<sup>79</sup> Sappol, *Traffic in Dead Bodies*, 102-103.

<sup>80</sup> Quoted in Wilf, “Anatomy and Punishment in Late Eighteenth-Century New York,” 510.

desecrating graves and dismembering interred bodies, angry mobs soon followed to return the bodies to their resting places. This was the case in Philadelphia in 1765 and later in Worcester, Massachusetts in 1771, when crowds protested medical professionals taking bodies for anatomical dissections.<sup>81</sup> However, when anatomists stole bodies from the African Burial Ground in New York City in the 1780s, whites did not seek the return of the Black cadavers. Their racial antipathy towards public displays of dismembered corpses reflected how anatomists exercised their spatial power over the Black body past the point of death, and served to terrorize the kin of the deceased.

On February 16, 1788, *The Daily Advertiser* published an anonymous author's letter complaining, "It is said that few blacks are buried, whose bodies are permitted to remain in the grave."<sup>82</sup> The author was responding to a delegation of Black community leaders, working with the support of the New York Manumission Society, petitioned the Common Council about medical students stealing bodies from the African Burial Ground, and "making merchandize of human bones."<sup>83</sup> The delegation complained that Columbia University students made a routine practice of raiding their cemetery grounds, "under the cover of the Night, and in the most wanton Sallies of Excess, to dig up the Bodies of the deceased friends & relatives of your Petitioners." Doctors and students publicly discarded dismembered limbs "without respect to Age or Sex, mangle their flesh out of a wanton Curiosity and then expose it to Beasts & Birds."<sup>87</sup> Black New Yorkers witnessed hogs devouring a deceased woman—likely one of their relatives—and other examples of "human flesh...taken to the docks, sewed up in bags." Speaking to a society already

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<sup>81</sup> *Pennsylvania Gazette*, October 31, 1765; Dirk Hoerder, *Crowd Action in Revolutionary Massachusetts 1765-1780* (New York: Academic Press, 1977), 52; Wilf, "Anatomy and Punishment in Late Eighteenth-Century New York," 509.

<sup>82</sup> *Daily Advertiser*, February 16, 1788.

<sup>83</sup> Stokes, *Manhattan Iconography*, 6:46.

hostile to Black political representation, the petitioners agreed that there was a “Necessity of Physicians & Surgeons consulting dead Subjects for the Benefit of Mankind, and are far from presupposing an Injury to the Deceased.” However, they urged council members ensure that the medical school could conduct their experiments on the dead with “decency and Property.”<sup>84</sup>

New York anatomists returned African Americans’ bodies to the African Burial Ground reflected the inequality that whites enforced for the living, as well as the racialized antipathy that anatomists harbored towards their treatment of Black cadavers they dissected. For example, a man who died around the age of thirty-years old, was interred with no coffin. His right forearm was placed at his left lower limb, his leg was placed at the inside of his femur, and the hands were placed in his torso. Another man was buried with one of his legs turned backwards, severed shortly before or after death.<sup>85</sup> Students possibly pilfered sacred objects that family members had buried with them in some of the grave plots. On other occasions, mourners might have returned to pay their respects only to see mounds disturbed, and empty shafts where their loved ones once laid.<sup>86</sup> It is difficult to discern who, how, or when the bodies returned to these plots. Whoever replaced these skeletons, albeit disorganized, attempted to do so with some degree of care. Possibly the families of the deceased retrieved these bodies after surgeons completed their dissections because the bodies were not dumped haphazardly for the public to see.

Unfazed, white politicians continued to ignore the decapitated and discarded Black bodies around the city. The Common Council forewent addressing African Americans’ concerns,

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<sup>84</sup> *Daily Advertiser*, February 16, 1788.

<sup>85</sup> Perry, Howson, Holl, “New York African Burial Ground Archaeology Final Report, Volume 1. Chapter 8. The Late-Middle Group,” 1:248.

<sup>86</sup> For examples of empty shafts from the African Burial Ground’s late-period of use that were clearly disturbed by someone, see: Michael L. Blakey and Lesley M. Rankin-Hill, ed., “The Skeletal Biology of the New York African Burial Ground *Part 2: Burial Descriptions and Appendices*” in *The New York African Burial Ground: Unearthing the African Presence in Colonial New York Volume 1* (Washington D.C.: Howard University Press, 2009), 1:31, 54, 55, 95, 137, 138, 149, 152, 153, 154, 155.

probably since all committee members were enslavers themselves.<sup>87</sup> The minutes from the council's rolls make no mention of this Black delegation's petition.<sup>88</sup> When another group of African Americans petitioned whites at the New-York Manumission Society that same month, the committee voted "to inquire in to and Collect Proofs [of people] Carrying away the Dead Bodies of Negroes Buried in this City," but did not gather any evidence. The Society's resolution had less to do with curbing grave robbing, and more so white leaders "prevent[ing] the irregular Behavior of Free Negroes."<sup>89</sup> They did not take these grievances further than this single entry, suggesting the Friends were less interested in protecting Black gravesites and more so to tamp down Black New Yorkers' disturbances at their meetings.<sup>90</sup> Whites may have seen or heard Black New Yorkers wailing after finding family members' gravesites empty. Others may have noticed that the earth was disturbed, but policymakers nor common whites did nothing to reform the desecration of Black bodies.

When a Black New Yorker, writing under the pseudonym "Humanio," warned the grave robbers "lives may be forfeit of their temerity, should they dare persist in their robberies, especially at unlawful hours of night," two members of Columbia's medical community responded under pseudonyms, "Student of Physic" and "Philio-Smilion," with threats to the author.<sup>91</sup> A sympathetic Quaker to "Humanio's" letter, mocked "Our *learned* Student" asking, "[H]ow violent must be those emotions of nature have force enough, even in minds depressed by servit habits of and the habits of unresisting submission to and ignominy from infancy, to rouze

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<sup>87</sup> Robert J. Swan, "Prelude and Aftermath of the Doctors' Riot of 1788: A Religious Interpretation of White and Black Reaction to Grave Robbing," *New York History* 81, no. 4 (2000): 440 n.59.

<sup>88</sup> *Minutes of the Common Council of the City of New York*, 1:349-363.

<sup>89</sup> *Minutes of the New York Manumission Society*, 26 January 1788, Microfilm edition, New-York Historical Society.

<sup>90</sup> Only after controversy emerged over a white woman's body taken from Trinity Church, the church's rector offered a large sum of \$100 for information leading to the robbers' arrests, see: *The Daily Advertiser*, February 23, 1788; *The Daily Advertiser*, February 28, 1788.

<sup>91</sup> *The Daily Advertiser*, February 28, 1788.

them to risque of punishment, and even of death itself?”<sup>92</sup> The controversy turned into a riot only once resurrectionists expanded beyond the African Burial Ground into prominent white gravesites like Trinity Church.

There is no consensus over how the Doctors’ Riot of 1788 began, though a general overarching narrative has emerged. Newspapers reported that it started when some boys, playing outside City Hospital, peered into an operating room. One or several children witnessed a dissected appendage, possibly hanging out of a window.<sup>93</sup> Rumor spread that a medical student had waved a severed arm at the inquisitive children.<sup>94</sup> Other accounts claimed that one of the boys saw his recently deceased mother on one of the operating tables. He ran to his father and told him what he saw. The widower gathered a posse of working white men to inspect his wife’s grave and found the site empty before marching on Columbia College.<sup>95</sup> Whether or not any part of these accounts is true, what did happen was a mob of predominantly white workers attacked the hospital and removed dismembered bodies. The mob sacked the buildings and beat students and doctors until the mayor, sheriff, and other officials came to their rescue, locking them in the City Hall jail to “secure them from their violence and resentment.”<sup>96</sup> Such scenes of mob action reflected the lengths that middling whites could and did pursue to seek redress in the new nation. Free African Americans had peacefully petitioned their grievances since February, and the New York Assembly summarily ignored their calls for reform.

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<sup>92</sup> *The Daily Advertiser*, February 22, 1788.

<sup>93</sup> *New York Packet*, April 25, 1788.

<sup>94</sup> *Massachusetts Sentinel*, April 23, 1788.

<sup>95</sup> *Boston Gazette*, May 5, 1788; William Heth, Letter to Edmund Randolph, 16 April 1788, *Calendar of Virginia State Papers and Other Manuscripts* (Richmond: R.U. Derr, Superintendent of Public Printing, 1884), 4:425-6; Thomas Jefferson, Letter to William Charmichael, 3, June 1788 in *The Writings of Thomas Jefferson* (New York: G.P Putnam’s Son, 1895), 5:26-27.

<sup>96</sup> Heth, Letter Edmund Randolph, 4:426.

Rioting continued for the next couple of days. The white mob swelled to five thousand, searching the city for doctors, students, and bodies, and descended a second time on Columbia College. Alexander Hamilton plead with the mob before they pushed him over, and ransacked student dormitories, the chapel, the museum, dissection hall, and several other doctors' houses off campus. No bodies were found, but the crowd remained undeterred and attacked the jail with rocks, bricks, wood, and anything else they could find forcing the governor called out several flanks of militia to end the rioting. At some point the Secretary of Foreign Affairs John Jay and the Revolutionary War General Baron von Steuben confronted the mob. Jay's "got his skull almost cracked," and so did von Steuben, prompting the militia to open musket-fire. In total, at least four rioters and three militiamen were killed.<sup>97</sup>

In the aftermath of the Doctors' Riots, New York legislators moved swiftly to sanction the first dissection law in the United States. "An Act to Prevent the Odious Practice of Digging up and Removing for the Purpose of Dissection, Dead Bodies Interred in Cemeteries or Burial Places," provided surgeons dead bodies belonging to criminals executed for murder, arson, or burglary attempting to curtail grave robbing.<sup>98</sup> However, the law did not provide enough bodies to satisfy the surgeons' scalpel, and so medical professionals resumed robbing from African burial grounds. Finally, in 1819, violations against the new reforms were so frequent that the state legislature re-classified grave robbing as a felony worthy of five years in prison.<sup>99</sup> In the end, white apathy aided surgeons and students in creating a racial hierarchy for the dead.

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<sup>97</sup> Heth, Letter to Edmund Randolph 16, April 1788, 4:425-426.

<sup>98</sup> *Laws of the State of New York: Passed at the Sessions of the Legislature Held in the Years 1777-1801, Being the First Twenty-four Sessions* (Albany: Weed, Parsons and Company, 1887), 3:5.

<sup>99</sup> Rachel H. Mathis, Jill H. Watras, and Jonathan M. Dort, "Grave robbing in the North and South in antebellum America," *American College of Surgeons* (2016): 17.

## Conclusion

Even for the dead, rest was a privilege based upon whites' demands for bodies. As a result, Black cadavers were routinely taken from graveyards well into the nineteenth century. Both anatomists' and coroners' treatment of Black corpses materialized to carry racial differences from the realm of the living into the afterlife, though fundamentally divergent in practice. Early on in New York history, colonial administrators found coroners' inquisitions into the causes of death an important tool for reconstructing how controversial events like the 1712 Slave Conspiracy occurred and meeting out colonial justice against the enslaved. The inverse was not the case when coroners came to inspect the death of an enslaved or free person of color whose death was ruled "untimely." Instead, coroners reinforced the social precarity African-descended people experienced in life, erasing contexts of free and enslaved people of color struggling to escape poverty and slavery.

New Yorkers' increasing acceptance of anatomists' treatment of Black cadavers helped institutionalize African Americans' racial alienation from colonial society. Enslavers, authorities, and doctors conspired in trafficking, publicized dissections, and disposing of thousands of Black cadavers in the decades to come because they asserted their right to own the totality of the enslaved body. Alienating corpses from the kin and communities that mourned them and reappropriating these cadavers for medical knowledge reinforced free and enslaved people of color's use-value to whites in death for decades to come. Recognizing and recovering the precedents to the cadaver slave trade deepens connections between colonial cadaver trading networks, grave robbing, and death investigation to America's later ideological commitments to establishing racial hierarchy. In New York City, these policies reinforced the precarious social position African Americans continue to suffer through the period of gradual emancipation. Even

in death, rest was a privilege for enslaved and free(d) people of color, whose bodies anatomists continued to exploit and commodify.



## CHAPTER 5: CONCLUSION

Over the course of four chapters, I explored the experiences of enslaved people navigating the profound power systems and relationships that shaped captivity in New York society in the seventeenth and eighteenth centuries. Slaveholding in the urban North under two colonial dominions – first Dutch, then English, informed specific spatial, penal, and economic logics that underwrote daily enactments of racial ideologies, labor relations, and the kinds of violence enslaved people experienced. The criminalization of Blackness in life and death, and the alliance of white women with white men across class lines contributed to the racialization of colonial criminal justice. By attending to the intimate moments of enslaved people’s day-to-day experiences in households, taverns, courtrooms, and in death, I argue that enslaved men and women negotiated captivity in ways that were unique to Manhattan’s urban environment.

“Slavery, Surveillance, and Carceral Culture” has shown that northern enslavers seeming laxity in documenting how they policed enslaved people’s activities masked more targeted, often gendered forms of containment to exert their control. The more overt forms spatial power endemic to the transatlantic slave trade contextualized how enslaved people experienced violence, surveillance, and punishment when they arrived in the British colonies of northeastern North America. Enslaved Africans came to New York City traumatized with memories of oceanic captivity. In Manhattan, enslavers practiced similarly pervasive forms of violence, but did not necessarily document their day-to-day actions to surveil and control the people they held captive as European slave merchants did.

Spatial power was mobilized around racial and gender divisions of labor in Manhattan. My research has also demonstrated that enslavers scrutinized enslaved women’s activities much more closely, monitored chores and personal activities, and enlisted other non-slaveholding New

Yorkers in the surveillance of the city's enslaved workforce. Enslaved women's navigation of these domestic and public spaces reveals that resistance was a nuanced struggle to keep kin and community ties intact, orchestrating violent acts of rebellion, and seeking pleasure whenever possible. Furthermore, investigating non-slaveholding women's roles as surveillants of people of color in the mid-eighteenth century has recovered the critical role female informants played in uniting white New Yorkers across class lines. Officials', enslavers', and non-slaveholding whites' racial attitudes towards the dead further shaped the re-enslavement of deceased people of color to the needs of New York's nascent criminal justice and medical establishments. Through publicly sanctioned acts of dissection and dismemberment, the Black body definitionally became a criminalized subject despite African Americans' protests.

Race and gender are critical frameworks for understanding the cultural logics of incarceration and slavery. Advocates for both institutions have historically buttressed their arguments using economic, political, and religious rationales favoring captivity. Yet, race-reductionist tropes that merely graft slavery and Jim Crow onto the present moment should not be this dissertation's takeaways. Instead, we can build a much more capacious understanding of the relationship between marginalized communities' struggles against social precarity and the multiple pipelines that take them from freedom into captivity. Slavery in New York City had distinct features to other places in the African Diaspora, and those distinctions were critical to how enslavers, officials, and non-slaveholding allies denied enslaved people freedom. Still, New York slave society's customs overlapped with other colonies in ways that also hold value for scholars looking to examine the full spectrum of captivity practices within specific geographic, temporal, and political moments in time.

In recovering the ways spatial power, carceral culture, and surveillance manifested in New York City and the wider Atlantic world, this dissertation has shown that slavery was a malleable system that slaveholders, officials, and their non-slaveholding allies sought adapt to new challenges to their dominion over enslaved people. Likewise, Enslaved people adjusted, combatted, and succumbed to a dynamic range of coercive methods in households, slave ships, and public spaces. By encouraging all subjects to participate in the surveillance and control of enslaved people's bodies, activities, and movements, and simultaneously erasing the more subtle methods of coercion that were used to delineate power in the city, colonial New Yorkers preserved and fortified the institutional foundations of Atlantic slavery and early American racial hierarchy in Manhattan.

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*The New-York Gazette; or, The Weekly Post-Boy*  
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