Flow of History Teaching with Primary Sources

Slavery in Vermont

Overview and Background

It is common knowledge in Vermont that Vermont was the first state to abolish slavery, in its constitution of 1777. However, that story is not so simple. While the 1777 constitution outlawed adult slavery, boys could remain enslaved until the age of 21, and girls til the age of 18. Various documents demonstrate that people were held as slaves in Vermont after 1777, and that in any event the status of Black people in Vermont into the 19th century was ambiguous. Exploring these stories complicates the picture of the experience of African Americans in early Vermont, and can provoke your students to ponder the meaning of freedom. Considering these issues also sets the stage for thinking about the purpose served by the conventional wisdom of "no slavery in Vermont," and the realities of racism that are apparent throughout Vermont's history and into the present day.

Grade Level

6 - 12

Enduring Understandings

Slavery existed in the North and was central to the development and growth of the northern economies.

Topic(s)

Slavery in the North

Compelling Question(s)

Did its 1777 constitution abolish slavery in Vermont?

Under the conditions established by the 1777 constitution, did freedom for Black people in Vermont mean the same thing as freedom for white people?

Historical Thinking Skills

Sourcing and Evidence; Synthesizing Sources

Summative Task

After examining the Vermont Constitution, Act of 1786, and the Census, summarize the status of free Blacks in Vermont. Use evidence from the primary sources.

Outline

Activating Prior Knowledge/Building Historical Context:

Review with students which colonies had enslaved people in America (all of them). Chart of enslaved people in the colonies

Note: Vermont was not one of the original colonies.

Investigation of Primary Sources

PART 1: What was the law and was it being followed?

Present to the class the claim that Vermont is renowned for being the first in America to abolish slavery in its 1777 Constitution.

Investigate two primary sources to consider the questions:

- Did Vermont abolish slavery in 1777?
- Did slavery cease to exist in Vermont after 1777?

Distribute this <u>close-reading and summarizing worksheet</u> (page 5 in this PDF) that examines the abolition clause of the 1777 Vermont Constitution. A close read reveals that the abolition of slavery was not unconditional. After students summarize the clause in their own words, ask students what the status was for young adults? They should come to the realization that boys under the age of 21 could remain enslaved, in servitude, or as apprentices, and girls under the age of 18. The abolition clause was really only for adults and even then, if they were in debt they could be held in bondage.

Distribute this <u>close-reading and summarizing worksheet</u> (pages 6/7 in this PDF) of an act passed by the Vermont legislature in 1786. Students should be able to summarize that slave-owners were getting around the law, selling formerly enslaved people out-of-state, rather than freeing them. Those caught would be fined.

Share the <u>story of young Anthony</u> (pages 8/9 in this PDF) who was sold to a man in NH at age 8 ½ in 1790--an example of child slavery well after the 1777 Constitution was ratified.

PART 2: What was the status of Black people in Vermont after slavery was abolished?

Distribute the background article, <u>Counting Heads in 1791</u>. Were there enslaved people in Vermont or not? That's the question. The 1791 census recorded 16 enslaved people held in Bennington County. Years later census officials from Vermont asserted that this must have been a mistake, because slavery had been outlawed by the state constitution fourteen years earlier.

Discussion: Refer back to the 1786 act. Just because something was outlawed, doesn't mean it wasn't happening. People were disobeying the law. Could those 16 people have been enslaved?

Distribute the first page of this <u>1791 census summary</u> and <u>worksheet.</u> (pages 10 - 13 in this PDF)

Review each column. What do students think "all other free persons" means? "All other free persons" mostly meant free Blacks, or African Americans who were not enslaved. It also included Native Americans and immigrants.

Distribute this <u>1791 census page from Hartland</u> (page 14 in this PDF)

Flow of History Teaching with Primary Sources

As a class, find Ned Freeman. Have students describe Ned Freeman's household. There are four people of color living in the home. Ned Freeman is the head of the household.

Find William Gallup. Have students describe this household. In addition to William Gallup, there are three other white men over the age of 16. There are two white boys under the age of 16, probably his sons. There are six women. Probably, William Gallup and his wife lived with 9 children, some teens (although, grandparents could also have been living there).

Have students consider who the one "all other free person" might be. Possibly a servant girl or an apprentice.

If you would like to look at the census for your town, you can get the information from Vermont Historical Society.

Summative Assessment

After examining the Vermont Constitution, Act of 1786, and the Census, summarize the status of free Blacks in Vermont. Use evidence from the primary sources.

Some possible answers from students: Some had their own homes, others lived in the homes of white people, probably as servants or apprentices. If they were under age 21 (boys) or 18 (girls), they could be enslaved. Children could be bought and sold, for example young Anthony who was sold at age 8 $\frac{1}{2}$.

Extension

A case study of Dinah Mason adds to the picture of slavery in early Vermont, and further complicates the larger story. A bill of sale shows that in 1783 Dinah was purchased as a slave by Stephen Jacob of Windsor, a prominent lawyer who became a judge and served on the Vermont Supreme Court. In 1801 the town of Windsor sued Jacob to force him to cover the town's expenses in caring for Dinah, who had been turned out by Jacob and was indigent.

The case, which was decided by the Supreme Court in Jacob's favor, once again raised pressing questions about slavery and the nature of freedom for African Americans in early Vermont. The documents —bill of sale, Windsor census record, Windsor town meeting warrant, and the court report—can be used to investigate these questions. Guided examination of the first three documents feeds into asking why the Supreme Court ruled that Dinah could not have been enslaved because slavery was illegal in Vermont.

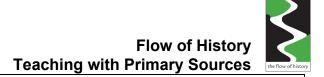
Materials

BRIEF OVERVIEW FOR KIDS

Zinn Education Project: Vermont Abolished Slavery

PRIMARY SOURCES

1777 Vermont Constitution and worksheet 1786 Vermont Act



1791 Vermont census

Story of Young Anthony

1791 census summary and worksheet

1791 census page from Hartland

ADDITIONAL RESOURCES

The Problem of Slavery in Early Vermont, 1777-1810, by Harvey Amani Whitfield, provides a background essay and more than 30 primary sources.

The Abolition of Slavery in Vermont

Vermont is renowned for being the first state in America to abolish slavery, in its 1777 Constitution. This view is widely held by the public and scholars alike. We will read two primary sources to consider the questions: Did Vermont abolish slavery in 1777? Did slavery cease to exist in Vermont after 1777?

Source (date, author, audience)

Vermont Constitution (1777)

That all men are born equally free and independent, and have certain natural, inherent and unalienable Rights, among which are the enjoyment and depending Life and Liberty; acquiring, possessing and protecting Property, and pursuing and obtaining Happiness and Safety. Therefore, no male person, born in this country, or brought from over sea, ought to be holden by Law to serve any person as a Servant, Slave or Apprentice, after he arrives to the age of twenty-one years, nor female in like manner, after she arrives to the age of eighteen years, unless they are bound by their own consent after they arrive at such age, or bound by Law for Payment of Debts, Damages, Fines, Costs, or the like.

Key Words	s and Phrases:	

Summary	

An Act to Prevent the Sale of Transportation of Negroes & Molattoes Out of this State (1786)

Source (date, author, audience)

Whereas by the constitution of this State all the subjects of this Commonwealth of whatever colour are equally entitled to the inestimable blessings of Freedom unless they have forfeited the same by the commission of some crime, and the Idea of Slavery is expressly and totally exploded from our free Government.

Key Words:

Summary:

And whereas Instances have happened of the former owners of Negroes in this Commonwealth making sale of such persons as Slaves notwithstanding their being liberated by the Constitution, and attempts have been made to transport such persons to foreign parts in open violation of the Laws of the Land.

Key Words:

Summary:



Be it therefore enacted by the General Assembly of the State of Vermont that if any person shall hereafter make sale of any subject of this State or shall convey or attempt to convey any subject out of this State with intent to hold or sell such person as a Slave every person so offending and convicted thereof shall forfeit and pay to the person injured for such offence the sum of ${\bf £}100$ and cost of suit to be recovered by action of debt or complaint or Information.

Key Words:		

Summary:			



BILL OF SALE, OLIVER HASTINGS PURCHASED ANTHONY FROM JOTHAM WHITE (1790)

Overview: This bill of sale is an example of child slavery that the Vermont Constitution allowed. However, after the enactment of the 1786 Transportation and Sale law, Jotham White should not have sold this young child. Significantly, we know nothing about Anthony's parents or how Jotham White obtained the boy in the first place. Although White appears to try to protect himself from any legal trouble by insisting that Anthony be freed at age 21, there would have been no way to enforce such a provision in New Hampshire, where Dr. Hastings lived. As it turns out, Oliver Hastings and Jotham White had married sisters from the same family (Reed). According to notarial records gathered by historian Marcel Trudel, Hastings sold Anthony (Antoine) to Boucherville resident Charles Boucher de Labruere for 90 bushels of wheat. (Marcel Trudel, Dictionnaire des esclaves et de leurs proprietaries au Canada français [Ville LaSalle: Hurtubise Cahiers du Quebec, 1990], 14.)

Source: Charles H. Hubbard and Justus Dartt, *History of the Town of Springfield, Vermont* (Boston: George H. Walker & Co., 1895), 489. I have attempted to track down the original bill of sale to no avail. I searched in various collections in Vermont, the New Hampshire Historical Society, the Charlestown (N.H.) Historical Society, and The Fort at #4, but no one seems to know what happened to the bill of sale.



[MARCH 2, 1790]

Know all men by these presents, that I, Jotham White of Springfield, in the county of Windsor and State of Vermont, gentleman, for and in consideration of the sum of thirty-five pounds in silver money to me in hand before the delivery hereof paid by Oliver Hastings of Charlestown, in the county of Cheshire and State of New Hampshire, physician, do hereby sell and deliver to the said Oliver Hastings, my negro boy slave named Anthony, about eight years and a half of age. To have and to hold the said negro boy slave to the said Oliver Hastings, his heirs and assigns, until the said negro boy shall

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arrive to the age of twenty-one years. I, the said Jotham White, for myself, my heirs, executors, and administrators, do by these presents covenant and engage with the said Oliver Hastings, his heirs and assigns, against the lawful claim and demands of all persons whatsoever.

JOTHAM WHITE
"Signed, sealed and delivered in presence of AMANDA STONE.
IOEL REED."

OF SPRINGFIELD, VT.

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The following is taken from the History of Charlestown, N. H.:

"Know all men by these presents, that I, Jotham White of Springfield, in the county of Windsor and State of Vermont, gentleman, for and in consideration of the sum of thirty-five pounds in silver money to me in hand before the delivery hereof paid by Oliver Hastings of Charlestown, in the county of Cheshire and State of New Hampshire, physician, do hereby sell and deliver to the said Oliver Hastings, my negro boy slave named Anthony, about eight years and a half of age. To have and to hold the said negro boy slave to the said Oliver Hastings, his heirs and assigns, until the said negro boy shall arrive to the age of twenty-one years. I, the said Jotham White, for myself, my heirs, executors, and administrators, do by these presents covenant and engage with the said Oliver Hastings, his heirs and assigns, against the lawful claim and demands of all persons whatsoever.

"In witness whereof I have hereunto set my hand and seal, this second day of March, in the year of our Lord seventeen hundred and ninety.

JOTHAM WHITE.

"Signed, sealed and delivered in presence of Amanda Stone, Joel Reed."

NATHAN WHITE was b. in Uxbridge, Mass., March 17, 1776, and came to Springfield in the winter of 1805–6. He first located on Connecticut River, near the north line of the town, on the Townshend place. Six years later he sold this farm to Samuel Steele, and bought of Taylor Spencer the farm now owned by his son, Levi R. White, and in 1826 he moved to the meadow farm at the mouth of Black River, where he d. March 28, 1858.

In 1800 he m. Rachel Rist of Grafton, Mass., who d. May 22, 1817, aged 37. By this marriage there were ten children:

- I. Sally, b. in Grafton, Mass., May 15, 1801; m. Nov. 27, 1821, Isaiah Ellis. Six children. (See Ellis family.)
- II. Calvin C., b. in Grafton, Mass., Feb. 10, 1803; m. March 1, 1837, Patience A. Batchelor. They lived at Gunplain, Mich., and had five children. He d. Nov. 8, 1880.
- III. Luther, b. in Grafton, Mass., Oct. 24, 1804; m. Jan. 23, 1826, Fanny Glazier.
- IV. Eliza Ann, b. in Springfield, Aug. 31 1806; m. Nov. 2, 1823, Jonas B. Spencer, d. May 10, 1834. (See Spencer family.)
- V. Caroline, b. in Springfield, March 29, 1808; m. Dec. 25, 1831, Daniel Tower, d. in Michigan, October, 1846.
- VI. Elias, b. in Springfield, Nov. 27, 1810; d. unm.
- VII. Sophia, b. in Springfield, July 8, 1812; m. Jan. 23, 1834, Lewis Weston; he d. Dec. 2, 1869.

FIRST CENSUS OF THE UNITED STATES.

Population of the United States as returned at the First Census, by states: 1790.

DISTRICT.	Free white males of 16 years and upward, including heads of families.	Free white males under 16 years.	Free white females, including heads of families.	All other free persons.	Slaves.	Total.
Vermont. New Hampshire Maine. Massachusetts Rhode Island Connecticut New York New Jersey Pennsylvania Delaware Maryland Virginia Kentucky North Carolina Geotgis. Total number of inhabitants of the United States exclusive of S. Western and	36,086 24,384 05,453 16,019 60,523 83,700 45,251 110,788 11,783 55,915 10,936 16,154 60,988 35,576	22, 328 34, 851 24, 748 87, 280 15, 790 54, 403 78, 122 41, 416 106, 948 12, 143 51, 339 116, 135 17, 057 77, 506 37, 722 14, 044	40, 505 70, 160 46, 870 100, 582 32, 652 117, 448 152, 320 83, 287 206, 303 22, 384 101, 394 115, 046 28, 922 140, 710 66, 880 25, 739	255 630 538 5,463 3,407 2,808 4,654 2,762 6,537 3,890 8,043 12,866 114 4,975 1,801	116 168 None. 948 2,764 21,324 11,423 3,787 8,887 103,036 292,627 12,430 100,572 107,094 29,264	2 85, 539 141, 885 96, 540 378, 787 68, 825 237, 946 340, 120 184, 139 434, 373 2 50, 004 319, 728 747, 610 73, 677 393, 751 249, 073 82, 548
N. territory	807,094	791,850	1,541,263	59, 150	694, 280	3, 893, 035
	Free white males of 21 years and upward.	Free males under 21 years of age.	Free white females.	All other persons.	Slaves.	Total.
S.W. territory	6, 271	10,277	15, 365	361	3,417	35, 691

¹ The census of 1790, published in 1791, reports 16 slaves in Vermont. Subsequently, and up to 1860, the number is given as 17. An examination of the original manuscript returns shows that there never were any slaves in Vermont. The original error occurred in preparing the results for publication, when 16 persons, returned as "Free colored," were classified as "Slave,"

² Correc ed figures are 85,425, or 114 less than figures published in 1790, due to an error of addition in the returns for each of the towns of Fairfield, Milton, Shelburne, and Williston, in the county of Chittenden; Brookfield, Newbury, Randolph, and Strafford, in the county of Orange; Castleton, Clarendon, Hubbardton, Poultney, Rutland, Shrewsbury, and Wallingford, in the county of Rutland; Dummerston, Guilford, Halifax, and Westminster, in the county of Windham; and Woodstock, in the county of Windsor.

² Corrected figures are 59,090, or 2 more than figures published in 1790, due to error in addition.

Summary of population, by counties and towns: 1790.

ADDISON COUNTY.

FIRST CENSUS OF THE UNITED STATES.

Summary of population, by counties and towns: 1790—Continued. RUTLAND COUNTY.

RUTDAND COUNTY.															
TOWN.	Number of heads of families.	Free white makes of 16 years and upward, including heads of families.	Free white males under 16 years.	Free white females, in- cluding beads of fam- ilies.	All other free persons.	Slaves.	Total.	Town.	Number of heads of families.	Free white males of 16 years and upward, including heads of families.	Free white males under 16 years.	Free white females, in- cluding heads of fam- ilies.	All other free persons.	Slaves.	Total.
Benson Brandon Castleton Chittenden Clarendon Danby Fair Haven Harwich History Killington Middletown Midway Orwell	129 117 141 28 258 212 100 28 82 52 82 122	185 154 210 38 343 276 174 38 120 77 11 169 7 215	182 168 222 49 397 333 121 49 94 82 10 172 9 218	290 314 376 72 740 589 250 78 196 153 11 358 18 341	8		658 637 809 159 1,480 1,206 545 165 410 312 32 699 34 778	Pawlet, Philadelphia. Pittsfield Pittsford Poultney Rutland Shrewsbury Sudbury Timmouth Wallingford Wells	249 9 12 156 190 243 73 47 171 96 115	348 12 13 219 282 396 98 67 247 142 149	399 9 12 208 292 351 101 69 244 131 176 4,098	709 18 24 422 539 668 183 122 442 262 295 7,470	1 7 2		1,458 39 49 850 1,120 1,417 385 252 935 558 620
					7	WIN	DHAN	I COUNTY.							
Athens Brattleborough Dummerston Guilford Hallifax Hinsdale Jamaica Johnson's Gore Londonderry Mariborough New Fane Putney	274 412 199 76 49 10 71 113 114	103 381 382 586 302 118 71 15 90 149 163 438	138 436 394 646 342 142 66 13 99 176 177 492	209 758 724 1,177 561 221 126 21 172 304 304 320 906	13 4 1		450 1,559 1,490 2,422 1,209 482 263 49 362 629 660 1,848	Rockingham Somerset Stratton Thomlinson Townsend Wardsborough, North District Wardsborough, South District Westminster Whitingham Wilmington Total	261 78	327 26 27 143 192 128 72 429 114 180	319 35 22 165 171 171 126 69 387 119 138	587 50 46 253 315 229 129 782 209 327 8,428	1 58		1,23 11 9, 56 67 48 27 1,59 44 64
						WI	NDSOR	COUNTY.							
Andover Barnard Bethal Bridgwater Cavendish Chester Hartford Hartford Ludlow Norwich Pomfret Reading	131 86 60 87 170 168 270 29 181	126 265 248 415 43 280	74 167 118 78 125 255 250 442 57 322 209 211	126 329 229 147 240 457 489 789 79 556 319 359	4 1 6		275 673 473 293 491 981 988 1,652 179 1,158 710 747	Rochester Royalton Saltash Sharon Springfield Stockbridge Weathersfield Windsor Woodstock Total	20 102 204 22 207 240	62 195 29 147 289 32 294 395 390 4,004	47 190 35 147 289 25 285 406 416 4,148	106 363 42 275 516 43 560 787 7,543	3 7 9 4		218 741 109 507 1,097 100 1,141 1,542 1,597

Summary of Population by Towns, 1791

The census-taker counted everyone in town. In your own words, summarize the groups of people he counted. The first category has been filled out for you as an example.

Category	Your Summary
Number of heads of families.	This is the number of families in the town.
Free white males of 16 years and upward, including heads of families.	
Free white males under 16 years.	
Free white females, including heads of families.	
All other free persons.	
Slaves.	
Total.	



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NAME OF HEAD OF FAMILY.	Free white males of 16 years and upward, including heads of families.	Free white males under 16 years.	Free white females, including heads of families.	All other free persons.	Slaves.	N	IAME OF HEAD FAMILY.	OF	Free white males of 16 years and upward, including heads of families.	Free white males under 16 years.	Free white females, in- cluding heads of fam- ilies.	All other free persons.	: Slaves.	NAME OF HEAD OF FAMILY.	Free white males of 16 years and upward, including heads of families.	Free white males under 16 years.	Free white females, in- cluding heads of fam- illes.	All other free persons.	Slaves.
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Jones, Charles Jones, William Keith, Azel		1		4	-		Stevens, Peru Stickney, Tho	18 mas		1	3	5		Barrett, Jonathan.		3	1 3 3	2 2	
Kendal, Amos Kendal, Samuel		2 1	1 1	5			Stone, Abel Sturvant, Jol			1	1 2	2		Bartlett, Garshom		3		2	
Kelley, Ebenezer		1	5	5			Sumner, John Sumner, Willi	am		2		3 2		Bartlett, George		1	1	1 2 2	
Killam, Phinchas Kimball, Phinchas King, Asahel		1	5	4 2			Stevens, Olive Stevens, Peru Stickney, The Stone, Abel Sturvant, Joh Sumner, John Sumner, Will Sweetser, Wil Strater, Isala Taft, Artimu Taylor, Asa	liam h		1 1 2 2 2 1 1 6	2 3 3	2		Bartlett, George. Bartlett, Jonathan Bartlett, Joseph. Bartlett, Ithamer. Bartlett, Mosos.		11	$\frac{2}{2}$	2 5	
Kinston, David		4	2	2			Strater, Isaia Taft, Artimu Taylor, Asa.	8 	1	6	3	5		Bartlett, Mosos	1	1		1	
Laiton, John 30752-		-5	- '	- '			¥ .,												