

## Southern Slavery and the Law

History 511-A, Spring 2003

Professor Schweninger

The purpose of this seminar course is to write a research paper, using primary sources, on a topic concerning Southern Slavery and the Law. The paper is due on Thursday, 1 May 2003. Late papers will not be accepted. For undergraduates it should be no longer than fifteen pages, and for graduate students no longer than twenty-five pages, including foot- or endnotes and bibliography.

To choose a topic, the first four weeks of the course will be devoted to four books: A. Leon Higginbotham, *In the Matter of Color: Race and the American Legal Process, The Colonial Period* (New York: Oxford University Press, 1978) [hereafter IMC]; Thomas D. Morris, *Southern Slavery and the Law, 1619-1860* (Chapel Hill: University of North Carolina Press, 1996) [hereafter SSL]; Loren Schweninger, ed., *The Southern Debate Over Slavery: Volume 1, Petitions to Southern Legislature, 1778-1864* (Urbana: University of Illinois Press, 2001; an e-book online at <http://history.uncg.edu/slaverypetitions>) [hereafter SDOS]; and Mary Lynn Rampolla, *A Pocket Guide to Writing in History*, third edition (Boston: Bedford/St. Martin's, 2001).

Undergraduates will be expected to read chapters 1,2,5,6, in IMC, any five chapters in SSL, as well as the introduction and any ten petitions in SDOS and Rampolla's Guide; graduates students will be expected to read chapters 1,2,5,6, in IMC, any ten chapters in SSL as well as the introduction and any thirty petitions in SDOS and Rampolla's Guide.

During the first class session, assignments will be made so that each student can prepare a report to the class on a chapter in IMC (January 23) and SSL (January 30). For the fourth class session (February 6) students should read from SDOS as indicated above, peruse the website on historical sources created by librarian Kathy Crowe (<http://library.uncg.edu/depts/ref/bibs/his511ws.html>), and examine (<http://history.uncg.edu/slaverypetitions>), the Race and Slavery Petitions Project website. We will spend February 6 in the library discussing sources and research methods.

Before the fifth class session (February 13) each student should have read the assigned chapters in Rampolla and selected a topic for the semester's research. Rampolla's Guide contains information about how to take notes. We will discuss in class what you want to do and how you want to do it. You should keep in mind that historians (most of them) seek to distill information from a body of evidence and argue a thesis. Also historians make comparisons, especially in time and location, and, in our case, how laws

evolved and changed over time and in different settings. Writing a research paper involves the ability to collect, analyze, and interpret evidence, and bring it together in an imaginative and innovative fashion.

You may, if you wish, rely on petitions to southern legislatures as a primary source. Approximately 3,000 petitions, mostly from Delaware, Virginia, North and South Carolina, Tennessee, Mississippi, and Texas, have been compiled by the Race and Slavery Petitions Project. They are on microfilm in the documents section of Jackson Library, where photocopies can be made, and in the Petitions Project archives (Brown building, rooms 3 and 4, basement southeast corner, where there will be a sign up sheet for the microfilm reader). The petitions are searchable with the "Search Petitions" function of the Project website cited above, and with a 450-page printed guide. The website contains a PAR (Petition Analysis Record) number for each petition in the collection, and the printed guide contains the state and frame location of each petition. You may, if you choose, however, rely on other primary sources, including material at archives at UNC-Chapel Hill and Duke University. In any event, you should concentrate on one state and the period between the American Revolution and the Civil War.

On March 6, students should bring to class the notes they have taken from secondary and primary sources, an outline of their paper, including a thesis statement, and be prepared to discuss briefly their preliminary findings.

On April 3, students should bring to class a rough draft of their paper, and present it to the class in summary fashion. At this session, undergraduates should pass out to fellow undergraduates, and graduates to fellow graduates, a copy of their paper. Students should provide the instructor with a copy of this rough draft.

On April 10, undergraduates will meet to critique one another's papers.

On April 17, graduate students will do the same.

On the two above dates, the instructor will hand back rough drafts with comments.

Criticisms should be rigorous and suggest weaknesses or flaws in an argument or the sources but should also be made in a positive and constructive manner.

Your final papers should include a bibliography of secondary sources, including for undergraduates at least ten books and/or articles and for graduates at least fifteen books and/or articles. It should also include a bibliography of primary sources. The format for foot- or endnote citations for petitions should be as follows: Petition of Princess Green, Nancy Handy,

and John Stanly to the North Carolina General Assembly, 1796, Craven County, microfilm reel 4, #0399, PAR #11679607, RSPP [Race and Slavery Petitions Project].

The final grade in the course will be the same as the grade on your final paper unless you have missed class or not completed the assignments as cited above. Your final papers will not be returned but will be filed in the history department as part of your record. My office hours (240 McIver) are Thursdays between 2-4 or by appointment.

#### Relevant Website Addresses

<http://history.uncg.edu/slaverypetitions>

<http://docsouth.unc.edu>

<http://www.questia.com>

<http://www.utoronto.ca/museum/reviews/2001/Shiralee/Hudson.html>

<http://www.press.uillinois.edu/s01/schweninger.html>

<http://139.140.12.20:8080/flighttofreedom/live/intro.shtml>

<http://hitchcock.itc.virginia.edu/Slavery/>

<http://www.yale.edu/glc/>

[http://216.33.236.250/cgi-bin/linkrd?\\_lang=EN&lah=d24e7fd1297508cc4eb103cf38849452&lat=1045494795&hm\\_\\_\\_action=http%3a%2f%2fwww%2enationalgeographic%2eco](http://216.33.236.250/cgi-bin/linkrd?_lang=EN&lah=d24e7fd1297508cc4eb103cf38849452&lat=1045494795&hm___action=http%3a%2f%2fwww%2enationalgeographic%2eco)

<http://www.nationalgeographic.com/railroad/>

<http://stlcourtrecords.wustl.edu/index.cfm>

<http://www.stlcourtrecords.wustl.edu/about-freedom-suits-series.cfm>

[http://www.stlcourtrecords.wustl.edu/display-search-results.cfm?collection=2&search\\_fields=Notes&order](http://www.stlcourtrecords.wustl.edu/display-search-results.cfm?collection=2&search_fields=Notes&order)

<http://www.archives.state.al.us/afro/afro.html> [post 1865]

<Http://www.newhavenregister.com/site/news.cfm?newsid=7169004&BRD=1281&PAG=46>  
1&dept\_id=7559&rfi=6 [African American websites]

## Bibliography of Secondary Sources

### British North American and the United States

Aptheker, Herbert. *American Negro Slave Revolts*, 5th edition.

New York: International Publishers, 1983.

Bancroft, Frederic. *Slave Trading in the Old South*. Baltimore:

J. H. Furst Co., 1931.

Berlin, Ira. *Many Thousands Gone: The First Two Centuries*

*Of Slavery in North America*. Cambridge: Harvard

University Press, 1998.

. *Slaves Without Masters: The Free Negro in the*

*Antebellum South*. New York: Pantheon Books, 1974.

Blassingame, John. *The Slave Community: Plantation Life in the*

*Antebellum South*. New York: Oxford University Press, 1972;

rev. ed., 1979.

Dew, Charles. *Bond of Iron: Master and Slave and Buffalo*

*Forge*. New York: W. W. Norton and Company, 1994.

Dusinberre, William. *Them Dark Days: Slavery in the American*

*Rice Swamps*. New York: Oxford University Press, 1996.

Egerton, Douglas R. *Gabriel's Rebellion: The Virginia Slave Conspiracies of 1800 and 1802*. Chapel Hill: University of North Carolina Press, 1993.

Franklin, John Hope. *The Free Negro in North Carolina, 1790-1860*. Chapel Hill: University of North Carolina Press, 1943.

)))))), and Schweninger, Loren. *Runaway Slaves: Rebels on the Plantation*. New York: Oxford University Press, 1999.

Fox-Genovese, Elizabeth. *Within the Plantation Household: Black and White Women of the Old South*. Chapel Hill: University of North Carolina Press, 1988.

Gara, Larry. *The Liberty Line: The Legend of the Underground Railroad*. Lexington, Kentucky: University of Kentucky Press, 1961.

Genovese, Eugene. *Roll, Jordan, Roll: The World the Slaves Made*. New York: Pantheon Books, 1974.

Hadden, Sally E. *Slave Patrols: Law and Violence in Virginia and the Carolinas*. Cambridge: Harvard University Press, 2001.

Johnson, Walter. *Soul by Soul: Life inside the Antebellum Slave Market*. Cambridge: Harvard Press, 1999.

Jordan, Withrop. *White Over Black: American Attitudes Toward the Negro, 1550-1812*. Chapel Hill: University of North Carolina Press, 1968.

Joyner, Charles. *Down By the Riverside: A South Carolina Slave Community*. Urbana: University of Illinois Press, 1984.

Litwack, Leon F. *Been in the Storm So Long: The Aftermath of Slavery*. New York: Alfred A. Knopf, 1979.

McMillen, Sally G. *Southern Women: Black and White in the Old South*. Arlington Heights, Illinois: Harlan Davidson, Inc., 1992.

Malone, Ann Patton. *Sweet Chariot: Slave Family and Household Structure in Nineteenth-Century Louisiana*. Chapel Hill: University of North Carolina Press, 1992.

Morris, Richard D. *Southern Slavery and the Law, 1619-1860*. Chapel Hill: University of North Carolina Press, 1996.

Mullin, Gerald M. *Flight and Rebellion: Slave Resistance in Eighteenth-Century Virginia*. New York: Oxford University Press, 1972.

Nash, Gary B., and Soderlund, Jean R. *Freedom by Degrees: Emancipation in Pennsylvania and its Aftermath*. New York: Oxford University Press, 1991.

Raboteau, Albert J. *Slave Religion: The 'Invisible Institution' in the Antebellum South*. New York: Oxford University Press, 1978.

Stampp, Kenneth. *The Peculiar Institution: Slavery in the Ante-Bellum South*. New York: Alfred A. Knopf, 1956.

Tadman, Michael. *Speculators and Slaves: Masters and Slaves in the Old South*. Madison, Wisconsin: University of Wisconsin Press, 1989.

Weiner, Marli F. *Mistresses and Slaves: Plantation Women in South Carolina, 1830-80*. Urbana: University of Illinois Press, 1998.

White, Debra. *Ar'n't I a Woman? Female Slaves in the Plantation South*. New York: W. W. Norton and Company, 1985.

Wright, Donald R. *African Americans in the Early Republic, 1789-1831*. Arlington Heights, Illinois: Harlan Davidson, Inc., 1993.

Zilversmit, Arthur. *The First Emancipation: The Abolition of Slavery in the North*. Chicago: Chicago Press, 1967.

#### Bibliography of Primary Sources

Conrad, Robert E., comp. *Children of God's Fire: A Documentary History of Black Slavery in Brazil*. Princeton: Princeton University Press, 1983. HT1126 .C455

Blassingame, John, ed. *Slave Testimony: Two Centuries of Letters, Speeches, Interviews, and Autobiographies*. Baton Rouge: Louisiana State University Press, 1977. E444.S57

Breeden, James O., ed. *Advice Among Masters: The Ideal in*

Slave Management in the Old South. Westport, Connecticut:  
Greenwood Press, 1980. E443 .A37

Fishel, Leslie H., Jr., and Quarles, Benjamin, eds. The  
Black American: A Documentary History. Glenview,  
Illinois: Scott, Foresman and Company, 1970. E185 .F5

Frazier, Thomas R., ed. Afro-American History: Primary  
Sources. Second Edition. Chicago: The Dorsey Press, 1988.  
E184.6 .F7

Mullin, Michael, ed., American Negro Slavery: A Documentary  
History. Columbia, University of South Carolina Press,  
1976. E441 .M86

Myers, Robert Manson, ed. The Children of Pride: A True Story  
of Georgia and the Civil War. New Haven: Yale University  
Press, 1972. E559.9 C.46

Olmsted, Frederick, Law. The Cotton Kingdom: A Traveller's  
Observations on Cotton and Slavery in the American Slave  
States, edited by Arthur M. Schlesinger. New York: Alfred  
A. Knopf, 1953. F213 .053

Parker, Freddie L., ed. Stealing a Little Freedom:  
Advertisements for Slave Runaways in North Carolina, 1791-  
1840. New York: Garland Publishing, Inc., 1994. E445 .N8S74

Rose, Willie Lee, ed. A Documentary History of Slavery in  
North America. New York: Oxford University Press, 1976.

E441 .D64

Schweninger, Loren, ed. *The Southern Debate over Slavery: Petitions To Southern Legislatures, 1778-1864*. Urbana: University of Illinois Press, 2001.