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## Jumping Over the Broomstick: Resources for Documenting Slave “Marriages”

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By Christopher A. Nordmann, Ph.D., CGRS

*A growing number of available resources—federal, state, and county records, private papers, published works, and more—can help family historians crack one of the tough nuts of African American research: documenting slave “marriages.”*

“Mother and daddy and all other slaves on my marster’s place were married by the white preacher.” That’s how former slave Mary Jane Jones of Warren County, Mississippi, recalled the marriage of her parents.<sup>1</sup> Another slave gave a different view: “Mammy an’ daddy wa’nt never lawful’ wedded. Dey don’t do dat in dem days.”<sup>2</sup> In yet another account a former bondsman described what some slaves might have done when they wanted to marry: “Wen we wanted to gits married, we’d tell old Masta we wanted dat gal over at de next plantation, an’ he’d tell her boss, and they’d tell us to come on over. Den he’d make us ‘jump over de broom’—and he’d say den: ‘You is married.’ My masta would let me go over to see her at night and I’d come back in de mawning. Dey’d ‘low us to get married dat way, and dat wuz all dere wuz to it.”<sup>3</sup>

Ex-slave narratives offer varying and sometimes conflicting descriptions of slave “marriages.” Although law and custom varied in different parts of the country and over time, as a rule, legally recorded civil marriages were rare. State laws prohibited slave marriages. Article 182 of the Louisiana *Civil Code*, for example, stated that “Slaves cannot marry without the consent of their masters and their marriages will not produce any of the civil effects which result from such contract.”<sup>4</sup> South Carolina law stipulated that “a slave cannot even legally

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©Christopher A. Nordmann, Ph.D., CGRS; 2767A Mary Ave; St. Louis, MO 63144. Dr. Nordmann is a professional genealogist specializing in African American and St. Louis area research. He is the 1985 recipient of the Louisiana Historical Association’s Presidents’ Memorial Award for the best article of the year in *Louisiana History*. His publications include “Basic Genealogical Research Methods and Their Application to African Americans” in *African American Genealogical Sourcebook*. For more than ten years he has been researching free people of color in “Latin” Alabama, Mobile and Baldwin Counties, reconstructing all aspects of their lives from birth to death. He serves as the NGS *Quarterly* review editor.

1. George P. Rawick, ed., *The American Slave: A Composite Autobiography*, 1st ser., vol. 8, *Mississippi Narratives*, part 3 (Westport, Conn.: Greenwood Press, 1977), 1243. Jones added that her owner did not allow “no ugly living on his place,” 1243–44.

2. *Ibid.*, 840.

3. Rawick, *American Slave*, vol. 6, *Mississippi Narratives*, part 1, 154.

4. Thomas Gibbes Morgan, comp., ed., *Civil Code of the State of Louisiana: With the Statutory Amendments, from 1825–1853, Inclusive; and References to the Decisions of the Supreme Court of Louisiana to the Sixth Volume of Annual Reports* (New Orleans: J. B. Steel, 1853), 29. For examples of the courts denying marital rights to slaves, see *The State v. Samuel, a Slave*, 19 North Carolina (2 Devereau and Battle), in Thomas P. Devereau and Wm. H. Battle, *Reports of Cases at Law, Argued and Determined in the Supreme Court of North Carolina, from December*

contract marriage. The marriage of such an [sic] one is morally good, but in point of law, the union of slave and slave, or slave and free negro, is concubinage merely."<sup>5</sup>

Legal issues aside, numerous slave couples sustained long-term domestic unions during and after servitude. Once free many former slaves legalized what they had, in bondage, considered their "marriages." Finding evidence of such bonds in pre- or post-war records can be a challenge. Nevertheless, despite legal prohibitions, many sources exist that allow genealogists to document unions of enslaved persons over the two centuries of North American slavery. This article introduces some of those resources—including county, federal, private, and published records and finding aids.

## COUNTY-LEVEL RECORDS

### POST-WAR MARRIAGE RECORDS

After the Civil War some states mandated the registration of prior slave unions. One objective was to lay a foundation for settling legal matters such as inheritances. Those registrations contain valuable information about African Americans and their families.<sup>6</sup> In counties that did not maintain different books for the races records of former slave unions may be written in so-called "white" registers. Many counties, like Pike County, Missouri, did keep separate registers. Post-war black marriages appear in marriage volumes for 1865 and succeeding years. Entries vary widely. Some listings include the wife's given name; others note full names of both parties, marriage date, and children's given names. One such entry documents the August 1865 marriage of Green Young and Sarah Coachman and identifies their children: Jane, twenty-seven years old; Ellen, twenty-four; Sarah, twenty; David, eighteen; and Frank H., fourteen.<sup>7</sup> A "colored" marriage register for Boone County shows that on 29 July 1865 Larkin Wingo and Pheby Ann Wingo married. The couple listed their children: Orange,

*Term 1836 to December Term 1837, both Inclusive*, vol. 2, 2d ed. (Fayetteville: Edward J. Hale and Son, 1860), 177–85. Also, Margaret A. Burnham, "An Impossible Marriage: Slave and Family Law," *Law and Inequality* 5 (1987): 187–225. For a study on the nature of slave weddings and what they meant to both the slave owners and slaves, see Thomas E. Will, "Weddings on Contested Grounds: Slave Marriage in the Antebellum South," *The Historian* 62 (Fall 1999): 99–117, viewed online at <[http://www.findarticles.com/cf\\_dls/m2082/1\\_62/57874144/p1/article.html](http://www.findarticles.com/cf_dls/m2082/1_62/57874144/p1/article.html)>.

5. Paul Finkelman, ed., *Slavery, Race, and the American Legal System, 1700–1872: A Sixteen Volume Facsimile Series Reproducing over One Hundred and Seventy Rare and Important Pamphlets*, series 8, vol. 2, *Statutes on Slavery: The Pamphlet Literature* (New York: Garland Publishing, 1988), 139. Finkelman cites *Negro Law of South Carolina, Collected and Digested by John Belton O'Neill* (Columbia: Printed by John G. Bowman, 1848), 23.

6. U.S. Senate, *Laws in Relation to Freedmen*, 39th Cong., 2d sess., 1866–67, S. Exec. Doc. 6, serial 1276, 170–229. For a summary of the laws passed after the Civil War in all Confederate states except Louisiana, see Bernetta McGhee White, comp., *Somebody Knows My Name: Marriages of Freed People in North Carolina County by County*, 3 vols. (Athens, Ga.: Iberian Publishing Co., 1995), 1: x–xv.

7. Young-Coachman marriage, August 1865, Pike Co. Marriage Register 3: 643, Recorder of Deeds, Bowling Green, Mo.; Family History Library (FHL) microfilm 0,974,634, Salt Lake City, Utah.

William Pinckney, Greenberry, Calvin, Larkin Simpson, Mary Ann, Margaret Ann, and Elizabeth Jane.<sup>8</sup> A similar register for Jefferson County shows that George Washington Williams and Rosanna Clay, "both colored persons," married on 30 April 1867 and that Rosanna had an eleven-year-old daughter, Angeline.<sup>9</sup>

## PROBATE RECORDS

### Wills

Wills rank among the most valuable records for African American research. Slave-owning testators frequently referred to slave couples. Several Alabama wills serve as examples. One resident of Baldwin County willed that after his death his two "old Negro slaves Tommy and Sarah his wife" be emancipated.<sup>10</sup> In Montgomery County John Burch stipulated that slaves January and his wife Frances "were to be given their freedom."<sup>11</sup> Similarly, in his 1824 will Caleb Howell of Baldwin County bequeathed to his grandchildren several slaves, among them Jack and Rose, his wife, and Jesse and his wife Hannah.<sup>12</sup> John Chastang bequeathed to Louison, the free woman of color with whom he raised a family, the slaves Bazile and his wife Julia and their two children.<sup>13</sup> In 1828 Sarah English left several slaves—including Pina, his wife, and their children—to her son.<sup>14</sup>

### Orphans Court Records

Many states created this type of probate court record to protect interests of minor heirs whose fathers (but not necessarily mothers) had died. Although orphans courts may have operated differently in various jurisdictions, many of the records nevertheless provide information about slave unions. One such recording in Macon County, Alabama, noted that the slave Juber purchased himself and later bought his wife and child.<sup>15</sup>

### Inventories and Appraisements

Still other types of probate records may shed light on slaves who lived as husband and wife. The 1793 inventory of Arthur Middleton recorded in

8. Wingo-Wingo marriage, 29 July 1865, Boone Co. Colored Marriage Register, 1865–82: 10, Recorder of Deeds, Columbia, Mo.; FHL microfilm 0,913,355.

9. Williams-Clay marriage, 30 April 1867, Jefferson Co. Colored Marriages, 1867–79: 2, Recorder of Deeds, Hillsboro, Mo.; FHL microfilm 0,966,084.

10. John Johnston Sr.'s will (1820), Mobile Co. Will Book 1: 62–63, Mobile Co. Probate Court, Mobile, Ala.

11. Gary B. Mills, "Free African Americans in Pre-Civil War 'Anglo' Alabama: Slave Manumissions Gleaned from County Court Records," *NGS Quarterly* 83 (June 1995): 133. Mills cites the John Burch will (written 1833, proved 1837), Montgomery Co. Will Book 2: 164–72, Montgomery Co. Probate Court, Montgomery, Ala.

12. Caleb Howell will (1824), Baldwin Co. Will Book A: 34, Baldwin Co. Probate Court, Bay Minette, Ala.

13. John Chastang will (1805) Mobile Co. Will Book 2: 112.

14. Sarah English will (1828), Baldwin Co. Will Book A: 51.

15. Gary B. Mills, "Free African Americans in Pre-Civil War 'Anglo' Alabama," 137. Mills cites the self-purchase (1805), Macon Co. Orphans Book 1: 33–34.

Charleston County, South Carolina, lists numerous slaves including some in family groups: Harry, a "plough man," his wife and their two children; Simon, a gardener, and his wife Bess; John, a carpenter, and his wife Judy, a "field slave"; and house servants Hercules and his wife Jenny and their children.<sup>16</sup> James and his wife Rose, as well as Nathaniel and his wife Fanny, were among the slaves listed in an 1820 inventory of Hancock Lee.<sup>17</sup>

### *Estate Sales*

The dispositions of slave owners' estates sometimes created records naming slave couples—perhaps in the form of sale bills listing slaves individually or of petitions for sale. In Mobile County, Alabama, for example, when the wife of a white slave owner petitioned the court to sell slaves from her husband's estate, she named Bacchus, his wife Delia, and their child Martha.<sup>18</sup> Where original probate packets survive, they may also include newspaper notices of sales, with slave couples identified.

### DEEDS

Some owners sold slave families intact and purchasers may have had sales recorded in county deed books. Deed indexes, however (especially those created long after the records), do not always include references to "chattel" transactions. In March 1819, Christopher Adams of Iberville Parish, Louisiana, sold to John Andrus of St. Landry Parish slaves Tom, thirty-years old, his wife Suckey, and her two female children.<sup>19</sup>

Titular manumissions recorded in county deeds may also reference marital unions. In Mobile County, Alabama, for example, Ann, wife of Louis, a slave whose owner resided in a nearby county, purchased her freedom for \$250.<sup>20</sup> Records sometimes provide personal details about slaves or describe circumstances surrounding the transactions. Such is the case of Malinda, whose record reveals that she had married a slave and had reared eight children. Malinda had been given "as the child of a free white woman," to a white family in Baldwin County, Alabama, under whose control and protection she had lived for about thirty years. Malinda had wanted to move to another county. The record reflects that she would perhaps not have been "in possession of sufficient evidence to establish her freedom in the event her rights as a free person should be impeached"—despite the white woman's declaration that Malinda had "always

16. Arthur Middleton inventory (1793), Charleston Co. Inventories, Vol. B: 503, 505, Charleston Co. Probate Court, Charleston, S.C.; FHL microfilm 0,194,637 and 0,194,638. Copies provided by the South Carolina Department of Archives and History, Columbia, S.C.

17. Hancock Lee inventory (1820), Fauquier Co. Wills and Inventories, Book 8, 1820–29: 36, Fauquier Co. Circuit Court, Warrenton, Va.; FHL microfilm 0,031,569.

18. Petition of Clara Chighazola to Orphans Court, 10 May 1854, Minutes, Book 7, 1852–55: 306, Mobile Co. Probate Court, Mobile, Ala.

19. St. Landry Parish Conveyance Book E: 85–86, Clerk of Court's Office, Opelousas, La.

20. George W. Prentice to Ann, a slave, Mobile Co. Probate Court Miscellaneous Book E: 373–74. Ann's owner resided in Mobile County and Louis's owner in Coffeetown, Clarke County, Alabama.

been regarded by me and my family as free, neither myself nor any of my family have ever claimed her as a slave."<sup>21</sup>

Some locales, like Charleston, South Carolina, recorded slave sales in separate books. Slave families were noted in some records. For instance, in 1851 James H. Bryan sold to Edward Sebring a family of slaves consisting of "Frank, Mary Ann and their 7 children viz Morris, Daniel, Peter, Clarissa, Sebrina, John and Frank, all warranted sound."<sup>22</sup> On another occasion in 1853, Charles D. Burrell sold to John E. Burrell Jr. several slave families, all named in the bill of sale.<sup>23</sup>

## FEDERAL RECORDS

### FREEDMEN'S BUREAU FILES

In 1865, President Lincoln signed a bill creating the Bureau of Refugees, Freedmen, and Abandoned Lands (commonly referred to as the "Freedmen's Bureau"). One of the bureau's missions was to help newly freed slaves secure their rights as citizens. Myriad functions included helping to find employment for freedmen, creating hospitals for their care, establishing schools to educate their children, distributing food and clothing to destitute former slaves, and the like. Working under a commissioner in Washington, D.C., headquarters, the bureau's assistant commissioners and subordinates delivered services in field offices. Although services were similar, state organizations varied—as do field office records, where most genealogically valuable data is found.<sup>24</sup>

Because protection of freedmen's legal rights ranked high among the bureau's priorities, it took steps to ensure that former slaves married legally. Commissioner Oliver Otis Howard directed that "in areas where the local statutes make no provisions for the marriage of persons of color" assistant commissioners should appoint officers to "keep a record of marriages, which may be solemnized by any ordained minister of the gospel."<sup>25</sup> Each state implemented the directive independently, and thus bureau marriage records vary. In places where county officials recorded marriages there may be no documentation in bureau files.<sup>26</sup> Therefore, researchers should search both county and bureau records for evidence of slave

21. Statement of Ann Hall, 22 May 1849, Mobile Co. Probate Court Miscellaneous Book E: 377-78.

22. Charleston District, Bill of Sales of Negro Slaves, 1799-1872, Vol. 6c, 1849-53: 302, Historical Commission, Columbia, S.C.; FHL microfilm 0,023,450.

23. *Ibid.*, 590.

24. Reginald Washington, comp., *Black Family Research: Records of Post-Civil War Federal Agencies at the National Archives*, Reference Information Paper 108 (Washington: National Archives and Records Administration, 2003), 2-4; online at <[http://www.archives.gov/research\\_room/genealogy/research\\_topics/black\\_family\\_research.html](http://www.archives.gov/research_room/genealogy/research_topics/black_family_research.html)>.

25. Elaine C. Everly, "Marriage Registers of Freedmen," *Prologue* (Fall 1973): 150. Online at: <[www.archives.gov/publications/prologue/fall\\_1973\\_freedmens\\_marriage\\_registers.html](http://www.archives.gov/publications/prologue/fall_1973_freedmens_marriage_registers.html)>. For further explanation on the use of Freedmen's Bureau records for genealogy, see Tony Burroughs, "Records Specific to African Americans," in Paula K. Byers, ed., *African American Genealogical Sourcebook* (Detroit: Gale Research, 1995), 47-98. Also, Washington, *Black Family Research*, 2-8.

26. Everly, "Marriage Registers of Freedmen," 150, 152-54.



unions. The most obvious of these records are marriage registrations and papers created in the effort to re-establish former slave family units.

### *Marriage Registers*

Freedmen's Bureau files contain marriage certificates, registers, and other documents about slave marriages and families.<sup>27</sup> Inconsistent information stems from differing local record-keeping policies. Arkansas records contain a great deal of data. A register for one Arkansas town notes names, ages, and residences of couples. Other volumes add the color of the parties and their parents. A 12 November 1865 marriage entry for Arkadelphia, Arkansas, shows that twenty-seven-year-old Louis Hardage married twenty-three-year-old Harriet Makin, both residents of Clark County. He was "dark," as were his parents, whereas she and her parents were "copper" colored; he had left a woman with whom he had lived for seven years and had fathered two children; she had previously lived with a man for three years before his death, and had two children.<sup>28</sup>

Registers from other states contain similar details. A Mississippi book, for example, names the bride and groom, their residences, ages, and colors; the colors of their parents; whether they had previously lived with another person, how the earlier relationships ended (separated by force, death, or otherwise), and number of children by a previous "connection." An entry of 11 April 1864 indicates that Charley Adams, twenty-eight and "black" of "black" parents, married Caroline Wright. Both were residents of Vicksburg. Adams had lived with another woman for two years only to be separated by force. Caroline was described as twenty-eight, "black," and born of a "black" father and a "mulatto" mother. For one year she had lived with another man, from whom she was forcibly separated. She had borne four children. Adams, too, had four children "by a previous connection," but the couple reported having no children together.<sup>29</sup> On the same day Washington Farro married Caroline Bedford, both residents of Vicksburg. He was twenty-six, of "mixed" color, as were his parents; for a year and a half he had lived with another woman from whom he had been separated by force, and he had fathered one child. Twenty-three-year-old Caroline, also of "mixed" color, was also forcibly separated from a man she had lived with for three years. She previously had one child, and together Washington and Caroline had five children.<sup>30</sup>

27. *Ibid.*, 150.

28. Hardage-Makin marriage, 12 November 1865, Register of Marriages among Freedmen in Arkadelphia during year 1865, p. 23; *Records of Field Offices of the Bureau of Refugees, Freedmen, and Abandoned Lands: Arkansas; National Archives (NA) microfilm publication M1901, roll 6, Washington, D.C.*

29. Adams-Wright marriage, 11 April 1864, Register of Marriages of Freedmen, Vol. 1 (1863-65): 2, *Records of the Assistant Commissioner for the State of Mississippi, Bureau of Refugees, Freedmen, and Abandoned Lands, 1865-1869, Indentures and Marriages; NA microfilm M826, roll 42; FHL microfilm 1,616,481.*

30. Farro-Bedford marriage, 11 April 1864, Register of Marriages of Freedmen, Vol. 1 (1863-65): 172-73; *Records of the Assistant Commissioner for the State of Mississippi, Bureau of Refugees, Freedmen, and Abandoned Lands, 1865-1869, Indentures and Marriages; NA microfilm M826, roll 42; FHL microfilm 1,616,481.*

Although not all bureau marriage records have been microfilmed, access is becoming easier. Of utmost importance is a set of records microfilmed in 2002, *Marriage Records of the Office of the Commissioner, Washington Headquarters of the Bureau of Refugees, Freedmen, and Abandoned Lands, 1861–1869*.<sup>31</sup> It includes hundreds of documents—certificates, licenses, marriage returns, compiled reports, and other marriage proofs—sent to headquarters by field offices in southern states and the District of Columbia. Some may duplicate information in field office records; researchers should check both sources.

Even if bureau field office files do not contain marriage registers or certificates, other documents—such as letters, ration applications, hospital and orphan records—identify family relationships. The National Archives has microfilmed field office records for Alabama (M1900), Arkansas (M1901), Florida (M1869), Georgia (M1903), the District of Columbia (M1902), and New Orleans (M1483). In addition, the records of the assistant commissioner for Mississippi, which include four marriage registers, have been filmed (M826). Microfilming the entire collection of Freedmen's Bureau records, a massive project of the National Archives, will take years to complete.<sup>32</sup>

Information about published marriage registers can be found in the *African American Genealogical Sourcebook*.<sup>33</sup> Some abstracted records from Arkansas, Florida, Louisiana, Tennessee, Virginia, and the District of Columbia are online.<sup>34</sup>

### Family Reconciliation Records

Relevant information can also be found in post-war records dealing with assistance to African Americans trying to reunite their families. In Texas, slaves were freed on 19 June 1865. When bureau agents arrived in Texas many blacks sought help in finding family members.<sup>35</sup> One example regards freedwoman Julia Washington, then “well-situated and receiving good wages” in Houston. In April 1867 she wrote to request help in locating her family, all former slaves: her husband, Louis Washington, believed to be residing in West Virginia; her two children, John and Ida, who were supposedly in the same area as their father; and her mother, Mary Dixon. By November the bureau had identified the where-

31. *Marriage Records of the Office of the Commissioner, Washington Headquarters of the Bureau of Refugees, Freedmen, and Abandoned Lands, 1861–1869* (Washington, D.C.: United States Congress and National Archives and Records Administration, 2002); Microfilm M1875; Records of the Bureau of Refugees, Freedmen, and Abandoned Lands, RG 105.

32. For a detailed discussion of these records, see Burroughs, “Records Specific to African Americans,” 74–76. For a description of records of bureau field offices, see Elaine Everly and Willna Pacheli, *Preliminary Inventory of the Records of the Field Offices of the Bureau of Refugees, Freedmen, and Abandoned Lands*, RG 105, 3 parts (Washington, D.C.: National Archives and Record Service, 1973–74).

33. Byers, *African American Genealogical Sourcebook*, 10–11, 74–76.

34. See <<http://freedmensbureau.com/marriages.htm>>.

35. Barry A. Crouch and Larry Madaras, “Reconstructing Black Families: Perspectives from the Texas Freedmen's Bureau Records,” in Timothy Walch, comp., *Our Family, Our Town, Essays on Family and Local History Sources in The National Archives* (Washington, D.C.: National Archives and Records Administration, 1987), 159.



abouts of all parties in West Virginia. Louis Washington had acquired property near Springfield in Hampshire County, had no wish to relocate, and hoped his wife would join him. Mary Dixon was in Frankfort, Mineral County, living with a George Wilson, and the two children were with a David Reese near Patterson Creek. One document, dated December 1867, states that Julia Washington was living at the Washington Hotel near Galveston.<sup>36</sup> The files do not indicate whether or not the family eventually reunited.

#### FREEDMAN'S SAVINGS AND TRUST COMPANY RECORDS

The Freedman's Savings and Trust Company, 1865–74 (often referred to simply as the "Freedman's Bank"), is an especially valuable source of marital data. Although this institution was separate from the Freedmen's Bureau the two worked closely together. A number of individuals even served as officers of both institutions. The bank's records provide invaluable data on tens of thousands of newly freed men and women—sometimes the earliest reliable records on slave families.<sup>37</sup> According to historian Eric Foner, the bank "actively sought deposits from freedmen, while at the same time instructing them in the importance of thrift." Individual blacks and various organizations deposited funds into these banks.<sup>38</sup> Each depositor had to provide personal and family data, but information gathered varied over the years. Typically one can find the depositor's name, place of birth, residence, and age; in addition, the names of the spouse, children, parents, and siblings may have been recorded. Some early entries also included names and residences of former masters. When John Seabrook opened an account at the Charleston branch he gave his birthplace, residence, age, complexion, occupation, and employer; he named his spouse, his children (with their ages), his siblings, and his deceased children and parents.<sup>39</sup>

#### CIVIL WAR CLAIMS RECORDS

After the Civil War the federal government established three claims commissions through which residents in the former Confederate states who had suffered losses inflicted by Union forces could request compensation.

##### *Southern Claims Commission*

Logically, the Southern Claims Commission, established to hear claims of qualified American citizens, has received the most attention in genealogical

36. Letters, Julia Washington to A. Doubleday, 11 April 1867; Capt. J. A. Brubaker to Maj. S. N. Clark, 16 November 1867; Lt. J. P. Richardson to Lt. G. M. Bascom, 2 December 1867; Letters Received, Galveston, Texas, 1866–70, entry 3706; Records of the Bureau of Refugees, Freedmen, and Abandoned Lands, RG 105, National Archives, Washington, D.C.

37. Robert Scott Davis Jr., "Documentation for Afro-American Families: Records of the Freedman's Savings and Trust Company," *NGS Quarterly* 76 (June 1988): 140–41.

38. Eric Foner, *Reconstruction: America's Unfinished Revolution, 1863–1877* (New York: Harper and Row, 1988), 531.

39. John Seabrook Deposit, No. 4034, 11 January 1870, Charleston, S.C. accounts, *Registers of Signatures of Depositors in Branches of the Freedman's Savings and Trust Company, 1865–1874*; NA microfilm M816, roll 22. For a fuller discussion of these records, see Davis, "Documentation for Afro-American Families," 139–46.

literature.<sup>40</sup> Testimonies from whites and nonwhites, including ex-slaves, appear in almost all files, and accounts frequently identify slave couples. Historian Gary B. Mills explained that claimants included “not only free Negroes but also the quasi-free and slaves whose masters allowed them to accumulate property.” He urged researchers to examine “all claims that may have been filed by relatives, in-laws, neighbors, employers, or other associates, since the subject of the search may well have testified even if he or she did not personally file a claim.”<sup>41</sup> Mills’s published index of the claims provides information needed to locate the case files at the National Archives.<sup>42</sup> The files are in different record groups, depending upon whether they were ultimately approved, barred, or disallowed and whether the barred or disallowed claims were subsequently appealed to the Court of Claims. Search strategies differ accordingly. The National Archives has published some, but not all, records on microfilm or microfiche. An informative booklet, also published by the National Archives, *Black Family Research: Records of Post-Civil War Federal Agencies at the National Archives*, outlines search paths for these records.<sup>43</sup>

African Americans were among the 222,000 witnesses who testified in the more than 22,000 claims.<sup>44</sup> An example illustrates the treasures in the commission records. Wade L. Potter, a sixty-one-year-old former slave claimant residing in Brewton, Alabama, in 1875 testified that he was a barber and a minister and had been a cotton sampler and merchant. He had bought his freedom from Mrs. E. L. Bright in 1860 for \$2,500. He stated also: “I bought my wife the latter part of 1862—my present wife—my first wife I couldn’t buy, she lived in Apalachicola [sic], and died since the surrender—I married my present wife in 1866.”<sup>45</sup> In a separate 1897 deposition his fifty-seven-year-old widow, Rebecca, residing in Brewton, Alabama, but working as a steamboat stewardess based in Apalachicola, Florida, said her husband had died eighteen years earlier, leaving four sons whose names and ages she provided. She confirmed that Potter had bought her from J. C. Crosby just as the war started, and that they had married in Milton, Florida, during the first year after the beginning of the war (not in 1866 as Potter had

40. Gary B. Mills, “Tracing Free People of Color in the Antebellum South: Methods, Sources, and Perspectives,” *NGS Quarterly* 78 (December 1990): 275.

41. *Ibid.*

42. Gary B. Mills, *Southern Loyalists in the Civil War: The Southern Claims Commission—A composite directory of case files created by The U. S. Commissioner of Claims, 1871–1880, including those appealed to the War Claims Committee of the U.S. House of Representatives and the U.S. Court of Claims* (Baltimore: Genealogical Publishing Co., 1994).

43. Washington, *Black Family Research*, 15–19.

44. *Ibid.*, 15.

45. Deposition of Wade L. Potter, 11 October 1877, *Wade L. Potter v. United States*, Congressional Jurisdiction Case File No. 9342, Records of the U.S. Court of Claims, RG 123, National Archives, Washington, D.C. This case was initially disallowed by the Southern Claims Commission. Like all barred and disallowed claims, it was first part of the Barred and Disallowed Case Files of the Southern Claims Commission, 1871–80, in the Records of the U.S. House of Representatives, RG 233. If a disallowed claim was subsequently appealed in the Court of Claims, as this one was, the entire file was moved to the Congressional Jurisdiction Case Files in RG 123. The author is indebted to the late Gary B. Mills for pointing to examples from the Southern Claims Commission records.

said); she stated that she had lived with Potter during the war. Many other details are in the file's extensive depositions.<sup>46</sup>

Several other examples demonstrate the breadth of information in witnesses' testimonies. A number of former slaves of Willis Harris in Madison County, Alabama, for example, filed claims and testified on behalf of one another. One of them, David Crow, testifying in the case of his sister, Rachel Jones, said that she had married Cleburne Jones about five years before the Civil War and that they had lived together until Jones joined the U. S. Army. In 1865 Jones died in the hospital at Nashville, leaving four children—Sarah (twenty-one years), Senia (sixteen years), Thomas (fourteen years), and Gable (twelve years).<sup>47</sup> Another slave from the same plantation, Senia McClelland, testified in her own case in 1875 that she was "about ninety (90) some odd years old" and that her husband, Hunter McClelland, had died seven years before her deposition was taken. Speaking about her long-term relationship, she declared: "We ain't never had but one child, and that is Eliza Ann; she is living right in the house with me. I had been married so long to my old husband I done and forgot when it was; I reckon 75 years [at] that time. We always lived with each other as man and wife—never separated."<sup>48</sup> She still resided where she had for fifty years, on rented land "on my old master Willis Harris place," where she had been a field servant. Living with her were her unmarried daughter and two grandchildren. After becoming free, her husband, also a former slave of Harris, had taken up farming.<sup>49</sup> In an unrelated claim, which was approved, deponent Caroline Friend reported, "My first husband and I lived together nearly twenty years before he died. He died the 6th of July 1868. . . . I have but one child living and its name [is] Ella Donald [who is] 15 years old."<sup>50</sup>

### Other Claims Commissions

Two additional commissions offer records of the same type and value, albeit on a significantly smaller scale. For losses during the Civil War the Mixed Commission of British and American Claims was set up to settle British claims against the United States and some American claims against Great Britain; the French and American Claims Commission heard French citizens' claims against the United States. Some case files of both commissions include depositions from whites and freed slaves that give information about slave marriages.<sup>51</sup>

46. Deposition of Rebecca Potter, 5 June 1897, *Wade L. Potter v. United States*.

47. Deposition of David Crow, 26–27 August 1876, *Rachel Jones v. United States, Barred and Disallowed Case Files of the Southern Claims Commission, 1871–1880*, Office 70, Report 7, Records of the U.S. House of Representatives, RG 233; NA microfiche M1407, fiche 2267.

48. Deposition of Senia McClelland, 28 August 1875, *Senia McClelland v. United States*, Congressional Jurisdiction Case File No. 9433, Records of the U.S. Court of Claims, RG 123.

49. *Ibid.*

50. Deposition of Caroline Friend, 15 June 1874, Claim of Caroline Friend, Admx. of Jackson Donald, dec'd., Claim 18475, Limestone Co., Ala., *Southern Claims Commission Approved Claims, 1871–1880: Alabama*; NA microfilm M2062, roll 21, frames 908–65.

51. For further discussion of these claims, see Donna Rachal Mills, "Civil War Claims: Mixed Commission

## CONGRESSIONAL HEARINGS

Other federal records offer insight into the lives of African American and white ancestors. In the 1870s and 1880s whites and blacks—former slaves and those who were free before the Civil War—testified before government committees investigating the enforcement of certain laws and the activities of the Ku Klux Klan. Not only did they describe atrocities against nonwhites, but many African Americans also provided personal information, including data about their backgrounds and family lives.

*1871–72 Congressional Hearings*

A joint Senate-House committee, charged in 1871 with the mission to study “the condition of affairs in the late insurrectionary states” and, more specifically, the activities of the Klan, took depositions from citizens in North and South Carolina, Georgia, Alabama, Mississippi, and Florida. The testimonies published in a thirteen-volume report shed light on countless former slaves and their families. Brief abstracts of the testimonies, which often mention the deponent’s race, appear in five indexes within the volumes.<sup>52</sup>

Information in the testimonies varies but may include family relationships, former owners, military experience, residence, birthplace, and political experience after the war. William Hampton Mitchell, for example, testified that the mother of his son Allen Mitchell, was a woman whom he had “had for several years before I was free. At length she and me got apart, and we are apart yet.” Mitchell stated his age, place of birth, residence, and the names of other family members, including his brother-in-law, son-in-law, and father-in-law.<sup>53</sup> Other testimony suggested that some African Americans had been married before the war ended. In 1871 a twenty-seven-year-old Samuel Garrison identified his mother as Leanna Garrison and told of a racial incident in which he and his

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of British and American Claims,” *NGS Quarterly* 75 (June 1987): 141–52. Also, Gary B. Mills, “Alien Neutrality and the Red River Campaign: A Study of Cases Heard before the International Claims Commissions,” *Southern Studies* 16 (Summer 1977): 181–200; and Gary B. Mills, “Alexandria, Louisiana: A Confederate City at War with Itself,” *Red River Valley Historical Review* 5 (Winter 1980): 23–36. To consult case files of the Mixed Commission, use George S. Ulibarri and Daniel T. Goggin, comp., *Preliminary Inventory of Records Relating to Civil War Claims, United States and Great Britain*, No. 135 (Washington: National Archives and Records Service, 1962). To consult case files of the French and American Claims Commission, use George S. Ulibarri, comp., *Preliminary Inventory of Records Relating to International Claims*, No. 177 (Washington: National Archives and Records Service, 1974). These two preliminary inventories cover records that are part of Records of Boundary and Claims Commissions and Arbitrations, RG 76, National Archives, College Park, Md.

52. *Joint Select Committee to Inquire into the Condition of Affairs in the Late Insurrectionary States*, 42d Cong., 2d sess., 1871, S. Rept. 41, 13 parts, serials 1484–96. North Carolina depositions and an index are in volume 2; South Carolina is in volumes 3, 4 and 5, with an index in volume 3; Georgia is in volumes 6 and 7, indexed in volume 6; Alabama is in volumes 8, 9, and 10, indexed in volume 8; Mississippi is in volumes 11 and 12, indexed in volume 11; Florida is in volume 12, indexed in the same volume.

53. Testimony of William Hampton Mitchell, 26 October 1871, *Testimony Taken by the Joint Select Committee To Inquire into the Condition of Affairs in The Late Insurrectionary States, Georgia*, 42d Cong., 2d sess., 1871, S. Rept. 41, pt. 7, serial 1490, 641–44.

father had been shot.<sup>54</sup> Fifty-year-old Leanna testified that her husband, Jerry Garrison, had been killed in 1868, and that one of her sons (Samuel) resided in Atlanta.<sup>55</sup> Similar information enriches many of the testimonies. Testimony from whites should not be overlooked as they may have mentioned African Americans.

#### 1883–84 Congressional Hearings

In the 1880s, the federal government held hearings to assess race relations as well as economic and social conditions in the South, especially in Alabama and Georgia. In principle the hearings focused on relations "between labor and capital." In fact they covered wide-ranging topics—racial discrimination, working conditions, wages, salaries, rural conditions, and other "public welfare" issues.<sup>56</sup> Whites and blacks, including former slaves, answering questions about their personal backgrounds, education, and employment, provided valuable details for family historians. One deponent, John Lapsley, former president of Shelby Iron Works in Shelby County, Alabama, commented that a former slave's wife "was a very good servant of mine at the time."<sup>57</sup> A witness identified only as "Mrs. Ward," born and raised in Georgia, recalled that "among our servants was a Negro man named Ben, who was one of the best hands about the stable. . . . We had not owned him but two years. He had come out of Tennessee with some refugee family, and Mr. Ward had bought him and his wife—Ben and Ann."<sup>58</sup> She added: "My father's Negroes lived in families. Each family had their separate house, the husband and wife living together with their children as white people did."<sup>59</sup>

#### MILITARY RECORDS

African Americans have served in the military since the colonial era, and some documents—pension records among them—shed light on slave marriages. To receive a widow's pension former slave Lucretia Cox had to provide evidence of her marriage to the late Lewis Cox. Sworn testimonies by the widow, her son, and others provide details about all five of her marriages. Lucretia Evans, born 8 May 1846, in Morgan County, Alabama, married Troy Jeter during the Civil War. This was a slave marriage by their owner who lived near Coldwater, Mississippi. She subsequently married Sidney Johnson, Joseph Miller, James Cowan,

54. Testimony of Samuel Garrison, 27 October 1871, *Testimony Taken . . . Affairs in The Late Insurrectionary States, Georgia*, 687–89.

55. Testimony of Leanna Garrison, 27 October 1871, *Testimony Taken . . . Affairs in The Late Insurrectionary States, Georgia*, 666–68.

56. Senate Committee, *Report of the Committee of the Senate upon the Relations Between Labor and Capital, and Testimony Taken by the Committee*, 5 vols. (Washington: Government Printing Office, 1885). Testimonies appear in the first four volumes; the report is in the fifth volume. Reprinted in *Social Problems and Social Policy: The American Experience*, vol. 4 (New York: Arno Press, 1976): 662.

57. Testimony of John W. Lapsley, November 14, 1883, *Relations Between Labor and Capital*, 4: 161.

58. Testimony of Mrs. Ward, November 15, 1883, *Relations Between Labor and Capital*, 4: 342.

59. *Ibid.*, 323. Mrs. Ward's testimony provided additional personal views on "Negro Matrimony," 322–23.



and Lewis Cox. Testimonies give dates and places of the marriages and how each ended.<sup>60</sup> Other papers in the file further document Lucretia's story. To find Union pension applications, consult the National Archives microfilm publication, *General Index to Pension Application Files* (T288), found also at the Family History Library and other research facilities. Confederate pensions were awarded by states where applicants resided, and files are located in state archives. Some have put indexes online. At least one state provides digital images of every page of every application.<sup>61</sup>

The 1890 special census of Union veterans and their widows may also hold relevant information. Returns may include, for example, the name of the veteran and his widow, and his rank, company, and dates of enlistment and discharge. Records for Alabama through Kansas and part of Kentucky were destroyed; extant records are on National Archives microfilm publication M123. Also, microfilm publication M1785, *Index to Pension Applications of Remarried Widows Based on Service in the Civil War and Later Wars and in the Regular Army after the Civil War*, may lead to records that mention slave relationships. A special division in the pension office investigated nonwhite marriages, and widows had to prove slave marriages to soldiers.

## PRIVATELY CREATED RECORDS

### CHURCH RECORDS

Whites and blacks sometimes attended the same churches. Both Catholic and Protestant church records are useful, although information varies from church to church. In Mobile, Alabama, priests kept separate registers for blacks and whites as early as 1830 for marriages and 1781 for baptisms. Most marriage entries are for free people of color, although some document slave unions. For example, an 1842 inscription records the marriage of Severin, a slave of Leon Nicholas, and Elizabeth, a slave of Claire Favre.<sup>62</sup> In 1851 Ignace and Elizabeth married with their master's written permission.<sup>63</sup> In 1846 "Tom and his wife Fanny" were received into the Baptist church.<sup>64</sup> The Second Baptist Church granted Hercules and his wife letters of dismissal so they could join the African Baptist Church of

60. Testimonies of Lucretia Cox and James T. Jeter, M.D. [her son], Lewis Cox (alias Lewis Stennet), Widow's Certificate No. 969923, Company A, 111 U.S.C. Infantry; Approved Pension Applications, 1861-1934; Records of the Veterans Administration, RG 15; National Archives. For more details of the case, see Norman R. Peters, "The Civil War Pension File of Lewis Cox and His Wife Lucretia Evans," *Journal of the Afro-American Historical and Genealogical Society* 6 (Spring 1985): 32.

61. See, for example, Florida State Archives web site at <<http://dis.dos.state.fl.us/barm/Pensionfiles.html>>.

62. Severin-Elizabeth marriage, 3 September 1842, Marriage Register for Black People, 1830-60, entry 45, Parish of the Immaculate Conception; Mobile Church Archives, The Catholic Center, Mobile, Ala.

63. Ignace-Elizabeth marriage, 30 April 1851, Marriage Register for Black People, 1830-60, entry 86, Parish of the Immaculate Conception.

64. Letters of reception of Tom and Fanny into the church, 5 April 1846, Minutes of The Second Baptist Church, Mobile, Ala., 1845-75: 7; The First Baptist Church, Mobile.



Mobile.<sup>65</sup> Records of Bethel Presbyterian Church in Fayette County, Kentucky, show that Martha and Polly Ann, children of slaves William and Esther Parker, were baptized in 1836. Four years later, another child of theirs was baptized, suggesting the couple's continuing relationship.<sup>66</sup>

#### MAJOR MICROFILMED COLLECTIONS

##### *Plantation Records*

Plantation records can be another source of marital data. Extensive papers including account books, journals, slave lists, reports, diaries, letters, and business records comprise several collections. An ongoing project to publish these manuscript collections on microfilm has to date produced fourteen multi-part series with accompanying printed guides. Although the depiction of slave life is admittedly the perspective of the owners who created the records, the quantity of information in the collections more than warrants their use. The microfilmed collections can be found in many public and university libraries, the Family History Library, and elsewhere.<sup>67</sup> Researchers may have to overcome several obstacles to find the needed records. First, the slave owner must be known. Second, the collections are identified by the repositories where they are found today—not by the planters' places of residence—and consequently they may be hard to locate.<sup>68</sup> Additionally, no comprehensive index to the names of planters exists. One of the best available indexes is in Curt Witcher's *African American Genealogy*.<sup>69</sup>

Several examples illustrate the value of this resource. Henry Watson Jr., of Greensboro, Alabama, kept good records of his slaves' births and deaths. He listed Jacob and Peggy and five of their children with their birth dates and a death date for one child.<sup>70</sup> The plantation journal of John Forsyth Talbot recorded the sale of slaves Stephen, about eighty years old, and Sucky, his wife, about seventy.<sup>71</sup> James Ritchie Sparkman's plantation book referenced the sale of a tract of land called Richfield and "a gang of about 111 Negroes, and their issue . . . to be sold

65. Letters of dismissal for Hercules and wife, 13 June 1847, Minutes of The Second Baptist Church, Mobile, Ala., 1845–75: 25.

66. Baptisms of Martha and Polly Ann, 19 June 1836 and 11 Oct. 1840, Session Book of the Church at Bethel, 1823–61: 58, 96, Bethel Presbyterian Church, Fayette Co., Ky.; FHL microfilm 0,156,874.

67. Kenneth M. Stampp, ed., *Records of Ante-Bellum Southern Plantations from the Revolution through the Civil War* (Bethesda, Md.: University Publications of America, 1985–). For more information on this resource and the microfilmed series, see <<http://www.lexisnexis.com/academic/2upa/Ash/AnteBellumSouthernPlantations.asp>>.

68. Dee Parmer Woodtor, *Finding a Place Called Home: A Guide to African-American Genealogy and Historical Identity* (New York: Random House, 1999), 369.

69. Curt Bryan Witcher, *African American Genealogy: A Bibliography and Guide to Sources* (Fort Wayne: Round Tower Books, 2000). References to planters appear throughout the book, within the appropriate geographical sections.

70. Papers of Henry Watson Jr., in Stampp, *Records of Ante-Bellum Southern Plantations*, Series F, Selections from the Manuscript Department, Duke University Library, part 1, The Deep South, reel 17, frame 1080.

71. Papers of John Forsyth Talbot, *Plantation Journals*, vol. 1, slave book 1838, Talbot Family, Edgefield Dist., S.C., in Stampp, *Records of Ante-Bellum Southern Plantations*, Series A, Selections from the South Caroliniana Library, University of South Carolina, part 2, Miscellaneous collections, reel 2, frame 753.

in families." Slaves' names and ages were given.<sup>72</sup> Records of the Julien Devereaux family that emigrated from Alabama to Texas show names and ages of slave parents and children. For instance, six children of Maria and Henry, born in Covington or Macon Counties, Alabama, or Rusk County, Texas, are named.<sup>73</sup>

### Industrial Records

Many slaves toiled in industry and manufacturing rather than in agriculture. They mined iron and gold; they manufactured bricks; they processed tobacco; they worked in other sectors. *Slavery in Ante-Bellum Southern Industries*, published on microfilm in five multi-part series with descriptive guides, provides information about slaves involved in those industries.<sup>74</sup> Some records point to slave clusters. Paul appears with Amarretta and her children as a group, for example, in the Brevard-McDowell papers.<sup>75</sup>

## FINDING AIDS TO OTHER MANUSCRIPTS

Other resources can help researchers locate records kept by slave owners. Among the most useful finding aids are the *National Union Catalog of Manuscript Collections* (NUCMC) and the *National Inventory of Documentary Sources* (NIDS).<sup>76</sup>

### NUCMC

The *National Union Catalog of Manuscript Collections*, published and maintained by the Library of Congress, is a catalog of archival and manuscript collections in United States archives, libraries, historical societies, and other repositories. Found in libraries and partly searchable online, it describes thousands of

72. Papers of James Ritchie Sparkman, Plantation Book, 1853–59, in Stamp, *Records of Ante-Bellum Southern Plantations*, Series A, part 2, reel 6, frames 303–04.

73. Julien Sidney Devereux and Sarah Ann Devereux, Record Book, 1839–64, Julien Sidney Devereux Papers, in Stamp, *Records of Ante-Bellum Southern Plantations*, Series G, Selections from the Center for American History, University of Texas at Austin, part 1, Texas and Louisiana Collections, reel 41, frame 987.

74. Charles B. Dew, editorial advisor, *Slavery in Ante-Bellum Southern Industries* (Bethesda, Md.: University Publications of America, 1991–). Among the papers in this collection are records dealing with the purchase, hire, and care of slaves, as well as the working and living conditions of slaves and their families. For more information about this resource see <<http://www.lexisnexis.com/academic/2upa/Aaas/Ante-BellumSouthernIndustries.asp>>.

75. Brevard-McDowell Family Papers, in Dew, *Slavery in Ante-Bellum Southern Industries*, Series B, Selections from the Southern Historical Collection, University of North Carolina, Chapel Hill, vol. 1: 1791–98, folder 26, reel 2, frame 201. Some lists show additional relevant genealogical data, such as slaves' birth and death dates.

76. A useful guide to these finding aids is Mary McCampbell Bell, Clifford Dwyer, and William Abbot Henderson, "Finding Manuscript Collections: NUCMC, NIDS, and RLIN," *NGS Quarterly* 77 (September 1989): 208–18. NUCMC is also further explained and can be searched online at <[www.loc.gov/coll/nucmc/nucmc.html](http://www.loc.gov/coll/nucmc/nucmc.html)>. All post-1994 NUCMC material is online, as is cataloging for 1986/87–1993; earlier volumes (1959–85), now out of print, are available on microfilm. *Archives USA* offers an online subscription in which all published volumes are available.

collections and many types of records—"not only those of governments, businesses, and families but also those of churches, social clubs, learned societies, hospitals, cemeteries, and almost any other social institution that humanity has been able to invent."<sup>77</sup> Indexes in the printed volumes integrate names and subjects and, therefore, can be searched both under slaves' names and under such subject headings as church records, vital records, Negroes, and slaves. Names and subjects can also be checked separately in two commercially published indexes.<sup>78</sup> One NUCMC search produced a reference to a collection entitled "South Carolina Plantation Papers, 1760-1789" located in the South Carolina Historical Society in Charleston. It contains "plantation daybooks and journals, lists of slave births, deaths, marriages, the sick, and runaways . . ."<sup>79</sup>

#### NIDS

The commercial microfilm publication, *National Inventory of Documentary Sources in the United States*, reproduces more than 50,000 finding aids from United States archives, libraries, and research repositories. Researchers can consult the work in libraries and other research facilities. The published index can be searched either for slave owners' surnames or for information under such topics as slavery, marriage, slave deeds, and the like.<sup>80</sup> Proper use of these indexes can lead to specific records—like slave birth records, inventories, manifests, marriage legalizations, marriage licenses and certificates, and similar documents within collections.

### MISCELLANEOUS RECORDS

#### SLAVE TRADER ACCOUNT BOOKS

Among other helpful records are registers kept by slave traders. Locating them may be difficult as they are scattered widely. They may be buried in planters' personal papers, or among records confiscated from soldiers, or housed in historical societies. Researchers can search for them in the subject index of the above-mentioned *National Union Catalog of Manuscript Collections*.<sup>81</sup> John R. White, an apparent Louisiana slave trader maintained an account book in which he recorded the names of purchasers and also bondsmen—given names and surnames—their ages, prices, and sometimes relationships. White's records show that in 1857 he owned Billy Martin, aged fifty, Jane Martin, his wife, forty-five,

77. Bell, Dwyer, and Henderson, "Finding Manuscript Collections," 210.

78. *Index to Personal Names in the National Union Catalog of Manuscript Collections, 1959-1984*, 2 vols. (Alexandria, Va.: Chadwyck-Healey, 1988) and *Index to Subjects and Corporate Names in the National Union Catalog of Manuscript Collections, 1959-1984*, 3 vols. (Alexandria, Va.: Chadwyck-Healey, 1994).

79. MS 82-1686, in *National Union Catalog of Manuscript Collections*, 1982, (Washington: Library of Congress, 1983), 226.

80. *Index to National Inventory of Documentary Sources* (Ann Arbor, Mich.: ProQuest Information and Learning Co., 1992- ). The index is available on CD and on microfiche.

81. Woodtor, *Finding a Place Called Home*, 272.

and their four children. The previous year he owned Jerry McDowel, Milly, his wife, and their children.<sup>82</sup>

#### VITAL REGISTRATIONS

Most southern states did not systematically record vital registrations until the turn of the twentieth century, although there are exceptions. Virginia, for example, began registering births and deaths in 1852–53. Some slave birth records identify both parents. Some death records show names of a deceased slave's parents or consort. One such record documents the 15 December 1861 death in Southampton County, Virginia, of two-year-old Daniel, slave of M. D. Butler, who died of unknown causes. The record names his parents. On 15 February 1861 in the same county Charlotte, slave of William W. Branch, died of unknown causes at the age of sixty. Her parents were unknown, but she was the consort of Sam, another slave.<sup>83</sup> Alabama inconsistently registered births and deaths in the 1880s at the county level. Some are extant, including those for Madison, Perry, and Blount Counties. Former slaves' death registrations can obviously contain considerable personal data of genealogical value. Some cities, such as Mobile and New Orleans, initiated death registrations prior to the Civil War.

#### PUBLISHED SOURCES

Genealogists tracing slave ancestry should utilize those published materials that study, or simply cast light on, slavery and the black family. Especially valuable are those that present first-hand accounts or testimonies—albeit in published form—about former slaves.

#### NEWSPAPERS

In addition to birth, marriage, and death notices, newspapers sometimes published emancipations that identified slave unions. One such notice shows that, during the Civil War, the district provost marshal freed slaves in the St. Louis area, including Allen Pillow and his wife, former slaves of Gideon J. Pillow of Arkansas.<sup>84</sup> Other slaves belonging to Pillow were also freed, including Peter Pillow, his wife, and seven children.<sup>85</sup> In addition, runaway slave notices appeared. They may contain slaves' names, ages, residences, physical descriptions, and owners. Some advertisements posted the name of the runaway's wife. One owner advertised in 1810 that his thirty-five-year-old slave, James, was "African

82. Invoice of Negroes belonging to John R. White & S. Brown, January 1857, and Invoice of Negroes belonging to John R. White, 1856, John R. White account book of slave sales, 1846–59, R. B. Chinn Collection, Missouri Historical Society Archives, St. Louis.

83. Death records of Daniel, slave of M. D. Butler, and of Charlotte, slave of William W. Branch, Southampton Co. Register of Deaths, 1853–70: 35, County Clerk's Office, Southampton Co., Courtland, Va.; FHL microfilm 0,034,032.

84. "Certificates of Freedom," *Daily Missouri Democrat*, St. Louis, Mo., 5 September 1862, p. 4, col. 1.

85. "Emancipated," *Daily Missouri Democrat*, 4 September 1862, p. 4, col. 2.

by birth" and that his wife's name was Rachel.<sup>86</sup> Richard Blackledge reported in 1770 that his slave Chelter ran away and that he probably "will change his name, and direct his course towards Tar river, in North Carolina, as he had a wife, some time in April, sent there."<sup>87</sup>

Post-Civil War black newspapers, especially those that carried obituaries, are good genealogical sources. Some indexes are available, including James de T. Abajian, *Blacks in Selected Newspapers*, and Donald Jacobs, *Antebellum Black Newspapers*.<sup>88</sup>

#### EX-SLAVE NARRATIVES

In the 1930s the Writers Project of the Works Progress Administration conducted interviews with former slaves. A three-part index to these published accounts consists of an alphabetical listing of slaves, another alphabetical listing by state, and a subject index.<sup>89</sup> In addition, there are published and unpublished non-WPA narratives. Some slaves spoke of their parents' relationships. Mandy Jones, an eighty-year-old resident of Lyman, Harrison County, Mississippi, remembered that her mother was married "right in the white folkses house" by her master's "white preacher."<sup>90</sup> Other examples appear at the beginning of this article. The slave narratives are exceptionally rich in primary information and, therefore, are an excellent resource for documenting slave unions.

#### NATIVE AMERICAN MATERIALS

African Americans were enslaved not only by whites and others of their own race but also by Native Americans. For example, members of the Chickasaw and Choctaw tribes held five thousand slaves before the Civil War.<sup>91</sup> Daniel

86. Sherida K. Eddlemon, comp., *Genealogical Abstracts from Tennessee Newspapers, 1803-1812* (Bowie, Md.: Heritage Books, 1989), 131.

87. Lathan A. Windley, comp., *Runaway Slave Advertisements: A Documentary History from the 1730s to 1790*, vol. 1, *Virginia and North Carolina* (Westport, Conn.: Greenwood Press, 1983), 87.

88. James de T. Abajian, comp., *Blacks in Selected Newspapers, Censuses and Other Sources: An Index to Names and Subjects*, 3 vols. (Boston: G. K. Hall, 1977); and Donald M. Jacobs, ed., *Antebellum Black Newspapers: Indices to New York Freedom's Journal (1827-1829), The Rights of All (1829), The Weekly Advocate (1837), and The Colored American (1837-1841)* (Westport, Conn.: Greenwood Press, 1976). To locate newspapers, see Barbara K. Henritze, *Bibliographic Checklist of African American Newspapers* (Baltimore: Genealogical Publishing Co., 1995), and James P. Danky, ed., *African-American Newspapers and Periodicals: A National Bibliography* (Cambridge: Harvard University Press, 1998), which list the locations of extant copies of newspapers. For additional information, see Tony Burroughs, *Black Roots: A Beginners Guide to Tracing the African American Family Tree* (New York: Simon and Schuster, 2001), 288-93.

89. Donald M. Jacobs, ed., *Index to The American Slave* (Westport, Conn.: Greenwood Press, 1981). An explanation, "How to Use This Index," is found on pages xii-xv. See also Howard E. Potts, *A Comprehensive Name Index for The American Slave* (Westport, Conn.: Greenwood Press, 1997). The index includes the name of the narrator, and the narrator's age, year of birth, and place of residence (not place interviewed). The name of the former slave's master and the name of the interviewer are also included. For a fuller discussion of these interviews, see John W. Blassingame, *The Slave Community: Plantation Life in The Antebellum South*, rev. and enl. ed. (New York: Oxford University Press, 1979), 374-76.

90. Rawick, *American Slave*, vol. 8, *Mississippi Narratives*, part 3, 1226-42.

91. Daniel F. Littlefield Jr., *The Chickasaw Freedmen: A People Without a Country* (Westport, Conn.: Greenwood Press, 1980), 30.

Littlefield's studies on black freedmen of the Chickasaw and Creeks are another possible source for researchers. His notes and bibliographies point to countless unusual resources with excellent information that probably would not be found among traditional genealogical materials. One example is the *Report of the Committee on Indian Affairs* in which appears Moses Whitmire's 1885 testimony stating that he was a slave when he came to Fort Gibson in the Indian Territory, that his master's name was Whitmire, that he was born in Georgia, that his wife was a slave owned by the Cherokees, and that he married her before the Civil War.<sup>92</sup> In one study Littlefield discusses a slave Pompey, his two wives, Melinda and Dolly, also slaves, and their descendants.<sup>93</sup>

#### PUBLISHED COURT RECORDS

When original state appellate court case files no longer exist, abstracts are useful substitutes. Helen Catterall's abstracts of appealed court cases contain a wealth of information concerning blacks—slave and free—and some refer to slave marriages.<sup>94</sup> Catterall cites cases and tells where they can be found. Each volume includes a single index with topics such as marriage, families, husband and wife, cohabitation, and names of slaves. Catterall's work helped locate the record of Peter Stringerland, a New York Revolutionary War soldier—a slave who married another slave.<sup>95</sup> Also in Catterall is the case of two slaves in North Carolina who had "cohabited as man and wife for about ten years successively, and had had five children."<sup>96</sup> Cases heard after the war contain information about former slaves. For example, in Mobile County, Alabama, Cassius Swanson had at least three sons by two wives whom he married while a slave—the first having died before he remarried. The women were enslaved when they gave birth.<sup>97</sup>

Legal studies on various aspects of slavery are another possible resource. For example, a study of Louisiana legal history mentions several court cases after the Civil War that dealt with the legality of slave marriages. These suits contain

92. Testimony of Moses Whitmire, 20 May 1885, Senate Committee, *Report of the Committee on Indian Affairs on the Condition of the Indians in the Indian Territory, and Other Reservations, etc.* In *Two Parts*. Part 2. 49th Cong., 1st sess., 1886, S. Rept. 1278, serial 2365, 42–43.

93. Daniel F. Littlefield Jr., *Africans and Creeks From the Colonial Period to the Civil War* (Westport, Conn.: Greenwood Press, 1979), 121–23.

94. Helen Catterall, ed., *Judicial Cases Concerning American Slavery and the Negro*, 5 vols. (Washington, D.C.: Carnegie Institution of Washington, 1926–37).

95. Catterall, *Judicial Cases*, vol. 4, *Cases from the Courts of New England, the Middle States, and the District of Columbia* (Washington, 1936), 382.

96. Catterall, *Judicial Cases*, vol. 2: *Cases from the Courts of North Carolina, South Carolina, and Tennessee* (Washington, 1929), 76. Lengthier abstracts in state reports are available in law libraries.

97. *Stikes, Adm'r. v. Swanson, et al.*, in Thomas G. Jones, *Reports of Cases Argued and Determined in the Supreme Court of Alabama, During the January and June Terms, 1870* (Montgomery: Barrett and Brown, 1871), 633–37.



relevant genealogical data including information about antebellum slave unions.<sup>98</sup>

Other legal proceedings against African Americans can be found in the previously cited sixteen-volume facsimile series *Slavery, Race, and the American Legal System, 1700–1872*. It is unfortunate that no index to this series exists, because the records can be valuable. The case of Charles Brown, an alleged runaway slave in Maryland, apprehended and jailed, stands as one example. A witness testified that "Isaac, the father of Charles, told me frequently that himself, his wife, and ten or eleven children, were the slaves of Mr. Drury."<sup>99</sup> Another witness stated that this slave's parents and "brothers and sisters ten or twelve of them, all live with Mr. Drury, and belong to him as slaves."<sup>100</sup> In another case from the same state a witness reported that "Henry Jones lived fourteen or fifteen years in Brownsville, Tenn.; was of African descent; in color, ashy black. He was sometimes called Henry Servier, because he was the slave of John Servier, of Brownsville, Tenn., which place he left in the latter part of the year A. D., 1862, and went to Chicago. He was married to a girl named Emeline, the black slave of a Mr. William H. Loring, of Brownsville, about thirteen years ago, by myself, then a Justice of Peace in said town. After the marriage, they lived together as husband and wife until the death of Emeline in 1862. They were recognized and regarded as husband and wife by their acquaintances and neighbors during that time. . . . He and his wife were both slaves at the time of this marriage, and were married with the consent of their masters."<sup>101</sup>

#### PUBLISHED STUDIES AND OTHER RESOURCES

An increasing number of helpful published works are available. Back issues of the *Journal of the Afro-American Historical and Genealogical Society*, for which a published index exists, should not be overlooked.<sup>102</sup> *Black Biographical Dictionaries* lists some thirty thousand biographical references and thousands of portraits of black Americans.<sup>103</sup>

Legislative acts and petitions are another resource family historians can add to the growing list of materials that may document slave unions. Throughout the eighteenth and nineteenth centuries citizens petitioned the government at every level to win redress of grievances. Many such petitions filed in southern states

98. Judith Kelleher Schafer, *Slavery, the Civil Law, and the Supreme Court of Louisiana* (Baton Rouge: Louisiana State University Press, 1994), 302–04.

99. Finkelman, ed., *Slavery, Race, and the American Legal System*, series 2, vol. 1: *Fugitive Slaves and American Courts*, 44.

100. *Ibid.*, 66.

101. *Ibid.*, series 6, vol. 2: *Free Blacks, Slaves, and Slaveowners in Civil and Criminal Courts*, 284.

102. Barbara D. Walker, *Index to the Journal of the Afro-American Historical and Genealogical Society Quarterly: Issues of 1980–1990* (Bowie, Md.: Heritage Books, 1991).

103. Randall K. Burkett, Nancy Hall Burkett, Henry Louis Gates Jr., eds., *Black Biographical Dictionaries, 1790–1950* (Alexandria, Va.: Chadwyck-Healy, 1987); and Randall K. Burkett, Nancy Hall Burkett, and Henry Louis Gates Jr., eds., *Black Biography, 1790–1950: A Cumulative Index* (Alexandria, Va.: Chadwyck-Healey, 1991).

deal with a wide range of personal and political issues and provide supplemental information about families, marriage, divorce, miscegenation, race relations, religion, slave trade, and plantation management.<sup>104</sup> Some petitions filed in southern legislatures and in southern county courts have been microfilmed in an ongoing project to publish and disseminate the almost twenty thousand such extant petitions. The first series entitled *Race, Slavery, and Free Blacks: Petitions to Southern Legislatures, 1777–1867*, comprised about three thousand petitions from seven states—Delaware, Mississippi, North Carolina, South Carolina, Tennessee, Texas, and Virginia. The second series, *Race, Slavery, and Free Blacks: Petitions to Southern County Courts, 1775–1867*, is being filmed in parts and, when complete, will include more than fifteen thousand petitions from fifteen states and the District of Columbia. Up-to-date information about what is available can be found on the project's web site.<sup>105</sup>

#### CONCLUSION

Historian Herbert Gutman wrote, "Jumping over a broomstick served as the most common irregular slave marriage ritual. Sometimes sanctioned and even participated in by owners, it transformed a 'free' slave union into a legitimate slave marriage."<sup>106</sup> Past family historians trying to document slave unions formalized by simply "jumping the broom," celebrated more officially, or not ritualized at all had far fewer records at their disposal than do researchers today. Historians and genealogists have increasingly demonstrated that, despite clear obstacles, they can trace the lives of many African Americans. As this article shows, a variety of records can help document slave "marriages" and identify spouses—one of the most important keys to successful African American research.

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104. Loren Schwenger, ed., *A Guide to the Microfilm Edition of Race, Slavery, and Free Blacks: Series I, Petitions to Southern Legislatures, 1777–1867* (Bethesda, Md.: University Publications of America, 1999), xi, xiii. Also, Mills, "Tracing Free People," 269–70.

105. Schwenger, *Race, Slavery, and Free Blacks, Petitions to Southern Legislatures*, xi–xix. Also, Schwenger, ed., *Race, Slavery, and Free Blacks: Petitions to Southern County Courts, 1775–1867* (Bethesda, Md.: University Publications of America, 2002); and online at <<http://history.uncg.edu/slaverypetitions/intro.html>>.

106. Herbert G. Gutman, *The Black Family in Slavery and Freedom, 1750–1925* (New York: Pantheon Books, 1976), 275.

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#### Update: Using Chancery Court Proceedings

NGSQ 91 (June 2003): 111–38. The author reports that the earlier chancery bill naming the surviving children, with their spouses, of John and Alice Mullis (p. 128) was discovered in Hamilton Division (C7/156/16).